



DEPARTMENT OF ENVIRONMENTAL SERVICES

WETLANDS BUREAU

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Concord, NH 03302-0095

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Web site: www.des.state.nh.us/wetlands email: wetmail@des.state.nh.us



Instructions for Use of the Notification of Routine Roadway and Railway Maintenance Activities

This notification form and process are available for use by public or private entities who are proposing to conduct certain routine roadway and railway maintenance activities in wetlands, surface waters, and other areas that are protected under RSA 482-A. These activities are described in the *Best Management Practices for Routine Roadway Maintenance Activities in New Hampshire* (2001) (Roadway BMP manual) and DES administrative rules Wt 101 and 303.05(q). Most of these activities are considered minimum impact projects under the DES rules for classification of projects.

This process requires the identification of each maintenance activity to be conducted, the appropriate Best Management Practice (one or more of the 13 activities described in the Roadway BMP manual) to be used, and the location of each work area.

The applicant or activity sponsor shall:

1. Obtain and review a copy of the Roadway BMP manual. Copies are available from NH DOT, 1 Hazen Drive, Concord, NH 03301, (603) 271-3226; www.des.state.nh.us/wetlands/rule-law.htm; or from the DES Public Information Center, (603) 271-2975.
 - Identify the maintenance work that needs to be conducted. The form may be used for one or more maintenance activities, as long as they are located in the same municipality. Use as much space in the project description field as necessary if completing the form electronically. If you are using a hard copy, add extra pages if needed.
 - Identify the type of jurisdictional area in which the work is proposed (wetland or intermittent/seasonal stream, or water body).
 - Identify whether the work is proposed in a right-of-way or on private property. Maintenance work proposed on private property requires a release from the owner.
 - Review the Routine Roadway Maintenance Activities section of the Roadway BMP manual to determine if the proposed work is covered under this process and if the conditions described can be met. Although other manuals may provide guidance on various erosion and sedimentation control practices, to use this notification form and process, you must use the *Best Management Practices for Routine Roadway Maintenance Activities in New Hampshire* and specific conditions and maintenance activities that are described within it.
 - Select the sketch(es) that represent(s) the type of work you are proposing and copy those diagrams (or draw similar ones), adding the dimensions for your project.
2. Obtain a copy of a **US Geological Survey topographic map** and on the original or a copy of the map (black and white or color) indicate the location(s) where the maintenance activity is proposed.
3. Provide color photographs on 8-1/2 by 11 inch paper of areas of proposed work and the general area.

(process description continues on next page)

4. **At least five (5) calendar days before work begins,**

- Make three photocopies of the completed notification and accompanying materials, including map(s) and sketch(es), photographs, release from owner of property on which work is proposed;
- Mail the original notification with attachments to NH DES Wetlands Bureau,
PO Box 95, Concord, NH 03302-0095
- Provide one copy with attachments to the board of selectmen (or governing body)
- Provide one copy with attachments to the municipal conservation commission, (if there is one).
- Post one copy in a prominent location at each work site.

NOTE: If DES considers your notification complete, no further correspondence will be sent to you. You may wish to check the “Wetland Permits Query” on DES Wetlands Bureau’s web site to view the notification number and verify that it has been considered complete (www.des.state.nh.us/wetlands).

The following chart is provided to assist in the selection of the appropriate best management practices applicable to the maintenance activities allowed under this notification process.

Routine Roadway Maintenance Activities						
Best Management Practices		Maintenance Activity				
		Culvert Extension at the Same Location	Culvert Replacement and Relocation	Embankment Stabilization	Headwall Repair, Replacement and Construction	Roadside Ditch Maintenance/ Culvert Cleaning
1	Dredging Roadside Ditches	✓	✓		✓	✓
2	Filter Bags	✓	✓		✓	
3	In-stream Sediment-Trapping Devices	✓	✓		✓	
4	Outlet Protection/ Stone Riprap	✓	✓		✓	
5	Sandbags	✓	✓	✓	✓	✓
6	Sediment Retention Basins	✓	✓		✓	
7	Seeding	✓	✓	✓	✓	✓
8	Silt Fence	✓	✓	✓	✓	✓
9	Stone Check Dams					✓
10	Straw or Hay Bales	✓	✓	✓	✓	✓
11	Temporary Diversions	✓			✓	
12	Topsoiling	✓	✓	✓	✓	✓
13	Turbidity Curtains	✓	✓	✓	✓	



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Notification of Routine Roadway and Railway Maintenance Activities

Please circle YES or NO to respond to each question. **Bold-faced terms** are defined on the attached page.

<p>1. Will the proposed activity require disturbance in any wetland or surface water, on the bank of any surface water body, in uplands adjacent to a municipally designated prime wetland, or in a sand dune, flat, or undisturbed tidal buffer zone?</p> <p><i>If you answered NO, you do not need to file this form or any other wetlands application. If you answered YES, continue.</i></p>	<p>Yes</p>	<p>No</p>
<p>2. Will the proposed activity impact a bog, marsh, sand dune, flat, tidal wetland, undisturbed tidal buffer zones, a wetland or species identified in the Natural Heritage Inventory, or is the proposed activity in or adjacent to designated prime wetlands or within a quarter mile of a N.H. designated river?</p> <p><i>If you answered YES, you must file a different wetlands application and no work in the above areas may begin until a permit is received. If you answered NO, continue to question 3 and 4.</i></p>	<p>Yes</p>	<p>No</p>
<p>3. Will the work be conducted in the dry, either at low water periods or behind temporary diversions described in BMP #11 in <i>Best Management Practices for Routine Roadway Maintenance Activities in New Hampshire</i>?</p>	<p>Yes</p>	<p>No</p>
<p>4. If you are proposing to dredge roadside ditches, do the ditches have all three of the following characteristics: they are manmade, they run parallel with the roadway and they have a defined channel and banks?</p>	<p>Yes</p>	<p>No</p>
<p><i>If you answered NO to question 3 or 4, you must file a different wetlands application and no work in a jurisdictional area can begin until a permit is received. If you answered YES, continue to question 5.</i></p>		
<p>5. Will the proposed activity include any of the following:</p> <p>a) Extending an existing culvert more than 10 feet at the inlet or outlet?</p> <p>b) Replacing a culvert larger than 36 inches in diameter, or increasing the diameter more than 50%, or increasing the diameter to more than 36 inches?</p> <p>c) Relocating or skewing (realigning) an existing culvert such that</p> <ul style="list-style-type: none"> ▪ the distances from the old location of the inlet to the new location of the inlet, added to the distance from the old location of the outlet to the new location of the outlet, total more than 50 linear feet; or ▪ the total length of seasonal streambed channel to be filled (including riprap at outlet) is more than 50 linear feet measured along the thread of the channel; or ▪ the culvert being skewed (realigned) is in a perennial stream. <p>d) Dredging roadside ditches that carry a perennial stream?</p> <p>e) Stabilizing an embankment adjacent to a perennial stream or river?</p>	<p>Yes</p>	<p>No</p>
	<p>Yes</p>	<p>No</p>
	<p>Yes</p>	<p>No</p>
	<p>Yes</p>	<p>No</p>
	<p>Yes</p>	<p>No</p>
<p><i>If you answered YES to any of questions 5a-5e, you must file a different wetlands application and no work within a jurisdictional area can begin until a permit is received. If you answered NO to questions 5a-5e, complete items 6 - 13.</i></p>		
<p>FOR DES USE: Date received: _____ Initials: _____ File#: _____</p>		

6. Provide the following contact information.				
Activity Sponsor (choose one category below):				
	DOT Maintenance District (specify):		State Agency (specify):	
	Municipality (specify):		Private owner of railway:	
	Owner of private roadway		Other (specify):	
Name of Authorized Representative:		Daytime phone number:	Fax number	Email address:
Street mailing address or PO Box:		Municipality (Mailing Address):		State Zip code
7. Provide location(s) of the proposed activity(ies) below. Attach separate sheets as needed.				
Street address(es) or nearest intersection(s)				
Municipality		Tax map and lot # (if private property)		
Jurisdictional area where work is proposed (check all that apply)		Wetland	Intermittent (seasonal) stream	Name of water body(ies), if applicable:
Provide a brief description of each activity and the location at which it will occur:				
8. Routine Maintenance Activity covered by Roadway BMP Manual (<i>Check all that apply</i>):				
	Culvert Extension		Relocating an Existing Culvert	
	Embankment Stabilization		Replacing Culvert	
	Headwall Repair, Replacement and Construction		Roadside Ditch Maintenance	
<input type="checkbox"/> 9. Attach a copy of a USGS topographic map (at its original scale) with the proposed location(s) clearly identified.				
<input type="checkbox"/> 10. Attach sketches showing construction design (see manual, <i>Best Management Practices for Routine Roadway Maintenance Activities in New Hampshire</i> for examples and templates).				
<input type="checkbox"/> 11. Attach color photograph(s) mounted on 8-1/2 x 11 inch paper, of proposed work site(s) showing existing structures, surrounding land, and waterbody (in or adjacent to work location).				
12. By signing below, the authorized representative is certifying that: 1) all information provided in this notification is accurate and correct; 2) all work will conform to <i>Best Management Practices for Routine Roadway Maintenance Activities in New Hampshire</i> ; 3) the conditions on the following page shall be followed; 4) copies of this Notification have been provided to the board of selectmen (or governing body) and municipal conservation commission (if one exists) in the municipality in which work is proposed.				
_____ Signature of authorized representative		_____ Date		
13. Make three photocopies of this form and all required attachments, including map(s) and sketch(es) <ul style="list-style-type: none"> ▪ Mail the original notification with attachments to NH DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095 at least five (5) calendar days before work begins. ▪ Provide one photocopy to the board of selectmen (or governing body) and one photocopy to the municipal conservation commission, (if there is one), at least five (5) calendar days before work begins. ▪ Post one photocopy in a prominent location at each worksite. <p style="text-align: center;"><i>You may proceed with the proposed activity upon proper filing of a <u>complete</u> notification.</i></p>				

**** CONDITIONS ****

Keep this page for reference

All Routine Roadway and Railway Maintenance Activities are subject to the following general conditions.

1. Surface water quality degradation shall not occur as a result of this work. Siltation, erosion and turbidity controls shall be installed in accordance with the *Best Management Practices for Routine Roadway Maintenance Activities*, maintained to ensure that there is no water quality degradation, and removed once the area is stabilized.
2. Work shall not involve movement of tracked or wheeled equipment into or through surface waters or wetlands, but only on dry or frozen ground.
3. Dredged material shall be placed out of RSA 482-A (DES Wetlands Bureau) jurisdiction -- those wetlands, seasonal or perennial surface waters, and other areas protected under RSA 482-A. Additional areas protected include uplands adjacent to prime wetlands, upland tidal buffer zone, flats, sand dunes, and banks of surface water bodies.)
4. Work within surface waters shall be done "in the dry" either during periods of low water or behind appropriately designed temporary diversions such as sandbag cofferdams, and installed in accordance with the Roadway BMPs.
5. **No work shall occur on land not owned by the activity sponsor without a release from all owners of property that will be impacted.** A copy of the property owner release shall be provided to DES along with the Notification form.
6. All work shall be done in accordance with the Comprehensive Shoreland Protection Act (CSPA), and shall not involve removal of trees from areas within CSPA jurisdiction.
7. A copy of the notification shall be posted in a prominent location at each worksite before work begins.
8. No work shall be done in or adjacent to municipally designated prime wetlands, in bogs, marshes, tidal wetlands, undisturbed tidal buffer zone, flat, or sand dunes or in any jurisdictional area within a quarter-mile of a New Hampshire designated river.

Definitions of Terms -- Notification of Routine Roadway and Railway Maintenance Activities

482-A Jurisdiction -- Those wetlands, seasonal or perennial surface waters, and other areas protected under the dredge and fill law. Additional areas protected include uplands adjacent to prime wetlands, upland tidal buffer zone, sand dunes, and banks of surface water bodies.

Best Management Practices for Routine Roadway Maintenance Activities in New Hampshire (August 2001) - The manual developed by the New Hampshire Department of Transportation that addresses the best management practices for reducing soil erosion and controlling sedimentation from routine roadway maintenance activities. Copies are available from NH DOT, 1 Hazen Drive Concord, NH 03301, (603) 271- 3226; www.state.nh.us/dot/environment/pdf/BMPManual.pdf; or from the DES Public Information Center (see Wetlands Applications below)

Bog -- A wetland distinguished by stunted evergreen trees and shrubs, peat deposits, and acidic soil and water conditions. Bogs generally have no inlet or outlet. *Sphagnum* moss may be abundant. *The Notification form may not be used for any activities in bogs.*

Designated prime wetland - A wetland designated by a municipality for special protection in accordance with Chapter Wt 700 of the wetlands rules. Projects in or adjacent to prime wetlands are classified as major projects. *The Notification form cannot be used for any activities in or adjacent to prime wetlands. If you are not sure whether or not the project is adjacent to a designated prime wetland, please call the DES Wetlands Bureau, (603) 271-2147. As of April 2003, municipalities with designated prime wetlands are: Andover, Barrington, Bow, Brookline, Derry, Enfield, Exeter, Gilford, Holderness, Hooksett, Meredith, Nashua, New London, Northwood, Pelham, Salem, Sanbornton, Sandwich, Tamworth, Weare, and Wolfeboro. Check with the municipal office or DES for the locations of these wetlands.*

Designated river - the portion of a river that has been specifically designated by the General Court pursuant to New Hampshire Rivers Management and Protection Program, RSA 483:15. (See www.des.state.nh.us/rivers/)

Embankment – A protective bank constructed of mounded earth or fill materials located between a roadway (or rail bed) and a seasonal stream or other wetland.

Flat - relatively level landforms composed of unconsolidated mineral and organic sediments usually mud or sand, usually continuous with the shore and that are alternately flooded and exposed by the tides.

Low water period – Those times during the year when the water depth and flow are equal to or less than that typically achieved in later summer months (July and August) at a particular site. This does not include times immediately after or before moderate to large precipitation events when flow rates may rise.

Marsh -- A wetland distinguished by the dominance of soft-stemmed herbaceous plants such as cattails, grasses, reeds, and sedges, lily pads or pickerel weed, water at or above the surface, and the absence of trees and shrubs. *The Notification form cannot be used for any activities in marshes.*

Natural Heritage Inventory -- Information about rare, threatened, and endangered species and exemplary natural communities in New Hampshire, which is maintained by the Natural Heritage Bureau of the N.H. Department of Resources and Economic Development. For information about any species or communities documented in your municipality, view the document [Rare Plants, Rare Animals, and Exemplary Natural Communities in New Hampshire Towns](http://www.nhdf.org/formgt/nhiweb/lists_&_reports_online.htm) at http://www.nhdf.org/formgt/nhiweb/lists_&_reports_online.htm or call (603) 271-3623 for information.

Perennial stream -- A watercourse that flows most of the year.

River – A watercourse that is larger than a perennial stream and flows all year long.

Sand dune -- areas that have barrier beach morphology, and one or more components of a sand dune complex (i.e., foredune, duneslack, backdune, etc.).

Surface water -- Those waters of the state, as defined by RSA 482-A:4, which have standing or flowing water at or on the surface of the ground during part or all of the year. This includes, but is not limited to, rivers, streams (perennial and seasonal), lakes, ponds and tidal waters, and marshes.

Tidal wetlands -- a wetland whose vegetation, hydrology or soils are influenced by periodic inundation of tidal waters.

Undisturbed tidal buffer zone -- the area extending landward 100 feet from the highest observable tide line where natural soil and vegetation characteristics are present over a majority of the site, there is no fill or excavated land, no pavement or buildings, and commercial or residential development is absent on at least two sides of the property. This area can contain wetlands, transitional areas, and natural and developed upland areas.

USGS (United States Geological Survey) topographic map -- A map that uses contour lines to represent the three-dimensional features of a landscape on a two-dimensional surface. These maps use a line and symbol representation of natural and artificially created features in an area. **Map scale** – **1:24,000** or **1:25,000**. Maps are available at most outdoors and sporting goods stores, as well as bookstores. Digital versions of the USGS topographic maps are acceptable.

Wetland -- An area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal conditions does support, a prevalence of vegetation (more than 50 percent) typically adapted for life in saturated soil conditions (hydric soils). Wetlands include, but are not limited to swamps, bogs, marshes and similar areas. Sometimes term is used interchangeably with “jurisdictional area.”

Wetlands Applications -- Other forms (*Standard Dredge and Fill* or *Minimum Impact Expedited*) are used to apply for permits to work in wetlands or surface waters if the answer to question 2 or 5 is "Yes" or the answer to 3 or 4 is “no.” These forms can be obtained from municipal clerks, from the DES Wetlands Bureau PO Box 95, Concord, NH 03302; at (603) 271-2147, or from the DES web site at: www.des.state.nh.us/wetlands. For projects that do not qualify for the Notification of Routine Roadway and Railway Maintenance Activities (i.e., if the answer to question 2 or 5 is "Yes" or the answer to 3 or 4 is “no”), no work in wetland or surface water may begin without obtaining and posting a DES wetlands permit.