November 23, 2015

Regulatory Division
CENAE-R-PEC
Permit Number: **NAE-2015-01928**

City of Portsmouth
c/o Terry Desmarais
680 Peverly Hill Road
Portsmouth, New Hampshire 03801

Dear Applicant:

This is to inform you that we have reviewed your application to conduct activities as described on the attached NH State Permit 2015-01866, dated October 9, 2015.

Based on the information you provided to the New Hampshire Wetlands Bureau, we have determined that your project, which includes a discharge of dredged or fill material into waters or wetlands, will have only minimal individual or cumulative environmental impacts on waters of the United States, including wetlands. Therefore, this work is authorized under the attached Federal permit known as the New Hampshire Programmatic General Permit (PGP). This work must be performed in accordance with the terms and conditions of the PGP and the following special conditions:

**Special Condition 1:** As described in the attached New Hampshire Division of Historical Resources letter dated May 27, 2015 fencing and monitoring by an archaeologist will be conducted in Areas 5 and 6 to protect two identified middens and a probable remnant of the Fort Washington earthworks.

**Special Condition 2:** This authorization does not authorize the revetment work shown in the attached plans or referenced in the attached State Permit.

This authorization expires on August 3, 2017 unless the PGP is modified, suspended, or revoked before that. You must complete the work authorized herein by that date. If you do not, you must contact this office to determine the need for further authorization before continuing the activity. We recommend that you contact us before this authorization expires to discuss a time extension or reissuance of the authorization.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

This authorization presumes that the work as described above and as shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to this office.
This permit does not obviate the need to obtain other Federal, state or local authorizations required by law, including those listed in the PGP. Performing work not specifically authorized by this determination or failing to comply with all the terms and conditions of the PGP may subject you to the enforcement provisions of Corps regulations.

We continually strive to improve our customer service. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at http://www.nae.usace.army.mil/reg/Customer_Service_Survey.pdf.

If you have questions concerning this, please contact Richard Kristoff of my staff at (978) 318-8171, (978) 318-8335/8338, (800) 343-4789, or, if calling from within Massachusetts, (800) 362-4367.

Sincerely,

Frank J. DeGiudice
Chief, Permits & Enforcement Branch
Regulatory Division

Enclosures

Copies Furnished:

New Hampshire Department of Environmental Services, Wetlands Bureau, Attn: Mr. Collis Adams, P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Jon Pearson, AECOM, 701 Edgewater Drive, Wakefield, Massachusetts 01880, Jon.Pearson@aecom.com
The State of New Hampshire
Department of Environmental Services

Thomas S. Burack, Commissioner

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WETLANDS AND NON-SITE SPECIFIC PERMIT 2015-01866

Permittee: City of Portsmouth
c/o Terry Desmarais
680 Peverly Hill Rd.
Portsmouth, NH 03801

Project Location: Peirce Island, Portsmouth
Portsmouth Tax Map/Lot No. 206 / 1

Waterbody: Piscataqua River

APPROVAL DATE: 10/06/2015 EXPIRATION DATE: 10/06/2020

Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued. This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Impact a total of 135,975 square feet of developed and undeveloped upland tidal buffer zone, including a total of 21,745 square feet in the undeveloped tidal buffer zone (13,210 s.f. temporary and 7,505 s.f. permanent impacts); and a total of 114,230 square feet in the developed tidal buffer zone (87,220 sf. temporary and 27,010 permanent impacts) for construction to upgrade the existing Portsmouth Wastewater Treatment facility in accordance with EPA Consent Decree. Approve as mitigation implementation of the "Invasive Species Management Plan" by Normandeau Associates dated August 18, 2015.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by AECom dated July 2015, as received by the NH Department of Environmental Services (DES) on 7/21/2015.
2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
3. This permit is further contingent upon execution of approved mitigation "Invasive Species Management Plan" by Normandeau Associates dated August 18, 2015, with the following requirements:
   a. The Plan shall be initiated concurrent with the project facility construction;
   b. Initial report documenting the first season's activities shall be submitted no later than October 1;
   c. A second report shall be submitted following the next season no later than October 1 of the second year;
   d. A plan for long-term success and monitoring shall be submitted to DES at the end of the second year for review and approval.
4. Orange construction fence shall be installed around permitted impact areas to avoid activities expanding into unintended areas, and in further accordance with specific requirement relative to threatened species protection stated below.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Relative to the protection of the state-threatened Marsh Elder populations the following conditions shall be adhered to:
   a. No construction activity or equipment staging will occur outside of erosion control limits, approximately 40 feet from Marsh Elder populations;
   b. Construction safety fencing shall be installed along either side of Peirce Island Road during the construction;
   c. During the construction season (Dec. 1- Apr. 30) erosion control fencing will be installed around the seasonal construction trailer/staging area, located adjacent to the eastern end of Sub-population 1;
   d. Before construction fencing is removed at the end of the construction season, and/or upon termination of the project, care should be taken to remove any sediments that have collected along the fence, so that they do not run off with storm water and impact the Marsh Elder.
7. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.

www.des.nh.gov
29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
8. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.

9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.

10. Erosion control products shall be installed per manufacturers recommended specifications.


12. No concrete is to be used anywhere in the construction of the stone riprap revetment. All stone shall be dry laid or placed stone underlain with filter fabric.

13. All temporary impacts shall be remediated back to natural contours and stabilized with native seed mix, as well as planted according to the approved landscape plan immediately upon completion of project construction use of the site.

14. A report documenting such restoration shall be submitted to DES within 30 days of the restoration activities being completed.

15. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.

16. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.

17. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

18. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

GENERAL CONDITIONS THAT APPLY TO ALL DES WETLANDS PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;

2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;

3. The Wetlands Bureau shall be notified upon completion of work;

4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES-Alteration of Terrain, etc.);

5. Transfer of this permit to a new owner shall require notification to and approval by DES;

6. This project has been screened for potential impacts to known occurrences of rare species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have received only cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.


APPROVED:

Dori Wiggin, East Region Supervisor
DES Wetlands Bureau

BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.
PORTSMOUTH, NEW HAMPSHIRE
PEIRCE ISLAND WASTEWATER TREATMENT FACILITY
EXHIBIT A - REVETMENT LOCATIONS

CITY OF PORTSMOUTH
PORTSMOUTH, NEW HAMPSHIRE
PEIRCE ISLAND WASTEWATER TREATMENT FACILITY
EXHIBIT A - REVETMENT LOCATIONS

SCALE: 1:24,000
JUNE 2015

Project Location
NHDES WETLAND PERMIT
CITY OF PORTSMOUTH, NEW HAMPSHIRE

PEIRCE ISLAND
WASTEWATER TREATMENT FACILITY UPGRADE
JULY 2015

NOTE:
Wetlands were delineated by HRM Environmental Associates, Inc. on June 2, 2015. The wetland designations
were compiled in accordance with the criteria contained in the U.S. Army Corps of Engineers
Wetlands Delineation Manual, Technical Advisory T-271-1 (January, 1997) and the training supplied
by the Northeastern Box Turtle Project (January, 2015) and meet the criteria for wetland
designations in accordance with the NHDES Administrative Rules ENV-64-01-01 and ENV-64-03-04.
PLAN
SCALE 1:140
MEAN HIGH WATER
PISCATAQUA RIVER
HIGHEST OBSERVED TIDE LINE (HOTL)

MATCH LINE, SEE SHEET 00 C-103 PERMIT
STABCUZEO CONSTRUCTION EXIT. SEE DETAILS.

PISCATAQUA RIVL::J!

ACCEss

MATCH LINE, SEE SHEET 00 C-102 PERMIT

MATCH LINE, SEE THIS SHEET

PLAN

SCALE 1'-40"
SANITARY PUMP STATION No. 2

4" 0, FROM GRIT BUILT
DRAINAGE TO ROOF

PISCATAQUA RIVER

SANITARY PUMP STATION No. 2

PLAN

MATCH LINE, SEE SHEET 00 C-110 PERMIT

MATCH LINE, SEE SHEET 00 C-108 PERMIT

1 2 3 4 5

1 2 3 4 5

SCALE: 1"=20'

PERMIT APPLICATION DRAWING
NOT FOR CONSTRUCTION

AECOM

SITE LAYOUT DRAINAGE GRADING AND DRAINAGE PLAN III

CITY OF NEWPORT
DEPARTMENT OF PUBLIC WORKS

PROJECT NO. PROJECT NO. PROJECT NO.
CITY CO. 825 C-108

00 C-108 PERMIT
CITY OF PORTSMOUTH, NH - DEPARTMENT OF PUBLIC WORKS
PEIRCE ISLAND WETTLE UPGRADE
SITE LAYOUT, PAVING, GRADING
AND DRAINAGE PLAN II
PERMIT APPLICATION DRAWING
NOT FOR CONSTRUCTION

MATCH LINE, SEE SHEET 00 C-110 PERMIT
MATCH LINE, SEE SHEET 00 C-109 PERMIT
NOTES:
1. HOT USED.
2. NOT USED.
3. NOT USED.
4. EXISTING GRANITE CURVES SHOWN UNTIL SMALL WAVES DURING CONSTRUCTION SHALL BE REDESIGNED AND REMOVED WHERE POSSIBLE WHEN CONSTRUCTING FINAL CURVES AND APPEARANCE.
WITHIN IMPACT AREA II: PRIOR TO ANY CONSTRUCTION ACTIVITY, CONTRACTOR TO SCOUR TOP OF EXISTING GRADE AND COVER WITH A MINIMUM OF 4" OF CRUSHED STONE.

100 FOOT TEAL BUFFER

1. AT THE CONCLUSION OF CONSTRUCTION ACTIVITY, CONTRACTOR TO SCOUR TOP OF EXISTING GRADE AND COVER WITH A MINIMUM OF 4" OF CRUSHED STONE.

2. PRIOR TO ANY CONSTRUCTION ACTIVITY, CONTRACTOR TO LAY GEOTEXTILE FABRIC ON EXISTING GRADE AND COVER WITH A MINIMUM OF 4" OF CRUSHED STONE.

100 FOOT TEAL BUFFER

100 FOOT TIDAL BUFFER
PERENNIAL PLANTING

- Crown of plant to be 2 in. high, ringed threadless grade after settling.
- 2-3 in. depth and fine dark mulch (composted, non-biodegradable mulch).
- 2 in. high earth watering saucer (mulch, planting bed).
- Planting soil medium (consolidated soil type and topsoil, see specifications).
- Undisturbed subgrade.

NOTES:
1. Change to required depth and material, see planting bed.
2. Hose and water any plant that settle more than 0.5 in.
3. Water by flushing twice in first two weeks after planting, when & manner as per standard specifications.

EVERGREEN TREE PLANTING

- 1-1/2 in. depth, with the burlapped tree (mulch should not touch trunk).
- Plant with root flare 1" above finish grade.
- Finish grade after settlement.
- 2" depth mulch (keep mulch 1" away from shrub base).
- 2" high earth watering saucer 1-2" beyond root ball.

SHRUB PLANTING

- 1-1/2 in. depth, with the burlapped tree (mulch should not touch trunk).
- Plant with root flare 1" above finish grade.
- Finish grade after settlement.
- 2" depth mulch (keep mulch 1" away from shrub base).
- 2" high earth watering saucer 1-2" beyond root ball.

NOTES:
1. Change to required depth and material, see planting bed.
2. Hose and water any plant that settle more than 0.5 in.
3. Water by flushing twice in first two weeks after planting, when & manner as per standard specifications.

DECIDUOUS TREE PLANTING

- 1-1/2 in. depth, with the burlapped tree (mulch should not touch trunk).
- Plant with root flare 1" above finish grade.
- Finish grade after settlement.
- 2" depth mulch (keep mulch 1" away from shrub base).
- 2" high earth watering saucer 1-2" beyond root ball.

NOTES:
1. Change to required depth and material, see planting bed.
2. Hose and water any plant that settle more than 0.5 in.
3. Water by flushing twice in first two weeks after planting, when & manner as per standard specifications.
COMPLIANCE CERTIFICATION FORM

Permit Number: NAE-2015-01928

Project Manager: Richard Kristoff

Name of Permittee: Portsmouth

Permit Issuance Date: November 23, 2015

Please sign this certification and return it to the following address upon completion of the activity and any mitigation required by the permit. You must submit this after the mitigation is complete, but not the mitigation monitoring, which requires separate submittals.

* MAIL TO: U.S. Army Corps of Engineers, New England District
  * Permits and Enforcement Branch C
  * Regulatory Division
  * 696 Virginia Road
  * Concord, Massachusetts 01742-2751

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the above referenced permit, and any required mitigation was completed in accordance with the permit conditions.

_________________________________________  __________________________
Signature of Permittee                       Date

_________________________________________  __________________________
Printed Name                                 Date of Work Completion

(  ) ___________________________  (  ) ___________________________
Telephone Number                             Telephone Number