Proposed NH stream crossing rule changes for forest management (4/23/10) == DRAFT==

### Regulatory flow chart

1. **Does the project impact the jurisdictional area?** (i.e. within the banks of the stream)
   - No: No Permit Required. – Env-Wt 303.05(r)
     - BMPS must be followed
   - Yes: Minimum Impact permit forest notification required – Env-Wt 303.04(e) *(This has not changed)*
     - Operation in frozen conditions
     - Roads cleared by felling timber adjacent to roadway
     - Road base does not use fill other than snow or stumps inverted in place
     - Minimal use of ditching
     - Road is less than 15’ wide and 200’ long
     - No stumping in stream banks
     - Spring retirement includes soil stabilization

2. **Is the crossing/roadway through a forested wetland?**
   - No: Does every individual crossing impact less than 3,000ft² of jurisdictional area or less than 50 linear feet of the stream channel?
     - Yes: Standard Dredge and Fill Permit required – Env-Wt 903.01(e)
       - Minor Project if length of impact between 50’ and 200’
       - Major Project if length of impact is greater than 200’
     - No: This is a “temporary crossing” permitted under a minimum impact forestry notification – Env-Wt 303.04(g)(1)
       - BMPs must be followed
       - Allows one or more instream post/ pier and one or more abutment(s)
       - There are no restrictions on stream width

3. **Will the crossing remain in-place for more than 2 years?**
   - No: This is a “permanent crossing”. Is the scoured channel width less than 8 feet?
     - Yes: Crossing must be permitted according to the new “Tier Designation System”
       - Is the contributing watershed >25 acres and < 200 acres?
         - No: Tier II crossing – Minor Impact Project – Env-Wt 903.01(c)
           - Crossing must accommodate 100-year flood
           - Closed culverts permitted
           - Plans must be stamped by a Professional Engineer
           - Construction to follow UNH Stream Crossing Guidelines
           - Streambed in crossing must be comparable to natural streambed
         - Yes: Tier II crossing – Minor Impact Project – Env-Wt 903.01(b)
           - Crossing must accommodate 50-year flood
           - Closed culverts permitted
           - Plans must be stamped by a Professional Engineer
           - Construction to follow UNH Stream Crossing Guidelines
           - Streambed in crossing must be comparable to natural streambed

4. **Is the contributing watershed > 200 acres and < 640 acres?**
   - No: When the contributing watershed is greater than 640 acres it is a Tier III crossing – Major Impact Project – Env-Wt 903.01(d)
     - Crossing must accommodate 100-year flood
     - Span or open-bottom culverts only (no closed bottom culverts)
     - Plans must be stamped by a Professional Engineer
     - Retained vegetated bank for wildlife passage
     - Construction to follow UNH Stream Crossing Guidelines
     - Streambed in crossing must be comparable to natural streambed
     - Compensatory mitigation may be required
   - Yes: Tier I crossing – Minimum Impact Project – Env-Wt 903.01(b)
     - Crossing must accommodate 50-year flood
     - Closed culverts permitted
     - Plans must be stamped by a Professional Engineer
     - Construction to follow UNH Stream Crossing Guidelines
     - Streambed in crossing must be comparable to natural streambed

5. **Does the project impact the jurisdictional area?** (i.e. within the banks of the stream)
   - No: No Permit Required. – Env-Wt 303.05(r)
     - BMPS must be followed