

New Hampshire Water Resources Board Order No. 26.07HB

ORDER NO. 26.07HB
RE-CONSTRUCTION OF A DAM
FOR THE PURPOSE OF WORKING A MILL
(RSA 482:16)

NEW HAMPSHIRE WATER RESOURCES BOARD
37 PLEASANT STREET
CONCORD, NEW HAMPSHIRE 03301

At a meeting of the New Hampshire Water Resources Board (the Board) held on July 28, 1983, the Board voted affirmatively as follows:

WHEREAS, New Hampshire Hydro Associates (Associates) has filed with the Board on May 6, 1983, an application for approval for the reconstruction of a dam across the Contoocook River in the Town of Boscawen, Merrimack County, New Hampshire; and

WHEREAS, the Board has considered the application and finds that based on the preliminary plans as submitted by the Applicant that the dam, if properly maintained, would not be a menace to public safety; and

WHEREAS, in accordance with RSA 482:20 notice was given; and

WHEREAS, in accordance with RSA 482:21 a public hearing has been held for the purpose of determining if said project will be of public use and benefit; and

WHEREAS, the Board finds that the tax benefits to the city and state, and energy production considerations are in the public interest; and

WHEREAS, the Board finds that there will be no adverse impacts upon scenic or recreational values; and

WHEREAS, the Board finds that there will be no major adverse impacts upon fish and wildlife; and

WHEREAS, the Board finds that there will be no adverse effect upon navigation; and

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WHEREAS, the Board finds that there will be no adverse effect upon bathing and other public uses; now therefore

The Board finds that said project is of public use and benefit.

IT IS ORDERED that the request be and is approved and said reconstruction is hereby registered and authorized subject to the following terms and conditions:

1. The dam shall only be reconstructed (the addition of 1 1/2 feet high flashboards) after submission and approval of the complete set of "final plans and specifications" and shall be operated and maintained in compliance with the provisions of the Revised Statute Annotated Chapter 482.
2. The elevation of the "operating pool" shall be as stated on the Statement of Intent application and other material submitted; that being 280 MSL.
3. The Applicant shall receive the appropriate permits, if required, from the Federal Energy Regulatory Commission, and any of their requirements that are inconsistent with this Board Order will be subject to the Board's review and approval.
4. The Applicant shall cut any trees growing in the proposed impoundment area.
5. The Applicant shall be required to pass the prevailing river flow either through the turbine and/or gates of this facility continuously with a minimum discharge of inflow equalling outflow.
6. Registration of the dam by the Board does not relieve the owner from meeting the requirements of public safety or other provisions of the law.
7. Registration of the dam by the Board does not convey a property right nor authorize any injury to property or invasion of other rights.
8. The proposed dam reconstruction shall be completed within a period of two years after issuance of this Order unless otherwise extended.

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9. The Applicant shall have the responsibility to coordinate this project with that of the New Hampshire Public Works & Highways bridge project in the same area.

NEW HAMPSHIRE WATER RESOURCES BOARD

By Delbert F. Downing
Delbert F. Downing, Chairman

Date August 9, 1983

DFD/GLK/mdw

cc: Town of Boscawen, City of Concord

N.H. Public Works & Highways, Bridge Section

File 26.07/51.08

MERRIMACK COUNTY RECORDS
Recorded Aug. 12, 8-00A.M., 1983

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