

Dalton Select Board
Dalton Municipal Building
756 Dalton Road
Dalton, NH 03598
Selectmen@townofdalton.com

July 6, 2021

Stefanie M. Giallongo, Wetlands Permitting Specialist
David Price, East Region Supervisor
New Hampshire Department of Environmental Services
29 Hazen Drive
Concord, NH 03302-0095

Re: Public Hearing for NHDES application 2020-02239, submitted by Granite State Landfill, LLC

Dear Ms. Giallongo and Mr. Price:

The following is in response to the request for comments for the July 14, 2021 Public Hearing on the Wetlands Permit application referenced above.

The Dalton Select Board thanks DES for scheduling a public hearing in the North Country, close to Dalton. This a matter of intense local interest and having a public hearing in Whitefield is greatly appreciated.

To date, no zoning application has been filed for this project. A Zoning Application (special exception) is required pursuant to the Emergency Temporary Zoning ordinance enacted by the Town of Dalton voters in 2019 and extended for another year at the Town Meeting on June 8, 2021. We request suspension of all wetland permit application review processes pending compliance with local zoning ordinances and pending local zoning approvals.

The Dalton Conservation Commission (DCC) and their Certified Wetlands Specialist (CWS) visited the property in January 2021, when the ground was frozen and covered with snow. At that time, and subsequently, plans for a visit during the Spring growing season were discussed and agreed upon. Despite that agreement, the applicant refused to allow that agreed upon visit during the Spring growing season. We request that the application permit review process be suspended until the DCC and their experts are allowed on the property during the growing season when it is possible to accomplish a complete and thorough assessment of the property, including assessment of the wetlands and vernal pools, the potential impact to aquatic and other natural resources by the proposed project, the hydrogeology of the property, etc. The Select Board believes that such a visit is essential for the DCC to provide a comprehensive analysis of the property with respect to this Wetlands Application permit and the proposed landfill project. The initial DCC assessment is attached.

The Dalton Select Board has reviewed the June 1, 2021 letter from Jamie Colby of the DES Solid Waste Management Bureau, regarding the Standard Permit Application (No. 2021-52265) for the proposed Granite State Landfill corresponding to this Wetland Permit Application (No. 2020-02239). In this letter, DES notes that the permit application is incomplete, and review of the application is suspended until the requested information is received. Would you help us to understand the different regulatory requirements between the Wetlands Bureau and the Solid Waste Division of DES? It appears that many of the deficiencies in the Solid Waste Permit application pertain to inadequate data regarding wetlands, natural resources, and hydrogeological structure, yet the Wetlands Permit Application was found to be complete. As lay persons, it appears that many of the issues and deficiencies noted also apply to the Wetlands Permit application.

Thank you for your consideration. As the elected representatives of the citizens of Dalton, we look for these issues to be addressed before the permit application review process proceeds, so that the citizens of Dalton may be assured of a thorough and independent assessment by the Dalton Conservation Commission, and of appropriate and required review of a Zoning Special Exception application by the Dalton Zoning Board.

Sincerely,

Dalton Select Board

Jo Beth Dudley, Chair

Tamela Swam

Carol Sheltry

Attachment: Dalton Conservation Commission letter to NHDES Wetlands Bureau, 02/16/2021

N.H. Department of Environmental Services

Wetlands Bureau Craig.rennie@des.nh.gov

RE: *NHDES File Number: 2020-02239 Wetlands Standard Permit Application*

Dear Mr. Rennie,

The Dalton Conservation Commission (DCC) is sending this letter in regard to Wetlands Permit Application (#2020-02239) submitted by Casella Waste Management/Granite State Landfill LLC. Please make this letter part of your record in this Application.

The DCC has retained a New Hampshire Certified Wetland Scientist (CWS) to review the application. A site visit was conducted at the site of the proposed landfill on January 8, 2021. At the time, the ground was frozen and covered with snow which made the evaluation of wetlands difficult.

Based on the information in the application materials submitted to date, the initial site visit with our CWS, and our preliminary review, the DCC has the following significant concerns:

- Several wetland areas on the property have been dredged or filled, without necessary permits, for road construction and possibly earth resource extraction. These unauthorized activities were acknowledged by Casella's wetland consultant.
 - **The DCC requests that outstanding violations be resolved and the site brought into compliance with all statutory authorities (e.g., wetlands, alteration of terrain and Corps permitting) before any new permitting is allowed to proceed.**
- **Impact to wetlands and other aquatic resources:**
 - **Direct impact** (dredge and fill) to wetlands and other aquatic resources (e.g., streams and vernal pools) will be major and as yet not clearly quantified by an independent source.
 - **Indirect impact** to other aquatic resources, including streams and wetlands down-gradient, has also not been determined and we must therefore, rely on the data submitted by the applicant.
 - It is likely that past and future changes in the watershed (e.g., the removal of vegetation and construction of detention basins) will increase surface water temperatures which may have significant adverse effects on some of the Highest Ranked Habitat in New Hampshire (Alder Brook Wetlands Complex) and Highest Ranked Habitat in the Biological Region.
 - **The resources mentioned above, as well as the Ammonoosuc River and Forest Lake State Park are important to the residents of Dalton and surrounding communities as they have significant wildlife, fisheries, tourism, and recreational values.**
- **Cumulative impacts from the proposed landfill and by other past, present and reasonably foreseeable future actions (e.g., earth resource extraction, development of an industrial park, racetrack and other activities) are very significant.**

Since the cumulative impact is so large, we respectfully request that the search for an offsite alternative be expanded.

The DCC recommends that the Granite State Landfill Wetlands Permit Application be denied due to the significant and severe impact on valuable wetlands, some of the "highest ranked" wildlife habitat in the State, and other important aquatic resources. In addition to adversely affecting these resources, we are also concerned the project will diminish the value of other resources including the Alder Brook complex, the Ammonoosuc River, and Forest Lake all of which have significant wildlife, fisheries, tourism, and recreational values that are essential to the economy of the region.

Respectfully,

Dalton Conservation Commission

Nancy Comeau, Chair

Nancy Comeau 2-16-21

- Christine Rouillard
- Mike Noel
- Ernie Hannaford
- Traci Wagner
- Ruth Duval