

To: Michael Schlosser  
Supervisor, Permitting Section NHDES  
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NH Dept. of Environmental Services  
PO Box 95, 29 Hazen Drive  
Concord, NH 03302

Date: January 24, 2024

**RE: Alteration of Terrain Bureau Permit Application (RSA 485-A:17); NHDES File Number: 231113-224**  
**Project Name: GRANITE STATE LANDFILL**  
**Subject Property: Tax Map# 406, Lot# 2.1 & 3**

Dear Mr. Schlosser:

The Ammonoosuc River Local Advisory Committee reviewed the above referenced AoT permit application at our regular January 3, 2024 meeting.

The proposed project is described in the Alteration of Terrain (AoT) permit application as:

The landfill is proposed to be developed in two stages, each with three cells. Initial earthwork is slated to begin in 2025 with operations extending through 2046. The total proposed disturbance is 148 acres with a lined waste disposal footprint of 70 acres. The lots designated for this proposed project are listed in the Town of Dalton records as Map 406 Lot 2.1 and Map 406 Lot 3. Total final impervious cover will be 1,152,200 square feet or 26.45 acres. The site infrastructure area is proposed to be located approximately 3,000 feet to the south of the landfill.

The AoT permit application describes planned impacts to wetlands, in several instances descriptions of impacts are deferred to a Standard Dredge and Fill Wetlands permit that has yet to be submitted.

#### “8. BRIEF PROJECT DESCRIPTION”

This project is for the development of the Granite State Landfill project, which will consist of tree clearing, wetland filling (permitted separately(sic)) construction of lined landfill and berms, site infrastructure area, roadway improvements, and stormwater facilities.” (p2)

On page 4 the AoT application states “Wetland impacts associated with the installation of these culverts (along Douglas Drive) are covered by the Standard Dredge and Fill application for the project, which is being filed by GSL concurrently with this application.”

#### “WETLAND FILLING

Concurrent with the filing of this application, GSL will be filing a Standard Dredge and Fill wetlands permit application to NHDES to fill wetlands within the project limits (approximately 10 acres) in support of the development of this project. NHDES wetland permits are issued for a period of five years with an option to request an extension of another five years. This application assumes that the project will receive the five-year extension to the wetlands permit. The project intends to fill the wetlands as cell development progresses from south to north. The landfill will be developed in six construction sequences, each between 10 and 16 acres in size and constructed in approximately 3-year intervals. Assuming that the wetlands permit is received in 2025, the landfill will likely be operating in the third cell when the permit expires. GSL anticipates completing the

remaining permitted wetland fills before the Stage II cells are constructed to meet the 10-year timeline of the wetland permit.” (p7)

It is unclear to us if this last sentence refers to a portion of the reported 10 acres of wetland to be filled or if it is referring to additional wetland filling to be applied for at a future date. In past permit applications the amount of wetland to be filled by the proposed project was 17 acres.

The application continues:

“Prior to the expiration of the wetland permit (with assumed 5-year extension), the project anticipates that construction associated with Douglas Drive, the site infrastructure area, and Stage I of the landfill will be complete and wetland fills associated with those areas will have taken place. Towards the end of Stage I development, GSL would fill the remainder of the wetlands in the Stage II footprint. These wetland soils are proposed to be replaced with a granular fill (see “Select Sand” gradation specification provided in Appendix S) and compacted and graded to promote sheet flow and infiltration of precipitation.”

“A key component of the Stage II wetland filling will be to divert stormwater away from existing wetland areas to limit the opportunity for them to recharge. Stage I wetland fills are expected to be completed during cell development. To accomplish this, the design diverts surface water from upland areas away from filled wetlands to stormwater infrastructure with berms and swales. Internal swales to the Stage II area may also be necessary for stormwater removal. Note the wetlands are primarily recharged by groundwater flow. There is no surface water flow in or emanating from these wetlands. Runoff coefficients from filled wetland areas will be less than that of a capped landfill, having much flatter slopes, and will generate less stormwater runoff as evidenced by the enclosed stormwater calculations.” (p 8)

We find this last paragraph confusing in that stormwater, i.e. surface water, will need to be diverted from the wetland areas but later states that “There is no surface water flow in or emanating from these wetlands.” However, on page 3 the application states “Surface water and groundwater flow at the site is generally east to west towards the Alder Brook wetland complex.”

In the Pre-Application Meeting Project Description, it is noted that natural resources that might be impacted includes “approximately 10 acres of largely forested wetland within the depicted limits of disturbance will be impacted by the project. Three vernal pools and two potential vernal pools will be impacted. A portion of an intermittent stream will be filled,” “The principal wetland functions to be affected center on wildlife habitat, flood flow alteration and groundwater discharge.” The headwater streams on the hillside are highly interconnected with ground water, feeding into the Hatch Brook-Alder Brook tributary, a perennial stream complex that flows into the Ammonoosuc River just a short distance upstream of Town of Littleton.

As detailed in **Env-Sw 804.03 Surface Water Protection Standards**.

(e) The footprint of a landfill shall not be located within 200 feet upgradient and 100 feet downgradient of a wetland within the jurisdiction of RSA 482-A, excluding any drainage appurtenances related to the site, that is not allowed to be filled under the authority of RSA 482-A.

#### **Section 482-A:2 – Definitions**

**X.** "Wetlands" means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

**XI.** "Wetland functions" means the practical measurable values of wetlands. The 12 primary wetland functions are ecological integrity, wetland-dependent wildlife habitat, fish and aquatic life habitat, scenic quality, educational potential, wetland-based recreation, flood storage, groundwater recharge, sediment trapping, nutrient trapping/retention/transformation, shoreline anchoring, and noteworthiness.

Stormwater treatment plans presented in the AoT rely on historical data and use a 50-year event as the maximum considered in calculations. It seems obvious that, while apparently conforming to application requirement,

reliance on historic data and limiting calculations to a maximum of a 50-year event are not considering the current trends in storm activity and amounts of precipitation produced. In addition, snow is excluded from calculation, but recent events show that there is rapid snow melt accompanied by liquid rain due to influxes of warm temperatures.

Some of the negative impacts to the Ammonoosuc River Corridor by the proposed entrance to the proposed in the AoT application include increased air pollution, trash lost from trucks, and increased stormwater runoff.

The Ammonoosuc River is classified a Rural River from the White Mountain National Forest boundary near the Lower Falls to the Bethlehem/Littleton town line. According to the Rural Rivers Activities List, no new landfill is to be allowed within ¼ mile of the river. A portion of the Douglas Road driveway is located within 250 feet of the Ammonoosuc River.

Selection of the landfill location should be based on factors of topography, natural resources, socioeconomics, and safety. It is recommended that the Dalton site does not appear to be a suitable location for multiple reasons. In addition, the Ammonoosuc River having been selected for two upstream landfill sites (existing landfill in Bethlehem and proposed site in Dalton) makes it seem like the responsibility has unduly been put on one river to carry the landfill burden of several states, which is unfair to the River, downstream communities, and the region.

Specific concerns and negative impacts that will result from the granting of this AoT permit include:

- ✍ Disturbance to the well-functioning wetland complex
- ✍ Disturbance to Alder Brook fishery managed to protect wild brook trout (catch & release)
- ✍ Disturbance to rainbow trout and brown trout fishing in the Ammonoosuc River
- ✍ Alder Brook has Highest Ranked Wildlife Habitat in NH in 2020 Wildlife Action Plan
- ✍ 5 Vernal Pools on the property are a priority resource that need to be protected
- ✍ Ammonoosuc River is source of drinking water downstream in Woodville and in Lisbon with river's proximity to the Lisbon town wells
- ✍ Fluvial Geomorphology indicates very high fluvial erosion zone in this reach of the river (Ammonoosuc River Geomorphic Assessment, Floodplain Conservation, and River Corridor Planning by Dr. John Field, October 2011)
- ✍ Slope of land in topography directs drainage flow from the site down to the river
- ✍ Runoff drainage from impervious gravel area on the site would also flow downhill
- ✍ Screening landfill from the public view of tourists, a challenge for the proposed hillside
- ✍ Truck traffic blowing dust from gravel driveway down to highway Route 116 below
- ✍ Highway sharp turn access to site poses an impediment to traffic flow along highway
- ✍ The AoT permit application defers certain descriptions of wetland impacts to a Standard Dredge and Fill Wetlands permit that has yet to be submitted

The Ammonoosuc River Local Advisory Committee (LAC) is particularly concerned about the attempt to absolve the distance requirement of a proposed new solid waste landfill from portions of an important functioning wetland complex by attempting to use other permits to allow the filling 10 acres of wetland.

It is the opinion of the committee that Alteration of Terrain Bureau Permit Application (RSA 485-A:17); NHDES File Number: 231113-224 should not be issued.

Sincerely,



Richard Walling, Chair  
Ammonoosuc River LAC