

March 1, 2024

Via Email

New Hampshire Department of Environmental Services
Emma Berger
Wetlands Bureau, Land Resources Management
Emma.Berger@des.nh.gov

**Re: NHDES File Number: 2023-03259 Standard Dredge and Fill Wetlands
Permit Application (“Application”)
Letter from CWS at Fraggie Rock Environmental, LLC**

Dear Ms. Berger,

I write in continued representation of North Country Alliance for Balanced Change (“NCABC”) regarding the Application of Granite State Landfill, LLC (“GSL” or “Applicant”), a subsidiary of Casella Waste Systems, Inc., for a Standard Dredge and Fill Wetlands Permit (“Application”) to the Wetlands Bureau (“Bureau”) of the New Hampshire Department of Environmental Services (“Department”) for its proposed landfill on the private road of Douglas Drive in Dalton and Bethlehem, New Hampshire (“Landfill” or “Proposal”). Please make this letter and its enclosure part of your record of this matter.

Please find enclosed the opinion of New Hampshire Certified Wetland Scientist and Certified Professional in Erosion and Sediment Control Damon Burt of Fraggie Rock Environmental, LLC.

In Mr. Burt’s professional opinion, the Department cannot approve the Application because of the Application’s many, serious deficiencies. As he writes, the Landfill poses significant environmental concerns including:

- contamination of drinking water,
- threats to wildlife, and
- destruction of wetlands and vernal pools.

GSL has not provided sufficient evidence the project avoids and/or minimizes these impacts.

Mr. Burt concludes GSL has not adequately shown runoff from the Landfill nor leachate would be free of PFAS, a forever chemical shown to cause significant impact to wildlife and humans. Said runoff and leachate would threaten the entire Ammonoosuc River watershed which serves thousands of New Hampshire residents as a drinking water supply and is home to several threatened and endangered wildlife and plant species.

Furthermore, the Application is misleading and incomplete in its analysis of the full impact of the Landfill. GSL cannot claim the Proposal avoids and/or minimizes wetland and vernal pool impacts because the proposed site was not field wetland delineated. Therefore, the on-site alternative analysis is incomplete and inconclusive.

The Department must interpret all Env-Wt rules consistent with the purposes of their enabling statute, RSA 482-A:1:

It is found to be for the public good and welfare of this state to protect and preserve its submerged lands under tidal and fresh waters and its wetlands, (both salt water and fresh-water), as herein defined, from despoliation and unregulated alteration, because such despoliation or unregulated alteration will adversely affect the value of such areas as sources of nutrients for finfish, crustacea, shellfish and wildlife of significant value, will damage or destroy habitats and reproduction areas for plants, fish and wildlife of importance, will eliminate, depreciate or obstruct the commerce, recreation and aesthetic enjoyment of the public, will be detrimental to adequate groundwater levels, will adversely affect stream channels and their ability to handle the runoff of waters, will disturb and reduce the natural ability of wetlands to absorb flood waters and silt, thus increasing general flood damage and the silting of open water channels, and will otherwise adversely affect the interests of the general public.

Pursuant to RSA 482-A and its implementing rules, including Env-Wt 313.03, the Applicant must show, among other requirements, the Proposal avoids and/or minimizes potential impacts to:

- wetlands, vernal pools, and protected species and habitat (Env-Wt 313.03(b)(4));
- drinking water supply and groundwater aquifer levels (Env-Wt 313.03(b)(8)).

As Mr. Burt opines, the Applicant has not done this. Given the deficiencies and concerns noted in the enclosed analysis, the Department cannot approve the Application. Thank you for your attention to this matter.

Very truly yours,



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Enclosure
Cc: Clients

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