

USACE File Number NAE-2021-02240 (Granite State Landfill)

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 6 attachments (21 MB)

ARLAC letter ro DES.pdf; FRE Comments on GSL Wetland Permit Application 2 28 2024.pdf; 2024 NEES Report.pdf; McClammer Letter 2 20 2024 Dalton GSL Landfill Wetlands Comments CVES.pdf; USACE NAE-2021- 02240 COMMENTS.docx; AquiferMap Bethlehem (1).jpg;

May 1, 2024

U.S. Army Corps of Engineers

CENAE-R-PN-NH@usace.army.mil

Subject line: USACE File Number NAE-2021-02240

Dear Permit Reviewers:

I have served on the Bethlehem Conservation Commission since 2007, and we recently commented about our concerns about this proposed Granite State Landfill to the NH Department of Environmental Services on both the Alteration of Terrain and Standard Dredge and Fill Wetlands Permit applications that were submitted. Below, first, are our comments that relate to the factors the USACE must address in order to grant a permit. And later on we are calling your attention to some issues – including possible impacts to the federally endangered long-eared bat -- raised by experts hired to two other groups in Dalton: The Dalton Conservation Commission and the North Country Alliance for Balanced Change.

No need for extra trash capacity:

To approve this permit will NOT be in the public interest. First of all, it just is NOT needed.

The state has no need for extra trash capacity until **at least 2034**, and who knows what the situation will be then given several bills in the state legislature? Capacity could – and would -- be available even longer if the state were serious about reducing waste, which it is supposed to be doing but is not.

Opening another landfill will do nothing to help the state meet its current waste reduction goal of 25% by 2030. New Hampshire already failed to meet its previous recycling goal of 40% by the year 2000, which was set by the NH legislature in 1990.

And there is no way any possible benefit from this proposed landfill could make up for the detriment it will cause to conservation, economics, wetlands, fish and wildlife, recreation, water supply, water quality, and, in general the environment and the needs and welfare of the people.

1) Direct immediate detriment to the community from traffic, noise and air pollution

Rural communities are on the front lines of **environmental justice** battles, bearing the burden of pollution generated in wealthy urbanized locations (Ashwood and MacTavish, 2016). We already have one landfill in Bethlehem; we don't need another nearby. Why not site a landfill in the southern part of the state? There is more trash generated in the more populated southern part of New Hampshire and it would be also closer to Massachusetts, which imports its trash to us.

It is worth noting that these impacts extend beyond the solid waste destined for rural landfills. We also need to account for associated the transportation impacts. Increased truck traffic brings increased exposure to air and noise pollution. These exposures have real and measurable impacts on human health included increased cardiovascular disease, respiratory illness and mortality (Truax et al 2012). Truck traffic increases risk of fatal collisions for people (National Safety Council, 2021) and wildlife (Skroch and St.Hilaire, 2021)

In this regard, we understand that garbage trucks will be making 200 trips a day through our small towns. How is this to the benefit of the public? Casella Waste Systems, which would benefit from this project, would like to direct those trucks through Main Street in Bethlehem. Our town's Selectboard has written about its objections to the NH Department of Transportation, which has said it wants Casella to take a more direct route through Littleton. We don't know how this is going to turn out, since Casella always seems to win. Either one is not good for the North Country's economy. In Bethlehem, we have several small family-run restaurants with outdoor seating. The few trucks that do come through in the summer now are a detriment. It's hard to imagine how much worse it could get.

2) Wrong site for a landfill:

Concerns over porous soil on the site is one reason this is the wrong site for a landfill because that type of soil could allow any leaks to more quickly reach the Ammonoosuc than soil types at other locations. Also, the site is uphill of the Ammonoosuc – a designated river in the NH Rivers Management and Protection Program -- and over an aquifer. It's bad enough that Casella's landfill in Bethlehem is in close proximity to the Ammonoosuc and over an aquifer. **(Aquifer map attached)** Two branches of the Alder Brook run a course that has them empty into the Ammonoosuc so that any disruptions and impacts, runoff, could affect the river.

Although the Casella operation likes to refer to the Bethlehem landfill as state-of-the-art, in May of 2021, 154,000 gallons of leachate was allowed to spill out of the landfill over a weekend because of a mechanical failure. This operating deficiency resulted in NH DES Letter of Deficiency No. WMD LOD 21-023. A similar event could happen at the Granite State Landfill and could contaminate the Ammonoosuc. There have been other Letters of Deficiency sent by DES about various NCEs operations.

3) Vernal pools, streams and rivers: First, five vernal pools were located on the property.

Second, we have attached a letter dated **October 1, 2020 (Attached)** from the Ammonoosuc River Local Advisory Committee to DES, which was written about an earlier permit application for the same landfill, which Casella withdrew. It notes that Alder Brook has Highest Ranked Wildlife Habitat in NH in the 2020 Wildlife Action Plan.

Although written in 2020, it continues to apply today, particularly what was written about the Ammonoosuc River: "... 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, which is unfair to the downstream communities."

4) Wetlands Impacts:

According to the plans, the project will require filling of 10 acres of wetlands, which could possibly have an impact on contiguous wetlands in the existing wetlands complex

The commission reviewed the previous Alteration of Terrain permit application (NH DES File # 231113-224) for this property. **Those application maps show 33 separate points of permanent and temporary impact of wetlands specifically along Douglas Drive alone, a part of which is in Bethlehem. In total, the applicant states that 10 acres of wetlands will be disturbed – a nice way of saying filled.**

While a large part of the wetlands to be affected are located outside of the Town of Bethlehem's jurisdiction, nature does not know human-made boundaries and water flows and seeps wherever it can.

Those are comments from the Bethlehem Conservation Commission. In Dalton, where the landfill is proposed to be sited, two groups have hired experts to review the recent wetlands application. Those groups are the Dalton Conservation Commission and the North Country Alliance or Balanced Change. I am sure they will be submitting those documents. However, when we reviewed the reports from those experts, we were appalled at the findings. Therefore, we are providing below excerpts from comments from several of those experts.

5) IMPACTS ON OTHER WILDLIFE AND PLANT SPECIES:

The Dalton Conservation Commission retained North East Ecological Services (NEES) to determine whether the proposed landfill construction posed a potential adverse impact on the federally endangered long-eared bat. **IN SUMMARY: Findings are that the "Habitat Assessment is qualitatively inadequate to assess likely impact to bats at the Project Site."**

Damon E. Burt:

* "The Fish and Wildlife Service Endangered Species Project Review (Project code 2023-0019103, dated 11/21/23) found the Canada lynx (federally threatened), northern long-eared bat (federally endangered), and monarch butterfly (candidate) may occur within the boundary of the project or be affected by the project." (p.4)

* "According to the NHDES The Ammonoosuc River Fact Sheet, "[s]everal threatened or endangered wildlife species are found in the Ammonoosuc River watershed," including the bald eagle; peregrine falcon; American marten; upland sandpiper; brook floater; dwarf wedge mussel; resident osprey; and the northern bog lemming. (p.3)

* In addition to threatened and endangered wildlife, the NH Natural Heritage Inventory lists "20 state-endangered plant species as occurring along the Ammonoosuc River," including Boott's rattle snakeroot; chestnut sedge, Robbins' cinquefoil, green dragon; Kalm's brome; bristly rose; wavy blue grass; hairy-eared rockcress as well as 15 state threatened plant species. (p.3)

* “Furthermore, in Section 10 of the GSL Wetland Permit Application packet, the Natural Heritage Bureau Data Check (NHB23-3333) submitted on 12/12/2023 found the potential for two rare natural communities (northern white cedar balsam fir swamp and northern white cedar seepage), two state endangered plant species (greater yellow lady’s slipper and marsh horsetail) and the state threatened common loon to be within the vicinity of the project area. Impacts to the **northern white cedar balsam fir swamp** and **northern white cedar seepage** and the **greater yellow lady’s slipper** and **marsh horsetail** may occur as these were not evaluated by the applicant.” (p.3)

6) WETLANDS and OTHER WATER-RELATED IMPACTS:

Jim McClammer, NH Certified Wetland Scientist #003, Connecticut Valley Environmental Services, Inc.

*This is an extremely important project that will disturb approximately 148 acres of land, add 25.5 acres of impervious surfaces, destroy 11.5 acres of wetlands, and have adverse effects on the Ammonoosuc River and other known and unknown public interest factors. At a minimum, it is “projected that the GSL will generate leachate contamination for the better part of 100 years”1. (p.1)

*At a minimum, the numerous ponds (13 infiltration basins, six rain gardens, three deep-sump catch basins, and two stormwater ponds) will increase surface water temperatures to levels that will likely have adverse effects on downstream wetlands, cold-water fisheries, and highest ranked habitats in New Hampshire. (p.4)

Damon E. Burt, CPESC, Fraggie Rock Environmental

*“... These remarks indicate that both groundwater and surface water from the site drains in the direction of the Ammonoosuc River. This indicates any potential contamination in surface or groundwater will flow to the Ammonoosuc River.” (p.2)

* “In summary, the proximity of the proposed GSL to the Ammonoosuc River that provides drinking water to thousands, and flows into the Connecticut River that provides drinking water to millions, is both egregious and unethical. Research shows that PFAS is not adequately contained by landfills nor treated well enough to ensure the nearby waterways will remain uncontaminated. The applicant has not provided adequate proof that runoff from the landfill nor leachate will be free of PFAS, a forever chemical, shown to cause significant impact to wildlife and humans.” (p.3)

Dr. W. Richard Laton, Principal Consultant, Hydrology and President of Earth Forensics, Inc.

*As discussed above, PFAS and other chemicals are being found in the monitoring system for the NCES landfill in Bethlehem that threaten the water quality of drinking water and the Ammonoosuc River. It must be considered that such an event could take place at the GSL. Placing a landfill within the groundwater recharge area for the Alder Brook groundwater basin and Alder Brook catchment surface water area would also lead to discharges of leachate contaminants into the Ammonoosuc River but, in addition, could threaten the water supply and water quality for Forest Lake. (p. 4)

CONCLUSION:

In summary, the Bethlehem Conservation Commission feels the problems with this application are so widespread and indisputable that **the permit must be denied.**

It has been said over-and-over again in comments associated with several permit applications already filed for the proposed GSL, but we think there is a need to say it again: **this is the wrong site for a landfill.**

One reason is that the porous soil on the site could allow any leaks to reach the Ammonoosuc more quickly than soil types at other locations. Two, the site is uphill of the Ammonoosuc, a designated river in the NH Rivers Management and Protection Program. Also, two branches of the Alder Brook run a course that has them emptying into the Ammonoosuc so that any disruptions and impacts, runoff, could affect the river, which provides drinking water to communities.

Perhaps the best way to summarize the severe impact of this project is noted in comments from wetland scientist, Jim McClammer of Connecticut Valley Environmental Services, Inc. He mentions the fact that the Ammonoosuc River, the highest ranked habitats in New Hampshire, acres of wetlands, vernal pools, perennial and intermittent streams, and cold-water fisheries “are downgradient and will be adversely affected by

the project. It is likely that there are suitable sites in New England for a landfill that will not put this many valuable aquatic resources at risk.” (p.7)

The potential impacts of this project are so severe and unacceptable to the local and natural communities that it has absolutely no public benefit. **Please deny the application.**

Thank you for taking our concerns under serious consideration,

Sincerely,

Cheryl Jensen

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Rep. David Rochefort, David.rochefort@leg.state.nh.us

Rep. Matthew Simon, Matthew.simon@leg.state.nh.us

ATTACHMENTS:

Aquifer map

October 1, 2020 letter from the Ammonoosuc River Local Advisory Committee to NH DES

Damon Burt: FRE Comments on GSL Wetland Permit Application 2 28 2024

D. Scott Reynolds: 2024 NEES Report

Dr. W. Richard Laton: 2 20 2024 EFI Letter GSL Permit Application Dr Ricard Laton Hydrologist

Jim McClammer: McClammer Letter 2 20 2024 Dalton GSL Landfill Wetlands Comments CVES