



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



August 18, 2023

GRANITE STATE LANDFILL LLC
1855 VERMONT RTE 100
HYDE PARK, VT 05655

Re: NHDES Wetlands Bureau, Pre-Application Record Number: PA23-00171
Subject Property: Douglas Dr, Dalton, Tax Map #M405, Lot #33; Bethlehem 406-1, 406-2

Dear Granite State Landfill LLC:

As required by Env-Wt 311.02, an interagency pre-application meeting was held with your project representatives, the NH Department of Environmental Services (NHDES) Land Resources Management Program, the US Army Corps of Engineers (USACE) and the US Environmental Protection Agency (EPA) on April 19, 2023 (meeting agenda and sign-in sheet, attached).

As discussed during the pre-application meeting, Env-Wt 311.03(b)(10) and Env-Wt 311.10(a) require that a wetland functions and values assessment be completed by a certified wetland scientist using either the USACE Highway Methodology Workbook in conjunction with the USACE New England District Highway Method Workbook Supplement (“**the USACE Highway Method**”) or an alternative scientifically supported method. The USACE Highway Method describes utilizing an interdisciplinary team consisting of the applicant’s consultant(s) and state and federal agency staff to develop an appropriate evaluation method commensurate with the project, that includes a qualitative description of the physical characteristics of the wetlands and establishes the bases for the conclusions made in determining the principal functions and values of the wetlands on the subject site. The scope of this letter is to only address the functions and values information provided to inform the pre-application meeting.

On May 16, 2023, the NHDES Wetlands Bureau, USACE and the EPA received a wetland functional assessment for review and comment. The wetland functional assessment included:

1. Overall Wetland Functional Assessment Plan
2. Wetland Function and Values Summary
3. Wetland Function-Value Evaluation Forms and Descriptions
4. Wetland Design Alternatives & Summary of Wetland Function Impacts
5. Existing Conditions Wetland Plans
6. Draft Wetland Impact Plans

NHDES Wetlands Bureau, USACE and EPA reviewed items 1 through 4, and Items 5 and 6 will be subject to technical review upon submittal of the NHDES Wetlands Permit application and Section 404 Individual USACE Permit application.

The USACE Highway Method requires that an evaluator identify “if a wetland is suitable for particular functions and values and why, followed by a determination of what functions and values are principal and why”. Further, it states: “Functions and values can be principal if they are an important physical component of a wetland ecosystem (function only) and/or are considered of special value to society, from a local, regional, and/or national perspective.” At p. 8 the USACE Highway Method states: “The evaluation should be a qualitative description of the physical characteristics of the wetlands, including a determination of the principal functions and values exhibited, and the bases for the conclusions. Generally, readily available information from site visits and existing literature is used. On some occasions the Corps may require more extensive studies”.

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Given this background, we offer the following comments on Items 1 – 4.

1. Level of detail of the evaluation relative to the magnitude and scope of the proposed project:
 - a. Items 1- 4 condensed all wetlands on the subject property into 5 categories based on landscape position and relative anthropogenic influence. A standard wetlands functional assessment evaluates each wetland unit discretely. Interagency review finds that based on the size of the subject site and mosaic of wetland units within, a categorical approach may be appropriate. However, the final wetlands functional assessment needs to include significantly more categories to develop a more comprehensive and complete evaluation of all wetlands and surface waters within the scope of the assessment, commensurate with the scope of the project. Categorical Assessment, if determined to be appropriate, should include a list of all the resources included in each category. The list should include the size, cover type, hydrology, etc of each individual wetland and note any important differences or outliers within the category. Differentiation between categories needs to be based on the physical structure of the wetlands or stream systems, breaks in vegetative communities or resource classification type, breaks in landform or variation in soil characterization, wildlife habitat and migratory pathways or reproductive areas, changes in the amount and velocity of hydrologic systems, relative position adjacent to riverine systems, and other available information from site investigations and existing literature.
 - b. The final wetlands functional assessment needs to include supporting data and a narrative explanation of the justification used to define each established category, such as wetland delineation and classification documentation, aerial imagery and elevation data, soil characterization and drainage classification descriptions, wildlife and habitat surveys, inventory of habitat structure, groundwater monitoring data, a summary of corresponding field photos with dated inspections and associated analysis to support the conclusions on functions, and other available information from site investigations and existing literature.
 - c. The final wetlands functional assessment needs to include supporting data and justification used to assign each wetland unit to be evaluated into its respective category. All functions need to be evaluated for each unit and an explanation as to why or why not a function is present or absent.
 - d. The final functional assessment needs to include multiple Wetland Function-Value Evaluation Forms for each unit, qualitative description of the physical characteristics of each wetland assessment unit evaluated, and description of the results for each unit.
2. Scope of the assessment:
 - a. The scope of the final wetlands functional assessment needs to include the entire area of all on-site alternatives assessed for the proposed project. Env-Wt 311.07 and 313.03 require an analysis that explains how all impacts to functions and values of all jurisdictional areas have been avoided and minimized to the maximum extent practicable. The pre-application scoping of the functional assessment needs to be aligned with the planned layout of the proposed impacts.
 - b. All wetland units within the subject parcel are required to be delineated, classified, and evaluated to inform the on-site alternatives analysis.

The NHDES Wetlands Bureau, USACE and EPA recommend further coordination to confirm the approach and format of the final wetlands functional assessment, prior to implementation or resubmittal.

If you have any questions, please contact me at Darlene.Forst@des.nh.gov or (603) 271-4054.

Sincerely,



Darlene Forst
Wetlands Bureau Administrator
Land Resources Management, Water Division

Enclosure:

April 19, 2023, pre-application meeting agenda and sign-in sheet

cc: Douglas Ingerson, Jr., JW Chipping
BH Keith Associates
Dalton Clerk/Conservation Commission
Bethlehem Clerk/Conservation Commission
Ammonoosuc River LAC

ec: Emily Nichols, NHDES Mitigation Coordinator
Ridge Mauck, NHDES Alteration of Terrain
Rene Pelletier, NHDES Director, Water Division
Tracy Sales, NHDES Rivers Program
Michael Marchand, NHFG
Lindsey Lefebvre, ACOE
Jeanie Brochi, EPA