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N.H. House Passes Moratorium Bill, Resolution Opposing Landfill

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Forest Lake State Park is one of 10 original state parks created

On Thursday, the New Hampshire House of Representatives approved a House resolution opposing a new landfill beside Forest Lake State Park in Dalton. Reading it was resolution sponsor, state Rep. Jared Sullivan, D-Bethlehem, pictured here. Behind him is supporter state Rep. Kelley Potenza, R-Rochester, holding an aerial photograph of the state park.

In a Thursday morning floor vote, the New Hampshire House of Representatives adopted on consent a resolution opposing a landfill beside Forest Lake State Park and passed a 3-year moratorium on the permitting of new landfills.

House Resolution 13, sponsored by state Rep. Jared Sullivan, D-Bethlehem, and local co-sponsors, including state Reps. Seth King, R-Whitefield, Joseph Barton, R-Littleton, and Lori Korzen, R-Berlin, “urges the New Hampshire Department of Environmental Services to deny permitting a landfill next to Forest Lake State Park in Dalton.”

Sullivan addressed his 400 House colleagues at the close of Thursday’s 8 1/2-hour session.



“I would like to thank the relevant committee and the wider body for passing HR 13,” he said.

In reading the language of the resolution, Sullivan said the 397-acre park with a 200-foot sandy beach is one of New Hampshire’s original state parks, was created in 1935, hosts popular activities such as swimming, picnicking, mountain biking, fishing, and boating, and an operating landfill would create nuisances and public health and environmental threats, would hurt the North Country tourism and outdoor recreation economies, and “the risks in permitting a landfill next to Forest Lake State Park far outweigh any benefit.”

“Thank you all for supporting this on the consent calendar a couple of weeks ago,” Sullivan said to the House members, who broke into applause.

Although non-binding, supporters of the resolution have said it sends a strong message and makes the House’s position clear.

House Bill 171, also sponsored by local lawmakers and which now moves to the New Hampshire Senate, seeks to impose a moratorium on the permitting of new landfills until July 2028, though NHDES can still accept applications for review.

Before an amendment to the bill, the proposed moratorium expiration date had been July 2030.

Proponents say the pause would give the state more time to better assess the need, benefit, harm, or appropriateness of a proposed site and give time to adopt new siting regulations and explore new solid waste management or technologies.

The moratorium would not prohibit the expansion of existing landfills.

As residents closely watch landfill-related bills, Senate Bill 227, sponsored by state Rep. David Rochefort, R-Littleton, and co-sponsored by King, seeks a site-specific setback for landfills from surface waters based on how fast the groundwater moves beneath a landfill, with the intent to have enough time if a leak or spill contaminates groundwater.



According to SB 227, a period of five years should be sufficient to detect and map a failure and assess the appropriate remediation before contaminants reach rivers, lakes, or other surface waters.

While the full House has supported landfill bills in recent years, they've often encountered defeat in the Senate.

On March 6, state Sen. Kevin Avar, R-Nashua, made a successful motion in the Senate's Energy and Natural Resources Committee, which he chairs, to table SB 227.

On Tuesday in the House's Environment and Agriculture Committee, the committee gave SB 227's counterpart bill, House Bill 707, a 14-1 ought-to-pass-as-amended vote.

HB 707 could go to a full House vote next week before moving to the Senate. Other bills also remain pending.

Although Casella Waste Systems, which proposes the commercial Granite State Landfill LLC (GSL) in Dalton, hasn't found a supportive lawmaker in the North Country, or at least publicly, it has found a receptive audience downstate in Avar.

On Dec. 13, on the eve of a Joint Legislative Committee on Administrative rules session to consider new solid waste management and landfill rules, Avar interviewed Casella CEO John Casella for a 28-minute segment on Gateway City Chronicles.


According to the video, Avar and Casella suggested that the Commerce Clause of the U.S. Constitution cannot prohibit out-of-state waste from coming into New Hampshire, although some lawmakers and North Country residents have previously said that surrounding states have been successful in reducing or eliminating the amount of interstate trash that comes across their borders.


Avar referred to the landfill opposition as a NIMBY ("not in my backyard") issue and said to Casella, "I think we have a bright future if we can just get past a lot of the naysayers out there."

Among those residents watching the Gate City Chronicles interview was Adam Finkel, of Dalton.

"Calling experts who know more about the risks of pollution than you do 'NIMBYs' is the last refuge of amateur CEOs who perhaps should find another business to be in," Finkel said Thursday. "The opposition to the GSL is so overwhelming because the scientific and economic case for it is so abysmally weak."

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