

CRJC Mount Ascutney Local River Subcommittee

Tuesday, March 10th, 2020
 Town of Windsor Welcome Center
 7:00PM

Attendees

Plainfield	Elise Angelillo		Windsor	Michael Metivier	✓
Plainfield	David Taylor	✓	Windsor		
Cornish	Bill Gallagher		Weathersfield	Howard Beach	
Cornish	Colleen O'Neill	✓	Weathersfield	Nancy Heatley	
Claremont	Matt Maki		Springfield	Bill Manner	✓
Claremont			Springfield	Kelly Stettner	
Hartland	Cordelia Merritt	✓	Rockingham	Thomas Herson	
Hartland	Judy Howland	✓	Rockingham	Margaret Perry	
Charlestown	Janice Lambert				
Charlestown	John Streeter				

Logan Young (GZA, Manchester, NH), Jeremy Fennell (Eversource, Manchester, NH), Olivia Uyizeye (staff, UVLSRPC)

Minutes

Taylor opens the meeting at 7:02 pm.

1. Welcome and Introductions

Taylor welcomes representatives and visitors to the meeting. Introductions are made and reports are given about happenings for town meetings.

2. Permit Review – Eversource Maintenance Line Statutory Permit by Notification (see maps attached)

Eversource representatives, Young and Fennell, review work planned in the LRS region for their consideration. Young describes the work being done as routine maintenance work. In this region, the only area of concern along the NH side of the Connecticut River is the K-174 line that crosses into Claremont. A team will use existing trails onto the site and will assess the condition of the corridor with the use of drones. Mowing and tree removal, not included in this site's permit, occurs every 3-4 years. When this occurs, Young notes that priority resource areas, including wetlands and endangered species habitat, are considered. Young opens up for questions

- Merritt asks if ash trees are considered for removal. Young responds that targeted removal of ash trees is not expected. Fennell adds that trees are removed if they are dying and could threaten the line, but cuttings are limited to minimize property impacts on abutters.
- Merritt asks if abutters are contacted. Young says yes.
- Manner comments that the line crosses into Ascutney.

- O'Neill asks when the work is expected to occur. Young says during the 2020 season. Fennell adds that the crews tend to start at the southern portion of the state and work their way north.

Taylor asks if there are any further questions. Taylor makes a motion a sign off on the permit application for maintenance of the K-174 line. Howland moves the motion. Manner seconds the motion. The vote passes unanimously. See the signed permit attached.

3. Minutes for Review

Taylor opens the November and January minutes up for review and makes a motion to pass the minutes. O'Neill notes a typo on the January minutes where her name is wrongly placed. Manner moves the motion to include the edits indicated by O'Neill. Merritt second the motion. The vote passes unanimous.

4. NH Wetland Permit Process

Uyizeye reviews changes to the NH wetlands permit process and processes to handle shortened timeline for review and sign off of a subset of permits (see attached guidance document). Uyizeye indicates that the LRS may consider appointing a person or group of persons to sign off on permits that do not require full LRS review according to their judgement or to a prescribed set of criteria for evaluation. A set of criteria is being developed by the Upper Valley LRS. Alternatively, the LRS may consider these permits similarly to those permits that already come to the LRS and require comment before the next meeting date. This practice includes the chair or staff sending out permit details over emails and representatives responding directly (Reply) if there are any questions or concerns. If these are raised, a special meeting will be called. Representatives agree that the email method is best for the short term and they might consider an alternate process later on.

5. Special Projects

a. Beaver Deceiver

Uyizeye reads back comments from the previous meeting. O'Neill notes that a beaver problem identified in Unity, NH where movement could be made. Metivier notes that he would like to talk to his town about their current practices and any problem areas. Taylor notes that after their experience with a successful beaver deceiver that the town manager enthusiastically shares the story with other communities. Howland notes an issue in Hartland on Quechee Rd. Merritt indicates that she will also bring up the question to her town about current practices. Uyizeye will keep the item on the agenda for updates.

b. Stormwater management and/or riparian buffer workshop(s) / Sullivan County Conservation District Riparian Buffer Planting

Uyizeye reads back comments from the previous meeting. Representatives indicate that the SCD planting has strong support.

6. Other Business

Taylor opens up the meeting for other business.

a. Census

Howland shares that the census is underway and the importance of being counted as it impacts local finances.

b. CRJC Wantastiquet VRAP event

Uyizeye invites the LRS to attend the CRJC Wantastiquet event on March 31 that will initiate a water quality sampling program in the southern stretch of the Connecticut River. Attendees will be trained in how to follow the protocol for the NH Volunteer River Assessment Program (VRAP) - <https://www.des.nh.gov/organization/divisions/water/wmb/vrap/index.htm>.

c. Claremont C&D Facility, letter from Janice Lambert

Uyizeye reads a letter from representative Jan Lambert, Charlestown representative, requesting MARS comment on a proposed construction and debris recycling facility in Claremont (see attached letter, map, and letter from NHDES Tracie Sales). Taylor notes that since initial discussions they have moved the facility indoors to mitigate noise pollution in the neighborhood. Howland indicates that the number of heavy trucks on an almost daily basis will result in significant road wear. O'Neill shares concerns for pollutants that could travel into the Connecticut River by the stream adjacent to the property. Taylor indicates the need for siting this facility near a railroad and O'Neill notes that the trains must be sure to have the cars covered as it travels along the Connecticut River.

Howland makes a motion to write a letter including comments from Lambert's letter and comments discussed here, for final review over email. Metivier second the motion. The motion passes unanimously.

7. Next Meeting Chair

Taylor volunteers to act as the LRS chair. O'Neill makes a motion for Taylor to be the new chair. Merritt seconds the motion. The vote passes unanimous and Taylor accepts the position.

8. Adjourn

Minutes respectfully submitted by Olivia Uyizeye.



Known for excellence.
Built on trust.

GEOTECHNICAL
ENVIRONMENTAL
ECOLOGICAL
WATER
CONSTRUCTION
MANAGEMENT

5 Commerce Park North
Suite 201
Bedford, NH 03110
T: 603.623.3600
F: 603.624.9463
www.gza.com



March 10, 2020
File No. 04.0190507.59

NHDES Wetlands Bureau
29 Hazen Drive, P.O. Box 95
Concord, New Hampshire 03302

Re: Statutory Permit-by-Notification (SPN)
K174 Transmission Line Right-of-Way (ROW)
Claremont, New Hampshire

Dear Wetlands Inspector:

This letter transmits a Statutory Permit-by-Notification (SPN) application on behalf of Public Service of New Hampshire doing business as Eversource Energy (Eversource), for proposed vegetation maintenance work and utility inspections located within the existing and maintained K174 Transmission Line ROW. GZA GeoEnvironmental, Inc. (GZA) has been retained by Eversource Energy to pursue state permitting for circuit brush maintenance of non-compliant woody vegetation within the K174 Transmission Line ROW which crosses through portions of Claremont, Newport, Croydon, and Sunapee, New Hampshire.

Pursuant to RSA 482-A:3; XV(d), Eversource is submitting a one-time annual fee of \$400 per town, in order to cover Notifications during 2020.

Thank you for your review and meeting with the project team for a pre-notification meeting on January 15, 2020. Please feel free to contact Tracy Tarr at (603) 232-8739 if you have any questions or comments.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.

Tracy Tarr, CWS, CWB, CESSWI
Associate Principal

TLT

Attachments: Wetlands Statutory Permit-by-Notification (SPN)
Site Locus
Annotated Aerial Plan

cc: Jared Meyer, Eversource
Kurt Nelson, Eversource
Town of Claremont, Town Clerk



**UTILITY MAINTENANCE ACTIVITY
STATUTORY PERMIT-BY-NOTIFICATION (SPN)
Water Division/Land Resources Management
Wetlands Bureau**



[Check the Status of your Notification](#)

RSA/Rule: RSA 482-A / Env-Wt 308.04(d); Env-Wt 521

NAME OF UTILITY PROVIDER: Eversource Energy

Administrative Use Only	Administrative Use Only	<input type="checkbox"/> SPN complete and project as described conforms with all applicable requirements.	
		<input type="checkbox"/> SPN incomplete and/or project as described does not conform with all applicable requirements.	
		File No.:	Reviewer's Initials:
		Check No.:	Amount:

Terms in **bold font** are defined in the attached "Definition of Terms" page.

SECTION 1 - PROJECT CRITERIA	
<p>a. Does the project meet all applicable Best Management Practices for Utility Maintenance (Utility BMPs) and have temporary impacts associated with inspection, maintenance, repair, replacement, or removal of existing utility facilities only within existing rights-of-way (Env-Wt 521.06(a)(1))?</p> <p>b. If there will be impacts to any Priority Resource Area (PRA), other than designated prime wetlands and their duly-established 100-foot buffers, will the project follow recommendations provided by Natural Heritage Bureau (NHB), New Hampshire Fish and Game (NHF&G), and the Department in a pre-notification review meeting (Env-Wt 521.06(a)(4))?</p> <p>If you answered "No" or "N/A" to question 1a and/or 1b, you cannot use this form and must file a Standard Permit Application (RSA 482-A:3, XV). If you answered "Yes" to question 1a, proceed to question 1b.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>
<p>c. Will the project include establishing new access roads, installing permanent stream or wetland crossings, constructing new utility corridors or rights of way (ROW), or establishing new utility assets within existing corridors or rights of way (Env-Wt 521.06(a)(2))?</p> <p>d. Will the project include any permanent fill in navigable waters (Env-Wt 521.06(a)(3))?</p> <p>e. Will timber mats be: 1. Used in a tidal marsh; or 2. Used in an area other than a tidal marsh if they are:</p> <ul style="list-style-type: none"> • Not necessary to conduct activities; • Not removed as soon as work is completed; or • In place longer than one growing season (Env-Wt 521.06(a)(5))? <p>f. Will the project cause permanent conversion of more than 3,000 SF of forested wetlands to emergent or scrub-shrub wetlands with or without temporary fill (Env-Wt 521.06(a)(6))?</p> <p>If you answered "Yes" to questions 1c, d, e, and/or f, you cannot use this form and must file a Standard Permit Application (RSA 482-A:3, XV). If you answered "No" to all of the questions 1b-1f, continue to Section 3.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>

utility@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

SECTION 2 - PROPOSED PROJECT DESCRIPTION (RSA 482-A:3, XV(b)(2))
 Please provide a brief written description of the nature of the work to be conducted.

In order to maintain the safety and reliability of Eversource's electric transmission and distribution system, work includes cyclical brush maintenance of non-compliant woody vegetation with track-mounted mowing equipment. Maintenance tree trimming along the utility right-of-way corridor includes using a rubber tired skidder-mounted bucket vehicle. In addition, Eversource will be completing visual inspections of infrastructure within the ROWs.

SECTION 3 - LOCATION OF PROPOSED ACTIVITY (RSA 482-A:3, XV(b)(3))

Town/City: Claremont

SECTION 4 - PROJECT TYPE (RSA 482-A:3, XV(b)(2))
 Check all that apply:

<input type="checkbox"/> Equipment repair and maintenance in ROW	<input type="checkbox"/> Natural Gas Lines
<input type="checkbox"/> Overhead Electric Lines	<input type="checkbox"/> Water Supply Lines
<input type="checkbox"/> Overhead Telephone or Cable Lines	<input type="checkbox"/> Sewer Lines
<input checked="" type="checkbox"/> Vegetative maintenance within ROW (If access through private property is needed to reach the ROW, permission from the landowner(s) is required prior to conducting work.)	<input checked="" type="checkbox"/> Other: ROW Inspection

SECTION 5 - UTILITY PROVIDER (RSA 482-A:3, XV(b)(1))

UTILITY PROVIDER/COMPANY NAME: Eversource Energy

AUTHORIZED REPRESENTATIVE LAST NAME, FIRST NAME, M.I.: Meyer, Jared

MAILING ADDRESS: 13 Legends Drive


TOWN/CITY: Hooksett	STATE: NH	ZIP CODE: 03106
---------------------	-----------	-----------------


SECTION 6 - IMPACTED RESOURCES (RSA 482-A:3, XV(b)(2))
 Check all that apply.

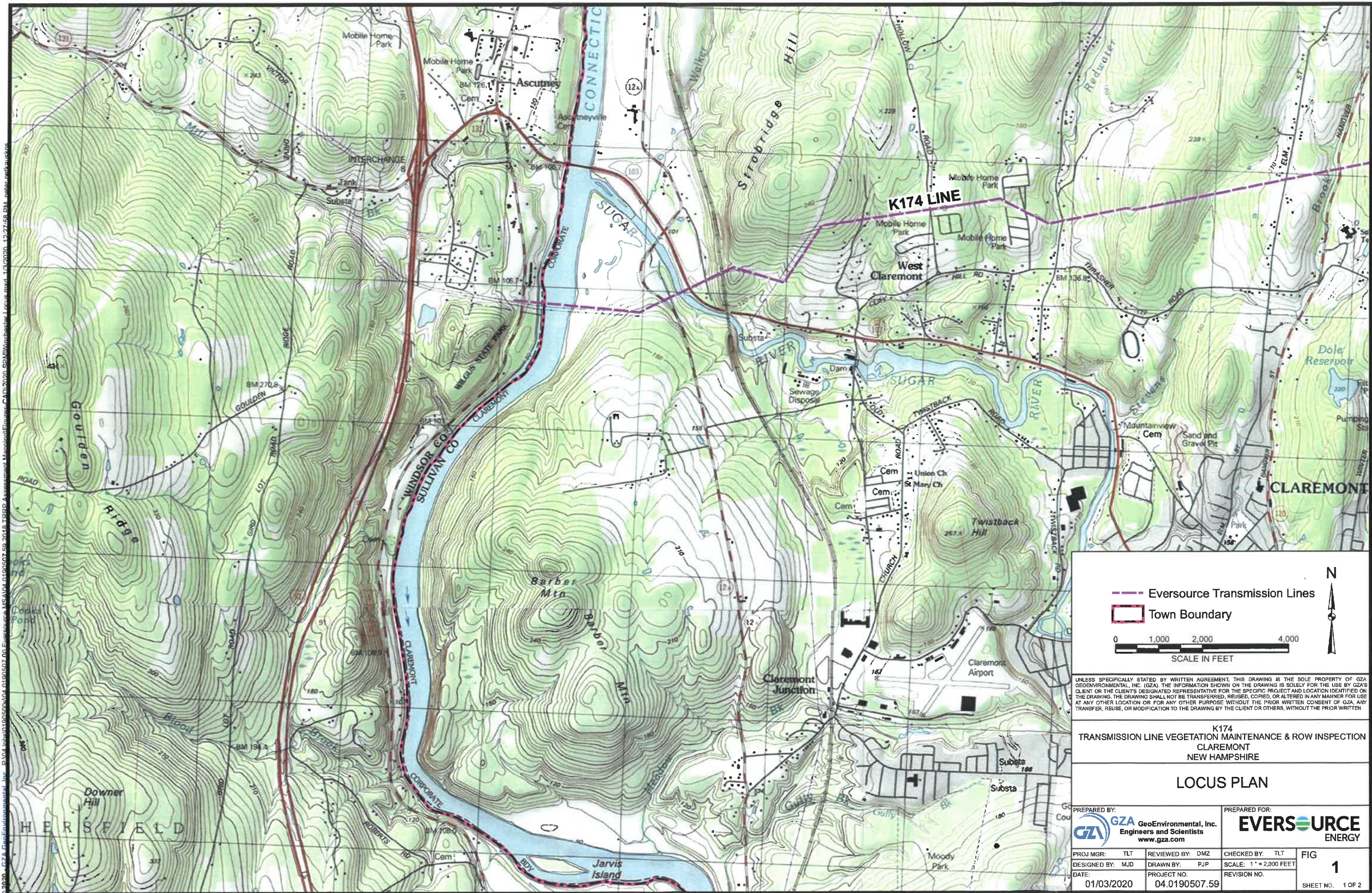
Temporary Non-Tidal Wetland

Temporary Intermittent Stream Crossing

Temporary (2-years maximum) Perennial Stream or River Crossing

SECTION 7 - ATTACHMENTS (RSA 482-A:3, XV))		
Verify the following attachments are submitted with this form by checking each box below.		
<input checked="" type="checkbox"/> United States Geological Survey (USGS) Topographic Map (at its original scale 1:24,000 or 1:25,000) with the project location(s) or utility corridor clearly identified (RSA 482-A:3, XV(b)(3)).		
<input checked="" type="checkbox"/> The most recent National Wetland Inventory (NWI) map, USGS topographic map , or annotated aerial photograph showing wetland types crossed (optional, but verified for eligibility for an SPN by NHDES). See NHDES Wetland Permit Planning Tool (Env-Wt 406.03(b)(2)c.(5)).		
<input checked="" type="checkbox"/> \$400 non-refundable filing fee per town, per year. Please make check or money order payable to: Treasurer - State of NH (RSA 482-A:3, XV(d)).		
<input checked="" type="checkbox"/> The DataCheck identification number and an affirmation that recommendations have been received (Env-Wt 308.05(a)(2)).		
Natural Heritage Bureau Identification ID: <u>NHB 20-186</u>		
<i>Questions related to completing this process should be directed to the Natural Heritage Bureau.</i>		
SECTION 8 - REQUIRED CERTIFICATIONS FROM AUTHORIZED UTILITY PROVIDER REPRESENTATIVE		
By initialing each item and signing this application, the authorized representative affirms that (Env-Wt 308.05(b)(2)):		
Initials: JM	The project is not located in a PRA, except as provided in Env-Wt 407 and Env-Wt 521 where the applicant has met with the resource agencies (NHB, NHF&G, and NHDES) in a pre-notice meeting.	
Initials: JM	All recommendations of NHB and NHF&G have been received. And	
Initials: JM	The person responsible for the activity is aware of the limits of the SPN and applicable BMPs for the project, and will adhere to both.	
By initialing each item and signing this application, the authorized representative certifies that (Env-Wt 311.11(e)):		
Initials: JM	The information submitted on or within this notification is true, complete, and not misleading to the best of the signer's knowledge and belief. And	
Initials: JM	The signer understands that: <ul style="list-style-type: none"> • The submission of false, incomplete, or misleading information constitutes grounds for NHDES to: <ol style="list-style-type: none"> 1. Deny the application. 2. Revoke any approval that is granted based on the information. And 3. If the signer is a certified wetland scientist, licensed surveyor, or professional engineer licensed to practice in New Hampshire, refer the matter to the joint board of licensure and certification established by RSA 310-A:1. • The signer is subject to the penalties specified in New Hampshire law for falsification in official matters, currently RSA 641. The signature shall constitute authorization for the municipal conservation commission and the Department to inspect the site of the proposed project. 	
SECTION 9 - REQUIRED SIGNATURE FROM AUTHORIZED UTILITY PROVIDER REPRESENTATIVE		
AUTHORIZED REPRESENTATIVE SIGNATURE:	PRINT NAME LEGIBLY:	DATE:
	Jared Meyer	3/10/2020

SECTION 10 - LOCAL RIVER MANAGEMENT ADVISORY COMMITTEE (LAC) SIGNATURE (Env-Wt 308.05)		
If a Utility Maintenance Notification is sought for a project that is within LAC jurisdiction and the Notification has not been signed by a legal representative of the LAC to indicate the right to intervene has been waived by the applicable LAC, NHDES will issue an incomplete letter to the applicant.		
The signature below certifies that the Local River Management Advisory Committee waives its right to intervene per RSA 482-A:11.		
<input type="checkbox"/> N/A This project is <i>not</i> within a Designated River Corridor)		
AUTHORIZED LAC REPRESENTATIVE SIGNATURE: 	PRINT NAME LEGIBLY: DAVID F. TAYLOR	DATE: 03/10/20



— Eversource Transmission Lines
 Town Boundary

0 1,000 2,000 4,000
 SCALE IN FEET

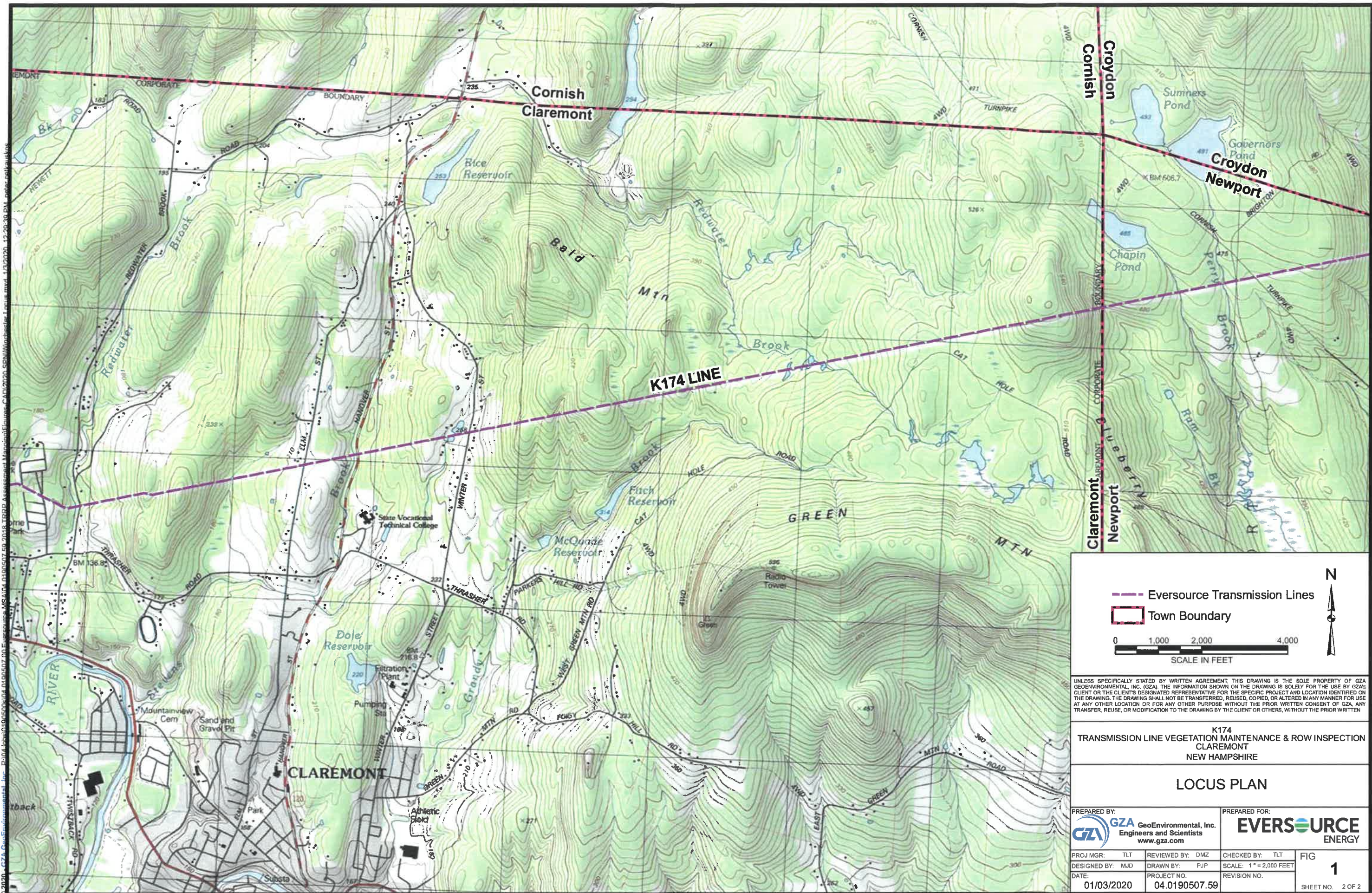
N

UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT, THIS DRAWING IS THE SOLE PROPERTY OF GZA GEOENVIRONMENTAL, INC. (GZA). THE INFORMATION SHOWN ON THE DRAWING IS SOLELY FOR THE USE BY GZA'S CLIENT OR THE CLIENT'S DESIGNATED REPRESENTATIVE FOR THE SPECIFIC PROJECT AND LOCATION IDENTIFIED ON THE DRAWING. THE DRAWING SHALL NOT BE TRANSFERRED, REUSED, COPIED, OR ALTERED IN ANY MANNER FOR USE AT ANY OTHER LOCATION OR FOR ANY OTHER PURPOSE WITHOUT THE PRIOR WRITTEN CONSENT OF GZA. ANY TRANSFER, REUSE, OR MODIFICATION TO THE DRAWING BY THE CLIENT OR OTHERS, WITHOUT THE PRIOR WRITTEN

K174
 TRANSMISSION LINE VEGETATION MAINTENANCE & ROW INSPECTION
 CLAREMONT
 NEW HAMPSHIRE

LOCUS PLAN

PREPARED BY: GZA GeoEnvironmental, Inc. Engineers and Scientists www.gza.com		PREPARED FOR: EVERSOURCE ENERGY	
PROJ MGR: TLT	REVIEWED BY: DMZ	CHECKED BY: TLT	FIG
DESIGNED BY: MJD	DRAWN BY: PJP	SCALE: 1" = 2,000 FEET	1
DATE: 01/03/2020	PROJECT NO: 04.0190507.59	REVISION NO.	SHEET NO. 1 OF 2



--- Eversource Transmission Lines
 Town Boundary

0 1,000 2,000 4,000
 SCALE IN FEET

N

UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT THIS DRAWING IS THE SOLE PROPERTY OF GZA GEOENVIRONMENTAL, INC. (GZA). THE INFORMATION SHOWN ON THE DRAWING IS SOLELY FOR THE USE BY GZA'S CLIENT OR THE CLIENT'S DESIGNATED REPRESENTATIVE FOR THE SPECIFIC PROJECT AND LOCATION IDENTIFIED ON THE DRAWING. THE DRAWING SHALL NOT BE TRANSFERRED, REUSED, COPIED, OR ALTERED IN ANY MANNER FOR USE AT ANY OTHER LOCATION OR FOR ANY OTHER PURPOSE WITHOUT THE PRIOR WRITTEN CONSENT OF GZA. ANY TRANSFER, REUSE, OR MODIFICATION TO THE DRAWING BY THE CLIENT OR OTHERS, WITHOUT THE PRIOR WRITTEN

K174
TRANSMISSION LINE VEGETATION MAINTENANCE & ROW INSPECTION
CLAREMONT
NEW HAMPSHIRE

LOCUS PLAN

PREPARED BY: GZA GeoEnvironmental, Inc. Engineers and Scientists www.gza.com		PREPARED FOR: EVERSOURCE ENERGY	
PROJ MGR: TLT	REVIEWED BY: DMZ	CHECKED BY: TLT	FIG 1 SHEET NO. 2 OF 2
DESIGNED BY: MJD	DRAWN BY: PJP	SCALE: 1" = 2,000 FEET	
DATE: 01/03/2020	PROJECT NO. 04.0190507.59	REVISION NO.	



← Claremont Current Town: Claremont Sunapee →

● EXISTING TRANSMISSION STRUCTURE	■ PEATLAND HABITAT
— EXISTING TRANSMISSION LINE	■ ABUTTER PARCEL
— APPROXIMATE ROW	■ EVERSOURCE OWNED PARCEL
— NHD FLOWLINE	■ STATE OWNED PARCEL
— NHDOT ROADS	■ POTENTIAL VERNAL POOL (PVP)
— RAILROADS	■ FIELD DELINEATED WETLANDS
■ PRIME WETLAND	■ TOWN BOUNDARY
■ FLOODPLAIN WETLAND ADJACENT TO TIER 3+ WATERCOURSE	

0 100 200 400
Feet

NOTES:

1. AERIAL IMAGERY WAS OBTAINED FROM NH GRANIT CLEARINGHOUSE AND DATED 2015.
2. TRANSMISSION LINE AND TRANSMISSION STRUCTURES WERE PROVIDED BY EVERSOURCE ENERGY.
3. RAILROAD, NHDOT ROADS, NHD FLOWLINES, TOWN BOUNDARY, AND ABUTTER PARCELS WERE OBTAINED FROM NH GRANIT CLEARINGHOUSE.
4. APPROXIMATE ROW WAS GENERATED USING MILESHEETS PROVIDED BY EVERSOURCE ENERGY.
5. THE DATA LAYER "FIELD DELINEATED WETLAND" WAS PROVIDED BY EVERSOURCE ENERGY.
6. NHD FLOWLINES WERE MODIFIED BASED ON AERIAL IMAGERY INTERPRETATION.
7. PEATLAND HABITAT WAS MAPPED USING THE WILDLIFE ACTION PLAN DATA LAYER OBTAINED FROM NH GRANIT CLEARINGHOUSE.
8. FLOODPLAIN WETLANDS ADJACENT TO TIER 3 STREAMS WERE IDENTIFIED USING THE NHDES WETLAND PERMIT PLANNING TOOL.

K174 TRANSMISSION LINE

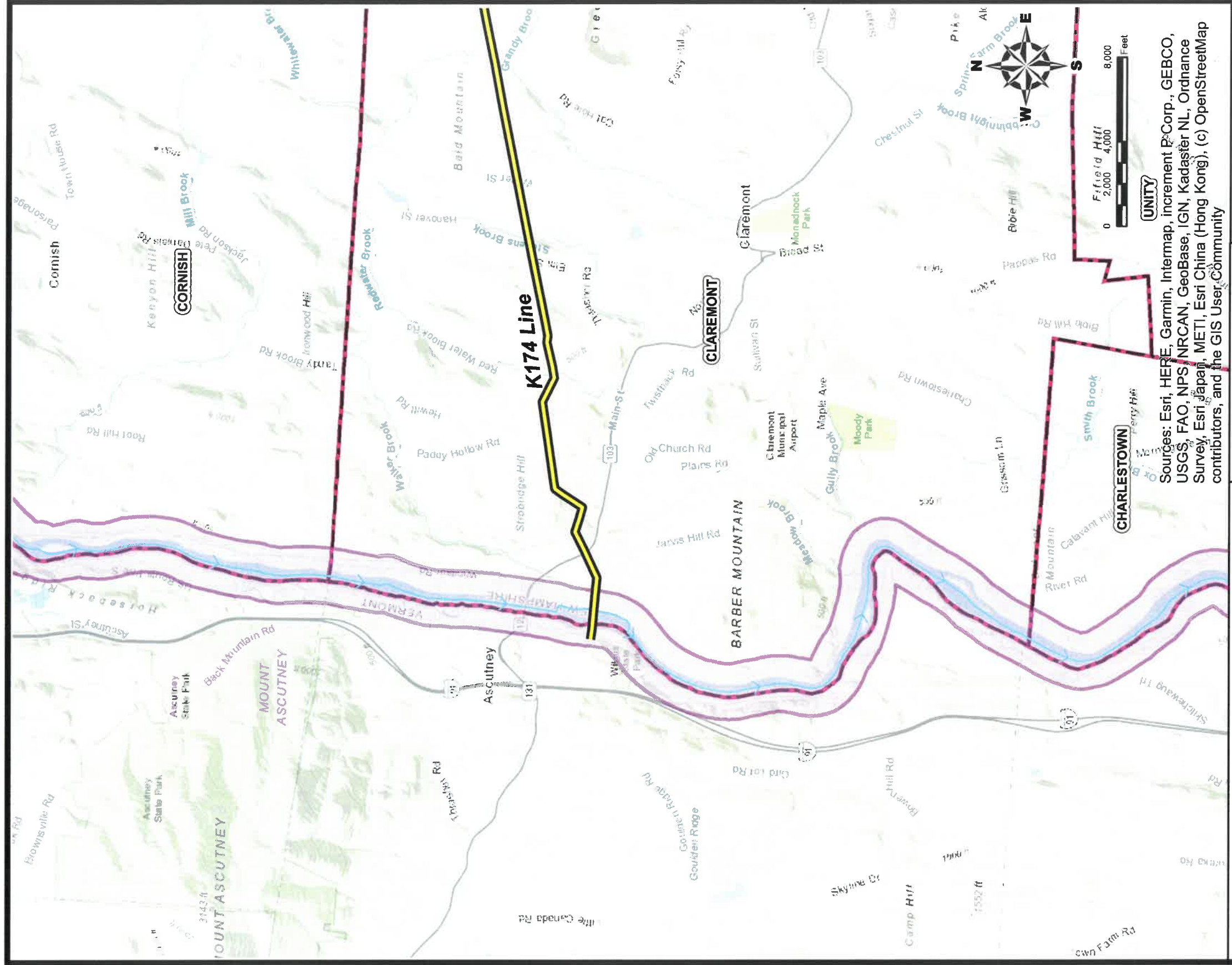
AERIAL OVERVIEW PLANS
FEBRUARY 07, 2020

CLAREMONT, NEWPORT,
CROYDON, AND SUNAPEE
NEW HAMPSHIRE
PAGE 1 OF 29

Project No.: 04.0190507.59 1 inch = 200 feet

EVERSOURCE ENERGY

GZA GeoEnvironmental, Inc.
Engineers and Scientists
www.gza.com



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

PREPARED FOR: EVERSOURCE ENERGY		PROJECT NO.: 04.0190507.59		FIGURE 1
		CHECKED BY: CKD	SCALE: 1 in = 6,250 ft	
PREPARED BY: GZA GeoEnvironmental, Inc. Engineers and Scientists www.gza.com		REVIEWED BY: REV	DRAWN BY: MJD	PROJECT NO.:
PROJ MGR: PM	DESIGNED BY: DES	DATE: FEBRUARY 2020	PROJECT NO.: 04.0190507.59	REVISION NO.:
Vegetation Maintenance and ROW Inspection		LOCUS PLAN		

March 2020 report to Mt. Ascutney Regional Subcommittee (MARS)

Impacts of proposed C&D processing facility at Claremont Junction, Claremont NH, on the Connecticut River watershed.

By MARS member Jan Lambert



Map of proposed C&D facility at Claremont Junction. Amtrak RR station is at intersection of Industrial Blvd. and Plains Rd. Current metal recycling facility is across the street from the proposed facility. Expansion would involve at least hundreds of times the volume now being processed. Meadow Brook and wetland is adjacent to the railroad.

The applicant, Recycling Services, Inc., owned by Acuity Management, Inc. currently operates a metal and cardboard recycling facility at 38 Industrial Blvd., called American Recycling and Disposal. The company is seeking to expand to construction and demolition (C&D) debris processing with the bulk of the material to be shipped out west by rail for disposal. The scale of the operation, on a 1.5 acre lot, is massive, with estimates of 50-70 truckloads, about 500 tons of C&D daily, six days per week, from a wide area of New England.

The proposal was considered by the Claremont Planning Board in 2019 but the application was withdrawn after several hearings, when it became apparent that rules called for ZBA application first. There was a considerable amount of confusion as the company initially stated on the application form that ZBA approval had been won. That was found to be inaccurate later in the process.

Acuity is currently seeking approval for 3 variances and one special exception. Many objections have been raised by ZBA members and the general public. The first ZBA hearing on March 2, 2020. Drew about 100 area citizens, 22 of whom testified against the project. No one was in favor of it.

Impacts of the project have centered on the escape of toxins (lead, cadmium, asbestos, etc. into the environment and road wear and tear and congestion, as well as public safety and noise concerns.

As far as impacts on the watershed, this aspect deserves to be highlighted as well. The following comments in bold italics come from John Tuthill, an opponent of the project.

Even if RSI were receiving waste deemed 'clean' enough for re-use ('beneficial use' in industry parlance) the permissible level for lead and arsenic would be measured in tons per year at 500tpd. And lead and arsenic are not the only toxic contaminants permitted in 'clean' C&D. Fines aka 'grit' is allowed at 10% by weight. That's a lot. That's where a lot of the contaminants appear. Grit and fines are a problem for the large industrial C&D processing facilities like ERRCO and for the landfills which use ground C&D for daily cover. If RSI proposes to receive residual waste (or rejects) from C&D processing operations, that will be a dirty waste stream w/ high potential for fugitive dust and ultimately unacceptable impacts on air quality, surface and ground water.

The Claremont Conservation Commission may have information on the wetland adjacent to the railroad tracks. Wetlands Bureau should be informed of the project. Potential soil disturbance and operational issues impacting the wetlands and wildlife. This is another area where the NH Association of Conservation Commissions and the UVLSRPC can help. (Maps, ecological surveys etc.) We have learned why the Dam Bureau was on the abutters list for the ZBA applications. That state office will be involved in looking at the hazard classification of a private dam upstream from Industrial Boulevard.

I am asking assistance from MARS in making a statement of concerns involving the watershed, keeping in mind that the proposal has been deemed to be of regional impact because of the many trucks carrying C&D materials to the site, on the roads and through the environment of the project. This would include roads adjacent to the river and its tributaries. Effects on the groundwater would be even more insidious as it is very difficult to clean up groundwater once it has been polluted.

Hi Olivia,

MARS can comment on any action that it feels may impact the designated river. Definitely if it within the designated river corridor, but also if it is outside of that area and may impact the river. The statute language even makes reference in several places to tributary drainage areas, which sounds like might be the case here. MARS is also always welcome and encouraged to comment on municipal and federal permits, approvals, and licenses as well as on state ones. The only thing that is different is that the state statute does not require notification or a copy of the permit if the proposed action is outside of the corridor.

Tracie

Tracie Sales

Rivers & Lakes Programs Manager

NH Department of Environmental Services

Phone: (603) 271-2959

Wetland Permit Guidance for LACs – Version 1.1

December 2019

Disclaimer: This document is intended to help local river management advisory committees (LACs), including the subcommittees of the Connecticut River Joint Commission, determine the process and timeframes for reviewing each type of wetlands permit application or notification submitted to NHDES on or after December 15, 2019. This document should NOT be used by applicants to determine the appropriate type of application for a proposed project.

SUMMARY:

There are five types of Wetlands Dredge and Fill permits:

1. Statutory Permit-by-Notification (SPN)
2. Lower Scrutiny Approval (LSA)
3. Expedited Permit (EXP)
4. Standard Permit (STD)
5. Emergency Authorizations

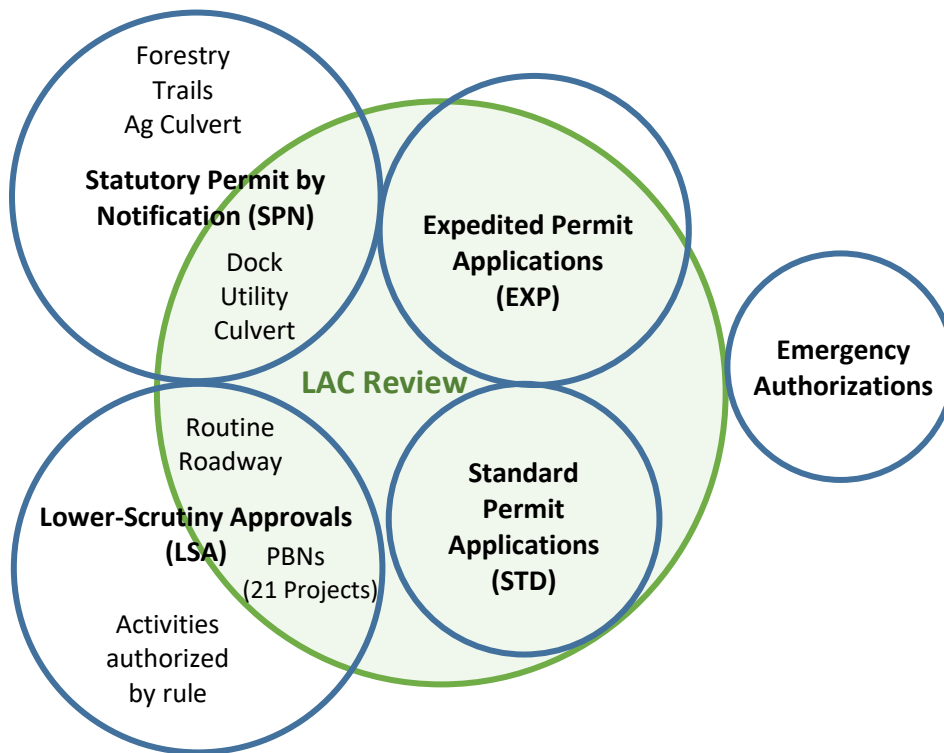


Figure 1. Diagram of wetlands permit types. Permit types inside the green, shaded circle are reviewed by LACs when located within a designated river corridor. For example, LACs are asked to review most EXP applications, but never Emergency Authorizations.

Projects are identified as Minimum, Minor, or Major based on the level of impact they are expected to have on the wetlands. Only minimum impact projects can be done under an SPN, LSA, or EXP. Major and minor impact projects may only be permitted under a Standard Permit, with a few exceptions not covered in this document.

Wetland Permit Guidance for LACs – Version 1.1

December 2019

LACs have the opportunity to review all Standard Permit applications within the designated river corridor. Standard permit review responses are sent as comment letters or emails to the applicant, NHDES, or both.

Most minimum impact projects within a designated river corridor require the LAC to waive its right of intervention by signing the notification, registration, or application form in order for the project to be approved under that process. Waiving the right to intervene means that the LAC is satisfied with the project as proposed. If the LAC does not sign an SPN or LSA, the notification application will be disqualified by NHDES. If the LAC does not sign an EXP, it will continue to be processed, but under the timeframe of a standard permit. A few minimum impact projects do not require LAC review.

Emergency authorizations are issued without LAC review, but any permanent wetland impacts require the applicant to also submit a regular permit application after the emergency has passed, which the LAC will have the opportunity to review under the normal process for that permit type.

PERMIT TYPE: Statutory Permits-by-Notification (SPN)

The following project types are allowed by statute as long as the appropriate notification application is submitted to NHDES and the project meets the requirements. If the following projects are within LAC jurisdiction,¹ the notification application must be signed by the LAC indicating that the LAC waives its right to intervene and finds the project acceptable as proposed. LAC jurisdiction for projects conducted under an SPN vary based on the type of project.

1. Seasonal Dock SPNs and Utility Maintenance SPNs

PROJECT AREA FOR LAC REVIEW:	Designated River Corridor
LAC REVIEW RESPONSE:	Sign off on SPN application prior to submission to NHDES. No LAC signature: Application rejected.
NHDES COMPLETENESS REVIEW TIME:	Within 5 Working Days.
NHDES DECISION:	Approved if Complete.

- Seasonal Dock Notification: To install a temporary seasonal dock on a *lake or pond*. Temporary seasonal docks cannot be installed on a river under an SPN.
- Utility Maintenance Notification: Utility maintenance for minimum impact activities.

2. Culvert Repair and Replacement Notifications

PROJECT AREA FOR LAC REVIEW:	Must meet both criteria: 1) Within 250 feet of a Tier 2 or Tier 3 designated river (contributing watershed is greater than 200 acres); 2) The structure conveys a direct surface water or hydrologic connection to the designated river.
-------------------------------------	---

Wetland Permit Guidance for LACs – Version 1.1

December 2019

LAC REVIEW RESPONSE:	Sign off on SPN application prior to submission to NHDES. No LAC signature: Application rejected.
NHDES COMPLETENESS REVIEW TIME:	Within 5 Working Days.
NHDES DECISION:	Approved if Complete.

- Routine Roadway projects for repair or replacement of culverts up to 48” diameter, that are *not on land used for agricultural purposes*. [Note that some Routine Roadway culvert repair and replacement projects can be done either under the SPN process or under the Lower Scrutiny Approval (LSA) Routine Roadway process.]
- LACs must be sent notice at least five days prior to the start of any routine roadway project *in the designated river corridor*, whether or not the LAC was required to sign off on the project.

3. Forestry SPNs, Trails SPNs, and Routine Roadway SPNs for Projects on Land Used for Agriculture

Minimum impact forestry projects, trail projects, and routine roadway *projects on land used for agricultural purposes* are exempted by statute from LAC review (RSA 483:12-a 1).

PROJECT AREA FOR LAC REVIEW:	None.
LAC REVIEW RESPONSE:	None.
NHDES COMPLETENESS REVIEW TIME:	Within 5 Working Days.
NHDES DECISION:	Approved if Complete.

- Forestry Notification: Timber harvesting that meets the requirements for minimum impact activities.
- Trails Notification: Recreational trail construction and maintenance.
- Culvert Repair-Replacement Notification: Routine Roadway projects, including repair or replacement of culverts up to 48” diameter, on land used for agricultural purposes.

PERMIT TYPE: Lower Scrutiny Approval (LSA)

There are three types of LSAs:

1. Activities authorized by rule – No notification, registration, or permit required:

PROJECT AREA FOR LAC REVIEW:	None
LAC REVIEW RESPONSE:	None
NHDES DECISION:	None

- Mowing and cutting vegetation in a wet meadow or some forested swamps when ground is frozen or dry.

Wetland Permit Guidance for LACs – Version 1.1

December 2019

- Installation of boat mooring, swim raft or swim lines (Department of Safety permit may be required).
- Temporary fabric barriers less than 10,000 sq. ft. in a lake or pond.
- Stream crossing installation on an ephemeral stream.
- Use of piezometers, staff gages, flow meters, or hand augurs for certain purposes.
- Hand raking of shoreline or lake bed when lake bed is exposed, up to 900 sq. ft.
- Planting non-invasive species by hand.
- Stream crossings not impacting wetlands or stream (i.e. bridge extending top-of-bank to top-of-bank).
- Drilling geotechnical borings, within certain limitations.
- Digging test pits.
- Site remediation activities approved by NHDES.

2. Routine roadway maintenance (Env-Wt 309.03)

Registration is required for routine roadway maintenance activities that do not qualify for SPNs but that are qualified activities under the Routine Roadway Best Management Practices Manual. **Only those projects which meet the Project Area requirements below are subject to LAC review.**

PROJECT AREA FOR LAC REVIEW:	Must meet both criteria: 1) Within 250 feet of a Tier 2 or Tier 3 designated river (contributing watershed is greater than 200 acres); 2) The structure conveys a direct surface water or hydrologic connection to the designated river.
LAC REVIEW RESPONSE:	Sign off on SPN application prior to submission to NHDES. No LAC signature: Application rejected.
NHDES COMPLETENESS REVIEW TIME:	Within 5 Working Days.
NHDES DECISION:	Approved if Complete.

- Work must be done in accordance with the Routine Roadway Maintenance BMP manual.
- There are 9 project types that qualify for a Routine Roadway Maintenance registration. Each has a different registration form.
 - Culvert Replacement or Repair
 - Culvert Extension
 - Culvert Relocation
 - Embankment Stabilization
 - In-kind Headwall Repair Only; any size culvert
 - Headwall Construction, Repair or Replacement
 - Roadside Ditch Maintenance
 - Culvert Inlet and Outlet Maintenance
 - Temporary Scaffolding

Wetland Permit Guidance for LACs – Version 1.1

December 2019

- LACs must be sent notice at least five days prior to the start of any routine roadway project in the designated river corridor, whether or not the LAC was required to sign off on the project.
- Some Routine Roadway culvert repair and replacement projects can also be done under the SPN process.

Note that stream crossing projects in designated river corridors cannot be completed under the Certified Culvert Maintainer Program (Env-Wt 905.05 (b)(1)c.).

3. Minimum impact activities that meet the standards of a Permit-by-Notification (PBN).

Lower Scrutiny Approval Permits-by-Notification are allowed for minimum impact activities that meet certain conditions. If they fall in an LAC's jurisdiction,¹ they require a signature from the LAC to be eligible for the PBN.

Minimum Impact Activities:

- 1) [Exotic Aquatic Weed Control Activities](#)
- 2) [Replenishment of an Existing Beach](#)
- 3) [Repair of a Deck or Patio](#)
- 4) [Installation of a New Non-Tidal Seasonal Dock](#)
- 5) [Repair of an Existing Legal Docking Structure](#)
- 6) [Installation of a Dock Anchoring Pad](#)
- 7) Installation of a Watercraft Lift (or Boatlift)
- 8) [Installation of a New Canopy](#)
- 9) [Repair of an Existing Retaining Wall](#)
- 10) [Maintenance or Repair of a Legally-Existing Boathouse](#)
- 11) [Installation of a Dry Hydrant](#)
- 12) [Forestry Activities](#)
- 13) [Utility Activities](#)
- 14) [Installation of Residential Utilities to a Single-Family Home](#)
- 15) [Agricultural Activities](#) (maintenance dredging of man-made ditches and ponds)
- 16) [Construction of a Temporary Cofferd Dam](#)
- 17) [Maintenance of a Tidal Docking Structure](#)
- 18) [Repair of a Legally-Existing Tier 1 \(up to 200-acre watershed\) or Tier 2 \(200 – 640-acre watershed\) Stream Crossing](#)
- 19) Repair of a Legally-Existing Tier 3 (640 acre or more watershed) Stream Crossing
- 20) [Replacement of a Tier 1 Stream Crossing](#)
- 21) [Installation of a Temporary Tier 1 or Tier 2 Stream Crossing](#)

Projects 1 – 17, Non-Stream Crossing Projects

PROJECT AREA FOR LAC REVIEW:	Designated River Corridor
LAC REVIEW RESPONSE:	Sign off on PBN application prior to submission to NHDES. No LAC signature: Application rejected.

Wetland Permit Guidance for LACs – Version 1.1

December 2019

NHDES COMPLETENESS REVIEW TIME:	Within 2 Working Days.
NHDES DECISION:	Within 5 Working Days.

Projects 18 – 21, Stream Crossing Projects

PROJECT AREA FOR LAC REVIEW:	Must meet both criteria: 1) Within 250 feet of a Tier 2 or Tier 3 designated river (contributing watershed is greater than 200 acres); 2) The structure conveys a direct surface water or hydrologic connection to the designated river.
LAC REVIEW RESPONSE:	Sign off on PBN application prior to submission to NHDES. No LAC signature: Application rejected.
NHDES COMPLETENESS REVIEW TIME:	Within 5 Working Days.
NHDES DECISION:	Approved if Complete.

PERMIT TYPE: Expedited Permit (EXP)

An EXP application is allowed for minimum impact activities. If the proposed project lies within an LAC's jurisdiction,¹ an EXP requires a signature from the LAC indicating the right to intervene has been waived. If the EXP is not signed by the LAC, the review timeframe becomes the same as for a standard permit application [Env Wt-310.02 (h) as proposed in Final Proposal 2019-167 dated 11-25-19].

PROJECT AREA FOR LAC REVIEW <i>Non-Stream Crossing Projects:</i> <i>Stream Crossing Projects:</i>	Designated River Corridor Must meet both criteria: 1) Within 250 feet of a Tier 2 or Tier 3 designated river (contributing watershed is greater than 200 acres); 2) The structure conveys a direct surface water or hydrologic connection to the designated river.
LAC REVIEW RESPONSE (all EXPs):	LAC Sign off on EXP application prior to submission to NHDES. No LAC signature: The application will be processed under the timeframe of a Standard Permit application.
NHDES COMPLETENESS REVIEW TIME:	With LAC signature: Within 30 Calendar Days of receipt. No LAC signature: 10 Days ³
NHDES DECISION:	With LAC Signature: Within 1 Working Day of Completeness. No LAC signature: 50 Days (projects under 1 acre) 75 Days (projects 1 acre or more)

- Minimum Impact Activity provisions are described for specific project types in Env-Wt 500, 600, and 900.

Wetland Permit Guidance for LACs – Version 1.1

December 2019

- LACs must be notified five days prior to start of work of any EXP routine roadway maintenance project within the designated river corridor.

Small motor mineral dredging is a minimum impact activity that requires a permit, but has its own permit requirements and fee. The permit application is sent directly to NHDES with no municipal or LAC review. The permit is only valid for the calendar year in which it is issued.

PERMIT TYPE: Standard Permit

PROJECT AREA FOR LAC REVIEW:	Designated River Corridor
LAC REVIEW RESPONSE:	<ol style="list-style-type: none"> 1. Submit comments to applicant prior to submission to NHDES if the applicant sends it early enough for the LAC to review. 2. If the LAC notifies NHDES within 14 days of municipal filing that they wish to investigate the proposed project, the LAC will have 40 days from municipal filing to submit comments to NHDES. During this time NHDES may not approve the permit [RSA 482-A:11 III(a)].² LAC must contact town or NHDES for municipal clerk signature date. 3. LAC may submit comments to NHDES within the normal NHDES decision review time, but NHDES is not required to hold the permit approval until LAC comments are received.
NHDES COMPLETENESS REVIEW TIME:	10 Days.
NHDES DECISION:	50 Days (projects under 1 acre). 75 Days (projects 1 acre or more).

- Rules require that a copy of the final STANDARD PERMIT application and plans are provided to the LAC prior to filing with NHDES [Env-Wt 311.01(e)]. The application fulfills the requirement for notice of the proposed project to the LAC.

Step 4: Determine whether the following apply to the subject property (Env-Wt 306.05(a)(4); RSA 482-A:3, I(d)(2)):

<p>1. Is the property within a <u>Local River Management Advisory Committee (LAC)</u> jurisdiction?</p> <p>If yes, please provide the following information:</p> <ul style="list-style-type: none"> • The project is within ¼ mile of: <input type="text" value="My Favorite River"/> • A copy of the application was sent to the LAC on Month: <input type="text" value="12"/> Day: <input type="text" value="16"/> Year: <input type="text" value="2019"/>. <input type="checkbox"/> N/A (Env-Wt 311.01(e)) 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

- Wetlands statute, as well as Rivers Program statute, requires the LAC to comment on the project. The application must include a statement as to whether the applicant has received comments from the LAC and how those comments have been addressed.

For projects in LAC jurisdiction, a statement of whether the applicant has received comments from the LAC and, if so, how the applicant has addressed the comments (Env-Wt 311.06(i))

Wetland Permit Guidance for LACs – Version 1.1

December 2019

- There is no requirement for the applicant to wait for an LAC's comments before submitting their application to NHDES.
- Rivers Program staff recommends that for any wetlands permit application received, the LAC immediately contact the NHDES Wetlands Bureau and let them know that you intend to investigate the proposed project, and at the same time request the date that the municipal clerk signed the application. The LAC then has 40 days from the municipal clerk signature to submit comments to NHDES.
- Rivers Program staff also recommends that LACs copy NHDES on any comment sent to the applicant.
- Outstanding Resource Waters (ORWs) must be identified in a Standard Permit application [Env-Wt 306.05(a)(7)]. ORWs include designated rivers classified as Natural.
- If an applicant submits a wetlands application and a shoreland application at the same time with a request to process the applications together, the longer of the two permitting deadlines applies.
- If the LAC is reviewing a standard permit application after submission to NHDES under RSA 482-A:11 III(a), including having sent NHDES written notification of the LAC's intention to investigate the application within 14 days of the date the notice is filed with the municipal clerk, the LAC may request a 40-day extension of the investigation timeline for good cause.
- NHDES is required to consider the LAC's recommendation.

PERMIT TYPE: Emergency Authorization

LAC REVIEW RESPONSE:	None.
NHDES REVIEW TIME:	3 Working Days from receipt of written request.

Work conducted under an Emergency Authorization must be limited to site stabilization, mitigation of immediate threat, or prevention of additional damage. Repairs cannot result in additional impacts to wetland areas. If permanent repairs or impacts are required, a regular notification or permit application must be submitted as appropriate for the work that was done.

ACTIVITIES THAT DO NOT REQUIRE ANY WETLANDS PERMIT or NOTIFICATION:

(See Env-Wt 308 for additional details.)

- Culvert cleaning.
- Maintenance of man-made drainage, roadside, and railroad ditches.
- Maintenance of stormwater detention, fire, and farm ponds.
- Repair of erosional features cause by human activity.
- Maintenance of man-made water conveyance systems for commercial or industrial use.
- Removal blown-in sand from lawns, walkways, boat ramps, etc.
- Installation of a bench.

Wetland Permit Guidance for LACs – Version 1.1

December 2019

- Installation of a landing up to 10' x 10' (with no shoreline regrading).
 - Installation of stairs up to 6' wide (with no shoreline regrading).
 - Gold panning (without mechanized equipment).
 - Removal of a beaver dam or installation of beaver fencing/pipes, as long as no machinery enters the water.
-

DEFINITIONS:

¹LAC Jurisdiction (Env-Wt 103.27): “LAC jurisdiction” means the authority conferred by RSA 483:8-a. III upon a local river management advisory committee relative to activities within a designated river or river corridor, provided that for purpose of routine roadway maintenance activities conducted under an SPN, registration, PBN, or EXP, LAC jurisdiction shall be limited to activities in or within 250 feet of a Tier 2 or Tier 3 designated river that have a direct surface water connection to the designated river.

²RSA 482-A:11 III(a): Upon written notification to the department by a municipal conservation commission, a local river management advisory committee, or the New Hampshire Rivers Council that it intends to investigate any notice received by it pursuant to RSA 482-A:3, the department shall not make its decision on the application that is the subject of the notice until it has received and acknowledged receipt of a written report from such commission, local river management advisory committee, or the council, or until 40 days from the date of filing with the municipal clerk of such notice, whichever occurs earlier, subject to an extension of up to 40 days, as permitted by the commissioner, for good cause shown. ...

³Day versus Working Day: Throughout this document, working days refers to Monday through Friday on non-holiday days. Reference to ‘day’ without a qualifier means calendar days, including weekends and holidays.