



MEMORANDUM

To: Jim Dumont, Attorney

From: April Moulaert, PWS

Subject: Geprag's Park Wetland Issues, Hinesburg, Vermont

Date: June 28, 2016

I was invited to the Geprag's Park site by the "Intervenors" to: 1) provide a second opinion on the wetland delineation that was delineated by Vermont Gas's (the "Applicant") wetland consultant, VHB, in connection with their proposed gas line project and 2) to offer my opinion on Vermont Gas's proposed route through the park, and whether it avoids and minimizes impacts to the functions and values of the Geprag's Park wetlands to the greatest extent practicable, per the requirements of the Vermont Wetland Rules.

I walked the site to review existing conditions on 6/16/16. During this walk I was unable to review the wetland boundary because I could not locate any flagging. However, I could determine from the project plans that the wetlands on the Geprag's Park parcel is significantly larger than what is shown on the approved and permitted project plans.

I returned to the site for a site walk on 6/17/16. The Applicant and their wetland consultant, VHB, attended this site visit. During the site visit we walked the approved route of the pipeline in the wetland on the Geprag's Park site. During this site walk the Applicant's consultant acknowledged that there were indeed additional wetlands that were not shown on the project plans, and were not accounted for in their permit application. I inquired about the location of the wetland flagging. VHB indicated they did not put flagging up at this site. Also, it seems that the Vermont Wetland Program staff did not review the wetland boundary in the field for accuracy. Vermont Wetland Program staff were relying on VHB to accurately depict the wetland boundary on the plans, and this was not done. I do understand that Vermont Wetland Program staffs

were given an “overview” of impact areas within the overall Vermont Gas project, and the park was viewed from the parking area.

The wetland complex on this site is highly significant. According to the Applicant's consultant's evaluation, Wetland 26, which is the wetland in question, is an approximately 167.7 acre wetland complex with a mix of emergent wetland, northern hardwood & valley clayplain forested swamp. The Applicant's consultant found this wetland complex to be significant for the following functions and values listed in the Vermont Wetland Rules: Storage for Floodwater and Storm Runoff, Surface and Groundwater Protection, Wildlife Habitat, is an Exemplary Wetland Community, it has Rare Threatened and Endangered Species Habitat, and Erosion Control through Binding and Stabilizing the Soil. I would add that this complex is also significant for the Recreational Value and Economic Benefits function, since it is an important and prominent feature in the park.

I reviewed the approved route and compared it to practical onsite alternatives. There is an onsite alternative that would not only impact less wetland area, but it would also avoid the more ecologically significant portion of the wetland. The proposed route would impact an area that is largely densely vegetated with scrub shrub vegetation. The less impact alternative would mainly impact a mowed wet meadow.

I reviewed the Applicant's Vermont Wetland Permit application. In their functional evaluation the Applicant maintains the following with respect to wetland impacts: “As described in Section 12.4, the Project has been designed to avoid and minimize environmental impacts, including those to Class Two wetlands, to the greatest extent practicable. Therefore, there will be no undue adverse impact to this function.” I disagree with this statement, at least for the Geprag's Park site, since there is a viable alternative that would have less impact to the wetland's functions and values.

In light of this information, I would like to request the following:

- 1) The Agency made their determination with inaccurate information. The permit decision is largely based on the information found in the Applicant's wetland application. If the information in the application is incorrect, the impacts should be reconsidered.
- 2) The wetland should be reflagged by the Applicant to show all jurisdictional wetland areas.
- 3) Once the wetland is delineated the delineation should be verified by Vermont Wetlands Program staff.
- 4) The Vermont Wetlands Program staff should revisit this project site to review the wetland delineation in the field.

- 5) The pipeline route should be rerouted to have less impacts, in accordance with the Vermont Wetland Rules.