

Appendix E

NHDES Site Inspection Report





SITE INSPECTION REPORT

FILE NUMBER: 2004-0377

INSPECTION DATE: May 4, 2004

INSPECTOR: Craig Rennie

IN ATTENDANCE: Irene Garvey (Abenaki Environmental), Lenny Lord (Carex EcoSciences, LLC), John Mercfelder (Chair of the Tamworth Conservation Commission), Ann McMenemy & Marc Bergeron (ESS Group, Inc), Cindy Balcius & Jamie Long (NH Soil Consultants, Inc), Ruth Ladd (ACOE)

OWNER: Club Motorsports

SITE LOCATION: Tamworth, along Route 25

WATERBODY: Unnamed wetlands and streams

DESCRIPTION OF ACTIVITY: Inspected the majority of the property to determine the accuracy of the wetlands delineation. Areas of concern were noted by Irene Garvey and Lenny Lord who walked portions of the site to review the accuracy for the Tamworth Conservation Commission. One major area of concern is a pit and mound area located near the hotel site on the upper slopes of the property. Our site inspection started at this location where approximately 5,000 square feet of pit and mound topography revealed a greater concentration of pits than mounds, although the overstory plant community was dominated by upland plants growing on the mounds (beech, sugar & striped maple). This area was agreed to exhibit enough characteristics to define as wetlands and was flagged out on-site. Another area further down-slope revealed a small swale surrounded by a hemlock overstory. Hydric soils indicators helped to rule out some small depression and include others. The ESS Group scientist stated that several other areas were flagged out upon further investigation and because of areas of concern from Irene and Lenny's site walk. Another wetland and seasonal stream was called out adjacent to the existing field on the northeastern corner of the property. Finally, we looked at the two major streams that flow through and exit on the property. It was decided by DES after research and field verification that the lower portion of the main stream "Wetland B" would be considered perennial as the area exhibits several morphological characteristics suggesting that it is more perennial than seasonal. The other major stream which is about half the size "Wetland A" is considered seasonal in nature. Overall, the group agreed that the wetland boundaries and resources were now more accurately identified.



Engineers
Scientists
Consultants

July 19, 2004

Tamworth Planning Board
Tamworth Town Hall
84 Main Street
Tamworth, New Hampshire 03886

**Re: Valley Motorsports Park Project
Special Use Permit - Wetlands Conservation District Ordinance
Supplemental Information Regarding Delineation Methodology**

RECEIVED

JUL 23 2004

ENVIRONMENTAL SERVICES
WETLANDS BUREAU

Craig
00175/2
888 Worcester Street
Suite 240
Wellesley
Massachusetts
02482
p 781.431.0500
f 781.431.7434

Dear Tamworth Planning Board Members:

On behalf of Club Motorsports, LLC, ESS Group, Inc. (ESS) submits this supplemental information regarding the wetland delineation methodology for your consideration during the review of the Special Use Permit application filed on June 17, 2004 under the Tamworth Wetlands Conservation District Ordinance. This information provides clarification regarding the wetland boundaries on the Site as defined in the Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, (January, 1987) (the 1987 Manual) and the Federal Interagency Committee for Wetland Delineation, (1989) (the 1989 Manual).

ESS and an independent reviewer (see attached letter) have concluded that the wetland boundaries on the Site are equivalent under the 1987 Manual and the 1989 Manual.

Comparison of Methods

The 1987 Manual specifies criteria for indicators of hydrology, hydric soils, and hydrophytic vegetation, and requires that all three parameters be present for an area to be considered a vegetated wetland. In general, the 1989 Manual allows for an area to be included as vegetated wetland based on only two of the three parameters.

Although there are some subtle differences in defining hydric soils, vegetation, and hydrology, in practice, the two manuals typically result in similar or identical vegetated boundary delineations on most sites.

Summary of Delineations

Wetland boundaries on the Valley Motorsports Park Site were delineated by ESS in the late summer and early fall 2003, and spring 2004. In addition, ESS contracted a New Hampshire Certified Soil and Wetland Scientist, NH Soil Consultants, Inc. to conduct an independent evaluation of the delineation. ESS wetland scientists gave specific consideration to the provisions of the 1989 Manual while conducting the field delineation, and did not note any wetland areas on the Site that would be flagged differently under the 1989 Manual versus the 1987 Manual, or any additional areas that would be considered wetlands only by the 1989 Manual.



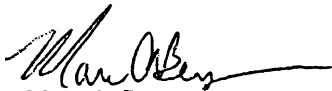
Conclusion

ESS and an independent reviewer concluded that the wetland boundaries on the Site are equivalent under the 1987 Manual and the 1989 Manual. Accordingly, the wetland boundaries presented on the Project Plans submitted with the application for Special Use Permit under the Tamworth Wetlands Conservation District Ordinance are defined per the requirements in the Ordinance.

If you have any questions regarding this information please do not hesitate to contact me at 781-489-1111 or Craig Lizotte at 781-489-1175. Thank you for your consideration of this information.

Sincerely,

ESS GROUP, INC.



Marc A. Bergeron
NH Certified Wetland Scientist #097



Ann B. McMenemy
NH Certified Wetland Scientist #036

cc: William Evans, NHDES
Collis Adams, NHDES
Ruth Ladd, USACE
Michael Hicks, USACE
Town of Tamworth Conservation Commission
Stephan Condodemetraky, Club Motorsports
Susan Vercillo Duprey, Devine, Millimet & Branch
John Ghiringhelli, Club Motorsports
James Long, NH Soil Consultants, Inc.
Craig Lizotte, ESS
File

Attachment

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APR 30 2004

DEPARTMENT OF
ENVIRONMENTAL SERVICES888 Worcester Street
Suite 240
Wellesley
Massachusetts
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Scientists
Consultants

April 26, 2004

Mr. Craig Rennie
New Hampshire Department of Environmental Services
6 Hazen Drive
Concord, New Hampshire 03302

**Re: Wetland Boundary Delineation
Proposed Valley Motorsports Park, Route 25, Tamworth, New
Hampshire, ESS Project No, C502-000**

Dear Mr. Rennie:

The purpose of this letter is to provide the New Hampshire Department of Environmental Services (NHDES) with an update regarding ESS Group, Inc.'s continuing efforts associated with the following tasks being completed on the above-referenced site (the Site):

- Vernal Pool investigations on-site;
- Additional field review of intermittent stream boundaries on-site; and
- Additional field review of the vegetated wetland boundaries on-site.

In summary, ESS has confirmed that Wetland Area G contains evidence of breeding amphibians and can be characterized as vernal pool habitat. ESS did not identify any other areas on-site that contained evidence of breeding amphibians. In addition, on April 20 through 22, Mr. Marc Bergeron and Ms. Ann McMenemy, both of ESS, were on the Site to review wetland boundaries set by ESS in the late summer and fall of 2003. This review had the following objectives:

1. To allow ESS scientists to prepare for the Jurisdictional Determination Site Walk to be held at the Site on May 3 and 4; and
2. To allow ESS scientists to address questions raised by the Tamworth Conservation Commission in their April 22, 2004 report regarding the wetland boundaries at the Site.

As described in detail below, ESS will recommend that in some areas on the Site additional intermittent stream channels be added and vegetated wetland boundaries be revised. Following the site walk on May 3 and 4, ESS will prepare a detailed report, including all necessary documentation, regarding any revised wetland boundaries at the Site. Based on the information collected last week and a review of the Tamworth Conservation Commission's comments, it appears that the addition and/or revision of wetlands will cause only minor additional wetland impacts associated with the Project.

Vernal Pool Habitat

As indicated in the Standard Dredge and Fill Application (the Application) submitted to NHDES on March 4, 2004, ESS identified wetland boundaries (both vegetated wetlands and waterbodies) on the Site in August and September 2003 with follow-up fieldwork in wetland impact areas to complete a wetland functional assessment in November 2003. During the aforementioned wetland-related fieldwork activities in 2003, ESS scientists noted wetland areas which had the potential to provide amphibian breeding habitat. As presented in the Application, Wetland Area G was noted to have the highest potential to function in this



capacity. ESS scientists completed preliminary investigations in potential amphibian breeding habitats on-site in the fall of 2003, and did not identify any salamander larvae in any of these areas. As acknowledged in the Application, the late summer and fall are not optimal times to verify amphibian breeding habitat because, in general, "vernal pool" breeding amphibians reside in upland areas and only utilize wetlands for breeding in the Spring. It is acknowledged that the marbled salamander would be in larval stage in the late fall. No marbled salamander larvae were observed during the fall of 2003.

Accordingly, on April 20, 21 and 22, 2004, ESS completed additional field investigations to identify wetlands on the Site that may be functioning as vernal pools and are providing amphibian breeding habitat. ESS completed a comprehensive review of wetland areas and areas containing standing water on the Site during this time. ESS scientists, trained in vernal pool identification and certification, used waders and dip nets to search potential areas for breeding evidence of obligate vernal pool species and for other facultative vernal pool indicators. ESS confirmed that Wetland Area G is functioning as vernal pool habitat by documenting wood frog egg masses, mole salamander egg masses, and facultative invertebrate species. Field documentation forms were completed for this area and the information collected will be provided as a supplement to the Application. No other wetland areas on the Site were observed to contain evidence of breeding amphibians.

As you may be aware, ESS anticipated that Wetland G would provide amphibian breeding habitat and designed the proposed project to avoid this area and a large portion of the uplands surrounding it. Further, there is not a definition in the NH Administrative Rules defining vernal pools, nor are there any specific rules for work in or near these habitat types.

Intermittent Streams

Due to the nature of the Site's steep terrain, there were numerous drainageways noted by ESS on the Site during the 2003 field investigations that appeared to seasonally convey overland flow. However, these areas did not appear to have a clear "defined or maintained channel" and did not appear to meet the definition of intermittent stream (as defined by New Hampshire Code of Administrative Rules Wt 101.44). Many of these areas were dry and flow was not observed during any of ESS' site visits. The only evidence of seasonal flow was minor scour and pushed leaf litter. In some instances, sections of these drainageways had more defined channel characteristics. However, these were discontinuous in only small portions of the drainageway and dissipated into minor scour and pushed leaf litter segments. Based upon observation of these drainageways in the late summer and fall of 2003, it did not appear that these areas met the definition of an intermittent stream in the State of New Hampshire. However, ESS scientists noted that during seasonal high water conditions (i.e, during the spring 2004) some of these areas should be re-evaluated and documented to make a final determination on the jurisdictional status under the New Hampshire Code of Administrative Rules Wt 101.44. ESS noted that during the spring groundwater discharge areas would more likely be able to be identified and documented and a better understanding of the seasonal dynamics of flow through these drainageways could be evaluated in more detail. Further, if some drainageways were still unable to be conclusively determined to meet the definition of intermittent stream, technical assistance could be sought from the Wetlands Bureau staff at NHDES as the project progressed through the permitting process.

As part of their review of the Application, the Town of Tamworth Conservation Commission has completed site visits on April 9, 2004 and April 21, 2004 and summarized the results of their review in a report dated April 22, 2004. ESS considered the comments made by the Tamworth Conservation Commission, their wetland consultants, and our own notes to assist in





Mr. Craig Rennie
April 26, 2004

further review and designation of jurisdictional of intermittent stream channel boundaries. It is our understanding that the Tamworth Conservation Commission completed an additional field investigation on April 25, 2004 and submitted an additional report. ESS will review the contents of this report and consider the comments such that areas in question can be reviewed during the upcoming site visits with NHDES and USACE for a determination.

On April 20, 21 and 22, 2004, ESS completed additional fieldwork to review some of the drainageways not identified as intermittent streams in the Application, but conveying flowing water during the spring of 2004. During the field investigations in spring 2004 some of these areas had flowing water and some were dry. ESS re-evaluated some of the drainageways that had flowing water and delineated these drainageways as intermittent streams on the Site. Field documentation forms were completed for these areas and the extent of these areas will be surveyed and shown on a revised plan set to be submitted to NHDES.

Finally, ESS will review the remaining drainageways in question, which still do not appear to meet the definition of an intermittent stream as per Wt 101.44, with NHDES Wetlands Bureau staff on May 4, 2004 for a final determination of the classification. If necessary, these areas will be located and shown on revised plans with appropriate revisions made in other parts of the Application to reflect the final determination by NHDES.

During the design of the Project ESS was aware that some of the drainageways may ultimately be considered jurisdictional, and designed the project in such a way to address these new potential constraints with little additional wetlands impact. Additional intermittent stream impact areas and crossings will be addressed along with other NHDES comments as necessary.

Vegetated Wetland Boundaries

During our wetland identification activities in late summer and fall 2003, ESS noted several areas on the Site that contained small amounts of standing water or evidence of standing water (i.e., water-stained leaves). These areas are either small, isolated depressions or are located within areas previously logged. The previously logged areas contain overgrown logging roads and remnant skidder ruts, which appear to hold water during certain times of the year. In 2003, ESS investigated these areas in order to characterize vegetation, soils and hydrology to identify if these areas would qualify as wetland in accordance with the *Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1* (January 1987). In general, ESS noted that the vegetative community in these areas contained a mix of upland and wetland indicator species, with the dominant species in most areas being upland indicators. In addition, the majority of soil profiles documented did not appear to meet the criteria for hydric soils as per the *Field Indicators for Identifying Hydric Soils in New England* (NEIWPCC, Version 2, July 1998). Lastly, during the late summer and early fall, there was no saturation or observed water in the test pits to demonstrate hydrology.

As you are aware, a Request for a Jurisdictional Determination of wetland boundaries was submitted to the United States Army Corps of Engineers (USACE) on November 6, 2003. ESS was planning to re-visit some of the aforementioned areas with the USACE as part of the Jurisdictional Determination to obtain verification that these areas do not qualify as wetland under *Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1* (January 1987). Due to weather conditions in early December 2003 (i.e., a major snowstorm) the USACE was unable to complete a site visit and issue a determination to verify the vegetated wetland boundaries on the Site in 2003.





Several site visits were completed by the Tamworth Conservation Commission and their wetland consultants, before the USACE could review the Site and issue a Jurisdictional Determination on vegetated wetland boundaries. The Jurisdictional Determination issued by the USACE may exclude small isolated vegetated wetlands from jurisdiction of Section 404 of the Federal Clean Water Act. ESS recognizes that if this occurs these areas would still be subject to jurisdiction in the State of New Hampshire.

On April 9 and April 21, 2004, the Tamworth Conservation Commission and their wetland consultants reviewed the wetland boundaries on the Site for verification of accuracy. During this site visit the Tamworth Conservation Commission's wetland consultants noted several instances where they believed some wetland flag locations should be moved further upslope and a minor revision to the boundary noted. For the most part, many of these suggestions were agreed upon by ESS in the field, as the suggested revision was to move the flag 5 or 10 feet upslope. As you are aware, minor revisions to wetland boundaries are common, as wetland delineation is not an exact science and professionals may differ within reason as to where to demarcate the exact upland/wetland break along the extent of a wetland boundary. The revisions noted in the letter sent to you from the Tamworth Conservation Commission's wetland consultant, dated April 12, 2004, were of this minor nature.

In some instances, ESS disagrees with the Tamworth Conservation Commission's assessment. For the most part, the disagreements occurred within the previously-mentioned isolated depressions and areas previously subjected to logging. During the site visit with the Tamworth Conservation Commission and their wetland consultants in early April 2004, many of these areas contained standing water, due to the season and amount of recent rain. ESS noted these areas and has completed additional fieldwork to re-evaluate and document these areas in an effort to ensure that the Project boundaries are correct.

As appropriate, ESS has revised the wetland boundaries. Revised wetland boundary flags are clearly marked in the field and will be shown on a revised set of plans to be submitted to NHDES. Also, as appropriate, ESS will revise any other sections of the Application to reflect these revisions. These revised boundaries will cause only minor additional impacts to wetlands resulting from the Project.

Further, ESS has completed additional fieldwork to re-evaluate and complete additional documentation for those areas where ESS and the Tamworth Conservation Commission's wetland consultants disagreed if the area qualified as a wetland. Many of these areas contain a mix of upland and wetland indicators both in vegetation and soils, making them difficult to characterize. In areas where vegetation and soils were almost an equal mix of upland and wetland, ESS scientists determined to take a conservative approach and delineate these areas as wetland. In other instances, where the additional data collected provided clear evidence that these areas would not qualify as wetland, ESS did not delineate them and will work with the USACE and NHDES to provide final clarification within these areas in site visits to be completed on May 3 and 4, 2004.

If you have any questions or concerns regarding the information presented herein, please do not hesitate to contact me at 781-489-1111. We are looking forward to working through the process with NHDES, USACE and the Tamworth Conservation Commission reviewing some of these areas on-site in May. Please note that we are sending the Town of Tamworth, USACE and the United States Environmental Protection Agency a copy of this letter for their records. In addition, we are compiling the additional field data collected and will provide your office with a complete summary of changes with a revised plan as soon as possible. Our intention is



Mr. Craig Rennie
April 26, 2004

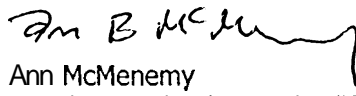
to have a revised plan for use during the upcoming field visit. Thank you for your consideration of this information.

Sincerely,

ESS GROUP, INC.



Marc A. Bergeron
Certified Wetland Scientist #097



Ann McMenemy
Certified Wetland Scientist #036

Attachments

- C: Craig Lizotte, ESS Group, Inc.
- William Evans, NHDES
- Collis Adams, NHDES
- Ruth Ladd, USACE
- Michael Hicks, USACE
- Mark Kem, USEPA
- Town of Tamworth Conservation Commission
- Stephan Condodemetraky, Club Motorsports
- Susan Vercillo Duprey, Devine, Millimet & Branch



IRENE G. GARVEY
Abenaki Environmental Services
119 Sodom Road
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603-544-3707
grace@ncia.net

MEMORANDUM

TO: John Mersfelder
FROM: Irene Garvey
DATE: April 25, 2004
SUBJECT: Field Walk - April 25, 2004
CC: Craig Rennie, DES
Lenny Lord, Ph.D.
Susan Duprey, Esq.
Mark Kern, EPA
Mike Hicks & Ruth Ladd, ACOE

John,

This memo is written as a follow up to our field walk today, with Dr. Robert Newton, of a small portion of the Motorsports property. As I explained in the field, I observed more jurisdictional wetlands and waterbodies on the property that had not been previously flagged and do not appear on the Motorsports project plans. In addition, I observed one wetland that **was previously mapped and is on the Motorsports project plans **but** is larger than what **was** mapped. Descriptions and locations of these areas are as follows:**

- a. pit and mound wetland in the area of the proposed hotel,
- b. intermittent stream feeding from the west into previously mapped Wetland K3,
- c. forested wetland just to the south of previously mapped Wetland K2,
- d. Wetland K2 is not mapped in its entirety, and
- e. forested wetland to the north of Wetland **K3** that may function as a vernal pool during some years.

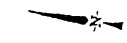
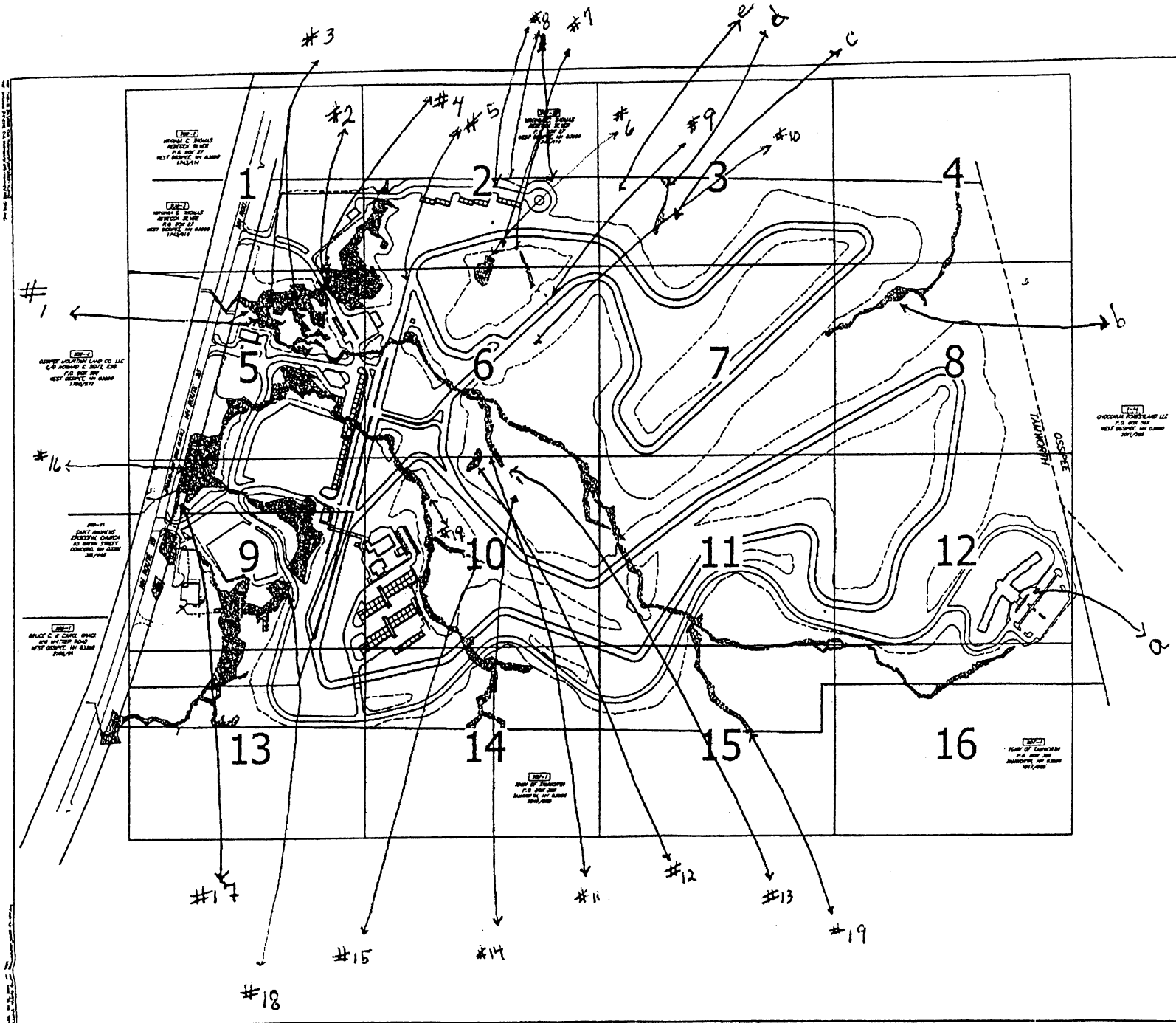
I am attaching a copy of the ESS Group, Inc. Key Plan dated February 27, 2004 that I have marked up with these newly observed areas, as well as areas 1-19 that are described in my 12 April 2004 letter.

Please do not hesitate to contact me if you have any questions or need further clarification regarding this memo.



Irene G. Garvey

000643



NOT FOR CONSTRUCTION

SCALE IN FEET
0 200 400

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VALLEY MOTORSPORTS PARK PROJECT
MOTORSPORTS HOLDINGS, LLC
TAMWORTH, NH

KEY PLAN

PROJECT NO. 1603
DATE OF ISSUE: February 21, 2011
SCALE: AS SHOWN
SHEET NO. 8 OF 11

KP-1

ABENAKI ENVIRONMENTAL SERVICES

12 April 2004

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APR 26 2004

ENVIRONMENTAL SERVICES
WETLANDS BUREAU

Tamworth Conservation Commission
John Mersfelder
PO Box 346
Tamworth, NH 03886

RE: Finding of Field Review
Motorsports Holding, LLC Project Proposal
Tamworth, New Hampshire

Dear John;

This letter is written as a follow-up to the April 9, 2004 field review of the Motorsports Holding (hereinafter "Motorsports") property and the comparison of the Existing Condition Wetland Plans (hereinafter "Plans") for the property that were submitted to the New Hampshire Department of Environmental Services Wetlands Bureau (hereinafter "NHDES"). This field review and assessment was completed by Certified Wetland Scientist and Soil Scientist Lenny Lord and Certified Wetland Scientist Irene Garvey. As you are well aware, the site is large and therefore we were **only** able to cover about one-quarter (1/4) of it during this field review.

The field review was conducted in accordance with the *Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1*, (January, 1987).

In general, we found that the larger wetland complexes were delineated, however, we found numerous incidences where the flags were too far downslope, into the wetland thereby delineating jurisdictional wetland areas as being upland areas. In addition, we found jurisdictional wetlands and intermittent streams that were not delineated and are therefore not depicted as wetlands/streams on the Plans (see attached photolog). Lastly, streams, which were found during the field review to be flowing through a number of the wetlands, were not depicted on the plans. In most of these incidences, the Motorsports representative who accompanied us during the field reviewed agreed with these observations.

The following bullets, with references to the attached photolog, identify these discrepancies (wetland labels A, B, C etc. are adapted from the Plans):

1. In a number of places along the northwestern edge of Wetland A, flags were found to be too far downslope, into the wetland thereby depicting wetland areas as being upland. An accurate delineation along this area will increase overall wetland impacts if the currently proposed project layout is constructed (photo 1).
- 2. Flags on both sides of the proposed impact area between Wetlands A and K were too far downslope, into the wetland. An accurate delineation along this area will increase overall wetland impacts if the currently proposed project layout is constructed (photo 2).
- 3. Areas within Wetland A are delineated as uplands but are part of the overall jurisdictional wetland. An accurate delineation along this area will likely increase overall wetland impacts if the currently proposed project layout is constructed.
- 4. In a number of places along the northern edge of Wetland K, flags were found to be too far downslope, into the wetland thereby depicting wetland areas as being upland. An accurate delineation along this area will increase overall wetland impacts if the currently proposed project layout is constructed (photo 3).
5. Pockets of jurisdictional wetlands were found during this field review downslope of Wetland N1 but were not depicted on the Plans. An accurate delineation along this area will increase overall wetland impacts if the currently proposed project layout is constructed (photo 4).
- 6. Wetland N1 was found to be improperly delineated in the eastern corner. An accurate delineation along this area will increase the size of this wetland will therefore increase the overall wetland impacts if the currently proposed project layout is constructed.
- 7. Two jurisdictional intermittent streams (as defined by New Hampshire Code of Administrative Rules Wt 101.44) were found during this field review: one running from N1 to the east and one from Wetland N2 to the south (photos 5 and 6). These two waterbodies converge and flow together through a logging debris pile (photo 7) to the east, then off-site onto Property owned by Silver. Neither of these streams appears on the Plan. An accurate delineation along this area will increase overall wetland/stream impacts if the currently proposed project layout is constructed. In addition, wetland impacts

will occur within 20-feet of the Silver Property if the currently proposed project layout is constructed.

- 8. A jurisdictional forested wetland area was found adjacent, and to the east of the field, along the Silver property boundary, but **was** not depicted on the Plans. This wetland is associated with the aforementioned stream that runs to the east, off the property. An accurate delineation along this area will increase overall wetland impacts if the currently proposed project layout is constructed. (photo 8).
- 9. A jurisdictional, intermittent stream (as per Wt 101.44) was found to flow into Wetland N2 **from** the south/southwest but is not depicted on the Plans. An accurate delineation along this area will increase overall wetland impacts if the currently proposed project layout is constructed (photo 9).
- 10. The aforementioned intermittent stream (#9) flows **from** an area upslope (to the southwest of Wetland N2). This **upslope** area appears to be a jurisdictional wetland. A **Corp** data plot should be completed in this area, if one has not been completed. If this area is considered a jurisdictional wetland, wetland impacts could increase if the currently proposed project layout is constructed.
- 11. Wetland G is functioning as a vernal pool (photo 10). What appears to be a wood **frog was** observed (photo 11) and heard in this pool during this field review. An assessment of the potential impact to the functions and values of this wetland should be performed in order to comply with NHDES Wetland Application requirements [Wt 302.04a (17)]
- 12. **In** a number of places along the northwesterly edge of Wetland A, between Wetlands **A** and **G**, flags were found to be too far downslope, into the wetland thereby depicting wetland areas as being upland. An accurate delineation along this area will increase overall wetland impacts if the currently proposed project layout is constructed.
- 13. Wetland F was determined to be connected to Wetland A but this is not accurately depicted on the Plans (photo 12). What is depicted on the Plans is that there is an upland between A and F.
- 14. A ponded, jurisdictional wetland area was found upslope along the drainage to the southwest of Wetland area F and is not depicted on the Plans (photo 13).
- 15. A jurisdictional, intermittent stream (Wt 101.44) was found to flow from the south into the bootleg shaped portion of Wetland B but is not depicted on

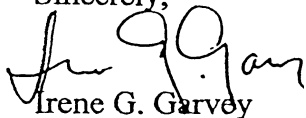
the Plans. An accurate delineation along this area will increase overall wetland impacts if the currently proposed project layout is constructed (photo 14).

- 16. In a number of places along the northwestern edge of Wetland B, adjacent to Route 25 near the existing road culvert, flags were found to be too far downslope, into the wetland, thereby depicting wetland areas as being uplands. An accurate delineation along this area could increase overall wetland impacts if the currently proposed project layout is constructed.
- 17. In a number of places along the southern edge of Wetland B, wetland flags were found to be too far downslope, into the wetland, thereby depicting wetland areas as being uplands. An accurate delineation along this area could increase overall wetland impacts if the currently proposed project layout is constructed (photo 15).
- 18. In a number of places along the southern edge of Wetland C, adjacent to the Impact Area between C and B, wetland flags were found to be too far downslope, into the wetland, thereby depicting wetland areas as being uplands. An accurate delineation along this area could increase overall wetland impacts if the currently proposed project layout is constructed (photo 16).
- 19. Lastly, several streams that have the characteristics of being perennial in nature were identified by Motorsports as being intermittent streams (photo 17). The larger streams on the site are fed by not only snowmelt and precipitation events as noted in Section 2.2.1 of the NHDES Motorsports Wetland Application but also by numerous seeps that were found during the April 9, 2004 field review.

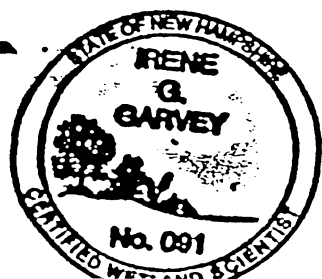
In summary; The Motorsports Plans do not accurately portray the existing wetland and waterbody conditions on the portions of the site that were able to be covered during this April 9, 2004 field review and, based on the findings as outlined above, we do not have a confidence that the rest of the site is properly delineated.

Please do not hesitate to contact Irene Garvey if you have any questions or need clarification regarding the intent or content of this letter.

Sincerely,



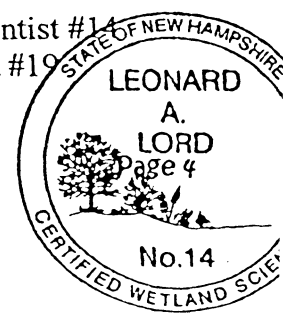
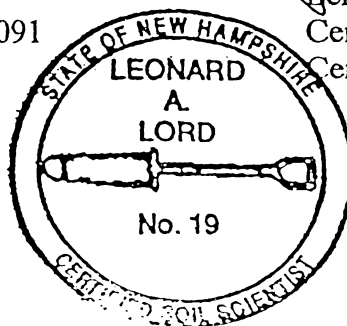
Irene G. Garvey
Certified Wetland Scientist #091



Sincerely,



Leonard A. Lord
Certified Wetland Scientist #14
Certified Soil Scientist #19



c c

Lenny Lord, Ph.D.
Craig Rennie, NHDES
Michael Hicks, USACOE
Mark Kern, EPA
Susan Duprey, **Esq.**