

THE STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

DOCKET NO. 2010-01

APPLICATION OF GROTON WIND, LLC
FOR A CERTIFICATE OF SITE AND FACILITY

SUPPLEMENTAL PREFILED TESTIMONY OF
MICHAEL J. LEO
ON BEHALF OF
GROTON WIND, LLC

October 12, 2010

1 Qualifications

2 Q. Please state your name and business address.

3 A. My name is Michael J. Leo. My business address is 6 Bedford Farms
4 Drive, Suite 607, Bedford, New Hampshire, 03110-6532.

5 Q. Who is your current employer and what position do you hold?

6 A. I am employed by Vanasse Hangen Brustlin, Inc. ("VHB"). In my present
7 position I am a Senior Project Manager / Civil Engineer for the company. My
8 qualifications have not changed since my prefiled direct testimony was filed in this
9 docket.

10 Purpose of Testimony

11 Q. What is the purpose of your supplemental prefiled testimony?

12 A. The purpose of this testimony is to update my prefiled direct testimony as
13 it relates to Project design and the Project's impacts on water quality.

1 **Project Design**

2 **Q. Please describe any substantial changes that have been made to the**
3 **Project's design since the time your prefiled direct testimony was submitted in this**
4 **docket.**

5 A. The general layout of the improvements remains substantially the same
6 since my prefiled direct testimony was submitted. However, minor changes have been
7 made to the Site Plans in response to review comments received from New Hampshire
8 Department of Environmental Services ("NHDES") Wetlands Bureau and NHDES
9 Alteration of Terrain Bureau. These revisions included adding a culvert along the west
10 access road, adding a retaining wall along the north access road adjacent to Old Coach
11 Road, modifying the locations of some stone drainage mattresses, relocating staging area
12 along west access road, revising alignment of Groton Hollow Road (near Sta. 152+00) to
13 be located further away from Clark Brook and adding additional temporary erosion
14 control measures. The changes were provided to NHDES in technical submittals dated
15 July 9, 2010 and July 22, 2010.

16 Further changes to the project site plans are anticipated to include realignment of
17 approximately 500 linear feet of Groton Hollow Road (\pm Sta. 169+00 to Sta. \pm 174+00) to
18 move the road to the west side of an existing old stone foundation to avoid an area of
19 potential archaeological significance. We are also working on minor adjustments to slope
20 and finish grades to better balance project earthwork cuts and fills. I would not consider
21 these changes to be "substantial" and they would not have any additional direct impacts
22 on streams or wetland areas.

1 **Water Quality Impacts**

2 **Q. Please describe changes, if any, to the permitting requirements that**
3 **you identified on page 3 of your prefiled direct testimony?**

4 A. Although it had been previously indicated that a Section 401 Water
5 Quality Certification would be required from NHDES, it is our current understanding that
6 this Project will be permitted under the the U.S. Army Corps' general permit (called "the
7 Programmatic General Permit" or "PGP" in New Hampshire) and, as such, a Section 401
8 Water Quality Certification would not be required.

9 **Q. Have you studied the potential effects of blasting on water quality?**

10 A. I have reviewed NHDES documentation on Rock Blasting and Water
11 Quality Measures that outlines potential water quality impacts from rock blasting and
12 makes recommendations for best management practices to be used during construction to
13 protect and minimize impacts on groundwater quality. In addition, I have reviewed
14 NHDES Best Management Practices for Fueling and Maintenance of Excavation and
15 Earthmoving activities.

16 **Q. Are there steps in addition to those identified in your prefiled direct**
17 **testimony, that the Applicant intends to take to address the impact of the Project on**
18 **water quality?**

19 A. The Applicant will follow Best Management Procedures for blasting as
20 outlined in Project Specific Conditions, in particular Condition 22, of NHDES Alteration
21 of Terrain Final Approval dated October 8, 2010. Blasting operations will also comply
22 with NHDES Best Management Practices for Groundwater Protection, N.H. Admin. Rule

1 Env-Wq 401. In addition, the Applicant will follow NHDES Best Management Practices
2 for fueling and maintenance of excavation and earthmoving equipment which will be
3 incorporated into the Stormwater Pollution Prevention Plan (SWPPP) to be development
4 by the contractor.

5 **Q. Have you consulted with the New Hampshire Department of**
6 **Environmental Services to discuss water quality issues since the Application was**
7 **filed?**

8 A. The Applicant has filed plans and reports with the NHDES Wetlands
9 Bureau and NHDES Alteration of Terrain Bureau for review and comment. Both
10 NHDES Wetlands Bureau and Alteration of Terrain Bureau have responded with written
11 review comments on the Project which have been substantially addressed by the
12 Applicant. Both the NHDES Wetlands Bureau and NHDES Alteration of Terrain Bureau
13 have recommended approval of the Project with permit conditions as outlined in
14 attachments to an October 8, 2010 letter from NHDES Water Division which has been
15 submitted with the Supplemental Application as Appendix 51.

16 **Q. Has your conclusion that the Project will not have an unreasonable**
17 **adverse effect on water quality changed since the time your prefiled direct testimony**
18 **was submitted?**

19 A. No.

20 **Q. Does this complete your testimony?**

21 A. Yes.