



*Bethlehem Conservation Commission  
Bethlehem, NH 03574*

March 7, 2016

Pamela Monroe, Administrator  
New Hampshire Site Evaluation Committee  
21 South Fruit Street, Suite 10  
Concord, NH 03301

Re: New Hampshire Site Evaluation Committee Docket No. 2015-06  
Northern Pass Transmission Project Application  
*Response to Applicant's Response and Objection to Certain Petitions to Intervene*

Dear Ms. Monroe:

In its submission to the SEC on February 26, 2016, the Applicant under "2. Municipal Sub-Units, paragraph 48 on page 18" made the following objection:

"48. The Applicants object to the separate intervention of municipal sub-units to the extent that their interests are already properly and sufficiently represented by their respective Towns and town governing bodies.<sup>3</sup> As illustrated in Exhibit A, for each municipal sub-unit petitioning to intervene, their respective Town or Town governing body is also petitioning to intervene."

We, the Bethlehem Conservation Commission, designated by the Applicant as a "municipal sub-unit" object to this request. We continue to request full intervenor status. And there is precedence for the Site Evaluation Committee to grant us that status.

At the recent annual meeting of the National Association of Conservation Commissions, there was a legal presentation given about the SEC process and Conservation Commissions.

This information is from that presentation: Historically, conservation commissions have been permitted to intervene. In Antrim Wind, the Antrim Conservation Commission was allowed to intervene as a full party. The SEC cited the following legal bases: (1) RSA 162-H:16, IV(b); and (2) RSA 36-A, the statute which authorizes the creation of a conservation commission "for the proper utilization and protection of the natural

resources and for the protection of the watershed resources” of the municipality. (Antrim Wind, 2012-01, May 18, 2012 Order.)

The SEC indicated that whether to allow the Conservation Commission as an intervenor involved a balance, but that the “balance weighs in favor of allowing intervention” because “the purpose and breadths of the Antrim Conservation Commission’s statutory obligations and its knowledge of the various conservation lands in Antrim, many of which are within or directly abut the Project area, outweigh any concerns regarding the participation of duplicative town boards.”

As with former town officials and certain non-profit organizations, the SEC has credited a conservation commission’s specialized knowledge as a factor in favor of intervention.

Based on this precedent and the statutes cited by the SEC, we ask the SEC to allow our conservation commission, and the conservation commissions of other towns, in which an energy project such as Northern Pass is proposed to have full intervenor status separate and apart from any other entity.

I am sending this to the distribution list.

Sincerely,



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Cheryl Jensen, Co-Chair, Bethlehem Conservation Commission

