



CITY OF CONCORD, NEW HAMPSHIRE
CONCORD CONSERVATION COMMISSION
CITY HALL · 41 GREEN STREET · 03301

July 25, 2016

Department of Environmental Services
Att: Craig D. Rennie, Darlene Forst

Re: Wetland File SEC 2-15-02817
Northern Pass LLC NHDES Wetlands Permit and Shoreland Permit

Dear Mr. Rennie and Ms. Forst,

The Concord Conservation Commission submits the following comments regarding the wetland permit and shoreland permit for the above project.

The Northern Pass project would carry electricity generated by Hydro Quebec to southern New England. Large-scale hydroelectric generation is not considered sustainable or "green" energy; it relies on the inundation of thousands of acres of boreal forest in Quebec -- by some estimates an area half the size of New Hampshire -- and construction of hundreds of miles of transmission lines from distant hydro dams. Such projects contribute to climate change through the release of methane gas from decomposing vegetation.

In addition, here in the United States we are actively removing dams, including those that generate hydro-electric power, and restoring the natural flow of rivers. This is occurring because we have learned -- with time -- that these dams have a significant negative impact on our nation's fisheries and the ecosystems of our rivers. American Rivers reports that in 2015 alone, 62 dams were removed in the United States to restore rivers, including 13 in New England.

The Concord Conservation Commission submits that because of the overall negative impacts of Northern Pass, coupled with major local impacts on open space properties, wetlands, and wildlife and plant species, the project should not be built.

The Commission believes that the applicant has failed to comply with the requirement that impacts be avoided "to the maximum extent practicable," [Env. Wt 302.03(a)(1)], that "unavoidable impacts have been minimized," [subsection 2], and that "the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site." [Env. Wt.302.04(a)(2)] We note that the City of Concord has more than one-third of the population along the project corridor. Reflecting community concern and following public hearings, the Concord City Council issued a report on October 6, 2015 urging "that the Northern Pass bury its proposed line along the entire 8-mile route through Concord." To date the applicant has not fully examined this alternative, which is "practicable" within the meaning of the rules. Under public pressure the applicant has agreed to bury 60 miles of the proposed 192-mile line in the North Country. The New England Clean Power Link has agreed to bury all 154 miles of a

similar transmission line in Vermont -- a project which has obtained regulatory approval. The applicant has not offered an adequate explanation of why it has not considered burial of the line through Concord, or utilization of existing transportation corridors. These alternatives should be fully analyzed before the proposal in this application is considered.

The Concord Conservation Commission agrees with the comments of other communities that separate applications for each municipality should have been filed, in order to facilitate review of the tremendous volume of data in the application. Much of the mapping, aerial photography and data included in the application is now several years old and of questionable accuracy. This, along with the volume of data and the state-level discussion of some issues, has made it more difficult to evaluate the proposal.

In Concord, the corridor proposed for Northern Pass extends for 8.1 miles, with an average width of 257 feet. This represents approximately 252 acres. Additional clearing within the right of way is estimated at 10 to 11 acres. This is a substantial area that will have numerous significant impacts: fragmentation of wildlife corridors, loss of tree cover, risk of additional ATV use with attendant erosion, and other impacts.

In Concord, the project will impact 35 wetlands totaling 51.8 acres. Of these, 23 are emergent wetlands and are 10 scrub/shrub deciduous. Most notable of these is the 15.26 acres of wetland adjacent to Turtle Pond, which as stated in the application provides significant functions and values. These functions include groundwater discharge/recharge, finfish habitat, floodflow alteration, sediment/toxicant retention, nutrient removal, shoreline stabilization, production export, and wildlife habitat. As stated in the application, principal values include recreation, uniqueness and heritage, education/scientific value, and visual aesthetics. The project will require construction of 4.5 miles of new access routes within the corridor in Concord, with impacts on wildlife habitat and wetlands/wetland buffers.

The project will impact 16 rivers and streams including intermittent streams, with a total of 88,115 square feet.

While the permanent impact on these resources is relatively minor, the project will have temporary impacts of more than 7 acres (319,701 square feet) within Concord. This is a very significant impact, and the Commission believes the work needed to access these areas is likely to cause long-term damage; in fact, the impacts will not be temporary. The project application did not provide sufficient detail on the temporary impacts to address this concern. Of particular concern is damage to the Turtle Pond wetland, a conservation area under the jurisdiction of the Conservation Commission: 130 square feet of permanent impact and 85,266 feet of temporary impact.

In addition to the Turtle Pond conservation area, the project crosses or abuts 12 other parcels of open space land protected either by easement or City ownership. This amounts to a significant area within or adjacent to conservation land, with major impacts on these properties. Most notable among these properties are Spear Park and the adjacent Richards Community Forest, both fee-owned and easement-protected land in the Broken Ground Conservation Area, and a

portion of the Oak Hill City Forest. All of these are managed by the Conservation Commission for protection of natural resources, open space, and non-motorized recreation. The City recently acquired 270 acres of open space in the Broken Ground area at a cost of approximately \$1 million (including \$80,000 from the ARM fund). The City of Concord has been proactive in conserving land in East Concord, a priority in the City's Master Plan since the 1970s, and the Commission is concerned that these efforts will be undermined by the project.

Another area of concern is the project's impact on threatened and endangered species. The application addressed 12 wildlife and seven plant species affected by the project. The Commission is especially concerned about the risk to the Federally endangered Karner blue butterfly. The residents of Concord have a strong interest in restoring this species in its only occurrence in New Hampshire, through land protection agreements, and active efforts for many years by school children and adult residents to raise and plant wild lupine.

There are proposed six structures in areas where wild lupine is present, as well as additional temporary impacts. The application states that there will be an unavoidable impact to the Karner blue butterfly through habitat loss and mortality attributable to project activity. The application proposes preservation of land but does not identify which land or the likelihood that Karner blue populations can be successfully introduced and maintained in this area. This is not adequate mitigation for the certain loss of populations of a federally endangered species that has been painstakingly restored in the pine barrens of Concord.

The 2010 report, "Conservation Priorities, Concord, NH," highlighted the pine barrens as a particularly vulnerable natural community in Concord (see attached). The 2015 Wildlife Action Plan indicates the pine barrens near Concord Airport are categorized as highest ranked habitat in New Hampshire. Most of the region the project area passes through in Concord is either statewide or regionally highest ranked habitat.

We also note that the Shoreland Protection application describes significant impacts on both sides of the Soucook River (the Concord-Pembroke boundary), a total of over 58,000 square feet. This important water resource has highly erodible bluffs along many of its banks; the temporary impacts of construction activities have a strong potential to cause new erosion and should be prohibited. The shoreland impacts on Turtle Pond are also significant -- over two acres for multiple structures -- and should likewise be avoided. An additional transmission line in this waterbody should not be permitted.

For the reasons set forth in this letter, the Concord Conservation Commission recommends the wetland and shoreland permits be denied. Thank you for your consideration of these comments. We reserve the right to comment further at a later date.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christopher Morgan", is written over the "Sincerely," line.

Christopher Morgan, Chair