

MINUTES

MEETING OF THE TECHNICAL COMMITTEE ESTABLISHED BY THE NEW HAMPSHIRE SITE EVALUATION COMMITTEE IN DOCKET NO. 2006-01: APPLICATION OF LEMPSTER WIND, LLC ORDER AND DECISION ISSUED JUNE 28, 2007

February 6, 2009

The Lempster Wind, LLC Technical Committee meeting began at 1:30 p.m. on Friday, February 6, 2009. The following Committee members were present: New Hampshire Fish and Game Department (represented by Carol Henderson-substituting for Mike Marchand); Public Service Company of New Hampshire (represented by Richard Dumore); United States Fish and Wildlife Service (represented by Maria Tur and Susi von Oettingen); New Hampshire Office of the Attorney General (represented by Lauren Noether); New Hampshire Audubon (represented by Carol Foss); Iberdrola Renewables (represented by Kristen Goland); and Public Service Company of New Hampshire (represented by Richard Dumore). Also present were representatives of Stantec (Gino Giumarro and Jessica Costa), Ed Arnett of Bat Conservation International (participating by phone), and Susan Geiger, legal counsel to Iberdrola Renewables. The following matters were discussed.

- 1. Introductions.** Kristen Goland convened the meeting and indicated that she was chairing the meeting by default because the document which created the Technical Committee ("TC") did not specify who would chair it. Kristen stated that she was open to having another member chair the TC if they wished to do so.
- 2. Distribution of permit conditions relating to the TC.** Kristen distributed a copy of the section of the Lempster Wind, LLC order that established the TC. She described the role of the TC under paragraphs 1.c. and 1.d of the Agreement of Public Counsel and the Applicant (which is Appendix II to the Order of the Site Evaluation Committee ("SEC") issued in Docket 2006-01 on June 28, 2007). Maria Tur asked about the 2 year study period. Susan Geiger agreed to review the transcripts of the SEC proceeding to determine the reason for that period. Maria also questioned whether an interim report issued in February would be too late for adjustments to be made to the next season's survey protocols. Kristen indicated that she believed it was doable.
- 3. Description of Lempster Wind Project.** Kristen provided a description of the project and the project's attempt to minimize clearings. She also described Iberdrola's Avian and Bat Protection Plan which was agreed upon by Iberdrola and USFWS. This is a company-wide standard for the entire United States. Kristen indicated that because the Lempster project was certificated prior to the adoption of this Plan, the Lempster project is not bound to it. However, Kristen indicated that she is willing to make Lempster subject to the Plan.

4. **TC Meetings subject to RSA 91-A.** Kristen explained that the TC meetings are subject to the state's right-to-know law and requested that if state agency participants receive requests for information under RSA 91-A to let her know so that she can be prepared to answer calls about records that have been publicly disclosed.
5. **TC Consultants.** Kristen indicated that consultants to the TC have not yet been selected.
6. **Stantec Presentation.** Gino Giumarro and Jessica Costa of Stantec joined the meeting at approximately 2:10 p.m. They provided a power point presentation: Post-Construction Bird and Bat Fatality Monitoring at Forested Ridgelines. They discussed post construction studies conducted at 7 wind energy facilities and answered questions.
7. **Bat Conservation International ("BCI").** Ed Arnett of BCI joined the meeting by phone. He explained a method of modeling data in a density-weighted fashion. He also discussed searcher efficiency ideas to increase diligence and efficiency. Ed agreed to review, on a volunteer basis, any protocol developed by the TC. Ed described April – November as the full season when activity is most likely to occur but suggested the best time frames for bat studies focused upon the mid July – end of October time frame . Ed offered other suggestions for the protocols and mentioned the names of some consultants. Ed said the TC should be more concerned about the process than with who does the work, as there are a number of good firms that can do it. The TC voted unanimously in favor of having BCI review the protocol.
8. **Next steps.** Kristen indicated that under the agreement between Public Counsel and Lempster Wind, that the Attorney General's Office and the project need to select a consultant. She also noted that prospective consultants would need to have some information about the protocol in order to submit appropriate bids on the work. Kristen said that she would circulate a draft protocol so that members can start thinking about what the final protocol should contain. This protocol is only a beginning point and is not to be interpreted as being adopted in any way. It serves as a starting place to get the ball rolling for the TC to begin drafting protocols. It was discussed that the final version of the protocol would need to be discussed and adopted in a public meeting.

The meeting was adjourned at 5:05 p.m.