

January 14, 2013

Chairman Thomas Burack
New Hampshire Site Evaluation Committee
c/o the Department of Environmental Services
P.O. Box 95
Concord, New Hampshire 03302-0095

Re: Docket No. 2010-01 Application Of Groton Wind, LLC Wind Energy Facility

Dear Chairman Burack:

The intervenor group on SEC Docket 2010-01 known as Buttolph/Lewis/Spring intervenor group ("Intervenors") through this letter hereby notify the NH Site Evaluation Committee ("Committee") that the Groton Wind Energy Facility, as constructed, includes several significant revisions from the project plans certificated by the Committee in its May 6, 2011 Order. These revisions include the relocation of the Operations and Maintenance ("O&M") building and at least two wind turbine generators ("WTG").

According to Attorney Michael Iacopino (Attachment 1), these revisions were not reported to the Committee. Nor are there any documents to suggest the Town of Groton, the Town of Rumney, any of the parties to Docket 2010-01 or the abutters to the project were informed of the revisions. The Wetlands Bureau and Alteration of Terrain Bureau permits subsumed in the Committee's May 6, 2011 order each reference revised Project plans dated July 9, 2010 which show the O&M building on the east side of Clark Brook, partially shielded by a substantial treed buffer. (Attachment 2)

The Project revisions can be traced to a November 10, 2011 letter submitted to DES by Vanasse Hangen Brustlin, Inc. (VHB) wherein VHB documents eight changes to the plans including moving the O&M building to the west side of Clark Brook and the relocation of at least two wind turbine generators. (Attachment 3)

While we recognize that pursuant to RSA 162-H:4, III, the Committee can delegate its authority to approve amendments to the Alteration of Terrain or Wetlands permits to the New Hampshire Department of Environmental Services, relocation of the O&M building or any of the turbines can clearly produce significant effects outside DES' purview of jurisdictional wetlands and earth moving. These changes were allowed under the previously approved DES permits with no notification to any parties including immediate abutters to the project, and no obvious opportunity for the parties to participate in the process.

Relocation of the O&M building situated the Project closer to several non-participating property-owners and transformed a heavily treed area into an industrial site. A photograph taken from the gravel area adjacent to the now existing O&M building shows the close proximity of the building to at least one Rumney residence. (Attachment 4) The visual impact of moving

turbines could be even more far-reaching. As you are aware, many hours were spent before the Committee examining the visual effect of the project on the surrounding communities.

Iberdrola Renewables has been through the NH SEC process and is represented by able counsel who, themselves, have extensive experience with the process. There is no credible explanation for why Iberdrola would choose to bypass the Committee when a motion to amend the Certificate was in order. The nature of the Project revisions involving the O&M building should have been identified long before the date of the revised plans. This blatant failure on the part of Iberdrola and its counsel cannot be ignored and deserves speedy redress.

Pursuant to Rule Site 202.27, we ask that the Committee find that there is relevant, material and non-duplicative evidence sufficient to reopen the record for this Docket and permit the parties and those impacted by the revisions to be heard on this important matter.

Thank you for your attention to this important matter. Please contact James Buttolph at 603-786-2402 if you have questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "James Buttolph". The signature is fluid and cursive, with the first name "James" and last name "Buttolph" clearly distinguishable.

James M. Buttolph, Spokesperson
Buttolph/Lewis/Spring Intervenor Group

ATTACHMENT 1

From: "Michael J. Iacopino" <MIacopino@bclilaw.com>
To: <lisa@linowes.com>
Sent: Friday, January 04, 2013 12:59 PM
Subject: Re: Groton Wind plan changes - Oct 28, 2011

To the best of my knowledge, and I have checked with Jane Murray, the SEC was not advised of the plan revisions. To the best of my knowledge I was not advised of these revisions either.

Mike

Michael J. Iacopino
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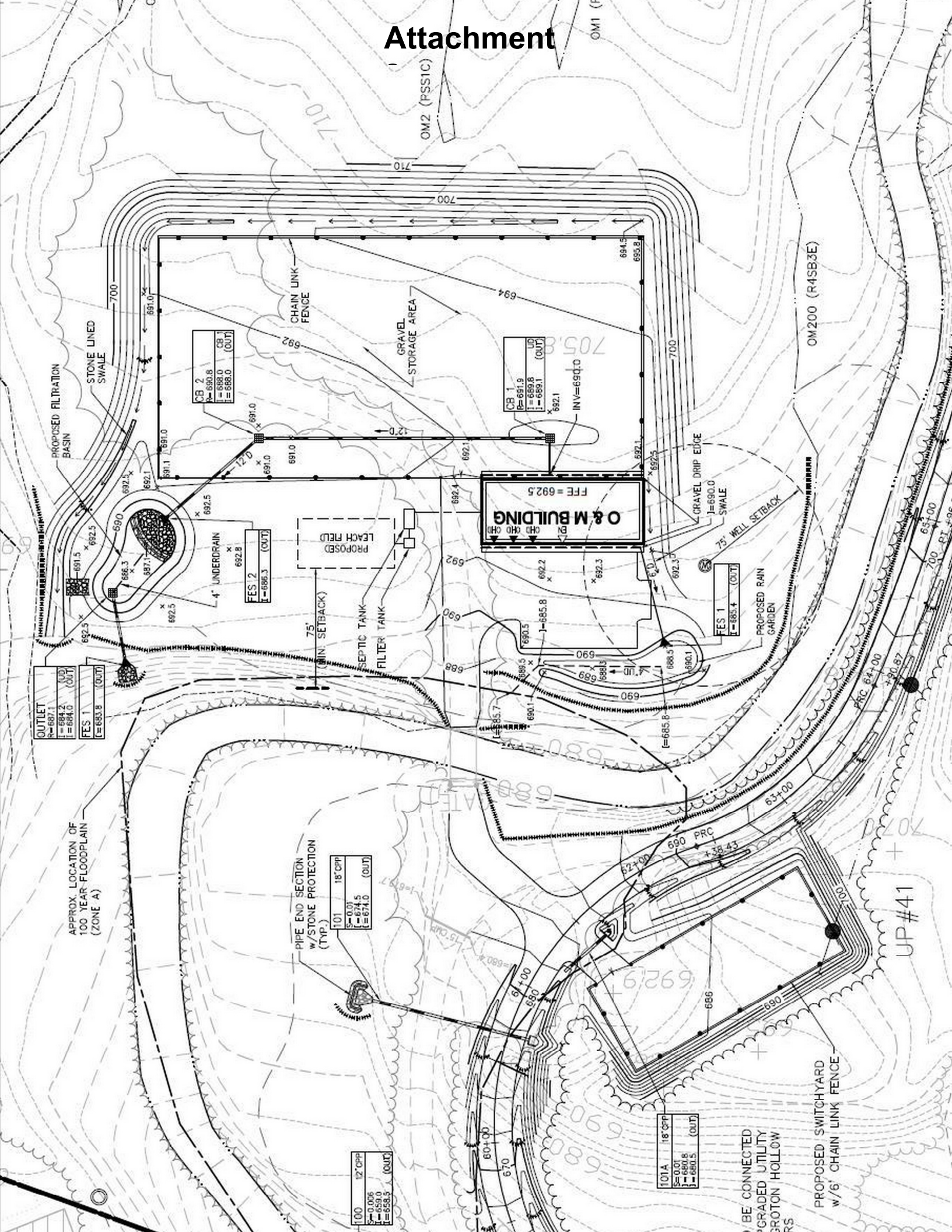
-----Original Message-----

From: Lisa Linowes [lisa@linowes.com]
Received: Friday, 04 Jan 2013, 12:55pm
To: Michael J. Iacopino [MIacopino@bclilaw.com]
Subject: Re: Groton Wind plan changes - Oct 28, 2011

Hi Mike -- were you able to confirm whether the SEC was notified of the change?
thanks.

--Lisa

Attachment



| | | |
|--------|---------|-------|
| OUTLET | S=687.1 | UD |
| | I=684.2 | (OUT) |
| | E=684.0 | |
| FES 1 | S=683.8 | (OUT) |

| | | |
|-------|---------|-------|
| FES 2 | S=692.8 | (OUT) |
| | I=686.3 | |

| | | |
|------|---------|-------|
| CB 2 | S=680.8 | CB 1 |
| | I=688.0 | (OUT) |
| | E=688.0 | |

| | | |
|------|---------|-------|
| CB 1 | S=691.9 | UD |
| | I=689.8 | (OUT) |
| | E=689.1 | |

| | |
|---------|---------|
| 101 | 18" CPP |
| S=0.03 | |
| I=674.5 | (OUT) |
| E=674.0 | |

| | |
|---------|---------|
| 100 | 12" CPP |
| S=0.006 | |
| I=659.0 | (OUT) |
| E=658.5 | |

| | |
|---------|---------|
| 101A | 18" CPP |
| S=0.01 | |
| I=680.8 | (OUT) |
| E=680.5 | |

TO BE CONNECTED TO GRADED UTILITY TRENCHES AT BROTON HOLLOW

PROPOSED SWITCHYARD w/ 6' CHAIN LINK FENCE

UP #41

Attachment 3

Transportation
Land Development
Environmental
Services



Vanasse Hangen Brustlin, Inc.

VIA HAND DELIVERY

November 10, 2011

Ref: 52036.00

Rene Pelletier
Assistant Director, Water Division
NH Department of Environmental Services
P.O. Box 95
29 Hazen Drive
Concord, NH 03302-0095

Re: Groton Wind Farm, Revised Site Plans
SEC Docket No. 2010-01
Wetlands File No. 2010-00745
Alteration of Terrain Permit No. 100325-033

Dear Mr. Pelletier:

On behalf of our client, Groton Wind, LLC, Vanasse Hangen Brustlin, Inc. (VHB) is pleased to submit the enclosed revised plans for the Groton Wind Farm. These plans are "Issued for Construction" and are dated October 28, 2011.

This submission is made in accordance with the NH Site Evaluation Committee's *Order and Certificate of Site and Facility with Conditions*, dated May 6, 2011, including Condition 2 of the *Wetlands Bureau Final Decision* and Condition 2 of the *Alteration of Terrain (AoT) Bureau Final Decision*.

Included with this submission please find the following materials:

- Site Plans, Groton Wind Farm dated October 28, 2011, Issued for Construction. (one copy full sized plans, one copy 11"x17" plans and one disk with PDF copy of Site Plans).
- A figure entitled "Project Revisions" showing eight minor changes to the project plans relative to the permitted plan set dated July 9, 2010.
- Updated Table: "Total Impacts to Aquatic Resources" from Wetland Permit Application
- Table: "Summary of Impacts to Aquatic Resources"
- Drainage Report: Addendum No. 1 (October 2011)

The Site Plans have been updated to show additional detail required for construction. In addition, eight revisions have been made to Site Plans relative to the July 9, 2010 plan set (i.e., the "Permitted Plans") as described below.

The net result of these changes is to reduce the overall footprint of the project, as defined by the limits of grading, from 115.6 acres to 103.6 acres, a reduction of about 12 acres.

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www.vhb.com



Direct wetland and stream impacts have increased, but only by a negligible amount - about 280 sq ft – from 71,680 sq ft to 71,960 sq ft. (See the enclosed impact tables.)

Each of the eight revisions is highlighted in the enclosed plan set and is further described below.

Revision 1. Operations and Maintenance Facility (Drawing C-3.1)

The proposed Operations & Maintenance (O&M) Facility has been revised. The O&M facility was moved from the east side of Clark Brook to the west side of Groton Hollow Road to a location where a fenced in switch yard was previously proposed. In addition, the total area for the O&M building and adjacent storage area has been reduced. Refer to Drawing C-3.1 for a plan showing the revised layout of the O&M area and to the enclosed Drainage Report Addendum for updated drainage calculations. This change has several environmental advantages:

- Eliminates the need for crossing Clark Brook to access the O&M area,
- Reduces the required land disturbance for the O&M area by approximately 0.7 acre, and
- Pursuant to AoT Condition 19, reduces the proposed clearing within a 50 ft buffer to two perennial streams (i.e., Clark Brook and Stream OM100) by approximately 8,150 sq ft (July 9, 2010 plans show approximately 12,400 sq ft of clearing within the buffer, while the revised plans require only 4,250 sq ft).

During the field review of the revised O&M location for any additional wetlands, a wetland was identified (GH47) that had been previously covered by debris. This wetland area will be impacted by the proposed alignment of Groton Hollow Road and increases the wetland impact at this location by 500 sq ft (See Impact #128, Drawing C-3.1).

The stormwater management design for the relocated O&M Facility is based on the stormwater BMPs that were proposed for the original location and approved by the NHDES through the SEC process. Stormwater treatment will continue to be provided by a filtration basin (with sediment forebay) as previously proposed. The filtration basin will also serve to help maintain peak runoff flow rates from the O&M building area.

Revision 2. Overhead Electric Transmission Interconnect (Drawing C-2.9, C-2.10 and C-3.1)

The overhead electrical transmission interconnect is now shown to run cross-country from the O&M Facility to NH 25. Refer to Drawings C-2.9, C-2.10 and C-3.1 for location of overhead transmission line from the O&M Facility to NH 25. As you know, the electricity from the wind farm will be transmitted to the grid along existing right-of-way except for a small portion from the site to existing NH Electric Cooperative poles that run along NH 25. Previously, the overhead line had been proposed to run north along Groton Hollow Road, but is now planned to run cross-country to NH 25 along property owned by Green Acre Woodlands, Patricia and Frederick Langford and Christopher and Therese Sheehan. This change was presented and approved as part of



the SEC proceedings and was proposed to decrease the impact along the residential section of Groton Hollow Road.

There are no direct wetland impacts associated with this change. However, clearing for the line will result in three clearing impacts of 3,050 sq ft to wetlands IC-1; IC-6 and IC-8 (Impacts #129-131).

Revision 3. East Ridge Overhead Electric Collector Line (Drawings C-2.6, C-5.1, C-5.2, C-5.3 and C-5.4)

A short segment of the overhead transmission line heading from Turbine E2 to the O&M Facility has been adjusted. This revision shortens the route and therefore decreases the amount of clearing on the East Ridge.

Revision 4. East Ridge Access Road (Drawings C-2.6, C-5.1, C-5.2, C-5.3 and C-5.4)

The access road and overhead electric line on the East Ridge has been revised. Previously, there were separate access roads to Turbines E4 and E5 and to Turbines E2 and E3. The access for the East Ridge has been combined into a single road that will reduce the length of road required to access these turbines. Turbines E2 and E3 were relocated very slightly as part of these changes. The new location of Turbine E3 and the revised road layout reduces the overall project footprint in this area, but does increase clearing within Vernal Pool ERVP1 and its buffer from 10,320 sq ft to 20,200 sq ft (See Impact #80, Sheet C-5.3). Other changes to the access road in the vicinity of Turbine E6 have resulted in a reduction in impacts to Wetland ER38 from 820 sq ft to 470 sq ft (See Impact # 73, Sheet C-5.1).

Revision 5. Groton Hollow Road from Sta. 168+00 to 174+00 (Drawings C-3.8 and C-3.9)

Approximately 600 linear feet of Groton Hollow Road has been realigned to avoid an archaeologically-sensitive area. The location of Groton Hollow Road from Sta. 168+00 to Sta. 174+00 has been modified to go around the west side of an existing old stone foundation. The road had been previously aligned around the east side of the old stone foundation. This change was presented to SEC during review their process. This change does not result in any additional disturbance area and does not require any change in wetland impacts.

Revision 6. Turbine W2 Elevation Change (Drawing C-7.4)

The elevation of Turbine W2 has been lowered approximately 9 feet to ensure the turbine base foundation will be on bedrock. This change requires a minor change in the profile of a short segment of the access road which result in additional impact of 80 sq ft (38 linear feet) to Intermittent Stream WR106B (See Impact #104, Sheet C-7.4).

Revision 7. West Ridge Overhead Electric Transmission Line (Drawing C-7.3)

Approximately 700 linear feet of overhead transmission line has been relocated east of Turbine W1 to move the overhead line further away from the turbine location. This change in the location of the overhead line completely removes the previous clearing impact of 830 sq ft to Wetland WR5 (Impact #122 is now 0 sq ft).



Revision 8. Stone Mattress Revisions

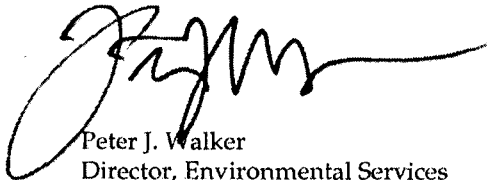
Adjustments to several stone mattress locations have been made. Stone mattresses at roadway low points have been replaced with culverts and stone mattresses have been removed in areas where very little flow was being conveyed. Attached is updated culvert spreadsheet indicating location and design flow for each culvert on project site. Stone mattress or culvert changes do not affect overall runoff (pre vs. post) discharge rates from the site. The concept of maintaining existing flow patterns in the post development condition has been retained and only one of these changes resulted in an additional wetland impact (sees Impact #120, Wetland NWR11, Drawing C-9.2). Stormwater calculations are also attached for the revised Operations and Maintenance area.

Relative to the potential effects on site drainage, none of the revisions significantly alter the Time of Concentration (Tc), Curve Number (CN) or size of the Subcatchment Areas previously analyzed. When combined with the fact that changes reduce the project footprint by about 12 acres, we determined that these changes have no significant impact on peak runoff rates, and the conclusions in our original Drainage Report remain valid. We have, however, included an addendum to the Drainage Report to update information relative to the Operation and Maintenance Facility.

As you know, construction of the site has commenced with clearing operations underway as of last week. Iberdrola Renewables is therefore anxious to resolve any questions the Department might have regarding these plan revisions. We have already met with Craig Rennie to review these issues, and I will be contacting you to arrange for a meeting to review the project in the near future. In the meantime, as always, please don't hesitate to contact me if you have any questions or comments regarding the Groton Wind Farm project.

Very truly yours,

VANASSE HANGEN BRUSTLIN, INC.



Peter J. Walker
Director, Environmental Services

cc: Craig Rennie, NHDES
Doren Emmett, Iberdrola
Ed Cherian, Iberdrola
Jebby Varughese, Iberdrola
Mike Leo, VHB
Nancy Rendall, VHB

