

State of New Hampshire
Site Evaluation Committee
Docket No. 2015-01

In re:

SEA-3, INC.,
Request for Exemption

GREAT BAY STEWARDS' CONTESTED MOTION FOR SITE INSPECTION

September 9, 2015

Now comes the Great Bay Stewards by their undersigned representative, and respectfully requests a site inspection at the Great Bay Discovery Center.

1. The provisions of RSA 162-H stipulate that the committee or subcommittee must consider impacts of a proposed energy operation potentially affecting the “welfare of the population, private property, the location and growth of industry, the overall economic growth of the state, the environment of the state, historic sites, aesthetics, air and water quality, the use of natural resources, and public health and safety.” NH RSA 162-H:1, 4IV(c)-(d).

2. Practice and Procedure Rule Site 202.13 provides that “the committee or subcommittee, as applicable, and public counsel shall conduct a site visit of any property which is the subject of a hearing if requested by a party, or on its own motion, if the committee or subcommittee determines that the site visit will assist the committee or subcommittee in reaching a determination in the adjudicative hearing.

3. Taken together, the provisions of RSA 162-H and Site Rule 202.13 compel a visit to the Great Bay Discovery Center and surrounding Estuary. Sea-3’s proposed site expansion directly abuts the Piscataqua River on its Northeast side. The increase in supply-chain activity – triggered by the site expansion – will also run straight through the Great Bay National Estuarine Research Reserve and abut the Discovery Center along the entire 50 acre property. Given the proximity of Sea-3’s site expansion and related operations to the Estuary and Discovery Center, RSA 162-H compels the subcommittee to evaluate impacts to “welfare of the population, private property, . . . environment of the state, aesthetics, . . . air and water quality, the use of natural resources, and public health and safety” involving this region.

Indeed, the Great Bay Discovery Center is a microcosm of these potential impacts. A site visit is therefore proper and presents an excellent opportunity for the subcommittee to evaluate the risks attendant to the Sea-3 site expansion. For example, “public welfare” and “health / safety” impacts could not be properly considered by the subcommittee without a site visit. The Discovery Center draws large crowds of school groups and other members of the public year round – all of whom will now be exposed to increased propane transmission along the Center’s property line and elsewhere throughout

the Estuary. Access challenges for first responders in the event of supply-line accidents and spills are also of great concern, particularly at the busy Discovery Center and other hard-to-reach areas of the Estuary.

The Great Bay Discovery Center also provides a practical way for all parties to witness, first hand, the potential impacts of the SEA-3 expansion to “private property, . . . environment of the state, aesthetics, . . . air and water quality, the use of natural resources.” The subcommittee and all parties (and their consultants) will be able to view and inspect the condition, location and risk involved with the various habitats, ecosystems, wildlife, fish, other marine life, and nearby property as a result of Sea-3’s proposed reconfiguration and expansion.

The purpose of RSA 162-H simply cannot be met without a site visit to the Great Bay Discovery Center.

Wherefore, the Great Bay Stewards respectfully requests the subcommittee grant its request for site inspection at the Great Bay Discovery Center, 89 Depot Road, Greenland, N.H.

The parties were consulted and responded as follows: Counsel for the Public assents, City of Portsmouth assents, City of Dover assents, Portsmouth Intervenors assent, Sea-3 does not assent, Town of Newington does not assent. Sea-3 and the Town of Newington will, therefore, presumably file a written objection. The Great Bay Stewards waive no right or defense should either fail to do so as required by Rule 202.14 or otherwise by the SEC.

Great Bay Stewards

By its non-attorney representative,



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Certification

I hereby certify that on this 9th day of September, 2015, I emailed a copy of the foregoing request for site inspection to the Service List of this Docket.

