

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

Docket No. 2015-02

**Re: Application of Antrim Wind Energy, LLC
For a Certificate of Site and Facility**

August 18, 2016

**ORDER ON PARTIALLY ASSENTED-TO MOTION OF THE AUDUBON SOCIETY
OF NEW HAMPSHIRE TO ADD WILLARD POND STOP TO THE SITE
INSPECTION LOCATIONS SCHEDULED FOR SEPTEMBER 8, 2016**

I. BACKGROUND AND DESCRIPTION OF THE PROJECT

On October 2, 2015, Antrim Wind Energy, LLC (Antrim Wind or Applicant), filed an Application for a Certificate of Site and Facility (Application) with the Site Evaluation Committee (Committee). Antrim Wind proposes to site, construct, and operate 9 Siemens SWT-3.2-113 direct drive wind turbines capable of generating 3.2 MW for a total nameplate capacity of 28.8 MW and associated civil and electrical infrastructure (Project). The Project is proposed to be located in the Town of Antrim on the Tuttle Hill ridgeline spanning southwestward to the northeastern slope of Willard Mountain. The Project will be constructed primarily on the ridgeline that starts approximately 0.75 miles south of NH Route 9 and runs south-west, for approximately 2 miles. The Project will be located in the rural conservation zoning district on private lands owned by six landowners and leased by Antrim Wind. Antrim Wind seeks the issuance of a Certificate of Site and Facility approving the siting, construction, and operation of the Project.

On February 22, 2016, the Subcommittee conducted a site inspection that included a stop at Willard Pond.

On February 25, 2016, a prehearing conference was held in this docket. During the prehearing conference, Counsel for the Public and the intervenors requested additional site inspections to the Project area. *See* Report of Prehearing Conference, March, 2, 2016, p. 4-5.

On July 5, 2016, the presiding officer issued an Order granting Counsel for the Public's and the Intervenors' request for an additional site inspection, subject to specific conditions and restrictions as determined by the presiding officer. *See* Order on Pending Motions, July 5, 2016, p. 5. On July 28, 2016, an Order was issued that provided for a site inspection to take place on September 8, 2016, to include the following six locations in proximity to the proposed project: (i) Black Pond, Windsor; (ii) Franklin Pierce Lake, Hillsborough; (iii) Farmstead Road, Antrim; (iv) Salmon Brook Road, Antrim; (v) Loveren Mill Road, Antrim; and (vi) Reed Carr Road, Antrim.

On August 2, 2016, the Audubon Society of New Hampshire filed its Partially Assented-To Motion to Add Willard Pond to the Site Inspection Locations scheduled for September 8, 2016 (Motion to Add Willard Pond Stop).

This Order denies the Audubon Society's Motion to Add Willard Pond Stop.

II. POSITIONS OF THE PARTIES

The Audubon Society of New Hampshire (Audubon Society) requests that Willard Pond be added to the list of stops for the site inspection scheduled to take place on September 8, 2016. The Audubon Society suggests that during the Antrim I proceeding (SEC Docket No. 2012-01), that the proposed project's impacts to Willard Pond were among the primary reasons that the Subcommittee denied the certificate for site approval, and that the currently proposed project is substantially the same as the Applicant's 2012 version. The Audubon Society argues that the

Applicant cites the effects on Willard Pond as the reason for revisions made to the project that is the subject of the current docket.

The Audubon Society argues that although the Subcommittee previously visited Willard Pond in February 2016, winter is not the prime season for recreation at Willard Pond and in order to fully understand the impact on Willard Pond, the Subcommittee should visit the site again on September 8, 2016. Further, the Audubon Society notes that the pre-filed testimony of former Audubon president, Michael Barlett, which has since been adopted by the new president, Douglas Bechtel, cites guidelines from the Clean Energy States Alliance and the New Zealand Wind Energy Association that recommend viewing photographic simulations on the location in a similar season as opposed to viewing photo-simulations in isolation at the adjudicative hearing. The Audubon Society suggests that re-visiting Willard Pond in the late summer will allow the Subcommittee to view the area and the Applicant's photographic simulations at a time when the view is similar and comparison can be made of the simulations and the actual view. Finally, the Audubon Society argues that adding the Willard Pond stop to the site inspection list will not unreasonably lengthen the schedule, as the Subcommittee will be in the general vicinity of Willard Pond on September 8, 2016 and no hike or walk is required for the visit.

The following intervenors concur with the relief requested by the Audubon Society: Counsel for the Public, Stoddard Conservation Commission, Bruce and Barbara Berwick, Meteorologists Group, Windaction Group, Schaeffer Family, Janice Longgood, Allen/Levesque Group, and Richard and Lorraine Block. The Applicant objects to adding the additional stop to the September 8, 2016, site visits.

III. STANDARD

Under N.H. Code of Admin. Rules, Site 202.13, the “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 hearing.”

IV. ANALYSIS

The Subcommittee previously observed the conditions at Willard Pond during the February 22, 2016, site visit. The weather and climate conditions on this date were favorable and the view was unimpeded and unobstructed by foliage. The Subcommittee finds that adding an additional stop at Willard Pond during the September 8, 2016 site visits will be duplicative and will not assist the Subcommittee in reaching a determination in this proceeding. The Partially Assented-To Motion of the Audubon Society of New Hampshire to Add Willard Pond Stop to the Site Inspection on September 8, 2016, is denied.

V. ORDER

It is hereby ordered, that the Partially Assented-To Motion of the Audubon Society of New Hampshire to Add Willard Pond to the Site Inspection Locations Scheduled for September 8, 2016, is denied.

SO ORDERED this eighteenth day of August, 2016.



Robert R. Scott, Presiding Officer
Site Evaluation Committee