



TransAlta Corporation

T (403) 267-7110

Box 1900, Station "M"
110 - 12th Avenue SW
Calgary, Alberta
T2P 2M1

www.transalta.com

Jean-François Latour, B. Sc., ASA
Specialist, environment | Wind & Solar Operations

Direct Line: (438) 320-2951

Email: JeanFrancois.Latour@transalta.com

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By email: Pamela.Monroe@sec.nh.gov

New Hampshire Site Evaluation Committee (NHSEC)
Attention: Pamela G. Monroe, Administrator
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429

Re: Antrim Wind Energy – Request to Adjust Schedule and Location for the Post-Construction Sound Monitoring

Dear Ms. Pamela G. Monroe,

Antrim Wind Energy LLC (“AWE”) respectfully submits this request to adjust the schedule and location for the post-construction sound monitoring surveys.

1. Background

Site 301.18 (e) (7) provides that “[p]ost-construction [sound] monitoring surveys shall be conducted once within 3 months of commissioning and once during each season thereafter for the first year.” Furthermore, subsection (b) provides that “[a]djustments to this schedule shall be permitted, subject to review by the committee or the administrator.”

With respect to monitoring locations, Site 301.18 (e) (5) dictates that the “[...] measurements will be taken that shall be the same locations at which predictive sound modeling study measurements were taken pursuant to subsection (c) above [...].”

Hence, the NHSEC Site Rules require that post-construction sound monitoring surveys include pre-selected locations and that the locations be the same as those that were used for the pre-construction survey and predictive sound modeling report. AWE’s initial pre-construction survey¹ and its Post-Construction Sound Monitoring Report for Winter 2020² (“Winter 2020 Sound Report”) used the same five locations. In the context of the spring 2020 sound monitoring campaign, AWE asks that you permit an adjustment to the schedule and locations for post-construction sound monitoring surveys.

¹ Ref: https://www.nhsec.nh.gov/projects/2015-02/application/documents/2015-02_2016-02-19_att09_updated_noise_rpt.pdf

² Ref: https://www.nhsec.nh.gov/projects/2015-02/post-certificate-filings/2015-02_2020-05-13-20_awe_post_construction_sound_monitoring.pdf

2. Schedule Adjustment

For the spring 2020 survey, one of the five landowners (Location L4) refused access to our acoustic consultant (Acentech) in order to deploy sound monitoring instrumentation³. Unfortunately, the landowner at Location L4 doesn't seem open to any sound measurements in the future at her property⁴, not the complaint validation measurements nor the post-construction monitoring surveys (despite the methodology and the compliance assessment metric that align with the NHSEC Site Rules⁵).

Without the permission to access the land at L4, we are unable to measure at this same location used for the pre-construction survey and predictive sound report. We also can't support an alternative location to L4 as no pre-construction survey has been done at any other location than the other ones already used (L1, L2, L3 and L5). Should the access restriction to L4 remain, the monitoring at location L4 would be inapplicable given the circumstances. However, should the permission be granted before the mobilization of the next campaigns, AWE will remain committed to measure sound at location L4.

As expressed in previous communications⁶, one of the nine turbines (Turbine 3) has been undergoing maintenance for three weeks during the intended period for the Spring 2020 sound monitoring campaign (e.g. sound level meters were mobilized at Location L1, L2, L3 and L5 from May 27 to June 20, during which period Turbine 3 was offline between May 27 to June 18th am inclusively). As a result, for reasons beyond its control, AWE has not been able to collect information comparable to the information used in the Winter 2020 Sound Report⁷. Please note that performing the compliance verification for the conditions expected to result in the greatest turbine-related sounds at each location assure that the sound levels from the facility comply with the NHSEC Site Rules under all conditions⁸.

AWE believes that for purposes of effective compliance monitoring it would therefore be better to defer the filing of a spring sound report, and instead conduct a full survey in spring 2021 and file a report based on that information. This approach would also provide a second opportunity to the landowner at L4 that we measure the sound levels at her property during the spring season, pending her permission to install the necessary instrumentation. Regarding the summer and fall post-construction sound monitoring campaigns, these are still planned for 2020⁹.

³ Ref: https://www.nhsec.nh.gov/projects/2015-02/post-certificate-filings/2015-02_2020-05-21-26_noise_complaint_berwick.pdf.

⁴ Ref: https://www.nhsec.nh.gov/projects/2015-02/post-certificate-filings/2015-02_2020-06-30_corr_admin_berwick_complaint.pdf

⁵ As clarified in our letter of July 17, 2020 to your attention: https://www.nhsec.nh.gov/projects/2015-02/post-certificate-filings/2015-02_2020-07-17_transalta_response_linowes.pdf

⁶ Emails of May 29th, June 4th and June 18th sent your attention providing updates on *Antrim Wind - Post-construction sound monitoring - Second campaign during spring 2020*. Ref: https://www.nhsec.nh.gov/projects/2015-02/post-certificate-filings/2015-02_2020-06-18_update_post_construction_sound_monitoring.pdf

⁷ e.g. under conditions expected to result in the greatest turbine-related sounds at each location.

⁸ By assessing the worst-case scenarios/conditions expected to result in the greatest turbine-related sounds at each location also allows for an efficient assessment process as it limits the number of datapoints, audio files, etc. that need to be analyzed – it would be impractical to relisten days of records. These conditions are explained in Section 6.2 of the Winter 2020 Sound Report.

⁹ Schedule would be further adjusted if instructed by NHSEC, see Section 3, second paragraph.

3. Waiver of Rules Requests

To the extent necessary, AWE also requests, pursuant to Site 302.15, a waiver of the Site 301.18 (e) (7) requirement that post-construction sound monitoring reports “*be conducted once within 3 months of commissioning and once during each season thereafter for the first year.*” Conducting a survey in spring 2021 and filing a report thereafter serves the public interest because it satisfies by an alternative method the purpose of Site 301.18 (e) (7), i.e., to conduct post-construction sound monitoring surveys in four different seasons.

Furthermore, to the extent necessary, and pursuant to Site 302.15, AWE would also request, for purposes of the summer 2020 survey and subsequent sound monitoring campaigns, a waiver of the Site 301.18 (e) (5) requirement that “[...] *measurements will be taken that shall be the same locations at which predictive sound modeling study measurements were taken pursuant to subsection (c) above [...].*” As AWE is not granted permission to install the equipment on the land on which L4 is located, it renders compliance with this rule impossible under the circumstances. Alternatively, if the Committee deems it preferable, AWE is prepared to suspend sound monitoring activities until such time that the fifth location (L4) is reinstated or the Committee determines that it is reasonable to proceed with only the remaining four locations (L1, L2, L3 and L5).

In conclusion, AWE believes that the adjustment to the schedule and the several proposed waivers will serve the public interest and will not disrupt the orderly and efficient resolution of matters before the NHSEC. Lastly, AWE wishes to assure the Committee that AWE’s goal is to comply fully with the sound monitoring requirements under the Certificate and the NHSEC Site Rules, and it seeks the Committee’s guidance on the best way to do so.

Regards,

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