



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

August 4, 2017

Pamela G. Monroe, Administrator
NH Site Evaluation Committee
21 South Fruit Street, Suite 10
Concord, NH 03301

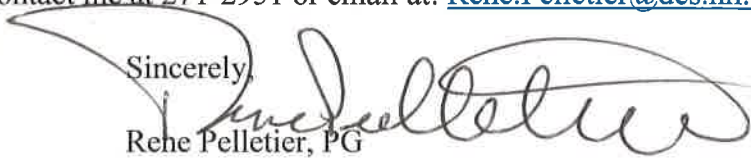
Re: Application of Public Service Co. of NH (d/b/a Eversource Energy) for
Seacoast Reliability Project
NH Site Evaluation Committee Docket No. 2015-04

Dear Ms. Monroe:

It was recently discovered that our August 1, 2017 transmittal to you contained an incorrect page header and incorrectly referenced the former Commissioner of NHDES on the list of recipients. Please accept the attached corrected document.

If you have any questions, please contact me at 271-2951 or email at: Rene.Pelletier@des.nh.gov

Sincerely,


Rene Pelletier, PG
Assistant Director
Water Division

cc: Michael J. Iacopino, Counsel NHSEC
Brian Buonamano, Asst. Attorney General, NH Department of Justice
Robert R. Scott, Commissioner, NHDES
Clark Freise, Asst. Commissioner, NHDES
Eugene J. Forbes, Water Division Director, NHDES

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21 South Fruit Street, Suite 10
Concord, NH 03301


Re: Application of Public Service Co. of NH (d/b/a Eversource Energy) for
Seacoast Reliability Project
NH Site Evaluation Committee Docket No. 2015-04

Dear Ms. Monroe:

In accordance with RSA 482-A, RSA 485-A and RSA 162-H:7, this letter is to notify you that the NH Department of Environmental Services (NHDES) has been continually reviewing information submitted by the applicant and interested parties relative to the subject project. As a result of the amount of additional information submitted after June 30, 2017 the DES is unable to complete its final review of the project at this time.

Attached is a detailed description of items requiring additional response/ information from the applicant and subsequent review by the NHDES Wetlands Bureau and Watershed Management Bureau. It is noted that the NHDES Alteration of Terrain Bureau and Shoreland program have completed their review of the project and is prepared to provide recommended permit conditions, as applicable, when the NHDES review process is completed.

If you have any questions, please contact me at 271-2951 or email at: Rene.Pelletier@des.nh.gov

Sincerely,

Rene Pelletier, PG
Assistant Director
Water Division

cc: Michael J. Iacopino, Counsel NHSEC
Brian Buonamano, Asst. Attorney General, NH Department of Justice
Thomas S. Burack, Commissioner, NHDES
Clark Freise, Asst. Commissioner, NHDES
Eugene J. Forbes, Water Division Director, NHDES

Wetlands Bureau

The NHDES Wetlands Bureau has reviewed materials submitted by the applicant and interested parties. The issues of concern include:

1. Receipt of technical comments on 7/31/2017 from the Counsel for the Public's expert ESS Group, Inc., relative to sediment plume impacts resulting from the jet plowing to install the cable crossing of Little Bay, which the applicant has not addressed.
2. Receipt of comments on 7/31/2017 from property owner Keith Frizzell relative to the effect of the project on Town of Newington designated prime wetlands located on the Frizzell property, which the applicant has not addressed.
3. Receipt of comments on 7/31/2017 from the NH Natural Heritage Bureau which include edits to the applicant's "Seacoast Reliability Project Avoidance and Minimization: Best Management Practices and Construction Plan" dated 6/30/2017, are not yet incorporated into that plan by the applicant, nor has the applicant provided NHDES with written concurrence from NH Fish and Game Department on the plan as requested.
4. Receipt of comments on 7/30/2017 from commercial aquaculturist Jason Baker, Fat Dog Shellfish Co., LLC, relative to the predicted overlap of the sediment plume on his enterprise in Little Bay, which the applicant has not addressed.
5. Receipt of technical comments on 7/28/2017 from the Town of Durham experts, GEI, Woods Hole Group, and Dr. Steve Jones, UNH, relative to the sediment plume impacts on Little Bay from the proposed jet plowing for cable crossing, which the applicant has not addressed.
6. Receipt of questions on 7/28/2017 raised by from Dr. Leonard Lord, Rockingham County Conservation District (easement holder for the Frink Farm), relative to PFOC and PFOA contamination and methodologies associated with the applicant's "Soils and Groundwater Management plan", which have not been addressed by the applicant.
7. Receipt of comments on 7/24/2017 from the applicant in response to the data requests generated at the 7/11/2017 SEC technical session, which provide some conflicting information to that included in other submissions to NHDES.
8. On 7/28/2017 NHDES wetlands staff met with the applicant and their consultants to review application items still outstanding, which the applicant must provide to NHDES, including:
 - a. A "worst case scenario" plan for encountering jet plow obstruction or refusal necessitating mattress placement in excess of that currently being discussed, which accounts for appropriate impact evaluation by NHDES and other resource agencies;
 - b. Review of the applicant's Supplement materials received on 6/30/2017 finds that the applicant has not yet submitted revised Little Bay cable crossing profile plans reflecting the new jet plow depth to a proposed 3.5'-5' for NHDES to review;
 - c. Similarly, review of the 6/30/2017 Supplement found that revised plans reflecting the new extent of the placement of concrete mattresses associated with the shallower installation depth of the cable crossing as currently proposed have not been submitted to NHDES for review.
 - d. Review found jet plow depths that were presented in the Amendment Volume 1 and Amendment Volume 2 received on 3/29/2017 reflect a jet plow depth of 8' with overages to 10' at several stations. There is concern that there will be similar overages for the represented 3.5'-5' revised

- depth, based on technical session testimony that referred to target depths ranging from 4.67' to 6.6', none of which have been documented in a plan for review and approval. A written discussion of the definition of "target" depths with respect to the jet-plowing and how over-dredging will be limited is required;
- e. Review of the applicant's 3/29/2017 and 6/30/2017 materials finds that if pile driving to stabilize the barge and the subsequent pulling of those piles each time the barge is moved is proposed, it has not been specifically accounted for in the description of impacts by the applicant or reviewed by NHDES.
 - f. A request to waive Env-Wt 304.11(b), Dredging Projects, which limits dredging in tidal waters to the period between November 15 and March 15, has not been received by NHDES to support the schedule submitted by the applicant which proposes work outside this time of year restriction period. A request to waive the dredge window must be supported in writing by the fisheries natural resource agencies, specifically NH Fish and Game Marine Fisheries, and NOAA National Marine Fisheries, and the Army Corps of Engineers.
 - g. Review of materials presented in Amendment Volume 1 and Amendment Volume 2 received on 3/29/2017 finds key features associated with wetlands jurisdiction in tidal wetlands and tidal surface waters, and which is necessary to determine and evaluate impact properly were not shown on the plans. The plans need to show mean lower low water, mean low water, mean high water, highest observable tide line, and 100' landward limit of the upland tidal buffer zone. The plans also need to account for removal of the either or both of the existing brick cable houses if that is proposed to occur.
 - h. An updated square footage of requested impacts by jurisdictional area, and corresponding changes to proposed compensatory mitigation as appropriate.

Watershed Management Bureau

The following information is needed by the NHDES Watershed Management Bureau to better understand the potential impacts of the proposed submarine cable crossing across Little Bay on surface water quality, and to determine appropriate project operation and monitoring conditions:

1. A response from the Applicant to the following concerns raised in the Pre-filed Direct Testimony of Joseph, J. Famely, Matthew F. Shultz, Stephen H. Jones and Michael F. Dacey on behalf of the Durham and the University of New Hampshire which was sent to the SEC via a letter dated July 24, 2017 by Orr and Reno:
 - a. Identification of potential contaminants that could desorb from sediment particles and analyses to determine which of these contaminants could potentially exceed New Hampshire surface water quality criteria (p.5, line 33 through p. 9, line 3; and p. 9 line 35 through p. 12, line 26.). This includes questions and concerns regarding the sediment sampling and compositing methods used in these analyses (p. 5, line 33 through p.7, line 2), the methodology used and how it was used (p. 7, line 3 through p. 9, line 2, and p. 9, line 35 through p. 11, line 12), the revised Water Monitoring Plan including, but not limited to, proposed oyster mitigation (p. 11, lines 14 through 19), potential water quality impacts due to the potential release of nitrogen (p. 11, line 20 through 33), arsenic (p. 11, line 34 through p. 12, line 5) and bacteria (p. 12, line 6 through 26) into the water column.
 - b. Concerns raised with regards to sediment dispersion modeling (p. 12, line 27 through p. 17, line 5). This includes modeling the effects of wind on the sediment plume (p. 12, line 29 through p. 14, line

2), modeling a “worst-case” scenario (p. 14, line 5 through p. 15, line 4), validation of the model and the potential to conduct a pilot study (p. 15, line 5 through p. 16, line 8), and resuspension of sediment (p. 16, line 11 through p. 17, line 5).

- c. Concerns raised regarding the potential water quality impacts of sediment suspension and deposition associated with removal of the existing cables (p. 17, line 7 through 18).
2. An evaluation (including modeling) of methods that could be employed to reduce the spatial impact of sediment plumes (and related impacts on surface water quality and resources) due to jet plowing. This includes, but is not limited to, jet plowing fewer hours per day when velocities in Little Bay are lowest (e.g., jet plow approximately 2 hours per day around high slack tide) and taking more than one day to complete each cable crossing.
3. Modeling to determine the spatial impact of sediment plumes (and potential impacts on surface water quality and resources) due to resuspension of sediment when the turbidity curtains are removed and how to reduce the spatial impact of the plumes (such as by timing sediment curtain removal during periods of low velocity and removing only a portion of each sediment curtain at a time and allowing the system to equilibrate for a few days before removing the remaining portion).
4. Comments from the fishery agencies (NH Fish and Game Department and the National Marine Fisheries Services) regarding the proposed submarine cable crossing under Little Bay including the proposed timing of the project and if measures should be taken (such as installation of a screen on the intake pipe) to minimize impingement and entrainment of aquatic organisms due to withdrawal of estuarine water through the jet plow intake pipe.