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Subject: Eversource Seacoast Reliability Project

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As owners of the Frink Farm in Newington, which will be adversely effected by Eversource's proposed Seacoast Reliability Project, we have reviewed the voluminous application filed last month with the Site Evaluation Committee. We find serious errors and omissions, and wish to make you aware that the application (SEC Docket No. 2015-04) is incomplete.

First, in Volume 5, Appendix 43, "Review of Land Use and Regional Planning" Newington land use is described as "primarily low-density residential, transportation, open and forested land". This omission of any reference to agricultural land is an oversimplification. In fact the entire application fails to clarify that the Darius Frink Farm is protected by a conservation easement held by the Rockingham County Conservation District. That easement (recorded in the Rockingham County Registry of Deeds Book 4517 Page 2436) states:

The Grantor shall honor the Right-of-Way of the utility easement owned operated and maintained by Public Service Company of New Hampshire, as described in the title insurance policy, for the purposes of quality review checks and maintenance operations. Any granting of further use restrictions that might diminish or impair the agricultural viability or productivity of the property, or otherwise diminish or impair the conservation values of the property are prohibited.

Eversource states at several places in the application that the landowners (Frink family) have refused to grant underground rights, while fully aware that any such granting of underground rights must be developed in consultation with and pending final approval of the Rockingham County Conservation District. Furthermore, Rockingham County Conservation District will set conditions required to compensate for the diminishment or impairment of the "agricultural viability or productivity of the property" that will be caused by the construction of the transmission line proposed by Eversource.

Second, assessments of the impact of Natural Resources or Existing Natural Conditions likewise omit any reference to the value of agriculture and of soils of statewide significance present in the farmland. A condition of the federal grant from the Farm and Ranchland Protection Program we received in 2005 was that our farm contain at least 50% of "prime, unique, statewide, or locally important soil." Indeed, the working farm that John Frink currently operates is itself a significant natural resource not referenced anywhere in the Eversource Seacoast Reliability Project Application. In Volume 3 Appendix 7, a map on page 3 of 4 shows conserved lands, and colors our farm as a public/quasi public entity – obscuring the fact that this is *private* land and is conserved for *agricultural* use.

Third, the description of Natural Resources or Existing Natural Conditions fails to mention the presence of PFOA or PFOS contaminants found in wetland soils on our farm and the adjacent Pickering property. New Hampshire is joining forces with Vermont and New York in asking the Environmental Protection Agency to revise its regulations on these contaminants, now recognized statewide as carcinogenic. (visit <http://des.nh.gov/organization/commissioner/pfoa.htm> for more information). The disturbance of wetland soils during construction of the transmission line will impact the areas where these contaminants are found. Eversource's omission of any reference to PFOA or PFOS contaminants appears to be intentional.

Maps of wetlands (Volume 2, Appendix 3, page 8 titled "Existing Wetland Resources") fails to show any intermittent or ephemeral stream there. Volume 2, Appendix 2, map 21, on the other hand, plainly indicates the stream centerline to be crossed by the transmission line. The wetlands maps in this section also omit pinpointing any springs on our farm or the Pickering land, where a spring that once supplied the town with water is located. Again, soil disturbance here will involve digging in areas contaminated by PFOA and PFOS.

Granting underground rights to Eversource will necessitate a thorough re-examination of these wetland issues. Furthermore, the archaeological survey conducted for the SRP application will need to be expanded to include the entire underground route, and the eight-foot depth needed for a farmland trench.

Elsewhere the application contains unclear or misleading information about alternate routes. Newington's suggested alternate routes appear on a map (Volume 5, Appendix 24) without commentary. Volume 5 Appendix 27 maps existing transmission lines that appear to bypass Newington's residential district, without explaining why the existing route can not be used. Responding to one of Newington's suggested alternate routes, the National Wildlife Refuge refused to grant a right of way for the project in order to protect habitat of the Northern long-eared bat. However, Vol. 5 Appendix 29 and Vol. 3 Appendix 7 cite a January 2016 federal ruling stating that the bat is endangered by white nose fungus, not by loss of habitat. Is re-routing of the project through the National Wildlife Refuge now a viable option?

Visual impact of an overhead line on the Darius Frink Farm is minimized the photographs provided in Volume 2, Appendix 32, which were taken from Little Bay Road (Exhibit 12) and Old Post Road (Exhibit 18). Both of these views fail to show the tall transmission poles. A view of the Frink Farm from Nimble Hill Road is not included among those of other properties in the application. Given that Section 106 of the

National Historic Protection Act (§ 800.5) defines as an adverse effect the introduction of visual “elements that diminish the integrity of a property’s significant historic features,” this is a serious omission. In a presentation to the Frinks in October 2015, Eversource provided more revealing views of how the overhead line would look from Nimble Hill Road and Hannah Lane (see below). This perspective better demonstrates the visual impact by showing where the poles would be placed. It also shows how the line would sag significantly, more so in hot weather, presenting a serious risk to farm equipment crossing under it.



We were stunned to note the inconsistency in Volume 2 Appendix 32, where all the maps indicate that the width of the existing right of way is 130 feet - rather than 100 feet. The fact that such a glaring error is present on maps of the route of the SRP suggests that other technical details in this report should be carefully reviewed for other misstatements and/or omissions.

The Site Evaluation Committee must be made aware of the shortcomings of the Eversource application before deliberating on the Seacoast Reliability Project. We all look forward to hearing from you.

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