

New Hampshire Site Evaluation Committee
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

May 25, 2016

RE: Eversource – Seacoast Reliability Project, SEC Docket No. 2015-04

Dear Committee Members,

I have attended the public meetings held in Newington on the Eversource project; voiced my concerns; researched and published information in our local paper, the *Newington Neighbor*; and spoken with town elected officials and neighbors. It was with great interest that I read Eversource April 12, 2016 application to the NH Site Evaluation Committee for the Seacoast Reliability Project.

Please consider the information on the following pages as you review this docket.

Thank you for your consideration of Newington and the community of folks who live here.

Sincerely,

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Newington, NH 03801

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CC: Newington Selectmen

1. What Newington is Seeking

Simply put, Newington does not want to become the ass end of New Hampshire.

We are trying to make our case so the NH SEC can understand our concerns about the sustainability of our small town and its residents.

Newington is striving to maintain a sustainable community of people amidst numerous pressures – the I95/Little Bay Bridge highway expansion, continued industrial and commercial development, Pease Tradeport traffic and growth, the Air National Guard’s expansion with large new tankers arriving soon, and living with the Wildlife Refuge – all of which are crowding out our small residential zones.



Newington is not against the Seacoast Reliability Project, per se. Newington has done as much or more than any other NH town for the energy needs of this state and region. We have 2 electricity generation facilities in town, dozens of fuel oil tanks and associated terminals on the Piscataqua River, an expanding Sea-3 propane gas facility, and a manufacturing facility for nuclear power

components. No one here is saying "NO" to the concerns over expanding demand and electricity sustainability for the seacoast region.

However, we have been trying to say, "Please also consider the sustainability needs of Newington as a viable community of people and help us protect the last of the town's residential zones from further encroachment - people are important, too." Please do not construct an even larger transmission line right through the remaining small chunk of our residential area - put it instead in an area that is not zoned residential.

No matter how a new transmission line crosses Newington - in the existing right of way or using any of the alternative routes that have been discussed with Eversource - it will only be about 3 miles in total length. But, its location will have a major impact on the folks who live here and on the future of our town.

Newington is fighting for its existence as a small town of only 753 people and with a population decline of 2.8% from 2000 to 2010. When companies such as Eversource do studies on which alternative proposal will impact the fewest people in the region, no wonder Newington is chosen. Newington is the smallest town by population in both Rockingham and Stafford counties and 60% of our land mass is zoned non-residential. Only 31 communities in NH have fewer people than Newington and those towns are *not* in the seacoast region.

Newington already provides NH with a strong backbone of energy, transportation, and national security infrastructure. Electricity, fuel oil, kerosene, and propane enterprises have taken over our Piscataqua River shoreline. We are bisected by the I95 corridor and 70,000 vehicles pass through our midst every day on the turnpike and Little Bay Bridges. We house the Air National Guard and endure KC135 tankers flying overhead, with even larger planes and noise to come in 2017. The Refuge protects the wildlife and prevents further development from impacting the estuaries and bays. Amidst all these benefits for the State and region, please remember that the people of Newington should also be protected as a valuable resource and community.

Newington is unique in Rockingham County and in New Hampshire. I can't think of another town or city that has similar industrial, commercial, airport, or wildlife characteristics. It is not unreasonable for Newington to ask that we not be phased out by the continuing demands of the State, other towns, and the region's growing needs for transportation and utility corridors. We are doing our fair share already. We want a community that our children and grandchildren will want to call home. We need to stand our ground so that future community is a reality and not a dream.

Newington contains a total of just 8.2 square miles of land area with another 4.1 square miles of inland water area. Only 3.3 square miles is zoned for residential use. That is all we have available for people. The other 4.9 square miles is zoned for other uses. Encroachment on our small residential area is a never-ending battle for us. Please consider our plight; we are not trying to be unreasonable. We are asking that industrial activities be confined to the industrial zone and utility corridor expansion take place outside our residential area in other existing utility corridors.

2. Pease Superfund Site

Appendix 24 (Town of Newington Suggested Alternative Routes) shows possible routes outside Newington's residential zone, across the Wildlife Refuge, and along Arboretum Drive. Route 6B, in particular, is a preferred route for Newington.

Newington's preferred route has always been that Eversource's new transmission line use the utility corridor along Arboretum Drive that was established in 1998 when a 24-inch, high pressure gas pipeline was constructed through town as part of the Portland Natural Gas Transmission System/Maritimes & Northeast Pipeline Company project (1997-1999).

Arboretum Drive is outside Newington's residential zone. This location and utility corridor was used for the pipeline only after Newington successfully argued that the gas pipeline should *not* be built in the town's residential zone along the existing PSNH ROW – the same ROW that Eversource now wants to use for a new 115kV transmission line.

The Portland Gas pipeline was installed 10 years after Pease Air Force Base closed in 1988. It passes right beside the “*Environmental Protection Agency (“EPA”) designated Superfund site on the Pease property, specifically Site 8, Fire Department Training Area 2, AT008, NHDES Site # 100330508*” referenced by Eversource in its SEC application on page 52.

Eversource's argument that this Superfund site prevents the proposed Seacoast Sustainability transmission line from traversing this area seems specious:

“Placing an underground line through this Superfund site would certainly increase Project costs and create additional environmental risks to the surrounding area and, potentially, to installation personnel, and PSNH employees.” – page 53

The following photos, published in *Newington Neighbor*, Vol 27, No 3, Fall 1988, were taken in 1998 during the construction of the Portland Gas pipeline along Arboretum Drive and past the Site 8 Superfund site, in full acknowledgement and compliance with the U.S. Air Force, the EPA, and all other regulators overseeing the project.



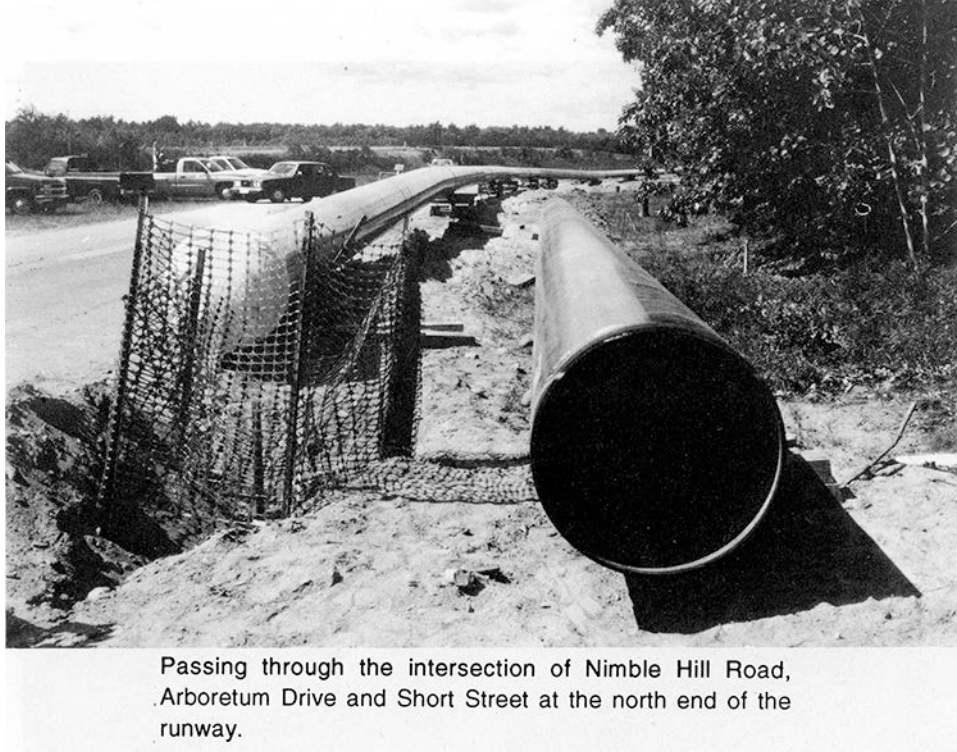
Passing Along Arboretum Drive



Continuing Along Arboretum Drive

Note the existing electrical distribution line on the opposite side of the road from the gas pipeline installation. The Town of Newington would like Eversource to place its 115 kV transmission line along this same route. For technical reasons, the gas and electrical lines need to be on opposite sides of the road (separated by 25 feet?). Eversource says this requirement constitutes a “new ROW” (Testimony James J. Jiottis, 2_SRP Pre-Filed Testimonies, Page 11), which seems to overstate the issue.

The Pease Development Authority contracted with Hoyle, Tanner & Associates in 2015 to map the hazards to navigation at the end of the runway in this area. Much of Arboretum Drive could be available for overhead or underground lines. The PDA is willing to work with Eversource to grant any needed ROW rights.



The intersection in the photo above is right across the road from the Fire Training Superfund site referenced in Eversource's SEC application.

Constructing electrical transmission lines is not rocket science. If the technology exists to install and maintain a high-pressure gas pipeline and electrical distribution lines along Arboretum Drive, it also exists for installing electrical transmission lines. Eversource's statements about "risks to personnel" or the need to wear "white Hazmat suits" during construction (public meeting) obfuscate the issue. Any contaminated soil has already been removed from this area. The existing Fire Training site has a system in place for cleaning contaminated water much farther down in the aquifer. All the documents relating the Superfund sites are available for review.

Eversource's application to the SEC seems incomplete in regard to its arguments about proximity to Superfund sites. What exactly are the issues relating to the superfund site? What are the options for dealing with them? What are the real risks of construction? What do the Pease Development Authority, or USAF officials or EPA officials monitoring the sites think?

Eversource glosses over this issue with scant detail and a blanket statement of unsuitability. This issue is vitally important to the residents of Newington and a better analysis seems warranted.

3. Crossing the Wildlife Refuge

Newington would like the new transmission line to cross the Wildlife Refuge from Welch Cove to McIntyre Road, or alternatively to cross the Refuge along its boundary line with the residential zone, and then continue along Arboretum Drive.

Eversource's application states (page 52-53):

“Based on the potential impacts to the Wildlife Refuge associated with installing the transmission cable underground, the Wildlife Refuge indicated that it would not support hosting the Project on its land. See James Jiottis Pre-Filed Testimony Attachment B (correspondence from the Wildlife Refuge).”

“The Wildlife Refuge repeated its concerns to the Town and stated it would not support a transmission line (overhead or underground) through the Wildlife Refuge. See James Jiottis Pre-Filed Testimony, Attachment C, Newington Town Minutes re: discussion with the Wildlife Refuge.”

It appears that these refusals were based solely on requests for an overhead or underground easement that would require the permanent clearing of at least a 50-foot ROW through habitats on the Refuge. See the attached February 25, 2016 Finding from the Refuge manager that contains additional details on the decision.

Recently, Unitil used horizontal directional drilling to relocate its gas transmission line under the Piscataqua River and Little Bay Bridges. This project required drilling at a depth of 80 feet through bedrock from Newington to Dover. Drilling under the Refuge would seem to be about the same distance and potentially less difficult because the depth and angles of drilling would be less.

There is no information in Eversource's application concerning the option for crossing the Refuge using horizontal directional drilling, which would not disturb the habitats above. The location of the underground lines could potentially be marked with something that is less offensive to Refuge managers than a 50-foot buffer of permanently cleared open space. Arboretum Drive could likely be used as a lay down area for the drilling operations.

It is not unreasonable for Newington to want to keep the transmission line out of the residential areas. Eversource's SEC application seems incomplete until all parties can appropriately vet this option. If the USDA easement can be rewritten to provide Eversource with underground rights across the Frink farm in Newington, can something similar be done to obtain an easement across the Refuge, which is managed by the US Fish and Wildlife Service?

4. Opportunity Costs

Cost is always important and Eversource has mentioned new out-of-pocket costs in many instances in its application as reason to reject alternative routes for a new transmission line through Newington. The “sunk costs” that have already been expended for its current ROW are real but should not overrule all else.

Nothing is mentioned in the application about the lost “opportunity costs” for placing the new transmission line outside Newington’s residential zone *now*. Using the existing ROW through Newington just kicks the can down the road in terms of the sustainability of the Newington community and its residential zone. Moving a transmission line outside the residential zone in the future is also likely to be more expensive than if a decision is made now to not put any new infrastructure in the residential zone but instead to construct the transmission line outside that zone.

The existing ROW only exists because Pease Air Force Base came to town in the 1950s, usurped more than 50% of Newington’s land, and relocated the electrical distribution line to its current location. For the last almost 70 years, little has been done on this ROW, and in fact, the crossing over Little Bay was abandoned and few, if any upgrades were made to the existing distribution line – portions of which Eversource plans to relocate anyway.

Once new lines have been laid across the Bay and a new 115 kV transmission line constructed, it is highly unlikely that it will be relocated in the future. It is equally likely that the energy demands of this region will continue to rise and the line will be expanded.

Right now, there are numerous options for alternate routes, different infrastructure, paths across the Bay. Little is set in stone. Now is the best opportunity and the best time for putting a new high voltage transmission line outside the residential zone. It will never be easier or less expensive to do so.

Thank you for your consideration of the points made above when you review this docket.

FINDING OF APPROPRIATENESS OF A REFUGE USE

Refuge Name: Great Bay National Wildlife Refuge

Use: Establishing a new 50 ft. wide ROW between Welch Cove and McIntyre Rd.

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, tribal, and local)?	✓	
(c) Is the use consistent with applicable Executive orders and Department and Service policies?		✓
(d) Is the use consistent with public safety?	✓	
(e) Is the use consistent with goals and objectives in an approved management plan or other document?		✓
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	✓	
(g) Is the use manageable within available budget and staff?	✓	
(h) Will this be manageable in the future within existing resources?	✓	
(i) Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?		✓
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?		✓

Where we do not have jurisdiction over the use ("no" to (a)), there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ("no" to (b), (c), or (d)) may not be found appropriate. If the answer is "no" to any of the other questions above, we will **generally** not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes ___ No

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor's concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

Not Appropriate

Appropriate ___

Refuge Manager: 

Date: 2/25/16

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence.

Refuge Supervisor: _____

Date: _____

A compatibility determination is required before the use may be allowed.

Justification for a Finding of Appropriateness of a Refuge Use

Refuge Name: Great Bay National Wildlife Refuge

Use: Establishing a new 50 ft wide right-of-way between Welch Cove and McIntyre Rd.

Narrative:

The proposed Seacoast Reliability Project entails constructing an 115kV transmission line between Madbury, NH and Portsmouth, NH using existing utility right-of-ways. One existing corridor segment in the Town of Newington passes through residential areas and a historic district near Great Bay NWR. The Town proposes bypassing this residential/historic district segment by rerouting the transmission line through the refuge, between Welch Cove and McIntyre Rd. This reroute would necessitate establishing a new utility corridor across Great Bay NWR. The proposed right-of-way would be 50 ft. wide, contain the buried transmission line, and would be permanently maintained as open habitat (shrubland, grassland, etc.).

Great Bay NWR was established in 1992 to protect the natural diversity of fish, wildlife, and plants within its boundaries; protect federally listed species; preserve and enhance water quality and aquatic habitats; and fulfill **the U.S.'s international treaty obligations relating to fish and wildlife resources.**

The proposed right-of-way is inconsistent with U.S. Fish & Wildlife Service policy (601 FW 3) providing guidance on maintaining and restoring the biological integrity, diversity, and environmental health on National Wildlife Refuges. Establishing a 50 ft. wide utility corridor of open habitat would permanently fragment the refuge's forested habitat and facilitate the spread of invasive plants, adversely impacting the refuge's integrity and environmental health.

The proposed right-of-way is inconsistent with the 2012 Great Bay NWR Comprehensive Conservation Plan's goal of maintaining the biological integrity, diversity, and environmental health of the refuge's forest to provide habitat for breeding and migrating birds of conservation concern and for rare bats, including the federally threatened northern long-eared bat. Establishing a 50 ft. wide utility corridor of open habitat would permanently fragment this forest and facilitate the spread of invasive plants, adversely impacting the forest's integrity, environmental health, and suitability for northern long-eared bats and forest-interior breeding birds.

The proposed right-of-way does not contribute to the public's understanding and appreciation of the refuge's natural or cultural resources. This corridor would fragment the refuge's existing forest, reducing its suitability for northern long-eared bats and forest-interior breeding birds. The area between Welch Cove and McIntyre Rd. has not been surveyed for cultural resources; however, right-of-way clearing, maintenance, and transmission line burying would not benefit any extant cultural resources. Additionally, all refuge actions

require a cultural and archaeological resources survey/review and must comply with the Archeological Resources Protection Act and other cultural resource laws.

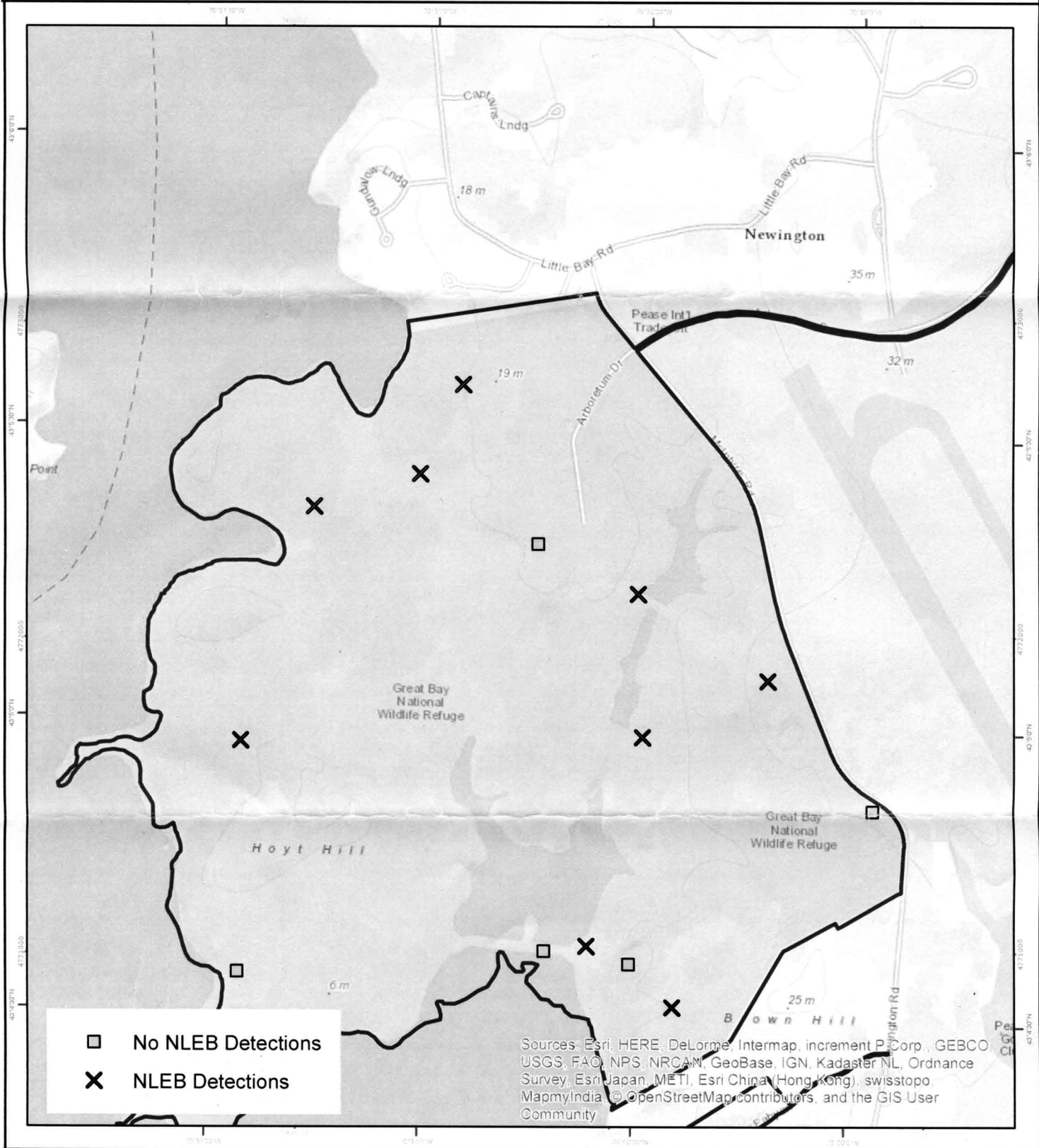
The proposed right-of-way cannot be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality, compatible, wildlife-dependent recreation into the future. The corridor would permanently fragment forest habitat along the William Furber Ferry Way Trail (a Pre-Colonial Period road), reducing public opportunities to observe and photograph forest-interior breeding birds.

The proposed right-of-way does not contribute to a priority public use as defined by the National Wildlife Refuge System Act of 1997. The activity would adversely impact threatened northern long-eared bats, forest-interior breeding birds, and contiguous forest at Great Bay NWR which would be inconsistent with the purpose and mission of the Refuge and the National Wildlife Refuge System. The activity would not contribute to the **public's understanding and appreciation of the refuge's natural or cultural resources and would reduce public opportunities for viewing forest breeding birds.** Therefore, this activity is deemed to be not appropriate.

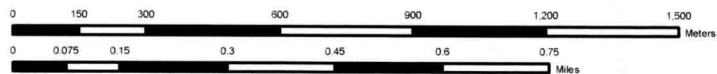


U.S. Fish & Wildlife Service

NLEB Acoustic Surveys at Great Bay NWR, 2012 & 2015



Map Projection: NAD_1983_UTM_Zone_19N
Graticule Units: degrees, minutes, seconds
Map Grid Unit: Meter



1 = 16,967

