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July 28, 2017

Via Hand Delivery and Email

Pamela Monroe, Administrator
New Hampshire Site Evaluation Committee
c/o New Hampshire Public Utilities Commission
21 South Fruit St., Suite 10
Concord, NH 03301-2429

***Re: SEC Docket No. 15-04, Application of Public Service Company of New Hampshire
d/b/a Eversource Energy for a Certificate of Site And Facility for the Construction of a
New 115 kV Transmission Line from Madbury Substation to Portsmouth Substation –
Pre-filed Direct Testimony of Todd Selig***

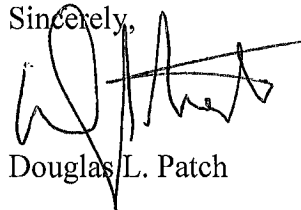
Dear Ms. Monroe:

Enclosed is the Pre-filed Direct Testimony of Todd Selig being filed by the Town of Durham and the University of New Hampshire in the above-captioned docket. Copies are being provided electronically to the Site Evaluation Committee and the Service List.

If you have any questions, please do not hesitate to contact me.

Thank you for your assistance.

Sincerely,



Douglas L. Patch

DLP/eac
Enclosures

cc (via email): Service List in SEC Docket 15-04

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**THE STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

SEC DOCKET NO. 2015-04

**APPLICATION OF PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE d/b/a
EVERSOURCE ENERGY FOR CERTIFICATE OF SITE AND FACILITY**

**PREFILED TESTIMONY OF TODD SELIG
ON BEHALF OF
TOWN OF DURHAM
July 28, 2017**

1 **Q. Please state your name and business address.**

2 A. My name is Todd Selig. My business address is 8 Newmarket Road,
3 Durham, NH 03824. My position is Durham Town Manager. A copy of my curriculum
4 vitae is included as Attachment A to this testimony.

5 **Q. What is the purpose of your testimony?**

6 A. The purpose of this testimony is to address concerns that the Town of
7 Durham has with regard to the Seacoast Reliability Project (“Project” or “SRP”), a
8 portion of which would be constructed in the Town of Durham, including through the
9 campus of the University of New Hampshire (“UNH”), and under Little Bay. The Town
10 of Durham wishes to go on record at this point in time as strongly recommending that the
11 Site Evaluation Committee (the “Committee” or “SEC”) look carefully at all options that
12 would have less impact and be less disruptive from an environmental and public interest

1 perspective. Specifically, Durham prefers in declining order of preference the following
2 options:

3 i) We want to support what we understand to be the Town of Newington's
4 testimony regarding the Gosling Road Autotransformer Solution ("Transformer
5 Alternative"), which would be a far less impactful alternative to this Project;

6 ii) If the Transformer Alternative is not possible, then have the Applicant use
7 horizontal directional drilling ("HDD") underneath Little Bay as a means of avoiding
8 what could be significant impacts on Little Bay that would result from jet plowing and
9 associated activities;

10 iii) If HDD is proven to be infeasible, then at a minimum the Committee should
11 require the Applicant to revise its plans, as per our experts' testimony, to adequately
12 demonstrate that cable laying will occur under impact controls that will ensure adequate
13 protection of the Little Bay ecosystem, and thus assure the residents of Durham that there
14 will be no unreasonable adverse effects on water quality and the natural environment of
15 Little Bay or that the impact on natural resources will be manageably limited in the Little
16 Bay.

17 I also want to address the issue of a Memorandum of Understanding ("MOU")
18 with Eversource that would contain specific items associated with construction activities,
19 in the event that the Committee approves the Project.

20 As noted below the Town of Durham believes that absent consideration of these
21 alternatives, this Project will have an unreasonable adverse effect on water quality and

1 the natural environment, will unduly interfere with the orderly development of the region,
2 and will not serve the public interest.

3 **Q. Are you familiar with the Project that is the subject of the above-**
4 **captioned docket?**

5 A. Yes. As Town Manager for the Town of Durham I have reviewed the
6 Application and subsequent filings, have attended public hearings on the Project, and
7 have attended a number of meetings with town officials and others in connection with
8 this Project. I have also worked closely with UNH on this Project.

9 **Q. What is Durham's position with regard to this Project and the**
10 **impacts which it is likely to have on Little Bay?**

11 A. Our position is set forth in the joint pre-filed testimony of Joseph J.
12 Famely, Stephen H. Jones, Mathew F. Shultz, and Michael F. Dacey filed in this docket
13 on July 24, 2017 ("Joint Little Bay Testimony").

14 **Q. Why is Little Bay an important resource for Durham and the**
15 **Seacoast region?**

16 A. Little Bay is a part of the Great Bay National Estuarine Reserve
17 ("GBNER"). The GBNER is part of the Great Bay Estuary, a complex embayment and
18 New Hampshire's largest estuarine system. Fed by the tidal waters of the Piscataqua
19 River that forms the boundary between Maine and New Hampshire, the estuary offers a
20 variety of diverse habitats including eelgrass beds, mudflats, salt marsh, rocky intertidal,
21 and upland forest and fields. The Reserve begins at the General Sullivan Bridge at Dover

1 Point, seven miles from the mouth of the Piscataqua River and the Gulf of Maine. The
2 Reserve encompasses 10,235 acres, including approximately 7,300 acres of open water
3 and wetlands. All of Great Bay and Little Bay are contained within the Reserve
4 boundary as well as the tidal portions of five major river systems - Bellamy, Oyster,
5 Lamprey, Squamscott and Winnicut. GBNER's cultural history is equally diverse, from
6 paleo-Indian villages 6,000 years ago to early colonial settlements and industrial
7 development. The effort to save Great Bay Estuary began in 1973. GBNER addresses
8 concerns with the long-term protection of Great Bay so future generations can discover
9 and enjoy its natural resources.

10 We believe that it is very important that the Committee understand that the
11 residents of Durham consider Little Bay to be a priceless and fragile natural resource that
12 must be protected against adverse impacts, especially when there are better alternatives
13 available that could avoid those impacts. The Little Bay and the Great Bay Estuary as a
14 whole provides critical wildlife habitat, nurseries for seafood production, buffering from
15 coastal flooding, recreational enjoyment, and safe harbor for marine commerce such as
16 lobster fishing and an emerging industry of oyster aquaculture. In turn, the wetlands,
17 oysters, and eelgrass provide natural erosion control, water purification, nitrogen cycling,
18 and flood protection that would otherwise require significant public and private
19 investment to achieve with infrastructure. A less obvious, but no less important aspect of
20 the ecosystem is its biological diversity. This is because estuaries are places where
21 freshwater meets saltwater, and they have a vast array of creatures associated with both.

1 The Great Bay Estuary serves as a magnet for tourism supporting the local economy and
2 increases the value of nearby properties. This contributes to state and local tax revenues,
3 as well as a uniquely special region within New Hampshire and Maine to live, work, and
4 play. Our estuaries are part of the National Estuary Program, and they are recognized
5 broadly as exceptional natural areas in need of focused study and careful protection.

6 **Q. What are some of the ecological issues that Little Bay is facing?**

7 A. Unfortunately, the Great Bay Estuary is showing signs of a failing
8 ecosystem. For hundreds of years, development of various towns around the Bay have
9 contributed to material adverse effects on the Bay and its natural resources. The 2013
10 State of the Estuaries Report, published by the Piscataqua Region Estuaries Partnership,
11 Attachment B to this testimony, showed 12 of 16 environmental indicators with negative
12 or cautionary trends. Estuaries are complex and responsive to stresses both within and
13 outside of our control. Changing climatic conditions, polluted runoff from paved areas,
14 human and animal waste, and excessive fertilizer application are examples of factors that
15 can stress the ecological balance within the estuaries. In particular, impervious cover
16 (paved parking lots, roadways, and roofs) continues to increase throughout the region.
17 During rain storms and snow melt, water running over impervious areas carries pollutants
18 which negatively impact the cleanliness of our rivers, lakes, streams, and ultimately the
19 estuaries. There are also the potential effects on the ecosystem from repeated traveling
20 sediment plumes. While data has not been collected long enough to determine a
21 definitive long-term trend in nitrogen/nutrient loading within the estuaries, this issue

1 continues to be of significant concern for municipalities and for the State. Traditional
2 signs of nutrient-related problems such as loss of eelgrass habitat, periods of low oxygen
3 in the water of the tidal rivers, and increases of nuisance seaweeds are being carefully
4 observed. Some progress in protecting water quality has been made in the last few years,
5 most notably as a result of millions of dollars in improvements by municipalities to area
6 wastewater treatment facilities intended to remove nitrogen from the ecosystem, even
7 though such management actions are inconsistent across the watershed. Grant monies for
8 the GBNER and other Federal and State grants, along with a diligent overseeing by the
9 New Hampshire Department of Environmental Services (“DES”) have also helped begin
10 the process of healing the Bay. Also, public investments have been made over the last
11 two decades to reclaim and rejuvenate oyster beds in different parts of the Bay under the
12 scientific auspices of UNH. Therefore, today Little Bay and GBNER are on a path of
13 slow steady recovery. It is crucial to keep this positive trend in place, and not have
14 anything such as the SRP set the efforts back through adverse effects. At a minimum, it
15 is imperative that the Eversource Seacoast Reliability Project not contribute in any way
16 toward further degradation of Little Bay and the estuary.

17 **Q. Are you familiar with the Town of Newington’s position on the**
18 **Gosling Road Autotransformer Solution?**

19 A. Yes. I have discussed this issue with Newington representatives and my
20 understanding of their position is that when compared with the Transformer Alternative
21 the Project as proposed to this Committee is not in the public interest when you examine

1 all of the required factors. These factors include that the Transformer Alternative would
2 impact less geography and fewer resources than the proposed Project and that the
3 Transformer Alternative would be better from an economic growth perspective. Durham
4 supports Newington's position on this issue and urges the Committee to take all
5 necessary and appropriate steps to fully explore this alternative. It is my understanding
6 that UNH also supports this position. Both Durham and UNH believe that if there is a
7 more viable way to provide the benefits to the electrical grid of the Project without
8 having to construct a whole new transmission line through the Town, the campus and
9 Little Bay that this would be far preferable.

10 **Q. Do you have an opinion on other options that the Committee ought to**
11 **consider?**

12 A. Yes. In the event that the Committee elects not to proceed with serious
13 consideration of the Transformer Alternative, I believe the Committee should exercise its
14 authority under RSA 162-H:10,V and hire an independent consultant to look into the
15 option of HDD under Little Bay as a less impactful alternative to jet plowing, concrete
16 mats, and associated activities that would be required to install the transmission cable in
17 Little Bay. Durham had considered hiring such an expert but does not have the resources
18 to do so given that it has already spent a considerable amount on the experts addressing
19 the environmental impact on Little Bay.

20 In connection with this position, in addition to the environmental impact concerns
21 expressed herein and in the Joint Little Bay Testimony, Durham continues to have

1 concerns about the visual impact of placing concrete mats in Little Bay, particularly
2 during low tides, concerns that have not been addressed by the limited visual impact
3 analysis which Eversource has undertaken to date. See Attachment C.

4 **Q. Why do you think directional drilling should be considered as an**
5 **alternative?**

6 A. The Town and our residents are questioning whether Eversource has
7 properly evaluated this option. Eversource appears to have completed a limited review of
8 HDD, saying it will take too much time, is too expensive, has environmental risks (from
9 slurry and bore fracking) and that it would create a high level of disturbance for
10 residences (for the layout area) and roads. Eversource provided some generalized
11 information (e.g., marketing brochures of HDD companies, pictures of other projects,
12 etc.) about HDD, with their pre-filed testimony and responses to data and record requests,
13 but in our view it has not provided adequate and specific information to support the
14 reasons it provides for not doing HDD. See Attachment D.

15 The Town believes that Eversource did not complete an adequate analysis, such
16 as a subsurface geotechnical investigation, to demonstrate to the public or the SEC why
17 HDD is infeasible, or if it is in fact feasible, whether it is less impactful ecologically. The
18 fact that HDD could be technically challenging should not trump the negative impact of
19 the proposed plan to Little Bay. More specifically, such an expert should look at
20 Eversource's costs in the context of other public costs (i.e. costs of cleaning Durham's
21 and other towns' point source wastewater discharge to comply with stricter EPA

1 requirements, costs of cleaning Little Bay over prior decades, costs of reclaiming oyster
2 beds by reseeded done over last 20 years, and other relevant public costs expended to
3 revitalize the Bay). We also submit that it is important that an independent, expert
4 analysis be done that would weigh these issues, along with the environmental risks of jet
5 plowing and associated underwater cable installation activities raised in the Joint Little
6 Bay Testimony, as compared with HDD. Without a clear independent comparison of the
7 risks of jet plowing versus the risks of HDD, the Town believes that we have major
8 uncertainties that make the project risky to Little Bay. Durham residents have also raised
9 questions about whether HDD could at a minimum be done on the western shore of Little
10 Bay. The Town therefore requests that the SEC hire its own independent expert to
11 determine whether HDD makes sense or not, in lieu of the Transformer Alternative or the
12 installation of new cables underwater in Little Bay. We believe that the SEC, the
13 affected towns and their residents, and the region as whole would benefit from such an
14 independent analysis of whether HDD is a better alternative. Without such an
15 independent review of HDD as compared with the current jet plowing proposal, Town
16 residents feel they are being asked to assume significant risks without the benefit of a
17 thoughtful and thorough analysis of what appears to be a viable and preferable
18 alternative.

19 In connection with this request, Durham wishes to point out that Unitil used HDD
20 in a different part of the same watershed fairly recently to place a natural gas line under
21 the Piscataqua River as part of the Spaulding Turnpike widening project.

1 **Q. Are there any other issues you would like to address?**

2 A. Yes. It is my understanding that William Quinlan, President of the
3 Applicant, Eversource Energy d/b/a Public Service Company of New Hampshire, during
4 the technical session on June 7, 2017 committed to work with each town to address more
5 specific issues through an MOU. We have had no outreach from Eversource concerning
6 this suggestion to date and consequently have not made any progress on this front. In the
7 event that the Committee were to approve this Project we believe there are a number of
8 more specific construction-related issues that should be addressed through an MOU, or if
9 not, through specific conditions which the Committee should include in any certificate
10 which it would grant. Without going into detail, those issues include, but are not limited
11 to: (1) the type, size, and location of poles in Durham and through UNH; (2) the hours
12 during which construction is permitted; (3) the laydown area to be used for storing
13 construction-related materials and vehicles; (4) the route to be used to bring materials to
14 and from the construction site; (5) establishing a procedure for addressing construction-
15 related complaints from Durham residents and businesses; (6) communications with town
16 and UNH officials; (7) emergency contacts; (8) construction schedule; (9) traffic control;
17 (10) lighting; (11) disposal of construction debris; (12) blasting; (13) liability protections;
18 (14) protection of public roadways; and (15) requirements to protect the environment. It
19 is my understanding that under the last approved procedural schedule for this docket
20 supplemental testimony is due from all parties on October 2, 2017. I want to reserve the
21 right to file such testimony to address MOU-related concerns and make recommendations

1 for conditions in the event that we can not agree on an MOU. Such testimony may also
2 address agency recommendations which we will then have and any other concerns that
3 come up between now and then.

4 **Q. Does Durham have a position on this Project at this time?**

5 A. At this time, without having seen the agency reports that are due on
6 August 1, 2017 and without having seen a thorough analysis of the Transformer
7 Alternative and the HDD alternative, Durham believes that this Project as currently
8 proposed will have an unreasonable adverse effect on water quality and the natural
9 environment, will unduly interfere with the orderly development of the region, and will
10 not serve the public interest.

11 **Q. Does this conclude your testimony?**

12 A. Yes, this concludes my testimony at this time, though I reserve the right
13 file supplemental testimony in accordance with the Committee's procedural schedule
14 once we have had a chance to review the recommendations to the Committee from DES
15 and other agencies, as well as any other filings made with regard to this Project, and to
16 evaluate whether any progress has been made on an MOU.
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