

New Hampshire Site Evaluation Committee  
21 South Fruit Street  
Suite 10  
Concord, MA 03305

Merrimack Valley Reliability Project  
SEC Docket # 2015-05

OBJECTION to SECOND PARTIALLY COTESTED MOTION FOR  
PROTECTIVE ORDER AND CONFIDENTIAL TREATMENT

On this 4<sup>th</sup> day of January, 2016, I Margaret Huard, acknowledge the receipt of the above mentioned motion dated 12/31/15, requesting protective order to preserve the confidentiality of information relating to the status, location and distribution of rare, threatened and endangered plants, animals and natural environments.

I hereby object to this motion and request a more specific and reasonable scope limitation to this confidential treatment as follows.

- The applicant is seeking such status because they assert that disclosing such information COULD negatively affect the rare, threatened and endangered plant, animal and natural environments.
- Note 1 of the motion appears to expand the scope of confidentiality from rare, threatened and endangered to ALL plant and animal species and natural communities on or adjacent to the project site.
- The applicant seeks the protection of these rare, threatened and endangered plants, animal and natural environments under the *NH Native Plant Protections Act of 1987*, the *Endangered Species Conservation Act* and the *Endangered Species Act* by maintaining the CONFIDENTIALITY of the existence of these rare, threatened and endangered plant, animal and natural environments.
- CONFIDENTIALITY is not a specific measure to be taken under the above mentioned laws.
- The New Hampshire Heritage Bureau provides, *A Report on Rare Plants, Rare Animals and Endangered Natural Communities* to the public. This report provides information by town regarding rare, threatened and endangered plant, animal and natural environments.
- According to this report, the **New Hampshire Heritage Bureau** claims that “far too many sensitive plants, animals and natural environments are destroyed because people are **unaware of them.**”
- Additionally, information on rare, threatened and endangered plant, animal and natural environments for specific property locations are

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available from the **New Hampshire Heritage Bureau** with the proper consent of the landowner.

- It is to this end only, that I agree that such information should be kept confidential **without expressed consent of the landowner**.
- It is sheer ignorance, greed, lack of due diligence, lack of knowledge and insufficient oversight that causes the unnecessary destruction of rare, threatened and endangered plant, animal and natural environments, and not full disclosure.
- The confidential status sought by the applicant actually makes it difficult to afford the rare, threatened and endangered plant, animal and natural environments proper protection.
- Affording confidential status regarding rare, threatened and endangered plant, animal and natural environments allow the applicant and their contractors opportunity to exploit and harm rather than protect.

Therefore, I hereby request that if a protective order is made, affording the confidential status sought by the applicant, it should be limited and more specifically defined.

Respectfully

*Margaret Huard*

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Intervener

### **Certificate of Service**

I hereby certify that on the 4<sup>th</sup> day of January, 2016, electronic copies have been served upon the SEC Distribution List.

*Margaret Huard*

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Intervener