

Linda Upham-Bornstein, PhD

185 Mount Prospect Road
Lancaster, New Hampshire 03584
Email: lubornstein@gmail.com

February 23, 2016

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

Dear Ms. Monroe: Re: New Hampshire Site Evaluation Committee ("SEC") Docket No. 2015-06
Northern Pass; Petition to Intervene and Motion for Extension of Time

I respectfully request to intervene in the SEC's proceedings under Docket No. 2015-06 relating to the proposed Northern Pass transmission line. I am also moving for an extension of time in which to file this petition to intervene for the reasons set for below. Pursuant to the SEC's regulations, I am sending this request to you, with copies to the SEC's distribution list for this proceeding as noted in the "cc" below.

In support of my petition to intervene, my particular rights, duties, privileges, immunities or other substantial interests that may be affected by the SEC's Northern Pass proceedings include the following:

My husband and I own a home on Mount Prospect Road, a designated scenic road under RSA 231:157-158, in Lancaster. The proposed transmission line in this area will not be buried but will be placed on a large (85 to 95 feet tall) metal transmission towers running roughly parallel to and approximately two-tenths of a mile from the eastern border of our property. The portion of the proposed transmission line that will be plainly visible from, and adversely impact, our property begins at Wesson Road and extends approximately 2 miles south. One of the existing wood utility poles (approximately 43 feet in height) in this area is visible from our property in the winter months, and the others are just below the top of the tree line.

The proposed aboveground transmission line in this area will seriously and adversely affect us and our property in three ways. First, the large metal transmission towers will deface the landscape and ruin the many beautiful views that we presently have of the White Mountains. Second, this significant and adverse impact on our view shed will substantially reduce the market value of our property. Finally, the proposed above-ground transmission line will have significant and unreasonable adverse impacts on the value and integrity of our property as a historic site. In my September 6, 2015 letter to the New Hampshire Site Evaluation Committee, a copy of which is attached hereto and incorporated herewith, I explain in greater detail the substantial and unreasonable adverse effects that the proposed above-ground transmission line will have on our property, its aesthetics, its market value, and its quality as a historic site.

In support of my motion for an extension of time in which to intervene, I underwent surgery to my shoulder on January 22, 2016, and have been unable to type since that time. Consequently, I was unable to file my motion to intervene by February 5, 2016. Allowing me to intervene at this time will be in the interests of justice because the Northern Pass Project will adversely impact my substantial rights, and I should have the opportunity to represent my interests in the Site Evaluation Committee proceedings. My

intervention at this time, just 16 days after the February 5, 2016 deadline, will not delay these proceedings and will not prejudice any party.

Thank you for your consideration of this petition.

Sincerely,

A handwritten signature in cursive script that reads "Linda Upham-Bornstein".

Linda Upham-Bornstein, PhD

Attachments:

September 6, 2015 letter to SEC (and attached photos)

cc: SEC distribution list (as of the date of this email) for Docket No. 2015-06. Copies sent by email.

LINDA UPHAM-BORNSTEIN

185 Mount Prospect Road
Lancaster, New Hampshire 03584
Email: lubornstein@gmail.com

September 6, 2015

Martin Honigberg, Chairman
New Hampshire Site Evaluation Committee
New Hampshire Department of Environmental Services
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095

Dear Chairman Honigberg:

Re: Proposed Northern Pass Transmission Line

I am writing to advise you of my strenuous opposition to the proposed Northern Pass Transmission Project. I object to the construction of an above-ground transmission line across nearly 130 miles of New Hampshire for both personal and public policy reasons. I respectfully submit that the proposed above-ground transmission line will have significant and unreasonable adverse impacts on the people's welfare, the private properties within the Northern Pass view shed, the overall economic growth of the state, the state's environment, historic sites within the view shed, and aesthetics. See RSA 162-H:1; RSA 162-H:16, IV (c)

On a personal level, my husband and I own a home on twenty acres of land on Mount Prospect Road in Lancaster. Mount Prospect Road is a designated scenic road under New Hampshire's scenic road statute, RSA 231:157-158. The proposed transmission line in this area will not be buried but will be placed on large metal transmission towers running roughly parallel to and approximately two-tenths of a mile from the eastern border of our property. The portion of the proposed transmission line that will be plainly visible from, and adversely impact, our property begins at Wesson Road and extends approximately two miles south. The proposed transmission towers in this segment will be 85 to 95 feet tall, or more than twice the height of and substantially wider than the existing wood utility poles, which are not visible from our property.

If these very large metal transmission towers are installed in this two-mile section, they will deface the landscape and ruin the many beautiful views that we presently have of the White Mountains (specifically, the Pliny Range and the Presidential Range). I enclose several photographs depicting some of those views. In her 1887 *Lancaster Sketch Book*, Persis F. Chase remarked that "of all short drives in this vicinity, the one around Mt. Prospect affords the grandest mountain views." Chase further notes that from the "farm owned by Mr. Johnson [our property] one can see the village of Jefferson, with Mt. Starr King, rising above" and that "towering grandly over all, [is] the "White ... mountain range." The view shed of Weeks State Park on Mount Prospect includes our view shed. The United States Department of Energy's *Northern Pass Transmission Project Environmental Impact Statement* (EIS) has determined that the existing contrast-dominance rating for the Weeks State Park view shed is "weak" but that its contrast – dominance rating if the proposed above-ground transmission line is constructed would be on the high end of 'moderate,' which "indicates that the visual change would be clearly noticeable to a casual observer, and is likely to be considered adverse." (EIS, 4 – 95.) Moreover, the significant and adverse impact on our view shed will substantially reduce the market value of our property.

It will also have significant and unreasonable adverse impacts on the value and integrity of our property as a historic site. Our home, built in approximately 1810, is one of the earliest residences in the town of Lancaster. It was depicted as the J.A. Johnson property on a late 19th-century map of the town and was owned by the Weeks family from about 1915 to 1931. Congressman John Wingate Weeks sponsored the 1911 Weeks Act that created the White Mountain National Forest and his son, Charles Sinclair Weeks, a United States senator from Massachusetts and President Eisenhower's Secretary of Commerce, maintained his summer residence at our property until he sold it in 1931. The Site Evaluation Committee should not permit the construction of an extremely unattractive above-ground transmission line in close proximity to, and in plain view from, a historic property once owned by the man who was responsible for establishing the National Forest in northern New Hampshire.

The proposed above-ground transmission line will also be bad public policy in light of a number of the factors that RSA chapter 162-H requires the Site Evaluation Committee to consider. First, it will be bad for the economies of Coos and Grafton Counties, undermine the overall economic growth of the state, adversely impact the historic sites along the proposed route, and be inimical to the welfare of the population and the State's environment. The transmission line will be a terrible eyesore on the pristine landscape of northern and central New Hampshire through which it will run. Consequently, the line will be antithetical not only to the environment but also to the tourist and recreation industries that are Coos County's best hope for the future economic growth and on which Grafton County likewise relies heavily. Moreover, the United States Department of Energy found that burial of the entire transmission line along the proposed route will create nearly twice as many annual construction jobs over three years, will have double the economic impact from construction, and will generate 97% more statewide annual property tax revenues than the proposed above-ground line. (EIS, 4-5, 4-6.)

The proposed above-ground transmission line will also be inconsistent with New Hampshire's scenic road statute, RSA 231:157-158, and its scenic and cultural byways statute, RSA 238:19-24. As the New Hampshire Supreme Court has observed, the purpose of the scenic road statute is to "encourage the tourist attractiveness of our scenic roads" and to protect and enhance the "scenic beauty" of our state. *Webster v. Town of Candia*, 146 N.H. 430, 435 - 36 (2001). Mount Prospect Road is one of five designated scenic roads in Lancaster, and there are many designated scenic roads within the Northern Pass view shed in other towns. It seems incongruous that, because Mount Prospect Road is a designated scenic road, I must obtain the town's permission to cut down certain trees in my yard but that an out-of-state utility may be allowed to erect enormous and ugly transmission towers a short distance from, and in plain view of, the designated scenic road on which I live. The proposed transmission line will also cross or come close to, in numerous spots, both of the scenic byways in the Great North Woods and all three of the scenic byways in the White Mountains that are included in the New Hampshire Scenic and Cultural Byways System. The statutory purpose of the byways system is to "provide the opportunities for residents and visitors to travel a system of byways which feature the scenic and cultural qualities of the state," to "promote retention of rural and urban scenic byways," and to "expose the unique elements of the state's beauty, culture and history." RSA 238:19, I. The Northern Pass project will adversely impact New Hampshire's scenic byways system and undermine the purposes of the statute.

Finally, for the same reasons that the proposed above-ground transmission line will have substantial and unreasonable adverse effects on our property, its aesthetics, its market value and its quality as a historic site, it will have similar unreasonable adverse impacts on hundreds of other properties within the Northern Pass view shed.

Northern Pass' own reasoning for burying the additional 52 miles supports burial of the remainder of the proposed transmission line. On its website, Northern Pass argues that its recent changes to its proposed route address "inter-related concerns expressed by New Hampshire citizens about tourism, historic landscapes, property values and aesthetics" and that the "additional 52 miles of underground, for a total of 60 miles eliminates potential view-related impacts in the White Mountain National Forest, the gateway areas to the north and south, the Appalachian Trail, and other critical view sheds." (See attached screen shot of website.) I submit that the Weeks State Park view shed is just as critical and just as deserving of protection (through burial of the transmission lines) from unreasonable and adverse view-related impacts as the view sheds along the additional 52 miles of underground transmission lines. I also submit that the same inter-related concerns about tourism, historic landscapes, property values and aesthetics that require burial along this 52-mile stretch apply with equal force to the many other critical view sheds, historic landscapes, and private properties along the other 130 miles of the proposed route.

For the foregoing reasons, I request that the Site Evaluation Committee find that the proposed above-ground transmission line will have unreasonable adverse effects on our property, its aesthetics and its value as a historic site, on hundreds of other properties within the Northern Pass view shed, and on the welfare of the population, the state's environment, the overall economic growth of New Hampshire, historic sites within the view shed, and aesthetics. See RSA 162-H:1; RSA 162-H:16, IV (c). I further request that the Committee not issue a certificate unless the entire transmission line is buried. The Department of Energy's EIS has determined that extensive burial of the proposed transmission line with a 1,000 MW transmission capacity "would be practical and technically feasible." (EIS, 2-1.) Burying the transmission line would also be economically viable and would mitigate the most serious adverse economic, view-related, environmental, and historic effects of the Northern Pass. The Committee should not allow a plethora of gigantic and ugly transmission towers to cut a 130-mile swath across New Hampshire.

Sincerely,

A handwritten signature in cursive script that reads "Linda Upham-Bornstein".

Linda Upham-Bornstein, Ph.D.

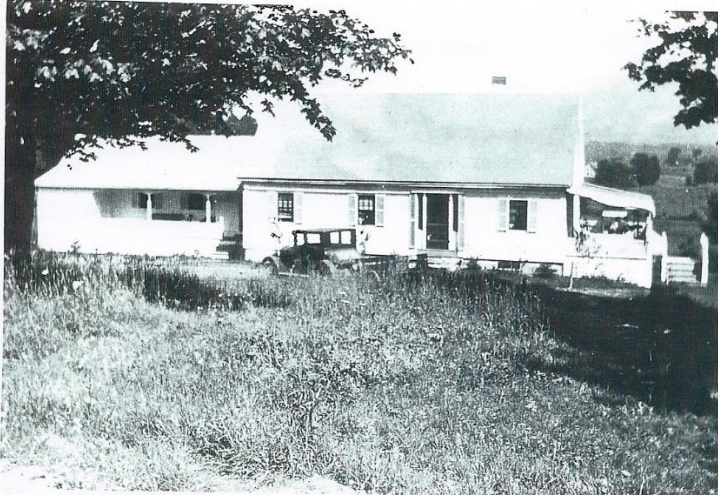


Figure 1 Weeks/Bornstein house c.1920



Figure 2 185 Mount Prospect Rd, 2015



Figure 3 Front of house with view from side deck of the existing row.



Figure 4 View from back of house. The ROW runs from left to right at tree line.

