

May 13, 2016

By E-Mail & U.S. Mail

Pamela G. Monroe, Administrator
New Hampshire Site Evaluation Committee
21 South Fruit Street, Suite 10
Concord, NH 03301-2429
pamela.monroe@sec.nh.gov

Re: Docket No. 2015-06 – Joint Application of Northern Pass Transmission, LLC and Public Service Company of New Hampshire d/b/a Eversource Energy for a Certificate of Site and Facility

Dear Ms. Monroe:

Enclosed for filing in the above-captioned proceeding is Counsel for the Public's Motion for Leave to Retain Arrowwood Environmental, LLC and for an Order Directing the Applicants to Bear the Costs Thereof.

Copies of the enclosure have been forwarded via e-mail to all parties on the enclosed Distribution List.

Thank you.

Sincerely,



Thomas J. Pappas

TJP/slb - 2398570_1

Enclosure

cc: Peter C.L. Roth, Esq.
Elijah J. Emerson, Esq.
Distribution List via e-mail

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

No. 2015-06

Joint Application of Northern Pass Transmission, LLC and Public Service Company of New
Hampshire d/b/a Eversource Energy for a Certificate of Site and Facility

**COUNSEL FOR THE PUBLIC’S MOTION FOR LEAVE TO RETAIN
ARROWWOOD ENVIRONMENTAL, LLC AND FOR AN ORDER DIRECTING
THE APPLICANTS TO BEAR THE COSTS THEREOF**

Counsel for the Public, by his attorneys, the Office of the Attorney General and Primmer Piper Eggleston and Cramer PC, hereby moves, pursuant to RSA 162-H:10, V, for leave to retain an expert consultant and for an order directing Northern Pass Transmission, LLC and Public Service Company of New Hampshire d/b/a Eversource Energy (the “Applicants”) to bear the costs and fees of the consultant and reimburse Counsel for the Public or pay the fees and costs directly to Arrowwood Environmental, LLC (the “Consultant”), in an amount up to \$142,654. In support hereof, Counsel for the Public respectfully represents as follows:

A. BACKGROUND.

On October 19, 2015, Applicants submitted a Joint Application for a Certificate of Site and Facility (the “Application”) to the New Hampshire Site Evaluation Committee (the “Committee” or “SEC”) to construct a 192-mile transmission line to run through New Hampshire from the Canadian border in Pittsburg to Deerfield (the “Project”). The Application with its appendices contains more than 27,000 pages including numerous expert reports and studies.

On November 2, 2015, the Chairman of the Committee appointed a Subcommittee (the “Subcommittee”) to consider the Application. The Subcommittee accepted the Application on

December 18, 2015. The Applicants provided additional information for the Application on February 26, 2016, pursuant to the revised SEC Rules effective December 16, 2015.

B. LEGAL STANDARD.

Pursuant to RSA 162-H:9, I, Counsel for the Public “shall represent the public in seeking to protect the quality of the environment and in seeking to assure an adequate supply of energy. The counsel shall be accorded all the rights and privileges, and responsibilities of an attorney representing a party in formal action and shall serve until the decision to issue or deny a certificate is final.” Moreover, RSA 162-H:10, V, authorizes Counsel for the Public to “conduct such reasonable studies and investigations as [he] deems necessary or appropriate to carry out the purposes of this chapter” Counsel for the Public “may employ a consultant or consultants ... in furtherance of the duties imposed by this chapter, the cost of which shall be borne by the applicant in such amount as may be approved by the committee.” *Id.* Counsel for the Public’s broad role includes conducting studies and investigations necessary and appropriate to carry out the purposes of the statute. Order on Pending Motions, *In re Request of SEA-3, Inc. for Exemption*, dated August 10, 2015, at 9. Those issues “go beyond protection of the environment and assuring an adequate supply of energy” and include any matters identified in RSA 162-H:1. *Id.*

C. ARGUMENT.

Counsel for the Public wishes to retain Arrowwood Environmental, LLC to provide expert analysis and opinion concerning the Project’s impacts to wildlife, wildlife habitat and rare, threatened and endangered species. The Consultant’s resume is attached as Exhibit A and the details of services that will be provided are set forth in the attached Exhibit B. The rates the

Consultant will charge are also set forth in Exhibit B. The total cost of the work is estimated at approximately \$142,654.

Upon careful consideration of the Application, Counsel for the Public has deemed that the retention of the Consultant's services to analyze the Project's impacts to wildlife, wildlife habitat and rare, threatened and endangered species is necessary to carry out the purpose of the siting statute and to evaluate if the Project will assure an adequate supply of energy without unreasonably and adversely affecting the quality of the environment. As stated in RSA 162-H, the purpose of the siting statute is to find "a balance among those potential significant impacts and benefits" of the Project. RSA 162-H:1. Retention of the Consultant is necessary because it will provide Counsel for the Public and the Committee with an unbiased, independent, and thorough analysis of those impacts in making their determination of whether the Project will have an unreasonable adverse impact on the natural environment, and whether the Project is in the public interest.

While there is debate about the Project's benefits and who will receive those benefits, there is no dispute that the Project's physical impacts will be borne solely by New Hampshire. By necessity, the clearing of Project corridors and the construction of its facilities the Project will require the clearing of many acres of forested (both successional and mature) areas and will have direct impact to the surface area that will be used to host the Project or its temporary construction activities. There is a strong likelihood that the construction and operation of the Project will have an adverse impact on the extraordinary natural resources of which New Hampshire, its people, and its economy are so dependent.

The Consultant will perform a thorough desktop review of the Project and the area impacted by construction, which will be supplemented by conversations with subject area

experts, state and federal agencies and knowledgeable local community members, including conservation commissions. After conducting this review, Consultant will identify particular communities that require more specific analysis. This analysis will likely require that Consultant conduct field visits to further identify areas of concern. The Consultant will then analyze the potential impacts to the wildlife and/or plant communities, provide potential solutions to minimize or eliminate impacts and submit those to the Committee in a detailed report. It is necessary that Consultant perform this work because the Applicants have not provided more than very generalized information about the Project's effects on particular species, let alone recommended specific mitigation measures. The Application does not provide design or construction plans for the Project, which means the Applicants cannot provide detailed or complete information on the likely impacts of construction and operation of the Project on the natural environment. Without this information from the Consultant, the Committee will not be in a position to make the required statutory finding that the Project will not have an unreasonable adverse impact on the natural environment.

As the Project is a merchant transmission facility, the main benefits to New Hampshire are indirect; the physical impacts, however, are directly felt by New Hampshire and its residents. In order to determine whether the Project should be issued a Certificate of Site and Facility, it is Counsel for the Public's and the Committee's responsibility to evaluate how these impacts fit into the overall "public interest" of the Project. The retention of the Consultant is necessary to achieve that goal. In addition, among the purposes of RSA 162-H:1 is the acknowledgement that "the selection of sites for energy facilities may have significant impacts on and benefits to ... the welfare of the population, private property, the location and growth of industry [and] the overall

economic growth of the state” The retention of the Consultant is necessary to evaluate whether the Project would be consistent with those objectives.

Counsel for the Public researched, investigated and considered many potential experts prior to selecting the Consultant. The Consultant possesses the appropriate balance between (a) experience and relevant expertise, and (b) cost-effectiveness. Moreover, Counsel for the Public has worked with Consultant to refine its scope of work to make sure it is focused to achieve prudent advice at a reasonable cost.

Counsel for the Public will forward Consultant’s invoices to the Applicants’ counsel for payment by the Applicants. Counsel for the Public also will forward to Applicants’ counsel a forecast of estimated future costs so that Applicants can budget for them.

WHEREFORE, Counsel for the Public prays that the Committee enter an order authorizing the employment of Arrowwood Environmental, LLC as consultant pursuant to RSA 162-H:10, V, and directing the Applicants to bear the costs, as incurred monthly, up to a total of \$142,654, and granting such other relief as may be just.

The Applicants’ Position:

The Applicants assent to the relief sought in the motion, but not to any characterizations in the motion about the case or the Application.

The Following Parties Concur in this Motion:

The City of Concord
The City of New Hampton
The Town of Bridgewater
The Town of Woodstock
The Town of Littleton
The Town of Deerfield
The Ashland Water District
The Town of Bristol

The Town of Easton
The Town of Franconia
The Town of Northumberland
The Town of Sugar Hill
The Town of Whitefield
The Society for the Protection of NH's Forests
The Conservation Law Foundation
The Deerfield Abutter's Group
Susan E. Percy
Mark and Susan Orzeck
Virginia Jeffries
Jon and Lori Levesque
David Schrier
Rodrigue and Tommy Beland
Eric, Elaine and Joshua Olson
Rodney Moore, et al
Cheryl Jenson, Co-Chair, Bethlehem Conservation Commission
Mary Lee
Taras Kucman
Maureen Quinn
Brad and Daryl Thompson

The Following Parties Object to this Motion:

No party has indicated their objection to the motion.

The Following Parties Take No Position on this Motion:

The City of Berlin

Respectfully submitted,

COUNSEL FOR THE PUBLIC,

By his attorneys,




Dated: May 13, 2016

By: Peter C.L. Roth, Senior Assistant Attorney General
Environmental Protection Bureau
33 Capitol Street
Concord, NH 03301-6397
(603) 271-3679

PRIMMER PIPER EGGLESTON & CRAMER PC,

Dated: May 13, 2016

By: 
Thomas J. Pappas, Esq. (N.H. Bar No. 4111)
P.O. Box 3600
Manchester, NH 03105-3600
(603) 626-3300
tpappas@primmer.com

-and-

Elijah D. Emerson, Esq. (N.H. Bar No. 19358)
PRIMMER PIPER EGGLESTON & CRAMER PC
P.O. Box 349
Littleton, NH 03561-0349
(603) 444-4008
eemerson@primmer.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION FOR LEAVE TO RETAIN ARROWWOOD ENVIRONMENTAL, LLC AND FOR AN ORDER DIRECTING THE APPLICANTS TO BEAR THE COSTS THEREOF has this day been forwarded via e-mail or mail to persons named on the Distribution List of this docket.

Dated: May 13, 2016



Thomas J. Pappas, Esq. (N.H. Bar No. 4111)

Exhibit A

Arrowwood Environmental Company Profile and Resumes of Principal Partners



ARROWWOOD ENVIRONMENTAL
950 BERT WHITE ROAD
HUNTINGTON, VT 05462
(802) 434-7276 FAX: (802) 329-2253

Arrowwood Environmental Company Profile

Arrowwood Environmental, LLC is a full service ecological services and consulting firm doing work in Vermont, New England and northern New York. Our company was founded in 2001 on a shared desire to assist private and public entities to evaluate natural resources, identify, map and protect areas of natural significance and navigate regulatory requirements.

Arrowwood is owned and operated by ecologists and technicians with extensive experience in a wide variety of environmental sciences including wetland ecology, wildlife biology, botany, forestry, surface water hydrology, fluvial geomorphology, natural resource planning and geographic information systems. Our company is distinctively qualified to assist private and public entities in identifying, evaluating, mapping and protecting areas of natural significance and navigating regulatory requirements.

Our work is widely respected by state and federal regulators as well as our municipal, commercial, non-profit and private clients. We can provide a wide variety of ecological and environmental services tailored to your specific project or interest.

Key Services

- Natural Resource Mapping and Assessment
- Wildlife Habitat Assessment
- Wetland Delineation and Restoration
- Botanical Inventory and Monitoring
- Surface Water Studies: Streams, Rivers and Lakes
- Environmental Permitting and Expert Testimony
- GIS Services: Mapping, Cartography and Spatial Analysis





ARROWWOOD ENVIRONMENTAL
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Arrowwood Environmental Testimony in Various Regulatory and Judicial Proceedings

Testimony Type	Project	Year
Dori Barton		
VT Act 250	Hermitage Club, Wilmington, VT	2016
Vt. Superior Court	Bibby Final Plat 5 Lot SD & Waiver	2016
Federal Court	VT Railway vs Town of Shelburne	2016
PSB/Section 248	Ascutney Solar	2016
VT Env. Court	Hinesburg Hannaford	2016
PSB/Section 248	Chelsea Solar LLC	2015
PSB/Section 248	Apple Hill Solar LLC	2015
PSB/Section 248	Brandon GLC	2015
PSB/Section 248	Cambridge GLC Solar, LLC	2015
PSB/Section 248	Westman GLC Solar, LLC	2015
PSB/Section 248	Charter Hill GLC Solar, LLC	2015
PSB/Section 248	Dean Road GLC Solar, LLC	2015
PSB/Section 248	GMPSolar-Williamstown, LLC	2015
PSB/Section 248	NRG Renew Spark, LLC	2015
PSB/Section 248	Harford Solarfield, LLC	2015
PSB/Section 248	GMPSolar-Hartford, LLC	2015
PSB/Section 248	GMPSolar-Williston, LLC	2015
PSB/Section 248	GMP Haystack Substation (Docket 8541)	2015
PSB/Section 248	LK Holdings, LLC	2015
PSB/Section 248	Westside Solar, LLC	2015
VT Act 250	Bolton 4x4 Center, Waterbury, VT	2015
Vt. Superior Court	Chapin v Spector, et al; Regan et al. v. Spector, et al.	2014
PSB/Section 248	Bridport Solar	2014
Vt. Superior Court	Costco Wholesale	2014
PSB/Section 248	Limerick Road Solar, LLC	2013
PSB/Section 248	Clarke Solar Center, LLC	2012
VT Act 250	Frog City, LLC	2012
PSB/Section 248	Georgia Mountain Community Wind	2009
PSB/Section 248	VELCO Southern Loop Project	2008
VT Env. Court	South Village Communities, LLC	2006

Jeffrey Parsons		
Zoning	True North Wilderness Counseling, Fayston, VT	2010-2011
VT Act 250	Sugarbush Resort	2007-2010
VT Act 250	Camp Common Ground	2005-2009
VT Act 250	Jay Peak Resort	1998-2014
Superior Court	VT Low-level Radioactive Waste Authority VS BECHTEL	1998-1999
VT Act 250	Town of Sharon VS Quiet River Campground	1998-1999
VT Act 250	Smugglers ' Notch Resort	1995-2014
Zoning/ VT Act 250	Equinox Resort	1990-1992
VT Act 250	Finard Zimias VS Vermont Natural Resources Council	1989-1990
VT Act 250	Stratton Mountain Sun Bowl Condos	1986-87
PSB/Section 248	Seneca Mountain Wind MET tower	2012
Zoning	Finard Appeal, Warren, VT	2012
Zoning	Silverberg Case, Bedford, NH	2011
PSB/Section 248	Georgia Mountain Community Wind	2010
PSB/Section 248	VELCO Southern Loop Project	2008
Zoning	Crean Appeal, Fayston, VT	2008
PSB/Section 248	Deerfield Wind	2007
VT Env. Court	JAM , South Burlington	2007
PSB/Section 248	East Haven Wind Farm	2004
VT Act 250	Stone Quarry vs. Neighbors	2004
VT Act 250	University of Vermont vs. Housing Developers	1990
Michael Lew-Smith		
VT Act 250	Hermitage Inn Real Estate Holding Company Master Plan	2016
Federal Court	VT Railway vs Town of Shelburne	2016
PSB/Section 248	Novus Broad Brook Solar	2015
PSB/Section 248	Novus Royalton Solar #NMP-5054	2015
PSB/Section 248	Novus Montpelier Solar, LLC	2015
PSB/Section 248	Novus Beckley Hill Solar, LLC	2015
PSB/Section 248	Novus Morrison Solar, LLC	2015
PSB/Section 248	GMPSolar-Williamstown #8682	2015
PSB/Section 248	1545 Skunk Hill Road, LLC	2015
PSB/Section 248	Fish Hatchery Solar, LLC	2015
VT Act 250	Hermitage Inn Real Estate Holding Company Hotel Dev.	2015
PSB/Section 248	Seneca Mountain Wind MET tower	2012
PSB/Section 248	Georgia Mountain Community Wind	2010
PSB/Section 248	VELCO Southern Loop Project	2008
VT Act 250	McCollough Gravel Pit, District Env Commission #5	2008
PSB/Section 248	Deerfield Wind	2007
PSB/Section 248	Village of Lyndonville Electric Department	2005

PSB/Section 248	East Haven wind Farm	2004
Aaron Worthley		
VT Act 250	Hermitage Inn Real Estate Holding Company Master Plan	2016



ARROWWOOD ENVIRONMENTAL

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(802) 434-7276 FAX: (802) 434-2102

DORI BARTON

PRINCIPAL/WETLAND ECOLOGIST/HYDROLOGIST

Education

M.S., Watershed Science (Earth Resources), Colorado State University, 1996
B.A., Political Science and Environmental Studies, Dartmouth College, 1992

Employment/Professional History

- Partner/Senior Wetland Ecologist/Hydrologist; Arrowwood Environmental (May 2001-Present)
- Select Board/Chairperson; Huntington Select Board (March 2010-Present)
- Planning Commissioner/Chairperson; Huntington Planning Commission (March 2000-2009)
- Senior Ecologist/Wetland Specialist, Heindel and Noyes (April 1997-May 2001)

Relevant Experience

Arrowwood Environmental: Ms. Barton is a founding partner and principal ecologist for Arrowwood Environmental. Ms. Barton has been an environmental consultant since 1997, working with public and private entities. Her responsibilities have included stream geomorphic assessments and bridge and culvert assessments; wetland delineations, wetland functional assessments and permitting, wetland restoration plan design, implementation and monitoring; wildlife habitat evaluations; hydrologic investigations; environmental assessments; and erosion prevention and sediment control plan design. Ms. Barton received her Phase 2 training from the DEC River Management Program in October 2005. Ms. Barton became a Certified Professional in Erosion and Sediment Control (#2634) in 2003. Ms. Barton currently serves as Chair of the Huntington Selectboard, a board on which she has served for five years. Prior to that, Ms. Barton served on the Huntington Planning Commission for a period of ten years.

Heindel and Noyes, Burlington, Vermont: Ms. Barton was responsible for wetland delineations, functional assessments and permitting, wildlife habitat evaluations, aquatic ecological studies, hydrologic investigations, stormwater modeling and permitting, management and reporting on petroleum site remediation projects, and site assessments. Accomplishments include design, management and execution of major water quality studies, coordination and filing of Act 250 permits, evaluation, update and maintenance of watershed storm water flow model, investigation, analysis and remediation of hazardous waste sites.

Additional Training/Certifications

- Vermont Natural Shoreland Erosion Control Certification (January 2016)
- NH Association of Natural Resource Scientists, Winter Botany Workshop (12/11/15)
- Swamp School, Wetland Ferns (2/2013)
- Vermont Stream Geomorphic Assessment Phase 2 Training (7/2003, 10/2005)
- Certified Professional in Erosion and Sediment Control; #2634 (6/5/03)
- Managing Stormwater, Erosion, Pollution and Sediments Seminar (3/2003)
- Erosion and Sediment Control Awareness Class (2/2003)
- Keeping Track Wildlife Training Course (1/02-1/03)
- Inland Wetland Plant Identification (6/01)
- Hydric Soils Course for Professionals (5/01)
- Identifying Wetland Vegetation in Winter Workshop (2/01)
- Field Indicators For Identifying Hydric Soils in New England Workshop (11/98)
- Field Techniques for Soil Evaluation, 1997, New England Center for Wastewater Training



ARROWWOOD ENVIRONMENTAL

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MICHAEL LEW-SMITH

PRINCIPAL ECOLOGIST/BOTANIST

Education

M.S., University of Minnesota Department of Plant Biology, Major: Plant Biology. June, 1997

B.S., University of Michigan School of Natural Resources. Natural Resource Management. May, 1991

Recent Collaborations

Vernal Pool Mapping. Co-founder of the Vermont Vernal Pool Mapping Project. In collaboration with Vermont Center for Ecostudies, created a statewide Vernal Pool map and database.

Aquatic Invasive Species Mapping. In collaboration with Lake Champlain Committee, developed a methodology for mapping and tracking aquatic invasive plants and an aquatic natural community classification.

Relevant Experience

Arrowwood Environmental Mr. Lew-Smith is a founding partner and principal ecologist for Arrowwood Environmental. Working closely with Natural Heritage Programs, The Nature Conservancy, towns, companies, private individuals and organizations, Mr. Lew-Smith has conducted botanical inventories, wetland delineations, wildlife habitat assessments, and ecological restorations. He also has extensive experience mapping and assessing natural communities for private organizations and public land managers of towns, state forests and National Parks. He is one of the founders of the Vermont Vernal Pool Mapping project, which mapped and assessed vernal pools statewide. His recent focus has been on mapping and assessing native and invasive aquatic species in Lake Champlain.

Vermont Department of Fish and Wildlife, Contract Ecologist/Botanist. Non-Game & Natural Heritage Program, Waterbury Vermont, May 2000 to May 2003. Field ecologist and botanist for a project to catalogue and survey significant examples of hardwood dominated swamp communities throughout Vermont. Responsible for identifying potential sites, visiting sites and determining statewide significance, conducting vegetation plots, and surveying for rare plants.

Vermont Department of Fish and Wildlife Contract Ecologist, Non-Game & Natural Heritage Program, Waterbury Vermont, May 1999 to March 2001. Primary ecologist on program to map the natural communities of Mount Mansfield State Forest. Developed and implemented a sampling strategy for the survey of natural communities. Conducted vegetation plots in all community types throughout the State Forest.

Vermont Department of Fish and Wildlife Contract Botanist, Non-Game & Natural Heritage Program, Waterbury Vermont, March 1999 to September 1999. Conducted a rare plant and significant natural community survey for U.S. Army Corps of Engineers Union Village Dam site in Thetford, Vermont.

The Nature Conservancy Midwest Regional Office Contract Botanist/Plant Ecologist, Voyageurs National Park, MN, August 1996 to March 1999. Field team leader on a project to classify and map the vegetation of Voyageurs National Park. Conducted relevés and ground truthing plots and assisted in the development of the vegetation classification system for the park. Experience with plant community analysis including ordination, cluster analysis and indicator species analysis. Wrote descriptions of and developed a dichotomous key for the plant communities of the Park.

Keewaydin Environmental Education Center, Naturalist, Salisbury, VT, January to June 1994.

Responsible for leading groups of students through a 2-5 day residential environmental education program. Developed lesson plans and taught short courses natural history and environmental issues to school groups.

Project SOAR, Naturalist/Trip Leader, Balsam, NC, June to August 1992. Worked with troubled youth in both a residential and wilderness setting. Planned and led low and high ropes course, backpacking, white-water rafting and rock climbing trips.

North Woods Resource Center, Naturalist, Ely, MN, January to May 1992. Responsible for leading groups of students through a 5-day residential environmental education program. Planned and taught naturalist activities including plant identification and map/compass use. Also responsible for conducting weekend naturalist programs for adult groups.

Michigan Department of Natural Resources, Forest Pest Specialist, Roscommon, MI, May to August 1991. Responsible for detecting and monitoring insect and fungal pest populations. Conducted tree survival surveys, risk rating and damage assessments, map and aerial photograph reading, aerial sketch mapping, and timber sampling.

Museum of Natural Science, Docent/Planetarium Operator, Ann Arbor, MI, January 1989 to May 1991. Designed and led tours on wildlife, geology, Native American cultures, and prehistoric life for school groups. Conducted planetarium shows and wrote the astronomy section of the docent training manual.

National Park Service and US Forest Service Volunteer. West Glacier, MT, September to November 1989. Assisted in research on population estimates of the timber wolf and grizzly bear. Studied the ecology and management of these species and conducted back-country population surveys. Gained experience in track identification, track casting, sign identification, and radio telemetry.

Publications and Presentations

Faccio, S.D., **M. Lew-Smith** and A. Worthley. 2013. Vermont Vernal Pool Mapping Project. 2009-2012. Final Report to the Natural Heritage Information Project of the Vermont Department of Fish and Wildlife.

Sorenson, E., **M. Lew-Smith** and R. Popp. 2011. Bogs and Fens of Vermont: Distribution, Ecology, Classification and Some Sites of Ecological Significance. Nongame and Natural Heritage Program, Vermont Fish and Wildlife Department, Agency of Natural Resources, Waterbury Vermont. In Press

Faber-Langendoen, D., N. Aaseng, K. Hop, **M. Lew-Smith**, J. Drake. 2007. Vegetation classification, mapping, and monitoring at Voyageurs National Park, Minnesota: An application of the U.S. National Vegetation Classification. *Applied Vegetation Science* 10:361-374.

Sorenson, E., R. Popp, **M. Lew-Smith**, B. Engstrom, M. Lapin and M. Ferguson. 2004. Hardwood Swamps of Vermont: Distribution, Ecology, Classification and Some Sites of Ecological Significance. Nongame and Natural Heritage Program, Vermont Fish and Wildlife Department, Agency of Natural Resources, Waterbury Vermont.

Lew-Smith, Michael. 2003. *Cyperus houghtonii* Torrey (Houghton's Flat Sedge) Conservation and Research Plan for New England. New England Wildflower Society, Framingham, Massachusetts, USA.

Hop, K., D. Faber-Langendoen, **M. Lew-Smith**, N. Aaseng and S. Lubinski. 2001. USGS-NPS Vegetation Mapping Program, Voyageurs National Park, Minnesota. Project Report.

Smith, M.S., I.D. Charvat, and R. Jacobsen. 1998. The significance of arbuscular mycorrhizal fungi in an early successional tallgrass prairie reclamation. *Canadian Journal of Botany*. 76:1947-1956.

Charvat, I.D., **M. Smith**, J. White, H. Agwa, J. Tallaksen, and L. Gould. 1998. Roadside prairie and wetland restoration: mycorrhizal and plant factors. Minnesota Department of Transportation Report MN/RC-1998/15.

E. Gould, **M. Smith** and I. Charvat. 1997. Wetland succession: a comparison of a disturbed and undisturbed site. Poster presentation at Botanical Society of America Meetings, 1997, Montreal, Quebec.



ARROWWOOD ENVIRONMENTAL

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(802) 434-7276 FAX: (802) 434-2102

JEFFREY W. PARSONS

PRINCIPAL WETLAND ECOLOGIST / WILDLIFE BIOLOGIST

Education

- M.S., University of Vermont, Natural Resources Planning (Wetland Ecology), 1986-1992
- B.S., University of Michigan, Zoological-Anthropology, 1983-1985
- Michigan State University, Wildlife Biology, 1978-1982

Work Experience

- 2001-Present: Arrowwood Environmental, Partner and Consulting Ecologist
- 1987-2001: Jeffrey W. Parsons, Consulting Ecologist

Mr. Parsons has been a consulting ecologist for over 25 years, working with various local, regional, and statewide private and public organizations. He has extensive work experience in the following areas: wetland delineation, functional assessment, restoration and mitigation, wetland educational programs, environmental impact assessment, wildlife habitat assessments, lake and pond management, natural areas identification and protection, trail development, community natural resources planning, environmental policy, recreation planning, and environmental permitting.

Teaching Experience

- 1992- Present: Adjunct, Sterling College, Craftsbury Common, Vermont.
Teach Field Ecology, Conservation Biology, James Bay Hydroelectricity and Resource Management, Wetlands Ecology, Wildlands Stewardship
- 1997- 2003: Adjunct, Vermont Law School, S. Royalton, Vermont. "Ecology and Environmental Science".
- 1987-2012: Guest lecturer in the following University of Vermont courses: "Natural Areas Management, Senior Recreation Management" (Topic: pesticides and golf courses), "Environmental Impact Assessment, Wetland Biology" (Topic: wetland function and value), "Environmental Conflict Resolution" (Topic: Act 250), "Introduction to Soils" (Topic: wetland soils field and classroom (1989-1997)), "Environmental Restoration" (Topics: wetland mitigation, and wetland/stream restoration (1993-2012)), and "Natural History of New England" (Topic: peatlands and boreal forests).
- 1998: Guest Lecturer, Dartmouth College, "Wetlands and Hydric Soils".
- 1993-1998: Adjunct, University of Vermont, Burlington, Vermont. "Natural History of Vermont's Natural Communities" (A Lake Champlain Basin class team-taught with R. Paradis).
- 1994-2014: Adjunct, Johnson State College. "Introduction to Environmental Problems, and Natural History of Vermont, National Park & Wilderness Management"; Landuse Planning.

Selected Presentations:

- 2000: Guest Speaker, Vermont Bird and Botanical Club Annual Meeting. Topic: Vermont's Boreal Communities.
- 2000: Lecture "Conservation Biology and the James Bay Hydroelectric Development". UVM
- 1998: Guest Speaker, White River Partnership. Topic: Wetlands in a Watershed.

- 1997: Workshop organizer and presenter, South Burlington City Officials. Topic: Wetland Identification, Function and Value, and Regulation.
- 1996: Field Trip Leader, Vermont Life magazine. Topic: Yellow Bogs, Essex County.
Field Trip Leader, American Review. Topic: Silviculture and Herbicide Spraying.
Guest Lecturer and Field Trip Leader, Consulting Foresters of Vermont. Topic: Wetlands and Silviculture. Guest Lecturer and Field Trip Leader, L.E.A.P. (Vermont Logger Certification Program). Topic: Wetlands.
- 1994: Guest Lecturer and Field Trip Leader. Vermont Law School. Topic: Wetland Ecology for the U.S. Federal District Court Judges.
- 1993: Co-organized and presented (with Richard Paradis), Winooski Valley Park District. Topic: Ecology of Greenways Implementation.
- 1992: Field Trip Leader, Northern Vermont Conservation Districts. Topic: Review of Wetlands and Water Quality. Field Trip Leader, Lamoille County Regional Solid Waste District. Topic: Landfill Impacts on Wetlands. Guest Speaker, UVM Extension/Educational Curriculum Development Program. Topic: The Natural History of Vermont's Forests.
- 1991: Guest Speaker, Vermont Extension Service Conference. Topic: Logging in and Around Wetlands.
- 1990-1992: Guest Lecturer. UVM Extension Service "Coverts" program, St. Johnsbury, VT, and Lake Dunmore, VT. Topics: Wetlands, Wildlife Management, and Forestry.
- 1990-1991: Organized and presented at the Soil and Water Conservation Society's conferences entitled "Wetland Delineation". Topic: Wetland hydrology as it pertains to the Federal Manual for Identification and Delineation of Jurisdictional Wetlands.
- 1990: Co-organized and presented conferences for the Vermont Association of Realtors, Stowe, VT, and Dorset, VT. Topic: Wetland Regulation, Takings and the Law. Guest Speaker, Lamoille County Regional Solid Waste District. Topic: Landfills and wetlands. Audubon Field - Family Camp: Topics: Bogs and Other Wetlands (field trips).

Reports and Publications: (prior to Arrowwood Environmental)

- Ecological Assessment of the Black Falls Tract in Montgomery, Westfield, and Richford, Vermont. Prepared for the Green Mountain Club by Jeff Parsons, Deborah Benjamin, 2000.
- Middlebury Gap Scenic Highway Management Plan, 1996, Vermont Agency of Transportation, 1996 (Authors: White, Parsons, Rajala, De Leuw & Cather).
- Recommendations for the Enhancement of Streamside, Wetland, and Wildlife/Fisheries Habitat on the Robillard Farm, Irasburg, Vermont, Sweet Water Trust, Vermont Land Trust, 1994.
- Proposed Trail Network: Properties of Equinox Resort Associates, with E. Thompson, 1992.
- Ecological Values and Management Implications, Mount Equinox, Properties of Equinox Resort Associates, Manchester, Vermont, with Elizabeth Thompson, 1991. 27 pages.
- Smugglers' Notch Nature Trails, with Elizabeth Thompson, Peter Adams, Steven Young, 1991. Prepared for Smugglers' Notch, Inc., 36 pages.
- A Clean Lake For Tomorrow: Action Plan. J. Parsons, F. Lowenstein, and L. Fisher. 1991. Lake Champlain Committee, 17 pages.
- Woodbury Lakes and Ponds Study. 1991. Jeff Parsons, Don Meals, Deb Lester, 164 pages.
- Environmental Survey, Vicinity of Smugglers' Notch Village, Cambridge, Vermont, with Dr. Steven Young. Prepared for Smugglers' Notch Ski Area, Inc., 1990, 30 pages.
- Vermont Recreation Plan, Summary Chapters, Vermont Department of Forests, Parks, and Recreation, Waterbury, Vermont, 26 pages.
- The Identification and Characterization of Burlington, Vermont's Wetlands and Significant Natural Areas, With Recommendations for Management. 1998 J. Parsons, E. Thompson, Dr. T. Hudspeth. Community and Economic Development Office, Burlington, Vermont, 89 pages.
- A Characterization of Vermont's More Important Wetlands. Vermont Department of Forests, Parks & Recreation, Waterbury, Vermont, 28 pages.
- Wetlands Component, 1988-1993 Vermont Recreation Plan. Vermont Department of Forests, Parks & Recreation, Waterbury, Vermont, 43 pages.
- A use decision tree for Natural Area managers and users to mitigate wetland degradation. Jeffrey Parsons, Dr. Ian Worley, and Rick Paradis, authors. *In* Wetlands/Peatlands 1987.
- Wetland Buffer Zone Delineation. 1987. Adirondack Park Agency, Ray Brook, New York.



ARROWWOOD ENVIRONMENTAL

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AARON WORTHLEY

GIS ANALYST, SCIENTIST

Education

B.A. Individual Design (social sciences, performing arts), University of Vermont, 1994

Professional Course Work & Training:

- Wetland Ferns (2/2013)
- Phase II- VT Stream Geomorphic Protocols, summer (2007)
- Wetland plant Identification (2007)
- SGAT & Phase 1 VT Stream Geomorphic Protocols, (2004)
- Vernal Pool Identification & Certification, (2006)
- Winter Identification of Trees and Shrubs workshop (2003)
- Keeping Track- Wildlife Tracking & Monitoring (2001-2002)
- Forest Mycology (2003)
- Vermont Spatial Data Partnership, semi-annual GIS Roundtables
- Numerous CAD, GIS, and computer application trainings and workshops.

Employment/Professional History

- Partner, GIS Analyst, Scientist; Arrowwood Environmental (2005-Present)
- GIS Technician, Arrowwood Environmental (2002-2005)
- Design/builder; A. Worthley Building Contractor (2002-2005)
- Project Manager, HCJS Inc. Burlington, VT (1996-2002)
- Teaching Assistant, Fort Collins High School, Ft. Collins, Co (1995-1996)

Relevant Experience

Arrowwood Environmental: Mr. Worthley is the principal GIS Analyst for Arrowwood Environmental responsible for project mapping, GIS and CAD plan development, spatial data assessment, spatial database management, remote sensing, spatial, visual and hydrological modeling, and GPS surveying. Mr. Worthley also conducts field inventories and assessments for wildlife tracks, sign and wildlife, avian habitat assessments and wetland delineations. Accomplishments include extensive map, plan and visual aid development for municipalities, organizations, businesses and private landowners, court exhibits, public presentation and project planning; community tree inventory project development and implementation, wildlife and bird inventories, habitat assessment, ecological predictive modeling and mapping.

Significant accomplishments include:

- 2008-2010 Audubon Vermont: Forest Bird Habitat Assessments- Assess management practices and habitat parameters of private forest land and prepare forest management recommendations to support habitat requirements of forest nesting bird species.
- 2008-2010 Vermont Dept. Environmental Conservation/Chittenden County Regional Planning Commission: Scientific advisor, technical support, product testing and user training in development of a custom GIS tool for stream geomorphic assessment.
- 2006-2011 Vermont Dept. Environmental Conservation: Fluvial Erosion Hazard mapping- Conduct field assessments for fluvial erosion hazard parameters and perform analysis and data development resulting in Erosion Hazard maps for used by municipalities and regional planning organizations.

- 2005-2014 Several Vermont Municipalities: Conduct wildlife habitat spatial-modeling to support town-wide natural resource inventories using state of the art geographic information system technology and supporting data from a variety of proprietary and public sources. Model analysis used to support management and planning decisions around wildlife habitat and corridor protection.
- 2004-2014 Private and Municipal Clients: Wildlife technician- Conduct field work for areal wildlife presence and habitat assessments. Methods include- Wildlife track and sign documentation, remote camera deployment, live-trapping, baited track boards, aerial habitat surveys and bird monitoring through presence/absence surveys.
- 2006-2014 Public Sector & Non-profit Clients: Fluvial Geomorphic Assessments- conduct in-stream geomorphic evaluations and data collection for stream geomorphic condition rating and river corridor planning documents.

Project Coordinator, Huntington River Water Quality: Mr. Worthley has led and directed a 10 year and ongoing monitoring effort documenting water quality issues in the Huntington River. The study has included biological, chemical and physical components, with an emphasis on bacteriological evaluations for compliance with Vermont Water Quality Standards.

Volunteer Community Citizen Science Director: Mr. Worthley leads or participates in several community based citizen science monitoring efforts in and around the town of Huntington, Vermont. Among the projects: 4 year leader of a Keeping Track® team monitoring large mammal presence and movement, participant in Audubon's annual Christmas Bird Counts and Backyard Feeder Counts, Co-leader of a multi-year amphibian corridor identification and monitoring effort and Coordinator of Huntington's Town Forest inventory and management planning.

Building & Design Contractor: Mr. Worthley was principle owner of a full service home design and construction firm specializing in custom, energy efficient, human scale homes and home renovations. Mr. Worthley provided a full suite of design services from building and site concept to 3D architectural modeling to scaled construction, shop and mechanical drawings. Homes and additions were built to owner specification, in close collaboration with technical experts and craftsmen, resulting in built environments that fit naturally in the landscape and meet the needs of the inhabitants and community.

Additional Affiliations

- Member, Board of Directors, Vermont Center for Geographic Information
- Member, National Audubon Society, & The Nature Conservancy
- Member, Vermont Spatial Data Partnership
- Energy Star Building Contractor, Efficiency Vermont
- Green Mountain Audubon Nature Center, Stewardship Committee
- Huntington Conservation Commission (2002-2012)
- Huntington Ancient Roads Committee
- Society for Conservation GIS

Exhibit B



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Scope of Work for the Environmental Review of the Northern Pass Site Evaluation Committee Application

May 11, 2015

The Scope of Work outlined below consists of an environmental review of the proposed Northern Pass Project (Project) in New Hampshire. This environmental review will be conducted by Arrowwood Environmental (AE) on behalf of the State of New Hampshire Attorney General's Office. An environmental assessment of the Project was conducted by Normandeau Associates in 2015. In addition, various federal and state environmental permit applications have been filed with the appropriate agencies and pre-filed testimony has been submitted by various parties and expert witnesses.

The proposed environmental review outlined below will evaluate the above documents focused on the following two resource areas: Wildlife Habitat, and Rare, Threatened and Endangered (RTE) Species. AE will conduct this review in an objective manner based on their professional expertise and the current scientific literature in these fields. The standards used to assess proposed impacts will be based on the Site Evaluation Committee (SEC) Rules and other state regulatory requirements.

The environmental review process has been broken up into four phases as outlined below.

Phase 1 Document Review and Public Outreach

Task 1a. Document Review

The initial step in the environmental review process is to review all of the applicable documents relating to Wildlife Habitat and RTE Species. These documents will be reviewed to identify "Issues of Concern" (IOC) as related to state of New Hampshire environmental regulations and SEC rules. IOCs may be related to inadequate methodologies employed when assessing natural resources, inaccuracies in reporting, lack of identification of impacts or unsubstantiated conclusion regarding impacts (or lack thereof).

The following documents will be reviewed during this process:

- SEC permit application
- Testimony of Expert Witnesses
- Public Information Sessions
- Wetland Permit Application
- 404 USACE Application

- 401 WQ Certification Application
- Other Relevant Environmental Permits
- Appendix 31-36 and 47 NR Reports and Maps
- DES and NH Fish and Game comments to EIS

Task 1b. Outreach

An outreach effort will be undertaken by AE in order to collect available information about the resource areas and identify and elaborate on the IOCs. As part of the outreach effort, AE will contact state agency personnel, local conservation commissions, local, State, regional and national conservation organizations and interested parties that have a stake in the Project. Outreach will be limited to individuals and groups that have information about the two resource areas. These groups may include, but are not limited to:

- NH DES
- NH Fish and Game
- Conservation Commissions
- Appalachian Mountain Club
- Society for the Protection of NH Forests
- Conservation Law Foundation

Task 1c. Participation in Public Meetings

As requested, a member of the AE team will be available to attend public meetings about the Project. The purpose of the public meetings is to hear concerns from local residents about the Project in order to help identify IOCs. AE will not conduct any formal presentations at these meetings but will be available to hear and discuss issues raised by the public. It is expected that approximately 7 public meetings will be attended.

Phase 2- Field Assessments to Selected Sites of Concern

Once an IOC has been identified, the second phase of the environmental review may consist of a field assessment to selected sites. A field assessment may not be necessary in all cases. When conducted, the focus of the field work will be to familiarize AE with the area in question and obtain more detailed information about the site conditions. It is beyond the scope of this Project to conduct independent research on the resource issues or *de novo* inventories of resources. It is assumed that a maximum of 10 sites will be visited during this Task.

Phase 3- Final Report

Upon completion of Phases 1 and 2, AE's findings will be summarized in a final report. The report will include a brief section on the methodology of the review process and a section outlining the results and conclusions. The results section will be broken up by the two resources areas and will focus on the IOCs that were discovered during Phases 1 and 2. In some cases, a review of the scientific literature may

be required to support conclusions in the report. All literature included in this review will be cited in the report. The report will be submitted digitally.

Phase 4- Depositions, Testimony and Hearings

The final Phase of the review consists of the necessary steps to participate in the Site Evaluation Committee (SEC) evidentiary hearings. The three Tasks included in this potential Phase are outlined below.

Task 4a. Develop Pre-filed Testimony

Development of the pre-field testimony will occur after final report completion. The content of the pre-field testimony will be based on the conclusions detailed in the final report. AE expects to work closely with counsel on developing the testimony.

Task 4b. Participate in Technical Hearings

AE personnel which have submitted pre-field testimony will be made available to participate in technical hearings.

Task 4c. Provide Direct Testimony in SEC Evidentiary Hearings

Based on the final report, pre-field testimony and technical hearings, AE personnel will act as expert witnesses during the formal SEC hearings if necessary. This may include participation in testimony preparation sessions and consultations with counsel regarding questioning of other witnesses.

Sub-contractors

The majority of the environmental review work will be conducted by the four principle partners of AE. Selected sub-contractors may be engaged to assess areas of expertise outside that of the four AE principles. This may especially be appropriate during the potential Phase 4 of the Environmental Review. It is anticipated that sub-contractors may be engaged for the assessment of impacts to invertebrates and bats. If expert testimony is required for avian issues, an additional sub-contractor may also be engaged.

Cost Estimate

A detailed cost estimate is presented below. This cost estimate represents a “not-to-exceed” amount and includes all labor costs and expenses for AE and its sub-contractors. Only those costs incurred on the project will be billed. The labor rates are calculated at \$75 per hour. Rates for technical hearings and testimony are calculated at \$130 per hour. Expenses include mileage, per-diem and miscellaneous expenses. The budget for Phase 4 assumes that four experts will participate in this process. For each expert, approximately 1 ½ days have been allocated to Technical Hearings and 5 days for Evidentiary Hearings (which includes preparation).

Item	Task	Description	Labor	Expenses	Total
Phase 1	1a	Document Review	\$26,250.00		\$26,250.00
	1b	Outreach	\$6,000.00		\$6,000.00
	1c	Participation in Public Meetings	\$6,750.00	\$3,020.00	\$9,770.00
Phase 2	2	Field Assessments	\$19,500.00	\$6,516.00	\$26,016.00
Phase 3	3	Final Report	\$16,500.00		\$16,500.00
Phase 4	4a	Develop Pre-field Testimony	\$3,600.00		\$3,600.00
	4b	Participate in Technical Hearings	\$8,320.00	\$2,080.00	\$10,400.00
	4c	Provide Direct Testimony in SEC Evidentiary Hearings	\$26,000.00	\$5,620.00	\$31,620.00
Administration		Project Meetings	\$3,750.00	\$648.00	\$4,398.00
		Administration	\$3,000.00		\$3,000.00
		Document Management		\$2,000.00	\$2,000.00
		Spatial Data Management	\$3,000.00		\$3,000.00
		Report Production		\$100.00	\$100.00

Project Total \$142,654.00

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Commissioner, Department of Transportation William Oldenburg, Designee Assistant Director of Project Development 7 Hazen Dr. Concord, NH 03302-0483 woldenburg@dot.state.nh.us	Public Member Patricia Weathersby Weathersby Law PLLC P.O. Box 685 Rye, NH 03870 weathersbylawpllc@gmail.com
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Committee Staff

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