

STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE
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

Supplemental Pre-filed Testimony of
Barry Draper
for
Pemigewasset River Local Advisory Committee
April 17, 2017

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

2. A. Barry Draper. 423 Blake Hill Road, New Hampton, New Hampshire.

3. Q. **What group do you represent in the SEC hearing?**

4. A. I am an intervenor with the Pemigewasset River Local Advisory Committee. I
5. have been an active PRLAC representative for the town of New Hampton, NH. for the past
6. seven years.

7. Q. **How does your involvement with PRLAC relate to the Northern Pass Project?**

8. A. PRLAC is a volunteer citizen group organized under the NH River Management
9. and Protection Program (RSA 483). When the Pemigewasset became a "Designated River"
10. in 1991, PRLAC was formed to fulfill duties as outlined in RSA 483:8-a.

11. These duties cover: develop and implement a River Management Plan (RSA 483:10);
12. review and comment on state and local permits for activities impacting the river corridor;
13. and communicate with municipalities and citizens on issues of corridor management.

14. PRLAC is under the administration of NH DES. We participate in training through
15. DES and regional workshops and courses. We conduct water testing and monitoring, and
16. we work with local river corridor communities on issues of shoreland protection and
17. stormwater runoff.

18. The Northern Pass Transmission Lines project impacts eight of the river corridor
19. communities within PRLAC's jurisdiction from Thornton to Hill. *The greatest amount of*
20. *construction activity within the protected shoreland happens on the Pemigewasset River*
21. *in Campton, Ashland and New Hampton.* This is where I live. I feel compelled to act.

22. Q. **What is the purpose of your Supplemental Testimony?**

23. A. On March 1, 2017, NH Department of Environmental Services announced its decision
24. to recommend approval -- with conditions -- to the permits submitted by the Applicant.
25. PRLAC disagrees with the agency's decision. We believe it is premature to recommend
26. approval, even with the accompanying conditions.
27. This document shares information relevant to my objections to the NH DES decision.

28. Q. **What specific concerns do you have at this point in the SEC process?**

29. A. As I read through the March 1, 2017 decision from NH DES, I was asking question
30. after question.

31. In the Document: "Alteration of Terrain Bureau": #9: "The Permittee shall identify
32. to DES all laydown areas, and off-right-of-way access roads not currently identified for
33. review prior to construction, if DES permit requirements are triggered." The word "triggered"
34. concerns me. Who checks on this? Then what? The intent puts self-regulation in the
35. hands of the Applicant, or more likely, the contractors on the ground getting ready for work.
36. #12 of that document speaks to the Applicant's responsibility to get permits from other
37. federal agencies, if necessary. It reads: "Projects disturbing over 1 acre may require a federal
38. stormwater permit from EPA." My question: I find 12 acres of disturbed land listed (over
39. 510,000 square feet). Did NH DES identify these disturbed areas? Why weren't these
40. disturbed areas identified in their conditions?

41. # 3 reads: "Activities shall not cause or contribute to any violations of the surface water quality
42. standards established in Administrative Rule Env-Wq 1700."

43. It has been my experience through PRLAC that the issues of *existing erosion, poor*
44. *management and poor follow-through on utility ROWs* cause significant problems in the
45. Pemigewasset Watershed *now*.

46. Even after bringing areas of erosion or bank destabilization to the utility's attention, we
47. see little to no result. In these Northern Pass hearings, I presented a serious runoff problem
48. from a PSNH ROW on Brook Road in New Hampton. The runoff goes directly into Blake
49. Brook and Blake Brook flows into the Pemigewasset River where I find silt from this ROW.

50. On the next page, the first photograph was taken January 2016. The second photograph
51. was taken at the same location one year later, January 2017. We see no corrective action.

January 2016: The top photo shows significant runoff on a PSNH ROW. This is on Brook Rd. in New Hampton, NH. The runoff goes directly into Blake Brook which discharges into the Pemigewasset River less than a quarter mile from this point. This is an existing ROW for Eversource/ Northern Pass.



Same site one year later - January 2017. Northern Pass would use this ROW for overground towers.

52. Q. What concerns would you highlight to the SEC at this point?

53. A. Since I filed my initial Pre-filed Direct Testimony on November 15, 2016, I
54. have attended Technical Sessions regularly and I have read the testimonies of
55. experts and intervenors.

56. The following testimonies and appearances have given me sound information
57. to integrate into my own reports and concerns.

58. -Prefile testimonies and appearance of Rick Van de Poll for the City of Concord.

59. -Prefile testimonies and appearances of Arrowwood Environmental for CFP.

60. -Prefile testimonies and appearance of Raymond Lobdell for SPNHF

61. -Prefile testimony and technical session with Intervenor Bob Cote for Deerfield.

62. The main issues I wish to highlight are:

63. **-Environmental Monitors:** Throughout the NH DES decision, there is a crucial
64. gap in the number and independence of Environmental Monitors. During the Technical
65. Session with Dr. Van De Poll (March 16, 2017), he discussed the overriding problem of
66. Enforcement and Monitoring during and after construction of any project that damages
67. wetlands, changes habitats and creates the kinds of temporary and permanent impacts on
68. the scale of Northern Pass.

69. During a question-and-answer period with the environments experts, the question
70. was asked: "How many environmental monitors would be needed for a project of this
71. scale?" The answer was 6 to 12 monitors, all fully qualified in their field of study.

72. NH DES speaks of "The Monitor" -- which suggests one person. That is
73. unacceptable.

74. PRLAC has had numerous discussions and written recommendations to NH DES
75. about our priorities for Environmental Monitors. We have repeated these concerns in
76. discussions and Technical Sessions with Normandeau Associates.

77. I repeat my concerns that Monitors for this "Major Project" need to independent --
78. not Eversource staff, not construction personnel -- independent and with the authority to
79. halt activity deemed "environmentally hazardous".

80. In addition, NH DES could begin *now* to develop the plans for the number and
81. qualifications. NH DES is understaffed and cannot be expected to be on site over the
82. 192 mile long project.

83. **-Site-Specific Best Management Practices:** Given the complexity of terrain, activity
84. and number of construction personnel (and outside contractors), I agree with the panel
85. of environmental experts (Arrowwood, Raymond Lobdell, Van De Poll) that “one size”
86. or general BMPs are not adequate.

87. The goal of Site-Specific BMPs is to focus the SEC mandate for “Avoid and
88. Minimize” when there are impacts to fragile habitats and species of note.

89. This concern extends to **Site-Specific Restoration Plans and Monitoring**. There
90. are few such plans in the current Application and NH DES report.

91. **-The NH DES decision to approve this permit with conditions is premature.**

92. The consensus of the experts in the environmental testimonies was that there were
93. significant natural communities or water bodies or other crucial information on species
94. *missed* in the Normandeau studies and reports. We expect to see Supplemental Prefile
95. Direct Testimony from these experts (Arrowwood, Van de Poll, Lobdell) with new
96. information that should have considered by NH DES in its decision-making process.

97. Missing analysis and data has been related to delineated wetlands (i.e. Ashland
98. riverfront), vernal pools and changes in the landscape since Normandeau did its
99. initial field studies in 2013 and 2014.

100. Where are the discussions on Climate Change and its impact on major storm
101. events, changing species, and increase in invasive species?

102. **Q. In conclusion, based upon your background, research and participation in the**
103. **SEC process, do you continue to oppose the Northern Pass Project?**

104. A. Yes.

105. I urge the SEC to deny this Application. I find a pervasive lack of responsibility
106. and accountability dedicated to stopping damage *before, not after* the fact. The plans
107. lack data and new information. The conditions and stipulations are overly general.

108. I propose that the “old rules” won’t work with this Major Project. This is a time
109. for more scrutiny, not less, more specificity, not generalities, and a more measured
110. review -- not a reckless rush to build before we have considered all the consequences
111. and unintended impacts.

Respectfully submitted,

Barry E. Draper, Intervenor, Pemigewasset River Local Advisory Committee