

**THE STATE OF NEW HAMPSHIRE**  
**BEFORE THE**  
**NEW HAMPSHIRE SITE EVALUATION COMMITTEE**  
**DOCKET NO. 2015-06**

**SUPPLEMENTAL PRE-FILED TESTIMONY OF JACOB J. TINUS**

**IN SUPPORT OF THE**  
**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 TO CONSTRUCT A NEW**  
**HIGH VOLTAGE TRANSMISSION LINE AND RELATED FACILITIES IN**  
**NEW HAMPSHIRE**

**April 17, 2017**

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

2           A.     My name is Jacob J. Tinus. My business address is 670 N. Commercial Street,  
3 Manchester, NH 03101.

4           **Q.     Who is your current employer and what position do you hold?**

5           A.     I am employed by Burns & McDonnell (“BMCD”) as a Project Manager in the  
6 Environmental Studies and Permitting (“ES&P”) Global Practice. I am BMCD’s permitting lead for  
7 the Northern Pass Transmission Project (“Northern Pass” or the “Project”) as proposed by Northern  
8 Pass Transmission LLC (“NPT”) and Public Service Company of New Hampshire d/b/a Eversource  
9 Energy (“PSNH”) (collectively the “Applicants”).

10          **Q.     What is the purpose of your supplemental testimony?**

11          A.     The primary purpose of my testimony is to provide supplemental information regarding  
12 the assessment of the potential effects of the Project on water quality by describing revisions to  
13 engineering design and the Alteration of Terrain permit application for the nine development sites  
14 since submittal of my original testimony. I also address questions on water quality and stormwater  
15 permitting raised by intervenors’ testimony.

16          **Q.     First, please explain the significance of the March 1, 2017 Final Decision from the  
17 New Hampshire Department of Environmental Services (“NHDES”) (App. Ex. 75).**

18          A.     NHDES’s approval of the four permit applications (Wetlands, Alteration of Terrain,  
19 Shoreland, and the Section 401 Water Quality Certification) indicates that Northern Pass has satisfied  
20 all of the state water quality-related permit requirements. As part of its decision, NHDES has imposed  
21 various conditions that are customary for these permits, requiring, among other items, that the Project  
22 and its contractors follow avoidance and minimization measures and BMPs, that the Project submit  
23 prior to construction various monitoring plans, and that the Project employ properly trained  
24 environmental monitors during construction.

25          **Q.     Have the Applicants conducted any additional engineering, analyses or studies  
26 relative to your Pre-filed Direct Testimony, dated October 16, 2015?**

27          A.     Yes. Based on additional data collected by geotechnical contractors (Quanta  
28 Subsurface) during summer and fall 2016 to address specific comments and questions from the  
29 NHDES Alteration of Terrain and Watershed Management Bureaus, the Applicants confirmed or  
30 revised (as described below) the initial stormwater design for the nine development sites, provided

1 supporting engineering calculations, and updated and re-issued pollutant loading assessments  
2 (“PLAs”), stormwater studies and permit plans for each of the nine development sites.

3 Documents responsive to requests for additional information in the NHDES May 2016  
4 Progress Report to the SEC, including those related to the Alteration of Terrain (“AoT”) Permit, were  
5 submitted on July 12, 2016 (App. Ex. 62); July 15, 2016 (App. Ex. 63); July 18, 2016 (App. Ex. 64);  
6 July 28, 2016 (App. Ex. 67); August 11, 2016 (App. Ex. 69); December 14, 2016 (App. Ex. 72); and  
7 January 25, 2017 (App. Ex. 74).

8 **Q. Please summarize the modifications that were made to the stormwater system**  
9 **components at the nine development sites based on comments from NHDES and based on the**  
10 **Applicants’ subsurface investigations.**

11 A. For certain sites, NHDES requested minor plan adjustments, such as additional detail  
12 figures for design features, verification of elevations, or adding color-coded watershed boundary plans.  
13 Those changes were made to NHDES’s satisfaction.

14 For all nine sites, Project engineers reviewed the design based on the new subsurface  
15 geotechnical data collected by Quanta Subsurface during the summer and fall of 2016. The main  
16 purpose of this effort was to fine-tune the stormwater treatment design appropriate for the specific  
17 conditions to provide that level of treatment necessary to meet NHDES requirements. The refined  
18 design based on the subsurface data is slightly revised at all nine sites, but there is no significant  
19 change to the initial design at any of the locations. As shown on the revised Pollutant Loading  
20 Analysis (“PLA”) worksheets, post-development conditions at each of the sites result in no increases in  
21 total suspended solids (TSS), total phosphorous (TP) or total nitrogen (TN) from pre-development  
22 conditions. In fact, at most of the development sites, post-development conditions will have reduced  
23 pollutant loading compared to pre-development conditions. The PLA data illustrates that once  
24 constructed and stabilized the development sites will not contribute negatively to water quality.

25 **Q. Do you expect any further design changes at the development sites?**

26 A. No, we do not expect any design changes that would affect stormwater. NHDES has  
27 required in AoT Project Specific Permit Condition #1 and #2 of the NHDES Final Decision letter to  
28 the SEC, dated March 1, 2017, that test pit explorations be performed at seven of the nine sites to  
29 confirm estimated seasonal high water table elevations collected previously on the sites. The Project  
30 anticipates that this will be performed in mid-2017. The results of the additional subsurface data

1 collection and any subsequent design changes (if necessary) will be communicated to the NHDES and  
2 SEC when available.

3 **Q. Have you reviewed testimony about the Project’s potential impacts on water**  
4 **quality from intervenors?**

5 A. Yes. Several intervenors testified that construction-related erosion and sedimentation  
6 will result in a significant impact to wetlands and water quality. I disagree. Northern Pass has  
7 identified appropriate best management practices (“BMPs”) for limiting the risk of erosion and  
8 sedimentation, and will provide water quality monitoring during construction activities consistent with  
9 project permit conditions. The methods proposed have been developed by experts in the construction  
10 and regulatory community, comply with state and federal requirements, and are standard practices  
11 commonly used on construction projects of all kinds around the state and the region, including  
12 transmission projects and other linear projects. Furthermore, in its March 1, 2017 Final Decision letter  
13 to the SEC, NHDES specifies many permit conditions that address these topics directly or reference  
14 avoidance and minimization measures and BMPs that must be followed by the Project and its  
15 contractors.

16 Mr. Robert Cote raised issues in his testimony and at follow-up technical sessions specifically  
17 related to stormwater permitting, asserting that the Applicants have not satisfied the requirements of  
18 the United States Environmental Protection Agency (“USEPA”) Construction General Permit  
19 (“CGP”). The simple answer is that the Applicants have not yet submitted their Notice of Intent  
20 (“NOI”) under the CGP. At least 14 days prior to starting construction, the Project contractor will  
21 electronically submit an NOI to the USEPA through its eReporting Tool. Submittal of the NOI  
22 signifies that the Applicants are seeking authorization of coverage under the CGP. As part of the CGP  
23 the NPT must develop a Project-specific stormwater pollution prevention plan (“SWPPP”).  
24 Furthermore, §401 Water Quality Certification Condition #9 contained in the NHDES March 1, 2017  
25 Final Decision requires that NPT submit the SWPPP to NHDES at least 90 days prior to commencing  
26 construction activities.

27 **Q. Are there any statements in your original testimony that you would like to correct?**

28 A. Yes. On page 13, line 17, of my original testimony I state that the Spill Prevention,  
29 Control and Countermeasures (“SPCC”) Plan is provided with the Request for a § 401 Water Quality  
30 Certification. This statement is incorrect. Three SPCC documents were subsequently provided in  
31 discovery, however—1) the M.J. Electric SPCC, 2) the Standard Eversource SPCC and, 3) the

1 Eversource Spill Identification and Reporting Protocol. Further, DES Condition #14 requires that the  
2 SPCC plan be submitted prior to construction.

3 **Q. Has your opinion regarding the Project's impact on surface water and**  
4 **groundwater quality changed? Please explain.**

5 A. No. My opinion remains that by following established BMPs and other permit  
6 requirements the Project will have no adverse effect on surface water quality and ground water quality.  
7 That NHDES has now approved the water quality-related permit applications confirms this opinion.

8 **Q. Does this conclude your supplemental pre-filed testimony?**

9 A. Yes.