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STATE OF NEW HAMPSHIRE

SITE EVALUATION COMMITTEE

June 1, 2017 - 9:12 a.m. DAY 11
49 Donovan Street Morning Session ONLY
Concord, New Hampshire

{Electronically filed with SEC on 06-12-17}

IN RE: SEC 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.
(Hearing on the merits)

PRESENT FOR SUBCOMMITTEE/SITE EVALUATION COMMITTEE:

| | |
|----------------------------------|--|
| Chrmn. Martin P. Honigberg | Public Utilities Comm. |
| (Presiding as Presiding Officer) | |
| Cmsr. Kathryn M. Bailey | Public Utilities Comm. |
| Dir. Craig Wright, Designee | Dept. of Environ. Serv. |
| Christopher Way, Designee | Dept. of Resources & Economic Development |
| Patricia Weathersby | Public Member |
| Rachel Whitaker | Alternate Public Member |

ALSO PRESENT FOR THE SEC:

Michael J. Iacopino, Esq., Counsel to the SEC
Iryna Dore, Esq.
(Brennan, Caron, Lenehan & Iacopino)

Pamela G. Monroe, SEC Administrator

COURT REPORTER: Susan J. Robidas, N.H. LCR No. 44

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I N D E X

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|----------------|--------------------|
| WITNESS PANEL: | NATHAN SCOTT |
| | LYNN FARRINGTON |
| | SAMUEL JOHNSON |
| | KENNETH BOWES |
| | DERRICK BRADSTREET |
| | JOHN KAYSER |

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1 P R O C E E D I N G S

2 CHAIRMAN HONIGBERG: We're
3 picking up again this morning with the
4 construction panel. Mr. Palmer's group is
5 going to resume questioning.

6 Mr. Palmer, are you going to
7 be going now for your group?

8 MR. PALMER: Yes.

9 CHAIRMAN HONIGBERG: All right.
10 While Mr. Palmer comes up, I'll do one quick
11 scheduling thing. Again, because Commissioner
12 Bailey and I have some PUC business to do,
13 we're going to break this morning around 11:30
14 and do the lunch break then because we have to
15 meet with some folks back on Fruit Street on
16 another matter, and we'll probably try and get
17 back here just about 1:00. That's today's
18 lunch plan.

19 So is there anything else we
20 need to do before Mr. Palmer resumes?

21 [No verbal response]

22 CHAIRMAN HONIGBERG: All right.
23 Mr. Palmer, you may proceed.

24 MR. PALMER: Thank you, Mr.

1 Chairman.

2 CROSS-EXAMINATION

3 BY MR. PALMER:

4 Q. My name is Walter Palmer. I'm a spokesperson
5 for the abutters group on the underground
6 portion of the proposed project from
7 Bethlehem to Plymouth, and I am an abutter to
8 the project. My farm is in Franconia, and
9 Route 116 runs right through the center of my
10 farm. So the proposed project runs right
11 through the center of my farm as well.

12 I'd like to start with a couple
13 questions that were handed to me by other
14 members of the group. On Route 3, south of
15 Plymouth -- I'm sorry. Let me start with a
16 question.

17 The letter from New Hampshire Department
18 of Transportation, dated April 3rd, requires
19 that Northern Pass provide a certified survey
20 of the boundaries of the right-of-way on the
21 underground portion of the Project survey by
22 a licensed land surveyor. Can you tell me
23 what is the progress in getting that survey
24 completed?

1 A. (Johnson) That has been completed and filed.
2 It should be available on the SharePoint site
3 -- or ShareFile site.

4 Q. Are you referring to the report by Meridian
5 Land Services, dated April 12th?

6 A. (Johnson) I think there's two files, I
7 believe. One is from BL Companies and one is
8 from Meridian, both certified.

9 Q. So it's your contention that you have
10 completed a certified survey and you now know
11 exactly where the legal bounds are to the
12 right-of-way on the entire underground route?

13 A. (Johnson) Our surveyors have certified that
14 document, so yes.

15 Q. Surveys we've seen so far show that there's a
16 4-rod right-of-way along Route 3 south of
17 Plymouth. It's the understanding, based on
18 our research, that the right-of-way there is
19 really only 3 rods wide. Can you reconcile
20 that?

21 A. (Johnson) So, again, I'm relying on my
22 surveyors and the information that they
23 provided. If you have additional information
24 that would help us determine that, then we

1 would certainly be willing to look at that
2 information.

3 Q. We have provided the information that we used
4 as a basis of the results of our research.
5 And specifically, Bruce Ahern's property,
6 he's demonstrated that the right-of-way on
7 his property is --

8 (Court Reporter inquiry)

9 Q. (Johnson) The survey, at least the one
10 produced by Meridian, shows that it's a
11 4-rod-wide right-of-way at that location. So
12 I guess the question is one of -- it appears
13 that the survey is in error in that location.
14 And what happens when you begin construction
15 and you start encroaching on Mr. Ahern's
16 private property?

17 A. (Johnson) So I believe in that particular
18 area we are on the opposite side of the road
19 from Mr. Ahern's barn, but well within the
20 disturbed area of the road. So whether it's
21 three rods or 4 rods, I believe that we'll
22 still be well within the DOT easement. As
23 far as the actual measurements of 3 rods or
24 4 rods, I will go back and check with our

1 surveyors. But I believe that they have
2 certified that they believe it's 4 rods.

3 Q. Okay. Again, that doesn't agree with the
4 research that we've done, so we would need to
5 sit down and resolve that.

6 A second thing. You say it's going to
7 be within the right-of-way; yet, it appears
8 that you've proposed to build a splice vault
9 in that area. Splice vaults are going to be
10 12 feet wide. And the plans that we've seen
11 so far show that it's going to be on the edge
12 of the pavement, with part of it in the
13 roadway and part of it in the disturbed
14 shoulder of the roadway. Is that still the
15 plan, do you know?

16 A. (Johnson) So, a couple things. I think we've
17 always stated that we were attempting to
18 install our facilities within the disturbed
19 areas, so whether that's the ditch line, the
20 shoulder or the roadway itself. And the
21 width I believe is 7-foot 10 inches. Is that
22 correct? So the width of the vault itself is
23 7-foot 10 inches, with some excavation to the
24 side as we discussed yesterday to install the

1 actual installation. But I am unfamiliar
2 with that particular vault. I can certainly
3 look it up and see whether it's going to be
4 in the place that is on the maps or whether
5 it'll be slightly further off the roadway.

6 Q. Well, I know the width is approximately
7 8 feet wide. But when you're digging a
8 trench to put it in, it's going to have to be
9 much wider than eight feet. It's going to be
10 impossible to have vertical walls on your
11 trench. I know myself, from trenching on my
12 farm, by the time you dig a trench 12 feet
13 wide, the top has to be twice as wide as the
14 bottom. If you have a trench that's 8 feet
15 wide at the bottom, the top is going to be
16 much wider than 8 feet.

17 So our question is: If you're going to
18 be digging a trench big enough to put a
19 splice vault in and there's only 12 feet of
20 space outside of the pavement between the
21 pavement and private property, and your
22 proposal is to put the splice vault partially
23 outside of the pavement, how is that going to
24 fit? It doesn't appear that it's going to be

1 possible to do that without encroaching on
2 private property.

3 A. (Scott) So I believe the description you're
4 providing for the excavation on your farm is
5 not really applicable to how the contractor
6 would install these splice pits. They
7 wouldn't be doing sloped installation for the
8 excavation. They would be shoring it and
9 doing straight slopes. There would be no
10 one-to-one excavation for their sloping. So
11 essentially you would have 12 feet width for
12 your excavation, including the shoring, to
13 put in the splice pit.

14 Q. So, if in fact this has to be installed
15 outside the edge of the pavement, it's going
16 to occupy the entire 12-foot width of
17 disturbed roadway between the edge of the
18 pavement and private property?

19 A. (Scott) In the scenario you're describing,
20 yes, if it was 12 feet and it was entirely
21 out of the paved area. However, you'd have
22 to give me the specific location you're
23 discussing to go further into detail.

24 Q. Okay. So it's still your contention that you

1 would be able to do this, put a splice vault
2 in without encroaching on private property on
3 that location.

4 A. (Scott) Well, you haven't given me a specific
5 location. But yes, that is our contention.

6 Q. Let me move on to a different topic area, and
7 that is the timing of construction.

8 In Franconia and in Plymouth, the
9 business owners in these two towns are
10 starting to become more and more concerned
11 about the impact of the construction phase on
12 their businesses. They're concerned that the
13 closure of roads or the slow-down of traffic
14 on roads, the impediment to travel on these
15 roads is going to result in difficulty for
16 their clients to get to their businesses.
17 Especially in Franconia, there are a large
18 number of businesses that are not only
19 located on the route, not only abutters, but
20 located some distance from the route, but
21 their customers need to come through Route
22 116 or Route 18 in order to get to their
23 businesses. So they're asking me and they're
24 asking our group how long is there going to

1 be construction. How long will construction
2 last? How long will there be closures of
3 roads? How long will we inconvenience the
4 travelers? The reason I ask is because, as
5 we discussed yesterday and previously, the
6 amount of time required for each component,
7 we said three to five weeks for one HDD site,
8 for example, and a certain number of months
9 for the intersection of Route 18 and 116 in
10 Franconia. But the question is: In between
11 these different phases of construction, how
12 long from the day you break ground until the
13 day you finally drive away and the job is
14 completely finished?

15 A. (Bowes) So, for the underground portions
16 we've stated -- and we went through a couple
17 of examples, one with the attorney from
18 Grafton, and one yesterday with the DOT
19 representative -- two full construction
20 cycles, from April 15th through
21 November 15th. So, be two construction
22 years. And we accepted their analysis. They
23 were very similar, actually, of the number of
24 work locations, the number of work crews.

1 And, you know, after hearing the DOT comments
2 and questions yesterday, we actually did some
3 calculations, and surprisingly enough, it was
4 exactly the scenario you just proposed: How
5 long would it take to go from Bethlehem on
6 Route 18 and go all the way across to
7 Route 116? And our traffic engineer has done
8 that analysis, and accepting the conditions
9 that were provided yesterday, the number of
10 work zones, the length of distance, we
11 calculated what the travel delay would be.

12 MR. BOWES: And Lynn, you want
13 to go through that calculation for us?

14 A. (Farrington) Sure. So, assuming the distance
15 was 16-1/2 miles and that there would be six
16 construction zones --

17 MR. IACOPINO: You need to speak
18 into the mic or speak up or something. Pull it
19 closer.

20 A. (Farrington) So, based on the DOT
21 representative's assumptions, there would be
22 six construction zones along that 16-1/2
23 miles of roadway. Assuming a worst-minute
24 scenario of one minute at each construction

1 site, that would add six minutes to what
2 would have previously been a 25-minute drive.
3 Of course, it's highly unlikely that every
4 one of those six construction zones you would
5 experience that full one-minute delay.

6 Q. Okay. We heard Mr. Ogdenburg's [sic]
7 calculation yesterday that it would probably
8 be about a 20-minute delay if someone were to
9 drive this entire route.

10 A. (Bowes) I think we accept that 20-minute
11 delay for the entire route. The scenario you
12 just proposed, it was 18 and 116. That's
13 about a -- you know, depending on how many
14 traffic lights you hit or traffic work zones
15 you hit, it's maximum of six minutes.

16 Q. Fair enough, fair enough. Still, business
17 owners in Franconia are concerned because
18 many of our customers and many of the clients
19 in Franconia come from the south on these
20 state highways, and so they would encounter
21 most of the delays described yesterday.

22 So, anyway, you're saying two
23 construction seasons. Will the roads be
24 repaved and all of the construction

1 impediments removed in between those two
2 seasons.

3 A. (Bowes) Between?

4 Q. From November to April, for example, between
5 the two seasons.

6 A. (Bowes) Yes, they will.

7 Q. So the roads will be entirely open just as
8 they are right now during that period?

9 A. (Bowes) Yes, with the temporary patches that
10 have been placed. They're the only the
11 difference between --

12 Q. I'm sorry?

13 A. (Bowes) The only difference is there would be
14 temporary patches placed on the roads rather
15 than how they are today.

16 Q. Oh, I see. Okay. Temporary patches.

17 And how about during the construction
18 seasons, in between phases? I mean, you're
19 going to be doing HDD at one site, wrapping
20 that up, move to another site. In between
21 those construction operations, will the roads
22 be reopened at that time, or will they remain
23 partially closed?

24 A. (Bowes) So, for the individual location, the

1 traffic control measures would be removed,
2 but they would be reinstalled at the next
3 location. So it would be kind of a hopscotch
4 going along the route.

5 Q. So there would probably be during the
6 construction seasons pretty much constant
7 impediments on the roads, but in different
8 locations as they move along.

9 A. (Bowes) Yes.

10 Q. Okay. So I think that clarifies that, which
11 I can report back to the business owners in
12 Franconia.

13 A. (Johnson) I will add that if individual
14 business owners have questions, we've sent
15 them notifications, and we're willing to
16 discuss with any business owner about the
17 Project and inform them on exactly this type
18 of information.

19 Q. Well, they seem to be only now coming to
20 understand what some of the impacts of this
21 project are going to be. And the business
22 owners are becoming much more focused on it
23 and much more interested and are starting to
24 meet and discuss this and trying to decide

1 what needs to be done. So I'm sure you will
2 be hearing from them.

3 All right. I wanted to touch on a topic
4 that Dr. McLaren talked about a little bit
5 yesterday, but I wanted to go into a little
6 bit more detail, and that was a question
7 about the cold fly ash being used in the
8 fluidized thermal backfill that's going to be
9 used in the underground portion of the
10 Project.

11 MR. NEEDLEMAN: Mr. Chairman,
12 I'm going to object to this line of
13 questioning. This is now tag-teaming from the
14 same witness group.

15 MR. PALMER: You haven't heard
16 my question yet.

17 CHAIRMAN HONIGBERG: Mr. Palmer,
18 you introduced it with, "I'm going to cover the
19 same ground that another member of my group
20 covered yesterday."

21 Tell me what you want to know,
22 briefly, from this group that Mr. -- that Dr.
23 McLaren couldn't do yesterday.

24 MR. PALMER: Okay. I wanted to

1 get into more detail about why it's being used,
2 whether there are alternatives, and what the
3 likely environmental impacts are going to be.

4 CHAIRMAN HONIGBERG: All right.
5 Well, I already know what the answer to the
6 last question you're going to ask is.

7 Mr. Bowes, what's going to be
8 answer to the last question -- the last round
9 of questions Mr. Palmer just identified.

10 MR. BOWES: Same answer I
11 provided yesterday.

12 CHAIRMAN HONIGBERG: Which is?

13 MR. BOWES: Probably a better
14 topic for the environmental panel, and I don't
15 have any direct knowledge of the health aspects
16 of this product.

17 CHAIRMAN HONIGBERG: All right.
18 Now, with respect why are they using it? Is
19 that what you want to know and not something
20 else?

21 MR. PALMER: Yes.

22 CHAIRMAN HONIGBERG: You may
23 proceed.

24 BY MR. PALMER:

1 Q. Okay. Mr. Bowes, yesterday you made a
2 statement that this material has been used
3 for decades, and your implication being that
4 it's safe, perfectly safe to use; correct?

5 A. (Bowes) I indicated that it was not an
6 experiment. It's been used for decades.
7 That was the context of the question and the
8 response.

9 CHAIRMAN HONIGBERG: Mr. Palmer,
10 you were given lead to ask questions about why
11 they're using it. Proceed with that line of
12 questions.

13 BY MR. PALMER:

14 Q. Why are you using cold fly ash as a
15 constituent of the thermal backfill in the
16 trench?

17 A. (Bowes) So I can start with a high-level
18 explanation, and maybe one of the other panel
19 members has more details.

20 My understanding is it's a bonding agent
21 that is used in concrete. It's used in
22 fluidized thermal backfill, gypsum wallboard.
23 It's all around us. It's used in, as far as
24 I know, almost every state in the union. And

1 it's a product used in all road building and
2 concrete products that are available today.

3 Q. You stated yesterday that there are no
4 studies of leaching toxic constituents from
5 this material; right?

6 A. (Bowes) I don't have any is what I said, or
7 I'm not aware of any.

8 Q. So if you're not aware of any studies, then
9 you have no basis for stating whether or not
10 it's safe to use.

11 A. (Scott) I believe the EPA has classified this
12 material as "non-hazardous."

13 CHAIRMAN HONIGBERG: What else
14 you got on this topic?

15 BY MR. PALMER:

16 Q. Are there any alternatives to cold fly ash?

17 A. (Bowes) I don't know if there are.

18 A. (Johnson) I will -- I don't know either, but
19 I will guess that there probably are chemical
20 additives that would provide the same
21 properties as coal ash does. But again, I'm
22 not a hundred-percent certain.

23 Q. Coal fly ash is a waste product, is it not,
24 of combustion?

1 CHAIRMAN HONIGBERG: Now you're
2 in the areas that Dr. McLaren talked about
3 yesterday. If you want to know what else they
4 considered, which I believe is the other thing
5 you identified, you can ask them that. Mr.
6 Palmer, these were your breakdowns of the
7 topics. We didn't make them up. You provided
8 them to us.

9 MR. PALMER: And I understood
10 that I would be allowed to ask questions.

11 CHAIRMAN HONIGBERG: On survey
12 right-of-way boundaries, location of the power
13 line on Route 3, impacts on groundwater on
14 Route 116, time frame for the entire
15 underground component, and the iterative
16 process of planning for underground component.
17 Those are -- I'm reading your notes to us about
18 the topics you were going to be asking about.

19 MR. PALMER: And new issues came
20 up as a result of questions that I wanted to
21 try to resolve, as a result of questions that
22 were asked yesterday.

23 CHAIRMAN HONIGBERG: And I asked
24 you what you wanted to ask, and you gave me

1 three topics. And I'm allowing you to ask
2 questions about two of them. The third is
3 specifically what Dr. McLaren was talking to
4 this panel about yesterday. And I assumed you
5 identified Dr. McLaren to do that because he
6 knows something about this stuff, and he chose
7 not to follow up.

8 MR. PALMER: So I'm following up
9 today.

10 CHAIRMAN HONIGBERG: No, you're
11 not. You're going to ask questions about the
12 topics that you identified on your list that
13 you provided to us that would be the topics you
14 would be asking questions about. The
15 alternative, Mr. Palmer, is that we go to one
16 spokesperson per group, and only one
17 spokesperson gets to ask questions for that
18 entire group. That's the alternative.

19 MR. PALMER: And I appreciate
20 your flexibility on allowing us to have several
21 people ask questions --

22 CHAIRMAN HONIGBERG: And the
23 deal in exchange is that you have to break the
24 topics up so we don't repeat topics within a

1 group, because your group has already taken
2 almost four hours of questioning of this panel.

3 MR. PALMER: All right. If you
4 would just allow me to proceed, I have
5 questions that I feel are not duplicative.

6 CHAIRMAN HONIGBERG: Let's see
7 what your next question is.

8 BY MR. PALMER:

9 Q. So your statement was that there are no
10 alternatives to using cold fly ash, even
11 though cold fly ash is a waste material from
12 coal combustion and is -- your statement is,
13 coincidentally, "This waste material is the
14 only material on earth that can be used in
15 this Application."

16 CHAIRMAN HONIGBERG: That's not
17 even close to what the answer to that last
18 question was. Not even close.

19 MR. PALMER: No, but he did say
20 that there were no alternatives.

21 CHAIRMAN HONIGBERG: No, that's
22 not what any of them said. It's not.

23 MR. PALMER: All right.

24 BY MR. PALMER:

1 Q. Are there any alternatives -- I'm sorry. Did
2 you say that or not?

3 A. (Johnson) I am unaware of any specific, but
4 I'm assuming that there are some chemical
5 additives that would perform the same
6 function that fly ash would, just cost more.

7 Q. So it's not possible to use backfill that has
8 neither fly ash nor chemical additives. You
9 can't just use thermal sand which is what was
10 stated earlier in this Project?

11 A. (Scott) I believe it is possible to use
12 various backfill materials, as long as they
13 meet the thermal resistivity requirements for
14 the cable rating, as well as the requirements
15 for compaction for the installation within
16 the road right-of-way.

17 Q. So it could be done without coal fly ash and
18 without chemical additives.

19 A. (Scott) It's entirely dependent upon the mix
20 design for that particular fill material.

21 Q. All right. Are you aware of the
22 geomorphology of the route in Easton Valley
23 on Route 116? What we have -- let me just
24 set the scene very quickly.

1 What we have is the Kinsman Ridge. We
2 have Ham Branch River running parallel to it
3 on the other side of the valley. And in
4 between those two locations is Route 116
5 running parallel to the Kinsman Ridge and Ham
6 Branch, transecting a large aquifer which
7 flows down the Kinsman Ridge across the
8 valley towards Ham Branch. So the proposed
9 project therefore transects this aquifer.
10 This is a aquifer that all of us in the
11 valley use as our water supply.

12 When I sink fence posts into my field, I
13 sink them about 2-1/2 feet deep. Bottom
14 8 inches is in the aquifer. It's in the
15 water. You are planning to build a trench
16 which will have a bottom level of about
17 7 feet deep. That means it's going to be in
18 the aquifer. That means the material that
19 you place in this trench as fluidized
20 backfill will be suspended in the shallow
21 aquifer that all of us are using for our
22 farms. There's no lining on this trench; am
23 I right?

24 A. (Bowes) No lining? No, there's not a lining

1 in it.

2 Q. So that any material you put in the trench
3 will be suspended in the aquifer and will be
4 available to have aquifer water flowing
5 through it and will be porous and will be
6 leaching material into the aquifer; is that
7 correct?

8 A. (Bowes) So I can't say it's going to leach
9 any material in. But it sounds, based on
10 your description which I'll accept, that it
11 will be in the water portions of the year.

12 Q. Can I turn on the screen quickly, please?

13 (Pause in proceedings)

14 Q. I just did a quick survey yesterday of the
15 Internet, and there are many studies showing
16 the leaching of toxic materials from fly ash
17 into groundwater. If I could just -- because
18 I'm under time constraint, I'll just flip
19 through them quickly.

20 (Documents shown on screen.)

21 A. Studies from the Environmental Protection
22 Agency and from various other organizations
23 showing that there has been -- there have
24 been hundreds of damage cases where toxic

1 materials have leached into the aquifer from
2 coal ash, especially including in places
3 where it was stored as an unconsolidated dry
4 material in the soil, exactly as what you're
5 planning on doing here in this trench.

6 So, therefore, looking at these studies
7 and results of these studies, would you not
8 agree that there is a potential for the
9 leaching of toxic constituents from fly ash
10 into the aquifers of our farms?

11 MR. NEEDLEMAN: I'm going to
12 object to the question. It mischaracterizes
13 the situation. Mr. Palmer pointed to studies
14 of leaching of coal ash, open piles, and then
15 said that's what we intend to do in this
16 trench, which is not what we intend to do.
17 It's bound up in the material. It's completely
18 different.

19 MR. PALMER: The similarity is
20 that we are using coal ash in an unconsolidated
21 manner and depositing it into soil where it
22 will be available to leaching by water passing
23 through it, which is exactly as the situation
24 that was studied in some of these studies --

1 CHAIRMAN HONIGBERG: This is
2 your testimony, Mr. Palmer, regarding
3 environmental issues.

4 MR. PALMER: Yes.

5 CHAIRMAN HONIGBERG: You're not
6 under oath right now. Your job right now is to
7 ask this panel questions about its areas of
8 responsibility on this project.

9 MR. PALMER: Okay. I'm sorry.

10 BY MR. PALMER:

11 Q. Are you willing to assume that these studies
12 do exist and that they do show there has been
13 leaching to groundwater from coal fly ash?

14 A. (Bowes) So, without reviewing the studies and
15 the basis for the circumstances of the study,
16 they all appear to be power plants, as you
17 flip through them quickly. If I have a
18 chance to review them, I might have a more
19 credible answer to provide. But it seems
20 like we're talking about apples and oranges
21 in these cases.

22 A. (Johnson) If I may add, Mr. Palmer. Coal ash
23 in itself is the bottom ash, where fly ash is
24 what goes up the stack. So there's a

1 fundamental difference between the two types
2 of ashes that you're speaking about here.

3 Q. The difference being the size of the grain.
4 Fly ash is what's captured in the exhaust.
5 Other ash is what falls to the bottom during
6 burning. Chemical constituents are very
7 similar. Physical descriptions are
8 different.

9 In any case, these studies did look at
10 the storage of fly ash because fly ash is one
11 of the largest waste materials. It's the
12 second largest waste material in the country.
13 Certainly there's been plenty of studies of
14 leaching constituents from them. I'm going
15 to move on. I'm going to get away from the
16 question of fly ash.

17 Yesterday it seemed as if some of the
18 questioning revealed the fact that a lot of
19 the information, a lot of the description of
20 the project that you intend to build in the
21 underground portion has still not really been
22 resolved. We don't know -- there's a lot we
23 still don't know.

24 A. (Bowes) So I would say that we filed a

1 complete Application, a complete set of maps
2 and drawings with the DOT. They have issued
3 a set of conditions of approval, and we're
4 going through those conditions of approval in
5 making, I would say, a small amount of
6 changes based upon those conditions.

7 Q. For example, you mentioned that you don't
8 know whether or where there's going to be any
9 blasting.

10 A. (Bowes) So we have said, I think many times
11 the topic on blasting, we've identified two
12 substation locations where blasting will be
13 needed. The geotech on the underground route
14 has not identified any locations at this
15 point, and we have yet to perform the geotech
16 on the right-of-way for foundations for the
17 overhead. However, the overhead lines, we
18 have several ongoing projects in New
19 Hampshire right now. None of the overhead
20 lines are requiring blasting.

21 Q. You said yesterday that blasting plans would
22 be developed during construction and preblast
23 surveys would be carried out; is that right?

24 A. (Bowes) So in Mr. Kayser's testimony, his

1 prefiled, he goes into great detail about the
2 process we would use for getting approval of
3 a blasting plan.

4 Q. You've asked for many variances for
5 construction in the underground route, and
6 you have yet to hear from DOT whether or not
7 those variances are going to be granted.

8 A. (Bowes) That's my understanding, yes.

9 Q. So at least in the question of those
10 variances, we don't know yet what the Project
11 is going to look like; is that right? We
12 don't know what the final resolution is going
13 to be of those variances or how the Project
14 is going to be built in those areas.

15 A. (Bowes) So I would say that there is a list
16 of variances that have been requested. I
17 think it's relatively minor compared to the
18 60 miles of underground. And the plans as
19 provided still provide an accurate depiction
20 of what we intend to build. There may be
21 variations as we negotiate and discuss with
22 the DOT, and as we talked yesterday,
23 potentially even the DES, what the final
24 outcome of those limited number of variances

1 would be.

2 Q. You are not able to say right now whether or
3 not there are going to be trees cut along the
4 route; is that right?

5 A. (Bowes) So, there'll clearly be tree clearing
6 along the overhead portions of the Project --

7 Q. No, I mean -- I'm sorry. I'm asking
8 specifically about the underground portion of
9 the route.

10 A. (Bowes) So, based upon the variances that we
11 have asked the DOT for, there likely could be
12 some tree clearing, based upon their
13 requirements for us to move the splice
14 enclosures, as well as the trench to the side
15 of their road right-of-way.

16 Q. Do you recall during the discovery phase I
17 asked this very panel whether there would be
18 any tree cutting, and I was assured that
19 there would be no tree cutting?

20 A. (Bowes) Based upon the design at that time,
21 that was an accurate statement. Since that
22 time we've got conditions for approval from
23 the DOT that may change that.

24 Q. So my question is: Even at this stage,

1 within months of the final decision by the
2 SEC, we still don't know something as basic
3 as whether or not you're going to be cutting
4 trees along the route and in our yards; is
5 that correct?

6 A. (Bowes) So I think there's a limited number
7 of locations where there may be tree
8 clearing. And I say "may" because we don't
9 have a final determination for the variances
10 or exceptions we've requested from the DOT.

11 Q. All right. So, even though you're putting it
12 in technical terms, basically what you're
13 saying is that there are a lot of locations
14 where we don't know yet what the Project --
15 how the Project is going to be built.

16 A. (Bowes) Those are your words, not mine.

17 Q. No. Your words are that we still have to
18 wait to see what happens with the variances,
19 but the variances will determine how the
20 Project will be built.

21 A. (Bowes) In those limited number of locations,
22 yes.

23 Q. Okay. So, then we are -- would you agree
24 that we're going into --- we're approaching

1 the final decision point for the SEC process
2 without complete knowledge of how the Project
3 is going to be built?

4 A. (Bowes) I don't think I would characterize it
5 that way. I think there is a limited number
6 of locations that the final design will be
7 determined, most likely after a certificate
8 is issued, where the Project will have some
9 minor changes based upon DOT and DES
10 negotiations.

11 Q. Our concern as abutters to the Project is
12 that what you are actually doing is
13 attempting to get a permit which provides you
14 a blank slate. The permitting process is
15 supposed to describe a priority before the
16 permit is granted exactly how the Project is
17 going to be carried out. Once the permit is
18 granted, then those conditions are to be
19 enforced, and yet what we seem to be doing is
20 a process in which we are trying to have a
21 permit granted before we even know how the
22 Project is going to be designed and how it's
23 going to be built --

24 MR. NEEDLEMAN: Objection.

1 Q. -- which would give you complete freedom to
2 do whatever you wish once you've got the
3 permit. That's our concern. There will be
4 no clear description in the permit of what
5 you will be doing and that you will have too
6 much latitude to do whatever you want once
7 you get out there on the construction site.

8 CHAIRMAN HONIGBERG: All right.
9 Mr. Needleman.

10 MR. NEEDLEMAN: First of all, I
11 think Mr. Palmer is testifying. Second of all,
12 we have already been through this multiple
13 times, in terms of "having too much latitude."
14 And I think the panel has testified multiple
15 times that the permits are going to specify
16 precisely what they're going to be required to
17 do based on the conditions from the agencies.

18 BY MR. PALMER:

19 Q. All right. Let me ask this: If the
20 variances have not been resolved by the time
21 of the permitting, when the permit is
22 granted, how will we specify exactly how the
23 Project going is to be built in the permit?

24 A. (Bowes) It would be delegated to the DOT to

1 resolve any outstanding issues, or the DES,
2 or any of the other state agencies. That's a
3 very common process.

4 Q. It's a very common process, you say. And yet
5 it seems the idea of a permitting process,
6 which is supposed to describe a priority
7 before the permit is granted, what the
8 Project is going to be done -- what's going
9 to be done under the Project. It seems to
10 me, and let me know if you agree with this,
11 what you are seeking is a permit which
12 provides you a blank slate to do once you
13 wish once construction is started.

14 MR. NEEDLEMAN: Objection. It's
15 been asked and answered.

16 MR. PALMER: I'm sorry?

17 CHAIRMAN HONIGBERG: The
18 objection was that they've already answered
19 that question. They can answer again.

20 A. (Bowes) I don't agree with your -- with the
21 premise of the question.

22 MR. PALMER: All right. I have
23 no further questions.

24 CHAIRMAN HONIGBERG: Is Ms.

1 Meyers here, Mr. Palmer?

2 MR. PALMER: No. I'm sorry,
3 she's not.

4 CHAIRMAN HONIGBERG: Next up is
5 the Ashland to Concord Abutters, Mr. Judge, and
6 then also Ms. Lee and Mr. Kucman, not together.
7 I think Mr. Judge is going to go first.

8 MR. JUDGE: That's correct.

9 CHAIRMAN HONIGBERG: Mr. Judge,
10 you may proceed.

11 MR. JUDGE: Thank you. Can you
12 hear me all right?

13 CROSS-EXAMINATION

14 BY MR. JUDGE:

15 Q. Hi, my name is Steven Judge, and I represent
16 McKenna's Purchase. I'm joined today by
17 Michelle Kleindienst, who is the office --
18 the property manager. I have reviewed all
19 four previous days of your testimony, and I
20 was able to enjoy all day yesterday, so I'm
21 not going to be asking questions about things
22 that you've already testified about, except
23 to the extent that I want to clear some
24 things up.

1 I want to thank all those who've gone
2 before me -- sounds like a Memorial Day
3 speech -- because you've made my job much
4 easier, especially Danielle, City of Concord.
5 Way to go.

6 As I said, my main focus is going to be
7 McKenna's Purchase. I just want to make sure
8 I have a sense of you.

9 So, Mr. Bowes, I understand you're an
10 Eversource vice-president. You've made some
11 commitments during your testimony. You have
12 the authority to do that; is that correct?

13 A. (Bowes) I would say, yes, that's correct.

14 Q. And Mr. Johnson, you're a senior for Burns,
15 and you've made some commitments. And you
16 have the authority to do that?

17 A. (Johnson) So I have the authority to follow
18 up on commitments on behalf of the Project.
19 Mr. Bowes is the -- would be the person who
20 would make ascertations.

21 Q. Maybe I can make a distinction that the
22 commitments I think you were making were for
23 design issues: Yes, we can move this a
24 little better. This should be moved over

1 there, or this isn't exactly correct and
2 we'll fix it. That's what I'm talking about.

3 A. (Johnson) That's correct. Yes.

4 Q. Ms. Farrington, you work for PAR?

5 A. (Farrington) Actually work for Louis Berger,
6 but I am under contract with PAR to create
7 the traffic control plans and the
8 Transportation Management Plan.

9 Q. Okay. Let's just spend a minute talking
10 about -- and it's clearly PAR is the one
11 who's the general contractor here, because at
12 one point it was Quanta. But it's PAR; is
13 that right?

14 A. (Bowes) So, PAR actually holds the contract.
15 Quanta is the holding company that owns PAR.

16 Q. Quanta is in Texas?

17 A. (Bowes) I believe they have their
18 headquarters in Texas. I believe we
19 established that in previous days of
20 testimony.

21 MR. JUDGE: If you could put on
22 this screen, please.

23 (Pause in proceedings)

24 MR. JUDGE: I'm sure it's

1 something I'm doing or not doing.

2 (Document shown on screen.)

3 BY MR. JUDGE:

4 Q. This is testimony from May 3rd in the
5 afternoon, Page 41. Can you see the
6 testimony?

7 MS. MONROE: No, it's not up.

8 MR. JUDGE: No?

9 CHAIRMAN HONIGBERG: Let's go
10 off the record for a minute and sort it out.

11 (Pause in proceedings)

12 CHAIRMAN HONIGBERG: Mr. Judge,
13 you may proceed.

14 BY MR. JUDGE:

15 Q. Can you see the testimony there?

16 A. (Bowes) Yes.

17 Q. This is from May 3rd, P.M., Page 41. The
18 question was asked by Mr. Thompson. As you
19 can see there, it says, "You mentioned PAR.
20 Are they involved in any of these projects?"

21 And Mr. Bowes, that's your answer. I
22 want to be careful and go through your answer
23 and ask you some questions about it.

24 Can we establish, first of all, that

1 when you said in response to, "Are they
2 involved in any of these projects?" you said,
3 "Yes, they are," that the "they" you're
4 referring to is PAR?

5 A. (Bowes) I would say yes. But there's two
6 other companies, I believe, further in that
7 response. I think one is JCR and one is
8 Seaward. Seaward may have been totally
9 absolved or consumed within PAR. I'm not
10 sure if JCR has been. But those are the
11 three companies involved. They're all owned
12 by PAR.

13 Q. And you hit exactly on the point I was going
14 to make, and that is where you say "they,"
15 PAR, "and predecessor companies have for...
16 more than the 32 years I've worked at the
17 company," constructed and maintained
18 transmission structures. In fact, PAR has
19 not worked for the company for 32 years; is
20 that correct?

21 A. (Bowes) I would say that is definitely
22 correct, or at least to my knowledge. The
23 first work I'd done with PAR I think was in
24 the mid-2000s. Seaward, though, was the

1 predecessor company, and that's the company
2 in New Hampshire that's provided transmission
3 construction and maintenance services for the
4 32 years I've been in the company.

5 Q. And in the next sentence, when you say
6 they've managed all the construction and
7 maintenance activities in the transmission
8 network for more than 30 years, that's not
9 PAR.

10 A. (Bowes) Seaward, who's now owned by PAR.

11 Q. The question was -- you mentioned PAR. Are
12 they involved in any of these projects? Does
13 this answer contain Seaward or JCR anywhere?

14 A. (Bowes) It does not. But I think by
15 implication I meant to include those when I
16 said the "predecessor companies." It's
17 really the same as Eversource, Northeast
18 Utilities and Public Service of New
19 Hampshire. Public Service of New Hampshire
20 has been the local distribution company here
21 for a hundred years. They were purchased by
22 Northeast Utilities in the '90s, and then we
23 changed our name in 2015 to Eversource.

24 Q. But you would agree with me that PAR is not a

1 New Hampshire-based company; isn't that
2 correct?

3 A. (Bowes) I believe they own one or more New
4 Hampshire-based companies, but they are not.

5 Q. Right. If you go to their web site, they say
6 they're based in Kansas City, Missouri. Do
7 you know that?

8 A. (Bowes) I'll accept that, yes.

9 Q. So you wouldn't want the Committee to look at
10 this answer and come to the conclusion that
11 the contractor you're working with is a New
12 Hampshire-based company, because they're not.

13 A. (Bowes) They own New Hampshire-based
14 companies that do our routine construction,
15 line maintenance.

16 Q. So they are not a New Hampshire-based
17 company. When they were hired to do this,
18 they were not a New Hampshire-based company.

19 A. (Bowes) So, again, the analogy I just gave,
20 you could say Eversource is not a New
21 Hampshire-based company. We're a
22 Massachusetts-based company, but we own a New
23 Hampshire-based company called Public Service
24 New Hampshire. I don't think there's any

1 dispute that Public Service New Hampshire is
2 a New Hampshire-based company.

3 Q. Do you remember my question?

4 A. (Bowes) Not specifically. I guess maybe I
5 misunderstood.

6 Q. PAR is not a New Hampshire-based company. It
7 was not a New Hampshire-based company when it
8 got the contract. Isn't that true?

9 A. (Bowes) I believe you just established that
10 they're from Kansas City is their
11 headquarters.

12 Q. Okay. So you wouldn't want the Site
13 Evaluation Committee to look at this answer
14 and think that PAR was a New Hampshire-based
15 company; right?

16 A. (Bowes) I don't think I ever said that they
17 are. If you read the statement here, they
18 own two New Hampshire affiliates today. It's
19 very clear in my response what I said.

20 Q. All right, all right. We'll move on. Let's
21 talk about the property purchases for a
22 moment.

23 Yesterday I believe you testified that
24 Renewable Properties is an Eversource

1 subsidiary; is that correct?

2 A. (Bowes) Yes.

3 Q. And properties were purchased by Renewable
4 Properties in 2015.

5 A. (Bowes) Yes.

6 Q. And the Eversource subsidiary, Renewable
7 Properties, relied on a Quanta recommendation
8 to hire a person or to use a person to
9 purchase those properties; is that correct?

10 A. (Bowes) Yes.

11 Q. You used the Quanta reference to help
12 purchase the properties before the award of
13 the contract in January of 2016; isn't that
14 correct?

15 A. (Bowes) Yes, that timing sounds correct.

16 Q. Let's go off for a moment. When you
17 testified earlier, you said there was a
18 project team that made the decisions about
19 purchasing these properties. Is that no
20 longer true?

21 A. (Bowes) No, that's still true.

22 Q. What's the relationship between the project
23 team and Renewable Properties?

24 A. (Bowes) So, Renewable Properties is an

1 affiliate that was created to purchase
2 property for Northern Pass and for other uses
3 in New Hampshire.

4 Q. Okay. That's who Renewable Properties is.
5 What's the relationship between the project
6 team and Renewable Properties?

7 A. (Bowes) They worked hand-in-hand to acquire
8 easements and properties for Northern Pass.
9 "Project team" I'm saying is Northern Pass.

10 Q. The project team is Northern Pass. Okay.
11 Who's on the Project Team?

12 A. (Bowes) So we went through that in some
13 detail yesterday. Mr. Quinlan's responsible
14 for the overall project; Mr. Fortier is the
15 Project Director, responsible for siting and
16 permitting --

17 Q. I'm sorry. I'm talking about the project
18 team. Maybe I'm confused. I thought there
19 was a specific project team tasked on
20 purchasing properties, and that's who was
21 making this decision. You're talking about
22 the overall project team.

23 A. (Bowes) Yes, I am.

24 Q. So is there a specific project team that's

1 related to purchasing properties?

2 A. (Bowes) I'm sure it still follows up to Jerry
3 Fortier. But yes, we have real estate
4 professionals that work on the project team,
5 and we have a legal team that works on
6 purchasing properties.

7 Q. And those people work with Renewable
8 Properties in the Quanta reference; right?

9 A. (Bowes) I believe they did, yes.

10 Q. McKenna's Purchase. Where is McKenna's
11 Purchase?

12 A. (Bowes) It's in Concord, New Hampshire.

13 Q. What is it?

14 A. (Bowes) My understanding is it's a
15 condominium association located next to one
16 of our rights-of-way.

17 Q. Has anyone on the panel been there?

18 A. (Bowes) Yes. I have.

19 Q. How many units are there?

20 A. (Bowes) I would estimate probably in the 40
21 to 50 range.

22 Q. Let me suggest to you it's 148. Do you
23 accept that, subject to check?

24 A. (Bowes) Yes, I would.

1 Q. Would you agree with me that the greatest
2 density of people next to the path of the
3 Project is in McKenna's Purchase, with 148
4 units?

5 A. (Bowes) I haven't done the analysis, but I'll
6 accept that.

7 Q. When you were on McKenna's Purchase property,
8 is that where you were? Were you in the
9 right-of-way, or were you on the McKenna's
10 Purchase property?

11 A. (Bowes) Both.

12 Q. What did you see in terms of the buildings?

13 A. (Bowes) I saw two-story, multi-unit
14 condominiums on several cul-de-sacs, some
15 close to the right-of-way, some not as close
16 to the right-of-way, or some abut the
17 right-of-way. And then there's a road that
18 leads onto the right-of-way where there's
19 people storing some materials and equipment.

20 Q. McKenna's Purchase brand is that it is a
21 "quiet, private setting." Was it a quiet,
22 private setting when you were there?

23 A. (Bowes) Yes.

24 Q. Impact on traffic. Ms. Farrington, I believe

1 you've testified -- and I don't mean to
2 belabor this, but you have not completed the
3 Traffic Management Plan.

4 A. (Farrington) That is correct.

5 Q. And you don't intend to complete one until
6 after the SEC has acted.

7 A. (Farrington) It won't be finalized until
8 after the SEC has acted. But we have begun
9 it, and we will continue to work on it in the
10 months to come.

11 Q. So we won't have a final plan.

12 A. (Farrington) Correct.

13 Q. And in terms of foundations, kind of going
14 through the -- Mr. Pappas kind of divided
15 these things up into different categories.

16 As I understand it, in order to
17 determine the type of foundation, you have to
18 do some soil sampling. And that soil
19 sampling hasn't been done yet, so you can't
20 really say exactly what kind of foundation
21 you're going to use for each of these
22 structures. Am I right about that?

23 A. (Bradstreet) The geotech sampling has not
24 occurred yet, so the final foundation design

1 has not been completed.

2 Q. We talked about road design. Particularly
3 yesterday, one of the questions was from Mr.
4 Oldenburg, if I'm pronouncing his name
5 correctly. What is the vehicle that you were
6 using to design the roads? And I believe,
7 Mr. Bowes, you testified that it was the
8 cranes. Do I have that correct?

9 A. (Bowes) I think Mr. Kayser actually made that
10 statement, and I would agree with it.

11 Q. Okay.

12 A. (Bowes) The limiting factor, or the largest
13 piece of equipment for the right-of-way would
14 be a crane.

15 Q. And this is one of those moments of synergy.
16 I ran a 50-ton rotating crane once upon a
17 time. In the testimony that I reviewed,
18 there was a discussion about over-the-road
19 cranes, a crane that can transport itself as
20 opposed to a crane that had to be built on
21 the spot. Do you remember that conversation?

22 A. (Bradstreet) Yes. I believe that was me,
23 yes.

24 Q. And I want to double-check on that. The

1 50-ton rotating crane that I operated was on
2 a Navy warship, and it got around because the
3 ship got around.

4 Are you literally talking about a crane
5 that's going to drive on the road, or are you
6 talking about a crane that's going to be on
7 the back of the flatbed and is going to be
8 taken to a spot?

9 A. (Bradstreet) I believe the majority of this
10 work would involve rubber tire crane.

11 Q. So they're going to drive the length of New
12 Hampshire to get to wherever they need to be.

13 A. (Bradstreet) Correct.

14 Q. You discussed the structures going over 393
15 with Attorney Pacik. Do you remember that
16 conversation?

17 A. (Bowes) Yes.

18 Q. The plan submitted to the SEC involves
19 structures that are 105 and 115 feet tall for
20 that particular area. Can we agree on that?

21 A. (Bowes) I believe that's accurate, yes.

22 Q. Those plans you submitted to the Department
23 of Transportation are structures with a
24 height of 165 feet. I see heads nodding. Is

1 that correct?

2 A. (Bowes) Approximately, yes.

3 Q. Approximately is fine. That would be the
4 tallest structures proposed for the project?

5 A. (Bradstreet) Yes.

6 Q. And you have not submitted any documents to
7 the SEC regarding the 165-foot-tall
8 structures; is that correct?

9 A. (Bowes) I would say that's accurate. It's
10 not part of our SEC Application.

11 MR. JUDGE: Mr. Chairman, I
12 would move admission of that DOT report, and
13 I'll make it available in the way that the
14 Committee wants it done. And I'm mindful of
15 Mr. Oldenburg feeling that he was sequestered,
16 but it seems to me that's a document the SEC
17 should have.

18 CHAIRMAN HONIGBERG: Has it been
19 marked and submitted somewhere? I mean, as a
20 state entity, we can probably take
21 administrative notice of the existence of a
22 report filed somewhere else.

23 MR. JUDGE: That makes perfect
24 sense. It was a report submitted to the DOT.

1 What I'm suggesting is, rather than have you
2 search for it, we can identify it and provide
3 it to you. But it's up to you.

4 MR. IACOPINO: Has it already
5 been provided to us by one of the parties?

6 MR. JUDGE: I don't believe so.
7 No one's provided it to the SEC. That was the
8 testimony a couple days ago.

9 MR. IACOPINO: And this is a
10 report from the Applicant or one of its
11 contractors to the DOT?

12 MR. JUDGE: That's correct.

13 MR. IACOPINO: Do we know what
14 date that is so we can at least identify it
15 somehow?

16 MR. NEEDLEMAN: Maybe Mr.
17 Johnson could clarify. I think he knows.

18 CHAIRMAN HONIGBERG: Mr.
19 Johnson.

20 MR. JOHNSON: So this was, I
21 believe, three 11-by-17 maps created at the
22 request of the DOT to explore opportunities for
23 getting away from the bridge abutments.
24 There's no report. There's no -- any other

1 documentation around it. It's three 11-by-17
2 maps.

3 MR. NEEDLEMAN: And I think they
4 were provided to Ms. Pacik, if I recall
5 correctly.

6 MR. JOHNSON: That is correct.

7 MR. JUDGE: Then it will be easy
8 to provide them to the Committee.

9 MR. IACOPINO: Why don't you get
10 your hands on them and we'll mark them. Thank
11 you.

12 MR. JUDGE: Thank you.

13 BY MR. JUDGE:

14 Q. Part of the process is going to be removing
15 the right-of-way access, restoring
16 vegetation; is that correct?

17 A. (Bowes) So, clearly removing right-of-way
18 access. Vegetation, I think we're looking at
19 developing a screening plan with abutters.
20 So I'm not sure we're just going to replace
21 all the vegetation that was already in the
22 right-of-way. But in general, I think you're
23 accurate.

24 Q. And having in mind where McKenna's Purchase

1 is, and the fact that you've been there, will
2 the Project destroy habitat for the Karner
3 blue butterfly?

4 A. (Bowes) I think we're just hesitating because
5 we don't typically identify the habitat of
6 the Karner blue butterfly in public, so...

7 A. (Johnson) Yeah, I mean, that's a confidential
8 piece of information. I'm sure half the
9 people in here have signed the
10 confidentiality statement. I will add that
11 we are aware of where the Karner blue
12 butterfly habitat is, and we have a
13 mitigation plan that has been submitted to
14 the DES and accepted, I believe, as to the --
15 if we do as part of the Project damage some
16 of that habitat, then it will be replaced in
17 kind as part of the process. Again, the
18 environmental team is the one that will have
19 all the information regarding that.

20 Q. Thanks. I didn't mean to go into anything
21 confidential. My kids went to school in
22 Concord. The school kids in Concord planted
23 lupine in that area. It's not particularly
24 secret as far as Concord is concerned.

1 But moving along, my sense of the
2 testimony that I have read and what I was
3 listening to is that this group is willing to
4 consider suggestions. Is that fair?

5 A. (Bowes) Yes.

6 Q. Attorney Pacik made a suggestion that you
7 contact Alton Woods to seek a right-of-way to
8 lessen the height of the 393 structures. Has
9 anyone acted on that?

10 A. (Bowes) So I know Derek's done some analysis
11 around what could be done at that location.
12 Maybe he can speak to that.

13 A. (Bradstreet) I guess if we had a map it might
14 be easier to discuss. But in general,
15 looking at the --

16 Q. Excuse me. My question is: Has anyone
17 contacted Alton Woods to talk about it?

18 A. (Bradstreet) I haven't had specific
19 conversations with the owners of the
20 property, no.

21 MR. JUDGE: Is that exhibit up
22 now? This is JT Muni 193. It's exactly
23 Page 93 of that exhibit. It's Sheet 162 from
24 February 26, 2016, and Attachment 2.

1 BY MR. JUDGE:

2 Q. Can you see that exhibit?

3 A. (Bowes) Yes.

4 Q. Can you see it well enough, or are you
5 familiar enough with it so that we can
6 establish that of these four categories --
7 S1-6 does not apply to an appurtenance, so we
8 don't need to talk about it.

9 MR. JUDGE: Is it large enough
10 for you to see, Mr. Chairman?

11 A. (Bowes) So on the north part of the
12 right-of-way adjacent to McKenna's Purchase
13 there is a distribution line and a couple
14 poles.

15 Q. From my looking at the list on the left and
16 of all of the towers, none of the towers that
17 are in S1-6 [sic] are in the right-of-way for
18 McKenna's Purchase. I could be wrong about
19 that.

20 A. (Bradstreet) You're correct. S1-6 is
21 generally north of the angle point of the
22 right-of-way on the north side of -- the name
23 of the road's not coming to me. But it's
24 north of McKenna's Purchase.

1 Q. So we just need to talk about S1-7, S1-8 and
2 S1-7T.

3 My first question is on S1-8. Why isn't
4 the existing structure shown?

5 A. (Bradstreet) So the biggest reason why we
6 aren't talking about the existing -- you're
7 talking about the existing distribution line
8 or the existing structures, period?

9 Q. The existing structures, period.

10 A. (Bradstreet) So we created this. And I guess
11 the biggest reason is it got a little hard to
12 see what was going on.

13 Q. Well, if I look at the one, SI-7, you can see
14 existing structures in the background there.
15 SI-7T, you can see existing structures. But
16 that's your answer, that it would be
17 confusing?

18 A. (Bradstreet) So I think the fact that the
19 berm is shown on this drawing is the biggest
20 reason why it's not shown. There's an actual
21 proposed change to the service conditions, I
22 guess.

23 Q. Looking at SI-8, the distance between the
24 structure and the edge of the right-of-way is

1 75 feet; is that correct?

2 A. (Bradstreet) To the relocated 115 line,
3 that's correct.

4 MR. IACOPINO: We lost the
5 exhibit.

6 (Pause in proceedings)

7 BY MR. JUDGE:

8 Q. So P145-92, if you look on the list to the
9 left -- let me know if you can see it or
10 not -- is 88 feet tall --

11 A. (Bradstreet) Correct.

12 Q. -- and 75 feet from the edge of the
13 right-of-way.

14 A. (Bradstreet) That's right.

15 Q. This is also Sheet 162 as part of the Muni
16 Exhibit 193, an aerial attachment in
17 Attachment 2. If we look at P145-92, we sort
18 of have yellow -- strike all that.

19 You see where Loudon Road is, or Route 9
20 on the left of this exhibit?

21 A. (Bradstreet) Yes.

22 Q. And to the right of that are two pink dots,
23 purple dots. And those dots signify
24 businesses; is that correct?

1 A. (Bradstreet) That's right.

2 Q. Happens to be Joseph A. Banks and Starbucks,
3 just for the record. And then we have the
4 property line for McKenna's Purchase; is that
5 correct?

6 A. (Bradstreet) Yeah. Directly right of the two
7 pink dots, is that what you're --

8 Q. That's correct?

9 A. (Bradstreet) Yes.

10 Q. All of the yellow circles signify units that
11 belong to McKenna's Purchase.

12 A. (Bradstreet) I believe that's correct, yes.

13 Q. Can you tell me what the white dotted line
14 is?

15 A. (Bradstreet) If you could zoom out, I'm sure
16 the legend would tell us, but... so it looks
17 like that's the extent of estimated features.

18 Q. The extent of estimated features. What does
19 that mean?

20 A. (Bradstreet) Personally, I do not know.

21 Q. Well, the extent of estimated features
22 includes a number of units in McKenna's
23 Purchase.

24 A. (Bradstreet) I believe it's a buffer that's

1 used to do analysis for various calculations
2 that were included in the Application.

3 Q. Will you, Mr. Bowes and Mr. Johnson, commit
4 to me that there will be no construction
5 between the white dotted line and the edge of
6 the right-of-way?

7 A. (Johnson) Absolutely.

8 Q. No activity at all?

9 A. (Johnson) None.

10 A. (Bowes) I would agree.

11 Q. Thank you.

12 So, going back to P145-92, we're now in
13 the last scoop of the yellow structures for
14 McKenna's Purchase. Trying to see if there's
15 a better way. It's green -- P145-92, does
16 the panel know have that is? I see heads
17 nodding.

18 A. (Johnson) Yes.

19 MR. JUDGE: As to the Committee,
20 do you see where I'm talking about? Thank you.

21 BY MR. JUDGE:

22 Q. And that is related to the green, same
23 colored green square that's immediately above
24 it.

1 A. (Bradstreet) Correct.

2 Q. So we've established that square is 88 feet
3 tall; is that correct?

4 A. (Bradstreet) Yes.

5 Q. And the edge of the right-of-way is 75 feet
6 away; is that correct?

7 A. (Bradstreet) That should be correct, yes.

8 Q. And I know we had conversations about
9 structures falling and hypothetical tornadoes
10 and ice storms and conductors and lines. But
11 it's possible that that tower, if it fell,
12 would land on a structure in McKenna's
13 Purchase; is that correct?

14 A. (Bradstreet) I can't see the physical outline
15 of a building.

16 Q. It's the yellow dot.

17 A. (Bowes) We can measure it. Hold on just a
18 second.

19 (Pause in proceedings)

20 A. (Bowes) So the closest location is 140 feet
21 away.

22 Q. So we've got about 20 feet, give or take,
23 between a 88-foot tower and 120 -- 140 feet.
24 It's in the neighborhood.

1 A. (Johnson) It's about 50 feet, yeah.

2 Q. Let's talk about C189-51. Let me see if I
3 can orient you. If you know where Home Depot
4 is, kind of the upper edge of this, Shaw's is
5 to the left. Just see the beginning of Home
6 Depot. Does the panel see where I'm talking
7 about? C189-51.

8 A. (Bowes) Yes.

9 MR. JUDGE: Committee, do you
10 see where I'm talking about?

11 BY MR. JUDGE:

12 Q. It appears from this drawing that that is
13 right on the property line for McKenna's
14 Purchase. Do you see the property line comes
15 straight from above and then takes a
16 right-hand turn? Can I have a commitment
17 from this panel to move that structure off
18 McKenna's Purchase property?

19 A. (Bowes) Our plans already show it off
20 McKenna's Purchase.

21 Q. So is this plan not -- is it just not showing
22 up?

23 A. (Bowes) No, I was mistaken. It is on, just
24 over the line.

1 Q. Can you move it off the property?

2 A. (Bradstreet) We can evaluate the impact, if
3 any. And if there is no impact, I think we
4 could.

5 A. (Bowes) Appears to be about 5 feet in
6 distance. It would be -- so we'd have to
7 get -- we'd have to have a discussion with
8 the other landowner. But we'll certainly
9 consider that.

10 Q. And I'm looking for a commitment and not
11 getting one.

12 A. (Bowes) Well, I think we want to talk with
13 the other landowner first.

14 Q. I hear you. I'm just making a distinction
15 that you have made commitments about some
16 things and you're not making a commitment
17 about this.

18 A. (Bowes) That is correct.

19 Q. Mr. Bowes, you've testified that you have
20 been out on the right-of-way there and you
21 have a sense of the clearing that's going on.
22 You couldn't specifically identify which
23 trees, but you understand the general
24 clearing; is that correct?

1 A. (Bowes) Yes.

2 Q. And so, again, I would ask for a plan that
3 specifically shows exactly what is going to
4 be cleared and when it's going to be cleared.

5 Do you know what the height is of the
6 existing trees?

7 A. (Bowes) I would say 60, 80 feet, probably.

8 Q. And all of the towers are taller than that?

9 A. (Bowes) Except for the distribution line,
10 yes.

11 Q. Yes, you're correct.

12 This is Exhibit 308. It's part of the
13 Municipal Exhibit 193. And I believe the
14 blue circle was added by the City, but I
15 don't have questions about that. This is
16 showing, as I understand it -- the red is
17 access roads; is that correct?

18 A. (Bradstreet) That's correct, yes.

19 Q. And there's no access road coming from the
20 Loudon Avenue -- the Route 9 side of this
21 access road is from Pembroke Road. Am I
22 correct about that?

23 A. (Bradstreet) Correct.

24 Q. And the yellow structures are crane pads?

1 What are they?

2 A. (Bradstreet) Yeah, those are the work pads.

3 Q. Is there a distinction between a work pad and
4 a crane pad?

5 A. (Bradstreet) So the work pad itself can be
6 used as a crane pad. It's also proposed to
7 be used as a staging area, as we've discussed
8 previously.

9 Q. And the orange ones are temporary pads?

10 A. (Bradstreet) You're going to have to clarify
11 the orange. There's a lot going on here.

12 Q. All right. So you see the blue circle?

13 A. (Bradstreet) Yes.

14 Q. Right outside of the blue circle where I have
15 the cursor, if you can see that right now --

16 A. (Bradstreet) Right.

17 Q. -- that's whatever color you want to call it.

18 A. (Bradstreet) It's just another work pad.
19 It's the same as the others.

20 Q. Down here it says "temporary construction
21 pad."

22 A. (Bradstreet) Right. If you scroll back up,
23 all of those have orange around. They're all
24 temporary work pads.

1 Q. And my question is: Why are so many
2 temporary work pads on the McKenna's Purchase
3 side of the right-of-way?

4 A. (Bradstreet) Because we have to remove that
5 existing distribution line.

6 Q. So that's where the existing poles are?

7 A. (Bradstreet) Like where you had your mouse
8 earlier on that little orange square that's
9 to the right of the blue circle, that's a
10 work pad that's going to be used specifically
11 to remove that existing distribution line.

12 Q. All right. Then I won't ask for commitment
13 to move those.

14 A. (Bradstreet) We will.

15 Q. Well, you're going to use them and then
16 you're going to move them.

17 There was testimony at one point that --
18 and we've kind of gone back and forth about
19 this -- and I'm almost done. Famous last
20 words. There's going to be blasting that's
21 going to be used at some points, but you
22 don't know the extent of that because you
23 haven't done the geotech; is that correct?

24 A. (Bowes) For the overhead portion, that's

1 correct. Yes.

2 Q. And can you commit to me that there will be
3 no blasting in McKenna's Purchase
4 right-of-way?

5 A. (Bowes) So what I can commit to is I would
6 say it's highly unlikely that we need to
7 blast there. But until we get the geotech,
8 I'd like to reserve that right.

9 Q. All right. So you don't know.

10 A. (Bowes) It's impossible to tell. But there
11 was no blasting done for the original lines
12 put in here, so I don't think it's going to
13 be necessary.

14 Q. Well, the original lines are not -- don't
15 even compare to the lines you're putting in
16 now, do they?

17 A. (Bradstreet) I would say that they're very
18 similar. The proposed 345 line, although
19 they're larger, the proposed 345 line is
20 going to be using direct embed foundations,
21 which is the same foundation type that's used
22 for what's out there today.

23 Q. How deep will the foundation be?

24 A. (Bowes) Just to be clear, it's just a drilled

1 hole in this case.

2 Q. How deep will the hole be?

3 A. (Bowes) Eight to 10 feet, probably.

4 A. (Bradstreet) Yeah, maybe a little more.

5 Again, it depends on the final geotech.

6 Q. So, all told, how many days will the Project
7 work happen in the McKenna's right-of-way? I
8 understand that there will be days when
9 there's no one there and there'll be days
10 when there'll be more than one crew. But how
11 many days, best opinion, of work will be
12 going on there?

13 A. (Bowes) Sixty days.

14 Q. Sixty days spread out over two construction
15 periods?

16 A. (Bowes) Probably, yes, because we have to do
17 a relocation here. So there might be two
18 work periods at least.

19 Q. And we talked earlier that McKenna's Grant is
20 a quiet and private setting. Do you remember
21 that conversation?

22 A. (Bowes) Yes.

23 Q. And this project is going to involve,
24 briefly: Noise, dirt, digging, blasting,

1 heavy equipment, backup beeping, tree
2 trimming, clearing, taking down structures
3 and wires, erecting structures, adding wires,
4 restoring right-of-way. Is that some of the
5 features of it?

6 A. (Bowes) I would say, yes, you've covered most
7 of them.

8 Q. There is a claims process; is that correct?

9 A. (Bowes) Yes.

10 Q. Based on your expertise, this panel's
11 expertise in construction and traffic
12 management, what amount of compensation would
13 be fair to owners of units at McKenna's for
14 loss of that quiet, private setting?

15 A. (Bowes) We don't have a history of
16 compensating people for construction noise,
17 so it would be zero.

18 Q. There is a claims process for lost property
19 values. Mr. Quinlan testified that that
20 process does not apply to McKenna's; it only
21 applies to single-family homes. Is there any
22 claim process that applies to McKenna's? Let
23 me strike that.

24 Is there any claim process that you're

1 aware of for loss of economic property that
2 applies to McKenna's?

3 A. (Bowes) I'm not aware of one, no.

4 Q. Is there any claim process at all that
5 applies to McKenna's?

6 A. (Bowes) The normal claims process applies to
7 McKenna's Purchase.

8 Q. The normal claims process is loss of
9 business, I understand. So if you damage the
10 property of McKenna's outside the
11 right-of-way, that would be covered?

12 A. (Bowes) Yes.

13 Q. What else?

14 A. (Bowes) I think that's the extent of it.
15 There may be other circumstances. I can't
16 think of any right now.

17 Q. I understand from the testimony that there's
18 no comprehensive schedule yet developed.
19 That's something that PAR is going to do?

20 A. (Bowes) In the process of doing that, yes.

21 Q. And it may be a couple months before we see
22 those plans?

23 A. (Bowes) It's probably a reasonable estimate,
24 yes.

1 Q. The roads are not designed yet?

2 A. (Bowes) Yes.

3 Q. In the contract with PAR, there's an
4 opportunity to true-up after the design is
5 over. That would be after the SEC has made
6 its decision; isn't that correct?

7 A. (Johnson) That only applies to the
8 underground portion of the Project.

9 Q. But nevertheless, is what I said accurate?

10 A. (Johnson) Yes.

11 MR. JUDGE: Two things. Mr.
12 Chairman, first of all, I want to make a legal
13 note for the record. There was some discussion
14 the other day about arguing insufficient
15 evidence and that the Intervenors were allowed
16 to argue that the information that has been
17 provided to the Committee is insufficient for
18 the Committee to make its decision. I just
19 want to make the point that that's fair, but
20 that the Applicant shouldn't be allowed to add
21 any information to that unless we have the
22 chance to cross-examine them on it. So where
23 we are is the Applicant has got a proposition
24 that we know a lot of moving parts are in, that

1 at some point you're going to be asked to make
2 a decision, and in between this hearing process
3 and then there's going to be new information
4 that comes in that we're not, as I understand,
5 going to be able to cross-examine. That may
6 not come out. But if it does, I just want to
7 put that point on the record. Saying we're
8 stuck with the evidence and you can make your
9 argument about the evidence that is presented
10 to the Committee is perfectly legitimate, as
11 long as we have an opportunity to cross-examine
12 about that evidence.

13 CHAIRMAN HONIGBERG: I
14 understand the legal point you've just made. I
15 have a sneaking suspicion others probably agree
16 with you, and some probably don't agree with
17 the nuances. I don't think it's necessary for
18 us to get into it right now.

19 MR. JUDGE: I agree.

20 CHAIRMAN HONIGBERG: I think it
21 would be better for you to finish questioning
22 these witnesses so we can move on.

23 MR. JUDGE: I agree. I just
24 wanted to put it in the record so that it was

1 out there.

2 CHAIRMAN HONIGBERG: Okay.

3 MR. JUDGE: Okay. Good.

4 BY MR. JUDGE:

5 Q. Last thing. This is the revision legend from
6 February 26, 2016, Attachment 2. It's
7 unpaginated, but it's right before Sheet 1.
8 And I want you to tell me if I'm reading the
9 top line correctly. "Northern Pass Project
10 Maps, Preliminary Design." Is that correct?

11 A. (Bradstreet) That's what it says.

12 Q. Not the final design.

13 A. (Bradstreet) It's not issued for construction
14 design. Correct.

15 Q. And if you look at the notes on the left-hand
16 side of the page, tell me if I'm reading this
17 correctly. "Exact structure heights and
18 placement are subject to change based on
19 detailed designs." Did I read that
20 correctly?

21 A. (Bradstreet) That's what the note says.

22 Q. I just want to repeat something that Mr.
23 Oldenburg said yesterday. I think this plan
24 is disconnected from the reality. That's all

1 I have.

2 A. (Bowes) So I'll comment on that. The fact
3 that you asked us to move a structure 5 feet
4 today, if this was an issue for construction
5 final design, we couldn't do that. Now we'll
6 have the opportunity to take your request
7 under consideration and move a structure
8 5 feet.

9 Q. And I would have preferred that you moved the
10 structure before you gave me that plan and
11 that it wasn't on the property. So we can go
12 back and forth about this.

13 CHAIRMAN HONIGBERG: Yeah, and
14 you're not going to. So do you have any other
15 questions, Mr. Judge?

16 MR. JUDGE: I do not.

17 CHAIRMAN HONIGBERG: All right.
18 Ms. Lee, Mr. Kucman.

19 (Discussion off the record.)

20 CHAIRMAN HONIGBERG: All right.
21 Why don't we take a ten-minute break.

22 (Brief recess was taken at 10:21 a.m.,
23 and the hearing resumed at 10:36 a.m.)

24 CHAIRMAN HONIGBERG: You may

1 proceed.

2 CROSS-EXAMINATION

3 BY MS. LEE:

4 Q. Hi, guys. I have a couple of maps. And I
5 realize as I'm sitting here for several days
6 that I don't have the most recent, current
7 maps. And I have a list of questions using
8 the old maps that were available as part of
9 the outreach. And I'm going to go through
10 the maps first, and then I'll do the
11 questions related to the run-through with the
12 maps.

13 I have right now one of the tax maps.
14 And by the way, on the ShareFiles I was
15 looking for any current maps, and I was cut
16 out of using ShareFiles. I don't know if
17 it's because when you're doing the maps
18 they're too large to access, so then I get
19 shut out. And I can't find any current maps
20 using the ShareFiles. So I just want you to
21 be aware that we may be working from
22 incomplete or not current maps.

23 The first one has not changed, as far as
24 I know. This one is a map of Northfield,

1 where I live. And I'm Mary Lee, intervenor
2 from Northfield. This is dated April 1st,
3 2014, and it's on the ShareFiles under the
4 tax maps. My property is 7405 in the center,
5 in the red. The red, I don't know what you
6 call that shape, 48A, it says 6.47 acres.

7 I'll try to --

8 A. (Johnson) We can see it.

9 Q. Can you see it?

10 A. (Johnson) Yes.

11 Q. I'd like you to note that the caption on the
12 note says, "Conservation Zone begins 500 feet
13 West and 500 feet East of Oak Hill Road."

14 And Oak Hill Road is over here where you see
15 Zone R1. Here's my property. And here is
16 that transmission line that's going to go
17 through right at the corner of my property.

18 And I have a granite bound right here. I had
19 it surveyed several years ago. And it's been
20 knocked down by the trim crew of last fall.

21 I went out there and marked it with neon
22 orange tape, the survey tape, around the
23 bush. And the granite bound is sunk, so it's
24 level -- it's following the grade of the

1 soil, very, very sandy, because it leads down
2 to the Merrimack River.

3 Here's the town line with Boscawen, and
4 also you can see the Merrimack right here.
5 And I can actually walk down to the
6 Merrimack.

7 So just to get the lay of the land, I
8 have a granite bound right at the corner
9 right here. I walked it a couple of days
10 ago, on the 25th of May, with Donna Keeley,
11 the community outreach specialist, and an
12 engineer named Ovid Rochon, and we staked it.
13 Now, what we found was it had been knocked
14 down, and all the ribbons were kind of ground
15 up and chewed by those tree-eating machines
16 that they use to clear trim at the power
17 line. And so I asked Donna to make sure that
18 Eversource comes back and helps me put this
19 granite bound back in its little place. And
20 I really didn't understand how they couldn't
21 see it, because the bush was about my height
22 with all these yellow -- I mean neon orange
23 ribbons on it. So I walked out there to put
24 one of those 5-foot tall green metal stakes

1 and also tied ribbons to that, but it was
2 still knocked down, actually.

3 MR. NEEDLEMAN: Mr. Chairman,
4 I'm going to object at this point.

5 CHAIRMAN HONIGBERG: Ms. Lee, is
6 there going to be a question at some point?

7 MS. LEE: Oh, yes.

8 BY MS. LEE:

9 Q. How can I mark these things so that you don't
10 disturb boundary markers in trimming and
11 clearing? And I can't imagine that if a
12 tree-trim crew is going to eat up my markers,
13 what about when you come out and you're going
14 to be building this construction pad right at
15 this corner right here? That's one of the
16 construction pads.

17 I'm going to show you a different map
18 where you have the construction pads, and
19 it's right at that corner.

20 I'm concerned. How do you prevent
21 people's property markers from being knocked
22 down or destroyed or moved?

23 CHAIRMAN HONIGBERG: Okay. So
24 that's a question. Why don't we let them

1 answer that question.

2 BY MS. LEE:

3 Q. How come --

4 CHAIRMAN HONIGBERG: Don't say
5 any more. They've got that question.

6 A. (Bowes) So in this particular case, we'll
7 mark this on our maps, and we'll get this
8 corrected for you as well. We'll replace or
9 reset the granite marker, and we'll identify
10 it on our data base system so that we're at
11 least aware of it in the future. And we'll
12 try to maintain it in the condition that it
13 should be.

14 Q. Okay. So I'm waiting for a response or a
15 result from speaking to Ovid Rochon, the
16 engineer who works for Burns & McDonnell, and
17 also awaiting a response in writing from
18 Donna Keeley. And that was only on May 25th
19 I met with them.

20 A. (Bowes) Well, now I've given them some
21 direction on how we're going to respond.

22 Q. Okay. Thank you.

23 The other concern is, as you look at
24 this map, my note -- well, it's the town's

1 note. It says conservation zone is east and
2 west 500 feet of Oak Hill Road. And if you
3 follow the legend to this, it also gives
4 you -- Note 2 says the groundwater protection
5 district extends from limits shown to the
6 Merrimack River. So if you look at this map,
7 it's a funny little shape. This here, it
8 begins, this long dashed line. You can see
9 my little crosshairs. It says "groundwater,"
10 and then you follow it around and it makes
11 kind of like a hairpin turn and goes onto my
12 property here. And you'll see that I'm well
13 within the Groundwater Protection District,
14 because if you follow this line all the way
15 through, it says here's groundwater and
16 here's... all the way around here. And it
17 says "protection," and then it goes all the
18 way here onto my neighbor's property. And
19 right here is the outline of the Groundwater
20 Protection District. And you can see I'm
21 also in the conservation zone for Northfield.
22 And I know that we just added another piece
23 of conservation zone. Seems like every year
24 at annual town meeting there's only two

1 things we talk about, okay: Conservation and
2 then -- all right. There's always a new
3 truck. And then there's also road work.
4 That's about it. So I know that our district
5 for zoning here is protected. And I only
6 glanced at the ordinances yesterday for our
7 town. I realized they're pretty extensive.
8 And the zoning is pretty strict for
9 groundwater protection. We participate in
10 the Merrimack, the upper Merrimack River --

11 CHAIRMAN HONIGBERG: Miss Lee,
12 what's the question going to be at the end of
13 this?

14 BY MS. LEE:

15 Q. Yes. The question is: Are you aware that we
16 have a conservation zone and also we have a
17 Groundwater Protection District for where
18 this line runs through in Northfield, as far
19 as my property and my neighbor's property?

20 A. (Bowes) We are today, yes.

21 Q. Okay. Thank you so much.

22 The other thing I have a concern about
23 is if you look at the access, as I was coming
24 to my road today, there are huge puddles

1 because we had a hail storm yesterday. And
2 Fiddler's Choice Road -- if you look at it
3 here, it says Fiddler's Choice Road. This is
4 how I access from Oak Hill Road right here.
5 And how you get to Oak Hill Road would be...
6 actually, I take the shortcut, Exit 18. But
7 when you get to Fiddler's Choice Road, unless
8 you took Union Road which is paved, Oak Hill
9 Road leads directly into Franklin. This is
10 also paved. But when you arrive here... you
11 see on the left here it says "Class VI" road.
12 This little line separates this dog leg which
13 goes down as part of Fiddler's Choice Road.
14 And this part is still unpaved. I've lived
15 here since 1981, and the highway department
16 will not pave it. So this is a very, very
17 tender road. As I passed it today, there
18 were ruts after last night's storm.

19 And the question I have is: There was
20 mention from you engineers that you would
21 make the dirt roads, gravel roads, passable
22 for all the heavy construction. And what do
23 you do with the Class V roads that are barely
24 passable today for my little subcompact SUV?

1 What do you do about the construction passage
2 when you have to bring heavy equipment down
3 that dirt, gravel road?

4 A. (Johnson) So the current plans that we have
5 submitted show that we are staying within
6 that right-of-way and not using Fiddler --
7 I'm sorry. I don't know the --

8 Q. Fiddler's Choice Road?

9 A. (Johnson) Fiddler's Choice Road. Thank you.

10 Q. So you're not using that?

11 A. (Johnson) So as of right now, it shows that
12 we are not. If we were to choose to use
13 that, obviously we would have to work with
14 the road agent to make sure that that road
15 was to the standards that would support the
16 type of equipment that we would bring in. We
17 talked about cranes being the heaviest piece
18 of equipment that we would bring in.

19 Regardless, the crossing of that road in that
20 particular area, basically where your
21 driveway begins, we would have to do some
22 sort of mitigation to maintain the integrity
23 of the road for the equipment that we would
24 be crossing at that point.

1 Q. All right. I just wanted to let you know. I
2 don't know if you all suffered through a hail
3 storm in Concord but --

4 A. (Johnson) I drove through it last night, yes.

5 Q. All right. The hail storm damaged my road.
6 And one of my to-do's today is to call the
7 highway department and say, "Come see what
8 happened to Fiddler's Choice Road. You have
9 to do something to repair it." And that's
10 only from hail, hardly the size of a marble.
11 So I'm really concerned about heavy
12 construction.

13 The other thing I have a question about
14 is on your engineering map. I'm going to
15 show that one to you.

16 (Pause in proceeding)

17 Q. This is your engineering map. Latest one I
18 have was submitted as part of your wetlands
19 app and to the USACE, and it's dated -- I
20 mean the sheet number is...?

21 MR. ROTH: Excuse me, Ms. Lee.
22 Have you identified this as an exhibit? Over
23 here. Have you identified these
24 documents as --

1 MS. LEE: Excuse me. This is
2 part of the USACE permit.

3 MR. ROTH: But have you
4 identified them in particular as an exhibit of
5 yours?

6 MS. LEE: No, because I put it
7 in my disclaimer when I put my exhibits in that
8 I'm using everybody else's so we can --

9 CHAIRMAN HONIGBERG: So this is
10 somebody else's exhibit. This is part of the
11 Application?

12 MS. LEE: This is part of the
13 Applicant's maps under the USACE. It's called
14 Application, Volume IV, Appendix 1, Page 301,
15 Sheet 149 out of 180, and also Sheet 150 out of
16 180.

17 CHAIRMAN HONIGBERG: And what do
18 you want to ask them about this?

19 BY MS. LEE:

20 Q. I'm going to ask you about this legend and
21 the placement of the construction pads.

22 A. (Johnson) So I'm familiar with that drawing.

23 Q. Bear with me. This one is sheet number...
24 well, it's Page 43, Sheet 561 on the permit

1 application. New Hampshire DES/USACE, and
2 it's Sheet 561. It shows the power line is
3 going to be moved. The little green lines
4 here, you see a strip that's about a
5 quarter-inch wide on the actual map. I
6 understand this is going to be the buffer
7 that I'm going to lose. It's going to be
8 cleared. And on my property here, as you
9 enter, Fiddler's Choice Road is here. You
10 have to turn in right here. And as you turn
11 in, you're putting -- the solid red lines
12 represent, it says here, new access route.
13 The dashed red lines show existing access
14 route. And then there's a temporary
15 construction pad which is pink and then the
16 light yellow designates temporary area of
17 disturbance construction pad.

18 What's the difference between the
19 temporary construction pad and the temporary
20 area of disturbance construction pad?

21 A. (Bradstreet) Sure. So if you could zoom out
22 a little bit and maybe go to one of those
23 locations.

24 Q. All right.

1 A. (Bradstreet) So, for example, if you look at
2 Structure 3132-10 where your mouse is, so the
3 pink represents the area that we plan to do
4 work within. The yellow represents an area
5 that might have to be developed to support
6 that work pad space. So if there was some
7 grading to make the work pad flat or
8 something, it might expand out into that
9 yellow zone, which is slightly larger than
10 the pink.

11 Q. So as I understand it from talking to Ovid
12 Rochon, the engineer, he says when you put
13 these designs together -- and this is
14 dated -- I don't really see a date on this.
15 Oh, the date is October.

16 A. (Bradstreet) Should be 2016, I think.

17 Q. I believe -- yup. No, this one.

18 A. (Bradstreet) February 2016.

19 Q. 2/19/16. So is this the latest version?
20 Because all during the testimony of the
21 construction panel there was mention of "One
22 Touch." So my question is: As of today, is
23 there an updated engineering map that
24 property owners should have -- should have --

1 as on May 3rd, somebody on the construction
2 panel said that there are on other maps the
3 edge of the right-of-way was expanded. But
4 those maps were not available to us. So is
5 there an updated engineering map beyond what
6 we see that's dated 2/19/16, which is last
7 winter?

8 A. (Johnson) So I believe the discussion back on
9 May 3rd was specifically in the areas of
10 Pembroke, where there was an incorrect line
11 that was drawn on our drawings. I believe
12 Mr. Bowes testified that we would have a new
13 set of drawings available as of the end of
14 May. I can confirm that those drawings are
15 in the final stages of quality review and
16 will be available in the next week or so. So
17 we will publish those. There are
18 substantially no changes to any of the
19 drawings. We've just gone and redid other
20 ones. Other than the commitments we made to
21 Concord regarding the access roads, as well
22 as that one particular line in Pembroke where
23 we shifted what we had incorrectly noted
24 where the edge of the boundary was. For your

1 particular property here, I believe there are
2 no changes to what you're going to see on the
3 maps today.

4 Q. Okay. So as of today, June 1, there are no
5 changes to this map.

6 A. (Johnson) That is correct.

7 Q. A property owner can have real information
8 that's current and that's real.

9 A. (Johnson) That is correct.

10 Q. Okay. The other question I have is when you
11 come up right now on Fiddler's Choice, this
12 is all dirt road. And as I approach, you see
13 that in this area. You're actually following
14 the right-of-way cut over the open corridor.
15 So my mailbox is right here. The dashed flat
16 lines that are right here, if you look on the
17 legend, "Erosion and sedimentation control
18 BMPs" -- is that Best Management Practice?

19 A. (Bradstreet) That's correct.

20 Q. What does that mean when you see it at my
21 mailbox? If I'm standing and I walk two
22 tenths of a mile out here and I stand right
23 here, collect my mail, I look across and I
24 can see about five -- depending on the

1 weather, I can see five or six of the current
2 configuration of wooden H-frames, as well as
3 monopoles. They're all wooden. So if you
4 are standing here and you see these little
5 erosion controls, what does that mean? What
6 does it represent at my mailbox?

7 A. (Bradstreet) So I guess an example could be
8 like a silt fence. Are you familiar with
9 what a silt fence looks like?

10 Q. Yes.

11 A. (Bradstreet) During construction we would --
12 one of the first I guess stages of
13 construction before we start doing all the
14 access road development would be to put in
15 some sort of erosion control. It could be a
16 silt fence. And that dashed X line that
17 you're pointing to is where we would install
18 that silt fence to make sure that erosion did
19 not leave our work space.

20 Q. Okay. So that's because of this blue area
21 which depicts there's a little creek right
22 here. And if you look at these blue diagonal
23 lines, this whole area is wetlands. And if I
24 look on your legend here, would that be an

1 intermittent water body? It says perennial
2 or intermittent or ephemeral, depending on
3 the shade of blue and the direction of
4 diagonal. So which one is this? Is this on
5 the perennial hit list?

6 A. (Bradstreet) So I think in general the green
7 bodies that are shown are the actual
8 wetlands, and those erosion controls are in
9 place to keep sedimentation from going into
10 the wetlands themselves. I think what's
11 shown, if you scroll back over to the right,
12 I believe what's shown over there is more of
13 a -- it might be a flood plane.

14 Q. This area?

15 A. (Bradstreet) Yeah, it's a stream buffer. So
16 that where your mouse is now, looks like
17 there's kind of a darker blue line. I
18 believe that shows where the stream actually
19 is. And then the shaded area would -- we'd
20 have to go back to the legend to see if it's
21 intermittent or whatnot. But I believe it's
22 intermittent stream.

23 Q. According to this, it shows it as
24 intermittent. It never dries up. What is

1 the NF13SR4S? What does that stand for? Is
2 that a designation of that particular little
3 creek?

4 A. (Johnson) Yes. And the green letters beside
5 it are the designation of a wetland.

6 Q. Okay. So this is a wetland.

7 Now, as you take a walk, walk with me,
8 walk this way, you're going through under the
9 power line. And this is the way I drive
10 here. You're following the parallel
11 corridor, or the open area. This is all
12 sandy. And today it's full of puddles. We
13 only took down the mud warning signs on
14 Fiddler's Choice Road at the end of April.

15 So as you walk here, you're going to be
16 following this. Or if you're driving it, you
17 pass another wetlands area. And that's the
18 vegetation area, this green NF28PSS1. And
19 this right here, that stands for vegetation
20 on the legend; is that right? Is that what
21 the "RTE" stands for? Vegetation is green.
22 It says "RTE bars." And then if you go up
23 here, you see the edge of the outline.

24 A. (Johnson) So the RTE is actually a filled-in

1 area. That stands for rare, threatened and
2 endangered species. What you have outlined
3 there are the designators for specific
4 wetlands. And that is our wetland identifier
5 number that's contained within.

6 Q. The NF?

7 A. (Johnson) 15. Correct, in this case. The
8 PSS1B, I believe, describes the type of
9 wetland.

10 Q. And if I look in the legend, is this what
11 you're talking about, this wetland?

12 A. (Johnson) Yes.

13 Q. The green area with the green dots inside
14 versus the USACE-reviewed wetlands -- what
15 does that mean, the "reviewed wetlands,"
16 which has little orange dots inside?

17 A. (Johnson) So in some cases when the Army
18 Corps of Engineers has done their own
19 wetlands evaluation, we've incorporated those
20 wetlands on our maps as a courtesy.

21 Q. Okay. Thank you.

22 A. (Johnson) Typically our wetlands are much
23 larger than what the Army Corps --

24 Q. Okay. One of my questions regards the

1 wetlands. On May 11th, I encountered a
2 wetlands surveyor who works for GZA, as a
3 contractor to Eversource. And she parked her
4 car at the end of my driveway. So I looked
5 in her car, and she had all kinds of maps.
6 So I figured it was mapping for Eversource or
7 for you guys to update your maps, so we have
8 current maps.

9 And my question is when -- she told me
10 that the wetlands have expanded, according to
11 her walking in the woods. My question is:
12 When the survey, so-called "expanded
13 wetlands" map, is complete for my area, will
14 I receive a copy of the map of the expanded
15 wetlands area, and will NPT resubmit the
16 expanded wetlands map to New Hampshire DES?
17 Because that's just done as of May 11th --

18 A. (Johnson) So the activities that you're
19 describing are not anything that's part of
20 the Project. GZA is not a firm that the
21 Project has contracted with to do wetlands
22 delineation. We can certainly coordinate
23 with whatever Eversource project this is to
24 obtain that wetland information. It would

1 depend on what they're delineating I guess is
2 the answer. We'd have to receive that
3 information and judge whether it would be
4 applicable to this project or not. I just
5 don't know what the scope of that work is.

6 Q. So you don't know if you would ordinarily, as
7 a matter of course, always work with the most
8 current version of wetlands? Because as I
9 understand it, Eversource comes over, and
10 they'll trim or cut on a regular schedule.
11 And I assume that every so many years -- I
12 was told every four to five years -- they
13 will trim and cut because of the power
14 lines --

15 A. (Johnson) That is correct.

16 Q. -- edge of right-of-way to the edge of
17 clearing. So I see those guys periodically.

18 But if you have an expansion of the
19 wetlands, can you commit to using a current
20 map to do your work so that you're not
21 destroying wetlands or impacting my well and
22 my watershed and my groundwater protection
23 district in the conservation zone?

24 A. (Johnson) So as we've discussed earlier

1 regarding other things, the Application
2 before the Committee stands as it is. I will
3 commit to you that we will find out what this
4 project is, and if it can provide relevant
5 information, then we will seek to include it.
6 But I can't promise you that we will or will
7 not at this time.

8 Q. But isn't Eversource working with NPT?
9 Aren't you all under like the big umbrella of
10 knowledge about wetlands and how you impact
11 through the power line maintenance and
12 operation? I mean, aren't you all
13 coordinating things so that we as landowners
14 get the current information available when
15 you're trying to make an impact -- or you
16 will be making impact? So are you committing
17 to checking out with Eversource about this
18 particular expansion of the wetlands?

19 A. (Johnson) This is the only one that I've been
20 made aware of. So, yes, I will go and find
21 out about this particular area.

22 Q. Continuing on with this map. So as you walk
23 in -- oops. Sorry.

24 As you walk in, right here you're

1 following along the power line corridor. And
2 then when you come into this area, I call it
3 "the dunes," it's all sand. And as you can
4 see right here, the yellow dot represents...
5 existing structures is yellow dots right
6 here. If you have a tan or okra color dot,
7 it's an existing structure to be removed.
8 And I understand that the 115 line is
9 removed. So, for example, this is the okra
10 dot that's going to be removed. And I
11 understand that this yellow rectangle
12 represents a construction, what do you recall
13 call it, construction area.

14 A. (Bradstreet) It's a work pad.

15 Q. Work pad. Thank you.

16 So you're going to construct a yellow
17 area work pad to remove. How long will it
18 take to have an outage? I understand from
19 yesterday's information that you're going to
20 have to take that 115-kilovolt existing line
21 out, and then you're going to move it over
22 closer towards the west.

23 A. (Bradstreet) So the actual sequence will be
24 there's adequate room for us to construct the

1 relocated line first and then transfer --
2 basically, the existing line would remain in
3 service until the relocated line was
4 constructed. Then we would transfer that
5 power to the new line and then demolish the
6 existing line to make room for the Northern
7 Pass 345 kV line.

8 Q. Can you repeat that sequence?

9 A. (Bradstreet) Yeah. So as it sits today, we
10 would come in and basically construct our
11 access roads so that we could construct the
12 relocated line first. There's adequate space
13 for us to construct the relocated line
14 without taking out the existing line to be
15 relocated. So we would construct the
16 relocated line first, energize it, and then
17 demolish the existing 115 kV line that's
18 being relocated.

19 Q. So in other words, there is no disruption or
20 outage when you take out the existing 115
21 line then you're going to move it over. I'm
22 not going to be out --

23 A. (Bradstreet) No, there'll be no disruption to
24 customers at all during our construction.

1 Q. Okay.

2 A. (Bradstreet) We'll be able to sequence our
3 construction activities and any outages to
4 maintain service to all customers.

5 Q. Oh, I see.

6 The other question I have related to
7 this movement of the 115 line. As you go
8 through past the dunes, you can see the
9 dashed red line represents existing access
10 route. Now, you're building -- I have
11 learned that the solid red line represents
12 the new access route. And this trumpet shape
13 here at the end represents a turnout for
14 large construction vehicles during the
15 construction work and that you're going to
16 take new areas of this road -- this is my
17 road right here. And you're going to make a
18 new cut over here. And I know right here,
19 this yellow dot represents existing line.
20 That's one of those big, laminated, newer
21 wooden structures, and it says "Danger" on
22 it. But you're cutting into the danger pole.
23 How come?

24 A. (Johnson) So the line, the red line is not

1 meant to intersect with the structure itself.
2 It will go around the base of the structure,
3 and presumably there will be some protection
4 put there to make sure that any turning truck
5 does not hit that structure. Clearly, we
6 don't want that to happen.

7 Q. Right, because it would fall right here on my
8 mailbox, and on me if I stand there long
9 enough ignoring the danger sign.

10 A. (Bradstreet) I think the danger sign is just
11 to identify that it's a high-voltage
12 structure.

13 Q. Okay. The other question I have is: As you
14 walk in toward the dunes here, and that's
15 supposedly the existing access route, you're
16 building a new -- right here. And this is
17 another little construction pad. These are
18 all removed, as I understand from your
19 previous information.

20 A. (Johnson) That is correct.

21 Q. All of these construction pads are removed?

22 A. (Johnson) That is correct.

23 Q. I do have a request from the walk-through
24 on -- with your contact liaison, Donna and

1 Ovid Rochon from Burns & McDonnell, that
2 sometimes when you see this yellow line that
3 designates a construction pad, that
4 designates a construction pad, and then you
5 see within it the salmon-colored one, they
6 will plan for a particular size, but they may
7 not actually use the entire area; is that
8 true?

9 A. (Johnson) Yes. As we've mentioned several
10 times over the course of this, we are
11 permitting what we're classifying as our
12 "most conservative impacts." So the
13 contractor, when they get out there, will
14 have the opportunity to use a much smaller
15 size if they so choose. We're giving them
16 the optionality.

17 Q. So what I see right here, for example, this
18 is so close to my well and my house, this
19 yellow rectangle representing the
20 construction pad and this salmon-colored one
21 and then this one here as you go around. So
22 is the permit that you seek from USACE and
23 also from the DES permits to use the full
24 area of the yellow?

1 A. (Johnson) That is correct.

2 Q. But you may not use it all --

3 A. (Johnson) That is correct.

4 Q. -- depending on what you find there.

5 A. (Johnson) That is correct.

6 Q. Because I just want you to know, if you can
7 make a note to your updating progress, that
8 this is my tree buffer. And you see on the
9 scale on the legend about a quarter of an
10 inch right there, it says it's 25 miles -- I
11 mean 25 feet. So we walked with the engineer
12 and with Donna, and we put stakes in and
13 marked from this line, which is the existing
14 on this map -- this is more or less going
15 north and south right here. This goes north
16 and south. And if you come to on your walk
17 past the dunes and you snake through, and now
18 you're crossing through the open cut area,
19 you're going to go through a canopy right
20 here where it's all dark. This is what I
21 call my tree buffer. And so you're walking
22 under this canopy of trees. And when you
23 bring in construction vehicles -- I don't
24 think we discussed how tall those vehicles

1 were. I think we discussed how wide the
2 access road would have to be, which I believe
3 somebody mentioned 20 feet wide to
4 accommodate construction vehicles. Is that
5 right?

6 A. (Johnson) It's 20 feet wide at the base of
7 the road. If it requires stepping out, I
8 believe the top of our roads are 16 feet.

9 Q. The top of what?

10 A. (Johnson) The top of the roads are 16 feet
11 wide. And they can -- as you build up a
12 road, if you need to flare it to keep it
13 flat, we're asking for a 20-foot all the way
14 to the side.

15 Q. So you require 20-foot-wide roads to access
16 for construction?

17 A. (Johnson) Again, we've permitted the most
18 conservative application across the entire --
19 in this particular area, where it's very flat
20 and very sandy, we will only be using
21 16 feet.

22 CHAIRMAN HONIGBERG: Ms. Lee,
23 how much more do you have?

24 MS. LEE: I'm going to go

1 through my questions.

2 CHAIRMAN HONIGBERG: How much
3 more do you have?

4 MS. LEE: I got one page, but I
5 think the most important part is this map.

6 CHAIRMAN HONIGBERG: How many
7 pages have you gone through so far?

8 MS. LEE: I'm halfway through.

9 CHAIRMAN HONIGBERG: We're
10 breaking in ten minutes.

11 MS. LEE: Okay.

12 BY MS. LEE:

13 Q. So on the sandy road that I live on, it's
14 going to be 16 feet minimal to accommodate?

15 A. (Johnson) Yes.

16 Q. And as far as traveling here, when you cut
17 into the screened area, this is
18 representing -- this whole strip here
19 represents your clearing my tree buffer. So
20 do I understand someone mentioned that once
21 you take the screens down, you're going to
22 replace this trim area or cut area? Because
23 that's my buffer not only aesthetically for
24 noise and also for sand that blows back onto

1 my driveway, and also for, in the wintertime,
2 if there's a powder snow condition and
3 there's very, very high winds, I've had to
4 call the plow back to replot. And that costs
5 a lot of money. So the buffer isn't just for
6 aesthetics. It acts as a -- what do you call
7 those orange -- snow fences. It's like a
8 snow fence, but it's natural.

9 A. So do you replace -- when you look at where
10 my house is located right here, and you come
11 in and there's a circle of trees, you walk
12 out here, right here is about right there.
13 My well is right there, but you can't see it
14 on this map. The well is right there because
15 that's pretty damn close -- excuse me --
16 pretty darn close to the construction area.
17 So can you make a note on your maps, so you
18 have a current version, that's where my well
19 is?

20 And I took a quick look at the
21 ordinances for Northfield for the groundwater
22 protection district, and it's pretty lengthy.
23 If you could tell me if anybody checked the
24 groundwater protection district for this

1 construction work in my area?

2 A. (Bowes) So I have not. Our environmental
3 panel may have. I can't speak for them. But
4 what I will do is mark this on our maps. And
5 we'll also encourage the construction
6 contractor not to use the left side of this
7 pad. The way we've permitted it is so they
8 can work from either right or left side of
9 the structures. But in this case, we can
10 make a note and encourage them to work it
11 only from the right side; that way, we
12 wouldn't have to create this disturbed area
13 in the first place.

14 Q. So when you say "left" and "right," you're
15 talking about this part of the pad being the
16 right side of the pad and not the left side,
17 which the corner would strike into probably
18 my well?

19 A. (Bowes) Exactly. Yeah.

20 Q. And you can't see it. When you come through
21 the driveway and you face this canopy of
22 trees, you're going to be breaking some of
23 those canopy trees. Do you replace those for
24 me as a screen? I think there was some

1 discussion on screens. So if you destroy my
2 screen, either for wind, weather, snow, sand,
3 aesthetics, environment, habitat for the
4 wildlife, do you replace those?

5 A. (Bowes) So it's not going to be replacement
6 in kind, but we will provide vegetative
7 screening. And we will come out and work
8 with you. We'll have an arborist come out
9 and work with you on what you'd like to have
10 replanted there. Provided it doesn't or
11 won't grow into the power lines, we will
12 provide that to you at no cost.

13 Q. Thank you.

14 The other question I have regarding this
15 map is at this corner you'll see this white
16 line represents the edge. Just about here I
17 see you're using the access route. It's very
18 heavily graded as you go down here. It goes
19 down. Right here is another construction
20 area or pad, the yellow. And I believe where
21 the existing square is, that is where there's
22 a, I believe it's a monopole. It's wooden.
23 And when I see that, I go down the embankment
24 below this right here, and that's where my

1 marker, my boundary marker is.

2 So can you make a note that you're
3 building into -- I believe, you have a
4 construction pad going right over my boundary
5 marker, the granite bound. So that's really
6 important for someone in construction
7 engineering, surveying, to walk out there
8 with me, and I can show them where that
9 yellow dot is and show them how far you walk
10 below that to find the boundary marker. So
11 that's very important to me. And if it's not
12 found -- I hope it is found because we just
13 saw it the other day. But it's just knocked
14 down. Everything is knocked down, and it's
15 been chewed up by the tree eater.

16 So can somebody make a notation on your
17 maps that there is a granite bound there?

18 A. (Johnson) So, yes, we have written some notes
19 here, and that's something we're going to
20 follow up on.

21 Q. And you can adjust the perimeter of that
22 construction pad. Is that adjustable?

23 A. (Johnson) If we cannot adjust it due to
24 whatever reasons, and I'm not saying we

1 can't, we will replace your monument once the
2 construction activities are complete so that
3 there is -- no matter what, there's a
4 reference point for you.

5 Q. You're going to replace the monument? You
6 mean you're going to replace for the
7 survey -- survey to have it replaced?

8 A. (Johnson) We can GPS that particular point
9 and find it for you, yes.

10 Q. You can "GPS it"? What does that mean?

11 A. (Johnson) It's a type of survey, that we'll
12 go out prior to construction and we'll ping
13 that point. That will tell us where it is
14 geo-spatially. When the Project is complete,
15 if we have for some reason had to move your
16 monument, we will put it back where it
17 needs -- where it's supposed to be.

18 Q. Okay. Are you making notes so you can update
19 this map, as far as the placement and things
20 to watch out for?

21 A. (Johnson) Yeah, we're writing notes here.

22 Q. And how does this connect and coordinate with
23 the fact that we have a Memorandum of
24 Understanding with my town? I'm going to be

1 meeting with my town administrator, where you
2 all meet -- not you all. But NPT has a
3 meeting scheduled to talk about Memorandum of
4 Understanding. What's the connection or
5 coordination between what we just talked
6 about, which is where's my marker, expansion
7 of wetlands, access on the very tender access
8 road and the Memorandum of Understanding? Is
9 that coordinated? Which one is a tighter,
10 stickier contract?

11 A. (Bowes) So I'm not sure the wording is
12 "tighter" or "stickier." We would honor both
13 of those commitments, whether it's to an
14 individual landowner or whether to a town.
15 So I think they're both the same importance
16 to us, which is a high level.

17 Q. Okay. But you're committed to this --

18 A. (Bowes) Yes.

19 Q. -- to making sure that whatever commitments
20 are made on the Memorandum of Understanding
21 and the individual landowner. You have
22 current information -- that I would have
23 current information, and I would trust that
24 you have the current information, too?

1 A. (Bowes) I understand. Yes.

2 Q. Thank you.

3 The other question I had is who's going
4 to contact -- I understand that flow chart
5 yesterday that was shown. You all aren't
6 actually being in my field or walking the
7 access road; is that right? Nobody on the
8 panel is going to be at my property when this
9 is permitted, if it's permitted?

10 A. (Johnson) I'm sorry. I don't understand the
11 question.

12 Q. None of you all there are going to be on the
13 property to make sure this happens; right?

14 A. (Johnson) During construction?

15 Q. Right.

16 A. (Johnson) Most likely you're correct.
17 However, we do have construction
18 superintendents and supervisors that will be
19 out there in the field. And part of their
20 job is to make sure that anything that we've
21 discussed here is followed.

22 Q. Okay. So we'll have names and cell phone
23 numbers we can contact?

24 A. (Johnson) There will be ways to contact

1 crews. I don't know that we'll be giving out
2 names or cell phone numbers. There will be
3 representatives that will be made available
4 for you to contact, and those representatives
5 will interface with the actual crews that are
6 there.

7 Q. Do we have the contact numbers before the
8 construction starts so that --

9 A. (Johnson) Absolutely. Those will all be
10 available and communicated to every abutter
11 and every municipality prior to construction
12 beginning.

13 Q. And by what means will you be communicating
14 that information to landowners?

15 A. (Johnson) So there will be a letter sent.
16 Potentially there will be phone calls made.
17 If you request one, we can certainly do that
18 to you personally. We will inform the
19 municipalities and have them post it either
20 in the municipal offices or on their own web
21 site. And lastly, the Project web site will
22 be updated not only with contact information,
23 but with construction schedules as we get
24 closer to the actual construction process.

1 Q. All right. Thank you.

2 So, in other words, you're going to have
3 current information, current maps, and it's
4 going to be communicated directly to each
5 landowner.

6 A. (Johnson) To each abutter, yes.

7 CHAIRMAN HONIGBERG: Ms. Lee,
8 we're going to break for lunch now. We'll be
9 back at 1:00.

10 MS. LEE: Okay. Thank you.
11 (Lunch recess taken at 11:30 a.m. and
12 concludes the Day 11 Morning Session.
13 The hearing continues under separate
14 cover in the transcript noted as Day 11
15 Afternoon Session.)
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