



I N D E X

WITNESS

CHERYLYN WIDELL

PAGE NO.

VICKY BUNKER

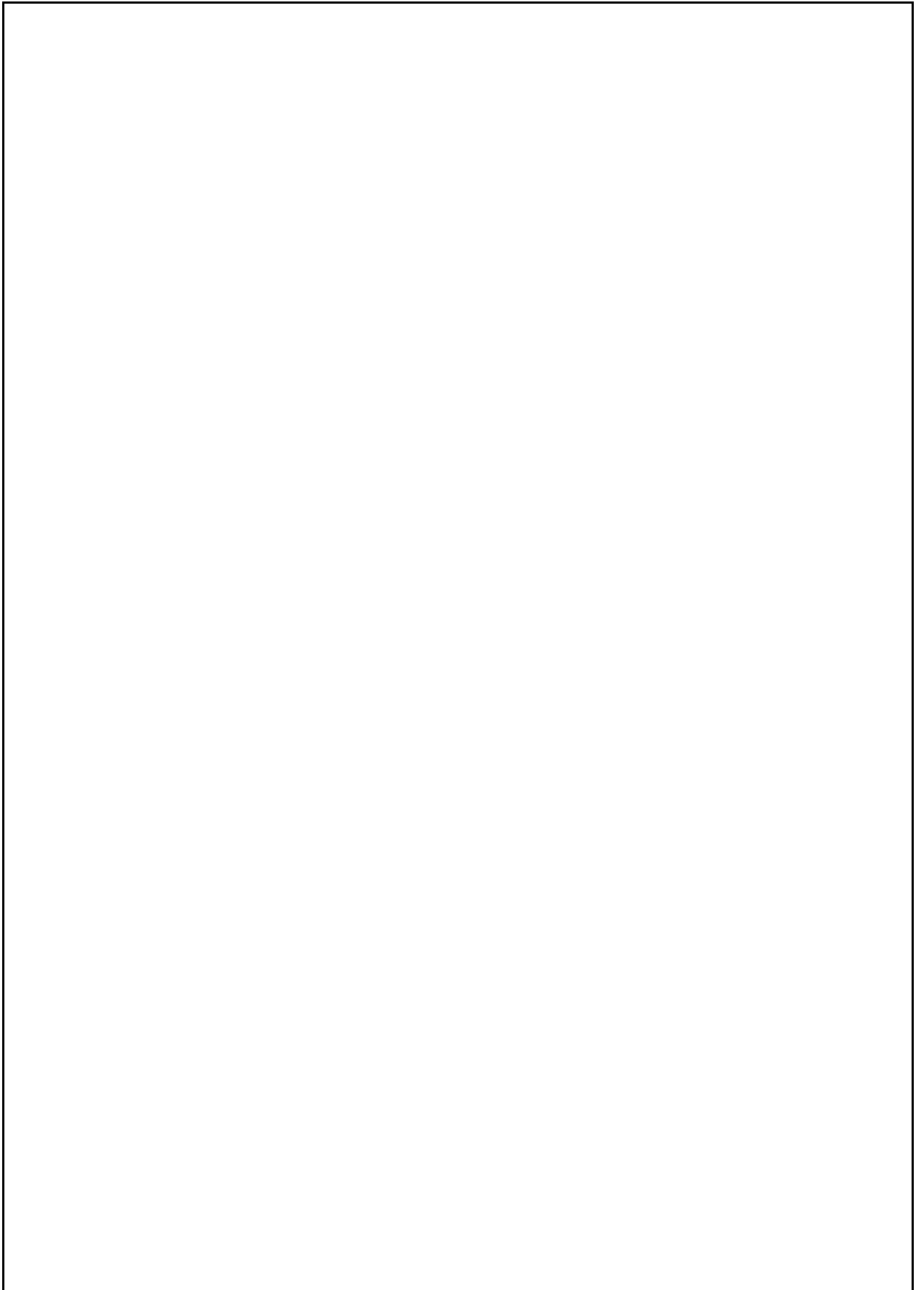
*(Resumed)*

Continued Cross-Examination by Mr. Roth

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**E X H I B I T S**

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

**(Hearing resumed at 9:00 a.m.)**

PRESIDING OFFICER HONIGBERG: All right.  
Good morning, everyone. Before we resume with the witnesses, I understand the parties have had some discussion about the confidentiality issue that came up yesterday. Mr. Bisbee, you want to grab the microphone here?

MR. BISBEE: I can kick it off. I don't think this will take long. As the Applicants have raised with the Committee in a couple of motions, there is a concern between the SEC process and the DOE Section 106 process about treating certain documents confidentially. The order, Mr. Chair, that you issued a couple of weeks back recognized that tension between 106 and the SEC.

The Applicants have been trying to find that middle ground to be respectful of the DOE process where they have asked. It's not a dictate. But they have asked that the documents provided in the 106 process be treated confidentially. That's why the request was made to have those documents be made available

1 through the DHR offices. DOE agreed with that  
2 approach.

3 Certain parties have accessed the documents  
4 at DHR, and they have them now, and I think the  
5 question before the Committee is how you want to  
6 treat these documents before these hearings.  
7 The Applicants continue to be respectful of the  
8 DOE in this, but we also understand that the SEC  
9 needs to follow dictates of state law and treat  
10 the documents in a way that's consistent with  
11 state law confidentiality. There's no state law  
12 confidential concern with respect to the  
13 aboveground documents. Those would be inventory  
14 forms and effects tables. That's different from  
15 the archeological reports which are, in fact,  
16 confidential under both state and federal law.

17 PRESIDING OFFICER HONIGBERG: Anyone else  
18 have anything they want to offer on this? Ms.  
19 Boepple?

20 MS. BOEPPLE: Thank you, Chair. Yes. Beth  
21 Boepple for the Forest Society. The position  
22 that we're taking, and I believe it's consistent  
23 with the other Intervenors is that DHR is not  
24 treating these as confidential documents, and

1           that, therefore, they should not be subject to  
2           any kind of confidential order under the SEC.

3           PRESIDING OFFICER HONIGBERG: Mr. Iacopino?

4           MR. IACOPINO: Do I understand that DHR has  
5           been providing those documents to the public  
6           upon request?

7           MS. BOEPPLE: That's correct. In fact,  
8           this stack right here is representative of those  
9           documents.

10          PRESIDING OFFICER HONIGBERG: It seems then  
11          that if DHR is not treating it as confidential,  
12          then it's not confidential for our purposes.

13          MR. ROTH: It's been my understanding, and  
14          I am a consulting party on the 106 process, but  
15          none of the information I've been using was  
16          obtained through the 106 process. I got it  
17          either from the Applicants through exhibits that  
18          they filed in this case or with respect to the  
19          Large-Scale Project Area Forms. I went over to  
20          DHR and obtained copies that way.

21          I had thought that there were redacted  
22          stuff in the Large-Scale Project Area Forms that  
23          were submitted to the Committee, and that if the  
24          idea was if you wanted to see the unredacted

1 one, you had to go to DHR. I don't intend to  
2 put the unredacted Project Area Forms on the  
3 record or even to display them or certainly not  
4 talk about any of the redacted material.

5 PRESIDING OFFICER HONIGBERG: Okay. Anyone  
6 else on this topic? Yes. Mr. Whitley.

7 MR. WHITLEY: Thank you, Mr. Chair. I just  
8 wanted to put on the record that I concur with  
9 Attorney Boepple's opinion that if DHR is  
10 treating these as available to the public, then  
11 I think that's the way the Committee should do  
12 as well, for the aboveground records at least.

13 PRESIDING OFFICER HONIGBERG: Okay. Anyone  
14 else?

15 MR. ROTH: I would urge anybody who's using  
16 the Large-Scale Project Area Forms to respect  
17 the redactions and not reveal that information.

18 PRESIDING OFFICER HONIGBERG: Seems  
19 reasonable. And, I assume, Mr. Bisbee, you're  
20 paying close attention to what gets posted and  
21 used?

22 MR. BISBEE: Yes.

23 PRESIDING OFFICER HONIGBERG: All right.  
24 Mr. Roth, are you ready to go?



1 MR. ROTH: Ready as I'll ever be.

2 PRESIDING OFFICER HONIGBERG: We'll be  
3 picking up Day 27. Mr. Roth, you may proceed.

4 MR. ROTH: Thank you.

5 **CONTINUED CROSS-EXAMINATION**

6 **BY MR. ROTH:**

7 Q Good morning, Ms. Widell, again.

8 A (Widell) Good morning, Mr. Roth.

9 Q And, again, Ms. Bunker, you're not being  
10 detained. You're free to go.

11 MS. BUNKER: Thank you.

12 MR. ROTH: Although the policeman in the  
13 back may feel differently about that.

14 Q I'm going to start this morning with a little  
15 bit about the definition of historic sites, and  
16 in particular, the definition that is extant in  
17 the Site Evaluation Committee rules. I assume  
18 from our conversation yesterday that you are  
19 familiar with the SEC rule, and, in particular,  
20 Site 102.23?

21 A (Widell) Yes, I am.

22 Q Okay. And you indicate in your Supplemental  
23 Testimony and probably in your Original Prefiled  
24 that the only example of a historic site is

1 what's National Register eligible, correct?

2 A (Widell) Yes.

3 Q And you take from that that, therefore, the Site  
4 Evaluation Committee rules should be limited in  
5 terms of defining historic sites to those that  
6 are National Register eligible, correct?

7 A (Widell) What the Site Evaluation Committee does  
8 with its definition is its judgment. I  
9 interpret it as the example is National Register  
10 eligible, and that is what we followed.

11 Q Okay. So it's your interpretation of Site  
12 102.23 that it's limited to National Register  
13 eligible?

14 A (Widell) That is the only example we're given.  
15 That's quite comprehensive.

16 Q I understand that was your testimony, but my  
17 question for you is is it, therefore, your  
18 interpretation that 102.23 only applies to  
19 National Register eligible?

20 A (Widell) Yes.

21 Q Okay. And isn't it true that you and the  
22 Preservation Company essentially reviewed all of  
23 the historic resources that are in the report of  
24 October 2015 for National Register eligibility?

1 A (Widell) Yes.

2 Q And if it wasn't National Register eligible, you  
3 would then, therefore, not go on and do an  
4 effects analysis, correct?

5 A (Widell) No. Not exactly. I would clarify. We  
6 included anything that appeared potentially  
7 eligible. The agency that's responsible for  
8 determining eligibility is DHR.

9 Q Okay. I appreciate that. That's an important  
10 distinction, and I didn't mean to overlook it,  
11 but I did. So you did treat if they were  
12 potentially eligible?

13 A (Widell) Yes.

14 Q But if it was not potentially eligible or in  
15 fact eligible, you didn't treat it any further?

16 A (Widell) Yes.

17 Q Okay. But isn't the plain meaning of 102.23  
18 much broader than that?

19 A (Widell) It's different.

20 Q Different?

21 A (Widell) Yes.

22 Q In what respect?

23 A (Widell) It's a different definition than the  
24 definition for historic properties under Section

1 106 for properties that are eligible or listed  
2 on the National Register.

3 Q Okay.

4 A But I would say that the definition encompasses  
5 most everything I can think of that would be  
6 eligible for the National Register.

7 Q Okay. So you add this extra gloss because  
8 that's within your, the extra gloss of  
9 potentially eligible or eligible because that's  
10 your experience and your judgment, correct?

11 A (Widell) Yes.

12 Q Okay. And 102.23 says any building, structure,  
13 object, district area or site that is  
14 significant in the history, architecture,  
15 archeology or culture of the state, its  
16 communities and the nation, then it says, "and  
17 includes National Register eligible," correct?  
18 Did I read that right?

19 A (Widell) Yes.

20 Q Are you saying that the word "includes"  
21 essentially means to you exclusively?

22 A (Widell) Exclusively? Can you clarify that, Mr.  
23 Roth?

24 Q Are you saying that the word includes means that

1           it must be exclusively National Register  
2           eligible?

3       A     (Widell) We considered anything that might  
4           potentially be historic property. We started  
5           with anything that was built prior to 1966.

6       Q     But in terms of interpreting 102.23, your  
7           interpretation of is 102.23 is that it must be  
8           National Register eligible, correct?

9       A     (Widell) Yes.

10      Q     And so the word "includes" you're essentially  
11           saying means exclusively National Register  
12           eligible, isn't that correct?

13      A     (Widell) Yes.

14      Q     Okay. Isn't that actually the opposite of what  
15           the rest of the provision seems to intend?

16      A     (Widell) I would say no. I think there's an  
17           understanding generally that properties on or  
18           eligible for the National Register or nationally  
19           significant, and that is not the case. Most  
20           properties eligible or listed on the National  
21           Register have local significance, and that's  
22           certainly the case in the Northern Pass Project.  
23           We know that from the green sheets that are  
24           developed by the DHR for review of these

1 properties where it is actually checked either  
2 locally, state or nationally significant.

3 Q But that's simply part of it being National  
4 Register eligible, correct?

5 A (Widell) Yes.

6 Q Okay. But if it was not National Register  
7 eligible, but otherwise was significant in the  
8 history, architecture, archeology of the state,  
9 you wouldn't include that, would you?

10 A No. That's not true. Let me explain. I would,  
11 we would look at comprehensively and that would  
12 include things that were eligible for the  
13 National Register.

14 Q But I thought you said that you would only do an  
15 assessment of things that were potentially  
16 eligible or actually eligible. Now you're  
17 saying that you would assess things that were  
18 not potentially eligible or eligible?

19 A (Widell) Those sorts of things would be eligible  
20 for the National Register.

21 Q Right. But what if they're not? What if, let's  
22 say, for example, a property doesn't, isn't  
23 potentially eligible, but it still has, it's  
24 still significant in the history of New

1 Hampshire? Or the history of the town of  
2 Lancaster?

3 A (Widell) We took in all information on  
4 properties for consideration under eligibility.

5 Q Did you actually exclude properties that you  
6 didn't consider to be potentially National  
7 Register eligible?

8 A (Widell) Sitting here, I cannot think of an  
9 example.

10 Q Do you believe that you did? I'm not asking for  
11 a specific example, but do you think that you  
12 did?

13 A (Widell) Our review was very comprehensive, and  
14 I can't think of an example.

15 Q Okay. I didn't ask you for a specific example.  
16 My question was do you think that you excluded  
17 properties that were not potentially eligible  
18 for the National Register?

19 A (Widell) Yes. Because basically we were looking  
20 for eligible properties and what we were doing  
21 was fully compliant with Section 106.

22 Q Okay. Under Site 102.23, do you see anything in  
23 there that indicates that the Committee ought to  
24 apply or must apply this 50-year guideline that

1           you mentioned?

2           A     (Widell) No.  There's no mention of the 50-year  
3           guideline in this definition.

4           Q     And it's not really a rule, is it?  It's just a  
5           guideline, correct?

6           A     (Widell) The 50 -- help me understand your  
7           question.

8           Q     This 50-year parameter, let's call it, is not  
9           actually a federal rule.  It's simply a  
10          guideline.

11          A     (Widell) Yes.  It's a guideline.  Yes.  
12          Properties that are less than 50 years are  
13          eligible for the National Register under  
14          something called Criterion G.

15          Q     Okay.

16          A     (Widell) And we kept that in mind in review.

17          Q     Now, in your Supplemental Testimony, you  
18          indicated that if the SEC rule requires analysis  
19          of an extraordinary number of properties, that's  
20          beyond reason.  Do you remember that?

21          A     (Widell) No.  I do not.  Can you --

22          Q     On page 6 starting on line, I guess it starts on  
23          line 3.  You were criticizing Ms. O'Donnell's  
24          testimony about the 12,904 resources that she



1 identified, and you said, "Based on my  
2 experience, this is an extraordinary number of  
3 properties to suggest for review under Section  
4 106, and in my opinion, it is beyond reason to  
5 imply that this is required under 106 and the  
6 SEC rules," correct?

7 A (Widell) Yes.

8 Q Now, are you saying that simply because there's  
9 a lot of them? Should a project escape review  
10 because it's too big?

11 A (Widell) No.

12 Q So why is it beyond reason if we're looking at  
13 the plain meaning of Site 102.23?

14 A (Widell) I think it's important to talk about  
15 the properties that Ms. O'Donnell is implying  
16 should be considered. They are basically a list  
17 of different types of properties, most of which  
18 are current use parcels that are over 10,000 of  
19 the 13,000 properties that have, may be  
20 significant, may be eligible for the National  
21 Register. But for the most part, they are --  
22 she listed them as being, should be considered  
23 because they were current use parcels and no  
24 other reason.

1 Q And you don't think conservation is an important  
2 aspect of its potential eligibility for the  
3 National Register?

4 A (Widell) Conservation is definitely one of the  
5 areas of significance, and it was taken into  
6 consideration, but the conservation would, once  
7 again, normally be something that was a part of  
8 its significance for at least 50 years, and I  
9 believe the current use parcel law dates to  
10 approximately 1973. So none of those properties  
11 would have been part of the conservation,  
12 historic conservation movement in New Hampshire  
13 that I'm aware of.

14 Q But you've already agreed that the 50-year  
15 guideline is not present in the SEC rules,  
16 right? And you've already agreed to it's just a  
17 guideline, not a rule, correct?

18 A (Widell) Yes.

19 Q Okay. Do you agree that open space and  
20 conservation are important to the culture in  
21 communities and the State of New Hampshire?

22 A (Widell) Yes.

23 Q Do you think that they are, as the rule says,  
24 significant in the culture of this state?

1 A (Widell) Yes.

2 Q Okay. Have you heard the expression "money  
3 talks"?

4 A (Widell) Yes.

5 Q And doesn't it mean that if something is  
6 important, people should invest their money in  
7 it to show that?

8 A (Widell) I guess. Yes. I don't know the  
9 definition exactly but I'll take your word for  
10 it.

11 Q Certainly people invest things, invest money in  
12 things that aren't terribly important all the  
13 time, but this is, it's my understanding that  
14 current use is a way for the community to put  
15 its money where its mouth is, correct?

16 A (Widell) I guess. Yes.

17 Q And because there's a tax break that goes with  
18 that; is that correct?

19 A (Widell) That is my understanding. Yes.

20 Q Okay. And you also seem to disagree that by  
21 designating resources as important to them at  
22 the workshops that I held last summer that  
23 people in those communities are showing that  
24 those resources are important to them culturally

1 and historically. Am I understanding you  
2 correctly?

3 A I'm sorry. Could you repeat that? Especially  
4 the first part of that question.

5 Q In your Supplemental Testimony, you take issue  
6 with the identification of resources by  
7 community members at the workshops I held last  
8 summer. Do you remember that?

9 A I don't think I took issue to the identification  
10 of resources by local community members. Could  
11 you clarify that?

12 Q I think you described it as misguided.

13 A (Widell) Yes.

14 Q Isn't that taking issue with it?

15 A (Widell) Could you show me precisely because I  
16 don't want to take my words out of context.

17 Q These are your own words.

18 A Yes.

19 Q So page 7, line 14. So the purpose of the  
20 workshops as I recall them last summer was to  
21 elicit from community members what they thought  
22 was important in their community. Is that your  
23 understanding as well?

24 A (Widell) Yes.

1 Q Do you believe, do you disagree that -- well,  
2 let me phrase this question differently because  
3 maybe you don't disagree.

4 Do you agree with me that by designating  
5 resources as important to them at those  
6 workshops that people in those communities were  
7 showing to us that those resources were  
8 significant to them, to their community,  
9 culturally and historically?

10 A Yes. They were showing that they believed these  
11 properties had significance to them within their  
12 community.

13 Q Okay. Thank you. You didn't attend any of  
14 those sessions, did you?

15 A (Widell) I did not.

16 Q Were you in New Hampshire when any of them were  
17 happening?

18 A (Widell) I'm not sure. I may well have been.

19 Q Okay. So you don't have any basis for saying in  
20 your testimony that the attendees were  
21 intervenors or representatives of intervenors,  
22 do you?

23 A (Widell) Sitting here, no. I cannot say that.  
24 I have looked at the list of community

1 properties that were suggested at those  
2 workshops, and I have seen maps of their  
3 locations, but no, I don't know precisely the  
4 individuals mentioned.

5 Q Okay. Because in your testimony, you said the  
6 attendees, many of them Intervenors or  
7 representatives of Intervenors, et cetera. You  
8 don't know that. And so this statement in your  
9 testimony on line 5 and 6 is just not true, is  
10 it?

11 A (Widell) I'm not sure of that.

12 Q You don't have any basis for saying it, do you?

13 A (Widell) I may have -- no, I'm not sure of that.

14 Q Okay. Thank you.

15 So I'm showing you Counsel for the Public  
16 Exhibit 397 which is National Register Bulletin  
17 15, if I'm not mistaken. Have I gotten the  
18 right document?

19 A (Widell) Yes.

20 Q Thank you.

21 A Thank you.

22 Q That's good to know. Isn't the National Park  
23 Service criteria that's described in this  
24 bulletin limited to National Register

1 eligibility?

2 A (Widell) Yes.

3 Q Okay. That's what it's all about, correct?

4 A (Widell) Yes.

5 Q And I think we already covered this, but your  
6 definition of a cultural landscape would also  
7 require it to be eligible for listing in the  
8 National Register, correct?

9 A (Widell) Yes.

10 Q Doesn't that mean then that any other landscape  
11 that might otherwise be important to and  
12 significant and valuable in a community under  
13 the Site Evaluation Committee rules would not be  
14 considered if it didn't meet National Register  
15 eligibility?

16 A (Widell) Would not be considered for listing on  
17 the National Register?

18 Q No. Would not be considered by you for an  
19 effects analysis.

20 A (Widell) Yes. That's true.

21 Q Now, in your testimony you mentioned that you  
22 did look at some cultural landscapes, and you  
23 specifically mentioned the North Road and the  
24 Weeks State Park, correct?

1 A (Widell) Yes.

2 Q And did you consider any others that you can  
3 recall?

4 A Sitting here, I cannot recall them right now. I  
5 believe we did, but those are two that I  
6 distinctly remember.

7 Q And isn't it true that North Road isn't really a  
8 cultural landscape? It's a historic district or  
9 an agricultural district?

10 A (Widell) No. Let me explain though. The  
11 National Park Service talks about cultural  
12 landscapes, but for National Register they use  
13 historic districts, rural historic districts as  
14 the way to define them because cultural  
15 landscapes are not listed as a type of property  
16 that could be listed on the National Register.  
17 And so that's why North Road is a rural historic  
18 district, and so that's how you would define it  
19 as a resource that's eligible for the National  
20 Register.

21 Q It's my understanding that at the moment the  
22 Applicants and DHR and DOE are working on 11  
23 cultural landscapes, correct?

24 A (Widell) Yes. Technically, it's 10. One was



1 Deerfield which has been determined not to have  
2 a culture landscape after the study. So yes.

3 Q And is North Road one of those?

4 A (Widell) North Road is part of the Upper  
5 Ammonoosuc River cultural landscape.

6 Q So is it fair to say that cultural landscapes  
7 tend to be considered on a much larger scale  
8 than simply a historic district like North Road  
9 or Weeks State Park?

10 A (Widell) No, not necessarily. Rural historic  
11 districts can be very large. They can be a  
12 thousand acres or more. So, but yes, generally,  
13 the term tends to include larger areas but not  
14 always.

15 Q And North Road is over 1000 acres, correct?

16 A (Widell) No. Not North Road itself is not.  
17 When we identified it as a historic district  
18 more than a thousand acres -- I'm sorry. Excuse  
19 me. I have made an error in that. I was  
20 talking about -- there is Northside Road, and  
21 there is North Road, and I have just in my head  
22 confused the two. Northside Road is part of the  
23 Upper Ammonoosuc cultural landscape. North Road  
24 is part of the North Road and Lost Nation Road

1 cultural landscape that's been identified so --

2 Q Okay. Thank you for that clarification. That's  
3 helpful.

4 A (Widell) Thank you. And yes, North Road is more  
5 than a thousand acres. Yes.

6 Q Thank you. You assert that resources you  
7 considered are locally significant, and I think  
8 we -- strike that. You already answered that.

9 We don't really have any nationally  
10 significant places along the route, do we?

11 A (Widell) No. That's not true. The Daniel  
12 Webster Farm is a National Historic Landmark  
13 that is along the route.

14 Q And that's near the converter terminal in  
15 Franklin?

16 A (Widell) Yes.

17 Q Thank you. And that's the only one?

18 A (Widell) Yes.

19 Q All right. Your memory is better than mine. I  
20 had forgotten that.

21 Did you include in your analysis that was  
22 submitted in 2015 any places that had  
23 traditional cultural significance?

24 A No.

1 Q Or Native American? I guess that would be  
2 traditional cultural?

3 A (Widell) Yes. But no, I did not. We did not  
4 include any.

5 Q Okay. I want to go back a little bit to the  
6 identification of resources, and I know we  
7 covered this some yesterday, and I think we  
8 established that identifying them is the first  
9 thing that you do, correct?

10 A (Widell) Yes.

11 Q And then once you've identified them, then you  
12 do a significance and integrity analysis,  
13 correct?

14 A (Widell) Yes.

15 Q For determining National Register eligibility?

16 A Yes. In answering your question, that's  
17 generally what you would do for a survey. We  
18 would also look at the viewshed mapping to  
19 determine whether there is any possibility for  
20 an effect.

21 Q And so in looking at your testimony, you  
22 indicate that it's -- the way you did it is, in  
23 terms of the identification, is you looked to  
24 see whether a resource had a, quote, "sufficient

1 visual relationship." Is that correct?

2 A Certainly. For relationship to the Project, but  
3 that does not relate to significance or  
4 integrity.

5 Q Understood.

6 A Okay.

7 Q But we're still talking about identification  
8 again.

9 A (Widell) Yes.

10 Q So in terms of identifying you've got to your  
11 APE, and you've already screened on the 50-year  
12 guideline, and then the next thing you do is you  
13 look for the sufficient visual relationship?

14 A (Widell) Yes.

15 Q Or do you do that first?

16 A No. You look for significant visual  
17 relationship.

18 Q Is first? Or 50 years first?

19 A (Widell) 50 years first. The broad -- and in  
20 our case we had 1284 properties that we  
21 identified that were within the APE. And then  
22 which ones, they were plotted on a map with the  
23 associated parcels, and then used the viewshed  
24 mapping to determine whether those properties

1           might possibly be affected visually by the  
2           Project.

3       Q     Okay.

4       A     (Widell) And then you look at significance and  
5           integrity.

6       Q     So you started out at 1284, and after you  
7           applied the sufficient visual relationship test,  
8           how many did you have left?

9       A     (Widell) 194.

10      Q     194. Okay. And then after the 194, you end up  
11           at 12, correct? In terms of having an adverse  
12           effect?

13      A     (Widell) Yes. There's quite a bit of work in  
14           between --

15      Q     Oh, I understand.

16      A     (Widell) -- those two numbers.

17      Q     I'm just trying to keep track of the accounting  
18           here.

19      A     Yes. That's correct. Now, that is in my  
20           original testimony, but that number has changed.

21      Q     Okay. And we'll get to that, I think. So the  
22           1284 to the 194, that looks to me like something  
23           like just over a thousand resources drops out,  
24           right?

1 A (Widell) Yes.

2 Q And that was done based on the computer model?

3 A (Widell) No. It was done by the process that I  
4 just described to you which may -- the viewshed  
5 mapping may eliminate a number. If there is no  
6 possibility of a view within the property or its  
7 associated parcels, then those were removed from  
8 the list as well unless there was any  
9 possibility for a direct effect.

10 Q Okay. So how many dropped out for no  
11 possibility of a view?

12 A (Widell) I can't tell you that right here. It  
13 is on the database.

14 Q Okay.

15 A (Widell) Each one of those properties, there is  
16 a very thorough database that records precisely  
17 the process that I'm talking about.

18 Q But you don't know that number. How many  
19 dropped out?

20 A (Widell) No.

21 Q So is no possibility of a view the only viewshed  
22 or I should say sufficient visual relationship  
23 factor that you applied or was there another  
24 one?

1 A (Widell) No. It may have been distance or very,  
2 very minimal.

3 Q So distance or a very minimal?

4 A (Widell) Yes.

5 Q And was that done by the computer model or was  
6 that done by you?

7 A That was done onsite.

8 Q Onsite meaning you went out there and looked at  
9 a thousand or more properties and said this one  
10 has only minimal or distant views?

11 A (Widell) No. Remember, we're beginning with the  
12 viewshed mapping, and if, according to the  
13 viewshed mapping there, is no area which is  
14 indicated in purple on these forms of any view  
15 of the Project, then those were eliminated.

16 Q Okay.

17 A (Widell) So that is computer-aided, yes. If  
18 that's what you were referring to.

19 Q Yes.

20 A (Widell) Okay.

21 Q So you dropped out a bunch, but you don't know  
22 the number?

23 A That's correct.

24 Q Based on no possibility of a view, correct?

1 A (Widell) Correct.

2 Q How many did you actually go out and look at to  
3 determine whether the view was very minimal or  
4 distant?

5 A (Widell) All of those that might have shown some  
6 viewshed mapping, but we would have proceeded if  
7 there was any indication that you could see it  
8 visually. Once again, if the Project was  
9 visible now, then with increased heights it's  
10 likely to have visibility. So those then move  
11 to our computer modeling as well.

12 Q I guess I'm a little confused, and maybe it was  
13 because I was thinking ahead. But so you don't  
14 know the number of the ones you went out and  
15 visited, correct?

16 A (Widell) We visited all 194.

17 Q So I guess I don't want to sound like, you know,  
18 who's on first, what's on second, but so the  
19 1284 drops to 194 under the sufficient visual  
20 relationship test, correct?

21 A (Widell) And also significance and integrity.

22 Q We're going to talk about that in a minute, but  
23 the 1248 to 194 is based -- is it based  
24 primarily on the sufficient visual relationship?



1 A (Widell) The 1284 to the 194 is based on those  
2 two things. Significant visual relationship and  
3 significance and integrity.

4 Q So it's significant visual relationship. Or I  
5 think the way you corrected your testimony  
6 yesterday was substantial?

7 A (Widell) No. That was specifically related to  
8 discussion of, I believe, Weeks State Park.

9 Q Okay.

10 A (Widell) We could check that.

11 Q So it's not a sufficient visual relationship.  
12 It's a significant visual relationship.

13 A (Widell) Well, you have, whether there is any  
14 visual relationship at all, and that is minimal  
15 or no visual relationship, and then you're  
16 looking at whether there is a significant visual  
17 relationship because only if there is one can it  
18 diminish the features that make the property  
19 significant and eligible for the National  
20 Register.

21 Q If all you're considering is a direct visual  
22 analysis, correct?

23 A (Widell) Yes.

24 Q So I'm probably going to move on from this

1 because I don't feel like I'm understanding it.

2 So we go from 1284, you applied the  
3 sufficient visual relationship test which has  
4 some elements of significance and integrity  
5 mixed into it, and then you get to 194. But you  
6 don't know how many were lost in terms of no  
7 possibility of view, correct?

8 A (Widell) That would be recorded on the database  
9 very clearly.

10 Q And then you said you applied a distance and  
11 very minimal view test, and you don't know how  
12 many that was either.

13 A (Widell) That, too, is on the database so that  
14 would be able to be determined.

15 Q As I understand the way the analysis works,  
16 maybe I'm wrong about this, I thought that the  
17 question of integrity and significance comes up  
18 after you've identified the resource. And those  
19 are the two steps to determining National  
20 Register eligibility. So you start with  
21 identification, and I understand you applied  
22 this sufficient or significant or maybe it's  
23 possibility or maybe it's minimal or not minimal  
24 visual relationship. And then you go, then you

1           should go to whether it has significance and  
2           integrity. Isn't that the way that the process  
3           actually works?

4           A     (Widell) No. If I can just do a brief  
5           explanation, and if you need more, I'll be happy  
6           to go into it more, but you separate --

7           Q     You disagree with me. So it's my understanding  
8           that once you've determined that it's National  
9           Register eligible, that's when the visual  
10          relationship comes in to determine what the  
11          effect is on that National Register eligible  
12          property. Isn't that correct?

13          A     (Widell) Not exactly. You have to determine the  
14          significance of the property because if there is  
15          no significance related to visual importance,  
16          its setting, the landscape, viewsheds from  
17          perhaps a summer cottage, if it is only  
18          significant for its architecture, then it  
19          doesn't have, it has no possibility of being  
20          affected by a visual adverse effect.

21          Q     But in the analysis that you and the  
22          Preservation Company did prior to October 2015,  
23          you didn't do the research to determine whether  
24          a property had significance or integrity before

1           you made that screening, did you?

2           A     (Widell) No. I would disagree with that  
3           statement. In looking at the individual  
4           historic properties and doing basic research  
5           which is available on line which is what was  
6           done for these properties, a professional that  
7           meets the National Park Service standards is  
8           trained in how to apply the significance  
9           criteria to determine whether it's recreation or  
10          tourism or whatever or whether the architecture  
11          has picture windows or a porch that looks out  
12          over a view of the mountains. Those are what we  
13          call character defining features, but basically  
14          they're the things that show you how the  
15          building or property is significant.

16          Q     And I want to go back to Mr. Boisvert's letter  
17          of December 2nd, 2015. And can you give me 420?  
18          Page 3?

19                 Mr. Boisvert said, "The application notes  
20          that little historic research was completed for  
21          the project area, for individual properties, or  
22          for potential historic districts. Conclusions  
23          as to whether a property was considered historic  
24          were based upon a visual assessment and the

1 consultant's judgment, rather than on an  
2 understanding of a property's history and an  
3 analysis of its significance within the larger  
4 contexts of architectural or historic patterns  
5 of development in the community." That's what  
6 he said, right?

7 A (Widell) That's what he said.

8 Q Do you consider Mr. Boisvert to be an expert on  
9 these kinds of things?

10 A Yes.

11 Q And so if he concluded that the work that was  
12 done by you and the Preservation Company prior  
13 to October 2015 was not based on research and  
14 was instead based on a visual assessment and  
15 judgment, why should we look at this any  
16 differently?

17 A (Widell) Because we depended on the Project Area  
18 Forms at the time that were being completed by  
19 the Department of Energy for the Section 106  
20 process. Project Area Forms give you context  
21 for each of the four regions through which the  
22 Northern Pass corridor Project is going, and so  
23 that greatly informs anyone that is looking at  
24 historic properties and why they are

1 significant.

2 Further, Preservation Company has been  
3 doing architectural inventories in the State of  
4 New Hampshire for at least 30 years and has done  
5 extensive amounts of work for other Projects in  
6 many of the communities that are touched by the  
7 Project. We did basic research, we did some  
8 title searches on some of these properties  
9 because that's very now possible online. We  
10 used *ancestry.com* and other online materials to  
11 do basic background research.

12 MR. IACOPINO: Mr. Roth, what's the date of  
13 that Exhibit 420?

14 MR. ROTH: December 2nd, 2015. And I  
15 misspoke about the author of this letter. The  
16 author of the letter was not Director Boisvert.  
17 It was Edna Feighner.

18 MR. IACOPINO: Thank you.

19 BY MR. ROTH:

20 Q Is it fair to say that regardless of all that  
21 work and expertise and everything that you just  
22 described, you haven't persuaded Ms. Feighner  
23 and DHR that this was done the right way?

24 A (Widell) They categorized it as not having done

1           enough document research.

2       Q     And so my question to you earlier about this not  
3           being based on research, and instead being based  
4           only on a visual relationship and now you've  
5           added judgment, I think, there's some basis for  
6           that. It's not just me making an  
7           interpretation. This comes from DHR, doesn't  
8           it?

9       A     (Widell) I disagree with the statement. It does  
10          come from DHR, but I disagree with that finding  
11          completely because --

12      Q     I understand. You've explained that already.  
13          Thank you.

14      A     (Widell) -- the Project Area Forms are critical  
15          to --

16      Q     Ms. Widell, you've already made your  
17          explanation. Thank you.

18                 So in order to determine this visual  
19          relationship, you didn't use a bare earth  
20          analysis, did you?

21      A     (Widell) No.

22      Q     Instead you assumed that vegetative screening  
23          was fully and permanently effective, correct?

24      A     (Widell) I don't think we assumed that it was

1 permanently in place. No.

2 Q But for purposes of you're analysis, you treated  
3 it like it was a brick wall, correct?

4 A No. We took it into consideration in our  
5 analysis.

6 Q So if it screened the Project today, your  
7 assumption is it's always going to screen the  
8 Project; isn't that true?

9 A (Widell) No. We did not make any assumptions.  
10 Our responsibility was to assess effects now.

11 Q Okay. But you didn't make any opinion about  
12 whether the trees will or will not stay; is that  
13 what you're saying?

14 A (Widell) That's correct.

15 Q So I'm coming back to the determination of  
16 minimal or more than minimal views of the  
17 Project. That was sort of your, is that kind of  
18 your breakpoint for whether you included a  
19 property for further analysis?

20 A (Widell) Yes.

21 Q When you went from 1284 to 194?

22 A (Widell) Yes.

23 Q If I'm getting the numbers right.

24 Could another expert go out and come up



1 with that same result?

2 A (Widell) Experts may disagree.

3 Q But if they went out with, say, your forms or  
4 your database, could they go out there and  
5 repeat that result with any precision?

6 A (Widell) With some precision, yes, because it  
7 was based on the viewshed mapping and whether  
8 you were able to see more than minimal views of  
9 the existing transmission line from a public  
10 place on the property.

11 Q From a public place on the property?

12 A (Widell) Yes.

13 Q So that's an additional criteria that you  
14 applied.

15 A (Widell) Yes. That was the only place we were  
16 able to visit at that point.

17 Q So if a property had an important view from the  
18 back porch, you wouldn't have taken that into  
19 account. That property would have gone off?

20 A That's not true. We weren't able to take that  
21 account into view right on the property, but  
22 with the 3D modeling through Google Earth, we  
23 were able to look at views from throughout the  
24 property.

1 Q And how many did you do that for? All 1284?

2 A (Widell) No. That is the computer 3D modeling  
3 testified that I discussed in my testimony.

4 Q Okay. So the computer then did that.

5 A (Widell) Yes.

6 Q Okay. And so if somebody, if another expert  
7 didn't have the same computer model that you  
8 had, they wouldn't have been able to reproduce  
9 that result, would they?

10 A I can't speak to that.

11 Q So once you identified what you were going to  
12 include, and I assume this takes us down to the  
13 194 number? Maybe I'm misremembering it.

14 A (Widell) Yes.

15 Q Yes. 194. Then you screened it. Which did you  
16 do first? Did you screen for integrity first or  
17 significance first or which order did you do it?

18 A (Widell) It would always be significance first.

19 Q So you did significance first and then  
20 integrity?

21 A (Widell) Yes.

22 Q So let's talk about significance. Back to 397.  
23 Okay. Can you blow up the criteria for the  
24 evaluation? A, B, C, D?

1           So I take it from this, this is, can you  
2           see this?

3           A     (Widell) Yes. I can. Thank you.

4           Q     So this is from Counsel for the Public Exhibit  
5           397. This is the National Register Bulletin 15.  
6           And this describes the criteria for  
7           significance, correct? This particular, that  
8           I'm showing you?

9           A     (Widell) Yes.

10          Q     And that is associated with events that made a  
11          significant contribution, associated with lives  
12          of significant persons, correct?

13          A     (Widell) Yes.

14          Q     And embody the distinctive characteristics of a  
15          type, period or method of construction, et  
16          cetera, or D, that have yielded or may likely  
17          yield information important?

18          A     (Widell) Correct.

19          Q     Correct?

20          A     (Widell) Yes.

21          Q     And those are the famous four Criterion,  
22          correct?

23          A     (Widell) Yes. They are.

24          Q     And when the Preservation Company did their

1 analysis up to October 2015, they didn't employ  
2 those Criterion, did they?

3 A (Widell) That's not true. These are exactly the  
4 Criterion that we applied.

5 Q Their reports say that they looked at  
6 significance and integrity, but the Criterion  
7 were not explored in their report, were they?

8 A (Widell) That's not true.

9 Q Instead they used a shorthand method to discuss  
10 significance, correct?

11 A (Widell) I do not understand what you mean by a  
12 shorthand method.

13 Q Can you give me Applicant 14831.

14 So in their discussion of significance,  
15 this is what they used in every case to  
16 determine significance, correct?

17 A (Widell) Yes.

18 Q This standard.

19 A (Widell) Um-hum.

20 Q And this standard doesn't include any reference  
21 to any of the Criterion, does it?

22 A (Widell) Not exactly. But let me explain. The  
23 criteria for A which is broad patterns of  
24 history, as we generally talk about, that refers

1 to large historical events, and they wouldn't  
2 necessarily just be like a battle or something.  
3 They are, for example, in New Hampshire it would  
4 be tourism or forestry.

5 In this case, these particular areas  
6 actually have been identified as the areas that  
7 fall under Criterion A and would have a possible  
8 viewshed or landscape or setting that would be  
9 related to things that are visually important  
10 for the historic property.

11 So agriculture, certainly, because a farm  
12 is sitting in a set of fields and may have views  
13 of the mountains. Community planning and  
14 development would usually be a town.  
15 Conservation we talked about. Landscape  
16 architecture or recreation. Those take their  
17 significance perhaps from a visual component.  
18 So it's very important to identify that early on  
19 in evaluating why a historic property is  
20 important. So this is a refinement of Criterion  
21 A.

22 Q So this is a distillation perhaps of one of the  
23 Criterion, correct?

24 A (Widell) Yes.

1 Q But it doesn't directly reference any of the  
2 four Criterion, does it?

3 A (Widell) It doesn't mention Criterion A  
4 precisely, but any professional working in our  
5 field would understand that that is the  
6 Criterion that it's related to.

7 Q Okay. But at best, from what you've just said,  
8 all it does is reference Criterion A. It  
9 doesn't mention B or C or D, does it?

10 A That's true.

11 Q And on its face it, at least, it doesn't seem to  
12 reference any of them, does it?

13 A (Widell) It doesn't mention A, B, C or D.

14 Q It doesn't mention the word Criterion either,  
15 does it?

16 A (Widell) It mentions the word significance which  
17 is if you're evaluating for National Register,  
18 you're always looking at whether it meets  
19 Criterion A, B, C or D.

20 Q And is it true, I showed you one example here,  
21 and I will concede and admit that at least in  
22 the analysis of this, can you unbold that and go  
23 down to the next square?

24 In this case, and I'm not going to ask you

1 to analyze this case, they actually did mention  
2 one of the Criterion in their discussion, but in  
3 terms of the standard they applied, they didn't  
4 mention any of the criterion in the standard,  
5 correct?

6 A (Widell) Can I read this just a second? Excuse  
7 me. (Reading document)

8 Q A moment ago you said Criterion A is the one  
9 that's related to visual components.

10 A Yes.

11 Q But isn't it last true that in some instances  
12 Criterion C is visual as well?

13 A (Widell) Yes.

14 Q So I didn't want you to feel like I misled you,  
15 but is it fair to say that, is it accurate that  
16 in all of the many, many reports that the  
17 Preservation Company did and presumably with  
18 your oversight and concurrence, this definition  
19 of significance is what they worked with,  
20 correct?

21 A (Widell) I do not agree. No. I do not agree  
22 that it is a definition of significance. These  
23 are precise examples which apply to the context  
24 of the significance found with cultural

1 resources in New Hampshire in the area of  
2 potential effect.

3 Q But every one of the, every one of these  
4 separate resource analyses done by you and the  
5 Preservation Company uses the same shorthand  
6 rubric, doesn't it?

7 A (Widell) Every single one of the assessment  
8 forms in the assessment report that was done in  
9 October 2015 does, yes.

10 Q Yes. Thank you.

11 MR. IACOPINO: Mr. Roth, can you just  
12 identify the document that's now on the screen  
13 which is the page 14831 that you had called up?

14 MR. ROTH: This is Application Appendix 18.

15 MS. MERRIGAN: It's Applicant's Exhibit 1.

16 MR. ROTH: And I'll be referring to that a  
17 number of times today.

18 BY MR. ROTH:

19 Q Now let's talk about the integrity factors. So  
20 go back to that document.

21 THE WITNESS: Mr. Chairman, may I take a  
22 bio break?

23 PRESIDING OFFICER HONIGBERG: Absolutely.  
24 Take ten minutes.



1 (Recess taken 9:56 - 10:06)

2 A Thank you, Mr. Chairman.

3 PRESIDING OFFICER HONIGBERG: Understood.

4 Mr. Roth, you may continue.

5 MR. ROTH: Thank you.

6 BY MR. ROTH:

7 Q So the next step that the Preservation Company  
8 did in its evaluation of these various  
9 properties is they looked at integrity, correct?

10 A (Widell) Correct.

11 Q And in this instance, it appears that they  
12 actually identified in their analysis and in  
13 each of these reports that they did the 7  
14 aspects of integrity, and we're going to show  
15 them to everybody. And those 7 aspects of  
16 integrity are design, setting, materials,  
17 workmanship, feeling, location, association.

18 A (Widell) Yes.

19 Q And just as an aside, when you're learning this  
20 stuff in school do they give you one of those  
21 little memory devices so you know them all?

22 A (Widell) No. Not exactly. You really learn  
23 this field by looking at building and building  
24 and resource after resource and describing them.

1 And that is how you learn to apply the --

2 Q Through repetition.

3 A (Widell) Yes.

4 Q And according to -- can you give me 397 again?

5 So I'm showing you again Counsel for the  
6 Public Exhibit 397 which is the National  
7 Register Bulletin. Our old friend. And on page  
8 45 of it, it says -- bear with me a moment. It  
9 says over here on the right-hand column  
10 assessing integrity in properties, you see that?

11 A (Widell) Yes.

12 Q It says integrity is based on significance.  
13 Why, where and when a property is important,  
14 correct?

15 A (Widell) Yes.

16 Q And only after you've established significance,  
17 can you proceed to the issue of integrity,  
18 right?

19 A (Widell) Yes.

20 Q And ultimately, the question of integrity is  
21 answered by whether or not the property retains  
22 the identity for which it is significant.

23 A (Widell) Yes.

24 Q And you agree with that?

1 A (Widell) Yes.

2 Q And given the short-shrift in my view that  
3 Preservation Company gave to significance, how  
4 is it possible to reach an appropriate result on  
5 integrity?

6 A (Widell) I do not agree that Preservation  
7 Company and I was involved in looking and  
8 helping to describe the resources made  
9 short-shrift of significance.

10 Q So in your Prefiled Testimony, you identified 12  
11 properties out of the 1280 or whatever the  
12 number was, what was the number again, the big  
13 number?

14 A (Widell) 1284.

15 Q 1284. I'll write that down so I won't forget  
16 it. Out of the 1284 properties that you started  
17 with, using your one-mile APE?

18 A (Widell) Yes.

19 Q You came up with 12 properties that you believed  
20 made it through all the screens and were  
21 adversely affected, correct?

22 A (Widell) Yes.

23 Q And that's attached to your Prefiled Testimony,  
24 your Original Prefiled Testimony, I believe, as

1 Exhibit B.

2 A Yes. No. Attachment B.

3 Q Attachment B to your Original Prefiled, correct?

4 A (Widell) Yes.

5 Q Original Prefiled, correct?

6 A (Widell) Yes.

7 Q So this is Attachment B to your Original  
8 Prefiled which is a list of the 12 properties  
9 that made it through all this screening as of  
10 October 2015, correct?

11 A (Widell) Yes.

12 Q And has this list changed? Is this still the  
13 12?

14 A (Widell) The list has changed in my Supplemental  
15 Testimony I submitted that we now have  
16 determined there would be 6 adverse effects.

17 Q So the list is now reduced by a half?

18 A (Widell) Yes. It is.

19 Q Okay. So which one of these, which ones of  
20 these are no longer on the list?

21 A (Widell) Would you like me to go through each  
22 one and describe how or why they are no longer  
23 there?

24 Q No. I just want you to tell me which ones are

1 not on the list.

2 A (Widell) Quimby-Fife house, in Deerfield is no  
3 longer on the list. Montminy Farm and Country  
4 Store is no longer on the list. Locke  
5 Neighborhood and Jeffers Farm Neck technically  
6 are no longer on the list, but they have renamed  
7 and combined together as the Peaked Hill  
8 Historic District. Baker Brook Cabins and Motor  
9 Inn area are no longer on the list. They have  
10 been demolished.

11 Q The entire thing?

12 A (Widell) Enough to lose its integrity.

13 Q So just, it's my understanding that all that was  
14 demolished has not yet been demolished and  
15 that's the ranch house, correct?

16 A (Widell) In my most recent visit to this site,  
17 the ranch house did still exist, but much of the  
18 cabins on that side of the road had been  
19 demolished.

20 Q Okay. Well, that's interesting. All right. So  
21 that's gone. One more?

22 A (Widell) The Northside Road Agricultural Area  
23 and Leighton Farm are not on the list. They  
24 have, they are part of the Upper Ammonoosuc

1 River Cultural Landscape Study Area.

2 Q So they could as a cultural landscape come back?

3 A (Widell) Correct.

4 Q And similarly with Peaked Hill or Peaked Hill, I  
5 guess, is the way they say it.

6 A (Widell) No. Actually Peaked Hill is on the  
7 list of 6 in my Supplemental Testimony. The one  
8 that could come back is Montminy Farm and  
9 Country Store which is the Suncook Valley  
10 cultural landscape.

11 Q I guess I'm confused about Peaked Hill and  
12 Jeffers Farm. Are they on the list or are they  
13 off the list or are they combined?

14 A (Widell) The Locke Neighborhood and Jeffers Farm  
15 are on the list of six. They are combined in  
16 one resource named the Peaked Hill Historic  
17 District.

18 Q Okay. So if we count down the list again, we  
19 have the Lindsay Menard cabin, Maple View Farm,  
20 Peaked Hill, Weeks State Park, North Road, and  
21 Dummer Pond Sporting Club?

22 A (Widell) Yes.

23 Q And the Northside and Leighton could come back  
24 as a cultural landscape?

1 A (Widell) Yes.

2 Q And Montminy could come back in the cultural  
3 landscape, right?

4 A (Widell) Yes.

5 Q Now I want to go through some of these  
6 properties and we'll start with the Quimby-Fife  
7 House, even though you say it's off the list,  
8 because I want to look at some of the analysis  
9 that was done in terms of finding National  
10 Register eligibility and adverse effect.

11 If you look at the adverse effect analysis  
12 of Montminy or Quimby Farm which is Applicant's  
13 Exhibit 1 Appendix 18 on page 14930 we have some  
14 boxes checked and showing an adverse effect.

15 A (Widell) Sorry. I don't see that page on my  
16 screen.

17 Q My mistake. Sorry. We're going to look at  
18 integrity first, and the analysis of integrity.

19 A (Widell) Okay.

20 Q So if you look at 14929, under B, there are some  
21 boxes checked there; design, setting,  
22 workmanship, feeling, and then one sentence of  
23 analysis, correct?

24 A (Widell) Yes.

1 Q Does that seem rather conclusory in summary to  
2 you?

3 A (Widell) No. I think it's pretty comprehensive.

4 Q So it doesn't talk about anything about the  
5 setting, does it?

6 A (Widell) Yes. It states very clearly that the  
7 integrity of the setting is intact. The box is  
8 checked for that.

9 Q Right. But the analysis and the discussion of  
10 that particular box check doesn't even mention  
11 the word setting, does it?

12 A (Widell) The box check is setting. I would also  
13 refer back to the discussion of the boundaries  
14 and the statement of significance for the  
15 property which would talk about the setting of  
16 the property. That's where you would find, you  
17 wouldn't find a discussion of the  
18 character-defining features in a discussion of  
19 integrity. You would find that in the  
20 discussion of significance of the property.

21 Q If you can back up to, if you look at the  
22 discussion of significance, I don't see the word  
23 setting in there either so I'm just, I guess the  
24 point I'm trying to make and I'm surprised you



1 don't agree, that this one sentence of analysis  
2 of integrity is rather conclusory and summary,  
3 isn't it?

4 A (Widell) No. The evaluation of each of those  
5 Criterion under integrity is an excellent way of  
6 evaluating the existence of integrity for each  
7 of those areas which as you saw in the National  
8 Register guidance, it is incumbent upon the  
9 professional that is doing this form to  
10 understand what each of those Criterion means  
11 and apply that in the field.

12 Q I don't doubt that Ms. Monroe who is not a  
13 witness here understands what the aspects of  
14 integrity are. What I'm suggesting to you and  
15 I'm asking you is do you think that this one  
16 sentence of discussion of integrity actually is  
17 anything more than conclusory or summary?

18 A (Widell) I think it supports the evaluation of  
19 each of those elements of integrity because it  
20 specifically goes to discussion of the  
21 architecture and why --

22 Q Let's look at the next one at 14985. This is  
23 the Deerfield 138 which is the Lindsay Menard  
24 Cabin which I believe agree still has an adverse

1 impact. And here again in the integrity  
2 discussion, we have now three sentences, but it  
3 does not provide anything more than summary or  
4 conclusory information about that integrity  
5 analysis, does it?

6 A (Widell) I think it conveys sufficient  
7 information related to the integrity of the  
8 setting, design and all of the other Criterion  
9 in integrity. Once again, there is so much more  
10 information that has also been added to this.  
11 We have an entire survey form, inventory form,  
12 which is used by DHR.

13 Q Yes.

14 A And has even more information.

15 Q That's great, but --

16 A (Widell) So that information has also factored  
17 into my review.

18 Q No, it didn't. Because that information didn't  
19 exist when you made your review in October of  
20 2015, did it?

21 A No, it did not. Not the inventory forms.

22 Q So in here, looking at the integrity of the  
23 Lindsay Menard Cabin, I don't see any reference  
24 to design, workmanship, feeling, location, or

1 association.

2 A (Widell) Every single --

3 Q Nothing.

4 A (Widell) I'm sorry. I have to disagree. Every  
5 single one of those Criterion are listed on the  
6 form and checked.

7 Q A box checked.

8 A (Widell) Yes.

9 Q Yes. Okay.

10 I'll go to Pembroke 37, 15131. Now we're  
11 looking at same Appendix 18 of Applicant's  
12 Exhibit 1. Page 15131. And this is the  
13 Montminy Store which you said continues to, you  
14 said is off the list but is now in the Suncook  
15 cultural landscape.

16 A Yes.

17 Q Correct? And when are we going to finally see  
18 the cultural landscape assessments?

19 A (Widell) There have been two submitted to DHR at  
20 this point. They have mostly been completed,  
21 and I do not know the final date for submission,  
22 but I believe it will be very shortly completed  
23 because I have seen drafts of all of the  
24 materials.

1 Q Okay. Do you think it would make sense for the  
2 Site Evaluation Committee to consider all those  
3 10 cultural landscape assessments and have  
4 another opportunity to talk to you about them?

5 A (Widell) I think it would be very important for  
6 DHR to see the materials.

7 Q Not DHR. The Site Evaluation Committee.

8 A (Widell) I believe that would be up to them, but  
9 my understanding is that they depend on DHR as  
10 their expert for their expertise in the field of  
11 cultural resource.

12 Q So you don't think it would be worthwhile for  
13 you to come back and talk to the SEC about those  
14 10 landscape forms when they're polished up?

15 A (Widell) I would be happy to come back and speak  
16 to the SEC if anything in my expertise would be  
17 beneficial to them in their decision making.

18 Q We're looking at 15131, and this is with respect  
19 to the Montminy property which includes the  
20 little store and a farmhouse and such, right?

21 A (Widell) Yes.

22 Q And, again, with respect to integrity, there  
23 seems to be a little bit more analysis of  
24 integrity, but I would, I submit to you, do you

1 not still believe that this is summary and  
2 conclusory?

3 A (Widell) No. I think there's quite a bit of  
4 information in this describing specifics related  
5 to the barn, the setting.

6 Q And in light of its being, in light of the  
7 information?

8 A (Widell) -- subdivision, the surrounding setting  
9 as well.

10 Q In light of the importance of the Criterion for  
11 significance, it doesn't mention any of those  
12 Criterion for significance in this analysis,  
13 does it?

14 A That's not true. The significance would be on  
15 the previous page so in order to see how those  
16 two are related to one another, it would be  
17 important to also look at significance. I'm  
18 sure they talk about the setting. And in this  
19 particular property, what is interesting about  
20 it is it moved from a 19th century farm through  
21 the tourism industry into the 21st century with  
22 a store right there. So that discussion of  
23 significance is visible on the landscape, on the  
24 setting, which is very, very interesting. It's

1 almost like having physical footnotes on the  
2 setting to tell you the story of a place.

3 I'm sure that they would refer -- being very  
4 familiar with this property, I'm sure that that,  
5 there is a relationship in that.

6 Q That's a wonderful expression of significance  
7 and integrity, but it's not here in this writeup  
8 in this report, is it?

9 A (Widell) If we go to the page on significance,  
10 I'm sure that you would find that information  
11 because I reviewed this form and was involved in  
12 the discussions about the significance of this  
13 property.

14 Q In Bulletin 15, the National Park Service says  
15 ultimately, the question of integrity is  
16 answered by whether or not the property retains  
17 the identity for which it is significant,  
18 correct?

19 A (Widell) Yes.

20 Q So how can you analyze integrity without  
21 actually discussing significance at the same  
22 time, and that's not done here, is it?

23 A (Widell) Significance is discussed in a  
24 different part of the same form.

1 Q Okay.

2 A (Widell) As even you mentioned, you first must  
3 establish significance. And then the integrity  
4 talks about how that significance is expressed  
5 on the landscape. So they must relate,  
6 absolutely they must relate.

7 Q No question. But the analysis that's provided  
8 on that property in that box for integrity  
9 doesn't discuss significance. It just assumes  
10 it because of the previous discussion, correct?

11 A (Widell) Yes.

12 Q All right. Now let's look at Maple View Farm.  
13 15231. Now we're still in Applicant's Exhibit  
14 1, Appendix 18, Page 15231, and we have the  
15 discussion here again, it goes over to 32, the  
16 discussion of integrity. Again, do you agree  
17 with me that this discussion is conclusory in  
18 summary and form?

19 A (Widell) No, I do not.

20 Q Okay.

21 A (Widell) I think it covers the necessary  
22 elements to convey the site visit to the  
23 property.

24 Q It mentions setting. That's good. And it does

1            mention significance, but there's three  
2            sentences of analysis here, four maybe?

3            Now let's look at 15732. And this is, it  
4            was called originally by the Preservation  
5            Company Locke Neighborhood Historic District,  
6            correct?

7            A     (Widell) Yes.

8            Q     And in fact, it's the Peaked Hill Historic  
9            District, isn't that correct?

10          A     (Widell) It is now incorporated in what has been  
11          established as a Peaked Hill Historic District.  
12          Yes.

13          Q     So is there such a thing as the Locke  
14          Neighborhood Historic District or is it actually  
15          the Peaked Hill Historic District?

16          A     (Widell) It has been expanded and renamed.  
17          There certainly is a Locke neighborhood. Yes.

18          Q     But is there actually a thing or an entity, if  
19          you will, called the Locke Neighborhood Historic  
20          District? Is that a distinct entity from the  
21          Peaked Hill Historic District?

22          A     (Widell) Yes. The collection of buildings that  
23          are just in the Locke Neighborhood is a distinct  
24          collection of properties.



1 Q Now, I understand from this writeup that this  
2 area was home of the Muzzey family and the  
3 Worthen family. Correct?

4 A (Widell) Yes.

5 Q In the 19th century?

6 A (Widell) Yes.

7 Q And do you know whether those Muzzeys are  
8 related to Elizabeth Muzzey who works for DHR?

9 A (Widell) I do not know.

10 Q So this one as I understand it also is a  
11 214-acre district with a number of significant  
12 buildings and landscapes, isn't it?

13 A At the time that we reviewed it, that was what  
14 was incorporated in the study, yes.

15 Q Okay. And if we look at 32 and the discussion  
16 of integrity, again, I submit and apparently you  
17 will disagree, won't you, that this is summary  
18 and conclusory?

19 A (Widell) No. I do not agree with that  
20 statement.

21 Q And now let's look at BRIS51 which is 15831.  
22 This is the Jeffers Farm in Bristol which you  
23 now say is part of the Peaked Hill Historic  
24 District?

1 A (Widell) Yes.

2 Q And here we have a number of boxes checked  
3 again, correct?

4 A (Widell) Yes.

5 Q And a few sentences of summary and conclusory  
6 analysis. Do you agree?

7 A (Widell) No. I do not agree.

8 Q Now, the Baker Brook Cabins which you said have  
9 been destroyed. Historic Resources have a  
10 troubling way of doing that, disappearing in  
11 mid-analysis, don't they?

12 A (Widell) Yes.

13 Q This isn't the only one that I found in this  
14 work that between the time the work began and  
15 the analysis was completed that something  
16 disappeared.

17 A (Widell) That is true.

18 Q And I wasn't aware that these cabins were  
19 destroyed. Having seen it a number of times,  
20 I'm not entirely surprised. Now, again on page  
21 16145, we have boxes checked, and a few  
22 sentences of summary and conclusory analysis,  
23 and I assume that you disagree that that's the  
24 case?

1 A Yes. I disagree.

2 Q Now we're going to look at Weeks State Park  
3 which is Appendix or Applicant's Exhibit 1,  
4 Appendix 18, at page 16666. Now, this is a  
5 rather large and interesting property and one  
6 that's clearly very important to the people of  
7 the State of New Hampshire, do you agree with  
8 that?

9 A (Widell) Yes.

10 Q And here, again, we have your integrity which  
11 has a few boxes checked and a fairly summary and  
12 conclusory analysis, do you agree?

13 A (Widell) Yes. There is a difference with this  
14 property because it is listed on the National  
15 Register. So we have quite a thorough bit of  
16 information related to all of its aspects of  
17 significance and integrity which we depended  
18 upon.

19 Q So you didn't need to do any of this at all in  
20 fact because of that National Register listing,  
21 correct?

22 A (Widell) That's not true. This is not only an  
23 identification of historic properties that might  
24 be affected by the Project, but also an

1 assessment of potential effects, visual effects  
2 from the Project.

3 Q But in terms of going through the exercise of  
4 determining whether it's eligible, that's a  
5 foregone conclusion.

6 A (Widell) That is true.

7 Q You didn't --

8 A (Widell) I would add one thing. We did not just  
9 include the National Register property which is  
10 approximately 2.9 acres or so. We also included  
11 the entire over 400-acre State Park which is the  
12 setting for the National Register listed  
13 property.

14 Q Okay.

15 A (Widell) So we included that as well upon  
16 visiting the site and realizing that all of the  
17 significance and integrity was probably not  
18 talked about in just the National Register  
19 nomination so we evaluated over 400 acres which  
20 is the entire State Park.

21 Q But 400-acre State Park and a National Register  
22 listed property, and your discussion of  
23 integrity contains no mention of any of the  
24 Criterion on which it's significant, correct?

1 A (Widell) No. The statement of significance is  
2 in this same form on a previous page.

3 Q I understand that, but in the discussion of  
4 integrity, there's no mention of the Criterion  
5 and the way the integrity relates to the  
6 Criterion?

7 A (Widell) All 7 of the Criterion are listed there  
8 and there is reference to that.

9 Q No. Those are the aspects of integrity. The  
10 Criterion for significance are different.  
11 Correct?

12 A (Widell) Yes.

13 Q Okay. But this discussion of integrity despite  
14 the fact that the National Park Service bulletin  
15 says you've got to consider the Criterion in  
16 addition while you're analyzing integrity, you  
17 didn't do that when you discussed this 400-acre  
18 State Park and National Register listed place.

19 A (Widell) No. That's not true. You are always  
20 cognizant of the significance of the property  
21 when you are evaluating the integrity.

22 Q But those Criterion are not discussed in this  
23 discussion of integrity.

24 A (Widell) The significance Criterion are not

1 discussed specifically A, B, C, D in that.

2 Q Okay. Thank you.

3 I'm looking at 16763. Now here we actually  
4 have a discussion that looks more than summary  
5 and conclusory, but I still don't, I don't  
6 believe it mentions any of the Criterion on  
7 which the North Road Agricultural Historic  
8 District was believed to be eligible. Does it?

9 A (Widell) No, I disagree with you on that, and in  
10 this one particularly it talks about farming and  
11 the importance of farming, and the significance  
12 is under A and C for the North Road Agricultural  
13 District. So there is discussion of both  
14 farming and --

15 Q But there's no mention in this discussion of  
16 integrity of Criterion A, B, C or D, correct?

17 A (Widell) That's true.

18 Q Okay. Now we're going to look at 16921, and I'm  
19 still in Applicant's Exhibit 1, Appendix 18, and  
20 we're at page 16921 and 22. And we're here  
21 walking about the Northside Road agricultural  
22 area as it's described in here, and this was one  
23 of your ones that you originally had identified  
24 as having an adverse effect, correct?

1 A (Widell) Yes.

2 Q And now you believe that's going to be melded  
3 with the Leighton Farm into a cultural  
4 landscape.

5 A It is within the study area. Yes.

6 Q Okay. And, again here, we have the discussion  
7 of integrity, and at least in this one, if you  
8 look at the bottom there of the box, it mentions  
9 Criterion C. That's a first, isn't it?

10 A (Widell) Perhaps from the ones we looked at  
11 today.

12 Q Correct. Let me ask you this. Comparing this  
13 to the writeups of integrity in the inventory  
14 forms, would you agree with me that the writeups  
15 of integrity in the inventory forms are far more  
16 comprehensive than what is shown up in any of  
17 these descriptions that we've looked at today?

18 A (Widell) In order to do that, I'd have, I'd want  
19 to compare the two side-by-side.

20 Q Well, you've looked at all these documents  
21 already.

22 A (Widell) I have.

23 Q In your opinion, are the writeups of integrity a  
24 lot more comprehensive?

1 A (Widell) I'm sorry. Sitting here, I can't state  
2 that precisely. You've been asking me whether  
3 they stated whether Criterion A, B, C or D. I  
4 cannot sit here and remember whether those are  
5 mentioned in the discussion of integrity.

6 Q That's not the question I asked you. The  
7 question I asked you is are the writeups in the  
8 individual inventory forms or the area inventory  
9 forms in general more comprehensive than what  
10 you see in any of the things we've looked at  
11 here today when they discuss integrity.

12 A (Widell) I would want to look at them. Sitting  
13 here, I can't state that.

14 Q So did you actually review all those forms and  
15 help prepare them?

16 A I absolutely did, yes.

17 Q And right now you can't remember whether they  
18 have comprehensive discussions of integrity?

19 A (Widell) I'm sure they have comprehensive  
20 discussions of integrity, yes.

21 Q Do you think that they're more comprehensive  
22 than what we've seen in any of these?

23 A (Widell) I can't speak to that without referring  
24 back to them. I'm sorry. Sometimes setting and



1 other things are more discussed in significance.  
2 It depends on the author of the form as well.

3 Q Okay. Now we're going to move to the same  
4 exhibit, page 16967. Again, we have some boxes  
5 checked of the various aspects of integrity and  
6 a brief analysis, correct?

7 A (Widell) Yes.

8 Q And you would disagree with me that this is  
9 summary and conclusory.

10 A (Widell) There's some specifics in here related  
11 to especially the barn. The materials that were  
12 used.

13 Q And it doesn't mention any of the Criterion on  
14 which its significance is based, does it?

15 A (Widell) It does not.

16 Q And then the last one of this group is the same  
17 Exhibit, 17047. And again, we have a discussion  
18 of integrity with some boxes checked, and four  
19 short sentences which make no mention of its  
20 significance or any of the Criterion on which it  
21 was found significance, is that correct?

22 A (Widell) Yes.

23 Q And you would, you don't agree or you disagree  
24 with me that this is summary and conclusory?

1 A This is more summary.

2 Q I'm making some progress. Back to 14780.

3 Now, in Ms. Monroe's report, and explain to  
4 me again why we don't have Ms. Monroe as a  
5 witness here?

6 A I can't speak to that.

7 Q 1478 -- let's see.

8 A (Widell) Mr. Chairman, I hate to do this but I  
9 have to --

10 PRESIDING OFFICER HONIGBERG: Understood.  
11 We'll take 5 minutes.

12 A (Widell) Thank you.

13 (Recess taken 10:43 - 10:46 a.m.)

14 PRESIDING OFFICER HONIGBERG: Mr. Roth, you  
15 may continue.

16 MR. ROTH: Thank you.

17 BY MR. ROTH:

18 Q Now looking at page 10 of Ms. Monroe's report,  
19 this is Applicant's Exhibit 1, Appendix 18, page  
20 14780. And if you would highlight that last  
21 paragraph above the word analysis.

22 Okay. I assume you're familiar with the  
23 sentence as you have worked on this for some  
24 time. Is it true that this is the sum and

1 substance of Ms. Monroe's discussion in her  
2 report of how to apply integrity to the various  
3 properties that she analyzed?

4 A (Widell) Are you asking me if this is the only  
5 mention of it in the methodology? Of the  
6 report?

7 Q Yes. Is this her explanation of applying in her  
8 methodology of integrity?

9 A (Widell) I can't answer that. I'm not sure. I  
10 don't know. I certainly read and participated  
11 in the creation of the methodology, but I cannot  
12 remember precisely if we mentioned integrity  
13 elsewhere, but by referring to National Register  
14 Evaluation Criteria, it is discussing as we have  
15 discussed elsewhere in the methodology the  
16 directing documents from the Park Service that  
17 teach you how to apply different aspects of  
18 integrity, significance, boundaries, whatever.

19 Q So by incorporating by reference the National  
20 Register Bulletin 15, she's saying yes, we did  
21 all that, correct?

22 A That is where we got our direction from, yes.

23 Q But as far as her discussion of what they  
24 actually did in terms of analyzing integrity,

1 and how they applied Bulletin 15 with respect to  
2 any given property that was analyzed or  
3 assessed, this sentence is all there is in this  
4 report that describes that process, isn't it?

5 A (Widell) As I said, I'm not sure. I can't speak  
6 to that here right now.

7 Q So other than this sentence, you're not aware of  
8 any other discussion in here?

9 A (Widell) Not that I can think of right now. No.

10 Q So this is, again, your original list of  
11 properties that are, that you thought at that  
12 time would have a potential adverse effect.  
13 Correct?

14 A Yes.

15 Q And these are the 12 instances out of the 1294  
16 that you started with that you and the  
17 Preservation Company found an adverse effect?

18 A (Widell) We don't find the adverse effect. The  
19 adverse effect is found in consultation between  
20 the lead federal agency and DHR in the Section  
21 106 process.

22 Q But you didn't do that process when you went  
23 through and prepared the report prior to October  
24 of 2015.

1 A (Widell) That is right. That is why we said  
2 potentially adverse effect.

3 Q And you didn't make any determination of your  
4 own about whether any of these particular  
5 properties would experience an unreasonable  
6 adverse effect or potentially experience an  
7 unreasonable adverse effect either, did you?

8 A (Widell) For an individual site, no.

9 Q No. So, if, for example, the North Road  
10 Agricultural District would be unreasonably  
11 affected, you'd make no opinion about that one  
12 way or the other?

13 A (Widell) No.

14 Q Okay. Would you agree with me that without  
15 going through the other, and I'm not sure how  
16 many there are because it's a little bit murky  
17 in terms of the modeling and the fact that you  
18 don't know what all the screening numbers led  
19 you to, but if we went through all the other  
20 properties that were screened on integrity and  
21 significance by you and the Preservation  
22 Company, the analysis of integrity would be  
23 provided in these reports with a similar level  
24 of detail and attention. Is that fair to say?

1 A (Widell) Let me rephrase your question so that I  
2 make sure I understand it.

3 Q Let me rephrase it for you since I'm not clear.

4 A (Widell) Okay.

5 Q In the many assessments that were done, and I  
6 don't know how many of them there are, you made  
7 and the Preservation Company made an assessment  
8 of integrity, correct?

9 A (Widell) Yes.

10 Q And we just talked about 12 of them?

11 A (Widell) Yes.

12 Q And you heard me say on each occasion that I  
13 thought, and you disagreed with me, but I said  
14 those were summary and conclusory, correct?

15 A (Widell) Yes.

16 Q Is there anything that you're aware of at this  
17 point that would suggest that all of other ones  
18 would, that if we went, if we took the next four  
19 days and went through every one of them, would  
20 we find anything different with the rest of  
21 them?

22 A Sitting here I don't think so. No. I think  
23 they would be very similar.

24 Q All right. Thank you. When you and

1 Preservation Company analyzed for effects, you  
2 focused only on visual impacts, correct?

3 A (Widell) No. We also included direct effects.  
4 We mentioned that. In the underground portion.

5 Q Let's look at that page 10 again. This, again,  
6 is Ms. Monroe's report and this is Appendix 18  
7 of Applicant's Exhibit 1 and we're at page  
8 14780. And this says E, analysis of potential  
9 visual effects. And you said for those  
10 properties that we considered to have potential  
11 National Register integrity and significance  
12 under visual areas of significance we made  
13 assessments of potential visual effect of the  
14 Project on the historic property, correct?

15 A (Widell) Yes.

16 Q So other than visual areas of significance and  
17 potential visual effect, what analysis or what  
18 effects did you analyze with respect to, with  
19 respect to any of the properties?

20 A (Widell) There is a part of the methodology that  
21 discusses how we identified the location of  
22 historic properties along the underground. It's  
23 a very brief discussion.

24 Q Didn't you, in fact, in your Supplemental

1           Testimony claim that the undergrounding was in  
2           fact a way of the Project minimizing and that  
3           there wouldn't be effects of the Project on the  
4           resources along the underground?

5           A     (Widell) Yes. That is true. I believe that  
6           they determined at least 200 properties would,  
7           historic properties that might have been  
8           visually affected would not be visually affected  
9           by the underground portion of the Northern Pass.

10          Q     You said that there's a discussion in here about  
11          direct effects caused by the undergrounding in  
12          Ms. Monroe's report, and I can't find it.

13          A     (Widell) No. I did not say direct effects. I  
14          mentioned that we identified, we discussed how  
15          we identified historic properties that  
16          potentially could be affected by the  
17          underground, and it was a very summary  
18          discussion about that.

19          Q     But for the rest of the properties, the only  
20          thing that you analyzed was in terms of effects  
21          was visual?

22          A     (Widell) Yes.

23          Q     Okay. In doing so you said you relied on the  
24          Virginia and Vermont guidelines.



1 A (Widell) No. Let me clarify that. The Virginia  
2 and Vermont Guidance Document is a tool that  
3 assists you in applying the 36 C.F.R. 800 which  
4 is the federal regulations for determining an  
5 adverse effect on historic properties under the  
6 Section 106 process.

7 Q Okay. I'm going to look at the Vermont  
8 Guidelines and go through them with you a little  
9 bit. Can you pull up 416?

10 So I'm showing you Counsel for the Public  
11 Exhibit 416 which I understand is the Vermont  
12 Guidelines that we're talking about. Is that  
13 your understanding or do I have that correct?

14 A (Widell) I believe so. The ones that I'm most  
15 familiar with have the Vermont on there, but I  
16 will -- yes. They look very similar.

17 Q This document is called Criteria for Evaluating  
18 the Effect of Proposed Telecommunications  
19 Facilities, Transmission Lines and Wind Power  
20 Facilities on Historic Resources.

21 A (Widell) Yes.

22 Q Did I read that right? Don't these guidelines  
23 also tell you to look for direct impacts  
24 relating to construction?

1 A (Widell) Yes.

2 Q Did you or the Preservation Company do any  
3 analysis of direct construction related impacts  
4 other than the teardown of the Baker Brook ranch  
5 house?

6 A (Widell) No, but my colleague in archeology  
7 certainly looked for direct impacts.

8 Q But we're talking about the aboveground  
9 resources, correct?

10 A (Widell) That's correct.

11 Q All right. And in assessing the indirect  
12 impacts you focused on four of these criteria.  
13 Primary public views visible from the resource,  
14 Project distracting focal point, and Project  
15 isolates resource from setting. Aren't those  
16 the four criteria that you assessed properties  
17 for indirect impact?

18 A (Widell) Visual.

19 Q Yes.

20 A (Widell) Yes.

21 Q So there are just those four, correct?

22 A (Widell) Yes.

23 Q But the Vermont guidelines have several other  
24 criteria, don't they, that you didn't apply.

1           Let's look at them. If you see under  
2           Indirect Impact, that second portion of it, it  
3           says, for example, and the first one looks like  
4           one maybe you and the Preservation Company  
5           probably applied. Important public views kind  
6           of a thing, right?

7           A     (Widell) Yes.

8           Q     But number two, a significant intrusion into a  
9           hillside backdrop of an important historic  
10          building or group. You didn't apply that one,  
11          did you?

12          A     (Widell) Not precisely in those language, no.

13          Q     And number 3, looks like maybe you did apply  
14          that. A focal point, right?

15          A     (Widell) Yes.

16          Q     But number 4, whether it creates an intrusion in  
17          the setting of a National Historic Landmark?

18          A     (Widell) Yes. We definitely took that into  
19          consideration.

20          Q     Do we have any -- we only have one National  
21          Historic Landmark on the route, yes?

22          A     (Widell) Yes.

23          Q     So you did that for that one property?

24          A     (Widell) Yes.

1 Q Okay. Do you know whether there are any  
2 National Historic Landmark outside the APE and  
3 within three miles?

4 A (Widell) No. I don't know.

5 Q So if there were, you wouldn't have applied this  
6 criteria to it because you excluded it as being  
7 outside the APE, correct?

8 A (Widell) I'm not sure what you mean by that. If  
9 it were, if they were a National Historic  
10 Landmark within three miles of the Project and  
11 not within the APE? No. We probably would not.

12 Q Okay. Good. Thank you. I know my questions  
13 sometimes are little convoluted. I apologize  
14 for that.

15 Number 5 you applied, right? No. 5, you  
16 did not apply. Significant intrusion on a rural  
17 historic district or historic landscape with a  
18 high degree of integrity?

19 A (Widell) I think we definitely did apply that.  
20 It may not be in that four that you mentioned,  
21 but I think the North Road Agricultural District  
22 would be a perfect example of applying that.

23 Q Number 6. That's the next page. Would it  
24 significantly impair a vista or a viewshed from

1 a historic resource that's a significant  
2 component of the character? Did you apply that  
3 one?

4 A (Widell) It isn't one of the four, but certainly  
5 it is part of what we took into consideration.

6 Q Right. It's not among the four that were  
7 actually stated in all of the analyses, correct?

8 A Yes. That's true.

9 Q And number 8? Whether the Project would  
10 introduce a structure that would be dramatically  
11 out of scale and would visually overwhelm the  
12 resource. That wasn't among the four criteria  
13 that you applied either, right?

14 A (Widell) No.

15 Q Would you agree with me that among all the  
16 properties that you analyzed, and we don't know  
17 how many of them there are, and that you found  
18 were potentially eligible and had potential  
19 visual effects but no adverse effect was found,  
20 that is everything other than the 12, right? Do  
21 you believe that additional analysis based on  
22 all of the Vermont factors could show additional  
23 adverse effects?

24 A (Widell) No. I do not.

1 Q Is it conceivable to you that if these other  
2 criteria were used in addition to the four that  
3 you chose, some of the first, some of these  
4 properties, the cumulative effect might go from  
5 being adverse to being unreasonably adverse?

6 A No.

7 Q Is there any set of circumstances that you  
8 believe that a particular property along this  
9 route might have, might experience an  
10 unreasonably adverse effect?

11 A (Widell) A particular property? I did not apply  
12 unreasonable adverse effect to an individual  
13 property. I applied it to the entire route and  
14 the adverse effects that were found that would  
15 be caused by the Project.

16 Q So you went and found 12 of them had an adverse  
17 effect, and you stopped there. I'm not going to  
18 look and think about whether any of them might  
19 be unreasonable.

20 A (Widell) I looked at it in its entirety based on  
21 the criteria that are in the SEC rules.

22 Q But as we went over yesterday, there's nothing  
23 in those rules that says you should apply the  
24 unreasonable test to the Project as a whole and

1 not to individual resources; isn't that correct?

2 A (Widell) That's true, but the guidance is very  
3 helpful in that it --

4 Q What guidance?

5 A -- directs you -- the rules for determining  
6 unreasonable adverse effect. The total number  
7 of resources that are in the area, historic  
8 resources; the total number of adverse effects  
9 that are found; the size, nature and duration of  
10 those adverse effects; the size and scale of the  
11 Project; the findings of the Section 106 process  
12 and then the mitigation and avoidance and  
13 minimization practical measures that are being  
14 put forward by the Project proponent. I took  
15 all of those into consideration in determining  
16 that there is no unreasonable adverse effect.

17 Q You didn't apply any of that stuff to any  
18 particular resource along the way?

19 A (Widell) That's correct. It would be difficult,  
20 I think, to do that.

21 Q Of course. It would be very difficult. Because  
22 there's a lot of them, right?

23 A (Widell) No. I looked at every single property  
24 for adverse effect.

1 Q But you just decided you weren't going to go the  
2 next step and decide whether they're  
3 unreasonable. Did the lawyers tell you to do  
4 that?

5 A (Widell) No. Actually, the criteria is not  
6 unlike what a State Historic Preservation  
7 Officer as I was in California would do to look  
8 at a large Project. To determine really what  
9 comprehensively the adverse effects are causing  
10 to a collection of important historic  
11 properties. So applying those criteria was not  
12 something totally unfamiliar because they are  
13 similar in some ways to exactly what I would do  
14 if I were looking at a large Project at a state  
15 level.

16 Q But forgive me if I missed the answer to my  
17 question. The lawyers didn't tell you to not  
18 apply the undue standard to each individual  
19 property?

20 A (Widell) The lawyers definitely had a discussion  
21 with me about it, but I was free to apply it the  
22 way that I saw fit.

23 Q Now, the Department of Historic Resources or the  
24 Division of Historic Resources, they weren't



1 satisfied with the way you used or even using  
2 the Vermont criteria, were they?

3 A (Widell) No.

4 Q And as we went over yesterday in their letter  
5 that she said that format hadn't been adopted in  
6 New Hampshire.

7 A (Widell) Yes.

8 Q Okay. And they said you should have used 36  
9 C.F.R. 800.5, right?

10 A (Widell) Yes.

11 Q So let's put that up. This is Counsel for the  
12 Public Exhibit 439. This is a printout as  
13 current as I can get it, I suppose, of 36 C.F.R.  
14 800.5. In this provision it says an adverse  
15 effect is found when an undertaking might  
16 directly or indirectly alter the characteristics  
17 that qualify the property for National Register  
18 eligibility, correct?

19 A (Widell) Yes.

20 Q And that's as to diminish its integrity.

21 A (Widell) Yes.

22 Q And that's the 7 aspects of integrity, right?

23 A (Widell) Yes.

24 Q And then they provide a list of examples. And

1 those are listed here, one under 800.5(a)(2),  
2 include physical destruction of the property;  
3 change of its use or physical features in its  
4 setting; visual atmospheric or audible elements  
5 that diminish its integrity; neglect or  
6 deterioration; transfer out of federal  
7 ownership. Obviously, that one is not at issue  
8 because we don't have federal ownership or  
9 that's not one of the problems. These general  
10 categories in 800.5 might encompass some of what  
11 you and the Preservation Company did, but it  
12 doesn't really track them, does it?

13 A (Widell) What do you mean by track?

14 Q Well, you didn't actually in your assessment  
15 with respect to the individual properties and  
16 the impact, you didn't go through and mention  
17 each of these examples and find out whether the  
18 Project had that sort of effect on that  
19 particular resource.

20 A (Widell) No. That's not exactly true. We  
21 certainly referenced this in our methodology.  
22 The definition of an adverse effect is identical  
23 to what we used for applying whether there was  
24 an adverse effect. We looked at visual impacts

1 and the possibility of direct impacts in the  
2 underground section. We did not see whether  
3 there would be a transfer or a lease or  
4 demolition or rehab or any of those other  
5 examples.

6 Q Right. So you didn't.

7 A So we did not -- correct. We did not apply  
8 those. That's true. Yes.

9 Q Okay. Thank you. When you applied the criteria  
10 that you did, isn't it true that in each of the  
11 discussions that you wrote for each affected  
12 resource, you minimized those effects by  
13 counting existing vegetation, including that on  
14 other properties, correct?

15 A (Widell) Yes.

16 Q And, for example, we talked about Bristol  
17 Central Square yesterday, and that was dismissed  
18 because it was a quarter mile too far away, and  
19 the view would be blocked by buildings in the  
20 foreground and surrounding trees.

21 A (Widell) Yes. That's according to the database.  
22 Yes.

23 Q Let's look at Applicant's exhibit or APP 15674.

24 This is Hill Village. Actually this is New

1 Hill Village. The Original Hill Village, of  
2 course, is underneath the impoundment, right?

3 A (Widell) Yes.

4 Q And this is at 15674. This village is eligible  
5 for the National Register, right?

6 A (Widell) I believe, yes. Now DHR has identified  
7 it on the green sheet as eligible, and it has  
8 been fully inventoried in the current completion  
9 of the inventory norms being done.

10 Q And it's within your APE, right?

11 A (Widell) Yes.

12 Q But according to you and the Preservation  
13 Company won't have any adverse effect because  
14 the views are modeled as being blocked by trees,  
15 is that correct?

16 A (Widell) Yes.

17 Q If we look at 15675. If you blow up the bottom  
18 box. Second paragraph of it.

19 It cuts across the hillside, but it's  
20 separated by over a 10th of a mile of dense  
21 mixed forest of with tall pines, correct?

22 A (Widell) Yes. That's what it says. Yes.

23 Q And if we look at 15686. Now, this is a photo  
24 simulation that Mr. DeWan did and what he did

1 here is show where the Project is in sort of a  
2 ghost fashion, if I may. Whereas it's not  
3 actually going to be visible like this, but he  
4 is suggesting that if these trees weren't here,  
5 this is where those elements of the Project  
6 would be, correct?

7 A (Widell) Yes.

8 Q So if these trees were to die or be cut, the  
9 view from this resource, this Veterans Memorial  
10 Park in Hill would be of these structures on  
11 these lines, correct?

12 A (Widell) Yes.

13 Q Do you believe if those trees weren't there  
14 providing that screen that there would be an  
15 adverse effect on Hill Village?

16 A (Widell) I'd have to take a look at it, but it  
17 would appear that there would be, yes.

18 Q And I assume based on your previous testimony,  
19 you would not make any determination about  
20 whether that would be unreasonable.

21 A (Widell) That is correct.

22 Q Okay. Now, you assert in your testimony in the  
23 Supplemental that the Project avoided resources  
24 by using the existing right-of-way, correct?

1 A (Widell) Yes.

2 Q I'm sure you're aware that in many places along  
3 the existing right-of-way, new taller structures  
4 are being added, correct?

5 A Yes.

6 Q And you're aware that in many places along the  
7 existing right-of-way the existing structures  
8 are being relocated to make more room for the  
9 new line, right?

10 A (Widell) Yes.

11 Q And you're aware that those existing lines that  
12 are being relocated are going to go on, in many  
13 instances, taller structures, correct?

14 A (Widell) Yes.

15 Q And that you're also aware that in relocating  
16 the structures or in installing the new line  
17 that those structures in many instances are  
18 going to be located closer to resources like  
19 people's homes and barns and fields, roads, that  
20 are along the right-of-way, correct?

21 A (Widell) Yes. In some instances.

22 Q Okay. Is it truly avoided and minimized if in  
23 fact the existing right-of-way infrastructure is  
24 made larger and new larger structure is actually

1 being added?

2 A (Widell) Yes. Now larger structure is being  
3 added.

4 Q Right. But is it actually being avoided and  
5 minimized if you're taking something small and  
6 making it a lot bigger and closer?

7 A (Widell) Is it being avoided and minimized. My  
8 statement related to using the existing corridor  
9 is which we have which is 90 miles long. It's  
10 also almost 90 years old. And so what I don't  
11 think many people realize, we actually looked  
12 historically at the transmission line corridor  
13 and found that it was primarily located in  
14 bottom lands and has considerable tree coverage  
15 and is in often in lower areas, and so that is  
16 one of the primary reasons that throughout the  
17 corridor you do not see it affecting very many  
18 historic properties. That's one of the  
19 principal reasons. It has been there, and there  
20 has not been a lot of development around it.

21 Q So I guess I'm not sure how that relates to the  
22 question I asked, but are you saying that, in  
23 your testimony, are you suggesting that it  
24 avoids and minimizes by using the existing

1 right-of-way simply because the Project isn't  
2 cutting a new right-of-way somewhere?

3 A Yes. Definitely.

4 Q Are you aware that Eversource is not able to get  
5 a new right-of-way?

6 A (Widell) No. I am not aware.

7 Q Okay. And are you aware that Eversource, if it  
8 wanted to have a new right-of-way, it would have  
9 to spend a lot of money to buy parcels of  
10 property for 192 miles, right?

11 A I don't know that for a fact.

12 Q So isn't this avoidance/minimization that you  
13 suggest sort of like saying well, they could  
14 have built it somewhere else, but they didn't?

15 A (Widell) Not at all. It is not just the fact  
16 that the transmission corridor is there, but  
17 where the placement of it throughout the State  
18 of New Hampshire is very important to the  
19 discussion of why there are so few adverse  
20 effects. It is because the existing corridor is  
21 on low bottom land and topography. So even  
22 adding additional height, in many places it is  
23 still not visible.

24 Q Okay. But in many places it is, isn't it?



1 A (Widell) In some places, it is.

2 Q Okay. In fact, doesn't the Preservation Company  
3 recognize that in many instances the existing  
4 infrastructure is actually part of, and I think  
5 you already said that, the landscape, but that  
6 the new, the introduction of the new structures  
7 and raising the existing ones is going to be  
8 substantially different and have a significantly  
9 different effect?

10 A (Widell) And that is exactly what we considered  
11 in our visual impact analysis of historic  
12 properties.

13 Q Is the Project truly avoiding and minimizing if  
14 the equipment in the right-of-way is being  
15 placed closer to the various sorts of resources  
16 that exist along the right-of-way?

17 A It really depends. Because visual effects if  
18 you move something in a particular direction, it  
19 can actually avoid and minimize a visual adverse  
20 effect, yes.

21 Q But you said yesterday you don't have any  
22 expertise on visual analysis, didn't you?

23 A I have participated in using and looking at the  
24 movement of different structures and how that

1 avoids and minimizes effects to historic  
2 properties, and I would say yes, I know a fair  
3 amount about that from this particular Project.

4 Q Okay. From this particular Project.

5 A (Widell) Yes.

6 Q But you're not an expert on it.

7 A (Widell) I'm not an expert on visual -- what did  
8 you call it?

9 Q Visual impact analysis.

10 A (Widell) Visual impact analysis. No. My  
11 expertise is in determining adverse effects to  
12 cultural resources and, visual adverse effects  
13 is part of that analysis.

14 Q By placing it underground in the 60 some miles  
15 that they underground it, I assume what you're  
16 saying there is, again, by placing it  
17 underground they're not putting it through a new  
18 right-of-way or an existing right-of-way in the  
19 White Mountains, correct?

20 A (Widell) Yes.

21 Q Isn't that really just a different route? I  
22 mean, how is it avoidance and minimization if  
23 all of it is a different route?

24 A (Widell) It's going under existing pavement.

1 Q Do you agree that the underground work can have  
2 direct effects on historic structures?

3 A (Widell) Yes.

4 Q And how does that happen? Through removal,  
5 alteration of adjacent features such as roadside  
6 trees, stone walls, yes?

7 A Yes.

8 Q Topography?

9 A (Widell) Yes.

10 Q Structural damage caused by vibration?

11 A (Widell) Yes.

12 Q And if the underground route includes a buried  
13 splice vault in the right-of-way, are you  
14 familiar with the splice vaults?

15 A (Widell) No. Not really.

16 Q So you haven't looked at whether a splice vault  
17 the size of a 20 by 30 by 8, something like  
18 that, a big box buried in the front yard of a  
19 historic property, do you think that that would  
20 have an effect on the properties' integrity or  
21 significance?

22 A It might. Based on exactly what you talked  
23 about. It might affect stone walls or other  
24 types of walls or topography or vegetation.

1 Q And if the underground route includes a manhole  
2 cover for a grounding link box, might that  
3 affect the characteristics that make it  
4 eligible?

5 A (Widell) It depends. It depends.

6 Q And if the underground construction requires  
7 removal of a stone wall, might that affect the  
8 eligibility by diminishing integrity?

9 A Yes. It might. Yes.

10 Q Does removing and replacing an old stone wall  
11 because I believe the Project has said yeah,  
12 you're going to take these stone walls if we  
13 have to, and then we'll put it back, right? If  
14 they can? Right?

15 A (Widell) Yes.

16 Q And do you have experience with assessing stone  
17 walls?

18 A (Widell) I have -- no, not precisely stone  
19 walls. I, my expertise would be in features  
20 similar to it that have been protected through  
21 avoidance, minimization and mitigation that is  
22 part of a historic properties work program.  
23 Normally memorialized in a programmatic  
24 agreement under the Section 106 process. It's

1 not uncommon to have very precise direction for  
2 such effects that you can't precisely identify  
3 before the Project begins. And then how you  
4 handle that is through the programmatic  
5 agreement in the Section 106 process.

6 Q This isn't a 106 process here, is it?

7 A (Widell) What?

8 Q This. Where we are right now. This isn't a 106  
9 process.

10 A (Widell) The SEC in my understanding of looking  
11 at previous decisions on issuance of certificate  
12 often depend on the programmatic agreement  
13 through the Section 106 process.

14 Q But you don't see any federal officials sitting  
15 here, do you?

16 A (Widell) No, but --

17 Q So this isn't a 106 process. That's the  
18 question.

19 A (Widell) It's not the 106 process, but my  
20 understanding is SEC uses the Section 106  
21 process to memorialize the roles of those in the  
22 agreement document for work that needs to be  
23 done past the time when the permit is issued.

24 Q Yes. I understand that's your -- I accept that

1 that's your understanding. I believe you  
2 testified to that effect.

3 Is this the first case you've done in New  
4 England? The first Project you've done in New  
5 England.

6 A (Widell) Yes.

7 Q Okay. And going back to stone walls which is  
8 where we started, have you had experience where  
9 you had to oversee the removal and replacement  
10 of a stone wall?

11 A (Widell) No.

12 Q And would you, do you believe notwithstanding  
13 that lack of experience with it that removing  
14 and replacing a stone wall could diminish its  
15 aspects of integrity?

16 A (Widell) Yes. I said that previously. Yes.

17 Q Okay. And if the underground construction  
18 requires removal of mature trees or bushes,  
19 might that affect its eligibility by diminishing  
20 aspects of integrity or have an impact?

21 A (Widell) Yes. It would be unusual if a tree  
22 caused it no longer to be eligible for the  
23 National Register, but it is possible.

24 Q Aren't there historic trees in New Hampshire?

1 A (Widell) Yes. There are historic trees  
2 throughout the country. Yes.

3 Q And don't mature trees and lilac bushes and  
4 other landscaping features like that contribute  
5 to a property's setting and feel?

6 A Yes. Definitely.

7 Q (Widell) So those clearly would be related to  
8 its integrity, right?

9 A (Widell) Yes.

10 Q Does regrading the slopes or removing ledge  
11 along the route along the underground route,  
12 might that affect its eligibility by diminishing  
13 aspects of integrity for a have an impact?

14 A (Widell) It might.

15 Q If it requires a transition station to be  
16 constructed that is visible at or from a  
17 particular location that's being assessed, might  
18 that affect its eligibility by diminishing  
19 aspects of integrity?

20 Could I have that page 34?

21 Are you familiar with what a transition  
22 station is?

23 A (Widell) Yes. I couldn't draw one for you  
24 though.

1 Q Well, you don't have to. We have helpfully  
2 provided one here. There is a photo simulation  
3 done by T.J. Boyle. This is Counsel for the  
4 Public, this is found in Counsel for the Public  
5 Exhibit 138, and I believe, if I'm not mistaken,  
6 this is a photo simulation of Transition Station  
7 Number 3. And I believe this is in Stewartstown  
8 or Clarksville. Are you familiar with that  
9 location?

10 A (Widell) Not precisely, no.

11 Q Do you think that a construction of a piece of  
12 equipment like this within the viewshed or  
13 proximate to a historic resource might affect  
14 its aspects of integrity?

15 A It might depending on its significance and how  
16 it affected the property.

17 Q Have you reviewed the plan sets for the buried  
18 route?

19 A (Widell) No. I have not.

20 Q And do you know, regardless of whether you've  
21 read them, do you know whether those plan sets  
22 are complete at this point and final?

23 A (Widell) No. I do not.

24 Q Are you still confident that without having seen



1           those plan sets and knowing what they're going  
2           to do along the buried route, are you still  
3           confident that the Project avoided and minimized  
4           by going down the buried route?

5       A     (Widell) Could you repeat that? I'm sorry.

6       Q     You haven't seen the plan sets.

7       A     (Widell) Correct.

8       Q     And I assume you have not done any analysis to  
9           determine whether the Project will have adverse  
10          aspects on historic properties along the buried  
11          route; is that correct?

12      A     (Widell) No. We looked at the historic  
13          properties along the buried route and now survey  
14          forms are being completed as well.

15      Q     Okay. But at the time you did your testimony in  
16          October 2015, you hadn't done that, right?

17      A     (Widell) No. No forms had been done along the  
18          buried route, but we did look at the existence  
19          of historic properties along the underground  
20          route.

21      Q     But you haven't, at the time of October of 2015,  
22          did you do any analysis about whether historic  
23          properties along the buried route would suffer  
24          any of these direct impacts that we just

1 discussed?

2 A (Widell) No. I did not.

3 Q Okay. Now we're going to look at Exhibit 113.  
4 Applicant's Exhibit 113.

5 I'm showing you Applicant's Exhibit 113  
6 which I will represent to you is one of these  
7 monthly reports that was prepared by somebody  
8 having to do with the Applicant to be submitted  
9 to DHR. Did you prepare this report?

10 A (Widell) I did not.

11 Q Okay. If you look at it, this is, I believe  
12 this is October 2016, but it's not dated.  
13 Correct?

14 A (Widell) No. It just says it's October.

15 Q Right. But it references the December 2015 MOU  
16 so it can't be October of 2015.

17 A (Widell) Yes. That's a good assumption.

18 Q Proof of life, right? So it says in the bottom  
19 paragraph here, "Engineering plans for the  
20 underground section of the route are currently  
21 being refined. Once sufficiently developed,  
22 these plans will inform our recommendations to  
23 the DHR on which of the resources along the  
24 underground portion of the route identified by

1 the DHR should be inventoried."

2 Did I get that right?

3 A (Widell) Yes.

4 Q And then it says on the next page, "We plan to  
5 proactively begin documentation of these  
6 resources that were identified in the DHR green  
7 sheets once Project engineering has been  
8 sufficiently developed unless it has been  
9 determined that Project impacts do not warrant  
10 evaluation despite the fact that inventory of  
11 many of these resources may end up being  
12 unnecessary."

13 I think when they say may end up being  
14 unnecessary, I think that's suggesting that or  
15 referring to the uncertainty of the precise  
16 buried route, correct?

17 A (Widell) Yes.

18 Q And that uncertainty is really based on whether  
19 the buried route goes along the left side of the  
20 road or the right side of the road; is that fair  
21 to say?

22 A (Widell) I believe it is supposed to go through  
23 the center, but it may need to go in other  
24 portions of the road. The direct APE for the

1           underground is 20 feet on either side of the  
2           pavement.

3           Q     Okay. So you don't know, in fact, what we all  
4           learned here painfully over the last few months  
5           that the Project is not going to go under the  
6           center of the road, it's going to go on one side  
7           or the other, correct?

8           A     (Widell) I've heard that, but I do not, I have  
9           not looked at any plans. I don't believe there  
10          are completed plans yet at this point.

11          Q     And that in many cases, the plans in fact, at  
12          least the last ones we saw, show the Project on  
13          one side of the road or the other, occasionally  
14          crossing the road to get from one side to the  
15          other, but in general, DOT doesn't want the  
16          Project buried in the middle. You're not aware  
17          of that?

18          A     (Widell) No. I'm not.

19          Q     Okay. And in either case, aren't some of these  
20          effects such as vibration, wouldn't they occur  
21          no matter where the Project is with respect to  
22          the road?

23          A     (Widell) Likely. Yes.

24          Q     Blasting?

1 A (Widell) Yes.

2 Q Dust?

3 A (Widell) Yes.

4 Q Noise?

5 A (Widell) Yes.

6 Q So those effects can happen regardless of where  
7 on the road the underground Project is in fact  
8 installed?

9 A (Widell) Yes.

10 MR. ROTH: Mr. Chairman, this is a spot  
11 where I'm about to embark upon a somewhat  
12 lengthy series of questions. I would like to  
13 take a break.

14 PRESIDING OFFICER HONIGBERG: All right. I  
15 don't think we're going to take our lunch break  
16 at this time, however. It's a little too early  
17 for that. So let's take ten minutes and then  
18 we'll plan to for about 45 minutes to the lunch  
19 break. Sound good?

20 MR. ROTH: That sounds good.

21 PRESIDING OFFICER HONIGBERG: All right.

22 (Recess taken 11:32 - 11:45 a.m.)

23 PRESIDING OFFICER HONIGBERG: You may  
24 continue.

1 MR. ROTH: Thank you.

2 Q I want to revisit for a moment the topic we were  
3 on before the break and just ask a couple of  
4 final questions about that.

5 And that you haven't seen the final plans,  
6 correct?

7 A (Widell) Yes. That's correct.

8 Q And you don't know to what extent there will be  
9 trees removed along that route, correct?

10 A (Widell) Correct.

11 Q And you don't know to what extent any stone  
12 walls may be removed and/or replaced, correct?

13 A (Widell) Correct.

14 Q And you don't know to what extent there's going  
15 to be ledge removal, blasting, that sort of  
16 thing?

17 A (Widell) Correct.

18 Q And you don't know whether the roadside where  
19 the Project is going to be buried is going to be  
20 regraded, the topography changed, correct?

21 A (Widell) Correct.

22 Q And you also don't know the extent to which  
23 historic property may experience vibration,  
24 correct?

1 A (Widell) Correct.

2 Q Or dust?

3 A (Widell) Correct.

4 Q Or noise?

5 A (Widell) Correct.

6 Q Okay. Now, in response to a Data Request during  
7 the discovery part of this case, you provided us  
8 a table showing 18 locations where you stated  
9 you had discussed with the Project team various  
10 issues and mitigation, do you remember that?

11 A Yes.

12 Q Okay. Let's look at the table. This is Counsel  
13 for the Public Exhibit 396. Does this look  
14 familiar to you?

15 A (Widell) It is not the one that is in the  
16 methodology.

17 Q Did you prepare this table?

18 A Preservation Company and I identify the  
19 properties where there might be opportunities  
20 for an avoidance and minimization so I did not  
21 prepare this specific table. No. I did not.

22 Q Okay. So we asked the question in discovery,  
23 provide a list of the specific areas of  
24 potential effect where Ms. Widell consulted with

1 Northern Pass and the Project design changes  
2 that were made as a result of this consultation,  
3 if any. Include the specific recommendations  
4 that were made and whether they were accepted or  
5 rejected. And this table is what we were given  
6 as part of the response. And you say you did  
7 not prepare this table.

8 A (Widell) I did not prepare this table.

9 Q Okay. We're going to ask you questions about it  
10 anyway because you were identified as the person  
11 answering that question as near as I can tell.

12 The first property on this list, remember  
13 we mentioned earlier about this historic  
14 resources have a way of disappearing?

15 A Yes.

16 Q The James Barn as I understand it was removed or  
17 destroyed or sold to West Virginia or something,  
18 right?

19 A (Widell) Yes, and thank you for reminding me of  
20 that because I was trying to recall that and  
21 yes, I'm familiar with that property in  
22 Deerfield, yes, and it was, yes, removed from  
23 the property.

24 Q Okay. And in any event, the issue as was



1 identified by, presumably, you was that the land  
2 is expansive open fields between the resource  
3 and the existing line, correct?

4 A (Widell) Yes.

5 Q And the Project is significantly visible in the  
6 main public view.

7 A (Widell) Yes.

8 Q And the effect was close view of the resource.  
9 Correct?

10 A (Widell) Yes.

11 Q And that the focal, Project was going to create  
12 a focal point that distracts from the historic  
13 resource, right?

14 A (Widell) Yes.

15 Q And the possible mitigation? Nothing. Right?

16 A (Widell) I participated in discussion, and it  
17 was changing the lattice structures to monopoles  
18 in that location.

19 Q Okay. But this table doesn't reflect that, does  
20 it?

21 A It does not.

22 Q Okay. Now the next one is the Hillcrest Farm,  
23 also in Deerfield. And in this one at the top  
24 of this first property description the

1            Preservation Company indicated that this  
2            property has historically significant views in  
3            all directions, correct?

4            A     (Widell) Yes.

5            Q     Includes a house from the 18th century?

6            A     (Widell) Yes.

7            Q     And is approximately just under a half a mile  
8            from the Project. Does that sound familiar?

9            A     (Widell) It would be in the rest of the form.  
10           As you can see, there's ten pages of the form.

11           Q     Let's look at 14897. And here you say in the  
12           analysis concluding that it's going to have an  
13           adverse effect that it's four tenths of a mile,  
14           correct? I read that as .4 and that's just  
15           under half a mile.

16           A     (Widell) I don't see that on this page of the  
17           form.

18           Q     14897?

19           A     (Widell) Thanks.

20           Q     It also says here the effect of the introduction  
21           of the new structures has been minimized by the  
22           change from the use of lattice structures to the  
23           use of weathering steel monopoles which will be  
24           far less visible against the background of the

1 trees on the hillside, correct?

2 A (Widell) Yes.

3 Q But in your table, let's go back to the table,  
4 the recommendation was reduce the height of the  
5 structures, question mark. Correct?

6 A (Widell) That's what it says.

7 Q And has that happened? In terms of the design?

8 A (Widell) I cannot tell you sitting here. I  
9 cannot remember that.

10 Q Do you know if it will happen?

11 A (Widell) I cannot tell you that. I can tell you  
12 that now in the inventory forms that are being  
13 done, I believe, I believe, that this one was  
14 not, was considered not having aspects of its  
15 character that are related to visual. Visual  
16 importance. That is it is just architecturally  
17 significant. This chart, of course, is two  
18 years ago, and we've continued to look at ways  
19 to avoid and minimize any adverse effects and  
20 also we know much more about these properties  
21 and their significance. I'd have to look at the  
22 list of our survey and inventory forms that have  
23 been submitted to DHR to know if this is one of  
24 them.

1 Q This chart was prepared and provided to us in  
2 discovery last fall, wasn't it?

3 A (Widell) I don't know that for a fact.

4 Q That's not two years ago. This was just last  
5 fall.

6 A (Widell) This work and consideration of  
7 avoidance and minimization was done before last  
8 fall.

9 Q So when you made this reduced height of the  
10 structures recommendation or possible  
11 mitigation, had you already taken into account  
12 that according to this writeup in the report  
13 that there would be monopoles and not lattice?

14 A If there were, they were considered as part of  
15 the visual impact effects.

16 Q So were you suggesting then that the monopoles  
17 be reduced in height?

18 A (Widell) Perhaps.

19 Q Okay. Let's go to Pembroke 37. Montminy.  
20 Actually back to the chart.

21 So this, again, is the Montminy Farm and  
22 Country Store in Pembroke. And here your issue  
23 was the line is close and is significantly  
24 visible in the main public views of the historic

1 resource. That there were two tall proposed 345  
2 kV lattice structures visible at the edges of  
3 the field. One will be directly behind the  
4 house and store when viewed from the road. New  
5 line will rise above the trees that are now in  
6 the background at the top of the hill. And then  
7 you describe it as having a close view of the  
8 resource, correct?

9 A (Widell) Yes.

10 Q And then this is a bit curious. I don't quite  
11 know what this means. I think I do, but maybe  
12 you can explain it. Model differences in impact  
13 from other types of structures. What does that  
14 mean? That was your mitigation possibility.

15 A (Widell) What it means to me is that there are  
16 existing structures there that are lattice and  
17 the consideration of use of weathering  
18 monopoles, whether that given the close  
19 proximity of the structures, whether that would  
20 indeed make a visual difference in minimizing  
21 the visual effect. This was considered an  
22 adverse effect at the time.

23 Q Okay. And do you know whether that  
24 recommendation or I guess that consideration for

1 weathering steel monopoles was adopted?

2 A (Widell) Yes, it was.

3 Q Okay. In this one, we're looking at 621 Fourth  
4 Range Road in Pembroke, correct?

5 A (Widell) Yes.

6 Q And the chart shows that this is a circa 1950  
7 Colonial Revival Cape, right?

8 A (Widell) Yes.

9 Q Let's look at this house a little bit.

10 And can you go to APP 15060? Actually,  
11 15066.

12 So this is described here in this text as a  
13 1950s capacity, and it's determined to be  
14 eligible for listing in this writeup, correct?

15 A (Widell) Yes.

16 Q And this goes to show that it doesn't have to a  
17 quaint old New England farmhouse in order to be  
18 historic; isn't that right?

19 A (Widell) Right. Or nationally significant.

20 Q Right. And if you go to 15069. In this  
21 analysis, it seems to me, and maybe you can  
22 correct me if I'm wrong, the Preservation  
23 Company thinks this property wasn't going to be  
24 adversely affected because the Project views

1 aren't considered likely significant.

2 Have I distilled that analysis right?

3 A (Widell) Yes.

4 Q Okay. Now, in your chart though, let me go back  
5 to the chart.

6 You said the line is close and will be  
7 significantly visible in the main public views  
8 of the historic resource, correct?

9 A (Widell) I didn't say that.

10 Q Well, this is -- somebody did.

11 A (Widell) Somebody did.

12 Q You're here speaking for the Preservation  
13 Company, aren't you?

14 A (Widell) I cannot speak for the Preservation  
15 Company. I'm happy and proud to speak for our  
16 work together.

17 Q Because they're not here to testify about this,  
18 and this was offered by the Applicants as  
19 essentially the answer to the question we posed  
20 to you.

21 A (Widell) I don't know. I didn't write this.

22 Q Okay. Well, the Preservation Company then or  
23 somebody, we don't know who exactly, said the  
24 line is close and will be significantly visible

1 in the main public views. And then it says the  
2 type of effect is a close view of the resource.  
3 And in this one you recommended shift location  
4 of structure to be less visible, correct?

5 A (Widell) Yes.

6 Q And has that been done?

7 A I believe that it was done.

8 Q Okay. Let's go back to 14789 of APP. APP  
9 14789.

10 So this is Applicant's Exhibit 1, Appendix  
11 18, this is the Preservation Company's report,  
12 and they provided a table in the report on pages  
13 19 and 20 of the report indicating design  
14 changes that were made for historic purposes,  
15 correct? Is that what we're looking at?

16 A (Widell) Yes.

17 Q If you look down at the table on this page you  
18 see PEMB01?

19 A (Widell) Yes.

20 Q And it says plantings on the land between the  
21 Project and the house will be designed to screen  
22 it from view and will eliminate an adverse  
23 effect to the Property. Is that what the says?

24 A (Widell) Yes.



1 Q So it doesn't look like they're going to shift  
2 the location of the structure to make it less  
3 visible, does it?

4 A (Widell) No.

5 Q So you were just, you just didn't remember right  
6 or you're just wrong about that point?

7 A (Widell) Perhaps I did not remember it. I  
8 believed it had been done.

9 Q Now we're going to look at the Maple View Farm.  
10 And can you give me APP 15320.

11 Do you recall that the Preservation Company  
12 found this eligible, correct?

13 A (Widell) Potentially eligible.

14 Q Yes, and having an adverse impact, correct?

15 A (Widell) Yes.

16 Q Okay. In your chart, can I have the chart,  
17 please?

18 Says "highly visible across the farm's  
19 field from historically significant views from  
20 resources (buildings, barnyard) and creating a  
21 focal point," correct?

22 A (Widell) Yes.

23 Q And the road crossing creates a focal point,  
24 too, right?

1 A (Widell) Yes. Where the Project crosses the  
2 road, yes.

3 Q And the close view of the resource and a close  
4 view from the resource, right?

5 A (Widell) Yes, correct.

6 Q You suggested here or whoever wrote this  
7 suggested different structure types might reduce  
8 impact.

9 A (Widell) Yes.

10 Q Do you know whether that was done?

11 A (Widell) Can we go back to the assessment  
12 report?

13 Q Well --

14 A (Widell) With the listing?

15 Q Do you remember offhand?

16 A (Widell) I would refer back to that chart in the  
17 assessment report.

18 Q Without being too clumsy about it, I will  
19 represent to you that this property does not  
20 appear on the design changes chart on pages 19  
21 and 20.

22 A (Widell) Okay.

23 Q Okay?

24 A (Widell) Um-hum.

1 Q So do you know otherwise whether different  
2 structure types were deployed to minimize or  
3 avoid effects on the Maple View Farm?

4 A (Widell) I could answer that by looking at the  
5 current effects tables that have been submitted  
6 to DHR on Maple View and tell you precisely the  
7 structures that are planned to go there.

8 Q But you can't answer that question otherwise  
9 without looking at that?

10 A (Widell) No, I can't, sitting here, recall  
11 precisely.

12 Q Have you --

13 A (Widell) It is still considered an adverse  
14 effect on my list of adverse effects.

15 Q Um-hum. So this recommendation that different  
16 types might reduce impact, have you or the  
17 Preservation Company to your knowledge done an  
18 analysis to determine whether in fact a  
19 different structure type might reduce the impact  
20 at this location?

21 A (Widell) At Maple View.

22 Q Yes.

23 A I cannot recall looking at monopoles, and as I  
24 said, we may have. We looked at a number of

1 different properties, and unless I look  
2 precisely at the materials related to the  
3 current effects tables that have been completed,  
4 I can't tell you precisely what is going in that  
5 location.

6 Q So you don't remember whether you or -- do you  
7 remember whether you performed an analysis about  
8 this particular location to determine whether  
9 monopoles might make a difference?

10 A (Widell) I cannot recall doing that.

11 Q Okay. And I assume, therefore, you also don't  
12 recall whether the Preservation Company did an  
13 analysis to determine whether monopoles might  
14 make a difference at this location?

15 A (Widell) No. I can't speak for what the  
16 Preservation Company may have done.

17 Q You're working with them on preparing all these  
18 documents.

19 A (Widell) Yes.

20 Q You might have some familiarity with what  
21 they're up to.

22 A (Widell) In all likelihood, that would have  
23 taken place with me, but --

24 Q Now we're going to talk about the Franklin Falls

1 Dam recreation area, and this is a portion on  
2 your chart, and let's look now at Applicant's  
3 15610. And in Applicant's Exhibit 1, Appendix  
4 18, APP 15610 begins the writeup of the Franklin  
5 Falls Dam recreation area, correct?

6 A (Widell) Yes.

7 Q And in this analysis, 15612, can you give me  
8 that?

9 The Preservation Company said, "Similarly,  
10 most of the new structures will be distant and  
11 seen against trees. However, it appears that  
12 one new Project structure will be partially  
13 silhouetted against the sky," correct?

14 A (Widell) Yes.

15 Q And this is a recreation area that's roughly  
16 slightly under half a mile from the Project,  
17 correct?

18 A (Widell) Yes.

19 Q And in the chart you point out that this is  
20 going to have, says the "viewing area has  
21 365-degree views, though primary views would be  
22 upriver and downriver. The line is distant but  
23 is substantially visible in historically views  
24 from a historic resource," correct?

1 A (Widell) That's what it says.

2 Q And then you indicate or somebody indicates  
3 "monopoles will be substituted in this location  
4 based on DeWan review on what portion of site.  
5 Will likely not eliminate visual impact on the  
6 historic resource." Isn't that what it says?

7 A (Widell) That's what it says.

8 Q So even though DeWan says put in monopoles,  
9 you're saying or somebody is saying it's not  
10 going to make any difference, right?

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

12 Q Okay. Thank you. Is there anything else that  
13 you can think of to recommend at this location  
14 to make a difference, that would make a  
15 difference?

16 A (Widell) No.

17 Q The next property is what you were calling the  
18 Locke Neighborhood initially and is now being  
19 treated as the Peaked Hill Road Rural Historic  
20 District, correct?

21 A (Widell) Yes.

22 Q Can I have 15733?

23 Now we're going to look at Applicant's  
24 Exhibit 1, Appendix 18, page 15733, and this is

1 the discussion of the assessment of the Locke  
2 Neighborhood Historic District, and here on this  
3 page on the assessment under III it says, "The  
4 Project will be substantially visible in the  
5 main public view. The Project will create a  
6 focal point that distracts from the appreciation  
7 of the historic resources. The Project will be  
8 substantially visible in historically  
9 significant views, and the Project appears to  
10 have an adverse effect on the area or district,"  
11 correct?

12 A Yes.

13 Q And you didn't do anything to determine whether  
14 that was going to be an unreasonable effect as  
15 we discovered earlier, right?

16 A (Widell) That's correct.

17 Q Can I have Counsel for the Public 398?

18 So we now have an Area Form for this. This  
19 is part of the 106 process, correct?

20 A Yes.

21 Q But you didn't rely on this when you did your  
22 testimony in 2015, right?

23 A (Widell) Yes. This form was not completed at  
24 that time.

1 Q So now it's being called the Peaked Hill Road  
2 Historic District, not Locke Neighborhood,  
3 right?

4 A (Widell) Yes.

5 Q And in determining its eligibility, the  
6 Preservation Company noted, let's go to 180742.  
7 Criterion A noted that the Peaked Hill Rural  
8 Historic District is an identified local  
9 neighborhood with a significant concentration of  
10 intact resources, united visually, historically  
11 and by physical development.

12 That's what they said?

13 A (Widell) Yes.

14 Q Do you agree with that assessment?

15 A Yes, I do.

16 Q And then the next page, please? And highlight  
17 Criterion C.

18 And here they said it's a notable  
19 collection of farmhouses, relatively modest in  
20 size and detail with detached barns and clusters  
21 of smaller outbuildings, right?

22 A (Widell) Yes.

23 Q And do you agree with that?

24 A (Widell) Yes.



1 Q And in looking at these two pages where they  
2 discuss significance, you can see a nice  
3 discussion of the Criterion. Criterion A, B, C  
4 and D, right?

5 A (Widell) Yes.

6 Q And none of that was provided in the assessment  
7 forms that were done by the Preservation Company  
8 and submitted to the SEC, was it?

9 A (Widell) No. That's not entirely accurate. We  
10 identified areas of significance. We did not  
11 lay them out in an identical way, and I would  
12 point out that Preservation Company did this  
13 inventory form as well.

14 Q That's great, but they didn't, when they did  
15 the -- can you go back to APP 15732?

16 This was where they made their significance  
17 analysis, if you can call it that, with respect  
18 to the same property, and they don't mention any  
19 of the Criterion, do they? And they  
20 certainly -- is that the case?

21 A (Widell) They do not mention A, B, C or D, yes.  
22 That's true. On this page. I would point out  
23 that this form is 20 pages long, and we're just  
24 looking at page 3. So I can't be absolutely

1           sure, but I would want to look at the entire  
2           form to confirm that there is no mention of A,  
3           B, C or D.

4       Q     This is the discussion, this is where you would  
5           think you would see it in the discussion of its  
6           significance, right? Isn't it?

7       A     (Widell) No. Actually, this is kind of a  
8           refinement of that because what they've done is  
9           they've identified under Criterion A the types  
10          of resources that would meet that significance,  
11          meaning recreation or agricultural or tourism so  
12          this is even a refinement to the statement of a  
13          particular A, B, C or D goes into it in  
14          identifying the relationship to a visual  
15          character-defining feature.

16      Q     Let's go back to the 398. This is the first  
17          part of the statement of integrity which goes on  
18          to half of the next page. And it says it has  
19          integrity from the 19th to early 20th century,  
20          right?

21      A     (Widell) Yes.

22      Q     No historic properties have been lost in the  
23          last 50 years.

24      A     (Widell) Yes.

1 Q All of the houses and all but a single  
2 outbuilding in the district retain the ability  
3 to contribute to it?

4 A (Widell) Yes.

5 Q All of the buildings have integrity of location?

6 A (Widell) Yes.

7 Q And when they say the contributing to it, as I  
8 understand that, what that means is that it's a  
9 property within the grouping that would be  
10 essentially eligible, correct? So if in the  
11 middle of the Peaked Hill Rural Historic  
12 District somebody in 1989 built a vinyl villa  
13 because they got a deal on a piece of land from  
14 a desperate farmer, that would be a  
15 noncontributing structure, right?

16 A (Widell) Yes. That's actually true, but that  
17 was a very interesting question. Are individual  
18 buildings in a Historic District necessarily  
19 eligible for the National Register. That  
20 depends. But we do, when we look at a Historic  
21 District, Peaked Hill or whatever, there are  
22 contributing and noncontributing buildings. So  
23 you illustrated that better than I did so thank  
24 you.

1 Q Is it fair to say that this particular one,  
2 Peaked Hill has a relatively intact grouping  
3 that has few noncontributing structures within  
4 it?

5 A (Widell) That's exactly right. Yes.

6 Q On the next page -- highlight the second  
7 paragraph.

8 Here the Preservation Company says that the  
9 District has a high degree of integrity of  
10 association with trends in farming and summer  
11 homes in Bristol, correct?

12 A (Widell) Yes.

13 Q 15733. In its comments about the, its analysis  
14 in the original assessment, the 2015 assessment,  
15 the Preservation Company said it would be  
16 visible, the Project will be visible and  
17 historically significant views of and from the  
18 historic resources. Correct?

19 A (Widell) Um-hum. Yes.

20 Q And you agree with that assessment?

21 A (Widell) Yes.

22 Q And it says further, I believe it's probably on  
23 the next page. Yeah, it is. 34. The Project  
24 may create a focal point which distracts from

1 historic resources diminishing its integrity of  
2 setting, correct?

3 A (Widell) Yes.

4 Q You agree with that?

5 A (Widell) Yes.

6 Q Do you believe that such a diminishment of  
7 integrity of setting could make the District  
8 become ineligible?

9 A (Widell) No. Primarily because the transmission  
10 line has gone through that neighborhood and it  
11 states that in this form. If I look further, if  
12 you, I could tell you precisely, it certainly  
13 has been there since the 1950s, and we found  
14 repeatedly that it was there since 1928 and  
15 1929, and it is a modern intrusion. It doesn't  
16 contribute in any way to the significance of the  
17 District, but it has been there a very long  
18 time. 60 to 90 years.

19 Q Yes, and I think in this page it says that 1928  
20 distribution line was part of rural  
21 electrification efforts, and it's been in place  
22 for over 60 years, right?

23 A (Widell) Yes.

24 Q And that they're wooden single poles and double

1 pole H-Frames all lower in height than trees in  
2 the vicinity.

3 A (Widell) Yes.

4 Q And the new structures are going to be  
5 significantly larger and taller, aren't they?

6 A (Widell) Yes.

7 Q And do you think that the introduction of the  
8 new structures where we're going to have impacts  
9 on the Peaked Hill Historic District that are  
10 unreasonably adverse?

11 A (Widell) No. Not unreasonably adverse, because  
12 I apply that to the entire Project, but they are  
13 definitely an adverse effect and it is included  
14 on my list, both lists of adverse effects.  
15 First as the Locke area neighborhood and now as  
16 Peaked Hill Road Historic District.

17 Q So you don't think that the effects of the  
18 Project going through Peaked Hill are going to  
19 create an unreasonable adverse effect on Peaked  
20 Hill.

21 A (Widell) I don't apply it to an original site  
22 like that.

23 Q Okay. Let's go back to the chart.

24 Here on the chart you or whoever did this

1           said "no mitigation possible except  
2           underground," and then a question. "Would  
3           different types of structures or placement  
4           reduce impact," right?

5       A     That's what they said.

6       Q     So no mitigation possible except underground.  
7           Has anybody done a analysis about whether it's  
8           possible to underground through the Peaked Hill  
9           Historic District?

10      A     (Widell) Not to my knowledge.

11      Q     Has anybody done a analysis about whether  
12           different structures or placement might reduce  
13           impact?

14      A     (Widell) I believe we did look at monopoles in  
15           this area. Yes.

16      Q     Did you determine that whether or not monopoles  
17           would or would not have a beneficial impact or a  
18           result in terms of mitigating and minimizing?

19      A     I do not believe that decision has been made.  
20           There's consideration of the use of monopoles in  
21           this area that has been presented to Northern  
22           Pass.

23      Q     Okay.

24                   MR. ROTH: Mr. Chairman, is this a place to

1 take a break?

2 PRESIDING OFFICER HONIGBERG: It is right  
3 on. So we'll take our break, and we'll come  
4 back at 1:30.

5 A (Widell) Thank you.

6 (Lunch recess taken at 12:24  
7 p.m. and concludes the **Day 27**  
8 **Morning Session**. The hearing  
9 continues under separate cover  
10 in the transcript noted as **Day**  
11 **27 Afternoon Session ONLY**.)  
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**C E R T I F I C A T E**

1  
2 I, Cynthia Foster, Registered Professional  
3 Reporter and Licensed Court Reporter, duly authorized  
4 to practice Shorthand Court Reporting in the State of  
5 New Hampshire, hereby certify that the foregoing  
6 pages are a true and accurate transcription of my  
7 stenographic notes of the hearing for use in the  
8 matter indicated on the title sheet, as to which a  
9 transcript was duly ordered;

10 I further certify that I am neither  
11 attorney nor counsel for, nor related to or employed  
12 by any of the parties to the action in which this  
13 transcript was produced, and further that I am not a  
14 relative or employee of any attorney or counsel  
15 employed in this case, nor am I financially  
16 interested in this action.

17 Dated at West Lebanon, New Hampshire, this 10th  
18 day of August, 2017.

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Cynthia Foster, LCR  
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