

E X H I B I T S

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

EXHIBIT NO.	D E S C R I P T I O N	PAGE NO.
CFP 401	NH DHR Area Form for Plain Road Historic District	98
CFP 427	NPT Project, RPR #4680, Results of Effect Evaluation for Plain Road Historic District, Plain Road and Holt Road, Dummer	100
CFP 405	NH DHR Area Form for Page Hill Agricultural Historic District	109
CFP 433	NPT Project, RPR #4680, Results of Effect Evaluation for Page Hill Agricultural Historic District, Twin Mountain Road/ US 3, Whitefield	113
CFP 438	NPT Project, RPR #4680, Results of Effect Evaluation for Deerfield Center Historic District, Church Street, Deerfield	123

[WITNESSES: Widell|Bunker]

1 today "no mitigation is possible, except
2 underground", as it says on the spreadsheet?

3 A. (Widell) No, I wouldn't agree with that
4 assessment. I think that there are -- the
5 possibility for mitigation would also be a
6 different type of structure in certain places.

7 Q. Okay.

8 A. (Widell) Such as a weathering steel monopole,
9 in place of a lattice.

10 Q. But you haven't done any analysis to determine
11 whether that -- whether that would make any
12 difference?

13 A. (Widell) I have participated in discussion with
14 engineers to see if it is feasible, and --

15 Q. Feasible to what? Replace?

16 A. (Widell) To replace lattice with monopole.

17 Q. Okay. But, other than determining whether it's
18 feasible on an engineering basis, you haven't
19 done any analysis to determine whether
20 switching types of structures would reduce
21 impact, as the spreadsheet suggested in that
22 question?

23 A. (Widell) It might reduce visibility. But,
24 because these structures are a focal point

[WITNESSES: Widell|Bunker]

1 within the Historic District, between views of
2 the resources and within the District, unlike
3 other resources, it may reduce visibility, but
4 it will definitely still be an adverse effect.

5 Q. Okay. And, if, on an engineering basis, and
6 do you know the answer to that? Did they
7 determine that it's feasible on an engineering
8 level?

9 A. (Widell) I believe it is feasible.

10 Q. Okay. But let's assume that it's feasible, but
11 they decide not to do it. Is there any other
12 mitigation that's possible, except for
13 underground, as the spreadsheet says?

14 A. (Widell) I am not aware of.

15 MR. ROTH: Okay. Can we go to
16 APP15832?

17 BY MR. ROTH:

18 Q. So, we're now looking at the assessment report
19 for the Jeffers Farm, also in Bristol. And
20 this is Applicants' Exhibit 1, Appendix 18.
21 And we're looking at Page 15832. And this is
22 the discussion, as I said, of the Jeffers Farm.
23 And, as I understand from your testimony this
24 morning, for purposes of your assessments under

[WITNESSES: Widell|Bunker]

1 the 106 process, Jeffers Farm has now been, to
2 use Ms. O'Donnell's words, agglomerated with
3 the Peaked Hill District, correct?

4 A. (Widell) Yes. Jeffers Farm is part of the
5 Peaked Hill Historic District.

6 Q. Okay. And, on 15832, in the assessment, the
7 Preservation Company found that "The Project
8 will be substantially visible in the main
9 public views of the historic resource."
10 Correct?

11 A. (Widell) Yes.

12 Q. And that "The Project appears to have an
13 adverse effect on the property." Correct?

14 A. (Widell) Yes.

15 Q. And didn't they say in the text -- can you
16 highlight that? "Project will be prominently
17 visible when looking at it from the road."
18 Correct?

19 A. (Widell) "When looking at the house from the
20 road."

21 Q. Yes. So, you're standing on the road, looking
22 at the mouse, and the Project is going to be
23 prominently visible somewhere there?

24 A. (Widell) In the rear of the property, yes.

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Q. In the rear of the property. And doesn't it
2 also say that the new lines in the old
3 right-of-way will be closer to the resource
4 than the existing lines, correct?

5 A. (Widell) Yes.

6 Q. Okay.

7 A. (Widell) Thank you. Sorry.

8 Q. That's all right.

9 A. (Widell) I jumped ahead.

10 Q. Yes, yes, yes. And the new monopole that's
11 been proposed, apparently one of them, there
12 are two new monopoles that are going on this
13 piece of property, 75 feet tall, and it will be
14 taller than the existing equipment that's there
15 now, right?

16 A. (Widell) Yes.

17 Q. Which are roughly "42 to 45"?

18 A. (Widell) Yes.

19 Q. And the "conductors will be higher than the
20 surrounding trees and more visible than the
21 existing lines". So, this is a pretty
22 significant change in effect from the existing
23 lines, isn't it?

24 A. (Widell) It's an adverse effect.

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Q. A pretty significant adverse effect, isn't it?

2 A. (Widell) Yes.

3 Q. Thank you. And do you believe that the impacts
4 of this sort could diminish the things that
5 made the Jeffers Farm potentially eligible?

6 A. (Widell) Yes. That is the definition of an
7 "adverse effect".

8 Q. Okay. And, in your opinion, will these impacts
9 at the Jeffers Farm be unreasonable?

10 A. (Widell) I would not apply an "unreasonable
11 adverse effect" to an individual property.

12 Q. Okay. Even though that's the standard that
13 we're using here in the SEC, correct?
14 "Unreasonable adverse effect"?

15 A. (Widell) It is a final decision that needs to
16 be made by the SEC.

17 Q. Okay.

18 A. (Widell) You were implying that it's a standard
19 that needs to apply to an individual property,
20 and I do not agree with that.

21 Q. Okay.

22 MR. ROTH: Can you give me back the
23 chart? And the top row.

24 BY MR. ROTH:

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Q. And this is the chart again. And, in here you
2 note, or somebody notes, "the line is close and
3 is significantly visible in the main public
4 views." That's similar to what was in the
5 assessment report, right?

6 A. (Widell) Yes.

7 Q. And what they are proposing, at least when this
8 was written, is an "80-foot [tall] lattice
9 structure", right?

10 A. (Widell) It is slightly different in the
11 Assessment Form, I believe.

12 Q. Well, yes, I understand.

13 A. (Widell) Yes.

14 Q. But we're looking at this figure here.

15 A. (Widell) Yes. That's what it states. Uh-huh.

16 Q. Okay. And that "the only screening was
17 deciduous trees", right?

18 A. (Widell) Yes. That's what it states.

19 Q. And that's important, because deciduous trees
20 lose all their leaves in the fall, and don't
21 grow them back, in New Hampshire, after like
22 Memorial Day, right?

23 A. (Widell) Yes. And it's important to look at
24 leaf-on and leaf-off.

[WITNESSES: Widell|Bunker]

1 Q. Right. And, in general, you didn't look at, in
2 terms of identifying resources, at the top of
3 the system, you didn't make determinations
4 about leaf-on/leaf-off, you just said "Tree
5 cover. We're not looking at that one." Right?

6 A. (Widell) No, that's not true. We looked at
7 leaf-on and leaf-off, and we discussed that.

8 Q. No, that's not what I recall. So, then you
9 said "Close view of the resource", and then the
10 possible mitigation was "shift location of new
11 structure". And has -- do you know, has that
12 been adopted? Have they moved the location of
13 the new structure?

14 A. (Widell) I am not aware of that, no.

15 Q. Do you think that that would actually make a
16 difference, if they did?

17 A. (Widell) It could be, because, in this
18 particular case, one of the structures was in a
19 public view behind the property.

20 Q. So, you're saying it could make a difference?

21 A. (Widell) Yes.

22 Q. Okay. And do you know whether they have
23 analyzed trying to do that?

24 A. (Widell) No.

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Q. All right. Now, we're going to go to Ashland.

2 MR. ROTH: And let's look at 16058.

3 BY MR. ROTH:

4 Q. So, in this instance, we're looking at a
5 railroad bridge, right?

6 A. (Widell) Yes.

7 Q. And 16060, Preservation Company made a
8 determination that it has potential for
9 eligibility for the National Register because
10 of visually related areas of significance,
11 correct?

12 A. (Widell) Yes. I would say -- make a point, of
13 course, that Preservation Company and I worked
14 together on these Assessment Forms. So, I was
15 participating in that.

16 Q. Okay. So, you speak for them in some
17 instances, but not others. Is that what I
18 understand?

19 A. (Widell) I am here to speak for our joint
20 product.

21 Q. Okay. And, in the next page where they did an
22 assessment, they determined that it would not
23 have an adverse effect on the railroad bridge,
24 the Project wouldn't, right?

[WITNESSES: Widell|Bunker]

1 A. (Widell) Yes.

2 MR. ROTH: And, if you highlight that
3 last paragraph.

4 BY MR. ROTH:

5 Q. You determined and the Preservation Company
6 determined that "The Project will not be
7 substantially visible in the main public view
8 of the bridge. The views of the bridge are not
9 a character-defining feature. Rather, the
10 significant views are from the bridge looking
11 towards the scenic river." Correct?

12 A. (Widell) Yes.

13 Q. And, so, is it -- would it be considered
14 trespassing for a person to walk over this
15 bridge?

16 A. (Widell) I don't know that.

17 Q. Okay. Do you think it's customarily a safe and
18 prudent practice for the public to walk on a
19 railroad trestle?

20 A. (Widell) No.

21 Q. And are you aware that railroads look very
22 unlikely on that kind of behavior by the
23 public?

24 A. (Widell) I would expect so.

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Q. Okay. So, what we're talking about is people
2 who travel by train over this bridge, in
3 essence, correct?

4 A. (Widell) Yes. Are you referring to this
5 statement, because I'd be happy to clarify it?

6 Q. Well, I'm trying to understand "the significant
7 views are from the bridge looking at the
8 river", right?

9 A. (Widell) Yes. So that, if I can --

10 Q. So, the way you get on the bridge is either you
11 walk on it, which is probably illegal, and
12 certainly unsafe, or you ride a train across
13 it, right?

14 A. (Widell) Well, Mr. Roth, if I might clarify
15 this, it goes actually to what you had been
16 discussing earlier. The significant views goes
17 directly to the significance of the historic
18 property. This historic railroad was -- its
19 intention was as a tourist railroad, for
20 tourists to travel to the White Mountains.
21 Even today, there is a tourist railroad, I
22 think, that uses this corridor.

23 So, when we refer to the "significant
24 views", they would not be coming from somebody

[WITNESSES: Widell|Bunker]

1 that's trespassing on the railroad bridge. It
2 historically would have had significant views
3 because it was used for tourism.

4 Q. Okay.

5 A. (Widell) Okay?

6 Q. I accept that.

7 A. (Widell) All right.

8 Q. And I fully appreciate that it's important to
9 consider whether tourists on the tourist train,
10 whether their view is diminished in some way by
11 a project, right?

12 A. (Widell) Yes.

13 Q. And I don't think we're in disagreement on that
14 point.

15 A. (Widell) Okay. Thank you.

16 Q. But you did not consider and the Preservation
17 Company did not consider whether other views of
18 the bridge, from other places, might also be
19 significant for other reasons, did they?

20 A. (Widell) Yes. We did look at whether there
21 were significant views of the bridge itself,
22 that had the Project in its scope for sure.
23 That is one of "is it in the main public views
24 of the bridge?"

[WITNESSES: Widell|Bunker]

1 MR. ROTH: Could you give me CFP 406?

2 This is a big one.

3 BY MR. ROTH:

4 Q. So, I'm now introducing Counsel for the Public
5 Exhibit 406, which is the Area Form for the
6 Boston, Concord and Montreal Railroad Historic
7 District. Correct? Do you recognize this?

8 A. (Widell) Yes.

9 Q. So, this was not prepared by the Preservation
10 Company. This was prepared by Public
11 Archeology Laboratory, also known as "PAL",
12 right?

13 A. (Widell) Yes.

14 Q. And is your relationship with PAL similar to
15 that that you have with the Preservation
16 Company?

17 A. (Widell) PAL is part of the team working on
18 cultural resources for Northern Pass. And I
19 have worked with PAL, as well as Preservation
20 Company, yes.

21 Q. Okay. So, did you participate in creating this
22 Area Form for the railroad?

23 A. (Widell) I reviewed the Survey Form -- the
24 Inventory Form, I'm sorry, I keep calling it a

[WITNESSES: Widell|Bunker]

1 "Survey Form", they are -- those terms are used
2 inter --

3 Q. The Area Form?

4 A. (Widell) Yes. The Inventory Area Form, the
5 large Area Form. Yes, I did review it. Yes.

6 Q. Okay. And there's quite a bit of detail in
7 here about the railroad and its history,
8 correct?

9 A. (Widell) Yes. And, --

10 MR. ROTH: And, so, let me go to
11 181028.

12 BY MR. ROTH:

13 Q. And we're not going to talk about a lot of the
14 history of the railroad, although that might be
15 very interesting, I think we're -- I want to
16 focus on the bridge.

17 MR. ROTH: And can you highlight that
18 last big paragraph?

19 BY MR. ROTH:

20 Q. And, in here, PAL says "Two bridges over the
21 rivers provide distinguished examples of early
22 twentieth-century truss bridge construction."

23 Correct?

24 A. (Widell) Yes.

[WITNESSES: Widell|Bunker]

1 Q. And then it says "the former", which is this
2 bridge, I believe they're referring to this
3 one, I believe this is the Pemigewasset River
4 Bridge, correct?

5 A. (Widell) Yes. Yes.

6 Q. So, "The former is a three-span riveted through
7 truss", --

8 A. (Widell) Uh-huh.

9 Q. -- of which perhaps 21 are extant in the
10 state", and then there's a citation, correct?

11 A. (Widell) Yes.

12 Q. And "Its significance is enhanced by the fact
13 that it was designed by the John Storrs, the
14 well-known New Hampshire engineer." Correct?

15 A. (Widell) Yes.

16 Q. So, John Storrs wasn't running a tourist train,
17 was he?

18 A. (Widell) No. So, you're pointing very
19 precisely to the criteria under which this
20 would be significant, which is C, which
21 normally is architecture, but, in this case,
22 would be engineering.

23 Q. Right.

24 A. (Widell) And, so, it doesn't have a visual

[WITNESSES: Widell|Bunker]

1 component that would be connected to its
2 significance.

3 Q. So, --

4 A. (Widell) And so, this property, as well as all
5 railroad properties, were determined by DHR to
6 have no adverse effect, and are not for the
7 Northern Pass Project.

8 Q. The bridge -- and, then, on the next page, it
9 says "The Bridge over Pemigewasset River...a
10 hansom Warren through truss".

11 A. (Widell) Warren through truss.

12 Q. Yes.

13 A. (Widell) Yes. Yeah, it is.

14 Q. And, so, is it fair to say, --

15 MR. ROTH: And I'd like to go to
16 181083. And can you highlight the top
17 photograph?

18 BY MR. ROTH:

19 Q. And, at some level, is it fair to say that the
20 bridge is an important example of a type of
21 bridge?

22 A. (Widell) Yes.

23 Q. And that has a particular appearance, doesn't
24 it?

[WITNESSES: Widell|Bunker]

1 A. (Widell) Yes.

2 Q. And that this is an example, I guess they
3 called it a "distinguished example", of a
4 bridge that's disappearing from New Hampshire,
5 isn't it?

6 A. (Widell) Yes.

7 Q. In fact, we had one here in Concord that
8 they've taken apart, unfortunately, and now
9 there's a piece of it laying next to the
10 riverbank, to show how important and
11 interesting it was, right?

12 A. (Widell) Yes.

13 Q. And here we're looking at a picture of the
14 bridge. And this picture was taken from Main
15 Street, looking down at the bridge, correct?

16 A. (Widell) I'm assuming that. I didn't take the
17 photograph. But I'm assuming, yes, that's the
18 approximate location.

19 Q. Yes. The caption says "looking from Main
20 Street". Now, that's quite an elevation, --

21 A. (Widell) Yes.

22 Q. -- looking down at the bridge. And do you
23 know, did anybody analyze whether the view from
24 Main Street, in Ashland, was, and I guess it's

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Ashland into New Hampton, is historically
2 significant in any way?

3 A. (Widell) I do not know that.

4 Q. Okay. And do you know whether anyone analyzed
5 whether the view of this bridge from the
6 surface of the river had any sort of historic
7 significance for -- even from a tourism basis?

8 A. (Widell) We looked at the significant views.
9 We looked at the views of this bridge from the
10 highway bridge as well. But, once again, it
11 goes directly to the significance of the
12 property itself, which is for engineering. And
13 it was determined by DHR that it was not
14 significant for tourism views. I think it
15 points to the thoroughness of --

16 Q. You didn't -- I'm sorry, but you didn't answer
17 my question. The question is, did anybody, you
18 or anybody at PAL or the Preservation Company,
19 analyze this bridge from a perspective of
20 tourism using the river?

21 A. (Widell) No. Not contemporary tourism, no.

22 Q. Or historical tourism using the river?

23 A. (Widell) Historical tourism using the river,
24 no.

[WITNESSES: Widell|Bunker]

1 Q. Okay. Nor historically significant from people
2 traveling over Main Street, between Ashland and
3 New Hampton?

4 A. (Widell) No.

5 Q. Okay. Now, in that photograph that's
6 displayed, you can see the existing wires
7 running above the bridge, correct?

8 A. (Widell) Yes.

9 Q. And is it fair to say that, if the Project is
10 constructed, there will be additional wires,
11 perhaps higher than these wires, that will be
12 visible from Main Street above the bridge?

13 A. (Widell) I don't know that.

14 Q. Okay. And hypothesize with me for a moment
15 that there will be more and higher wires above
16 the bridge. And tell me, do you think that
17 that would have an impact on the bridge and the
18 railroad?

19 A. (Widell) No. Not based on the information
20 prepared in the Survey -- Inventory Form that
21 you just presented to us, and the decision by
22 DHR that none of the railroad resources would
23 have -- there would be no adverse effect to any
24 of the railroad resources within the Area of

[WITNESSES: Widell|Bunker]

1 Potential Effect for Northern Pass. So, --

2 Q. Okay. But that's based solely on the tourism
3 train, correct?

4 A. (Widell) No. It's based on the finding from
5 the Inventory Form that the criteria --
6 criterion for significance is C, not A, which
7 is related to its engineering. It's a Warren
8 through truss. And, as you said, it's one of
9 only 20 some in New Hampshire. And its
10 significance is drawn from its engineering.

11 Q. Okay. You said that before. And now I
12 understand something that I didn't understand
13 before, and thank you for repeating it.
14 Because, in the assessment that was done by the
15 Preservation Company in 2015, on which you
16 based your opinion in this case, they looked at
17 the bridge as -- under Criterion A as scenic
18 because of the tourism train, correct?

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

20 Q. And that turned out not to be the case, right?

21 A. (Widell) That is true. But what that -- that
22 is an example of how broadly we were in
23 including resources that may have a visual
24 characteristic to them, even if it is possible

[WITNESSES: Widell|Bunker]

1 that it was only significant under engineering,
2 which is a logical application of significance
3 under National Register for bridges.

4 Q. Doesn't it also mean that you, when you
5 prepared the assessment, with your rather
6 singular focus on visual effects, you ignored
7 Criterion C, Engineering, didn't you?

8 A. (Widell) No.

9 Q. Or you missed it.

10 A. (Widell) We didn't ignore Criterion C --
11 Criterion C does not have the likelihood, it
12 doesn't have the capability of having an
13 adverse effect from a visual standpoint. So,
14 we were actually being more inclusive by
15 stating that we thought it might potentially
16 have significance under the tourism trade,
17 which would require us to look at whether there
18 were visual adverse effects for this bridge.

19 Q. But you didn't --

20 A. (Widell) What I'm saying now is that DHR has
21 said "no" --

22 Q. You've said that over and over again and you
23 can stop. But did you -- but is it true that,
24 when you did the analysis of the bridge in the

[WITNESSES: Widell|Bunker]

1 first instance, you didn't consider it as an
2 engineering or architectural resource, correct?

3 A. (Widell) Yes, we did consider that. But that
4 was not the significance.

5 Q. It's nowhere in this analysis, is it?

6 A. (Widell) It was not -- we did not identify that
7 significance, because it had no possible visual
8 effect that could occur from the Northern Pass
9 Project.

10 Q. And that's your singular focus on visibility,
11 that's what I'm getting at. You were focused
12 on visibility, so you didn't think about
13 engineering, right?

14 A. (Widell) Not for making determinations of a
15 visual adverse effect. Because, if it were
16 significant under engineering, it would be
17 impossible for it to have a visual adverse
18 effect under the Section 106 process.

19 Q. If you were to look at the bridge -- if you
20 were to sort of look it from the perspective
21 that the Preservation Company did in 2015, and
22 upon which you based your opinion in this case,
23 as a scenic resource, basically, for the
24 tourists on the train, do you think that, if

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 you included views of the bridge from the river
2 or from Main Street, you would find an adverse
3 impact?

4 A. (Widell) No.

5 Q. Now, let's look at the chart again. So, here
6 we are back to the spreadsheet. And the middle
7 column there, "Type/Description of Resource",
8 talks about "Historically significant views -
9 nineteenth-century literature touted scenery
10 along rail line", and it "remains in use...for
11 fall foliage train trips between Meredith and
12 Plymouth". Right?

13 A. (Widell) Yes.

14 Q. And "The project will be visible in
15 historically significant views from the
16 bridge". "New structures will be significantly
17 higher and closer" -- "and close to river's
18 edge". And there's "clearing proposed for the
19 southerly edge of the right-of-way which will
20 further increase visibility." Is that what you
21 said?

22 A. (Widell) I'm sorry, I didn't see that part of
23 the right-of-way.

24 Q. Yes. Under "Issue", "Clearing is proposed for

[WITNESSES: Widell|Bunker]

1 southerly edge of right-of-way --

2 A. (Widell) Yes. Thank you.

3 Q. -- which will further increase visibility."

4 A. (Widell) Yes. Yes.

5 Q. And, then, under "Possible Mitigation", it says

6 "Visibility from the bridge could be reduced by

7 shifting structures back from the river edge."

8 And do you know if that was -- if that has been

9 done?

10 A. (Widell) I do not know if it has been done, but

11 I know it was considered.

12 Q. Now, we're going to look at, very briefly, The

13 Rocks Estate. And we're just going to look at

14 the chart here, because it's my understanding

15 that counsel for the Forest Society is going to

16 ask a number of questions about The Rocks

17 Estate. So, I'm not going to spend any time on

18 that of any great amount.

19 But I'm looking at your chart here. And

20 it seems to me that this chart was drafted sort

21 of maybe before the underground route was fully

22 determined. Is that fair to say?

23 A. (Widell) I don't know.

24 Q. Okay. And, because it suggests that the

[WITNESSES: Widell|Bunker]

1 "underground option", if you look at the
2 "Possible Mitigation", "would eliminate effects
3 on" this particular "sawmill/pigpen and the
4 Trail". And then it says "Monopoles might
5 reduce visibility." Correct?

6 A. (Widell) Yes.

7 Q. And do you know whether the monopoles have been
8 adopted for this location?

9 A. (Widell) No, I do not precisely. I'd have to
10 look at my materials for that.

11 Q. Do you --

12 A. (Widell) Because I certainly analyzed what was
13 proposed from The Rocks Estate.

14 Q. Okay.

15 A. (Widell) As we have with all the other historic
16 resources.

17 Q. Have you analyzed to determine whether the use
18 of monopoles would, in fact, reduce visibility
19 at The Rocks Estate?

20 A. (Widell) I participated in the preparation of
21 an effects -- draft effects table. And I have
22 looked at the effects on The Rocks Estate in a
23 lot of detail, yes.

24 Q. That wasn't really responsive to the question.

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 The question was, have you analyzed whether
2 using monopoles would, in this location, would
3 reduce visibility at The Rocks Estate?

4 A. (Widell) No.

5 Q. Now, we're going to look at the poor Baker
6 Brook Cabins.

7 MR. ROTH: I'm going to start with
8 APP16142.

9 BY MR. ROTH:

10 Q. So, this is Applicants' Exhibit 16142 -- oh,
11 I'm sorry. Applicants' Exhibit 1, Appendix 18,
12 Page 16142. And this depicts, on this front
13 page, a couple of the little tourist cabins
14 there at the Baker Brook area, correct?

15 A. (Widell) Yes.

16 Q. And, if we look at 16145, we can see at the top
17 that it was found to qualify "under Criterion C
18 in the Area of Architecture". And I guess, on
19 the other side -- on the page before, under
20 "Criterion A" perhaps. And, so, there was
21 found -- and then there was "integrity",
22 correct? They found integrity on "Design",
23 "Feeling", "Setting", "Location"?

24 A. (Widell) Yes.

[WITNESSES: Widell|Bunker]

1 Q. A number of things, right?

2 A. (Widell) Yes.

3 Q. And, in fact, all of them. And, then, there's
4 a fairly -- a summary and conclusory analysis
5 of integrity. And then we have them finding
6 that it's "registry eligible", correct?

7 A. (Widell) Yes. Well, potentially.

8 Q. Yes. And, then, on the next page, they thought
9 it would have a substantial -- it "would be
10 substantially visible in the main public
11 views", right?

12 A. (Widell) Yes.

13 Q. And it would "create a focal point", correct?

14 A. (Widell) Yes.

15 Q. And it "appears to have an adverse effect" on
16 the Baker Brook Cabins area, right?

17 A. (Widell) Yes.

18 Q. And, then, as I understand it, this is -- and
19 this was kind of new to me, I guess, that there
20 are some 22 different structures associated
21 with this property, aren't there?

22 A. (Widell) There used to be.

23 Q. Okay. And that includes the ranch house that
24 was going to be destroyed in order to build the

[WITNESSES: Widell|Bunker]

1 transition station there on Route 302, right?

2 A. (Widell) Yes.

3 Q. And, so, you're saying now that some of these
4 cabins have been -- have been knocked down,
5 right?

6 A. (Widell) Yes. In my recent site visit, I
7 observed that, yes. They were demolished.

8 Q. And do you know how many of them?

9 A. (Widell) I did not count, no. I'm sorry.

10 Q. Is it like all of them?

11 A. (Widell) It was not all of them. But, in my
12 professional judgment, the Historic District
13 has lost its integrity, because there were
14 probably at least half, if not two-thirds, were
15 demolished.

16 Q. As a district?

17 A. (Widell) As a district.

18 Q. But each of the remaining cabins could have
19 integrity all by itself, correct?

20 A. (Widell) No, unlikely. I would state that I do
21 not believe that they would individually be
22 significant. And, --

23 Q. But you haven't --

24 A. (Widell) -- once again, the DHR has recently

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 determined not to survey this property, because
2 it has lost its integrity.

3 Q. Because of the destruction of the cabins by --

4 A. (Widell) Yes. Yes.

5 Q. And who did that, the owner?

6 A. (Widell) I believe, from press reports, that's
7 my understanding.

8 Q. Okay. All right. Now, we're going to look at
9 the burns lake properties, in Whitefield.

10 MR. ROTH: And can you give me 16339?

11 BY MR. ROTH:

12 Q. And we're looking at Applicants' Exhibit 1,
13 Appendix 18. Page 16336 actually depicts Burns
14 Lake with one of the homes along side of it,
15 and showing the views in the distance. And,
16 then, if we go to 16338, we can see here that
17 the Preservation Company found that it would be
18 "National Register eligible", correct?

19 A. (Widell) Yes.

20 Q. And you agree with that, I assume?

21 A. (Widell) Yes.

22 Q. And the Project it says -- it says "The Project
23 will be substantially visible in historically
24 significant views". Is that correct?

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 A. (Widell) At the time that this was completed,
2 yes, that was true.

3 Q. Okay. And, then, on the next page, on 339, it
4 says that "The Project appears to have an
5 adverse effect on the area or district".
6 Correct? Is that correct?

7 A. (Widell) Yes.

8 Q. Okay. And, now, you answered my last question
9 before in a way that suggests to me like maybe
10 you think that the view has changed?

11 A. (Widell) Oh. I know that we met with the
12 engineers. And the distance between the
13 structures was changed, modified, I believe, at
14 least that was the recommendation, so that it
15 would reduce visibility. And I believe that
16 was done.

17 Q. The distance between the structure is modified?

18 A. (Widell) Yes.

19 Q. In what way? Do you mean closer together or
20 further apart?

21 A. (Widell) I believe they were made -- I can't
22 remember.

23 Q. Okay.

24 A. (Widell) I can't remember. I know it enabled

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 them to -- for them to be lower.

2 Q. Do you know how many structures are visible?

3 A. (Widell) I do not remember that precisely.

4 Q. Okay. Do you know what --

5 A. (Widell) We talked about it in the form. If we
6 went to another page on the form, we would be
7 able to --

8 Q. Do you know what kind of structure --

9 A. (Widell) It's probably in this paragraph, if I
10 can --

11 Q. Do you know what kind of structures they are?

12 A. (Widell) Once again, they were changed, and I
13 cannot recall precisely how that occurred,
14 but --

15 Q. Okay. And, in this write-up on effect on Page
16 16339, it said that "Weathering steel monopole
17 structures will be used in the Project corridor
18 where it parallels the west side of Burns Pond
19 so as to diminish the effect of the Project in
20 the panoramic scenic views to the west."

21 Correct?

22 A. (Widell) Yes. So, it states that they're
23 "weathering steel monopoles".

24 Q. Okay. And we'll get to this in a minute, but

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 it also says that "the Project" -- the "views
2 of the Project will be predominantly from
3 character-defining rear decks, porches, or
4 other features of the westerly houses, intended
5 to capture scenic views of the lake and
6 mountains to the west, in the direction of the
7 Project." Correct?

8 A. (Widell) Yes. That's what it says. Uh-huh.

9 Q. And, then, at some point, to the southwest, the
10 "Project crosses a ridge such that the
11 weathering steel monopoles, though small
12 objects in the distance, will be visible
13 against the sky". Isn't that sort of one of
14 the -- you know, one of the -- in terms of a
15 visual impact, isn't that one of the worst
16 things that you can do?

17 A. (Widell) Yes. And that's why we met with the
18 engineers, to make modifications to the Project
19 in this area.

20 Q. Okay. So, when a structure like that is
21 "visible against the sky", even though they're
22 small in the distance, if you're sitting on
23 your character-defining deck, on a beautiful
24 summer afternoon, having your gin-and-tonic,

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 watching the Sun go down, are those structures
2 going to appear bigger than they actually --
3 than they would under normal lighting?

4 A. (Widell) I don't know if they would appear
5 bigger than they normally would under lighting.
6 They would be visible for sure.

7 Q. Would the gin-and-tonic make them seem bigger?

8 A. (Widell) This afternoon, may be.

9 Q. Aside from the modifications that you've just
10 suggested, that you're not sure about how those
11 are going to work exactly, if you take those
12 out of the picture, will the Project's impacts
13 cause the Burns Lake area to -- would it
14 diminish their characteristics that make them
15 eligible?

16 A. (Widell) I believe that we found that adverse
17 effect in this property before the changes were
18 made to the structures, the type of structures
19 and the height of the structures.

20 Q. Okay.

21 A. (Widell) So, yes.

22 Q. So, I notice on your chart, on Attachment B to
23 your original prefiled testimony, maybe I'm --
24 you know how sometimes you're looking for

[WITNESSES: Widell|Bunker]

1 something that's right in front of your face,
2 you can't see it?

3 A. (Widell) Oh, it's not there, --

4 Q. It's not on here.

5 A. (Widell) -- because the changes were made, and
6 the visual effect was minimized.

7 Q. So, even though this chart, Attachment B, was
8 published to the Site Evaluation Committee and
9 all the parties at the same time that the
10 Assessment Report was published to the Site
11 Evaluation Committee, and the Assessment Report
12 says "The Project is going to have an adverse
13 impact", your chart doesn't seem to reflect
14 what the Assessment Report says, does it?

15 A. (Widell) Yes. No, it does not, because it was
16 changed, because the structure heights were
17 changed so that it was not as visible.

18 Q. But the --

19 A. (Widell) That was the whole intent of meeting
20 with the engineers, to avoid and minimize
21 effects on properties, and did mean that some
22 were no longer an adverse effect.

23 Q. But the Preservation Company -- the
24 Preservation Company did not file a revised

[WITNESSES: Widell|Bunker]

1 Assessment Report with the Site Evaluation
2 Committee and give it to all the parties, did
3 it? And nor did you?

4 A. (Widell) I don't know that.

5 Q. Okay. Have you prepared such a revised report?

6 A. (Widell) I have not.

7 Q. Okay. And, to your knowledge, has the
8 Preservation Company done that?

9 A. (Widell) To my knowledge, they have not.

10 Q. Okay.

11 A. (Widell) But that is --

12 Q. So, the evidence right now --

13 A. (Widell) The amount of information now that we
14 have related to this property is much larger,
15 and there are effects tables being completed
16 right now related to the design, as it is
17 presented now, two years later, in this area,
18 the much broader discussion of significance.
19 And the effects tables, in great detail, are
20 reviewing all of the effects on --

21 Q. But today is --

22 A. (Widell) -- every historic property.

23 Q. Today is the hearing day. The assessment was
24 prepared in 2015, and it has now been on the

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 record for two years. And neither you, nor the
2 Preservation Company, has done anything to
3 correct that. Is that fair to say?

4 A. (Widell) This Assessment Form has not been
5 changed, no.

6 Q. Right. And, so, as far as the Committee is
7 concerned, the only evidence it has in front of
8 it today is you and this Assessment Table --
9 or, this Assessment Form, right?

10 A. (Widell) No, I wouldn't say that. There's so
11 much information related to not only this
12 historic property, there's a great deal of
13 information now in the Inventory Form and on
14 the effects tables that talk in even broader
15 terms.

16 Q. Do we have an inventory form, a 106 Inventory
17 Form for the Burns Lake properties?

18 A. (Widell) Yes, we do.

19 Q. And, so, that's been produced?

20 A. (Widell) It is right here. There are two, I
21 think, very large milk cartons filled with --

22 Q. All right.

23 A. (Widell) -- every single Assessment Form and
24 every single Inventory Form that has been

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 completed for identification of historic
2 resources for Northern Pass.

3 Q. And all those -- and all those have just been
4 developed and completed sometime in the last
5 couple of months, correct?

6 A. (Widell) No. I believe that the Inventory
7 Forms, on the forms that DHR requested, have
8 been completed in perhaps the last year. But
9 not in just the last couple months, not at all.

10 Q. But they have just been brought to the
11 Committee's attention and the parties'
12 attention in the last couple of months, isn't
13 that correct?

14 A. (Widell) I do not know when they were presented
15 to the Committee. They have been presented --
16 123 of them have been presented to DHR.

17 Q. And DHR isn't a party to this case, are they?

18 A. (Widell) I don't know what you mean by "a party
19 to this case". The recommendations and
20 findings of DHR under the Section 106 process
21 is one of the criterion necessary for
22 determining an unreasonable adverse effect.
23 So, the information that DHR has, related to
24 the identification and evaluation and

[WITNESSES: Widell|Bunker]

1 minimization and mitigation, is very important,
2 I would think, to the SEC in their
3 deliberations.

4 MR. ROTH: Can I have the ELMO?

5 BY MR. ROTH:

6 Q. Now, this is a letter that was provided to me
7 this morning. And it appears to be in
8 reference to a binder full of materials that
9 were provided to DHR on July 31st, 2017 by
10 Northern Pass. And it says "The findings in
11 this binder represent the opinions of Northern
12 Pass Transmission." And it says "NHDHR has not
13 yet had the opportunity to review this binder
14 for completeness or accuracy. Northern Pass
15 continues to submit new Inventory Forms and
16 updated Inventory Forms to the NHDHR for review
17 and comment. These materials may not be
18 included in this binder. This volume does not
19 contain the Division's written findings of
20 whether a property is historic. The Division's
21 findings may vary from those of Northern Pass
22 Transmission. The Applicant has provided
23 copies of the Division's written findings on
24 the eligibility of various inventoried

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 properties in the binder titled "Applicant
2 Exhibit 112"."

3 So, it seems to me that, at this point, a
4 lot of this stuff has at least been made
5 publicly available just in the last couple of
6 days. And NHDHR is essentially disclaiming any
7 -- making a disclaimer about it, isn't it?

8 A. (Widell) No. I have not idea what's in the
9 binder. As I indicated to you previously,
10 there is about eight Inventory Forms that are
11 still being completed. I don't know if that's
12 what was in this particular binder. I have
13 some specifics on the survey forms that have
14 been submitted to DHR, which I would be happy
15 to provide, if --

16 MR. ROTH: Let's go to the next one,
17 which is APP16600. Can we have her system
18 back? Okay. All right. Thank you.

19 BY MR. ROTH:

20 Q. So, now, we're going to the next property on
21 your spreadsheet, which is the Kimble Hill Road
22 District, also in Whitefield. And, on 16601,
23 the Preservation Company found that the
24 property had significance, correct?

[WITNESSES: Widell|Bunker]

1 A. (Widell) Yes.

2 Q. And did a write-up of that discussing
3 criterion. And, then, it found, on the next
4 page, it appears that it had integrity, and
5 checked the number of boxes, and had the
6 summary and conclusive discussion of integrity.
7 And, on the next page, they found that it was
8 "potential for National Register eligibility",
9 correct?

10 A. (Widell) Yes.

11 Q. And, then, on that same page, they determined
12 that it "does not appear to have an adverse
13 effect on the Kimble Hill District", correct?

14 A. (Widell) Yes.

15 Q. And it appears to me, based on the analysis on
16 the next page, that their opinion is based on
17 the fact that the views from the road of the
18 properties generally don't show the Project,
19 correct?

20 A. (Widell) I would have to --

21 Q. Why don't you --

22 A. (Widell) -- take a look at this briefly, if I
23 may?

24 Q. Certainly. Go right ahead.

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 A. (Widell) Yes. I'm ready to answer your
2 questions.

3 Q. Okay. And the Preservation Company discounted
4 the views from 248 Kimble Hill Road, which says
5 those views are significant, because of the use
6 of monopoles, climbing the hill in the
7 background there, correct?

8 A. (Widell) I believe it states that it is
9 distance of 1.7 miles from the particular 248
10 Kimble Hill Road, and the backdrop for the
11 monopole is also woodland.

12 Q. Okay. And, so, the monopoles are marching up
13 the hillside at some distance. And I guess I
14 read that analysis, I wasn't totally clear what
15 was at issue, and maybe you've explained it as
16 best as can be.

17 A. (Widell) Have you been to Kimble Hill Road?

18 Q. No, I haven't. And, then, in your chart, --

19 MR. ROTH: Can we go to -- back to
20 the chart?

21 BY MR. ROTH:

22 Q. In your chart, you say "The line is distant but
23 the cut is substantially visible in
24 historically significant views from the

[WITNESSES: Widell|Bunker]

1 historic research" -- "resource", correct?

2 A. (Widell) Yes.

3 Q. And do you remember when we had the discussion,
4 seems like months ago, but it was probably this
5 morning, about the APE and DHR's determination
6 on what the APE is? Remember that? And the
7 point I was trying to make was they said
8 "approximate", because they wanted to take into
9 account, I think, situations like this. Does
10 this help you to understand that argument a
11 little bit better?

12 A. (Widell) No.

13 Q. Okay. And, then, you suggested, in the
14 "Possible Mitigation", "Additional modeling
15 using monopole structures [is] discussed in the
16 DeWan review might change the determination of
17 adverse visual effect."

18 And, so, I'm a little confused by that,
19 since it appears that the Preservation Company
20 analyzed this, and found an adverse effect --
21 no, found no adverse effect, I'm sorry, with
22 the monopoles in place, right?

23 A. (Widell) Yes. We found that there was no
24 adverse effect.

[WITNESSES: Widell|Bunker]

1 Q. Yes. But, in this discussion here, you're
2 saying that they might be used. And, so, I
3 don't -- apparently this predated -- this
4 spreadsheet predated the 2015 report?

5 A. (Widell) It's referring to the "DeWan review".

6 Q. Okay.

7 A. (Widell) Which is a different review than the
8 review for historic properties and visual
9 adverse effect.

10 Q. So, it says here that the DeWan review says it
11 "might change the determination". And did you
12 do an analysis to make that determination?

13 A. (Widell) Yes. You're look at the Assessment
14 Form that we --

15 Q. So, that's the Assessment Form?

16 A. (Widell) Yes.

17 Q. Okay. So, as far as you're concerned and you
18 understand, the design for this place is, in
19 fact, monopoles?

20 A. (Widell) That is my understanding, yes.

21 Q. Now, let's go back to APP16592. This is the
22 next one on your chart. And this is a bungalow
23 on Route 3, in Whitefield, correct?

24 A. (Widell) Yes.

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Q. And this is apparently right next to the
2 existing lines and the right-of-way for the
3 Project, correct?

4 A. (Widell) Yes.

5 Q. And you can't see that in this picture, but
6 it's apparently fairly profoundly affected by
7 the existing right-of-way, isn't it?

8 A. (Widell) No.

9 Q. No? Okay.

10 A. (Widell) It is located right next to the
11 right-of-way.

12 Q. And, so, maybe you misunderstood my question.
13 The property is, at present, profoundly
14 affected by the existing right-of-way?

15 A. (Widell) It is located right next to the
16 right-of-way, yes.

17 Q. Okay. And in this, on your chart --

18 MR. ROTH: Go back to the chart.

19 BY MR. ROTH:

20 Q. You note "The line is close and is
21 significantly visible in the main public views
22 of the historic resource." Correct?

23 A. (Widell) Yes.

24 Q. And it says "No mitigation possible"?

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 A. (Widell) Yes.

2 Q. So, essentially, this one, if the Project goes
3 in, there's nothing anybody can do about it,
4 right?

5 A. (Widell) I think it would be helpful to clarify
6 this particular resource in the context of your
7 discussion of "significance" and "integrity".
8 Not unlike the bridge, this particular property
9 is significant under C, which is for its
10 architecture. And, so, its views are not
11 considered a significant part of why it is a
12 historic resource, why it is eligible for the
13 National Register. But we included, in the
14 assessment that was done in 2015, Preservation
15 Company and I, all properties that were
16 significant just for architecture.

17 In the completion of Inventory Forms and
18 completion of effects tables being done now
19 under Section 106, DHR has directed that those
20 properties that are significant only for its
21 architecture, including this one, would not
22 have a visual adverse effect caused by the
23 Project.

24 Q. But, in your analysis or in the Preservation

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Company's analysis, in their report, they talk
2 a lot about the views, don't they?

3 A. (Widell) Yes. And I think that that is an
4 indication of how conservative and broad we
5 were and exclusive in historic resources
6 related to the significance. If there possibly
7 could be a visual adverse effect on a historic
8 property, even if it was only significant under
9 architecture, we included it. That has now
10 been changed by the Department of Energy, in
11 consultation with DHR, --

12 Q. Okay. But that's all --

13 A. (Widell) -- that those properties cannot be
14 affected by the Northern Pass Project.

15 Q. That all happened since your testimony was
16 filed, correct?

17 A. (Widell) Yes. But I think it's important to
18 bring that information into our discussion
19 today.

20 Q. Right. But, at the time you made your
21 testimony, that wasn't part of your thought
22 process. That was something that's evolved
23 since then, correct?

24 A. (Widell) That my thought process has evolved?

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Q. No.

2 A. (Widell) Not necessarily.

3 Q. Well, you can't have thought about the things
4 that occurred after you wrote your testimony,
5 when -- at the time you were writing your
6 testimony, can you, unless you're a time
7 traveler?

8 A. (Widell) Good point. But what I am -- we very
9 carefully thought out the fact that we were
10 including properties that might not necessarily
11 be -- come under being visually affected by the
12 Project. We included them, just to make sure
13 that we looked at every possible property
14 within that Area of Potential Affect that might
15 be affected by the Project. And I think that
16 this is an excellent example of that, how
17 inclusive we were in our assessment, forcing me
18 to make that determination of six adverse
19 effects, and no unreasonable adverse effects,
20 in 2015.

21 Q. When you did your analysis, and using the 800.5
22 standards, --

23 A. (Widell) Yes.

24 Q. -- or guidelines, if you will, did you consider

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 whether the addition of the Project
2 infrastructure to the existing lines and
3 infrastructure at this location could cause
4 this property to become neglected? What if,
5 for example, as I believe I heard public
6 statements made, and perhaps even in testimony
7 in this case, people who own this house, or
8 others nearby like it, decide "I can't sell
9 this thing no matter what. I'm just going to
10 walk away." And it falls into neglect. Isn't
11 that one of the indirect impacts that would
12 affect this as an architectural -- as having
13 architectural integrity and significance?

14 A. (Widell) I'd have to look again at the list of
15 adverse effects under 36 CFR. But I don't
16 think a loss of property value is considered an
17 "adverse effect".

18 Q. Neglect is, though, isn't it? Isn't that --

19 A. (Widell) Neglect would be.

20 Q. Yes. And, so, if this property falls into
21 neglect, because it's abandoned by its owner,
22 that would be an adverse effect, wouldn't it?

23 A. (Widell) It could be.

24 Q. Yes. Thank you.

[WITNESSES: Widell|Bunker]

1 MR. ROTH: Let's look at 16764.

2 BY MR. ROTH:

3 Q. So, now, we're looking at the North Road
4 Agricultural Historic District. And you're
5 familiar with that, are you?

6 A. (Widell) Yes.

7 Q. And, I believe that the assessment by the
8 Preservation Company found that the property
9 would have significance and integrity, correct?

10 A. (Widell) Yes.

11 Q. And that it would be eligible for listing?

12 A. (Widell) Yes. And the significance, and I
13 think this is important, is under Criterion A
14 and C.

15 Q. Okay. Thank you. And it also appears that, in
16 its assessment of potential visual effects, the
17 Preservation Company found, on Page 16764, that
18 "The Project will be substantially visible";
19 "The Project will create a focal point that
20 distracts"; "The Project will be substantially
21 visible in historically significant views from
22 the resources" as well.

23 A. (Widell) Yes.

24 Q. And that it will "have an adverse effect" on

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 this historic district, correct?

2 A. (Widell) Yes.

3 Q. All right. And didn't they find that there
4 would be views up and down -- views promptly --
5 the Project would "be prominently visible
6 close-up along North Road", up and down the
7 line, correct?

8 A. (Widell) Could I see the page related to that?
9 Thank you. And just to refresh my memory, I'd
10 appreciate that.

11 MR. ROTH: 16765. Can you highlight
12 the top two paragraphs?

13 BY MR. ROTH:

14 Q. It says here "It will be prominently visible
15 close-up along North Road".

16 A. (Widell) Yes. I'm just -- I was reading just
17 to refresh my memory. Thank you.

18 Q. Okay. And it also found that the scenic views
19 at this location are a "character defining
20 feature of the area", isn't that correct?

21 A. (Widell) Yes.

22 Q. And, in fact, part of that character was, as I
23 understand it, Lancaster farmers settled in
24 this area because they wanted to take advantage

[WITNESSES: Widell|Bunker]

1 of the scenic views while they were conducting
2 their farming activities there, correct?

3 A. (Widell) Wouldn't say -- it says that -- we
4 have an exact quote actually from 1899, that
5 says "The earliest settlers were not slow to
6 recognize the beauty of the scenery, and
7 generally their houses were located so that the
8 overlook" -- "the outlook was the best afforded
9 up their lands."

10 Q. Yes.

11 A. (Widell) So, that's the orientation of
12 their houses.

13 Q. Yes.

14 A. (Widell) Yes.

15 Q. So, that's actually a much nicer way of saying
16 what I paraphrased. And I appreciate you for
17 putting the historic piece back in the record.
18 That's much better.

19 And isn't it true that the existing lines
20 out there are wooden H-frame poles 43 feet
21 tall?

22 A. (Widell) Yes. They are H-frame, let's see.
23 Crosses the road.

24 Q. And that they have been there for 70 years and

[WITNESSES: Widell|Bunker]

1 are now part of the landscape, correct?

2 A. (Widell) The 1940s, I'm looking -- yes,
3 "43 feet high".

4 Q. And isn't it also correct that the assessment
5 provides or shows that the new lines and the
6 relocated lines will be two or more times
7 taller than that's there now. Isn't that
8 correct?

9 A. (Widell) "70 to 110 feet", according to our
10 review here.

11 Q. That's the new lines?

12 A. (Widell) Yes.

13 Q. So, if they're -- right now, they're 43 feet
14 tall, that's more than two times taller, isn't
15 it?

16 A. (Widell) Yes -- in some cases, yes.

17 Q. Okay. And here, at the bottom of 16765, they
18 say "Viewshed maps show views of the Project in
19 relation" --

20 *[Court reporter interruption.]*

21 MR. ROTH: Sorry.

22 CONTINUED BY MR. ROTH:

23 Q. -- "in relation to all but a few properties;
24 from the roadside, from the farmyards and

[WITNESSES: Widell|Bunker]

1 fields and from the front yards, particularly
2 of the houses on the northeast side of the
3 road. The greatest visual impact will be when
4 viewing the farmhouses and farm land in the
5 immediate vicinity of the transmission line
6 crossing of North Road...will be seen in both
7 directions on the road and facing south and
8 southwest towards the river from multiple
9 locations. North of the road a pair of new
10 structures about 0.1 mile from the road will be
11 visible in historic pasture, with more
12 structures uphill in the distance."

13 It sounds to me that this -- the presence
14 of the Project in this particular area is going
15 to be fairly prominent and pervasive, is that
16 true? Do you agree with that?

17 A. (Widell) It will be very visible. It will be a
18 focal point. I wouldn't use the term
19 "pervasive", which I understand to be very
20 broad. It will be, in that particular area
21 where the corridor exists, there are -- there's
22 almost a thousand acres related to this
23 particular historic district. So, there are a
24 number of other areas where it will not be

[WITNESSES: Widell|Bunker]

1 visible.

2 Q. Right. So, --

3 A. (Widell) But it will be prominent within the
4 area where the transmission line crosses North
5 Road, yes.

6 Q. It says here, "in all but a few properties; and
7 from the roadside, from farmyards and fields
8 and from the front yards". So, it sounds to me
9 like, for some of these people, no matter what
10 window or door you look out of, and I don't
11 know how this is even possible, you're going to
12 run into this Project. Doesn't it sound like
13 that?

14 A. (Widell) I can't speak to that precisely, but
15 it is very visible now as well.

16 Q. And doesn't the Preservation Company also say
17 that "The existing line is minimally visible,
18 because it is lower than the trees that grow on
19 the river bank and on the hills in the
20 background." Right?

21 A. (Widell) It's lower, considerably lower.

22 Q. And the tops of the structures will be higher
23 than the existing -- "will be higher than the
24 surrounding tree-tops", that's right? The new

[WITNESSES: Widell|Bunker]

1 structure will be taller than the trees out
2 there?

3 A. (Widell) I don't see that in the format. Maybe
4 I'm missing, I'm sorry.

5 Q. On 66. The first paragraph or the second,
6 sorry. "Tops of the new structures will be
7 taller" -- "will be higher than the surrounding
8 tree-tops and in a few locations will appear
9 taller than the hills in the background and
10 will be silhouetted against the sky."

11 A. (Widell) Yes.

12 Q. What does it mean to be "silhouetted against
13 the sky"?

14 A. (Widell) There is no woods or vegetation behind
15 it to keep from -- forgetting the word -- so
16 that it blends more in the colors. So, against
17 the sky, it is more visible, than if it were
18 against woodland. And as a weathering steel
19 monopole would be less visible -- the contrast,
20 that's the word I'm looking for, between the
21 pole and background woodland. If you have no
22 woodland, it is more visible.

23 Q. And, if you have a structure that appears
24 "taller than the hills" around it, doesn't that

[WITNESSES: Widell|Bunker]

1 create the silhouetting, too?

2 A. (Widell) I don't -- I don't know that
3 particularly.

4 MR. ROTH: Mr. Chairman, is this time
5 for a break?

6 CHAIRMAN HONIGBERG: So, we'll break
7 for ten minutes.

8 WITNESS WIDELL: Thank you.

9 *(Recess taken at 2:42 p.m.*
10 *and the hearing resumed at*
11 *2:58 p.m.)*

12 CHAIRMAN HONIGBERG: Mr. Roth.

13 MR. ROTH: We're coming into our
14 final approach.

15 I'm going to ask you to bring up
16 Counsel for the Public Exhibit 441. And the
17 Committee doesn't have this document yet. I
18 only got it myself yesterday afternoon. And
19 this is the -- the front of it is the
20 "Determination of Eligibility" by the
21 Department of -- the Division of Historical
22 Resources form. And, then, we also have the
23 North Road Agricultural Historic District Area
24 Form.

[WITNESSES: Widell|Bunker]

1 BY MR. ROTH:

2 Q. And this is one of those inventories that we've
3 been talking about that the Preservation
4 Company or, yes, in this case, the Preservation
5 Company has prepared for the 106 process,
6 correct?

7 A. (Widell) Yes.

8 Q. All right. And in this, in the North Road
9 Historic District, they found a fairly
10 extraordinary, maybe that's just my gloss,
11 number of properties in this Historic District,
12 correct?

13 A. (Widell) Yes.

14 Q. In fact, this Historic District is 1,423 acres,
15 is that correct?

16 A. (Widell) Yes.

17 Q. And that there are 53 properties. And, if we
18 look at 12144 -- no. 12144, and it continues
19 on 12145, and then continues on 12146, these
20 are the properties that are physically located
21 within the boundaries of the Historic District,
22 correct?

23 A. (Widell) Yes.

24 Q. And I believe, if I counted correctly, there

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 are 19 properties that are noncontributing
2 structures -- properties, I guess it is. I
3 didn't count noncontributing structures, if
4 they were included with a contributing --
5 included on a contributing property. But, if
6 you count those that were simply
7 noncontributing properties, there were 19 of
8 those. Do you agree with me?

9 A. (Widell) I'm looking at the contributors, which
10 are a number. I don't see 19, but I will give
11 you that, noncontributors.

12 Q. And which means there are 34 contributing
13 properties in this place, right?

14 A. (Widell) Yes.

15 Q. And that I think it's -- you wouldn't disagree
16 with me that this has a great deal of
17 agricultural history back 200 years, give or
18 take, correct?

19 A. (Widell) I'm not remembering eighteenth
20 century. If we go back to the green sheet,
21 which is the Determination of Eligibility, I
22 think it's primarily a nineteenth century/early
23 twentieth century agricultural area, from my
24 understanding of the property.

[WITNESSES: Widell|Bunker]

1 Q. Let's look at 12162. And the "Statement of
2 Significance" there says "North Road's
3 agricultural heritage, dating back to the early
4 1800s, continues to define the two-and-a-half
5 miles between Middle Street and Whitney Road."

6 Is that what it says?

7 A. (Widell) Yes. The 1800s is the nineteenth
8 century.

9 Q. I said "200 years"?

10 A. (Widell) Oh, okay. I'm sorry.

11 Q. If my math is right, --

12 A. (Widell) I'm sorry. Yes.

13 Q. That's older than me, but --

14 A. (Widell) Yes. You're absolutely right.

15 Q. Yes. And there are still operating dairies out
16 there, aren't there?

17 A. (Widell) Yes.

18 Q. Okay. So, this agricultural character of this
19 area is real, it's not a post card. Correct?

20 A. (Widell) Correct.

21 Q. And the properties that comprise the district
22 "on whole", as is said on Page 34, I believe,
23 "retain a great amount of their integrity",
24 correct?

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 A. (Widell) Yes.

2 Q. And it also says here that the "greatest
3 integrity is in setting and feeling", correct?

4 A. (Widell) I am looking for -- that would be
5 under "Integrity. "Setting" and "feeling" are
6 two of the -- so you have significance of --

7 Q. It says here --

8 A. (Widell) "Setting and feeling". Yes. Uh-huh.

9 Q. It says "North Road has greatest integrity in
10 regards to setting and feeling."

11 A. (Widell) Yes.

12 Q. Okay. And I assume you would agree that
13 introducing the Project is going to affect the
14 setting and feeling of North Road?

15 A. (Widell) Yes.

16 Q. Okay. And have an adverse effect on that
17 setting and feeling, right?

18 A. (Widell) Yes.

19 Q. And you agree that the impact of the Project
20 will diminish the qualities that cause the
21 North Road Agricultural District to be eligible
22 for the National Register, correct?

23 A. (Widell) Yes.

24 Q. And looks let's look at your chart. And here

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 you note that this district is "an important
2 aspect" -- or, "agriculture for conveying an
3 important aspect of Lancaster's history",
4 right?

5 A. (Widell) Yes.

6 Q. "Forty properties, more than 100 contributing
7 buildings", yes?

8 A. (Widell) Yes.

9 Q. And "scenic views are a character defining
10 feature of the district"?

11 A. (Widell) Yes.

12 Q. And your recommendation or your possible
13 mitigation, anyway, is "underground?"

14 A. (Widell) This chart was not written by me.
15 Actually, I now --

16 Q. Do you agree that undergrounding through here
17 would be a possible form of mitigation?

18 A. (Widell) It's a possible form of mitigation in
19 any location.

20 Q. Okay. And have you or the Preservation Company
21 considered whether undergrounding would be
22 appropriate for this location?

23 A. (Widell) No, we did not.

24 Q. Okay. And did you recommend to the Applicants

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 that they underground through this area?

2 A. (Widell) No, we did not.

3 Q. Okay. And you also said here "similar poles
4 and same location?" I'm not sure what that
5 means. Do you have any idea what that means?

6 A. (Widell) I can tell you precisely, actually,
7 no, I don't, what was done, because I have the
8 mitigation chart that you showed earlier from
9 this assessment report that was done. So, --

10 Q. I'm asking about this particular comment here,
11 "similar poles and same location", do you know
12 what that means?

13 A. (Widell) No. I do not.

14 Q. Okay. And "use H-frames?" Do you know, was
15 that analyzed or modeled by you or the
16 Preservation Company?

17 A. (Widell) No. We did not model H-frames.

18 Q. Okay. Did you make recommendation to the
19 Project to use H-frames in this area?

20 A. (Widell) No, we did not.

21 Q. Okay. Did you make any recommendations that
22 you know of to the Project about how to
23 mitigate at North Road?

24 A. (Widell) Yes, we did.

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Q. Okay.

2 A. (Widell) We recommended that six lattice
3 structures be replaced with weathering steel
4 monopoles, and that was done.

5 Q. So, we will have monopoles, instead of lattice
6 structures, in six locations?

7 A. (Widell) Yes.

8 Q. Okay.

9 A. (Widell) Which is the prominent visual area
10 that extends across North Road.

11 Q. While she's looking for the exhibit that I want
12 to put up, isn't it true that the monopoles
13 will still be very tall structures, taller than
14 the existing structures?

15 A. (Widell) Yes.

16 Q. And will they still rise -- appear to be taller
17 than the hillside in those places, where the
18 Preservation Company identified them as "taller
19 than the hillside" in some places?

20 A. (Widell) That may be.

21 Q. And will they still be "silhouetted against the
22 sky" in those places?

23 A. (Widell) Likely, yes.

24 Q. Will they still be visible in many of the same

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 places that were identified by the Preservation
2 Company?

3 A. (Widell) Yes.

4 Q. I'm going to show you DeWan's photosimulation
5 of a monopole at the North Road Historic
6 District. And, yes. Here we go. And this is
7 the view that the Applicants' visual impacts
8 expert created. Have you seen this before?

9 A. (Widell) No. I have not seen this.

10 Q. Okay. In your view, do you think that this is
11 in any way reflective of minimization or
12 mitigation?

13 A. (Widell) Perhaps. Let me explain. If that
14 were a lattice structure, I believe that it
15 would be more visually prominent than the
16 monopole. But I would want to compare them
17 visually.

18 Q. So, the idea of using H-frames was not
19 explored, and instead this monopole is what,
20 and others like it, presumably, are what was
21 adopted?

22 A. (Widell) I don't know that.

23 MR. ROTH: Let's look at 16922. Yes,
24 16922.

[WITNESSES: Widell|Bunker]

1 Just for the record this last
2 photosim was Applicants' Exhibit 1, Appendix
3 17, Page 36076. And now we're looking for
4 16922.

5 BY MR. ROTH:

6 Q. And now we're looking at the Northside Road
7 Agricultural Area in Stark.

8 A. (Widell) Yes.

9 Q. And you've been to this place, I assume?

10 A. (Widell) Yes, I have.

11 Q. Okay. And, here, on 16922, which is
12 Applicants' Exhibit 1, Appendix 18, they find
13 that the Project is eligible, or "potentially
14 eligible", right?

15 A. (Widell) Yes.

16 Q. Under Criterion C and A?

17 A. (Widell) And A, uh-huh.

18 Q. Okay. And it has integrity. And --

19 A. (Widell) I would note the first sentence on the
20 top of the form, which states they have
21 integrity as a district as contributors, but
22 individually these houses would likely not meet
23 significance or integrity requirements on their
24 own.

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Q. On an individual basis.

2 A. (Widell) So, it's important that they look --
3 be looked at as a unit.

4 Q. Okay. That's good to know. And, then,
5 there's -- so, there's the potential
6 eligibility finding, and then they note that
7 "The Project will be substantially visible in
8 the main public views of the historic
9 resources." Correct?

10 A. (Widell) Yes.

11 Q. And "The Project appears to have an adverse
12 effect on the district." Correct?

13 A. (Widell) Yes.

14 Q. And, in their analysis -- so, this is 23 --
15 they point out that one of the reasons is
16 because the property is going to cross the
17 Ammonoosuc and bisect the center of the
18 agricultural district, correct?

19 A. (Widell) Yes.

20 Q. And that it's going to effect -- "adversely
21 effect the integrity of the historic setting of
22 this district"?

23 A. (Widell) Yes.

24 Q. Okay. And, in your chart, let's go to the

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 chart, the last box, you note that the "line
2 roughly bisects the district". It's "close and
3 is significantly visible in the main public
4 views". And that the "new structures are
5 shifted closer to the road, away from the
6 river". And the "tallest structure looks like
7 it's closest to the road". "Similar effect to
8 the Lancaster district". And I assume, by
9 that, we're talking about the North Road that
10 we just looked at a few minutes ago?

11 A. (Widell) Yes. I didn't write this document,
12 but that is what it says, yes.

13 Q. Okay. And do you agree with that?

14 A. (Widell) "Effect similar to Lancaster
15 district." I believe that, yes, they were
16 proposed to be lattice structures as well
17 extending across agricultural land setting.
18 So, yes, it is similar to Lancaster.

19 Q. Okay.

20 A. (Widell) Specifically, North Road.

21 Q. Yes, the North Road.

22 A. (Widell) I think that's what they're referring
23 to, yes.

24 Q. Yes. And you agree with that?

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 A. (Widell) Yes.

2 Q. Okay. And the recommendation here is "Shift
3 locations of structures? H-frames?" Now, do
4 you know whether any of that has been done,
5 whether they shifted structure locations?

6 A. (Widell) I can tell that precisely the lattice
7 structures will be replaced with weathering
8 steel monopoles in this area. That was a
9 minimization that was done for this particular
10 historic district in Stark.

11 Q. Okay. But the suggestion here of "shifting
12 locations of structures", was that done?

13 A. (Widell) No. It was not done, as far as I
14 know.

15 Q. How about H-frames?

16 A. (Widell) No. H-frames were not done, as far as
17 I know.

18 Q. Okay. Did you ever do any analysis of whether
19 those two suggestions might be effective?

20 A. (Widell) I did not do an analysis, no.

21 Q. Did the Preservation Company?

22 A. (Widell) I don't know that.

23 Q. Do you think that the use of the monopoles that
24 is shown or that you just mentioned is going to

[WITNESSES: Widell|Bunker]

1 actually make a difference here and save this
2 place from an adverse impact?

3 A. (Widell) No. I determined that it was an
4 adverse effect. I can tell you that it was not
5 chosen to be surveyed by DHR, but it is
6 included in the cultural landscape.

7 Q. Okay. But, in term of, you know, when we spoke
8 this morning about the property showing a
9 potential adverse effect, you mentioned this
10 one as being put together with the Leighton
11 Farm as a cultural landscape, correct?

12 A. (Widell) Yes. That's what I just stated to
13 you. Yes. It's part of the Upper Ammonoosuc
14 cultural landscape study area.

15 Q. Which we haven't seen yet?

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

17 Q. But, in doing that, nothing about the monopole
18 design has taken it, by itself, has taken the
19 Northside Road Historic District off of your
20 list of potential adverse effects?

21 A. (Widell) It is taken off of my list of
22 Northside Road -- of adverse effects. Yes, it
23 has been.

24 Q. That's not -- you answered a different

[WITNESSES: Widell|Bunker]

1 question.

2 A. (Widell) I'm sorry. Please repeat the
3 question. And I didn't intend to not answer
4 your question.

5 Q. Okay.

6 A. (Widell) I just misunderstood it.

7 Q. I understand that you have taken it from your
8 list, because I put little Xs next to it here
9 on my copy --

10 A. (Widell) Yes.

11 Q. -- of your list.

12 A. (Widell) Yes.

13 Q. And that's because it got put together with the
14 cultural landscape.

15 A. (Widell) Yes.

16 Q. I get that. What I'm asking you is, did the
17 fact of using weathering steel monopoles at the
18 Northside Agricultural District, does that in
19 and of itself or would that in and off itself
20 take the Northside District off of the adverse
21 effects list?

22 A. (Widell) No.

23 Q. Okay. Aside from it being reconsidered in the
24 cultural district, in your opinion, will the

[WITNESSES: Widell|Bunker]

1 introduction of the Project result in the loss
2 of integrity of this district, which would
3 cause it to be ineligible for the National
4 Registry?

5 A. (Widell) No. I do not believe it would not be
6 eligible for listing on the National Register.

7 Q. Would the Project result in the loss of
8 integrity?

9 A. (Widell) Yes, it would.

10 Q. Okay. And I assume, from your previous
11 answers, you don't believe that the impacts at
12 the North Road -- Northside Road, see, I'm
13 making the same mistake you did, the Northside
14 Road Agricultural District are unreasonable?

15 A. (Widell) I don't apply that "unreasonable
16 adverse effect" to individual properties.

17 Q. Okay. So, now, the last one on your
18 spreadsheet is the next property in Stark, and
19 that's 405 Bell Hill Road.

20 MR. ROTH: And if you could take us
21 to 16967.

22 BY MR. ROTH:

23 Q. And this is Applicants' Exhibit 1, Appendix 18,
24 Page 16967. And this is an individual farm

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 property, and I assume -- or maybe I shouldn't
2 assume. Is this part of the Northside Road
3 Agricultural District?

4 A. (Widell) It is not.

5 Q. Okay.

6 A. (Widell) It's a separate farm on Bell Hill
7 Road. It is very close.

8 Q. Okay. Will it be part of the Northern
9 Ammonoosuc cultural landscape?

10 A. (Widell) I know that it was part of the study
11 area. I'm not completely sure it's going to be
12 included. But I would assume so. It's close
13 enough.

14 Q. Okay. And, so, in its Assessment Form here
15 that's on the screen, the Preservation Company
16 found that it had significance and integrity,
17 right?

18 A. (Widell) We jointly found that, yes.

19 Q. And it appears to have potential for listing,
20 correct?

21 A. (Widell) Yes. We believe that it appeared to
22 be eligible, yes.

23 Q. And that, on the next page, if we go to 68, the
24 Project is going to be "substantially visible

[WITNESSES: Widell|Bunker]

1 in the main public views of the historic
2 resources", correct?

3 A. (Widell) Yes.

4 Q. And that "The Project appears to have an
5 adverse effect on the property"?

6 A. (Widell) Yes.

7 Q. Okay. And, so, if we look at the analysis of
8 the effects, 16969, there are a couple of
9 things going on here that are causing the
10 Preservation Company to make this
11 determination. And that appears to be that you
12 have monopoles that -- and for the new line
13 will be 105 to 115 feet tall, and that the
14 existing line will be on monopoles 79 to 92 and
15 a half feet tall, correct?

16 A. (Widell) Did you say "79"? I have "43 to 53".
17 I have "43 to 53 feet tall".

18 Q. That's what's going on now. That's the
19 existing. But the new --

20 A. (Widell) Oh, yes, I see. Yes. I see, yes. It
21 will be 105 to 115, and the 115 will be 79 to
22 92.5, yes.

23 Q. And that there are going to be "vegetative
24 clearing along the southern edge"?

[WITNESSES: Widell|Bunker]

1 A. (Widell) Yes.

2 Q. And that there's going to be "six pairs of
3 structures visible [from this property] above
4 the trees on the hillside and four pairs will
5 break the horizon".

6 A. (Widell) Yes.

7 Q. What does "breaking the horizon" mean?

8 A. (Widell) In this particular case, it would be
9 able to see them at the top of the hill. So
10 that they are what they call "skylighted
11 against the sky".

12 Q. So, this is similar to "silhouetting"?

13 A. (Widell) Yes. I think that's probably similar.
14 I'm not an expert on that definition. But,
15 yes, I believe that's how it's used.

16 Q. And this would also be similar to saying that
17 it "appears taller than the hill behind it"?

18 A. (Widell) Actually, it extends on the top of the
19 hill in this particular case, as we saw it.

20 Q. So, it's on the top of a hill?

21 A. (Widell) Yes.

22 Q. Okay.

23 A. (Widell) At a distance away from the farm
24 itself.

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Q. I don't have a simulation of this.

2 A. (Widell) I think there's probably more
3 photographs in this form, since it's 19 pages
4 long, that might be helpful in illustrating it.

5 Q. In the -- now, in the analysis that was done in
6 the Assessment Form, they looked at it from the
7 perspective that there were already monopoles
8 being used here, correct?

9 A. (Widell) Yes.

10 Q. So, these adverse impacts are being -- that
11 would result from this proposal would be
12 experienced as a result of monopoles, not some
13 other, you know, not lattice structures?

14 A. (Witness Widell nodding in the affirmative).

15 Q. You have to say "yes" or "no". You can't just
16 nod, sorry.

17 A. (Widell) I'm sorry.

18 Q. Is that correct?

19 A. (Widell) Yes. Yes. Yes, the monopoles are for
20 the 115 kV. What I'm nodding is, they proposed
21 four monopole structures in the new ones, yes.

22 Q. Yes.

23 A. (Widell) And, originally, I believe they were
24 lattice. And that was changed as a way to

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 minimize.

2 Q. But the analysis done by the Preservation
3 Company, and you, I guess, is that, even with
4 monopoles being placed here, they will still
5 have an adverse effect.

6 A. (Widell) Yes, that is --

7 Q. Right?

8 A. (Widell) Yes.

9 Q. And let's look at the chart again. So, now,
10 this is back to the chart. And this is the
11 last box on the chart, you may be happy to
12 learn. And it says that it's going to be --
13 that this property has a "vista of open land
14 and surrounding hills is character defining",
15 correct?

16 A. (Widell) Yes.

17 Q. And that the line will be "clearly visible in
18 the main public views of the barn and open
19 land." Correct?

20 A. (Widell) That's what it says on the form.

21 Q. Yes.

22 A. (Widell) Uh-huh.

23 Q. And "Modeling suggests that the proposed line
24 will be visible and will rise above the

[WITNESSES: Widell|Bunker]

1 hilltop." Correct?

2 A. (Widell) That's -- yes.

3 Q. And was that your modeling or DeWan's modeling?

4 A. (Widell) We definitely modeled that, yes.

5 Q. Okay. And you didn't operate that model, as we
6 discussed I think yesterday, that was done by
7 the Preservation Company?

8 A. (Widell) Two trained individuals that were
9 trained by Terry DeWan, yes.

10 Q. Yes. Okay. And, so, --

11 A. (Widell) And it's not 3D modeling, it's
12 technically Google Earth. So, it's not, you
13 know, any special program or anything.

14 Q. So, they just used Google Earth and made that
15 determination that it's going to be -- it will
16 rise above the hilltop?

17 A. (Widell) No. You have the information, the
18 data layer that shows precisely where the
19 transmission line and corridor are going to be,
20 and precisely the conductors and the drop of
21 the conductors, and the height of the
22 structures. So, it shows you a great deal of
23 information.

24 Q. Okay. But we don't have those people in front

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 of us or any of that technique, any details
2 about that technique, do we, other than what
3 you've just told us?

4 A. (Widell) No, not about the technique. But I
5 believe, once again, if you go to other pages
6 of that Assessment Form, you will see printed
7 out some of the information that shows --

8 Q. The Google Earth printouts?

9 A. (Widell) Yes.

10 Q. Yes. Okay.

11 A. (Widell) In the Assessment Form.

12 Q. And, in any case, they find, using that
13 technique, for good or bad, they found that
14 it's going to rise above the hilltop?

15 A. (Widell) Yes.

16 Q. Yes. And the suggestion made here as possible
17 mitigation is "reduce structure height".

18 That's it?

19 A. (Widell) That's what's stated here, but --

20 Q. And do you know whether that was done?

21 A. (Widell) I do know what was done, which was
22 lattice structures will be replaced with
23 weathering steel monopoles in the area.

24 Q. But that was -- but wasn't that already

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 accounted for when --

2 A. (Widell) Yes.

3 Q. -- when you and the Preservation Company
4 reached their conclusion here?

5 A. (Widell) Yes. But it was viewed as a way of
6 lessening the visual effect.

7 Q. But, on this chart, you guys said "reduce
8 structure height". And, so, --

9 A. (Widell) I didn't necessarily say that. I did
10 not -- I'm not the author of this chart.

11 Q. So, if I'm looking at this, and I say "okay,
12 they have assessed it as having monopoles, and
13 those monopoles are going to rise above the
14 hillside, and they're going to be prominently
15 visible", and all the other conclusions that we
16 just talked about, and the response from the
17 experts is "reduce structure height", and
18 you're telling me that the response to that was
19 "monopoles", that seems rather circular,
20 doesn't it?

21 A. (Widell) No. In my experience in working with
22 the engineers on looking for avoidance and
23 minimization techniques, they have listened to,
24 in each case, as was expressed in the

[WITNESSES: Widell|Bunker]

1 Assessment Form for the list of minimization
2 techniques that were adopted for each of the
3 properties you've just reviewed, that they
4 seriously considered and moved forward on our
5 recommendations where it was technically
6 feasible to do that.

7 Q. Okay. But the assessment of adverse effect was
8 made with the monopoles, and apparently no
9 consideration was given to the recommendation
10 of "reduce structure height". Is that correct?

11 A. (Widell) I don't know that that was our
12 recommendation. I don't know where that
13 information on this particular chart came from.

14 Q. Well, this was provided, as we went over, this
15 was provided to us when we asked you this
16 question "what have you suggested?" And this
17 is what we got.

18 But have you -- do you remember doing any
19 analysis of reducing structure height as
20 mitigating or minimizing the effect at this
21 property in Stark?

22 A. (Widell) No. I do not remember lowering
23 structure heights as a minimization technique
24 at this particular property.

[WITNESSES: Widell|Bunker]

1 Q. Okay. And I think it's fair to say that the
2 Applicants have not redesigned to lower
3 structure heights, as was suggested here?

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

5 Q. And, so, the conclusion is still that, with the
6 monopoles, there's still an adverse effect on
7 this property?

8 A. (Widell) Yes.

9 Q. Okay. All right. Now, we're going to talk
10 about a few properties in places that were not
11 covered on your spreadsheet, and which were
12 nevertheless analyzed by you and the
13 Preservation Company. And, apparently, other
14 entities also participated in some of these
15 analyses.

16 The first one that I wanted to bring up is
17 the Windswept Farm, in Canterbury.

18 MR. ROTH: And can you pull up 410?

19 BY MR. ROTH:

20 Q. And this is the Counsel for the Public Exhibit
21 410. It is the Individual Inventory Form for
22 Windswept Farm, in Canterbury.

23 MR. ROTH: Go to 181470.

24 BY MR. ROTH:

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Q. And in here, in this analysis, under the
2 "Criteria Statement of Significance", the
3 Preservation Company found that "Windswept Farm
4 is eligible" using "Criterion A for association
5 with Agriculture and Criterion C in the area of
6 Architecture", correct?

7 A. (Widell) Yes.

8 Q. And, if you go to the next page -- actually two
9 pages, 72, you see this is a diagram of the
10 parcel.

11 MR. ROTH: Can you blow up the
12 diagram?

13 BY MR. ROTH:

14 Q. And, in this diagram, you see there's the --
15 the existing right-of-way cuts across kind of
16 the back third of the property, like that,
17 right? And it appears that the buildings
18 associated with the property are located along
19 the southern -- the southeastern edge there on
20 Old Schoolhouse Road, correct?

21 A. (Widell) Yes.

22 Q. And is Old Schoolhouse Road a public way?

23 A. (Widell) No, it is not.

24 Q. And is the Windswept Farm a public

[WITNESSES: Widell|Bunker]

1 accommodation of some sort?

2 A. (Widell) Yes. It's a riding stable, I believe.
3 And I don't know if people might leave -- keep
4 their horses there, I'm not aware of that.

5 Q. Yes.

6 A. (Widell) But there's a number of newborns on
7 the site.

8 Q. Yes. So, isn't it true that Windswept Farm is
9 used for people who board their horses?

10 A. (Widell) I will take your word for it.

11 Q. Okay.

12 A. (Widell) It appeared like that when I visited
13 the site.

14 Q. And go there for riding lessons?

15 A. (Widell) It appeared that way, yes.

16 Q. Okay. And that, if you board your horse there,
17 aren't you going to go and ride around the
18 property?

19 A. (Widell) It looked like people were doing that,
20 yes.

21 Q. Yes. And I believe that we had a
22 representative from Windswept Farm speak at one
23 of these -- at one of the public comment
24 sessions, and they exclaimed that they wanted

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 to use this property or they were, in fact,
2 using this property as a wedding venue or an
3 events venue. Were you aware of that?

4 A. (Widell) I am not aware of that.

5 Q. Okay. In any event, you would agree that the
6 property is essentially a public accommodation
7 at least for in the riding area, and, according
8 to those statements, for other reasons as well,
9 right?

10 A. (Widell) It's a commercial venture, yes.

11 Q. Okay.

12 MR. ROTH: Let's see 410. No. Not
13 410, 412.

14 BY MR. ROTH:

15 Q. So, I think this is our first peek at an
16 effects table for a property. This is Counsel
17 for the Public Exhibit 412. This is the
18 effects table for Windswept Farm. And this was
19 provided to us by the Applicants two or three
20 days ago, if I'm not mistaken about that.

21 And it notes the evaluation, and I guess I
22 would say, as a general matter, looking at this
23 first page, you can see that they use
24 "800.16(1)" definition of an "effect", correct?

[WITNESSES: Widell|Bunker]

1 A. (Widell) Yes.

2 Q. And, then, in the brief evaluation here on the
3 front, they analyze it for criterion -- I guess
4 for "significance under Criterion A"?

5 A. (Widell) Yes.

6 Q. And here they say "The proposed project will be
7 in an existing right-of-way that crosses the
8 very southwest corner...a third of a mile west
9 of the historic buildings. It will be visible
10 from within the property and from the dead-end
11 road to the west of the historic buildings."
12 That's Schoolhouse Road that --

13 A. (Widell) Yes.

14 Q. -- you said you don't think is a public way?

15 A. (Widell) Yes.

16 Q. And it's being evaluated because the Project
17 has a potential -- or, has "an effect on the
18 farm, because it has the potential to alter its
19 setting, which is a character-defining feature
20 of its agricultural significance", right?

21 A. (Widell) Yes.

22 Q. Okay. And, if we go to the next page, this is
23 the table. And I think, for the benefit of the
24 Committee, and this is new to me in the last,

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 you know, two days, that here we track the
2 examples in 800.5, you know, 36 CFR
3 800.5(a)(2), to where the Preservation Company
4 goes through and makes determinations about
5 these various examples that are expressed in
6 the regulations, correct?

7 A. (Widell) Yes.

8 Q. And it says "no change in use"; "no historic
9 physical features"; "project will not introduce
10 visual elements that diminish the integrity of
11 the setting", *etcetera*, right?

12 A. (Widell) Yes.

13 Q. "The corridor and the field are not a
14 character-defining feature of the property's
15 agricultural significance." That's what it
16 says?

17 A. (Widell) Yes.

18 Q. And "visibility [is] only from the adjacent
19 open field and west end of the dead-end road."
20 Correct?

21 A. (Widell) Yes.

22 Q. Aren't significant views on this property
23 pretty much anywhere a horse and rider can go,
24 including directly under and along the

[WITNESSES: Widell|Bunker]

1 right-of-way?

2 A. (Widell) No. This is an eighteenth century
3 property. So, the significant views are
4 related to the parcel that is associated with
5 the eighteenth century building. I believe
6 that there is a second parcel that is now part
7 of this property that was acquired in 1973, and
8 is used for recreational horseback riding, and
9 is adjacent to the existing right-of-way.

10 Q. So, you don't think that riders and visitors to
11 this property, whether they're wedding guests
12 or equestrians, who come to the lovely old
13 farmhouse here for Windswept Farm, the barns,
14 and they ride out and find the Project aren't
15 going to associate that with the setting of the
16 farmhouse and the barn?

17 A. (Widell) I don't know what they will associate
18 it with. But it's already an existing
19 right-of-way where riding takes place.

20 It is somewhat -- somewhat set away from
21 the eighteenth century property, too.

22 Intervening between the eighteenth century
23 house are riding stables of new construction.

24 Q. Okay. Now, we're going to jump a little bit

[WITNESSES: Widell|Bunker]

1 north and go to Dana Hill, in New Hampton. And
2 we're going to look at Counsel for the Public
3 Exhibit 404. And this is the Area Form that
4 was done for Dana Hill, correct?

5 A. (Widell) Yes, it is.

6 Q. And was this done by the Preservation Company
7 and you?

8 A. (Widell) Yes.

9 MR. ROTH: So, let's look at
10 APP15878.

11 BY MR. ROTH:

12 Q. So, this, what we're looking at, is Applicants'
13 Exhibit 1, Appendix 18, Page 15878. And this
14 is the assessment that was done by the
15 Preservation Company for the Dana Hill
16 Agricultural District, correct?

17 A. (Widell) Yes, in 2015.

18 Q. And the Preservation Company found there were
19 974 acres here, is that correct?

20 A. (Widell) I believe that is what --

21 Q. Sound about right?

22 A. (Widell) Yes.

23 Q. And there are 15 houses? Maybe this is in 404.

24 A. (Widell) I'm looking for it precisely, but --

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Q. Yes. Let's see here. It's getting late.

2 A. (Widell) Yes. It has 15 houses in the
3 District.

4 Q. Okay. Thank you. You beat me to it. Fifteen
5 houses and eight barns?

6 A. (Widell) Uh-huh.

7 Q. "Dozens of other agricultural buildings", is
8 that what it says?

9 A. (Widell) Yes.

10 Q. And the Dana Meeting Hall, which is already a
11 National Register listed property, correct?

12 A. (Widell) Yes. I think it's called the "Dana
13 Meeting House". But, yes.

14 Q. "Dana Meeting House". Okay. Thank you. And
15 the Preservation Company found that it's likely
16 eligible, but not adversely affected, correct?

17 A. (Widell) Yes.

18 Q. And they found this, I think, they found that
19 it was significant and had integrity, but the
20 views were distant and limited, correct?

21 A. (Widell) Yes.

22 MR. ROTH: And let's see 431.

23 BY MR. ROTH:

24 Q. So, this is the effects table that was

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 presented a couple of days ago, for this site.
2 And it says, because it "has the potential to
3 alter its setting, which is a
4 character-defining feature of its agricultural
5 significance", it's being evaluated as having a
6 possible effect, correct?

7 A. (Widell) Yes.

8 Q. And does that suggest to you that, even though
9 the Preservation Company found in its first
10 assessment that the Project would not have an
11 adverse effect, that, in fact, it may have an
12 adverse effect, based on the analysis in the
13 effects form?

14 A. (Widell) No. If you look over to the left, on
15 that first page of the effects table for Dana
16 Hill Agricultural District, which you are
17 referencing right now, on the left, top of the
18 left-hand side of the screen, we say it "may
19 occur where there is alteration".

20 Q. Okay.

21 A. (Widell) So, you are always looking at that.

22 Q. It also says "Recommended Finding: Historic
23 Property Affected". Right? On the front page?

24 A. (Widell) Yes.

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Q. And, then, on the next page, on 67, they go
2 through the various pieces of 800.5(a)(2). And
3 in the middle there you can see it says
4 "views...will be distant...a mile
5 away...limited in scope", right?

6 A. (Widell) Yes.

7 Q. And then would recommend a finding of "No
8 Adverse Effect"?

9 A. (Widell) Yes.

10 Q. Is that because of vegetative screening?

11 A. (Widell) No. It discusses in the effects
12 table, on Page 5, --

13 Q. Well, I --

14 A. (Widell) And it begins primarily with the
15 distance of the Project to, and so there are
16 very limited views.

17 Q. So, it's distance and vegetative screening?

18 A. (Widell) I would have to go through the adverse
19 effect evaluation to give you more information.
20 I would be happy to do that, but you would have
21 to give me an opportunity to read it.

22 MR. ROTH: Let's look at 15882. And
23 blow up the box.

24 BY MR. ROTH:

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Q. And the next to the last sentence here,
2 Preservation Company said "It appears that most
3 potential views of the Project will be lessened
4 by the distance from the Project," which you've
5 already said, "and by intervening forested
6 areas and hills", correct?

7 A. (Widell) Yes.

8 Q. And, so, when you did your analysis of this,
9 you didn't do a bare-earth analysis?

10 A. (Widell) We did not do a bare-earth analysis.

11 Q. Okay. And, so, if the vegetative screening was
12 removed -- well, let me ask this question
13 first. So, the line at this point, in some
14 places long this route, from Dana Hill, is only
15 a quarter mile, right?

16 A. (Widell) It states in the document, I can -- at
17 one point it's "2.75 miles". It's -- "the view
18 of the Project would be to the southwest,
19 climbs a forested hill on the other side of the
20 river in Bristol, approximately 1.3 to
21 1.5 miles". Another portion of it, "1 to
22 1.5 miles".

23 I do not see as close as what you were
24 stating in this, in my quick review of this

[WITNESSES: Widell|Bunker]

1 discussion of the adverse effect evaluation on
2 Page 5 and 6.

3 Q. Yes. I can't find it either.

4 MR. ROTH: Go back to 15878.

5 BY MR. ROTH:

6 Q. And here, in the middle of the second
7 paragraph, it says "Dana Hill Road is between
8 0.62 miles and 1.18 mile from the existing
9 line." And somewhere I got a quarter mile, and
10 it's clearly not from that. Some of these
11 properties have locations that are closer than
12 that 0.62 miles, that may be it. I'm not going
13 to belabor that point. And, if you had done a
14 bare-earth analysis, instead of the forested
15 view, would the Project be much easier or much
16 more plainer to see?

17 A. (Widell) I can't -- I can't conjecture on that.

18 Q. Do you have any reason to believe that the tree
19 cover that exists between the Dana Hill Road --
20 the Dana Hill Agricultural District and the
21 Project and the existing right-of-way will
22 remain indefinitely. Is it protected by
23 anything?

24 A. (Widell) I do not know.

[WITNESSES: Widell|Bunker]

1 Q. And you understand, of course, that forestry is
2 an important industry in New Hampshire?

3 A. (Widell) Yes.

4 Q. Okay. And, if the trees weren't there, do you
5 think the Project would have an adverse effect?

6 A. (Widell) That would be speculation. I don't
7 know. I can't answer that.

8 Q. Now we're going to look at Plain Road Historic
9 District, in the Town of Dummer. And that's
10 the -- as I understand it, and I may be
11 mistaken about this, but it appears to me that
12 the Preservation Company -- neither you, nor
13 the Preservation Company, picked up the Plain
14 Road Historic District when you did your
15 initial analysis, is that correct?

16 A. (Widell) Yes. Let me explain. We did not
17 identify it as a historic district. We did
18 identify some historic properties individually
19 in that area.

20 Q. Okay. But there's nothing in the book about
21 the Plain Road Historic District?

22 A. (Widell) That's correct.

23 Q. And the book does have other historic
24 districts --

[WITNESSES: Widell|Bunker]

1 A. (Widell) Yes.

2 Q. -- that are described, correct?

3 A. (Widell) Yes.

4 Q. And, after consultation with DHR, you and the
5 Preservation Company -- actually, it wasn't the
6 Preservation Company, it was VHB, went back and
7 did an Area Form for the Plain Road Historic
8 District, correct?

9 A. (Widell) Yes.

10 Q. And that's 401? Yes. And this is Counsel for
11 the Public Exhibit 401. And this is the Plain
12 Road Historic District Area Form. And you're
13 familiar with this form?

14 A. (Widell) Yes. I have reviewed it.

15 Q. And, on Page --

16 MR. ROTH: Go to 306 [180306],

17 Page 3.

18 BY MR. ROTH:

19 Q. It says "The survey of the Plain Road Historic
20 District resulted from a recommendation in the
21 Project Area Form for Northern Pass - the Great
22 North Woods Region", correct?

23 A. (Widell) Yes. That's the Project Area Form
24 that was completed by the Department of Energy,

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 as the lead federal agency in the Section 106
2 process.

3 Q. Okay. And, apparently, this is a fairly
4 complicated historic district, isn't it? As it
5 has archeological resources, as well as
6 above-ground resources?

7 A. (Widell) Many historic districts have both,
8 but -- so, yes, it has a broad variety of
9 cultural resources in it.

10 Q. Okay. And it was found in this analysis in the
11 inventory or the Area Form that this district
12 had -- was eligible, under Criteria A and C,
13 and potentially under Criterion D, too, right?

14 A. (Widell) Yes.

15 Q. And, in their analysis of the VHB folks who did
16 this, found that, and I'm looking at 324, "the
17 Plain Road District retains integrity of
18 location, feeling, setting, association, design
19 through its landscape features and above-ground
20 resources", right?

21 A. (Widell) Yes.

22 Q. And it describes it as "a well-preserved
23 landscape with intact 19th and early 20th
24 century patterns of spatial organization,

[WITNESSES: Widell|Bunker]

1 circulation networks, boundary demarcations,
2 and buildings." Correct?

3 A. (Widell) Yes.

4 Q. And they say that it has -- "retains a high
5 degree of integrity of feeling and
6 association". Isn't that what they found?

7 A. (Widell) Yes. I see that. Uh-huh.

8 Q. Yes. And now there's been an effects form
9 prepared for this as well, correct?

10 A. (Widell) Yes.

11 Q. And I'm putting up Counsel for the Public
12 Exhibit 427. And, in this effects form, there
13 was again an assessment, because it has the
14 potential to alter -- the Project "has the
15 potential to alter the area's setting and
16 views, which are character-defining
17 features...under Criterion A", correct?

18 A. (Widell) Yes. Uh-huh.

19 Q. And then they went through the analysis under
20 800.5(a)(2), and determined, after looking at
21 basically three of the categories, that there
22 would be no adverse effect, right?

23 A. (Widell) Yes.

24 Q. When I read the analysis on Page 3 of this

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 document, which is 915, I come to the
2 conclusion or it seems to suggest to me that
3 the consultants found there wouldn't be an
4 adverse effect, because the Project, like in
5 many places, goes through existing
6 right-of-way, right, and that's surrounded by
7 forests?

8 A. (Widell) Yes.

9 Q. And that there's one road crossing, right?

10 A. (Widell) Yes.

11 Q. And do you know whether this forest is
12 protected from harvesting?

13 A. (Widell) No, I do not know.

14 Q. Okay. Do you know whether the forest that's in
15 question here is, in fact, perhaps a working
16 industrial forest?

17 A. (Widell) I do not know that.

18 Q. Okay. Do you know whether the Project and the
19 existing line, once relocated, will rise above
20 the treeline and be visible, where presently it
21 is not?

22 A. (Widell) I did not read through, right now, the
23 adverse effect evaluation. But I would think
24 that it would characterize precisely the

[WITNESSES: Widell|Bunker]

1 Project and its -- the height of its
2 structures, and the effects of those changes to
3 the existing right-of-way and structures to the
4 Historic District. I can look at it quickly,
5 if you would like me to?

6 Q. Well, just from your recollection, do you
7 recall doing any modeling or looking at any
8 modeling to determine whether the Project
9 towers would rise above the existing treeline?

10 A. (Widell) No. We did not do any modeling. I
11 visited the site, and was there very recently,
12 as a matter of fact. So, no. The existing
13 corridor crosses Plain Road and is going
14 through pretty dense forest.

15 Q. So, the nifty viewshed stuff that you did using
16 Google Earth, you didn't apply in this case?

17 A. (Widell) No.

18 Q. Okay. And do you know how close the towers
19 will be to the road?

20 A. (Widell) I do not know that. It would be in
21 the discussion of the evaluation.

22 Q. But you don't know?

23 A. (Widell) It's in the evaluation.

24 Q. So, you don't remember that?

[WITNESSES: Widell|Bunker]

1 A. (Widell) I don't remember it, no, from --

2 Q. Okay. And do you know what type of towers are
3 going to be erected in this place?

4 A. (Widell) It states it in the discussion of the
5 Project in the effects table.

6 Q. But you don't remember yourself what that is?

7 A. (Widell) I don't remember -- well, the site
8 visit would only show me what the existing
9 structures would be, not what the proposed ones
10 would be.

11 Q. And I assume, nevertheless, you still agree
12 with that effects evaluation, that the Project
13 will not have an adverse affect at the Plain
14 Road?

15 A. (Widell) Yes.

16 Q. Okay. Now we're going to go to Page Hill
17 Agricultural Historic District.

18 MR. ROTH: Let's look at 16566, APP.

19 BY MR. ROTH:

20 Q. So, in the assessment, this was simply
21 described as two addresses on Twin Mountain
22 Road, in Whitefield, New Hampshire, correct?

23 A. (Widell) Yes.

24 Q. And, when the assessment was done by the

[WITNESSES: Widell|Bunker]

1 Preservation Company, they did not look at the
2 entire Agricultural -- Page Hill Agricultural
3 District, which had been determined eligible
4 for National Register in 1999, and instead
5 focused on these two buildings, correct?

6 A. (Widell) I don't know that.

7 Q. Well, did you -- you said you participated with
8 the Preservation Company on this report. And
9 does the fact that they looked at 58 and 91
10 Twin Mountain Road, and not the entire Historic
11 District, is that evident from you or is that
12 consistent your memory?

13 A. (Widell) Only two properties were looked at
14 because they were the only two in the Historic
15 District that were in the APE.

16 Q. Okay. So, even though the rest of the Historic
17 District was just outside the APE, you didn't
18 look any farther than the APE, correct?

19 A. (Widell) The historic properties that were in
20 the APE, yes. Yes.

21 Q. And you just drew that one mile line there, and
22 you said "not looking any further"?

23 A. (Widell) No. The viewshed mapping, which is
24 also properly in this assessment report, would

[WITNESSES: Widell|Bunker]

1 indicate where a viewshed might be possible
2 within the APE or immediately adjacent to it.

3 Q. And did you make any analysis, either with the
4 viewshed mapping or otherwise, to look and see
5 if there's any places in the Page Hill Historic
6 District that you should have looked to see if
7 the APE ought to be expanded to include other
8 parts of the District, or the whole District?

9 A. (Widell) No.

10 MR. ROTH: Can you go to 69?

11 BY MR. ROTH:

12 Q. And here, on Page 16569, you and the
13 Preservation Company found that, nevertheless,
14 that these houses were "National Register
15 eligible based on visually related areas of
16 significance", correct?

17 A. (Widell) It would -- they are contributing
18 buildings in an historic district. So, the
19 significance would have been for the whole
20 District. And, yes, those properties would, if
21 they were contributors, would have had that
22 significance as well.

23 Q. So, in this analysis and in the assessment, you
24 basically assumed that, because they were in

[WITNESSES: Widell|Bunker]

1 the District, that therefore -- and they are
2 contributing to the District, that therefore
3 they were eligible, is that --

4 A. (Widell) The entire District had determined
5 eligible in 1999. So, this information had
6 been obtained from the records of DHR.

7 Q. Okay.

8 A. (Widell) I believe it had been done by the
9 Department of Transportation for New Hampshire.

10 Q. Okay. And is an agricultural district only a
11 visual thing or could its significance be
12 related to other criteria, not visual?

13 A. (Widell) Oh, of course, it could be related to
14 even all of the criteria. You could have
15 archeology, it could be associated with a
16 famous farm, personality that had created, so
17 it could have -- and architecture, too, of
18 course.

19 Q. But, if you take away -- but architecture is
20 another visual category, right?

21 A. (Widell) It can be.

22 Q. Okay. And, if you take away, you know, you
23 assume with me for a moment that there's nobody
24 famous from the Page Hill District, and I don't

[WITNESSES: Widell|Bunker]

1 mean to disregard somebody who may be from the
2 Page Hill District and who is famous, standing
3 just as an agricultural district, could it have
4 significance under some criteria that were
5 other than visual?

6 A. (Widell) Well, the significance is related to
7 broad patterns of history. So, the visual is
8 dealing with setting, landscape, viewsheds.
9 Significance has to do with broad patterns of
10 history, biography, architecture, engineering,
11 or likely to yield. So, you're kind of mixing
12 up the two.

13 Yes, it could have significance, in
14 addition to agricultural or a visual
15 significance, of course. Yes. It might have
16 things on the landscape, vegetation that's
17 important, buildings that are important,
18 dooryards, barnyards, paddocks, barns, all
19 kinds of things, yes.

20 Q. But those things are -- those things can be
21 largely visual, right? Isn't --

22 A. (Widell) Well, they're also, and if you want me
23 to get into some detail, I'm happy to do that.

24 Q. No, I'm just asking you a question.

[WITNESSES: Widell|Bunker]

1 A. (Widell) I mean, you find spatial relationships
2 between fields and things like that.

3 Q. Okay. But the buildings and structures and
4 stuff, those things are largely visual? Their
5 relation to one another is something else. But
6 simply looking at a building, it's a visual
7 thing?

8 A. (Widell) No. It also conveys all the other
9 aspects of integrity, because you have
10 workmanship, you have materials, you have
11 design. So, buildings --

12 Q. But that's integrity, that's not significance.
13 I'm trying to understand the significance.
14 And, so, in terms of significance, an
15 agricultural district could be significant,
16 because it's exemplary or represents a way of
17 organizing a community to produce farm
18 products.

19 A. (Widell) Yes.

20 Q. Right?

21 A. (Widell) Yes.

22 Q. Okay. And that's not necessarily a visual
23 thing, is it?

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

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Q. Okay. And, in this assessment of the two
2 properties, the Preservation Company and you
3 found that there would be "no adverse effect"
4 on these two properties, correct?

5 A. (Widell) Yes.

6 Q. And then you did an update in 2016, I guess, of
7 the '99 -- of the 1999 work that was done to
8 establish the Page Hill Agricultural Historic
9 District, correct?

10 MR. ROTH: CFP 405.

11 **BY THE WITNESS:**

12 A. (Widell) It's an update, actually, not of the
13 Assessment Form, the survey -- the Inventory
14 Form, is an update of the what we call
15 "Determination of Eligibility" for the District
16 that was done in 1999.

17 BY MR. ROTH:

18 Q. So, I'm showing Counsel for the Public
19 Exhibit 405, which is the Area Form of Page
20 Hill Agricultural Historic District-Update, you
21 see that?

22 A. (Widell) Yes.

23 Q. And this was done by the Preservation Company
24 also?

[WITNESSES: Widell|Bunker]

1 A. (Widell) Yes.

2 Q. And, in this case, go to 108 [181108], instead
3 of just the two properties that were looked at
4 for the assessment, this time they looked at
5 nine different places, correct?

6 A. (Widell) You are comparing two different
7 things, in that we, in the Assessment Form in
8 2015, we looked at the entire District. But we
9 did the assessment of effects on the two
10 properties where, through viewshed mapping,
11 there is an indication there might be an
12 effect. We took the entire District into
13 account in determining that.

14 This new Inventory Form is not doing an
15 assessment on effect. It is updating what had
16 been determined entirely eligible in 1999. So,
17 they're different.

18 Q. I understand. But what I understand from the
19 assessment is you did an assessment of 58 and
20 91 Twin Mountain Road.

21 A. (Widell) Yes.

22 Q. And, in the "Property Description and Setting",
23 there's some mention of the rest of the
24 District. But I think you made it pretty clear

[WITNESSES: Widell|Bunker]

1 that you stopped your assessment at the edge of
2 the APE, right?

3 A. (Widell) Yes.

4 Q. And, so, when you made the assessment and
5 determined that there was no -- there was no
6 adverse effect, it was based on just those two
7 properties, correct?

8 A. (Widell) Yes.

9 Q. Okay.

10 A. (Widell) Because those were the only properties
11 likely to have -- be visually adversely
12 affected by the Project and were in the APE,
13 yes.

14 Q. Okay. And, then, but for this Area Form, the
15 analysis of you and the Preservation Company
16 turned to all nine of the properties within the
17 Page Hill Historic District? You did an
18 analysis, not an effects analysis, I understand
19 that, but you did a review, you looked at the
20 integrity and the significance of everything,
21 and at least to update it, correct?

22 A. (Widell) Yes.

23 Q. Okay. And isn't it true that they found that
24 the Historic District, despite the passage of

[WITNESSES: Widell|Bunker]

1 19 years or 18 years, since 1999 anyway, has
2 retained its significance and integrity,
3 correct?

4 A. (Widell) Yes.

5 MR. ROTH: Can we take a quick
6 five-minute pause?

7 CHAIRMAN HONIGBERG: Yes, we can.

8 (Recess taken at 4:14 p.m. and
9 the hearing resumed at 4:19
10 p.m.)

11 CHAIRMAN HONIGBERG: All right. Now
12 you can go.

13 BY MR. ROTH:

14 Q. I'm showing --

15 MR. ROTH: Well, go back to that --

16 BY MR. ROTH:

17 Q. So, on this table that shows the various
18 properties in Page Hill, the first two, 58 and
19 91 Twin Mountain Road, were ones that were
20 analyzed in the assessment, correct?

21 A. (Widell) Yes.

22 Q. And, then, the remaining, the other seven were
23 not, is that correct?

24 A. (Widell) They were not assessed. They were

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 part of the original District to look at.

2 Q. Yes. They were mentioned --

3 A. (Widell) Yes. Uh-huh.

4 Q. -- in the property setting and description, --

5 A. (Widell) Right. Right.

6 Q. -- but they were not assessed for effects at
7 all, correct?

8 A. (Widell) It was not necessary. Right.

9 Q. And is it your -- is it your belief that these
10 other seven properties are outside of the APE?

11 A. (Widell) Yes.

12 Q. And do you know how far outside the APE any of
13 them are?

14 A. (Widell) No, I do not.

15 Q. Okay. Now, let's look at 433. So, after
16 updating the -- providing the updated Area Form
17 that we just looked at, there was then prepared
18 an effects table. And this was given to us
19 just a couple of days ago, right? And this is
20 Counsel for the Public Exhibit 433. And there
21 the finding is, again, there may be effects,
22 because the Project might alter the District's
23 defining qualities of significance under
24 Criterion A, correct?

[WITNESSES: Widell|Bunker]

1 A. (Widell) Yes.

2 Q. And they, in here, on Page 3 of this document,
3 which is -- okay. In here, they note that the
4 new line goes through the District with a road
5 crossing, and that it's going to raise pole
6 heights of the existing right-of-way and the
7 new right-of-way pretty significantly, isn't
8 that correct?

9 A. (Widell) Yes, from "41 to 64", to "80 to
10 100 feet".

11 Q. Okay. And they note that "the Project will be
12 visible throughout the District, to as much as
13 nearly a mile away", is that right? And that's
14 on the next page, if you would.

15 A. (Widell) And I don't see where you're stating
16 it. It says, in the effect evaluation, on Page
17 4, that "Viewshed mapping indicates the Project
18 could be visible from the open fields on both
19 sides of Twin Mountain Road and from the
20 historic buildings."

21 Q. It says here "At a distance between 0.8 and
22 1.5 miles, the Project could be no more than
23 minimally visible from Twin Mountain Road",
24 correct?

[WITNESSES: Widell|Bunker]

1 A. (Widell) Yes.

2 Q. Which means that at least it is actually
3 visible, if only minimally, right?

4 A. (Widell) Yes.

5 Q. And they still make a recommend -- they make a
6 recommendation of a finding of "no adverse
7 effect", is that correct?

8 A. (Widell) Yes.

9 Q. And do you think that the Page Hill
10 Agricultural Historic District will suffer any
11 diminishment of its integrity by the
12 introduction of the Project?

13 A. (Widell) No.

14 MR. ROTH: And I can see the light at
15 the end of the tunnel. And it's not the train.

16 BY MR. ROTH:

17 Q. I want to look at the Deerfield Historic
18 District. And, in this one, as I understand it
19 from Attorney Bisbee, because this -- because
20 the Deerfield Historic District is already
21 listed, there isn't going to be another Area
22 Inventory Form, is that correct?

23 A. (Widell) Yes. The area is already listed, the
24 Historic District is already listed on the

[WITNESSES: Widell|Bunker]

1 National Register.

2 Q. But why no update?

3 A. (Widell) You would have to ask the DHR for
4 that. They are deciding which properties need
5 to be updated or not. The difference between
6 Deerfield and Page Hill is that the Page Hill
7 Historic District was what we call a "DOE",
8 which is "Determination of Eligibility", rather
9 than an actual National Register --

10 Q. Oh, I see.

11 A. (Widell) District Form that went through the
12 process, whereas Deerfield was actually listed
13 on the National Register, and therefore there's
14 a completed form. So, that's the difference
15 between the two.

16 Q. Okay. And, so, you didn't ask them "why no
17 update" and "why no Area Form", like was done
18 in many of these other instances?

19 A. (Widell) I did not ask them, no.

20 Q. Okay.

21 MR. ROTH: And let's look at

22 APP14874.

23 BY MR. ROTH:

24 Q. Now, it looks to me that the analysis here was

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 necessarily, perhaps, and understandably
2 somewhat cursory, in terms of determining
3 significance and integrity, correct? They
4 simply referred to the earlier -- the 2002
5 nomination listings?

6 A. (Widell) That would be normal, because the
7 complete information about significance and
8 integrity, boundaries, and historic photographs
9 and contributors would all be already
10 identified in a National Register nomination.

11 Q. Yes. And they -- and again found that these
12 were "based on visually related areas of
13 significance", but there's no analysis of that.
14 It simply refers back to the 2002 nomination
15 forms?

16 A. (Widell) Yes.

17 Q. Okay. And I have a feeling Ms. Menard is going
18 to ask you a lot more questions about this when
19 she gets her turn. So, I'll try to be brief.

20 And was the finding of significance by --
21 about the Deerfield Historic Center also based
22 on community planning and development of a
23 religious and government center?

24 A. (Widell) Yes.

[WITNESSES: Widell|Bunker]

1 Q. And are those visual?

2 A. (Widell) They can be.

3 Q. And were they visual in this case?

4 A. (Widell) The visual aspect was of the
5 architecture within the setting, the setting of
6 the District, which is just within the
7 boundaries. There were no views outside of the
8 District.

9 Q. That's -- I'm not sure I understand that
10 answer.

11 A. (Widell) Okay.

12 Q. But I'll ask the question again. Perhaps my
13 question was posed kind of -- was unclear.

14 A. (Widell) Okay.

15 Q. The finding of significance, in addition to
16 perhaps visual, more obvious visual things, was
17 also based on community planning and
18 development as the religious and governmental
19 center of Deerfield, correct?

20 A. (Widell) Yes.

21 Q. And the question I have for you is, in this
22 case, or in the case of the Deerfield Historic
23 Center, is community planning and development
24 as the religious and governmental center of

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 Deerfield a visual thing or is it something
2 else?

3 A. (Widell) The architecture and the orientation
4 of the buildings is all inward. So, there is
5 no viewsheds out. But you are -- visual also
6 takes into account landscape and setting. So,
7 yes, the setting of Deerfield is one that you
8 would consider the views of the architecture,
9 and the orientation of those buildings, as
10 you've talked about, of religious, government,
11 and social, meaning library, were oriented
12 together, placed together on that landscape, --

13 Q. Okay.

14 A. (Widell) -- and oriented inward to each other
15 to create a center.

16 Q. All right. So, that orientation is, in your
17 opinion, a visual element, and not
18 informational, or something else?

19 A. (Widell) It's both. It is both.

20 Q. Okay. And, as both, wouldn't it then be also
21 under Criterion D?

22 A. (Widell) No. Criterion D deals with the
23 likelihood to yield new information.

24 Primarily, that is used for archeology. But it

[WITNESSES: Widell|Bunker]

1 could be used for an above-ground historic
2 resource, say, that is covered in vinyl siding,
3 but everyone knows that it's a log building
4 that's very significant. And, so, you can't
5 say it's significant under C, for architecture,
6 because you don't know really what's there.
7 So, often D is used for a property that is
8 likely to yield information.

9 The Monitor, under the ocean, before it
10 came up, was certainly significant under D as
11 well. That's another example of an
12 above-ground feature or resource. So, --

13 Q. Above-ground, but below water, right?

14 A. (Widell) Below water, right.

15 Q. So, in any event, that the Preservation Company
16 found there would be no adverse impact on the
17 Deerfield Historic Center, right?

18 A. (Widell) Yes.

19 Q. And isn't true that the existing line and the
20 new line will pass right along the edge of the
21 Deerfield Historic Center, correct?

22 A. (Widell) I would want to look precisely at how
23 far. There is an existing line.

24 MR. ROTH: Can you give us --

1 **CONTINUED BY THE WITNESS:**

2 A. (Widell) And the new line is within the
3 existing right-of-way.

4 MR. ROTH: And then blow up that
5 photo.

6 BY MR. ROTH:

7 Q. So, this is in the report, an aerial of the
8 Deerfield Historic Center, with the District
9 boundaries shown on it. And you can see the
10 road passing in there from the lower right, up
11 to upper left, and crossing the right-of-way
12 there shortly after leaving the District. So,
13 it doesn't abut the District. But it's the
14 next thing you see when you leave the District,
15 correct?

16 A. (Widell) Well, there is some stonewalls there
17 and woods, and then you see the corridor.
18 It's, according to Page 4 of the effects
19 tables, 0.3 miles away, to the northwest.

20 Q. Okay. 0.3 --

21 A. (Widell) But outside of the boundaries of the
22 District.

23 Q. 0.3 is not very far, is it?

24 A. (Widell) It is not.

[WITNESSES: Widell|Bunker]

1 Q. Okay. It always makes me -- puzzles me when I
2 see things expressed in miles, when, really,
3 we're talking about feet. Right? Isn't 0.3 a
4 couple hundred feet?

5 A. (Widell) It's 4:30 in the afternoon, and I'm
6 not going to try and sum, if that's okay?

7 *[Laughter.]*

8 BY MR. ROTH:

9 Q. That's okay. I was just asking. Okay. And
10 the right-of-way is going to cross that road
11 right there, just a short distance away from
12 the cluster of buildings, correct?

13 A. (Widell) Yes.

14 Q. And the rationale, as I read it in the
15 assessment, is that the existing -- is that the
16 various views are going to be "isolated and
17 minimal". Is that in accord with your
18 understanding?

19 A. (Widell) Most of the views are going to be
20 isolated and minimal, yes.

21 Q. Okay.

22 A. (Widell) Yes, because there is --

23 Q. And then they noted the Sherburne Woods thing,
24 which is where the white arrow is pointing, and

[WITNESSES: Widell|Bunker]

1 the existing line along that right-of-way as
2 "modern intrusions", correct?

3 A. (Widell) Yes. I believe it's a senior citizens
4 center or senior housing center, that is new
5 construction outside of the Historic District.

6 Q. So, when DHR said you didn't need to do an area
7 form for this, it wasn't because they looked at
8 this property assessment and said "Great job,
9 we've got all the information we need from
10 that", was it?

11 A. (Widell) No. It was because the property was
12 already listed in the National Register.

13 Q. Okay. All right. Thank you. And then you did
14 an effects form, or you and the Preservation
15 Company, I guess, right?

16 A. (Widell) The "effects table", is that what
17 you're referring to?

18 Q. Yes.

19 A. (Widell) The new effects table?

20 Q. Yes.

21 MR. ROTH: And that's 438.

22 BY MR. ROTH:

23 Q. And this is Counsel for the Public Exhibit 438.

24 And, in that form, Preservation Company

[WITNESSES: Widell|Bunker]

1 determined that the Project would not -- or,
2 "the Project could have an effect on the
3 Deerfield Center...because of the potential to
4 alter its setting, which is a
5 character-defining feature of its significance
6 as a village center", correct?

7 A. (Widell) Yes. And that's why an effects table
8 was being completed, yes.

9 Q. Okay.

10 A. (Widell) That's the standard beginning point.

11 Q. And they found, under Example (v), on Page 2,
12 that "the Project could introduce elements" --
13 "the Project will introduce visual elements
14 that may diminish the integrity of the setting
15 and views of the historic buildings." Correct?

16 A. (Widell) Yes.

17 Q. But still they found "no adverse effect",
18 right?

19 A. (Widell) Yes.

20 Q. And this is puzzling to me. How could a
21 project "introduce visual elements that might
22 diminish its integrity of the setting", and
23 still not meet the definition of "adverse"
24 under 800.5?

[WITNESSES: Widell|Bunker]

1 A. (Widell) It said it "might introduce them" that
2 might diminish the --

3 Q. No, it says "it will". It says "the Project
4 will introduce visual elements that may
5 diminish the integrity".

6 A. (Widell) You are right.

7 Q. And yet it somehow doesn't meet the definition,
8 which says that it's going to diminish the
9 integrity of its setting. That seems to me to
10 be a contradiction. How can you make that
11 conclusion that it is not adverse, if, in fact,
12 it will do exactly what "adverse" is?

13 A. (Widell) Because there's already a competing
14 modern intrusion in the Deerfield Historic
15 District, which does not cause the introduction
16 of the visible structure to affect the
17 character of the District.

18 Q. But that's not the conclusion that was reached.
19 That's the analysis. But the conclusion is is
20 that it will have an adverse effect --

21 A. (Widell) No. The conclusion is at the bottom,
22 which is "no adverse effect", when you see
23 "recommended finding".

24 Q. Right. But the conclusion with respect to

{SEC 2015-06}[Day 27/Afternoon Session ONLY]{08-03-17}

[WITNESSES: Widell|Bunker]

1 example of adverse effect number (v) is "The
2 Project will introduce visual elements that may
3 diminish the integrity", right?

4 A. (Widell) It "will introduce visual elements",
5 but it "may diminish the integrity".

6 Q. And "adverse", the definition of "adverse" is,
7 it "may alter, directly or indirectly, any of
8 the characteristics of a historic property that
9 qualify the property for inclusion on the
10 Registry in a manner that would diminish the
11 integrity", *etcetera*. Isn't that what the
12 definition of "adverse" is?

13 A. (Widell) Yes.

14 Q. Okay. It seems like that conclusion here in
15 800.5(a)(2)(v) is -- meets the definition of
16 "adverse" under (a)(1), doesn't it?

17 A. (Widell) No, I disagree. Because it states
18 about -- it states that it "may diminish the
19 integrity".

20 Q. So, then, I look at the analysis, which comes
21 on Page 3, or I guess it's really more on Page
22 5. And what I read here is an argument about
23 looking for reasons not to find the conclusion,
24 which nevertheless appears among the

[WITNESSES: Widell|Bunker]

1 conclusions that are on Page 2. But,
2 ultimately, the conclusion is that it will
3 diminish the integrity, right?

4 A. (Widell) No. The ultimate conclusion is that
5 there's "no adverse effect".

6 MR. ROTH: Mr. Chairman, I still have
7 more. But I think this would be a good place
8 to stop.

9 CHAIRMAN HONIGBERG: How much more do
10 you have?

11 MR. ROTH: Probably another half an
12 hour or so.

13 CHAIRMAN HONIGBERG: All right. We
14 do not have another half hour.

15 MR. ROTH: Yes. I would just as soon
16 stop, if that's --

17 CHAIRMAN HONIGBERG: We're going to
18 expect you to be done in 30 minutes when we
19 come back, you understand that?

20 MR. ROTH: I do.

21 CHAIRMAN HONIGBERG: Okay.

22 MR. ROTH: I really would rather not,
23 but I think I'd rather finish it --

24 CHAIRMAN HONIGBERG: No. There are

[WITNESSES: Widell|Bunker]

1 plenty of reasons why, I understand, you want
2 to do what you want to do.

3 So, we'll adjourn for the day. The
4 next time we're all together is --

5 ADMIN. MONROE: The 29th.

6 CHAIRMAN HONIGBERG: -- August 29th.
7 I know that there is a prehearing conference
8 next week, on the 9th, here.

9 Anything else we need to do before we
10 adjourn?

11 *[No verbal response.]*

12 CHAIRMAN HONIGBERG: All right.

13 Thank you all.

14 WITNESS WIDELL: Thank you.

15 MR. ROTH: Thank you. Thank you,
16 Ms. Widell.

17 WITNESS WIDELL: Thank you, Mr. Roth.

18 (Whereupon the **Day 27 Afternoon**
19 **Session** was adjourned at 4:38
20 p.m., and the hearing to resume
21 on **August 29, 2017**, commencing
22 at 9:00 a.m.)

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C E R T I F I C A T E

I, **Steven. E. Patnaude**, a Licensed Shorthand Court Reporter, do hereby certify that the foregoing is a true and accurate transcript of my stenographic notes of these proceedings taken at the place and on the date hereinbefore set forth, to the best of my skill and ability under the conditions present at the time.

I further certify that I am neither attorney or counsel for, nor related to or employed by any of the parties to the action; and further, that I am not a relative or employee of any attorney or counsel employed in this case, nor am I financially interested in this action.

Steven E. Patnaude, LCR
Licensed Court Reporter
N.H. LCR No. 52
(RSA 310-A:173)