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STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE

August 30, 2017 - 9:08 A.m. DAY 29  
49 Donovan Street Morning Session ONLY  
Concord, New Hampshire

{Electronically filed with SEC on 09-12-17}

IN RE: SEC DOCKET NO. 2015-06  
Joint Application of Northern  
Pass Transmission, LLC, and  
Public Service Company of  
New Hampshire d/b/a Eversource  
Energy for a Certificate  
of Site and Facility.  
(Hearing on the merits)

PRESENT FOR SUBCOMMITTEE/SITE EVALUATION COMMITTEE:  
Chrmn. Martin P. Honigberg Public Utilities Comm.  
(Presiding as Presiding Officer)

Cmsr. Kathryn M. Bailey Public Utilities Comm.  
Dir. Craig Wright, Designee Dept. of Environ. Serv.  
Christopher Way, Designee Dept. of Resources &  
Economic Development  
William Oldenburg, Designee Dept. of Transportation  
Patricia Weathersby Public Member  
Rachel (Whitaker) Dandeneau Alternate Public Member

ALSO PRESENT FOR THE SEC:

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

Pamela G. Monroe, SEC Administrator

(No Appearances Taken)

COURT REPORTER: Susan J. Robidas, NH LCR No. 44



[WITNESS PANEL: WIDELL|BUNKER]

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P R O C E E D I N G S

CHAIRMAN HONIGBERG: Good morning, everyone. We're going to get started on Day 29.

Mr. Baker, you have the microphone. You may proceed.

MR. BAKER: Thank you, Mr. Chairman.

CROSS-EXAMINATION

BY MR. BAKER:

Q. Good morning. My name is Bob Baker. I represent four landowners in the North Country. Perhaps you know it as "the Great North Woods." One of my clients is Dummer; one is in Stark; and two are in Stewartstown, one of which is very near the Clarksville line.

My first question, and we'll get to the exhibit in a minute, but my first question may be best directed to Ms. Bunker.

There have been a lot of discussions in the North Country about the possibility that there are bodies buried under Old County Road in a formerly marked cemetery that has lost

1           its markings. Do you know anything about  
2           that? And before you answer the question,  
3           I'm not asking for any confidential  
4           information about the location.

5       A.    (Bunker) Yes, thank you. I am aware of this.

6       Q.    Okay. And have you done anything to  
7           determine whether or not there is one or more  
8           bodies under the road that Northern Pass  
9           wants to use for its underground portion of  
10          the transmission line near the  
11          Clarksville-Stewartstown border?

12      A.    (Bunker) To date, my research has been done  
13          and my findings have been presented in my  
14          Phase IA archeological report. I have also  
15          walked the area and am familiar with the lay  
16          of the land and how it appears. We have not  
17          done anything subsurface, which comes under  
18          Phase IB of the archeological process, for  
19          those town roads.

20      Q.    And what needs to be done, if anything, in  
21          the future to determine whether or not there  
22          is a cemetery on or near that road?

23      A.    (Bunker) We will do what we always do, which  
24          is to start with the Phase IB subsurface

1           sampling; it's hand excavation. And we will  
2           assess that area, first of all, using that  
3           methodology.

4    Q.    Are there any non-invasive techniques that  
5           can be used to locate buried bodies under the  
6           ground that you have not -- or that you could  
7           use?

8    A.    (Bunker) There are techniques that are based  
9           on a resistivity reading. It's called  
10           "ground-penetrating radar." This technique  
11           works well in some situations. In other  
12           situations it does not respond well,  
13           particularly if there are a lot of stones and  
14           inclusions in the underlying strata.

15   Q.    Have you tried to use this technique on this  
16           site?

17   A.    (Bunker) No.

18   Q.    Why not?

19   A.    (Bunker) Because we're not doing the field  
20           work component yet. We've only done the  
21           research and walkover. We've not done any  
22           subsurface investigation to date.

23   Q.    Therefore, when you leave the witness stand,  
24           do you plan to come back, or does the

1 Applicant plan to bring you back to tell this  
2 Committee whether or not there is a cemetery  
3 in the planned routing of this project?

4 A. (Bunker) I don't know for sure. However, my  
5 findings will be in a report. The report  
6 will be distributed accordingly.

7 Unfortunately, I don't know the exact process  
8 of the communication.

9 Q. Okay. Another question, and I think it's for  
10 you, but I'd ask Ms. Widell to chime in if  
11 she has information about this question, and  
12 it is: If in the process of studying the  
13 route the Applicants have chosen and you find  
14 a historical artifact, be it colonial or  
15 First Nation, what do you do with that  
16 artifact after you've recovered it from a  
17 site?

18 A. (Bunker) The artifacts go through a series of  
19 analyses. They're cleaned, they're  
20 photographed, they're inventoried. At that  
21 point the artifacts are put into storage in  
22 archival situation. They will be directed to  
23 the facility at Eversource. At the end of  
24 the Project, landowners who have artifacts

1           that were found on their property will be  
2           contacted. And the artifacts actually belong  
3           to the underlying property landowner. The  
4           Eversource archeologists and I have discussed  
5           that when that time comes, we will contact  
6           all of the them, meet with them and present  
7           the artifacts to them. People may not wish  
8           to keep them or they may.

9    Q.    How long will it be before a landowner knows  
10       that an artifact has been discovered on their  
11       land?

12   A.    (Bunker) Unfortunately, I don't know the  
13       answer to that.

14   Q.    It could be years, couldn't it?

15   A.    (Bunker) I hope not.

16   Q.    But it could be.

17   A.    (Bunker) Potentially.

18   Q.    And you don't tell the landowner that an  
19       artifact has been discovered unless they're a  
20       consulting party; correct?

21   A.    (Bunker) That's right.

22   Q.    So, same question with respect to a town  
23       road. What happens to an artifact found in a  
24       town road in Stewartstown?



1 A. (Bunker) The same process.

2 Q. And who is the owner of the artifact if it's  
3 found in the road?

4 A. (Bunker) I would hazard that it's the town,  
5 although I don't know for sure.

6 Q. Okay. Let's go to the screen in front of  
7 you. And this is a question for either one  
8 of you to answer, or both if you have  
9 conflicting thoughts.

10 When we're talking about unreasonable  
11 adverse effect on historic sites that this  
12 Committee is concerned about, this Committee  
13 is in New Hampshire. It looks to its rules,  
14 Site 102.23, to determine what historic sites  
15 are. Do you agree with that?

16 A. (Bunker) Yes.

17 Q. And when it's determining whether or not a  
18 historic site needs to be studied, or they'd  
19 like to have answers about it, it's you folks  
20 that identify the sites that you're giving  
21 your opinions on; is that correct?

22 A. (Bunker) Yes.

23 A. (Widell) Yes.

24 Q. And the Applicant, of course, working with

1           you.

2       A.     (Widell) Yes.  And in all of the information  
3           that we have done, and all of the consulting  
4           that we have done, of course it is submitted  
5           to the Division of Historic Resources in New  
6           Hampshire, which is the expert of historic  
7           properties for the state of New Hampshire,  
8           and is depended upon to be the expert for the  
9           SEC.

10       Q.    So you would consider that the department of  
11           -- it's DHR; correct?

12       A.     (Widell) Yes.

13       Q.    You would consider DHR to be the New  
14           Hampshire expert on historic sites in New  
15           Hampshire; correct?

16       A.     (Widell) Yes.

17       Q.    Would you also consider the New Hampshire  
18           Historical Society to be someone that should  
19           be consulted?

20       A.     (Widell) Generally, in my experience,  
21           historical societies work with what we call  
22           "material culture," which is objects or  
23           archival material.  Normally, not always,  
24           sometimes they own historic properties in

1 communities. They do not deal with historic  
2 buildings. Historic buildings are usually  
3 classified more in historic preservation.  
4 Historical societies usually deal with, as I  
5 said, objects, furniture, books and  
6 materials, that sort of thing. But yes, they  
7 can be a repository of information that can  
8 tell us about those historic buildings.

9 Q. Okay. Ms. Widell, I'm sorry, but is your  
10 answer to my question "Yes" or "No"?

11 A. (Widell) Forgive me. I believe your question  
12 was would a historical society be responsible  
13 for historic sites?

14 Q. That's not quite it. Can we read it back,  
15 please?

16 A. (Widell) Thank you very much.

17 (Record read back as requested.)

18 A. (Widell) Clarification. Consulted for?

19 Q. Consulted to determine the identification of  
20 historic sites in New Hampshire.

21 A. (Widell) As I indicated, New Hampshire  
22 Historical Society, local historical  
23 societies, can be the repository of  
24 information related to historic properties.

1           So yes.

2                           CHAIRMAN HONIGBERG:   So,  
3           ultimately you got to "Yes" there.

4                           WITNESS WIDELL:   Thank you.  
5           I'm sorry.   Yes.

6   BY MR. BAKER:

7   Q.   Ms. Bunker, do you disagree with the "Yes"  
8        given by Ms. Widell?

9   A.   (Bunker) I agree with Ms. Widell.   And I  
10        would add to that, that our process in this  
11        project directs us to consult with the New  
12        Hampshire Division of Historic Resources,  
13        first and foremost.

14   Q.   Very good.   But you would also agree that the  
15        New Hampshire Historical Society would be a  
16        location that you could check to determine  
17        the identification of historic sites in New  
18        Hampshire; correct?

19   A.   (Bunker) Yes.

20   Q.   Would you also answer the same question with  
21        respect to local historical societies in New  
22        Hampshire communities, such as the Pittsburg  
23        Historical Society?

24   A.   (Widell) Yes.

1 A. (Bunker) Agreed.

2 Q. And how about the town clerk's offices in the  
3 various towns that the Project is running  
4 through? Would you also agree that the town  
5 clerks might have historical information  
6 unique to that locale or community in New  
7 Hampshire?

8 A. (Widell) Yes.

9 Q. Did either of you consult with the Clerk of  
10 the Town of Stewartstown?

11 A. (Widell) No.

12 Q. Did either of you consult or talk with the  
13 Clerk of the Town of Clarksville?

14 A. (Widell) No.

15 A. (Bunker) May I answer slightly differently?

16 Q. Yes.

17 A. (Bunker) In the course of our project, we did  
18 deed research on two archeological sites, one  
19 in each of those towns, and that involved  
20 contact with numerous facilities in the North  
21 Country to establish prior ownership in the  
22 19th century of these archeological  
23 resources.

24 Q. Okay. And did you do that in the town

1 clerk's office or in the Coos County  
2 Registry?

3 A. (Bunker) I think a little bit of both.

4 Q. Okay. In your work, did you consult any  
5 resources about the Connecticut River Byway?

6 A. (Bunker) I did not.

7 A. (Widell) The information about the  
8 Connecticut River Byway is included in the  
9 Project Area Forms, as is information related  
10 to anything that might be available from  
11 local sources. We reviewed the Project Area  
12 Forms as we developed the assessment forms  
13 for our assessment report that was submitted  
14 with the Application to the SEC.

15 Q. Did you determine whether or not the  
16 Connecticut River Byway in the Great North  
17 Woods specifically is a cultural or historic  
18 site within the definition of this Committee  
19 under Site 102.23 which is before you?

20 A. (Widell) No.

21 Q. And your determination was that it was not;  
22 right?

23 A. (Widell) Yes.

24 Q. How about we go to the next exhibit here just

1 for a moment. Forgive me. I have to change  
2 it.

3 (Pause)

4 MR. BAKER: Can you read that  
5 all right? This is a page from Ms. Widell's  
6 prefiled direct testimony, and it's Page 2 of  
7 12.

8 BY MR. BAKER:

9 Q. And I want you in particular to focus on  
10 Lines 14 through 19.

11 A. (Widell) Yes. Thank you.

12 Q. Okay. And these questions will be directed  
13 to Ms. Widell, at least in this portion, Ms.  
14 Bunker. No offense.

15 A. (Bunker) Thank you.

16 Q. It states, Ms. Widell, in your prefiled  
17 testimony that you viewed substantial  
18 portions of the route.

19 A. (Widell) Yes.

20 Q. My first question is: Did you view the  
21 entire route?

22 A. (Widell) Yes.

23 Q. How did you do that?

24 A. (Widell) By roadway. Obviously I couldn't

1 walk the entire route and did not. But  
2 anywhere that it was possible to view it from  
3 a public roadway is how I traversed it.

4 Q. Then I assume you have been on the Moose Path  
5 Trail; is that correct?

6 A. (Widell) Yes.

7 Q. Do you know where the Moose Path Trail  
8 crosses the proposed transmission line?

9 A. (Widell) I couldn't recall that precisely to  
10 tell you. And I'm sure you're very familiar  
11 with Great North Woods, you could...

12 Q. The Moose Path Trail, just to refresh your  
13 recollection, crosses the transmission  
14 corridor in I believe it's Stewartstown. And  
15 the Moose Path Trail up there used to be  
16 Route 3. I think they're changing it to  
17 Route 145. But there are crossings there on  
18 the north side of Stewartstown, northwest  
19 corner of Stewartstown. Are you familiar  
20 with that area?

21 A. (Widell) From my visits there, yes. Just  
22 passing through, yes. Yes.

23 Q. Right. You understand the Moose Path Trail  
24 has been designated in New Hampshire as a



1 scenic and cultural highway?

2 A. (Widell) I am aware of it as a scenic  
3 highway, yeah.

4 Q. Okay. Do you classify it as a, as we looked  
5 at in the prior exhibit, as an "historic  
6 site" as defined in this Committee's rules?

7 A. (Widell) No.

8 Q. Why not?

9 A. (Widell) It is not historically 50 years old  
10 or older. Or if it's less than 50 years, it  
11 does not have exceptional importance, so,  
12 therefore, it would not be considered an  
13 historic property on or eligible for the  
14 National Register.

15 Q. Well, I'm not even -- I don't care whether  
16 it's in the National Register, and neither  
17 does the rule. The rule says, if it's going  
18 to be in the National Register, that's nice.  
19 But it doesn't have to be, does it?

20 A. (Widell) To be considered eligible, no. A  
21 property -- most people believe that even  
22 local historic properties are not eligible  
23 for the National Register, but that's not  
24 accurate. Most of the properties that have

1           been identified for the Northern Pass Project  
2           are of local significance. Even though they  
3           are eligible for the National Register, they  
4           are not nationally significant. The National  
5           Register is a collection of historic  
6           properties important to our nation, whether  
7           they are of local or state or national  
8           importance.

9       Q.    I put the rule back in focus. Where does it  
10           say that an historic site in New Hampshire  
11           must be in the National Register?

12       A.   (Widell) It does not say that it must be in  
13           the National Register. But the only example  
14           we are given in this definition are of  
15           properties that are on or eligible for the  
16           National Register, and that is a very broad  
17           area of consideration. I can't really think  
18           of a property that could not be considered  
19           under that criteria. And we looked.

20       Q.    If a local community in New Hampshire  
21           believes that it is in possession of an  
22           historic site, as defined to include any area  
23           that is important to the history or culture  
24           of this state's community, why isn't it an

1 historic site for this Committee to consider?

2 A. (Widell) An historic site normally has to  
3 have integrity and significance to be  
4 considered for Section 106, which is the  
5 process that's being used to identify adverse  
6 effects being caused by this project. An  
7 historic property has to have integrity and  
8 significance to be adversely affected.

9 Q. Well, if a community considers its property  
10 to have integrity and significance, why isn't  
11 it an historic site? Because you consider it  
12 not to be so?

13 A. (Widell) No. The identification of historic  
14 sites, historic properties, is the  
15 responsibility of the Division of Historic  
16 Resources. And the guidance that we have  
17 received is that historic properties are  
18 those on or eligible for the National  
19 Register. We looked at other properties, and  
20 to this -- at this point, no one has brought  
21 to us any properties that have not been on or  
22 eligible for the National Register that meet  
23 that criteria.

24 Q. Well, again, I have no interest whether it's

1 in or not the National Register, and nor does  
2 the rule. The rule says, if it's in the  
3 National Register, we'd like to know about  
4 it. But it doesn't say it has to be, does  
5 it?

6 A. (Widell) It does not say it has to be. It is  
7 the only example we are given in this  
8 definition.

9 Q. Try that again. Does the rule say it has to  
10 be in the National Register? You've been  
11 confusing me now for three days on this, and  
12 I'd like a straight answer. Does it have to  
13 be in the National Register or not?

14 MR. WALKER: Objection.  
15 Argumentative. Asked and answered.

16 CHAIRMAN HONIGBERG: You can  
17 answer it again.

18 A. (Widell) The definition -- the only example  
19 we are given in this definition of what a  
20 historic site or historic property means is  
21 any prehistoric or historic district site,  
22 building, structure or object included in or  
23 eligible for inclusion in the National  
24 Register of Historic Places maintained by the

1 Secretary of Interior.

2 Q. Let me try it again. Yes or No. Does it  
3 have to be in the National Register?

4 A. (Widell) I believe I answered that "No" --

5 Q. Thank you.

6 A. (Widell) -- and I read the definition. Thank  
7 you.

8 Q. Thank you. Okay. So it's "No."

9 A. (Widell) It is "No."

10 Q. Good.

11 Now, on your view of substantial  
12 portions of route, when were you last in the  
13 community of Pittsburg?

14 A. (Widell) August 1st, I believe. I would have  
15 to look precisely, but it was on or around  
16 the first week of August of this year, three  
17 weeks ago.

18 Q. And did you drive up Halls Stream Road?

19 A. (Widell) Yes.

20 Q. And did you stop at the area where Transition  
21 Station No. 2 -- No. 1 is going to be located  
22 in the proposal of Northern Pass?

23 A. (Widell) No, we didn't stop there, but we  
24 noted it on the map.

1 Q. So you drove on Old Canaan Road up to  
2 Route 3?

3 A. (Widell) I can't tell you precisely. I  
4 wasn't doing the driving. I was the  
5 passenger.

6 Q. Let me ask you another question. Have you  
7 been on the Woodland Heritage Trail?

8 A. (Widell) No.

9 Q. Do you know where it is?

10 A. (Widell) I cannot -- no, I can't tell you  
11 that.

12 Q. The Woodland Heritage Trail, for your  
13 information, is in part along Route 110  
14 between Groveton or North Umberland and the  
15 town of Dummer.

16 A. (Widell) Then I was on the Woodland Trail and  
17 unaware of it because I have traversed that  
18 road.

19 Q. Right. I'm going to ask you very briefly, do  
20 you consider the Woodland Heritage Trail to  
21 be an historic site as defined by this  
22 Committee's rules?

23 A. (Widell) No.

24 Q. And why is that?

1 A. (Widell) Because it is not 50 years or older  
2 and would not meet the standards of integrity  
3 and significance for eligibility under the  
4 National Register.

5 Q. We've already established that the National  
6 Register is really irrelevant, haven't we?

7 A. (Widell) No.

8 Q. You said "No" before in answer to my  
9 question. Does it have to be in the National  
10 Register?

11 A. (Widell) No.

12 CHAIRMAN HONIGBERG: Do you  
13 want her to go back to the definition? Do  
14 you want to have this go-around with her  
15 again?

16 MR. BAKER: No, I don't.

17 CHAIRMAN HONIGBERG: Okay.

18 MR. BAKER: Thank you, Mr.  
19 Chair. I understand.

20 CHAIRMAN HONIGBERG: Okay.

21 BY MR. BAKER:

22 Q. So you would dispute the claim that these  
23 cultural and scenic highways in New Hampshire  
24 are historic sites; correct?

1 A. (Widell) I would -- no. I would tell you  
2 that we evaluated whether they would be on or  
3 eligible for listing on the National  
4 Register, and that discussion is part of the  
5 assessment report that we provided to the SEC  
6 in the Application.

7 Q. I understand you've made a determination. My  
8 question is: You have determined, have you  
9 not, that these two cultural and scenic  
10 highways in New Hampshire are not historic  
11 sites in accordance with this Committee's  
12 rules? That's your determination.

13 A. (Widell) Yes.

14 Q. So there is no evaluation of them because you  
15 made that determination; right?

16 A. (Widell) No, not alone, in that in the  
17 identification of historic sites that need to  
18 be considered for this project by the  
19 Division of Historic Resources, we were not  
20 directed to include those trails as historic  
21 sites or historic properties for  
22 consideration, identification or the  
23 development of an inventory form for  
24 submission to the Division of Historic



1 Resources.

2 Q. I have a couple more questions for you, and I  
3 really, sincerely believe you can answer  
4 these "Yes" or "No."

5 First question on these two trails: Did  
6 you consult with the National Scenic Byways  
7 Program to determine why they were selected  
8 for cultural and scenic highway designation  
9 in New Hampshire?

10 A. (Widell) No.

11 Q. Did you consult with the North Country  
12 Council in New Hampshire as to why it  
13 selected these roads as scenic and cultural  
14 byways in New Hampshire?

15 A. (Widell) No.

16 Q. Same question now with respect to the  
17 740-mile-long Northern Forest Canoe Trail.  
18 Did you study it?

19 A. (Widell) No.

20 Q. Same question with respect to the Paddlers  
21 Trail down the Connecticut River from  
22 Pittsburg to Stewartstown?

23 A. (Widell) No.

24 Q. Did you study anything about what's called

1           the Trophy Stretch of the Connecticut River  
2           between Pittsburg and Stewartstown that goes  
3           under the Green Bridge?

4    A.   (Widell) No.

5    Q.   Now, you do agree that the New Hampshire  
6           Division of Historical Resources is an  
7           important component of your study of historic  
8           sites; correct?

9    A.   (Widell) Yes.

10   Q.   I'm going to put before you CS Exhibit 86. We  
11        don't need to get down into the detail of the  
12        language, but have you seen this exhibit  
13        before?

14   A.   (Widell) Yes.  It's on the web site of  
15        Division of Historical Resources.  And I have  
16        seen it, yes.

17   Q.   Right.  And have you studied the road marker  
18        system in New Hampshire?

19   A.   (Widell) No, I haven't studied it.  I have  
20        certainly seen examples of it in my travels  
21        throughout the state.

22   Q.   Okay.  Did you consider looking at the  
23        250-plus road markers designated by the New  
24        Hampshire Division of Historical Resources

1 and posted on the roads of New Hampshire?

2 Did you study all of them?

3 A. (Widell) I did not study all of them, no. I  
4 will tell you that in any location where we  
5 found them in the Area of Potential Effect  
6 and Zone of Visual Influence where we were  
7 documenting historic properties, they were  
8 noted, and in many cases I can tell you were  
9 noted on the inventory form of the adjacent  
10 historic properties, if that was appropriate  
11 to the history of that particular property.

12 Q. When you studied the route, did you see  
13 Marker No. 1 as shown on this document? Can  
14 you read this all right? This is also from  
15 the Department of Historic Resources web  
16 site.

17 A. (Widell) I cannot recall. I may have. I'm a  
18 historian, and I often like looking at the  
19 markers as I go by. So, yes, I may have seen  
20 it.

21 Q. What we're talking about here is the historic  
22 marker for the Indian Stream Republic. You  
23 didn't see that, did you?

24 A. (Widell) As I said, I cannot recall.

1 Q. Well, in fairness to you, it's not on the  
2 route. It's just above it in Pittsburg, on  
3 Route 3.

4 Q. And CS Exhibit 88 is a photo of the marker of  
5 Republic of Indian Stream. And as you've  
6 noted, you don't recall seeing it. And you  
7 probably didn't. But it is the No. 1 marker  
8 on the Division of Historic Resources web  
9 site.

10 So I assume you did not consider the  
11 area, the historic area of the Republic of  
12 Indian Stream to be within the definition  
13 that this Committee has for determining  
14 whether or not there's an adverse impact on  
15 historic sites?

16 A. (Widell) No, that's not accurate. There is a  
17 discussion of the Republic of Indian Stream  
18 in the Project Area Form that was completed  
19 for that region within the study area for the  
20 Northern Pass Project.

21 Q. But you yourself, you didn't study it, did  
22 you?

23 A. (Widell) No. We used the Project Area Forms  
24 which were completed by the Department of

1 Energy for this project as background  
2 information, what we call "historic context"  
3 for understanding the history and  
4 architecture and culture of a particular  
5 area. I did not personally make a study of  
6 this topic.

7 Q. So do you punt to the Department of Energy to  
8 determine what's an historic site in New  
9 Hampshire?

10 A. (Widell) As part -- yes. The Department of  
11 Energy, as the lead federal agency which will  
12 be issuing the Presidential Permit, a key  
13 part of the Section 106 process, especially  
14 in identifying the historic properties that  
15 are considered. They do this in consultation  
16 with the Division of Historic Resources as  
17 the state historic preservation office. So  
18 they're actually -- they play a very  
19 important role. And they were requested by  
20 the Division of Historic Resources to prepare  
21 historic context for each of the regions, the  
22 Lake Region, the Great North Woods, et  
23 cetera, for this project. And they provided  
24 that information, and we used that in our

1 development of the historic properties that  
2 we identified and studied.

3 Q. Are you done?

4 The Department of Energy doesn't  
5 determine what is an historic site under the  
6 rules of this Committee, does it?

7 A. (Widell) No.

8 Q. Thank you.

9 A. (Widell) But I would say that the Section 106  
10 process is extremely important for providing  
11 information for the deliberations of the SEC,  
12 and here's why, because the Section 106  
13 process identifies the individual properties  
14 that need to be considered and then applies  
15 the definition of adverse effect for that.  
16 And the findings of Section 106 are one of  
17 the criteria that the SEC uses to determine  
18 whether the project has an unreasonable  
19 adverse effect on historic properties. So  
20 you have really two processes going on here:  
21 Section 106, which is the process that is  
22 required by Department of Energy under the  
23 National Preservation Act, with the Division  
24 of Historic Resources, and then the state SEC

1           role in taking that information and other  
2           information, whatever it wants to review, to  
3           determine an unreasonable adverse effect.

4   Q.    Have you finished?

5   A.    (Widell) Yes. Thank you.

6   Q.    Showing you what has been submitted as -- oh,  
7           I can't see the exhibit number. Hold on.  
8           CS Exhibit 89, have you seen this before?  
9           This is a publication of the Pittsburg  
10          Historical Society that is posted on the  
11          Internet web page of the Town of Pittsburg.

12  A.    (Widell) No.

13  Q.    You have seen this before?

14  A.    (Widell) No.

15  Q.    All right. This is an explanation of why the  
16          historical society in Pittsburg considers the  
17          Indian Stream Republic to be a significant  
18          historic site. But you didn't take that into  
19          consideration; correct?

20  A.    (Widell) No, that's not accurate. We did  
21          take it into consideration, the information  
22          and history of that.

23  Q.    How do you take into consideration a  
24          publication of the Pittsburg Historical

1 Society that you've never seen before?

2 A. (Widell) Perhaps I understood you, sir -- I  
3 thought you were asking me whether we took  
4 into consideration the history of the Indian  
5 Stream Republic in our deliberations.

6 Q. I understand your confusion. I was asking  
7 you specifically about this document  
8 published by the Pittsburg Historic Society  
9 and approved and posted on the web site of  
10 the Town of Pittsburg.

11 A. (Widell) And I indicated to you that I had  
12 not seen this document.

13 Q. Right. So you did not consider it; correct?

14 A. (Widell) Not this document.

15 Q. Showing you CS Exhibit 90. This is a  
16 document from the web site, the official web  
17 site of the Town of Pittsburg. Have you seen  
18 it before?

19 A. (Widell) No.

20 Q. So you did not take into the consideration  
21 the area of the Republic of Indian Stream  
22 that the Town of Pittsburg considers to be an  
23 historic site in its area; correct?

24 A. (Widell) No, I disagree with that. The area



1           was discussed in the context of the Project  
2           Area Form.

3    Q.    Okay.  You recognize that the area includes a  
4           portion of the transmission line crossing the  
5           southwest corner of Pittsburg, a two-mile  
6           area; correct?

7    A.    (Widell) On this illustration?

8    Q.    Hmm-hmm.  I can help you with a Google map,  
9           or we can go to a project map posted by the  
10          Applicants.  What's your pleasure?

11   A.    (Widell) Thank you.  Yes, my colleague  
12          pointed it out to me.

13   Q.    Okay.  Thank you.  This is just a Google Map  
14          showing the southwest corner of the Town of  
15          Pittsburg.  And to orient you, through the  
16          center of the page there's a straight line.  
17          On the left side, that's the border between  
18          Canada and Vermont.  In the center, that  
19          straight line is a designation of the border  
20          between the southwest corner of Pittsburg and  
21          Vermont.  And on the right side, where the  
22          line does not appear, it's all New Hampshire.  
23          The Connecticut River runs from the northeast  
24          corner down to about the center of the bottom

1 of that page. Do you see it?

2 A. (Widell) Yes.

3 Q. Okay. Do you recognize the area on this map  
4 at the very top of the page between Indian  
5 Stream Road and Route 3 and the Connecticut  
6 River?

7 A. (Widell) You mean do I see it on the map?

8 Q. Yes.

9 A. (Widell) Yes.

10 Q. And would you agree with me that that is the  
11 same location as the southern portion of the  
12 Indian Stream Republic that you have noted  
13 but that you did not study?

14 A. (Widell) No. I'd have to look at historic  
15 maps to confirm that.

16 Q. Okay. I'm going to put up in a minute  
17 another map filed by the Applicants and ask  
18 you a few questions about that. But I'm  
19 going to put up what I believe to be the  
20 route through here just so you can be  
21 oriented to the area. Hang on.

22 (Pause)

23 Q. You see the red line that I have placed on  
24 this Google Map?

1 A. (Widell) Yes.

2 Q. I've done my best to map what I believe to be  
3 the Project proposed by Northern Pass and  
4 Hydro-Quebec on the Canadian side that we're  
5 discussing today. Do you see that?

6 A. (Widell) Yes, I see the red line.

7 Q. Okay. And would it be fair to say that you  
8 have not studied the impact of this project  
9 on the Indian Stream Republic historic area  
10 defined by Pittsburg?

11 A. (Widell) No, I disagree with that. I do not  
12 see the Area of Potential Effect in this  
13 area. But we identified every historic  
14 property within the area that was -- could be  
15 on or eligible for the National Register and  
16 identified it and assessed whether the  
17 Project would have an adverse effect on that  
18 historic property.

19 Q. Isn't it a fact that we don't have to worry  
20 about the Area of Potential Effect because  
21 the transmission line goes right through the  
22 Indian Stream Republic, doesn't it?

23 A. (Widell) No, I don't know that for a fact.  
24 But in identifying historic properties, it is

1 important to identify them within the Area of  
2 Potential Effect. That is part of the SEC  
3 process. It's also a part of the Section 106  
4 process.

5 Q. Let me try this. You're from Maryland;  
6 right?

7 A. (Widell) I am.

8 Q. Yeah. You're familiar with the Battlefield  
9 of Antietam?

10 A. (Widell) Yes.

11 Q. If a power company wanted to put up 20 100-  
12 to 90-foot towers, lattice towers, not poles  
13 towers, and string conductor from them along  
14 the edge of South Mountain within the Area of  
15 Potential Effect of Antietam Creek, would  
16 that have a material or unreasonable adverse  
17 effect on the Battlefield of Antietam?

18 A. (Widell) Is that a hypothetical question?  
19 Because I would need specifics to understand  
20 that better to assess whether there was an  
21 adverse effect to historic properties.

22 Q. You'd have to study it, wouldn't you?

23 A. (Widell) Yes.

24 Q. Yeah. And you haven't studied the Indian

1 Stream Republic and the historic significance  
2 and area as published on the Pittsburg  
3 Historic Society and Town of Pittsburg web  
4 site; correct?

5 A. (Widell) No. Let me clarify that. I have  
6 not studied it on the Pittsburg web site, but  
7 it absolutely was part of our consideration,  
8 and very thoughtful consideration, in which  
9 historic properties were identified and how  
10 it may be part of the effects of this project  
11 on historic properties in areas within New  
12 Hampshire and in that part of New Hampshire.

13 MR. BAKER: How do I turn off  
14 ELMO? Oh, you do it. And can you turn me  
15 on? Do not take that literally. Could we  
16 strike that from the record?

17 [Laughter]

18 MR. BAKER: I'm still waiting.  
19 Oh, is it up? It's not up in front of me  
20 because ELMO isn't turned on. Thank you.

21 BY MR. BAKER:

22 Q. This is a map showing the Project area maps  
23 filed over the weekend by Northern Pass in  
24 this case as Exhibit 201. And I'm going to

1 try to blow up the area of the southwest  
2 corner of Pittsburg on this. And I'm  
3 technically impaired, so bear with me as I do  
4 this.

5 (Pause)

6 Q. Do you see -- and it's very hard. I'm going  
7 to try to increase that by one more power.  
8 Can you identify the area that we're looking  
9 at on this blow-up, Ms. Widell?

10 A. (Widell) I'm sorry. I do not understand the  
11 question. I'm looking at Pittsburg,  
12 Clarksville, Stewartstown, Atkinson and  
13 Gilmanton.

14 Q. Do you see all the little blue rectangles?

15 A. (Widell) Yes, I do.

16 Q. These are project area maps that are attached  
17 to this document as you page down through  
18 hundreds and hundreds and hundreds of pages,  
19 all the way from northern New Hampshire to  
20 southern New Hampshire. These are  
21 August 2017 publications, so they're brand  
22 new, and I'm looking at them for the first  
23 time. And I assume that you have not studied  
24 these as part of your work; is that correct?

1 A. (Widell) If they have been completed in  
2 August of 2017, no, I have not looked at  
3 these.

4 Q. And so my question is this: There seem to be  
5 12 or 13 new maps covering a much larger  
6 portion of Pittsburg and Clarksville than  
7 ever before. You see that? You see all  
8 those little rectangles up and down the area  
9 of Pittsburg and Clarksville?

10 A. (Widell) I see three green triangles.

11 Q. Okay. Wouldn't you want to know why these  
12 new areas are being studied and placed before  
13 this Committee before you conclude whether or  
14 not an historic site may be impacted?

15 A. (Widell) No. We were provided very detailed  
16 information on the precise location of the  
17 source. Now, if it is underground, some of  
18 the underground portions are still being  
19 completed.

20 Q. These specifically, for the most part, are  
21 not underground. There may be a short  
22 underground section here in Clarksville and a  
23 very tiny one in Pittsburg. But for the most  
24 part, it's all above ground that has been

1 mapped. But I've asked the Applicant why  
2 these new project area maps are appearing for  
3 the first time in August of 2017, in the  
4 middle of a hearing to determine whether or  
5 not to site this project. The answer -- and  
6 in fairness to the Applicant, I asked them  
7 this question this morning, and I'm still  
8 waiting for an answer. So I assume that you  
9 will want and you'll be curious to have an  
10 answer as to why all these new project area  
11 maps are filed, because don't you agree they  
12 might impact an historic site that you  
13 haven't considered?

14 A. (Widell) No.

15 Q. You're not worried about that?

16 A. (Widell) I am not worried about that.

17 MR. BAKER: I have no further  
18 questions.

19 CHAIRMAN HONIGBERG: According  
20 to my list, we have the Deerfield Group, Ms.  
21 Menard.

22 WITNESS WIDELL: Excuse me.  
23 May I take a bio break? Thank you.

24 CHAIRMAN HONIGBERG: Yes.



1 We'll take a five-minute break while Ms.  
2 Menard sets up.

3 (Recess taken at 9:56 a.m. and resumed  
4 at 10:03 a.m.)

5 CROSS-EXAMINATION

6 BY MS. MENARD:

7 Q. Good morning.

8 A. (Widell) Good morning.

9 Q. Ms. Widell, I'm a member of a group of  
10 intervenors referred to as the "Deerfield  
11 Abutting Group." And all of my questions are  
12 for you this morning.

13 I'd like to start off with the topic of  
14 stone walls and would like -- in your  
15 opinion, do you agree that agricultural  
16 features such as barns and stone walls, they  
17 create a sense of an earlier time?

18 A. (Widell) Yes.

19 Q. You agree that stone walls contribute to the  
20 historic character of the area?

21 A. (Widell) Yes.

22 Q. I'd like to look at the adverse effects  
23 evaluation for Nottingham Road Historic  
24 District. Oops, I'm not starting off very

1 well here. This is from the rural historic  
2 district form, and I had mislabeled this  
3 originally and have not put the correct ID  
4 number on this and will correctly identify it  
5 for the record.

6 Looking at this table, you can see that  
7 there's a statement made, "no stone walls are  
8 evident within the corridor." Do you see  
9 that?

10 (Witness reviews document.)

11 A. (Widell) Yes. I believe that this form is  
12 actually the effects table and not the  
13 historic district inventory form. I just  
14 went to establish that.

15 Q. Okay. Thank you.

16 A. (Widell) Hmm-hmm.

17 Q. What was the methodology used to locate stone  
18 walls in the right-of-way?

19 A. (Widell) Visual and also, you know, GIS maps.  
20 Google Earth mapping would have done that, if  
21 there were any present, not in areas where  
22 there was deciduous trees obviously. But for  
23 the most part, visual inspection.

24 Q. So you walked the right-of-way or had crews

1 walk the right-of-way to determine stone  
2 walls --

3 A. (Widell) We walked the right-of-way in some  
4 parts of Deerfield, but not the entire  
5 right-of-way for the Nottingham Historic  
6 District. I know that my colleague for our  
7 archeological sites walked the entire  
8 right-of-way.

9 Q. Okay. I'd like to put up Deerfield Exhibit  
10 132. There's two pages, Page 1 and Page 2.  
11 And this is a forestry map from the Menard  
12 Forest Family Partnership. And taking a look  
13 at that section just within our area, which  
14 is part of the district, do you note that  
15 there are three stone walls?

16 (Witness reviews document.)

17 A. (Widell) I'm looking at the -- yes, it  
18 appears that there are some -- yes.

19 Q. And Mr. Berglund, who is not here, his  
20 property -- would you accept the fact that  
21 these are commonplace through the  
22 right-of-way and may have been missed in  
23 other locations as well within this district?

24 A. (Widell) Perhaps.

1 Q. Okay. Thank you.

2 I'd like to take a look at Exhibit 5,  
3 Deerfield Abutter Exhibit 5. This was an  
4 attachment to my Prefiled Testimony. And you  
5 can see that through the photos, in the upper  
6 photo, this is the intact stone wall. And  
7 this was on the Menard Forest Map that we  
8 just looked at; whereas, if you look within  
9 the right-of-way, if you can look through the  
10 shading, the lighting isn't ideal for this  
11 analysis, you can see that there were rocks,  
12 but they are scattered.

13 A. (Widell) Yes.

14 Q. Do you agree that the -- one of the points of  
15 the effects table is to note any damage that  
16 may occur to historic resources within the  
17 right-of-way?

18 A. (Widell) Yes, but let me explain a little bit  
19 with that. It is to identify where there  
20 would be either direct or indirect adverse  
21 effects to a historic resources. And you're  
22 particularly looking at where that would  
23 occur to character-defining features for that  
24 particular property.

1 Q. Okay. Can we take a look at Deerfield  
2 Exhibit 5 [sic], the deed for the property.  
3 And I'll read you a portion of this easement  
4 deed. It says, "Any portion of the walls,  
5 fences, et cetera, necessary to be removed  
6 during construction or maintenance of lines  
7 will be replaced in as good condition as  
8 found." Do you see that?

9 A. (Widell) I do.

10 Q. So this particular resource then, this is a  
11 good example of why stone walls are important  
12 in identifying -- you know, to be identified,  
13 so that the Project may not have an adverse  
14 effect on these historic resources?

15 A. (Widell) Or avoid them altogether, yes.  
16 Hmm-hmm.

17 Q. Okay. Thank you.

18 I have a few questions on behalf of my  
19 sister-in-law, Ann Burnett, who owns 65  
20 Nottingham Road, and some specific questions  
21 about our family's log cabin.

22 In the assessment of historical  
23 resources, you agree that consultants do  
24 extensive deed research?

1 A. (Widell) Yes, they do. Now, you can do it  
2 many times online, yes. Yes, so there is  
3 deed research often done as historic  
4 documentation for historic properties.

5 Q. Looking at Applicant's Exhibit 65413, do you  
6 know who did the deed research for the  
7 Lindsay-Menard cabin?

8 A. (Widell) It was part of the Preservation  
9 Company team, and I believe it is Lara.

10 Q. I'm sorry?

11 A. (Widell) I'm trying to recall Lara's last  
12 name. But it is one of our team members on  
13 the Preservation Company.

14 And this, once again, is an effects  
15 table, so the inventory form and assessment  
16 form are different than this. And the name  
17 of the individual that completed the  
18 inventory form I believe is on it, so we can  
19 confirm that for you.

20 Q. Okay. Thank you. I'll use this form just as  
21 a picture of the property --

22 A. (Widell) Oh, thank you. Sure. Yes.

23 Q. -- for the Committee.

24 In the property description section on

1 Page 3, there is a sentence that reads, "At  
2 the time of the right-of-way expansion, the  
3 Lindsays negotiated with the power company  
4 for the retention of trees and other  
5 vegetative [sic] growth along the north side  
6 of the pond, as long as it did not interfere  
7 with the equipment." And then there's a  
8 footnote down at the bottom. Do you see  
9 that?

10 A. (Widell) Yes.

11 MS. MENARD: And the next  
12 page, Jo Anne.

13 BY MS. MENARD:

14 Q. I've highlighted that footnote, or enlarged  
15 the footnote, and I'd like to read a section.

16 "The grantee (PSNH) agrees to leave a  
17 15-foot strip of trees uncut on the southerly  
18 side of said right-of-way extending from the  
19 grantor's east boundary to the ice pond, so  
20 called, except such trees that in the  
21 judgment of the grantee may interfere with or  
22 endanger said lines or their maintenance or  
23 operation."

24 Do you agree that the deed referenced

1           for the above footnote is Book 1311, Page  
2           383? And that's at the bottom of the  
3           footnote.

4    A.   (Widell) Yes, to my knowledge, based on this  
5           document. I don't have information that  
6           would lead me to believe otherwise.

7    Q.   Okay. Was the topic of deed interpretation  
8           or Grantee rights regarding vegetation  
9           removal discussed with the Applicant's  
10          attorneys prior to the preparation of the  
11          cabin's historical assessment?

12   A.   (Widell) No, not to my knowledge.

13   Q.   Do you know why this deed information was  
14          included in the review of this property? Is  
15          this typical?

16   A.   (Widell) Once again, this document is an  
17          effects table, so it is determining what the  
18          effect of the Project would be on this  
19          particular historic property. So this  
20          information is important for understanding  
21          what vegetation might be removed. We would  
22          be looking at maps that have that in it. In  
23          this case, it happens to talk about  
24          vegetation related to the setting, which is a



1 character-defining feature of the property  
2 and we would take this kind of detailed  
3 information into account.

4 Q. Yes. When you reviewed this -- so you're  
5 reviewing this form -- you reviewed this  
6 form?

7 A. (Widell) I did, yes.

8 Q. And you're testifying today that this  
9 representation of the easement deed is  
10 accurate.

11 A. (Widell) Yes, to my knowledge. I am -- I  
12 have to accept this as a team member  
13 preparing these materials. I personally did  
14 not do the deed research.

15 Q. Okay. Are you aware that there's a Page 2 of  
16 the Lindsay deed?

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

18 Q. Let's take a look at that. It's Book 1311,  
19 Page 384. And this is Deerfield Abutter  
20 Exhibit 5 [sic]. And I'm going to read the  
21 struck portion of the deed, which is in  
22 parentheses, No. 2. "The right to remove  
23 from the premises of the grantor above  
24 referred to such trees as in the judgment of

1 the grantee may interfere with or endanger  
2 said lines or their maintenance or  
3 operation."

4 Do you agree that this dead reference  
5 which was crossed out at the time of the  
6 signing of the easement deed may negate the  
7 grantee rights which were emphasized and  
8 described in the effects evaluation?

9 A. (Widell) I have to answer I don't know  
10 because deeds and their changes and how  
11 they're done is not my area of expertise.

12 MR. IACOPINO: Mr. Chairman,  
13 is it possible to have that blown up so we  
14 can actually read the words? Thank you.

15 BY MS. MENARD:

16 Q. Are you aware if the individual from the  
17 Preservation Company who may have prepared  
18 this historical record for this property, are  
19 they an attorney?

20 A. (Widell) They are not an attorney, no, not to  
21 my knowledge.

22 Q. Okay. As a matter of creating a historical  
23 record for this property, do you agree that  
24 an error in a deed interpretation about

1 PSNH's easement rights may adversely affect a  
2 property owner?

3 A. (Widell) Do I agree? I'm not an attorney and  
4 I can't speak to that.

5 Q. Okay. Looking at the Determination of  
6 Eligibility, you agree that the  
7 Lindsay-Menard cabin is eligible for listing  
8 in the National Register, as well as the  
9 state register?

10 A. (Widell) Yes.

11 Q. And that it has significance under Criteria A  
12 for recreation and Criteria C for  
13 architecture?

14 A. (Widell) Yes.

15 Q. And do you agree that on Page 2 it states  
16 that -- Page 2 of the effects table, it  
17 states that vegetative clearing will diminish  
18 the integrity of the character-defining  
19 isolated, wooded setting?

20 A. (Widell) Yes.

21 Q. And you agree that vegetative removal due to  
22 this proposed project was stated twice in the  
23 evaluation column of Adverse Effects, Section  
24 i and Section iv, 1 and 4?

1 (Witness reviews document.)

2 A. (Widell) Yes.

3 Q. So the visual elements of high towers  
4 diminishes the setting of this property;  
5 correct?

6 A. (Widell) The diminishment of towers --

7 Q. The visual elements of high towers diminishes  
8 the setting of this property; correct?

9 A. (Widell) The change in the setting causes an  
10 adverse effect to this. Yes, we determined  
11 that. We determined there would be an  
12 adverse effect to the Lindsay-Menard cabin,  
13 yes.

14 Q. Okay. Thank you.

15 I'd like to switch to some questions  
16 about Nottingham Road Historic District. And  
17 we will start with the Applicant's --

18 MS. MENARD: Again, I  
19 apologize, folks. This labeling is the  
20 number for the cabin. So we have an  
21 incorrect label on the effect evaluation,  
22 Page 1 of this property.

23 BY MS. MENARD:

24 Q. So not all 54 parcels in the Nottingham Road

1 Historic District -- and may I refer to this  
2 area as "the district" going forward?

3 A. (Widell) Yes, of course. Thank you.

4 Q. Yeah. Not all of these parcels in this  
5 district were individually identified;  
6 correct?

7 A. (Widell) No. If you mean by individual  
8 inventory forms, no. And that's for a  
9 historic district, that's typical. Normally  
10 you do, in New Hampshire, a large area form  
11 for a historic district, and that's what was  
12 done at the time that this was identified as  
13 a historic district.

14 Q. Okay. On Page 1 of the effect evaluation,  
15 down at the bottom, underneath the photo of  
16 the tavern, it notes that this project is  
17 approximately -- or this property is  
18 approximately one mile away to the south. Do  
19 you see that?

20 A. (Widell) Yes, I believe it says the Project  
21 is approximately one mile away to the south.

22 Q. Yes. I'd like to look at Exhibit 133a. And  
23 this is a Deerfield exhibit. And looking at  
24 this address, which is 41 Nottingham Road,

1           it's highlighted right up in the middle of  
2           the photo on Deerfield Parade. So from the  
3           tax map you can see this historic tavern is  
4           situated within a half-mile ring. Do you see  
5           that?

6    A.   (Widell) I don't know that it's a half-mile  
7           ring, but I will take your word for it in  
8           this case.

9    Q.   Right. Actually, the next slide will answer  
10           that question. What we did was we couldn't  
11           put both the measuring tool and the address  
12           on the same slide, so this shows this  
13           property at 1200 feet from the right-of-way.  
14           Do you see that?

15   A.   (Widell) Yes. Yes.

16   Q.   You have stated that math isn't your favorite  
17           subject, so I pulled the calculator for you.  
18           You would agree that this property is more  
19           likely like a quarter of a mile from the  
20           right-of-way project, not a mile, if a mile  
21           has 5,280 feet and this property --

22   A.   (Widell) I'm looking at the Project. Okay.  
23           And this area --

24   Q.   It's down at the bottom. I'm sorry. I

1           should have pointed that out for you. Down  
2           at the bottom of the slide it just -- the  
3           ring just touches the right-of-way.

4    A.   (Widell) Yes. The key piece of information  
5           here is that it is not visible from this  
6           historic property in the principal views of  
7           it.

8    Q.   The key point that I would like confirmed is  
9           that this property, as well as the district,  
10          is not a mile away from the Project.

11   A.   (Widell) In this particular case, it would  
12          appear that there may be a difference. But  
13          the important thing is that it is not visible  
14          within the principal views of this historic  
15          property in the historic district.

16   Q.   Ms. Widell, what's important to me in this  
17          question is to retain -- or establish  
18          accuracy in terms of the distance of this  
19          district from the right-of-way.

20   A.   (Widell) Okay.

21   Q.   And your point is a different topic.

22   A.   (Widell) Thank you.

23   Q.   So would you agree that the Project, if this  
24          approximate location is correct, puts the

1 Project within a quarter of a mile and not  
2 one mile?

3 A. (Widell) It would appear from your materials  
4 that that may be the case, yes.

5 Q. Thank you.

6 I would like to discuss the concept of  
7 buildings and associated land. Do you agree  
8 that associated lands, both forested and open  
9 field lands, are visual elements of this  
10 district's setting?

11 A. (Widell) Yes.

12 Q. Do you agree that the significance determined  
13 eligibility for this district on Page 4, as  
14 Criteria A, community planning and  
15 development and agriculture, and then  
16 Criteria C for architecture?

17 A. (Widell) Yes.

18 Q. Do you agree that the stated defined  
19 boundaries for this district include open  
20 lands?

21 A. (Widell) Yes.

22 Q. Do you agree that the parcels that remain  
23 open contribute to the agriculture setting of  
24 this district?



1 A. (Widell) Yes.

2 Q. Are you aware of the number of conserved  
3 parcels in and around this district?

4 A. (Widell) No, I am not.

5 Q. Let's take a look at Deerfield Abutter  
6 Exhibit No. 7 -- it's Exhibit 8, and this is  
7 Page 7. And from this exhibit, which is  
8 deficient in that it doesn't have the  
9 right-of-way on it, I'll represent to you  
10 that the large green area in the left side of  
11 this map is Bear Brook State Park, and on the  
12 lower right-hand corner, that large area is  
13 Pawtuckaway State Park, and all the red stars  
14 are either privately or town efforts to  
15 conserve parcels within and around this area.  
16 Okay?

17 A. (Widell) Can you identify the historic  
18 district on this map --

19 Q. Yes.

20 A. (Widell) -- please? Thank you.

21 MS. MENARD: Oh, thank you.

22 BY MS. MENARD:

23 Q. The Menard Forest land is this block, along  
24 with Berglund and another neighbor. So the

1 right-of-way would come right through this  
2 area. So that just gives you a general  
3 neighborhood area.

4 A. (Widell) Hmm-hmm. Thank you.

5 Q. Do you agree that residents who are willing  
6 to place their land in a conservation  
7 easement is evidence of community planning  
8 and development and underscores the  
9 significance of these associated parcels?

10 A. (Widell) Yes, but I want to explain briefly.  
11 I think you've asked two things. Obviously,  
12 it's evidence of following a plan that has  
13 been established as something significant for  
14 a particular community. But a parcel of  
15 conserved land does not necessarily add to  
16 its historic significance and consideration.  
17 It is important. It protects it. It is  
18 welcomed. But unless it is part of a  
19 historic movement and part of the historic  
20 significance of the property, it is not  
21 normally -- a person that has put an easement  
22 on a piece of property does not add to the  
23 significance of the property under the  
24 criteria of looking at it under the National

1 Register eligibility criteria.

2 Q. But the fact is, and I guess the question is  
3 more the fact that conserved land and open  
4 land is a contributing element to a district  
5 such as the Nottingham Road Rural Historic  
6 District.

7 A. (Widell) Yes, contributing land does add to  
8 the significance of the district. But if it  
9 has an easement on it, that does not add to  
10 that significance.

11 Q. I understand. Yup. I understand your  
12 distinction.

13 A. (Widell) Thank you.

14 Q. A few questions about the current use  
15 designation which you had explored a little  
16 bit with Attorney Roth.

17 Do you agree that without the current  
18 use tax designation, many landowners would  
19 not be able to afford to keep their land  
20 open?

21 A. (Widell) Yes, that's my understanding.

22 Q. Okay. And the current use statute, RSA 74,  
23 was enacted in 1973, I believe. And that in  
24 itself is almost 50 years old, a 40-year old

1 statute. Would you agree?

2 A. (Widell) If it's '73, it's almost 50 years.  
3 But right there, yes.

4 Q. Did I misinterpret your testimony, in that  
5 you were implying that this particular  
6 statute, the whole current use wasn't in  
7 itself an important or should not be used as  
8 consideration of significance, or that you  
9 were dismissive of the current use effects  
10 and overall as being significant for like  
11 community planning and development or would  
12 not have the influence of being considered  
13 important in your evaluation?

14 A. (Widell) I believe, yes, but I want to  
15 explain, in that I don't want to be  
16 dismissive of it. I think it is an important  
17 tool for the conservation of property, open  
18 space in New Hampshire. I just want to  
19 reiterate that being a current use parcel in  
20 and of itself does not make it a significant  
21 open space as an historic property.

22 Q. You would agree that current use helps  
23 maintain the rural character of an area and  
24 speaks to agricultural significance.

1 A. (Widell) Yes.

2 Q. Thank you.

3 I'd like to take a look at the viewshed  
4 mapping that was found on Page 8 of the  
5 district form. And you can see the dark  
6 purple line, solid purple line, is the  
7 right-of-way through the district. And you  
8 can -- do you see the vast purple shaded  
9 areas indicating Areas of Potential Views of  
10 the Project?

11 (Witness reviews document.)

12 A. (Widell) No, I don't see vast purple areas.  
13 The vast purple areas, for the most part, are  
14 immediately adjacent to the lines themselves.  
15 I do see certainly viewshed areas within the  
16 historic district, yes.

17 Q. Where the Project creates a focal point that  
18 distracts from the setting and the landscape  
19 and the viewshed of 54 historic parcels in  
20 this district, do you agree that that would  
21 be an adverse visual effect?

22 A. (Widell) No. Our assessment does not  
23 indicate that the Project would cause a focal  
24 point within this historic district. And of

1 the 40 historic properties that were  
2 identified as part of the district, we found  
3 that it would be visible, perhaps the tops of  
4 the structures, in three parcels, 15, 23 and  
5 49.

6 Q. In our discussion earlier, however, we cited  
7 that there were other elements of  
8 significance in this district: Agriculture  
9 and community planning and development. So  
10 your answer sort of defaults back to the  
11 architecture and the fact that these  
12 structures architecturally are not going to  
13 be visually impacted, and therefore the  
14 district isn't impacted.

15 Can you speak to the impacts of this  
16 project on the other two elements of  
17 community planning and development, and  
18 agriculture?

19 A. (Widell) Yes, I'd be happy to speak to them.  
20 And we did take into consideration the  
21 open-space land. In fact, those are where we  
22 discussed the effects. The architecture, for  
23 the most part, will not in any way be  
24 affected by the Project. The historic

1 properties in James City and Deerfield  
2 Parade, for the most part, all look inward on  
3 Nottingham Road itself. The visibility is  
4 behind, as I said, 15, 23 and 49 --

5 Q. Excuse me, Ms. Widell. May I interrupt?

6 A. (Widell) Sure.

7 Q. Again, you're defaulting back to visual  
8 effects on architecture structures. And I  
9 understand that the buildings within certain  
10 portions of this district do not have any  
11 view. I think that -- I accept that.

12 So my question goes beyond that to  
13 briefly have you address the effects of this  
14 project on the obvious efforts of years of  
15 planning and development in Deerfield that  
16 have created a network of open, conserved  
17 land, whether it's under current use or  
18 conservation. How does this project affect  
19 that criteria or area of significance, if I  
20 mixed the terms?

21 A. (Widell) I would refer you to the effects  
22 tables, particularly on Page 4 --

23 Q. Okay. Can we get that? I would like to  
24 follow your answer along. So let's get that

1 up on the...

2 (Pause)

3 Q. So, the table on Page 4, am I looking at the  
4 right --

5 A. (Widell) Page 4.

6 Q. This is Page 4. Are we on the right page?

7 A. (Widell) Yes. In the second paragraph you  
8 will see the identification of the  
9 character-defining features, which are the  
10 things that are taken into consideration when  
11 doing an assessment of whether there is a  
12 visual adverse effect. And beginning in the  
13 second sentence --

14 Q. Under Section 2? Or which section?

15 A. (Widell) Right above Section 2.

16 Q. Okay. I'm there.

17 A. (Widell) The paragraph that begins with "The  
18 landscape." Go to the next sentence, which  
19 says that the character-defining features  
20 include spacial organization, placement of  
21 buildings, relation of buildings and land,  
22 clusters of farm buildings, large parcels of  
23 original acreage, open fields, re-forested  
24 pasture, fencing, and roadside and stone



1 walls. Those are the things that we need to  
2 take into consideration as part of the  
3 setting and character of a historic district  
4 when we're determining whether there is a  
5 visual adverse effect. So, in no way did we  
6 only consider the architecture. We  
7 considered the open space, the open fields,  
8 the farm buildings, the other things that are  
9 listed.

10 Q. Okay. Thank you.

11 Let's take a look at -- excuse me just  
12 one second.

13 (Pause)

14 Q. I have two questions regarding a property.  
15 The property address is 20 Harvey Road, and  
16 we'll put up some information in a moment.

17 This is a property that was not  
18 designated as part of the Deerfield Rural  
19 Historic District, but it happens to be an  
20 individual property within the district. And  
21 I would like for you to confirm that. Do you  
22 agree that a historic property that is not  
23 part of a district should be evaluated  
24 individually?

1 A. (Widell) Yes. And they were identified if  
2 they were within the Area of Potential  
3 Effect, or very close to it, and also within  
4 what we call the Zone of Visual Influence,  
5 meaning the viewshed mapping indicated that  
6 there may be a view of the Project. Or, of  
7 course, if there is a direct effect, it would  
8 also have been taken into consideration.

9 Q. Okay. I'd like to take a look at an exhibit  
10 that came from the Application that is from  
11 your Appendix 18, and it's in Part I. And  
12 this, again, the property address is  
13 20 Harvey Road. And if you go over -- maybe  
14 Jo Anne can enlarge that. But I'll read to  
15 you the comment that is in the notes section,  
16 the Visual Relationship to the Project  
17 section. And this property is noted,  
18 "Viewshed maps and the field review indicate  
19 the Project will not be visible"; correct?

20 A. (Widell) Yes.

21 Q. So, from these notations it looks like you  
22 did your visual assessments through the  
23 computer, but a field review actually  
24 indicates that maybe somebody actually went

1 out and checked this out; is that correct?

2 A. (Widell) Yes.

3 Q. Okay. And they determined that it wasn't  
4 visible.

5 Do you agree that properties may have  
6 been dropped off of this list because of  
7 inaccurate viewshed analysis due to current  
8 vegetation that may -- that if that  
9 vegetation was removed, it may subject the  
10 property to visual effects, if the vegetation  
11 was removed?

12 A. (Widell) No, I do not think it was  
13 inaccurate. We did not take into  
14 consideration if vegetation was likely to be  
15 removed that wasn't indicated as part of the  
16 Project. We had the maps that showed where  
17 vegetation would be removed within the  
18 corridor, so we did take that into  
19 consideration. But we did not take into  
20 consideration if an adjacent property owner  
21 chose to clear-cut their forest, no.

22 Q. Okay. I'd like to take a look at Deerfield  
23 Abutter Exhibit 135. And I'll disclose to  
24 you that as a real estate company, we have

1 marketed this particular property in the  
2 past. And this is just an expired listing on  
3 this property from back in, I think it's  
4 2011. But there's two -- a couple noteworthy  
5 pieces of information that may not have been  
6 available to you. But first of all, we are  
7 acknowledging that this is a historic  
8 property, given the age. You can see the  
9 year it was built was in 1952, okay.

10 A. (Widell) Hmm-hmm.

11 Q. And in the Remarks section, there in  
12 parentheses on the right-hand side it reads,  
13 The owner has contracted with a logger to  
14 take down trees -- take trees down to unlock  
15 180 degrees of views.

16 So, from a topographical analysis of  
17 this particular property, and if somebody had  
18 done a field survey and had driven up the  
19 hill, even though there was a visual barrier  
20 from the road to inspect this particular  
21 property, you did not go anything beyond in  
22 your analysis other than, okay, it won't have  
23 views of the property -- of the Project.

24 A. (Widell) No, that's not accurate. We also

1 did 3D modeling in addition to site visits  
2 and the use of the viewsheds to initially see  
3 the likelihood of there being a possible  
4 visual adverse effect. We also used 3D  
5 modeling, meaning we added a topographic  
6 Google Earth model of the exact parcel and  
7 then used a tree wall at 40 feet, which is  
8 conservative for these areas in New  
9 Hampshire. That was provided to see whether  
10 there would be a view of -- a possible view  
11 of the Project from different parts of the  
12 parcel. And the way we were able to do that  
13 was with this "peg man" which is part of  
14 Google Earth. And you could place it, and it  
15 shows you a 7-foot view of what is in and  
16 around that particular parcel. So if the  
17 property showed there was likely to be a  
18 viewshed, we would have done that. We may  
19 not have done it on this particular project  
20 because it was indicated that there would not  
21 be.

22 Q. Exactly, exactly. Thank you.

23 Okay. So, in summary, then, do you  
24 agree that the visual relationship test was

1 sufficient to identify this property?

2 A. (Widell) Yes, at the time we did that. There  
3 may be other things that would make it that  
4 we should look at. I don't know that now.

5 I would tell you that, of course,  
6 subsequent to the completion of the  
7 assessment report has also been an entirely  
8 new set of inventory forms based on the Zone  
9 of Visual Influence for both the T.J. Boyle  
10 maps and the DeWan maps. And the direction  
11 for those new inventory forms came directly  
12 from the Division of Historic Resources. So,  
13 in addition to the identification would be  
14 something that the Division of Historic  
15 Resources should consider, if that is the  
16 case.

17 Q. Thank you.

18 I have a few questions about 170  
19 Nottingham Road, and this is Applicant's  
20 Exhibit 59603. And this property had effects  
21 on setting due to agricultural significance.  
22 We talked a little bit about this yesterday.

23 A. (Widell) Yes.

24 Q. Okay. Attorney Whitley asked you a question

1 regarding the audible elements.

2 MS. MENARD: Can you put up  
3 the... thank you.

4 BY MS. MENARD:

5 Q. Audible elements that may diminish integrity.

6 So, in your analysis of properties in  
7 and around the Deerfield Substation, you did  
8 not take that into account in your evaluation  
9 of this property?

10 A. (Widell) No.

11 Q. Okay. Did you have access to 3D modeling of  
12 the Deerfield Substation in your analysis?

13 A. (Widell) Yes, it is part of the project  
14 modeling of the entire Project, yes.

15 Q. Okay. Were there any historic properties of  
16 Nottingham included in your assessments,  
17 given the proximity to the Deerfield  
18 Substation?

19 A. (Widell) This property, we took into  
20 consideration the substation for  
21 170 Nottingham Road.

22 Q. Yeah, I apologize. I've moved away from  
23 170 Nottingham Road. Sorry.

24 A. (Widell) Oh, okay.

1 Q. Yeah, understood.

2 A. (Widell) We did take that into consideration  
3 in our assessment of visual effects on this  
4 property.

5 Q. Okay. Did you consider any historic  
6 properties in the town of Nottingham?

7 A. (Widell) I would have to look at the data  
8 base. I am not recalling any.

9 Q. Was there an effort to do that?

10 A. (Widell) No, it's right here. And you had  
11 the data base previously.

12 (Witness reviews document.)

13 A. (Widell) No, I see non specifically for  
14 Nottingham on the inventory list here.

15 Q. Okay. I'd like you to take a look at  
16 Deerfield Abutter Exhibit 136a. And we'll  
17 just note for the record that 156 Stevens  
18 Hill Road is highlighted, and you can see  
19 from the measuring tool it's within a half a  
20 mile from the substation.

21 And the next slide is another property  
22 that may need evaluation, 163 Stevens Hill  
23 Road.

24 MS. MENARD: You can go to the



1 next.

2 BY MS. MENARD:

3 Q. Similarly is a historic property located in  
4 the town of Nottingham. But you've indicated  
5 that these properties were not part of your  
6 analysis; correct?

7 A. (Widell) I don't see an indication of where  
8 the Project is and where the Area of  
9 Potential Effect -- those are very key pieces  
10 of information, and then, of course, the  
11 viewshed mapping and whether it is likely  
12 that the historic property is affected.

13 Q. So you were not aware whether there had been  
14 an initial survey and they've been ruled out  
15 and that's why you don't have information, or  
16 whether the Project did not include a full  
17 range around the substation at this time.

18 A. (Widell) You have the complete data base for  
19 the assessment report. So, these properties,  
20 if they had been reviewed and, as you  
21 indicated, ruled out for the fact that they  
22 were not within the Area of Potential Effect  
23 or not likely to be visually affected would  
24 be on that data base.

1 Q. Are they on your data base?

2 A. (Widell) That's what I believe we're  
3 checking.

4 Q. I think we can move on from this point.

5 A. (Widell) I would be happy to get you that  
6 information.

7 Q. Thank you.

8 I have some questions about  
9 53 Meetinghouse Hill Road. And just to put  
10 in the mind's eye the property, the visual of  
11 the property, let's take a look at  
12 Applicant's Exhibit 56836.

13 MS. MENARD: And I'll give you  
14 this, Jo Anne. We'll show the picture.

15 BY MS. MENARD:

16 Q. And again, the address of this property is  
17 53 Meetinghouse Hill Road. And I do believe  
18 the Committee was up on Meetinghouse Hill  
19 Road as part of their first site visit in  
20 Deerfield. You went up from the Deerfield  
21 Center and went up over to this particular  
22 location.

23 MR. IACOPINO: Ms. Menard, do  
24 you know what the actual exhibit label is for

1           this exhibit, other than the Bates Stamp?

2                       MS. MENARD: This is an  
3           inventory form, and I'm having trouble  
4           correctly identifying things coming from the  
5           DOE files and which files. So maybe the  
6           Applicant might be able to help us.

7                       Attorney Bisbee, can you --  
8           would you know?

9                       CHAIRMAN HONIGBERG: Ms.  
10          Bradbury, show the number again, the page  
11          number. I mean, the page number is a unique  
12          identifier. That's what you're looking at,  
13          Mr. Bisbee? At some point in the short term  
14          if you can tell us what exhibit that's from  
15          or what part of the appendix, that would be  
16          helpful.

17                      MR. BISBEE: Right. We'll  
18          have that shortly.

19                      CHAIRMAN HONIGBERG: All  
20          right.

21                      MS. MENARD: Thank you.

22          BY MS. MENARD:

23          Q.     Do you agree that the name of this road,  
24          Meetinghouse Hill Road, has a historic ring

1 to it?

2 A. (Widell) Yes.

3 Q. As does Old Center Road?

4 A. (Widell) Yes.

5 Q. Correct, which has now been -- and Old Center  
6 Road South, which has been renamed Church  
7 Street?

8 A. (Widell) Yes.

9 Q. So, even the names around this property are  
10 indicative of some potential historic value  
11 or significance.

12 A. (Widell) Hmm-hmm.

13 MS. MENARD: May I go off the  
14 record for a minute? I need to locate an  
15 exhibit.

16 CHAIRMAN HONIGBERG: Sure.

17 MS. MENARD: Thank you.

18 (Pause)

19 MS. MENARD: So we do have a  
20 page number for this exhibit as well, if you  
21 want to slide that up, Jo Anne, so they can  
22 see that for the record. APP 56836.

23 CHAIRMAN HONIGBERG: It has a  
24 big "Confidential" stamp at the top of it.

1 Mr. Walker?

2 MR. WALKER: We do have the  
3 exhibit number. It's Applicant's  
4 Exhibit 110.

5 CHAIRMAN HONIGBERG: And is  
6 there confidential information, such that  
7 people who haven't signed confidentiality  
8 agreements shouldn't be viewing it?

9 MR. BISBEE: Yes, but not --  
10 it's okay to proceed here.

11 CHAIRMAN HONIGBERG: This page  
12 is okay, Mr. Bisbee? Is that what you're  
13 telling us?

14 MR. BISBEE: Yes.

15 CHAIRMAN HONIGBERG: All  
16 right. Apparently you can proceed.

17 BY MS. MENARD:

18 Q. With the significance, as you can see from  
19 this description of the area, with the  
20 significance and integrity of historic  
21 resources such as the Old Center Cemetery,  
22 the Meetinghouse site and several antiques  
23 properties within this particular area, would  
24 you consider this area eligible as a historic

1 district?

2 A. (Widell) No. That is why individual  
3 inventory forms were done. I believe that  
4 was part of the discussion. I was not there  
5 with the Division of Historic Resources. But  
6 normally, as I indicated to you, when there's  
7 a historic district, a large area form is  
8 done that will cover a number of historic  
9 properties. The inventory form that was done  
10 was for an individual property. So the  
11 Division of Historic Resources must have  
12 decided that it only warranted an individual  
13 form for this particular area. I know the  
14 Deerfield Center Historic District is very  
15 close by, but --

16 Q. Yes. Well, this is what I'm trying to  
17 understand. You know, as a result of this  
18 process and all the great work that  
19 everybody's been doing in terms of  
20 identifying -- I mean, there's just an  
21 incredible amount of resources that have been  
22 put into identifying individual properties.  
23 And in the Nottingham Road Historic District  
24 we had, you know, James City Road as created

1 and identified appropriately. We had  
2 Nottingham Road area identified and then  
3 enlarged. We have lots of attention to  
4 Deerfield Center. And yet, this is clearly a  
5 center of sorts, and I'm miffed as to why  
6 there wasn't more consideration given to the  
7 area. And again, the question is why you're  
8 defaulting in this case back to an individual  
9 property. Can you just verbalize why that  
10 is?

11 A. (Widell) First off, I want to thank you for  
12 recognition of the amount, the incredible  
13 amount of work and detail that we have done  
14 to identify historic properties. Deerfield  
15 is such a very special place with so many  
16 historical resources. I appreciate that  
17 coming from someone who has lived there their  
18 whole life, or almost.

19 Why areas are sometimes documented as an  
20 entire historic district or as individual  
21 buildings depends on a number of factors.  
22 And clearly in this case, as I said, this  
23 decision to do an individual inventory form  
24 was done by the Division of Historic

1 Resources -- decided upon by the Division of  
2 Historic Resources. I was not in that  
3 meeting. The determination of eligibility,  
4 the "Green Sheet," as they're called, may  
5 speak to that. So that would be a piece of  
6 documentation you might want to look at. I  
7 believe there are other historic resources in  
8 the immediate area. It doesn't mean that  
9 it's any less significant, and it is taken  
10 into consideration with equal value as if it  
11 were part of a historic district.

12 Q. Would the views of Pawtuckaway Mountain and  
13 distant hills be a contributing resource to  
14 this area as a whole? Again, stepping aside  
15 from this one particular property.

16 A. (Widell) I cannot speak to that. What would  
17 have been in each of these cases is we're  
18 looking at whether they are in or very  
19 adjacent to the Area of Potential Effect and  
20 then what effect may there be, visually in  
21 this case, from the Project based on the  
22 viewshed mapping. Those are the critical  
23 pieces that are looked at for doing  
24 identification and assessment for this



1 project.

2 Q. Are you aware that as a consulting party in  
3 the Section 106 process, a board of selectmen  
4 representative, identified this area as being  
5 historically significant to Deerfield?

6 A. (Widell) I'm not precisely aware of that.  
7 But I think it's an example of the way the  
8 consultation process needs to work in the  
9 Section 106 process, that we get information  
10 from those who know their resources and we  
11 take that into consideration.

12 MS. MENARD: Okay. I think  
13 this is a good time for a break.

14 CHAIRMAN HONIGBERG: All  
15 right. We'll break for ten minutes.

16 (Recess was taken at 10:57 a.m.  
17 and the hearing resumed at 11:12 a.m.)

18 CHAIRMAN HONIGBERG: Ms.  
19 Menard, you may proceed.

20 MS. MENARD: Thank you.

21 BY MS. MENARD:

22 Q. I'd like to take a look from your Appendix  
23 18, Part I, reference to 65 Nottingham Road,  
24 which we started off with, which is the

1 physical address for the historic property of  
2 the log cabin.

3 A. (Widell) Yes.

4 Q. And in looking at this form, if you go  
5 across, it's just referring to a form;  
6 correct?

7 A. (Widell) Yes.

8 Q. And that form is relating to the log cabin  
9 correct?

10 A. (Widell) Yes.

11 Q. Okay. What I would like to do is take -- my  
12 questions are not about 65 Nottingham Road,  
13 the log cabin, but 65 Nottingham Road, the  
14 historic property that is the primary  
15 residence for this address that actually has  
16 a viewshed of the Project.

17 MS. MENARD: So can we take a  
18 look -- I'd like to go back to the  
19 Applicant's Exhibit 65413.

20 BY MS. MENARD:

21 Q. That again was done as an analysis of  
22 identifying those properties that may have  
23 visual impacts of the Project; correct?

24 A. (Widell) Yes, that were within either -- as

1           you know, there's the Nottingham Road  
2           Historic District and the Lindsay-Menard  
3           cabin.

4    Q.    Correct.  So I will point to you the area of  
5           purple shading that relates to 65 Nottingham  
6           Road.

7                    So, do you agree that if a property was  
8           located within a purple shaded area, that  
9           there is a substantial potential for visual  
10          impact by the Project?

11   A.   (Widell) No, I wouldn't say "substantial  
12          potential."  Sometimes, although it indicated  
13          there was when we did a full evaluation, it  
14          was not visible.  It pointed to areas that  
15          needed to be looked at, but, no, not always  
16          was it a substantial potential for a view.

17   Q.    Okay.  And again, because this property  
18          wasn't individually identified with a  
19          specific form, I'm going to have to use some  
20          information from the district in order to  
21          talk about that property.  And we'll use a  
22          slide that gives a little bit more detail and  
23          information.

24                    So, for clarification, the property

1 DEER138 is the cabin down by the pond. And  
2 then up top of the Hill, D136 is actually  
3 down Nottingham Road. So that's not 65  
4 Nottingham Road. But 65 Nottingham Road is  
5 actually just to the right of where that area  
6 photo No. 33 is designated on this map. Are  
7 you comfortable with that representation?

8 A. (Widell) Yes.

9 Q. Okay. And from your appendix, a property  
10 that has a green outline is determined that  
11 the properties were assessed with more than  
12 minimal views of the Project. That's what  
13 the green line is indicating here?

14 A. (Widell) Yes.

15 Q. Whereas the red line down by the cabin,  
16 that's an indication that further assessment  
17 and consideration for National Registry  
18 eligibility was conducted. It kind of  
19 focuses, gives attention to that detail?

20 A. (Widell) Yes.

21 Q. Okay. And again, here's a photo.

22 MS. MENARD: Jo Anne, if you  
23 could put this up.

24 BY MS. MENARD:

1 Q. This, actually, was the photo taken from that  
2 33 site. And the house that you see on the  
3 left of the picture is 65 Nottingham Road.  
4 And there are just distant views, given the  
5 angle of this photo. The primary view of the  
6 Pawtuckaways is out behind the house;  
7 correct?

8 A. (Widell) Yes.

9 Q. Okay. So in this particular case, could  
10 you -- do you recall whether the "peg men"  
11 that were used to identify visual  
12 assessments, like was that -- where were they  
13 located in this particular property?

14 A. (Widell) We would be looking -- I can't  
15 precisely tell you where they were from  
16 memory, where we put them. But of course  
17 we're looking at the visibility of the  
18 Project in the primary views of the historic  
19 building, from the historic building, whether  
20 the Project would cause a focal point or  
21 whether it would separate it from a field or  
22 setting, that it was isolated from its  
23 setting. So that's what we would be looking  
24 at for that particular historic property. We

1 did put not put the peg men and the factory  
2 buildings that are behind this building that  
3 are associated with this property. And I  
4 believe that area that you're looking at  
5 related to views of the Project. Those were  
6 not considered contributing historic  
7 properties to this --

8 Q. I'm not concerned about a Pawtuckaway view in  
9 my line of questions. I realize that is a  
10 set of -- that's a separate property. I'm  
11 concerned about 65 Nottingham Road and the  
12 visual effects of the Project on this  
13 particular property. And if you do not know  
14 exactly where the peg men were placed, I'll  
15 accept that. I would like to confirm,  
16 however, that there was -- was there a  
17 consideration of visual impacts to this  
18 property other than a public view as may be  
19 seen from an angle such as what is in this  
20 photo?

21 A. (Widell) The views would have been from the  
22 setting and primarily public views, yes.

23 Q. Public views?

24 A. (Widell) And that is in the Nottingham Road

1 Historic District effects table. It  
2 indicates that we did not find that there  
3 would be a visual adverse effect to this  
4 property as part of or the entire Nottingham  
5 Road Historic District.

6 Q. Okay. So we have an area that has heavy  
7 purple shading to bring your attention to a  
8 particular area for further assessment. But  
9 your assessments were -- and I'm just trying  
10 to clarify -- your assessments were taken  
11 from public view because of the district  
12 designation that this property is part of a  
13 district and so it warrants public view  
14 analysis.

15 A. (Widell) Yes.

16 Q. Thank you. I'm going to switch gears.

17 Did you do any determination of effects  
18 or impacts on fire towers?

19 A. (Widell) Yes, the Signal Mountain tower.

20 Q. What about the Pawtuckaway State Park fire  
21 tower?

22 A. (Widell) They were not in our final list of  
23 inventoried properties that I can recall.

24 There's over a hundred of them. But no, I do

1 not believe so.

2 Q. So you had a list of all the fire towers that  
3 may have project effects, and the Pawtuckaway  
4 State Park fire tower was not -- did not  
5 warrant any special notation or --

6 A. (Widell) Sitting here, I cannot recall that,  
7 no. The one that I know particularly is on  
8 the list of historic fire towers, of course,  
9 is the -- and it's within the Area of  
10 Potential Effect and also, obviously, the  
11 Zone of Visual Influence, is the Signal  
12 Mountain tower.

13 Q. Okay. Did you visit the historic Thurston  
14 Pond Dam and mill site in Deerfield?

15 A. (Widell) I am aware of it and have seen it.  
16 I do not believe I got out of my car to do  
17 that. But I am aware of it.

18 Q. You're aware of it. But did you visit it?

19 A. (Widell) Not going right up to it, no.

20 Q. Did you visit the historic cemetery on Ridge  
21 Road, just where Ridge Road joins Thurston  
22 Pond Road in Deerfield?

23 A. (Widell) I cannot recall that, no. But if it  
24 were on the list of historic properties that



1 we evaluated, I have been there, even if it  
2 was no longer found to be likely to have a  
3 visual adverse effect.

4 Keep in mind that we reviewed a large  
5 number of historic properties. We identified  
6 a total of 1284 properties within the Area of  
7 Potential Effect and also -- so that's where  
8 we --

9 Q. Thank you. I just wanted to know if you had  
10 a chance to visit those important sites.

11 A. (Widell) Okay.

12 Q. And I'm sorry to -- I wanted to get those  
13 questions in and not leave them. I'm going  
14 to go back to Nottingham Historic District  
15 for a few summary questions.

16 When you made your recommended finding  
17 in 2015 of no unreasonable adverse effect of  
18 the proposed Northern Pass Project on  
19 historic resources, had you or the  
20 Preservation Company identified all the  
21 historic properties in the town of Deerfield?  
22 I'll stop there.

23 A. (Widell) That were within the Area of  
24 Potential Effect and likely also the Zone of

1 Visual Influence? Yes.

2 Q. And had that inventory been approved by the  
3 New Hampshire DHR?

4 A. (Widell) approved?

5 Q. When you were making your recommendation in  
6 2015 of no reasonable adverse affect, had the  
7 inventory that you identified been approved  
8 by the New Hampshire DHR?

9 A. (Widell) No.

10 Q. Is it true that the boundaries of the  
11 National Registry-eligible Nottingham Road  
12 Historic District were not established when  
13 you made your determination of no  
14 unreasonable adverse effect in 2015?

15 A. (Widell) Yes.

16 Q. Are you aware that the boundaries of the  
17 Nottingham Road Historic District have been  
18 established by the New Hampshire DHR and that  
19 the proposed infrastructure project has been  
20 determined to bisect this National Register  
21 eligible district with new towers ranging in  
22 height from 110 to 140 feet?

23 A. (Widell) No, but let me clarify.

24 Q. Actually, if I may, what I'd like to do is

1 I'll put up the map that you had available  
2 for you in 2015, and then we can take a look  
3 at the boundaries as a result of this  
4 process.

5 (Pause)

6 Q. So this was an earlier historic district,  
7 Nottingham Road. And for the record, this is  
8 Deerfield Abutter Exhibit 47. This comes  
9 from Mr. Scott Newman's work for the  
10 Deerfield Abutters. You can see the Project  
11 at that time was separating Deerfield Center,  
12 nationally registered, and at that time  
13 Nottingham Road District which was considered  
14 an eligible resource.

15 Do you agree that this was the  
16 boundaries that might have been considered  
17 when you were making your determinations in  
18 2015?

19 A. (Widell) No. At the time, the Nottingham  
20 Road Rural Historic District had not been  
21 identified. We identified all of the  
22 historic properties along Nottingham Road  
23 within Deerfield Center and James City that  
24 were within the Area of Potential Effect and

1           likely to have a -- be visually impacted or  
2           possibly visually impacted by the Project.  
3           They were not connected into one group at  
4           that time, but we took those historic  
5           properties into consideration at that time.

6    Q.    Okay.  Have you or anyone from the  
7           Preservation Company conducted additional  
8           site visits to reassess the impact of the  
9           Project, given the change in the Nottingham  
10          Road Rural Historic District boundaries?

11   A.   (Widell) Yes.

12   Q.    Super.  Okay.

13                   Do you agree that the new poles and  
14           towers that are now up to 80 percent taller  
15           than the existing poles and suspended power  
16           lines will be prominently visible from  
17           multiple character-defining views within the  
18           Nottingham district?

19   A.   (Widell) No.

20                               MS. MENARD:  Can we put up the  
21           exhibit that shows Mr. Newman's visual impact  
22           to the Project?

23   BY MS. MENARD:

24   Q.    This is Deerfield Abutter Exhibit 47.  You

1           commented in your supplemental testimony on  
2           the visual simulations done on the Deerfield  
3           Center, but you did not comment on the visual  
4           assessments for Nottingham Road Rural  
5           Historic District.

6                     Do you have any specific objections to  
7           Mr. Newman's visual simulation of the heights  
8           and path of the proposed transmission project  
9           or the visual simulations taken from  
10          Nottingham Road?

11        A.     (Widell) Yes.

12        Q.     Can you be specific?

13        A.     (Widell) It does not accurately depict the  
14          structure placement affecting that area.  
15          That is clearly delineated in the effects  
16          tables that were done and have been submitted  
17          to the Division of Historic Resources.

18        Q.     Did you include views of the proposed  
19          suspended high towers -- high-voltage wires  
20          in your visual analysis?

21        A.     (Widell) Yes.

22        Q.     Are you aware that the residents of Deerfield  
23          have twice voted on the Northern Pass Project  
24          and rejected it by two to one on both

1 occasions?

2 A. (Widell) No.

3 Q. Do you think that this voting record would be  
4 important in either the SEC or Section 106  
5 evaluation of the Project?

6 A. (Widell) No, it is not taken into  
7 consideration in the Section 106 process.  
8 Let me clarify. Concerns about historic  
9 properties certainly would be taken into  
10 consideration.

11 Q. I'd like to ask some questions about the 106  
12 timing that has generated a lot of questions.  
13 And I understand that you've been asked about  
14 the relationship and timing of Section 106  
15 review repeatedly, and I hope to take a  
16 different angle on this.

17 You're familiar with the SEC Rules,  
18 Site 301.14(b), the criteria relative to the  
19 findings of unreasonable adverse effects?

20 A. (Widell) Yes.

21 Q. Do you agree that in determining whether a  
22 proposed energy facility will have an  
23 unreasonable adverse effect on historic  
24 sites, the SEC considers the five criteria

1           that have been listed in Site 301.14(b)(a)1  
2           through 5 [sic]?

3    A.   (Widell) And your question is that's what  
4           they use? Yes, that's what they use.

5    Q.   Yes. My question pertains particularly to  
6           Criteria No. 4, which at the end of the day  
7           yesterday, things were getting a little bit  
8           muddled. And we had a brief comment from you  
9           on -- and I'd like to clarify and make sure  
10          that there's a common understanding of what  
11          this states for the SEC to require for its  
12          deliberations. And I'd like to read that for  
13          you.

14                           MS. MENARD: Jo Anne, this  
15                           is... yes. Let's enlarge -- get to the  
16                           highlighted section, please, and see if we  
17                           can enlarge that.

18   BY MS. MENARD:

19   Q.   And Mr. Newman, in his testimony, he goes  
20          through all five criteria and comments on  
21          each one specifically. But again, just to  
22          focus on this one, "Findings and  
23          determinations by the New Hampshire Division  
24          of Historical Resources of the Department of

1 Cultural Resources and, if applicable, the  
2 lead federal agency, of the proposed  
3 facility's effects on historic sites as  
4 determined under Section 106 of the National  
5 Historic Preservation Act..."

6 Do you agree that this is what the SEC  
7 rules state?

8 A. (Widell) Yes, it's one of the criteria.

9 Q. So, in plain English, this means that the  
10 DHR's 106 determinations need to be completed  
11 in time for them to inform the SEC  
12 deliberations of unreasonable adverse effect.  
13 Would you agree?

14 MR. WALKER: Objection, to the  
15 extent that calls for a legal conclusion.

16 CHAIRMAN HONIGBERG: If you  
17 can answer it without rendering a legal  
18 conclusion.

19 A. (Widell) The work to identify both the  
20 historic properties and assessment of effects  
21 is pretty well completed as of the next two  
22 weeks. It is completed. We know which  
23 historic properties are likely to be affected  
24 by this project. They are on the forms that



1 the state historic office have requested.  
2 The cultural landmark studies -- excuse me --  
3 cultural landscape studies are completed, and  
4 the effects tables will be submitted within  
5 the next two weeks. So, identification and  
6 assessment under Section 106 is completed, in  
7 my professional opinion.

8 Q. In your professional opinion, why do you  
9 think the SEC rules require that the DHR's  
10 106 Section determination inform the SEC  
11 deliberations on unreasonable adverse  
12 effects?

13 A. (Widell) Because it is the standard used  
14 nationwide in my profession to identify  
15 historic properties that may be affected by a  
16 project, such as a federal project or even a  
17 state project. And there are consistent,  
18 well-considered and developed criteria for  
19 determining what is an historic property and  
20 for applying determination of whether there's  
21 an adverse effect. There's a consistent and  
22 thoughtful process which is delineated in our  
23 effects tables for what is an adverse effect  
24 based on the significance and integrity of

1 the property. And that process has been used  
2 for decades in this country to help us  
3 protect historic properties. And I think  
4 it's very wise that the state of New  
5 Hampshire depends on it for information to  
6 make their decisions.

7 Q. Have these Section 106 findings and  
8 determinations on the Northern Pass Project  
9 been issued by the New Hampshire Division of  
10 Historical Resources?

11 A. (Widell) Yes. The identification of the  
12 historic properties has been done in  
13 consultation between the lead federal  
14 agency --

15 Q. Excuse me. Can I rephrase that question?

16 A. (Widell) Yes, of course.

17 Q. Because I think you're answering a different  
18 question.

19 A. (Widell) Of course.

20 Q. Have the findings of the SEC -- of the  
21 Section 106 and determinations of the project  
22 impacts been issued by the New Hampshire  
23 Department -- Division of Historical  
24 Resources? Not your delivery, but the

1 findings, the findings and determinations of  
2 the result of the identification?

3 A. (Widell) Yes. The findings of what historic  
4 properties are likely to be affected within  
5 the Area of Potential Effect for this project  
6 have been identified by the Division of  
7 Historic Resources.

8 Q. Would you agree that the primary intent of  
9 the Section 106 regulation is consultive in  
10 nature, mandating the federal agency, which  
11 in this case is the DOE, to consult with the  
12 public and the consulting parties?

13 A. (Widell) Yes.

14 Q. Would you agree that the federal agency is  
15 required under Section 106 to identify  
16 consulting parties before or during the  
17 property identification phase and consult  
18 with them on each phase of the Section 106  
19 process, including the identification, which  
20 we've covered, and the effects to the  
21 identified historic properties, and proposed  
22 mitigation for historic properties?

23 A. (Widell) Yes.

24 Q. Is it true that project designs can

1 influence, alter or even reject -- be  
2 rejected in a Section 106 process, where this  
3 review process incorporates into the project  
4 planning and implementation of the views of  
5 the public and consulting parties and the  
6 determination of the state historic  
7 preservation officer?

8 A. (Widell) No, the design can't necessarily be  
9 rejected. There certainly can be efforts to  
10 avoid and minimize adverse effects.

11 Q. Would you agree that not including the  
12 Section 106 determinations in these  
13 deliberations, that findings of no  
14 unreasonable adverse areas effects either by  
15 you or by the SEC forecloses on the public's  
16 rights to comment on the Project under  
17 Section 106 as required by federal law?

18 A. (Widell) No.

19 Q. Deerfield Abutter Exhibit 131, this is just  
20 the first page to note the source. This is  
21 Section 106 regulations.

22 MS. MENARD: Can we go to  
23 Page 2 and take a look at 800.3(b)? And Jo  
24 Anne, I'll give you my highlighted copy.

1 BY MS. MENARD:

2 Q. And I'll just read this for you. That  
3 although agencies are encouraged to use the  
4 information gathered from other processes to  
5 meet Section 106 needs, the information must  
6 meet the standards in these 106 regulations.

7 Are you aware or do you agree with that  
8 requirement?

9 A. (Widell) It's part of the federal  
10 regulations, yes.

11 Q. Okay. Do you believe that Section 106 can or  
12 should ever be used as an after-the-fact  
13 processing tool to mitigate a project's  
14 adverse effects?

15 A. (Widell) I'm sorry. Can you clarify that  
16 question, because I'm not sure I understand  
17 it, Jeanne.

18 Q. It seems that there are -- the regulations  
19 clearly mandate for early coordination and  
20 consultation with the public and consulting  
21 parties.

22 A. (Widell) Yes, it does.

23 Q. Okay. And it seems that as any consulting  
24 party to this process there is heavy reliance

1 on information that may be privileged to you.  
2 But as a consulting -- any consulting party  
3 does not have access to.

4 A. (Widell) No, I disagree with that --

5 Q. Excuse me. I'm going to clarify what I think  
6 you're going to disagree with. I didn't mean  
7 as a result of this process are not available  
8 at this time.

9 A. (Widell) No, that is not true. There is a  
10 consulting party web site that is being  
11 managed by the Department of Energy. I  
12 believe that it is possible that there have  
13 been meetings for consulting parties for  
14 several years, I believe going back to as far  
15 as 2013. There have been requests by the  
16 Department of Energy for those who wanted to  
17 be named as a consulting party in this  
18 particular undertaking. I believe the  
19 Division of Historic Resources have held some  
20 public meetings --

21 Q. Yes.

22 A. (Widell) -- and they have welcomed  
23 individuals to come and view materials.

24 Q. Yes.

1 A. (Widell) These are just some examples.

2 Q. Yeah. No, I can appreciate the involvement  
3 and opportunities right along. And the  
4 question is pertaining to the process.

5 The Section 106 process is going to be  
6 marching on into the future with elements  
7 that are not going to be resolved and  
8 available for this all-important,  
9 unreasonable adverse effect determination.

10 A. (Widell) No, I disagree.

11 Q. Okay. Thank you.

12 The applicability of the unreasonable  
13 adverse effect. In your Supplemental  
14 Testimony, you state that a finding of  
15 unreasonable adverse effects is not  
16 applicable in the way that Mr. Newman  
17 concludes. And stating in support of your  
18 critique, I'll quote from Footnote No. 4 on  
19 Page 11. And it says, "The finding of  
20 unreasonable adverse effect is not applied to  
21 discrete individual resources." Is that  
22 quote accurate?

23 A. (Widell) Yes.

24 Q. Would you agree that Mr. Newman was in fact

1 referring in his testimony to his conclusion  
2 of unreasonable adverse effect to two  
3 Deerfield historical districts, one listed by  
4 the National Registry and one determined by  
5 the DHR to be eligible for National Registry  
6 listing?

7 A. (Widell) Yes.

8 Q. In your opinion, how many adverse effects  
9 would be necessary for you to conclude that  
10 the Project as a whole would have to be found  
11 unreasonably adverse?

12 A. (Widell) I can't speculate.

13 Q. Do you know how many instances of adverse  
14 effects in a project under a Section 106  
15 review are required for an entire project to  
16 be determined to have an adverse effect?

17 A. (Widell) One.

18 Q. Pardon me?

19 A. (Widell) One.

20 Q. One?

21 A. (Widell) One.

22 Q. Thank you.

23 MS. MENARD: I have no further  
24 questions.



1 CHAIRMAN HONIGBERG: Next on  
2 my list is Ms. Percy from the Dummer-North  
3 UMBERLAND Group. While Ms. Percy's coming  
4 up, off the record.

5 (Discussion off the record.)

6 CROSS-EXAMINATION

7 BY MS. PERCY:

8 Q. Good afternoon. How are you?

9 A. (Widell) I'm good. How are you?

10 Q. Great. So my name is Susan Percy, and I am  
11 the spokesperson for the  
12 Dummer-Stark-Northumberland Overhead Abutters  
13 Group. I forget who we are sometimes. I  
14 also am the intervenor on behalf of the Percy  
15 Summer Club. And as I said before, I like to  
16 think that I also represent the public  
17 because we encourage public -- not encourage.  
18 We have public access to the area around our  
19 property. So I represent many hats at the  
20 moment. And this is well outside of my  
21 comfort zone, so you have to bear with me.  
22 I'm not a lawyer.

23 So I bet you've come across some really  
24 spectacular properties and historical

1 resources in the state of Maine -- in the  
2 state of New Hampshire as you've been  
3 traveling the corridor; is that right?

4 A. (Widell) Yes.

5 Q. Thank you. And I would guess that you're  
6 pretty sensitive to the jarring impact that  
7 industrial development has on historical  
8 resources.

9 A. (Widell) Yes, if it is that. Yes.

10 Q. I need glasses. And I would guess that you  
11 empathize with our desire to get this massive  
12 project right, and right from the get-go.  
13 Would you agree with that?

14 A. (Widell) I want to make sure that there's a  
15 very accurate evaluation of its effects on  
16 historic properties.

17 Q. Great. Thank you. We're going to take a  
18 look at a few of them.

19 In Dummer, you evaluated the Dummer Pond  
20 Sporting Camp; is that right?

21 A. (Widell) Yes.

22 Q. And was that -- is that one of the remaining  
23 six properties identified over the thousand  
24 that you've culled from?

1 A. (Widell) Yes.

2 Q. So that's one of the six --

3 A. (Widell) Yes.

4 Q. -- that is --

5 A. (Widell) An adverse effect.

6 Q. Yes. So you've identified that as having,  
7 and NHDHR has identified that as having an  
8 adverse effect.

9 A. (Widell) Yes. We determined that it had an  
10 adverse effect, and we have prepared an  
11 effects table and it has been submitted to  
12 DHR.

13 Q. And so on the effects table, did you identify  
14 any mitigation measures?

15 A. (Widell) We did not.

16 Q. And why not?

17 A. (Widell) You wouldn't normally do that in an  
18 effects table. The intent of assessing  
19 effects is just to determine whether it has  
20 no effect, an adverse effect or no adverse  
21 effect.

22 Q. Okay. So this historic property is affected.  
23 So what comes next?

24 A. (Widell) The DHR will determine whether

1           they're in agreement with that determination.

2       Q.     And when would we know that?

3       A.     (Widell) That is up to the DHR.

4       Q.     Okay.

5       A.     (Widell) They have the effects table and have  
6           had it for a while.

7       Q.     And in one of their -- in consideration of  
8           the Dummer Pond Sporting Camp, and it  
9           differed from the initial conclusion that  
10          there was no adverse effect, visual -- this  
11          was the Terry DeWan's visual analysis, that  
12          there wasn't an adverse impact on the camp.  
13          And was that due to the orientation of the  
14          picture that Terry took, do you know?

15      A.     (Widell) No. Let me clarify. We have been  
16          consistent that we believe that there's an  
17          adverse effect on the Dummer Sporting Pond as  
18          a historic resource. The visual impact  
19          assessment that Terry DeWan does is a  
20          different process than what is used for the  
21          determination of adverse effects on historic  
22          properties.

23      Q.     Great. Thanks for that clarification.

24                    So, the Preservation Company toured

1 Christine Lake in Stark in preparation for  
2 your report for the Applicant in 2015; is  
3 that correct?

4 A. (Widell) I know that I have visited the site.  
5 Preservation Company has been there several  
6 times: One to do an initial assessment form  
7 in 2015 and then again to complete an  
8 inventory form at the direction of DHR. I do  
9 not know the time of their visit at that  
10 time.

11 Q. Okay. So, in 2015, you completed -- the  
12 Preservation Company completed the report; is  
13 that correct?

14 A. (Widell) Yes, and I worked on it as well.

15 Q. Great. And so then there was a supplemental  
16 report that we've all just gotten as a result  
17 of further analysis; is that correct?

18 A. (Widell) Yes. What you have gotten is what  
19 is an inventory form that is used by DHR to  
20 collect information on historic properties  
21 within New Hampshire.

22 Q. Great. Thank you.

23 Oh, I want to show some pictures.

24 Sorry. So, in your initial report, you

1 identified that there was no tower visibility  
2 from the lake; is that correct?

3 A. (Widell) Yes.

4 Q. Thank you.

5 MS. MONROE: I can help.

6 MS. PERCY: I don't have a  
7 little helper like Jeanne.

8 MS. MONROE: That would be me.

9 MS. PERCY: Thank you.

10 MS. MONROE: Which one do you  
11 want me to show?

12 MS. PERCY: Can you show both?

13 BY MS. PERCY:

14 Q. So, on the entrance to Christine Lake is a  
15 very small, publicly owned road. It's very  
16 small. And the right-of-way intersects this  
17 road. It crosses it. So here is a visual  
18 impact analysis that was done by T.J. Boyle,  
19 and it shows -- it depicts what the change  
20 will be on that right-of-way. Do you see  
21 that?

22 A. (Widell) Yes, I see what you've prepared and  
23 given to me.

24 Q. Thank you. I didn't prepare it.

1           So as you -- as the public is coming up  
2           to Christine Lake, you will cross under this  
3           transmission corridor; is that correct?

4           A.   (Widell) Yes.  And you do that now, yes.

5           Q.   Yes.  Well, we cross under the smaller one.

6                     And then when you get to the top of the  
7           road, Christine Lake Road, you hit Christine  
8           Lake.  Does that look familiar?

9           A.   (Widell) Yes.

10          Q.   Great.  And then the lower picture is a view  
11          of the entire lake.  The public access is the  
12          top picture of what we were looking at.  You  
13          are looking at the mountains of Victor Head,  
14          the Percy Peaks, Potters Ledge.  So that's  
15          what's in front of you.

16                     MS. PERCY:  Oh, DNA PSC No.  
17          72.  Thank you.  I told you I wasn't a lawyer

18                     CHAIRMAN HONIGBERG:  That's  
19          all right.  Lawyers screw that up, too.

20                     MS. PERCY:  This is quite a  
21          process.  All right.  I've got to figure out  
22          where I am.

23          BY MS. PERCY:

24          Q.   So in touring the lake in your 2015 report,

1           you identified that no towers would be  
2           visible from the lake; is that correct?

3    A.    (Widell) Yes.

4    Q.    At the technical session that we all  
5           attended -- and actually, I had the pleasure  
6           of talking with you -- you stated again that  
7           there were no tower visibilities as a result  
8           of being at the lake and also reviewing Terry  
9           DeWan's analysis; is that correct?

10   A.   (Widell) Yes.

11   Q.    And you did not review any tower visibility  
12           from the land or the houses around the lake;  
13           is that correct?

14   A.    (Widell) No, that's not true.

15   Q.    Oh, okay. Can you tell me about that?

16   A.    (Widell) It's clearly delineated in the  
17           effects table on --

18   Q.    No, no, no, not -- this is in 2015.

19   A.    (Widell) I would want to look at my 2015 form  
20           for that property.

21   Q.    Okay. When would you do that?

22   A.    (Widell) In 2015.

23   Q.    So your report, though -- in the technical  
24           session, I asked if you had actually gone to



1 any of the camps and done an evaluation from  
2 the land or the surrounding area. And you  
3 said you primarily took a look at the lake  
4 access, the beach access --

5 A. (Widell) Yes.

6 Q. -- and views from the lake itself, but you  
7 did not go to any of the lodges or to -- or  
8 part of any of the land behind the camps; is  
9 that correct?

10 A. (Widell) That would be -- yes, but that would  
11 be done with 3D modeling through GIS.

12 Q. Okay.

13 A. (Widell) I would like to get a copy of the  
14 2015 form to review that. But the effects  
15 table is very clear in the evaluation of  
16 potential visual effects on the Percy Summer  
17 Club.

18 Q. Okay. And I think that -- let me see. So in  
19 the -- I want to skip that part.

20 So, yes, actually, I'm not quite sure I  
21 agree with you on the effects table saying  
22 that there was no tower visibility. And in  
23 fact, in the report that has just been  
24 prepared and that we've just been able to

1 read, there is tower visibility; is that  
2 correct?

3 A. (Widell) No, there is not. It relates to a  
4 portion of the transmission line 5.5 miles  
5 away. That may be what you were referring  
6 to.

7 Q. Yes. But that references the area that is,  
8 even though it's saying it's 5.5 miles away,  
9 it is -- there is distinct information, and I  
10 apologize for not having that right here,  
11 that says that there is lake access --  
12 lake/tower visibility, that it could be on  
13 the -- will be on the southeast corner of the  
14 lake looking towards Dummer. Is that  
15 correct?

16 A. (Widell) There is a portion of the existing  
17 corridor where you will see it when driving  
18 into the property as you indicated, but that  
19 is -- the reason that that portion of the  
20 historic property is included in the National  
21 Register eligible property of Percy Summer  
22 Club is because of a legal court case related  
23 to New Hampshire law about whether water  
24 bodies are publicly owned or privately owned.

1 I believe it was the Percy Summer Club that  
2 sued for permission to prevent the public  
3 from visiting Christine Lake, which of course  
4 is not the case now. You have a wonderful  
5 public beach, and this is long-ago history.  
6 But that property was added to the Percy  
7 Summer Club ownership in order to own the  
8 water access in and out of the lake. And so  
9 it does not have character-defining features  
10 that you show in these beautiful pictures,  
11 which is the dominant character of the Percy  
12 Summer Club now. But that portion of the  
13 land which was an easement that was sold to  
14 Public Service of New Hampshire in 1946 does  
15 not have qualities related to  
16 character-defining features related to scenic  
17 views or the use for recreation. Its primary  
18 reason why it is historically significant and  
19 part of this property has to do with the  
20 access to that lake being either public or  
21 private.

22 Q. Thank you very much. I think that there's  
23 probably some disagreement about all of that,  
24 in terms of your understanding of what is

1 considered not only public access, but what  
2 is important.

3 So, within the boundaries that have been  
4 designated by the New Hampshire DHR, that  
5 sits within the viewshed; is that correct?  
6 So we've got tower visibility --

7 A. (Widell) It sits --

8 (Court Reporter interrupts.)

9 A. (Widell) It sits within --

10 Q. Thank you.

11 A. -- the Area of Potential Effects, yes.

12 Q. Thank you. Thank you. That's all we needed.  
13 We have all the other information that's  
14 already been detailed.

15 So we have multiple reports that say no  
16 tower visibility up until this juncture when  
17 now we've determined that there is tower  
18 visibility; is that correct?

19 A. (Widell) No.

20 Q. Okay. Just -- I'm good with "No."

21 Now, one of the questions that we had of  
22 the construction panel was that there could  
23 be a height differential based on anywhere  
24 from three to five feet. And that is based

1 on conditions on the ground that they find  
2 once construction begins. Would that change  
3 your analysis and suggest that there should  
4 be another look at tower visibility at the  
5 lake?

6 A. (Widell) No.

7 Q. Okay. Thank you.

8 Okay. I'm sure you're aware that the  
9 Percy Summer Club in its totality has met two  
10 of the three criteria for the National  
11 Historic Register; is that correct?

12 A. (Widell) Yes. I do not have the  
13 determination of eligibility sheet in front  
14 of me, but I believe it is definitely  
15 Criterion A and Criterion C.

16 Q. Yes. Would you like those sheets?

17 A. (Widell) It's okay.

18 Q. So the findings in the report from the  
19 Division of Historic Resources labels the  
20 Percy Summer Club Historic District as  
21 remarkable for recreation, and I quote,  
22 Recreation, summer home tourism, the practice  
23 of law in New Hampshire which you just  
24 outlined for us, and land conservation, end

1 quote. That is Criteria A; is that correct?

2 A. (Widell) Yes.

3 Q. Thank you.

4 The committee also states that the Club  
5 is eligible for National Register under  
6 Criteria C, identifying its intact  
7 architecture with a high level of integrity.  
8 Is that correct?

9 A. (Widell) Yes.

10 Q. There's a section in there that identifies it  
11 as having the most significant integrity.  
12 Would you agree to that?

13 A. (Widell) I did see that. But I know it has  
14 very high integrity.

15 Q. Thank you.

16 The report suggests that the boundary of  
17 the historic district could be expanded due  
18 to the original members' establishment and  
19 use of the trail system that surrounds the  
20 lake; is that correct?

21 A. (Widell) That's what it states in the  
22 inventory form, yes.

23 Q. Thank you.

24 MS. PERCY: This is a

1 picture -- oh, it's got -- so I can't -- no,  
2 no, I need the numbers for Tom. DNAPSC-53.

3 BY MS. PERCY:

4 Q. This is a depiction of the lake with the  
5 houses at the end of the lake and the trails.  
6 And these trails were established in the  
7 1880s. Would you -- what is it you would --  
8 you have to trust me on that.

9 CHAIRMAN HONIGBERG: Would you  
10 be willing to assume what she said is true?

11 WITNESS WIDELL: I would  
12 assume that, yes.

13 MS. PERCY: Thank you. We  
14 have books that prove it.

15 BY MS. PERCY:

16 Q. So, in the fact that these trails that are  
17 outlined that go into the Nash Stream Forest,  
18 that are accessible from the beach area  
19 coming through the Percy Summer Club road and  
20 goes to the Cohos Trail and is located now  
21 within the Forest Society of the State of New  
22 Hampshire, these trails all now have public  
23 access. Would you agree to that?

24 A. (Widell) I'm not aware they have public

1 access. But you would provide it.

2 Q. They do. So, given that, the report suggests  
3 that the historic district could be expanded  
4 due to the original members' establishment  
5 and use of the trails; correct?

6 A. (Widell) Establishment of the trails...

7 Q. In the 1880s. It outlines it in the report.

8 A. (Widell) Yes, it's in the inventory. Yeah.

9 Q. So, in suggesting that, the New Hampshire  
10 Historic -- Division of Historic Resources,  
11 Historical Resources suggested that there be  
12 further analysis of the historic boundaries;  
13 is that correct?

14 A. (Widell) Yes, it says that.

15 Q. Thank you. What would happen as a result of  
16 that?

17 A. (Widell) Well, I believe that this area is  
18 part of the area that was studied for a  
19 cultural landscape, and so there has been a  
20 cultural landscape study of this complete  
21 area.

22 Q. And is that cultural landscape report  
23 completed?

24 A. (Widell) It is.



1 Q. Is it available?

2 A. (Widell) It has been provided to the  
3 Department of Energy.

4 Q. Okay. I'm sorry. I don't have that report.  
5 Sometimes finding these things has been a  
6 challenge. Can you loosely tell us what that  
7 cultural report says?

8 A. (Widell) Yes. The Upper Ammonoosuc area that  
9 includes North Side Road in Stark and Percy  
10 Summer Club has been identified as a cultural  
11 landscape.

12 Q. Great. Thank you.

13 So, in identifying the whole area of  
14 Stark in particular, including the Percy  
15 Summer Club, coming in from Dummer, the  
16 right-of-way that is significantly altered,  
17 do you see that that's an unreasonable impact  
18 in its totality in the town of Stark?

19 A. (Widell) I did not apply that criteria to any  
20 particular resource, and so I would have to  
21 say no.

22 Q. Okay. That's it. That's all I have. Thank  
23 you.

24 A. (Widell) Thank you.

1 CHAIRMAN HONIGBERG: Next on  
2 my list is the Ashland to Concord Group, Ms.  
3 Quinn or Ms. Townsend.

4 CROSS-EXAMINATION

5 BY MS. TOWNSEND:

6 Q. I'm representing the Ashland to Deerfield  
7 Non-Abutting Property Owners. Good morning.

8 A. (Widell) It's just barely afternoon. Good  
9 afternoon.

10 Q. Oh, all right. I am going to start by asking  
11 you a couple questions from Page 1175 of the  
12 historic resource assessment report. And  
13 it's coming up on ELMO.

14 Okay. On that page, in Paragraph 3, you  
15 say, "The 2016 Master Plan of Bridgewater  
16 highlights some of the town's historic  
17 resources, a few of which are located within  
18 the APE." Can you see where I am?

19 A. (Widell) Yes.

20 CHAIRMAN HONIGBERG: I can see  
21 that, too. But you need to read a little bit  
22 slower.

23 MS. TOWNSEND: Oh, thank you  
24 for the reminder.

1 BY MS. TOWNSEND:

2 Q. These include the River Road School on River  
3 Road, and that is also listed as Bridgewater  
4 35; Union Cemetery on Bridgewater Hill Road,  
5 which is Bridgewater, BRID46; Webster Cross  
6 Cemetery on River Road, which is BRID26; and  
7 the previously mentioned Webster Tavern,  
8 BRID04. Further down in that paragraph you  
9 say other historic resources mentioned in the  
10 Master Plan, but not given the location for,  
11 include Whittemore Point Cemetery; Webster  
12 Toll Bridge and House, a recreation area now;  
13 Dick Brown Mill and Old Dalton Place, a 1770s  
14 house.

15 Did you seek out and locate Whittemore  
16 Point Cemetery?

17 A. (Widell) No.

18 Q. Did you seek out or locate the Dick Brown  
19 Mill?

20 A. (Widell) No.

21 Q. And how about the 1770 house at Old Dalton  
22 Place?

23 A. (Widell) No.

24 Q. If not, no, why did you consider them not to

1           have historic value, given that they were  
2           directly listed as historic resources in the  
3           Bridgewater 2016 Master Plan?

4       A.   (Widell) It is not that we did not consider  
5           them as having historic value, but our  
6           responsibility was to identify properties  
7           within the Area of Potential Effect that had  
8           significance and integrity and could possibly  
9           be affected by the Project. These properties  
10          were likely not there, or we would have  
11          included them in the list of properties that  
12          we identified in Bridgewater.

13       Q.   If you didn't find them, how did you know  
14          that they were not within the APE?

15       A.   (Widell) They would -- we would have  
16          identified them in our list of properties  
17          within Bridgewater that we identified.

18       Q.   But you just said that you didn't locate  
19          them.

20       A.   (Widell) They weren't within the area, the  
21          study area, the Area of Potential Effect,  
22          where we looked at every single property that  
23          was at least 50 years old or older, actually  
24          built prior to 1968. And so if they had been

1           amongst those, we would have identified them  
2           and obtained enough information to have known  
3           that those were properties named then.

4    Q.    What were your sources for those?  That was  
5           from a different source, though.  That wasn't  
6           from the listing that Bridgewater -- what  
7           Bridgewater considers historic itself;  
8           correct?  Those are from tax maps.  It's  
9           possible to look at a tax map and miss a  
10          certain date or -- correct?

11   A.    (Widell) That is true.  But in addition to  
12          looking at just the tax maps, we would have  
13          looked at the historic maps related to it.  
14          We did title searches, online research tools  
15          used to document the historic properties that  
16          we included on that list.

17   Q.    I'm just having trouble understanding how you  
18          can assess, let's say, for example, the Dick  
19          Brown Mill, if you don't have a GPS site for  
20          that.  How can you reject it as not being  
21          part of the APE?

22   A.    (Widell) It was not rejected.  What this  
23          states is that these were properties that had  
24          been listed in the Master Plan, but there was

1 no identification information. When you're  
2 looking or doing a survey in a small  
3 community, you are looking at, in this case,  
4 initially everything that was built prior to  
5 1968, and then determining through the Zone  
6 of Visual Influence, the viewshed maps, what  
7 might be affected by the Project. Everything  
8 that was built prior to 1968 within the Area  
9 of Potential Effect --

10 Q. According to --

11 A. -- and then those that are likely to be  
12 affected, you do very -- you do documentation  
13 through historic maps, through the tax maps,  
14 through online deed research. So if they  
15 were part of that, the names of Dick Brown  
16 are likely to come up in the deed research  
17 for a historic property or --

18 Q. You're saying they're likely to come up --

19 A. (Widell) Yes.

20 Q. -- but not certain to come up because Google  
21 isn't completely reliable. That's not fact.

22 A. (Widell) No. Right.

23 Q. Correct.

24 A. (Widell) We're using historic maps which are

1           now online. But they have actual names of  
2           people and that sort of stuff. But yes --

3    Q.    Did you ask anybody within the structure of  
4           Bridgewater, say the selectmen or the  
5           historical society, to tell you where any of  
6           these things were?

7    A.    (Widell) No. But we used the Project Area  
8           Forms, which are research context studies  
9           done by the Department of Energy to identify  
10          the types of resources and the history of  
11          each of the communities. And they certainly  
12          went to local sources and included that kind  
13          of information in the Project Area Forms.  
14          And we --

15   Q.    I'm sorry. Could you say the first part of  
16          that again?

17   A.    (Widell) The Project Area Forms are done --

18   Q.    Right.

19   A.    (Widell) -- by the federal agency as part of  
20          the Section 106 process here in New  
21          Hampshire. They were done at the request of  
22          the New Hampshire Division of Historic  
23          Resources for each of the regions that were  
24          likely to be affected by the Project. The

1 Project Area Form includes the type of  
2 resources that you're going to find in that  
3 area, meaning architectural styles. The  
4 other types of things would be summer homes  
5 or recreation, conservation --

6 Q. Okay. Thank you for --

7 (Court Reporter interrupts.)

8 CHAIRMAN HONIGBERG: Ms.  
9 Townsend, please don't speak over her.  
10 Please wait until she's done or the  
11 transcript becomes unintelligible.

12 MS. TOWNSEND: She had  
13 finished responding to my question, and we  
14 have limited time, so --

15 CHAIRMAN HONIGBERG: And  
16 talking over her invites me to interrupt you  
17 or causes the stenographer to hold her hand  
18 up and cause you to wait.

19 MS. TOWNSEND: I'm sorry.

20 CHAIRMAN HONIGBERG: If you  
21 feel that the answer is going -- if her  
22 speaking is going beyond the answer, talk to  
23 me and we'll work that out with her, okay.

24 MS. TOWNSEND: Okay. Thank



1           you very much.

2                               CHAIRMAN HONIGBERG: All

3           right.

4                               MS. TOWNSEND: All right.

5           Thank you.

6 BY MS. TOWNSEND:

7 Q.    A lot of the information that went onto the  
8       forms came from you; correct?

9 A.    (Widell) Yes. Our team, me working -- yes,  
10      and Preservation Company.

11 Q.    So you will acknowledge that there are  
12      sources of historical information that did  
13      not necessarily make it onto those forms.

14 A.    (Widell) Yes.

15 Q.    Right. I'm just -- did you consult with any  
16      of the town historic societies?

17 A.    (Widell) No.

18 Q.    I find that baffling. If you wanted to know  
19      what a historic site was, why would you not  
20      ask the people who live there?

21 A.    (Widell) As I indicated to you, that was  
22      being done as part of the Project Area Forms  
23      by the Department of Energy, and we depended  
24      on their excellent and broad research.

1 Q. Thank you.

2 Did you seek out and locate the Webster  
3 Toll and Bridge House?

4 A. (Widell) No.

5 Q. All right. Were you aware that portions of  
6 the bridge site are on the east side of the  
7 Pemigewasset, across an agricultural field  
8 from the proposed towers, well within the  
9 APE?

10 A. (Widell) No, I can't, sitting here right now.  
11 I can't recall that. I do remember hearing  
12 about that, but I can't recall anything more  
13 than that.

14 Q. They are opposite Sawheganet Falls Park, but  
15 they are on the side of the river that is  
16 next to the right-of-way. So they're  
17 directly right there. So you did not  
18 evaluate the historic value of those historic  
19 sites?

20 A. (Widell) No.

21 Q. Okay. Now, turning to Page 3 of the  
22 Bridgewater Town Summary, in the second to  
23 last paragraph you say, "The historic  
24 resources to the west of the Project within

1 the APE in Bridgewater are predominantly  
2 located along the Pemigewasset River  
3 terraces, and most face south or west away  
4 from the Project and so do not have views."

5 What method did you use to assess which  
6 direction the historic resources were  
7 so-called facing?

8 A. (Widell) The map of the location of the  
9 corridor.

10 Q. How can you tell which way a building is  
11 facing?

12 A. (Widell) By site visitation.

13 Q. Did you visit each of these locations?

14 A. (Widell) Yes. And also Google Earth maps  
15 would also give you some information as well.

16 Q. All right. But they're not comprehensive;  
17 right? Google Earth is not going to tell you  
18 necessarily what historically has been the  
19 front of the building. Might tell you where  
20 the driveway goes.

21 A. (Widell) Yes, but we are looking at a number  
22 of reasons why a historic property might be  
23 significant. And if it's architecturally  
24 significant, as historians, architectural

1 historians, we would be looking at what  
2 features on that historic building might  
3 indicate to you what the primary facade would  
4 be and what -- and whether the property was  
5 designed and built in such a way to take  
6 advantage of views, things such as dormer  
7 windows, porches, that sort of thing, as  
8 architectural features are part of  
9 understanding the intent, architectural  
10 intent of a building.

11 Q. I understand. As someone who lives on River  
12 Road, I find it a little surprising that you  
13 found that because all of the houses on the  
14 west side of the road are built to face the  
15 road and the river, and those are most of the  
16 historic properties because those were the  
17 first ones that were built.

18 So I'm wondering, did you go in -- when  
19 was the trip that you made to determine this?

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

21 Q. Is it possible that you only used Google maps  
22 to determine --

23 A. (Widell) No. No, we made site visits. No.

24 Q. But did you make site visits to each of those

1 houses on the River Road? I'm really trying  
2 to understand this statement that you made  
3 about the houses being oriented away from the  
4 river when they're built on something called  
5 "the River Road."

6 A. (Widell) We identified all of the properties  
7 within the Area of Potential Effect that were  
8 built prior to 1968 and mapped them and did  
9 site visits.

10 Q. Site visits. Okay. All right. Moving on.

11 MS. TOWNSEND: So, back to the  
12 first -- oh, sorry. Go back to the first  
13 one, the most recent one. Thank you. Sorry.

14 BY MS. TOWNSEND:

15 Q. Would you say that views from a historic inn  
16 go only in one direction? I'm further trying  
17 to understand this orientation. And I should  
18 preface this by saying that when something is  
19 facing the river, directly across the river  
20 is where the Project would be sited; correct?

21 A. (Widell) It depends on the property.

22 Q. Okay. So, along the Pemigewasset in Ashland  
23 and New Hampton is the right-of-way directly  
24 across the river from River Road.

1 A. (Widell) And your question is?

2 Q. I'm trying to understand. So when you say --  
3 I think the point you were trying to make in  
4 saying that all of the potential historic  
5 sites were oriented away from the river was  
6 that they were oriented away and therefore  
7 would not have views of the Project; is that  
8 correct?

9 A. (Widell) Not exactly, no.

10 Q. Okay.

11 A. (Widell) When you're assessing an historic  
12 property, once again, you're looking at its  
13 character-defining features, what makes it  
14 significant? Is it only its architecture, or  
15 is it agriculture? In which case the setting  
16 and viewsheds, if it's summer tourism, they  
17 may be very important to understanding the  
18 character of those buildings, and so views  
19 may be very important as part of the  
20 character of that particular historic  
21 property. If the building is only important  
22 because it's an excellent example of federal  
23 style and did not have views, then the views,  
24 regardless of the orientation, would not be

1 significant and would not be taken into  
2 consideration because the setting is just the  
3 immediate setting around the house itself.

4 Q. When you say that most face south or west,  
5 away from the Project, and so do not have  
6 views, what do you mean by that?

7 A. (Widell) They are not oriented -- their  
8 principal facade, their principal orientation  
9 is not toward the Project.

10 Q. Okay. I disagree, and I drive that road all  
11 the time. So, thank you for answering the  
12 question.

13 Turning back to Page 1 of the  
14 Bridgewater Town Summary, please. In  
15 Paragraph 2, you say only one property within  
16 the APE was previously documented. The  
17 Webster Farm, Webster Tavern at 1868 River  
18 Road, was not included in the -- was included  
19 in the 2000 farm recognizance survey. It has  
20 no views. This is classified as BRID04.  
21 What part of the property did you consider  
22 for its views?

23 A. (Widell) The entire property, as far as its  
24 setting. Its historic setting would have

1           been taken into consideration.

2   Q.    So, views from the third-story windows, for  
3           example?

4   A.    (Widell) We have not -- no, we did not enter  
5           the building.

6   Q.    Okay. How about from the historic stone wall  
7           structures up the hillside from the tavern?

8   A.    (Widell) No.

9   Q.    How did you determine that there was no view  
10          toward Ashland and the towers on the  
11          property?

12   A.    (Widell) I would have to look at the  
13          individual property to give you more precise  
14          information on that.

15   Q.    Do we have BRID04?

16                   (Discussion off the record.)

17   Q.    I can ask you another question just to save  
18          time if you'd like.

19   A.    (Widell) Sure. Yes.

20   Q.    I'm referring now to the New Hampton report.  
21          You mentioned NEWH053, and you say, Although  
22          the Project runs through the far west corner  
23          of the parcel, views of the Project will be  
24          minimized by the fact the elevation of the



1 land drops off in that direction and by the  
2 location of most of the buildings. And you  
3 emphasize the main public views of the  
4 historic resources.

5 For what reason do you consider that  
6 only these historic resources that have  
7 already been exploited and made public have  
8 historical value?

9 A. (Widell) The question was why do we consider  
10 the main public views that are already  
11 exploited?

12 Q. Correct. Why do you only consider areas that  
13 have been exploited and made public as having  
14 historic value?

15 A. (Widell) That is not what we considered. We  
16 considered all historic properties that were  
17 within the Area of Potential Effect that were  
18 built prior to 1968.

19 Q. But you consistently emphasized the main  
20 public view of the historic resource.

21 A. (Widell) Yes.

22 Q. Why is that?

23 A. (Widell) Yes, because that is normally the  
24 principal facade of it. But we took into

1           consideration the historic property through  
2           site visits and, if necessary, when  
3           necessary, 3D modeling.

4    Q.    So, views from the historic property are also  
5           important, or no?

6    A.    (Widell) Yes, views to the historic property,  
7           from the historic property, and whether the  
8           Project is likely to become a focal point or  
9           isolate the property from its setting, those  
10          were a set of questions and tools that we  
11          used to apply the definition of "adverse  
12          effect," which is more broadly defined as  
13          "diminishing the character of an historic  
14          property."

15   Q.    Right, but something doesn't have to be  
16          frequently viewed by the public to have a  
17          historic value; correct?

18   A.    (Widell) That's absolutely true.

19   Q.    Okay.

20                           MS. TOWNSEND:  Have we got the  
21                           BRID04 report yet?

22                           MR. WALKER:  We're still  
23                           looking.

24                           MS. TOWNSEND:  Okay.

1 BY MS. TOWNSEND:

2 Q. Back to Bridgewater. The historic  
3 significance of the railroad bridge to  
4 Ashland, from Ashland to Bridgewater, is  
5 acknowledged. And you also acknowledge the  
6 negative impact. But the report concludes  
7 that the use of a weathered steel monopole  
8 will likely eliminate the Project's adverse  
9 impact. How can the use of a monopole  
10 eliminate it, eliminate the impact?

11 A. (Widell) The significance of the Ashland  
12 Bridge, when we assisted for the 2015 report,  
13 discussed the use of the railroad that used  
14 that bridge as a tourist railroad.  
15 Therefore, scenic views from the bridge onto  
16 the river were considered a significant part  
17 of the historic character of it. So we  
18 suggested to Northern Pass that they not use  
19 lattice structures, but instead use monopoles  
20 to minimize any views of those lattice  
21 structures from the bridge --

22 Q. I understand minimize. What I'm trying to  
23 understand is eliminate. Eliminate impact.  
24 How do you --

1 A. (Widell) We thought it did eliminate the  
2 impact of seeing the lattice structures from  
3 the scenic views on the bridge.

4 Q. Would you still see the power lines as they  
5 were crossing the Pemigewasset --

6 A. (Widell) Yes.

7 Q. -- on multiple levels?

8 A. (Widell) The conductors, yes.

9 Q. And the lines themselves?

10 A. (Widell) But they would be above your view  
11 from being in a scenic railroad.

12 Q. So you're only considering the view of the  
13 people who in the past rode the railroad, not  
14 the people who now view the railroad bridge  
15 on a daily basis?

16 A. (Widell) When you are assessing adverse  
17 effects to a historic property, you are  
18 taking into consideration why that historic  
19 property is important. And so the scenic  
20 views from the railroad across that bridge  
21 were considered an important part of the  
22 character of that historic property.

23 Q. Is it considered to have historic value when  
24 you view it not from the bridge, but looking

1 at the bridge?

2 A. (Widell) No, that is not what was determined.

3 Q. Okay. Moving on.

4 MS. TOWNSEND: So have we got  
5 BRID04?

6 MR. WALKER: Sure. Ms.  
7 Townsend, just to be clear, we can pull up  
8 the summary table for Bridgewater 04, Webster  
9 Tavern --

10 MS. TOWNSEND: So Ms. Widell  
11 had said she would need to look at the --  
12 she'd need to reference it in order to answer  
13 my question. So I'm just --

14 MR. WALKER: Right. Just to  
15 move this along, we'll pull up the summary  
16 table for you, but I think you'll see there's  
17 no individual form for that Bridgewater 04.

18 WITNESS WIDELL: Okay.

19 (Pause)

20 BY MS. TOWNSEND:

21 Q. So my question to you is: How did you  
22 determine there was no view toward Ashland  
23 and the towers on the property?

24 (Witness reviews document.)

1 A. (Widell) Clearly in looking at the parcel map  
2 of the property, the Area of Potential  
3 Effect, the location of the corridor and site  
4 visits and, as necessary, 3D modeling, it was  
5 determined that there were not views of the  
6 Project from this property.

7 Q. Again, did you look from the property,  
8 looking at the property, or did you consider  
9 views from windows of the property?

10 A. (Widell) We did not look from windows of the  
11 property.

12 Q. Did you consider from the historic stone  
13 walls that are directly up the hillside from,  
14 that are still part of the property?

15 A. (Widell) We take a look at the parcel. It's  
16 the setting that is established for the  
17 historic property and whether there are  
18 characteristics that have a viewshed or the  
19 views are part of the setting and, as  
20 necessary, do 3D modeling, a topographic map  
21 of the parcel itself, a 3D modeling of any  
22 forest that might be on the property that  
23 might prevent some views of the project, and  
24 then the use of the "peg man" as necessary

1 from different locations on the parcel map.

2 Q. If the Project were visible from the hillside  
3 which is part of the property and was  
4 agricultural fields, would that make a  
5 difference to you?

6 A. (Widell) No, not necessarily. A view of the  
7 Project would need to diminish the features  
8 of the property have been established. So,  
9 just barely seeing a part of the Project  
10 would not cause an adverse effect on a  
11 historic property.

12 MS. TOWNSEND: Okay. I'm  
13 going to move on to these. Thank you.

14 BY MS. TOWNSEND:

15 Q. All right. So this is some of the results of  
16 effects evaluation. In this case it is for  
17 Morse Clay Farm on Old Bristol Road in New  
18 Hampton. I'm just showing you the title page  
19 for reference.

20 And now Page 2. So, understanding  
21 significance, could you read that  
22 underlined --

23 A. "The Morse Clay Farm was determined eligible  
24 for the National Register of Historic Places

1 in 2016."

2 Q. Was this photo simulation done from this  
3 property of the Project?

4 A. (Widell) I would want to look at the effects  
5 analysis of it.

6 (Witness reviews document.)

7 A. (Widell) This document's probably about ten  
8 pages long. Could we move to the effects  
9 analysis? It should tell you precisely what  
10 was looked at --

11 Q. No, I don't have that page.

12 A. (Widell) -- when making that determination.  
13 Oh, okay.

14 Q. I just have these two pages and my question  
15 to you, which is: Did you do a photo  
16 simulation from this project? All I'm trying  
17 to determine. And I have three properties  
18 that I'm asking this about.

19 (Witness reviews document.)

20 A. (Widell) I can't find...

21 MR. IACOPINO: I'm sorry. Did  
22 this witness do any photo simulations?

23 MR. WALKER: Sorry, Mike. I  
24 didn't hear you.



1 MR. IACOPINO: I didn't  
2 understand this witness do photo simulations.

3 MR. WALKER: She didn't. Was  
4 the question she did them? Because --

5 MS. TOWNSEND: No, I'm sorry.

6 BY MS. TOWNSEND:

7 Q. Did you examine -- yeah, that is a good  
8 question.

9 Was your evaluation informed by a photo  
10 simulation from this property?

11 A. (Widell) An actual photo simulation? No.  
12 The discussion I had before was more Desktop  
13 modeling. So, no, there was no photo  
14 simulation done for this property.

15 Q. Okay. Moving on to the next one, which  
16 should be Page 3, this is the results of  
17 evaluation of effect for the Dana Hill  
18 Agricultural District in New Hampton. And  
19 then that's just the context. And the next  
20 page is Significance. So, could you read the  
21 line starting, "The Dana Hill Agricultural  
22 District was found eligible," please?

23 A. (Widell) "The Dana Hill Agricultural District  
24 was found eligible for the National Register

1 under Criterion A and C" --

2 Q. Was your --

3 A. (Widell) -- "in 2017."

4 Q. Sorry. I didn't mean to overtalk.

5 Was your evaluation of this historic  
6 district informed by photo simulations from  
7 each of these properties? This being a group  
8 of properties; correct?

9 A. (Widell) Yes, it's an agricultural district.

10 (Witness reviews document.)

11 A. (Widell) North and central parts of the  
12 Project corridor is located below and to the  
13 west of Dana Hill between 100 and 1,000 feet  
14 to the east of I-93.

15 (Witness reviews document.)

16 A. (Widell) The sections of the proposed  
17 transmission line that would be visible from  
18 the district are largely located across the  
19 river in Bristol.

20 Q. My question is really about photo  
21 simulations, not location.

22 A. (Widell) Yes, probably. Yes, we would have  
23 done Desktop 3D modeling.

24 Q. But were -- did you use -- did you have

1 access to photo simulations, not Desktop  
2 modeling, for these properties -- from these  
3 properties looking towards the Project?

4 A. (Widell) If we felt that it was necessary.  
5 And it does state here on Page 5 that we  
6 based it on viewshed mapping and 3D modeling  
7 due to the topography and vegetation.

8 Q. I don't think that's answering my question,  
9 though.

10 A. (Widell) Well, so, photo simulation is where  
11 you actually place it in.

12 Q. Yes.

13 A. (Widell) We did not do it for this property,  
14 no.

15 Q. Well, for any of the properties on this, in  
16 this grouping?

17 A. (Widell) Which grouping? Dana Hill Historic  
18 District or --

19 Q. Yes.

20 A. (Widell) No, we did not do a photo simulation  
21 for any of the properties within the Dana  
22 Hill Historic District.

23 Q. Thank you very much.

24 Okay. Let's move on to the next one,

1 Page 5. This is the results of effect of  
2 evaluation for Emmons-Worthen Farm at  
3 1151 Summer Street in Bristol. That's just  
4 the site context. Going to the next page,  
5 could you please read the underlined line?

6 A. (Widell) "The Emmons-Worthen Farm was  
7 determined eligible for the National Register  
8 of Historic Places in 2016."

9 Q. And was your evaluation of this site informed  
10 by a photo simulation done from the site of  
11 the Project?

12 A. (Widell) No photo simulation was done.

13 Q. Okay. Thank you. I just have two more  
14 questions, if I can now find them.

15 You acknowledge in the Bridgewater town  
16 summary that BRID26, Webster Cross Cemetery,  
17 falls within the APE. Did you visit the  
18 cemetery, and in what season?

19 A. (Widell) I do not remember visiting precisely  
20 the cemetery. But I visited the sites along  
21 the route, so I probably did. I cannot  
22 remember the date that I was there.

23 Q. And so that I can I understand, when a  
24 cemetery, for example, was built to have a

1 view of the river and what is directly  
2 beyond, which in this case is the  
3 right-of-way, are you considering -- so when  
4 it was built on a hillside overlooking the  
5 river, because that was something that had a  
6 beautiful view of the river, and subsequently  
7 trees grew up, you know, a line of trees --  
8 it's actually very steep there, so it's not  
9 heavily forested. It's more a line of  
10 trees -- would you consider the historic  
11 view, or do you consider what you're seeing  
12 at the moment?

13 A. (Widell) We consider for effects purposes the  
14 views that it has at the time. We take into  
15 consideration views that may have been built  
16 to have as part of its character for  
17 documenting the significance of the building.

18 Q. How did you look into that if you didn't talk  
19 to -- the reason I know is because my  
20 ancestors are buried there, and we know why  
21 they were buried in that place. But how  
22 would you gain access to the reason why it  
23 was sited in that place?

24 A. (Widell) From looking at hundreds of

1           cemeteries you learn, and from documentation,  
2           you learn an understanding of what the values  
3           and importance are on particular historic  
4           cemeteries.

5    Q.    But you didn't -- sorry.  You didn't actually  
6           speak to any Bridgewater residents and ask  
7           them.

8    A.    (Widell) No.

9    Q.    Nor did you ask the historic --

10   A.    (Widell) No.

11   Q.    For my -- so that I can understand, where  
12           there is a single line of trees -- and there  
13           was a very good example cited yesterday by  
14           Mr. Whitley, where trees are what would be  
15           blocking the view of the Project from the  
16           historic resource.  In his example, the trees  
17           were diseased, and the owners of the property  
18           were saying that they will, as soon as those  
19           trees have died, as they are in the process  
20           of doing, they will have a very broad view of  
21           the Project.

22                   How do you consider -- do you consider  
23           trees to be ephemeral, or do you consider  
24           trees to be permanent in your analysis?

1 A. (Widell) We consider them as they are right  
2 now in the viewshed that's being analyzed for  
3 whether it has an adverse effect on that  
4 particular historic property.

5 Q. If there is -- do you make any distinction  
6 between there being a single line of  
7 deciduous trees versus a forest?

8 A. (Widell) No.

9 Q. Okay. Thank you. One more question.

10 You likewise acknowledge in the  
11 Bridgewater summary that BRID46, Union  
12 Cemetery, up the hillside of Bridgewater Hill  
13 that falls within the APE, as you might guess  
14 from the name, this is a site of graves  
15 dating back to the Civil War. Did you visit  
16 the cemetery, and in what season?

17 A. (Widell) Likely, but I cannot tell you when.

18 Q. Might it have been leaf-on or leaf-off?

19 A. (Widell) We looked at these properties in  
20 leaf-on and leaf-off.

21 Q. Okay. This is likewise a cemetery that was  
22 built on a hillside to see the river, so any  
23 trees that have grown up since are in this  
24 case deciduous and a --

1 MR. WALKER: Objection.

2 There's testifying here.

3 MS. TOWNSEND: Well, she  
4 failed to ask a Bridgewater resident --

5 CHAIRMAN HONIGBERG: Stop,  
6 stop.

7 MS. TOWNSEND: Okay.

8 CHAIRMAN HONIGBERG: Yes, a  
9 lot of what you just said seemed to be, "No,  
10 you're wrong. Let me tell you what's right."

11 MS. TOWNSEND: Okay.

12 CHAIRMAN HONIGBERG: If you  
13 want her to assume some situation and ask her  
14 about that, you can do that. If what your  
15 intention is, is to say, "No, you're doing it  
16 wrong," that's really when you testify. When  
17 you're the witness, you can explain how she's  
18 wrong.

19 MS. TOWNSEND: Thank you.

20 CHAIRMAN HONIGBERG: Okay.

21 BY MS. TOWNSEND:

22 Q. Do you consider a line of deciduous trees to  
23 be ephemeral or to be the equivalent of a  
24 forest for your purposes?



1 A. (Widell) They are taken into consideration,  
2 as are, I should say, forests. Or there may  
3 be other intervening intrusions that are  
4 between the cemetery and the Project, such as  
5 a row of commercial structures, a strip mall,  
6 a highway.

7 Q. Was a photo simulation done from this site?

8 A. (Widell) I cannot tell you that.

9 Q. Okay. And so that I can understand your  
10 statements about places where there is an  
11 existing right-of-way and existing 40-foot  
12 lines, do you consider that the view of a  
13 modern object is somewhat like an on-off  
14 switch, which once there's a modern object in  
15 the view, it's no longer a historical view?  
16 Or are there cumulative impacts of greater,  
17 increasing industrial use?

18 A. (Widell) An industrial -- a larger structure  
19 can cause an adverse effect even if there is  
20 an existing structure there.

21 Q. All right. Thanks.

22 MS. TOWNSEND: That's the end  
23 of my questions. Thank you.

24 CHAIRMAN HONIGBERG: All

1 right. We're going to take our lunch break  
2 and come back at quarter to two.

3 Hearing concluded at 12:46 p.m.  
4 (Lunch recess was taken at 12:46 p.m.  
5 and concludes the DAY 29 MORNING  
6 SESSION. The hearing continues under  
7 separate cover in the transcript noted  
8 as DAY 29 AFTERNOON SESSION ONLY.)

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C E R T I F I C A T E

I, Susan J. Robidas, a Licensed  
Shorthand Court Reporter and Notary Public  
of the State of New Hampshire, 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.

---

Susan J. Robidas, LCR/RPR  
Licensed Shorthand Court Reporter  
Registered Professional Reporter  
N.H. LCR No. 44 (RSA 310-A:173)

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