

[WITNESS PANEL: Buscher|Palmer|Owens]

1 Assessment, for a specific purpose. For the
2 SEC, we were doing a review of a Visual Impact
3 Assessment.

4 The DOE was looking specifically at a
5 series of different alternatives, and comparing
6 the differences between those separate
7 alternatives. We were asked specifically to
8 come up with a certain amount of data
9 pertaining to different components of the
10 Project, but not to come to a final conclusion
11 or analysis for each of those components.

12 And, Jim, you might want to expand on
13 that.

14 A (Palmer) The purpose of the federal
15 Environmental Assessment was to determine
16 national -- the permitting parts are to
17 determine national security in crossing the
18 border. And then the Forest Service, as a
19 cooperating agency, was concerned with site
20 issues. And they pushed us, actually, to do
21 more detailed sites within the forest. They're
22 part of the reason that we went out to ten
23 miles, because they had high trails that would
24 have visibility from that kind of distance.

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1 But DOE sort of put a damper on that, because
2 it wasn't their primary purpose.

3 So, while we may have been interested in
4 doing more site work, we were actually directed
5 not to do that. But we had originally done
6 visiting to road crossings and areas that we
7 didn't analyze in great detail, but we have
8 that fieldwork, which we could then apply to
9 the current Project.

10 Q So, to summarize, for DOE, you were asked to
11 come up with a lot of technical data, so that
12 they could make comparisons between options, as
13 opposed to just looking at one particular
14 site-specific path?

15 A (Palmer) Yes. That's right. So, it's really
16 the comparison of alternatives and the
17 incremental and cumulative impacts, which were
18 important to DOE.

19 Q I want to pull up Exhibit Applicant 322, which
20 was a chalk that was prepared by Attorney
21 Needleman. Attorney Needleman asked you some
22 questions about this chalk. And, as I
23 understand it, he took the numbers out of the
24 EIS. And they show the average scenic impact

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1 of the Project by sections. Can you explain
2 how the average scenic impact score was
3 calculated?

4 A (Palmer) Yes. So, the analysis is -- excuse
5 me -- uses -- looks at very small areas of
6 land, five meters by five meters, for the whole
7 corridor, for the whole Project. So, the
8 analysis is done cell-by-cell for all of these
9 little pieces of land. And the little pieces
10 of land have an impact that rates from "zero"
11 for "none", and then "1.00" to "low", to "5.00"
12 to "very high".

13 MS. CONNOR: Okay. I'm going to stop
14 you right now, and we're going to put up a
15 chalk, Counsel for the Public, it will be the
16 very next exhibit number. I'm sorry, I don't
17 know what exhibit number we're at. But I will
18 find that out and we will certainly upload
19 this.

20 *(NOTE: Marked for identification*
21 *as CFP 587 after the close of*
22 *this hearing day.)*

23 **BY THE WITNESS:**

24 A (Palmer) So, if we went -- so, this is an

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1 illustration of how the distance zones would be
2 mapped from the centerline of the proposed
3 overhead portions of the Project. Okay.

4 So, --

5 BY MS. CONNOR:

6 Q So -- okay. Go ahead.

7 A (Palmer) And then, I mean, you can read it,
8 it's the distance zones, and then it tells you
9 what the mileage ranges are for those zones.
10 We used both an immediate and a foreground, but
11 I've lumped those together, because you
12 wouldn't be able to see the immediate on this
13 drawing.

14 Q So, going back to the average scenic impact
15 score, which Attorney Needleman put in his
16 chalk, did that include the cells out to 10
17 miles?

18 A (Palmer) Yes. That would include the cells out
19 to 10 miles. So, for the far background, that
20 band is 5 miles wide, it's more than half of
21 the total area.

22 Q So, would that mean, realizing I am not a math
23 guru here, but the average scenic impact scores
24 would be diluted by the lesser impact of the

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1 resources in miles 5 to 10?

2 A (Palmer) Right. Almost all, not all, but
3 almost all of the potential visibility out in
4 that far background, for instance, is going to
5 have very low or no visual impact, because it's
6 too far away.

7 Q If we restrict your DOE analysis to the
8 immediate foreground, how many acres would
9 receive a high rating of unreasonable adverse
10 impact?

11 A (Palmer) I have to go look for that, I'm sorry
12 to say.

13 *[Short pause.]*

14 **BY THE WITNESS:**

15 A (Palmer) So, in the foreground, for the whole
16 Project, there are 43 acres that have that
17 highest rating. Which, if you were using the
18 EIS description, would be -- I think they said
19 "likely unreasonable". And there are 770 acres
20 that are 4.0, which is "possibly" or "may be
21 unreasonable".

22 BY MS. CONNOR:

23 Q So, in other words, if you limit the analysis
24 to the foreground and the near midground, the

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1 scenic impact rating is between a 4.0 and 5.0,
2 but, if you dilute it by using out to 10 miles,
3 it comes down to being very low, is that --

4 A (Palmer) Yes. There's a very large area in the
5 near background and far background that has --
6 that's in the viewshed, but has a rating of "no
7 visual impact", and so that brings the mean way
8 down.

9 Q So, if we were --

10 WITNESS PALMER: Does that make sense
11 to you all?

12 MS. CONNOR: We're not in a situation
13 where you can ask the panel questions.

14 WITNESS PALMER: Yes. I'm sorry.

15 BY MS. CONNOR:

16 Q So, just to be clear, the chalk that was put up
17 doesn't reflect the visual impact of the
18 structures that you're most likely to see?

19 A (Palmer) Right. And the mean rating was really
20 not intended to be evaluated on that scale.
21 The mean rating was a way to compare
22 alternative -- the relative merit of
23 alternatives. And it's a misapplication of
24 mean rating to interpret it otherwise.

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1 Q So, as I understand it, then the EIS average
2 scenic impact scores, what do they tell this
3 panel, if anything, about whether there are
4 specific individual scenic resources adversely
5 impacted by the Project?

6 A (Palmer) They really don't tell you anything.
7 You'd have to go back to the specific scenic
8 resources and locations, and find out what the
9 ratings are at those places.

10 Q And, in fact, you looked, as I understand it,
11 at some of the KOPs, which are site-specific,
12 from the EIS Report, did you not?

13 A (Palmer) Well, in the EIS Report, all the KOPs
14 in Appendix A, we looked at the cell ratings,
15 that's correct.

16 Q And how do the EIS KOP ratings compare to what
17 the panel is being asked to look at in this
18 case?

19 A (Palmer) Well, the KOP ratings are evaluations
20 of individual scenic resources, but
21 particularly a viewpoint, a place. And, in
22 some way, they're very similar to what we would
23 expect you all to be concerned about. That is,
24 it's as close to a site assessment as we made

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1 in the federal EIS.

2 Q And can you explain how a couple of your KOP
3 scores for the EIS compare to the findings you
4 made in this case?

5 A (Buscher) So, we found that there was a fairly
6 strong correlation between what we found for
7 the contrast dominance rating through the
8 evaluation of KOPs in the DOE, as to then what
9 we evaluated the scenic resources, the 41
10 scenic resources within our review of the SEC
11 VIA.

12 Q And can you give the panel a couple of
13 examples?

14 A (Buscher) Big Dummer Pond, it would be -- I
15 mean, I think almost all of them. The one
16 thing to take into consideration is, we also
17 evaluated the scenic contrast rating for the
18 existing conditions, and we're looking at the
19 difference between those two ratings, if you're
20 looking at the DOE. But Little Dummer Pond,
21 parts of Coleman State Park.

22 Q Moving on to inventory of scenic resources,
23 during Attorney Needleman's cross, he pulled up
24 a handful of scenic resources from your 7,000

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1 list, and suggested they weren't scenic
2 resources, and thus questioned the legitimacy
3 of your list.

4 Can you explain or can you respond to that
5 criticism?

6 A (Buscher) Well, we looked at the VIA that was
7 proposed. And we looked at different towns.
8 And we saw that, for instance, the Town of
9 Dummer, in which the Project directly goes
10 through, only had four scenic resources
11 evaluated for it.

12 Q And when you say "four", you mean "four in
13 Mr. DeWan's Report"?

14 A (Buscher) Four resources within Mr. DeWan's
15 Report. And, to us, that was just a red flag
16 that scenic resources hadn't been properly
17 identified. So, we were attempting a
18 methodology, first step of a methodology,
19 thinking "well, how would we approach this
20 problem?" Because it's, you know, it's a
21 unique situation. The identification of
22 specific scenic resources, as prescribed in
23 Site 102.45, and we created a database that
24 encompassed as many of those resources as we

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1 thought possible to do an initial flush of
2 identifying scenic resources. And that's all
3 it was. It was just a very basic
4 identification of scenic resources that would
5 then need to be refined down.

6 A (Palmer) And, so, it's our interpretation that
7 a VIA isn't really a decision document. That
8 is, we're not coming to the finding. But we're
9 providing information, in a sense, public
10 disclosure. So, part of that disclosure is a
11 list of all potential -- of all scenic
12 resources with potential visibility, based on
13 both bare-earth and screen. And whether we
14 evaluate all of those or not is not as
15 important as that you and the public know about
16 all of -- the existence of all of these
17 resources. So, we're not screening anything
18 out, in that sense. The full inventory should
19 be made available.

20 Q And then, once you've had that full inventory,
21 how would you, if you were preparing a VIA, how
22 would you go about reducing the \$7,000 -- the
23 \$7,000 -- 7,000 scenic resource list?

24 A (Buscher) Well, the 7,000 was already a first

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1 step at reducing the number. So, we started
2 with a list of 18,000. That was our initial
3 attempt to start to reducing them. I think I
4 maybe mentioned before, we would break it
5 down -- well, we would definitely consider
6 screen visibility. That would be a way to
7 distinguish different resources.

8 Q And I want to stop you right there. How
9 would -- would your screened viewshed be the
10 same as Mr. DeWan?

11 A (Buscher) We wouldn't entirely eliminate scenic
12 resources because they only showed up on the
13 screened resources. And I think we have
14 some -- we have a little bit more liberal
15 assumptions made, which, you know, we feel is
16 the more appropriate way to run a screened
17 viewshed.

18 A (Palmer) Or, maybe they're not liberal, maybe
19 they're conservative. But we are -- we assume
20 that the height of the forest is 40 feet, which
21 is well below the average height of a forest,
22 rather than assuming sort of the average
23 height, which means that that would be higher
24 than half of the forests.

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1 Similarly, we didn't assume heights for
2 anything other than forests. So, it was --
3 that was our only screening element.

4 A (Buscher) But we would break it down. We'd
5 probably look at distance zones. We'd break it
6 down by town. You know, as it is, I even think
7 Mr. Needleman admitted that we had fieldwork
8 that documented, you know, a thousand -- at
9 least a thousand scenic resources, what would
10 be considered a scenic resource possibly,
11 potential scenic resource under the SEC rules.
12 We were doing that work for the DOE before
13 those rules were even in place.

14 A (Palmer) And that documentation created
15 systematic responding to maybe 20, 25 different
16 questions, attributes of the view, to identify
17 what those qualities are. So, it wasn't
18 informal notes. It was the same at all
19 thousand places.

20 Q Attorney Needleman also asked you some
21 questions, as did the panel, about "current use
22 land". And I believe, right before the lunch
23 break, you talked about the fact that you would
24 be looking at only the current use land that

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1 receives the 20 percent discount, is that
2 correct?

3 A (Palmer) Yes.

4 Q And what process would have to be followed to
5 identify where those parcels were?

6 A (Palmer) Well, you either have to contact towns
7 that have -- that maintain their own database,
8 like Concord. Or, there's a service that most
9 towns subscribe to, and those information could
10 be ordered from that service. And,
11 essentially, the service is there, because, as
12 a taxpayer/property owner, you have a right to
13 find out what your assessment and stuff is.
14 So, you can find that online.

15 Q So, it's your understanding that, either by
16 going to the towns or going by the -- to the
17 Avitar database --

18 A (Palmer) The Avitar, yes.

19 Q -- you could identify the current use parcels?

20 A (Palmer) Yes. And then there's a statewide map
21 of parcels, and there's an ID that links the
22 tax database to the parcel database, and you
23 just link those in the GIS.

24 Q During your cross-examination by Attorney

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1 Needleman, you were also asked about
2 "visibility distance ranges". And you
3 testified "the greatest visibility of either
4 structures or corridor changes would be out to
5 the 1.5 mile zone, but that there were always
6 extraordinary circumstances that you had to
7 take into effect." Do you remember that
8 testimony?

9 A (Palmer) I think that the way it read is that,
10 at 1.5 miles, it starts to -- we've been using
11 the word "smudge". But, yes.

12 A (Buscher) I would say that the distance up to
13 1.5 miles probably has an increased concern for
14 us.

15 Q Okay. And at my request, did you retrieve a
16 couple of examples that showed the exception to
17 those distances where you can see beyond the
18 1.5?

19 A (Buscher) Yes. We pulled up a couple of
20 examples that we felt illustrated that quite
21 clearly.

22 Q The first one, which --

23 MS. CONNOR: Oh, now we need to
24 switch from the ELMO to the computer, or the

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1 HDMI, whatever that is. It's still blank.

2 (Brief off-the record discussion
3 ensued regarding the monitors.)

4 BY MS. CONNOR:

5 Q This is labeled "FR-2b". Can you identify what
6 this is a photo of?

7 A (Buscher) This is a view from Mount Lafayette.

8 Q And what is the distance from where the
9 photograph is being taken to what you're going
10 to identify as a "corridor change"?

11 A (Buscher) I believe it's 6.7 miles.

12 Q And, in fact, Dr. Palmer, when you were being
13 cross-examined by Attorney Needleman, you
14 referenced a sim that was -- or, a photograph
15 that was 6.7 miles out. Was this what you were
16 referencing?

17 A (Palmer) Yes.

18 Q Can you identify what it is in this photograph
19 that you want the panel to pay attention to
20 that is out at a distance of 6.7 miles?

21 A (Palmer) Yes. There's sort of a very neat
22 rectangle that's in snow, on the left-hand
23 side, going over a local ridge. And that's the
24 location that's that way. However, the line

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1 continues on and is that horizontal line
2 through the center of the photo.

3 Q So, what you were referring to is, although
4 there's the greatest visibility of structures
5 and/or corridors up to a mile and a half, there
6 can be certain circumstances where you can see
7 quite visibly something that is 6.7 miles away?

8 A (Palmer) Correct.

9 A (Buscher) And you can imagine how, if there was
10 a new corridor created in a view similar to
11 this, how a line that would stretch beyond that
12 extent could be considered an impact into
13 what's otherwise an intact wooded landscape.

14 Q Now, we've looked a lot at photographs, because
15 that's what we can look at here. Can you
16 explain how what we see in the photograph may
17 be different from what the public sees when
18 they're standing on top of Lafayette or whether
19 it's the same?

20 A (Buscher) It's been my experience that public
21 reaction to photographs are that they don't
22 accurately depict the impact of a scene when
23 you're experiencing it out in the field.

24 I think Jim can talk about the BLM

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1 practice of evaluation.

2 A (Palmer) So, the difficulty is the photographs
3 are just not going to be as vibrant. It won't
4 have the same presence. You can try to get
5 everything in the right scale, and you can try
6 to get people to hold it in its proper
7 perspective distance. But it just isn't the
8 same as being on site for a bunch of reasons,
9 because it loses the sort of contextual
10 meaning.

11 So that it's the recommendation for the
12 BLM, who uses this contrast rating system for
13 KOPs, that all those ratings and judgments
14 actually be made in the field. So, you don't
15 do it with a simulation in the office. You
16 actually go to the site and do the ratings
17 on-site. Even if you've been on the site
18 before, you're supposed to do the ratings
19 on-site. That's the guidance.

20 Q And this is not a simulation. This was just an
21 example of a photo that shows your visibility
22 out beyond the 1.5 miles?

23 A (Palmer) Yes. This is an existing scene.

24 Q Okay. I now want to pull up another existing

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1 scene. It is L1-5c [LI-5c?]. Can you tell me
2 where this photo was taken from?

3 A (Buscher) This was taken from on top of the
4 South Kinsman Mountain peak.

5 Q And what does it show?

6 A (Buscher) It's an existing view of the
7 existing -- what's the acronym again? NH --
8 what's the line called, the existing line?

9 A (Palmer) Public Service, PSNH.

10 A (Buscher) PSNH. Thank you.

11 Q And what is the distance from the viewer to the
12 first structure on the right-hand side?

13 A (Buscher) So, the closest structure is at 1 --
14 a little over 1.5 miles. I think it's like
15 1.7.

16 Q And am I correct, that would be in the far
17 right-hand corner?

18 A (Buscher) That's correct.

19 Q And, as you go from right to left, the
20 distance?

21 A (Buscher) It increases, my recollection, sort
22 of roughly scale in this, is about 3.3 miles.

23 Q So, twice as long as what one would ordinarily
24 expect in terms of standard visibility?

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1 A (Buscher) That's correct. And the structures,
2 this is a location that I visited, the
3 structures are clearly visible all the way out
4 to the extent --

5 Q What is it --

6 A (Buscher) -- of what you can see.

7 Q Sorry. What is it that makes these structures
8 visible out to 3.3 miles?

9 A (Buscher) It's lighting. It's that these are
10 existing wood structures. They have been there
11 a while. They're bleached to a certain extent.
12 So, it makes them a little bit more reflective.

13 Q And, so, are these a couple of examples that
14 show why you simply can't eliminate structures
15 or corridors based upon distance zones?

16 A (Buscher) Yes.

17 Q I want to talk a little bit about the Scenic
18 Resource Evaluation you did in Appendix F of
19 your Report, which was marked as "Counsel for
20 the Public Exhibit 138". And, in particular, I
21 first want to -- I want to talk about Big
22 Dummer Pond. And you have a three-page
23 write-up with regard to Big Dummer Pond. I
24 want you to walk the Committee through the

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1 process that you took in order to evaluate this
2 particular resource.

3 A (Buscher) So, this was one of the 41 that we
4 chose to evaluate. The first thing that we
5 noted was whether or not there were simulations
6 available and what simulations we used in our
7 review of the Project. We noted the town, and
8 then we went back to our field documentation to
9 see what -- we had two different teams that
10 visited this location at two separate
11 locations, one during leaf-on and one during
12 leaf-off. So, we looked at some of the notes,
13 and we captured what some of those notes were
14 here. Both teams noted this site as having a
15 scenic attractiveness as distinctive.

16 The next thing we do is give a narrative.
17 So, we give a background, site observation,
18 talk about the character, what's there, what's
19 not there. What's going to happen at the
20 location. We describe the Project and how it's
21 going to be put in, as sort of the background
22 for what we do in our analysis.

23 The next step is we went through every
24 criteria under Site 301.05(b)(6). We looked at

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1 the expectations of viewers for this particular
2 site. We were able to rely upon the New
3 Hampshire Lakes Association survey. We used
4 that same information for effects on future use
5 and enjoyment. We talk about, we give a
6 description of the extent of the proposed
7 facility. Again, we're just going through the
8 different criteria of 301.05(b)(6), including
9 the distance; the horizontal breadth arc; the
10 scale, elevation and nature; the duration and
11 direction of the typical view; the presence of
12 intervening topography. So, we specifically
13 hit and give what we would say is enough
14 description on each one of those components.

15 Q And in this particular case, what is the extent
16 of the proposed facility as described in your
17 Resource Evaluation?

18 A (Buscher) The extent of the facility is -- I
19 believe we're going to be looking at
20 approximately 16 galvanized steel lattice
21 towers from different locations. You know, it
22 depends. We're not looking specifically at the
23 simulation location by itself. We're
24 considering overall visibility. And we're

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1 saying that up to 16 galvanized towers would be
2 seen. They're going to be seen at distances
3 between a quarter mile to one mile, and it
4 represents approximately a mile and a half
5 stretch of the Project. And it's going to
6 encompass probably more than 90 degrees of
7 visitor's view when they're on the lake.

8 Q So, in terms of your evaluation, it looked at
9 much more than just the photo sim, is that
10 correct?

11 A (Buscher) That's correct. And then we looked
12 at, you know, we noted what the NPT VIA
13 discussed as mitigation for this area. And we
14 made a determination onto the impact to the
15 scenic resource as low, medium, or high. And
16 then we continue on from that point, and we
17 reviewed the criteria under 301.14(a). And,
18 again, we go through each line item as is laid
19 out by the SEC rules, and provide a discussion
20 of our overall evaluation, taking into
21 consideration all those different components to
22 understand the unreasonableness of or whether
23 impact would be considered reasonable.

24 Q And this long-form format, which is at

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1 Exhibit F, with respect to Dummer, it's F-13 to
2 F-16, is that something that you did for each
3 of the scenic resources you decided to actually
4 evaluate for purposes of their overall impact?

5 A (Buscher) Each of the 29 resources, which we
6 ascertained from the 41, which was a shorter
7 form-based evaluation. So, these are the 29
8 that we had an indication would result, in our
9 opinion, with an unreasonable aesthetic impact.

10 Q And how is it -- you were asked how you were
11 able to reach conclusions about adverse impact
12 without doing a full VIA. How is it that
13 you're able to do that, with respect to, for
14 example, Big Dummer?

15 A (Buscher) So, this is the criteria that you're
16 supposed to use to evaluate each scenic
17 resource. So, we don't need to know and look
18 at every single resource to do the evaluation
19 of a specific scenic resource.

20 Q But, if you had been asked to do a VIA, would
21 you have walked through those precise steps
22 with regard to each scenic resource?

23 A (Buscher) Again, we might have some sampling
24 for some. But, yes, this is basically the

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1 approach we would take.

2 Q And, with regard to Big Dummer Pond, what did
3 you find with regard to mitigation? Is that an
4 option here?

5 A (Buscher) We really found that there needs to
6 be a level of avoidance at this location. That
7 the line, as proposed, would probably not be
8 acceptable. That you wouldn't be able to
9 mitigate it with landscape screening. That
10 it's a siting issue.

11 Q Why is that?

12 A (Buscher) We sort of touched on it a little bit
13 before. My understanding is that this is
14 within the Wagner lands. And I know there's
15 been some discussion about the specific
16 location. There's nothing that's been
17 presented to us that says why it can't be --
18 whoops, there it goes -- why it can't be
19 located within a different specific alignment.
20 This wouldn't represent best siting standards.
21 There's no reason why a transmission line needs
22 to be high up on a ridgeline. You have another
23 transmission line in the scene that's tucked
24 down at the bottom of the scene that is well

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1 screened and well located.

2 Q Can you identify where that other line is?

3 A (Buscher) There's a couple of different
4 locations. I think in the view that we're
5 looking at right now, I think I see conductors
6 towards maybe about a fifth of the way over
7 from the left side of the -- of the image.

8 Q So, in other words, --

9 A (Buscher) You can see just the very tops of an
10 H-frame sticking out between the foreground
11 ridge and the background ridge.

12 Q So, the existing line is tucked into the lower
13 edge of the mountainside?

14 A (Buscher) Yes.

15 Q As opposed to going over the top?

16 A (Buscher) That's correct.

17 Q You mentioned something about "best siting
18 practices".

19 A (Buscher) Yes.

20 Q And what does best siting practices have to do
21 with going up over the ridgeline?

22 A (Buscher) Avoidance. You want to avoid going
23 over top of ridgelines at all costs possible.

24 Q And was that a recurring concern with regard to

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1 the siting of this particular Project?

2 A (Buscher) Yes, it was.

3 Q Do you recall how many ridgeline crossings
4 there are?

5 A (Buscher) I can't recall, but I remember it
6 was --

7 Q Would the number "32" sound about the right
8 vicinity?

9 A (Buscher) That sounds approximately right.

10 Q Okay. We talked a little bit about the use of
11 photography and sims. Dr. Palmer told us that
12 you should be on site. What are some of the
13 other rules about using sort of these large
14 paper copies?

15 A (Buscher) We use 11 by 17s, because they're
16 about the most natural way you're going to look
17 at what we considered a "normal lense photo".
18 So, a lense equivalent to a 35 millimeter
19 single reflex lense camera. So, when you're
20 looking at it, you're going to hold that out
21 about, you know, not fully extended, but at a
22 comfortable arm's length.

23 Q Sort of like this *[indicating]*?

24 A (Buscher) Yes. Maybe a little closer.

[WITNESS PANEL: Buscher|Palmer|Owens]

1 Q Okay. Now, when we're not looking at the large
2 photographs, which you've produced, and we
3 actually carry around in those big white books.
4 When we look at them on the computer screen, am
5 I correct that they're substantially smaller?

6 A (Buscher) Depending on the size of the screen,
7 but, typically, yes.

8 Q Okay. What happens when we start to put up two
9 sims on one computer screen?

10 A (Buscher) It cuts it down to about a quarter of
11 the size.

12 Q So, is that an accurate representation then of
13 what it's going to look like in real life?

14 A (Buscher) No, it would not be. And, as Jim
15 points out, the resolution is an important
16 factor, too.

17 A (Palmer) So, the screen doesn't have anywhere
18 near the resolution that the printed images
19 have. Is that a "yes"?

20 Q Okay.

21 A (Buscher) It's about -- like, if you think
22 about an HD screen, a regular HD screen, it's
23 about a quarter of the resolution of a printed
24 high resolution is at. So, a quarter of the

[WITNESS PANEL: Buscher|Palmer|Owens]

1 resolution of what these simulations are
2 provided at.

3 Q So, in order to get the best understanding of
4 what this is going to look like in real life
5 with the sims, we should be using the paper
6 copy books and we should be holding them out in
7 front of us?

8 A (Buscher) Or a 4K screen.

9 Q Okay. The last area that I want to talk about
10 has to do with the length of time that you're
11 going to be looking at a resource. And I want
12 to pull up ST-4b.

13 Can you describe what this simulation
14 shows us?

15 A (Buscher) This is the Cohos Trail crossing.

16 Q And where is that located?

17 A (Buscher) That is located in Stark, New
18 Hampshire.

19 Q And we had a little bit of discussion towards
20 the end of Attorney Needleman's cross about the
21 Cohos Trail crossing. It's my understanding
22 that it's only in the crossing that you see
23 these structures, is that correct?

24 A (Buscher) Yes.

[WITNESS PANEL: Buscher|Palmer|Owens]

1 Q And he asked you about the impact of that one
2 short crossing versus, what, fourteen days of
3 hiking?

4 A (Buscher) I think that was what he mentioned,
5 yes.

6 Q And do most people spend fourteen days hiking
7 the Cohos Trail?

8 A (Buscher) I would doubt it.

9 Q Do most people have to go through this
10 crossing?

11 A (Buscher) Do most people have to -- I mean, the
12 people who are hiking this section of the Trail
13 have to go through this crossing.

14 Q Can you talk a little bit or can you address
15 the concept of diluting the impact of the
16 adverse impact based on the totality of the
17 Cohos Trail versus this one crossing? Is that
18 a proper way to look at it?

19 A (Buscher) It's not something we've ever used in
20 that strict a sense, to say that, if a trail is
21 a mile long, compared to 140 miles long, that
22 that trail that's only a mile long is going to
23 have a much greater impact. We're really
24 evaluating the impact at the location.

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[WITNESS PANEL: Buscher|Palmer|Owens]

1 Q And why is that?

2 A (Buscher) Because you -- it would be hard to
3 relate your experience stretched out over 140
4 miles. I mean, that would, I think we even
5 discussed, it would take over ten days to hike
6 that extent of trail. And that just -- it's
7 not how we would assess impacts.

8 A (Palmer) And this is actually an important
9 location, because it opens up. So, if you've
10 been hiking for several hours enclosed in a
11 forest without a view out, you come to an
12 opening where it's sunny, there may be a rock
13 to sit on, you're more likely to see wildlife
14 in this kind of area, both birds, you might see
15 a deer on the edge.

16 So, this would be a common kind of place
17 to stop. And, if you're stopped, obviously,
18 your exposure is going to be longer than the
19 couple minutes it would take to walk across it.
20 But there aren't lots of open places like this
21 on the Trail.

22 A (Buscher) And we recognize that this opening is
23 the result of the corridor. But, when you look
24 at the existing character of that area, that

[WITNESS PANEL: Buscher|Palmer|Owens]

1 uses wooden H-frame structures, and then you
2 look at the proposed conditions, that are using
3 galvanized steel structures, it's quite a stark
4 contrast.

5 MS. CONNOR: Dawn, can we have the
6 ELMO for a second?

7 BY MS. CONNOR:

8 Q And on the ELMO, Exhibit Number ST-4b, is that
9 the existing Cohos Trail crossing?

10 A (Buscher) Yes. That's the existing crossing.
11 So, you can see that the existing structures
12 are -- do a better job to fit within this
13 landscape, the height, the materials. They're
14 pretty much at the height of the tree canopy.

15 A (Palmer) See, you can also get a visual sense.
16 This corridor doesn't look crowded. There's no
17 sense of that. There's -- unlike what we saw
18 before, where we had two different
19 configurations of structures that were crammed
20 in, they were just -- it's very different.

21 Q And, when you refer to the "two different
22 types", you're referring to the lattice -- the
23 steel lattice and then the steel monopole that
24 is being proposed?

[WITNESS PANEL: Buscher|Palmer|Owens]

1 A (Palmer) Right.

2 Q Is that what, Mr. Buscher, you were referring
3 to when you were talking about "landscape
4 clutter"?

5 A (Buscher) To a certain degree, yes. I think
6 there are some other examples that might be
7 more illustrative of that concept.

8 MR. WAY: Can we see the first one
9 again?

10 MS. CONNOR: Absolutely. We have to
11 switch to the computer.

12 MR. WAY: Okay. Thank you.

13 MS. CONNOR: Yes.

14 **BY THE WITNESS:**

15 A (Buscher) So, our view hasn't come up yet. But
16 I'll point out that the 115 line is now in a
17 vertical configuration, which increases the
18 height of it. You could have that in a
19 horizontal configuration, it could remain as
20 wooden structures. The DC line could be steel
21 monopoles. So that there are different things
22 that could be done to try to reduce the impact
23 at this location.

24 MS. CONNOR: Thank you. I don't have

[WITNESS PANEL: Buscher|Palmer|Owens]

1 anything further.

2 CHAIRMAN HONIGBERG: All right.

3 Thank you. I think we're done with this panel.

4 And, as far as I know, there's
5 nothing else we need to do today. Is there
6 anything we need to deal with before we adjourn
7 for the day?

8 *[No verbal response.]*

9 CHAIRMAN HONIGBERG: All right.

10 We'll be back together Wednesday afternoon,
11 starting at one.

12 (Whereupon the **Day 47 Afternoon**
13 **Session** was adjourned at 1:58
14 p.m., and the hearing to resume
15 on **October 18, 2017**, commencing
16 at 1:00 p.m.)

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C E R T I F I C A T E

I, **Steven. E. Patnaude**, a Licensed Shorthand Court Reporter, do hereby certify that the foregoing is a true and accurate transcript of my stenographic notes of these proceedings taken at the place and on the date hereinbefore set forth, to the best of my skill and ability under the conditions present at the time.

I further certify that I am neither attorney or counsel for, nor related to or employed by any of the parties to the action; and further, that I am not a relative or employee of any attorney or counsel employed in this case, nor am I financially interested in this action.

Steven E. Patnaude, LCR
Licensed Court Reporter
N.H. LCR No. 52
(RSA 310-A:173)