

1 **STATE OF NEW HAMPSHIRE**2 **SITE EVALUATION COMMITTEE**

3 **February 20, 2020** - 6:00 p.m. *(Electronically*
4 Fitzwilliam Town Hall *filed on 03-06-20)*
5 13 Templeton Turnpike
6 Fitzwilliam, New Hampshire

7 **IN RE: SEC DOCKET NO. 2019-02**
8 **SITE EVALUATION COMMITTEE:**
9 **Application of Chinook Solar,**
10 **LLC, for a Certificate of**
11 **Site and Facility.**
12 ***(Public Hearing)***

11 **PRESENT:**11 **SITE EVALUATION COMMITTEE:**

12 Chairwoman Dianne Martin Public Utilities Commission
13 *(Presiding as Presiding Officer)*

14 Wildolfo Arvelo, Dir.	Div. of Econ. Dev./Dept. of Business & Economic Affairs
15 Rene Pelletier	Water Div./Dept. of Environmental Services
16 Benjamin Wilson, Dir.	Div. of Historical Resources/Dept. of Natural & Cultural Resources
17 William Oldenburg	Dept. of Transportation
18 Susan Duprey	Public Member

19 *Also Present for the SEC:*

20 Michael J. Iacopino, Esq., SEC Counsel
21 *(Brennan Lenahan Iacopino & Hickey)*

22 Pamela G. Monroe, SEC Administrator

23 COURT REPORTER: *Steven E. Patnaude, LCR No. 52*

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APPEARANCES: **Reptg. Chinook Solar, LLC:**
Douglas L. Patch, Esq. (*Orr & Reno*)
Heath Barefoot, Project Director
Joseph Persechino (Tighe & Bond)
Dana Valteau (TRC)
Marc Wallace (Tech Environmental)
Matthew Magnusson (Seacoast Econ.)
Michael Buscher (TJ Boyle)

Reptg. Counsel for the Public:
Heather Neville, Esq.
Assistant Attorney General
N.H. Department of Justice

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QUESTIONS FROM THE SUBCOMMITTEE BY:

Ms. Duprey 16, 20

Dir. Arvelo 19, 25

Dir. Wilson 22

Chairwoman Martin 22

Mr. Iacopino 24

QUESTIONS FROM THE PUBLIC: 26
(Presented by Chairwoman Martin)

PUBLIC COMMENT BY:

Suzanne Fournier 35

P R O C E E D I N G

1
2 CHAIRWOMAN MARTIN: Good evening,
3 everyone. My name is Dianne Martin. I am the
4 Chairwoman of the SEC, the Committee here with
5 you tonight, and I am also the Chairwoman of
6 the Public Utilities Commission. Welcome to
7 this public meeting of the New Hampshire Site
8 Evaluation Committee. We have one docket for
9 consideration on tonight's agenda, a public
10 hearing in the Application of Chinook Solar,
11 LLC, for a Certificate of Site and Facility,
12 Docket Number 2019-02.

13 Before turning to our agenda, I'd
14 like to ask the Subcommittee members to please
15 identify themselves, and starting on my left.

16 MR. PELLETIER: Rene Pelletier, from
17 the Department of Environmental Services.

18 MR. OLDENBURG: I'm William
19 Oldenburg, Department of Transportation.

20 DIR. WILSON: Ben Wilson, Division of
21 Historical Resources.

22 MS. DUPREY: Susan Duprey, public
23 member.

24 DIR. ARVELO: Will Arvelo, Division

1 of Economic Development, with the Bureau
2 of Business -- Bureau of Business and Economic
3 Affairs. Thank you.

4 CHAIRWOMAN MARTIN: I would want to
5 point out, too, that you can go to the Site
6 Evaluation Committee's website, and that all of
7 the information that goes into the record in
8 this docket, and any other docket, will be
9 posted on that website, so the public can
10 readily access it.

11 You should also feel free to submit
12 written comments. We will accept those, as our
13 attorney, Mike Iacopino, mentioned a few
14 minutes ago, by either First Class mail or
15 email, up until the close of the record. All
16 comments must be submitted directly to the
17 Committee Administrator, Pamela Monroe. And
18 please don't send comments directly to any of
19 the Subcommittee members. And Pam's contact
20 information, as mentioned a few minutes ago, is
21 on the website.

22 If there are any representatives of
23 agencies with regulatory authority or other
24 authority over the project present, who are not

1 on the Subcommittee, if you could just identify
2 yourselves at this point?

3 *[No indication given.]*

4 CHAIRWOMAN MARTIN: Okay. We will
5 open the public hearing in Docket Number
6 2019-02. And I will ask Assistant Attorney
7 General Heather Neville, who is Counsel for the
8 Public in this docket, appointed on October
9 24th, 2019, to identify herself and make her
10 statement.

11 MS. NEVILLE: Hello. I'm Attorney
12 Heather Neville.

13 *[Court reporter interruption.]*

14 MS. NEVILLE: I'm Assistant Attorney
15 General. I represent the public. My role is
16 statutorily defined. I don't represent any
17 one's interest. However, I'd like to hear from
18 the public. So, if you have thoughts,
19 concerns, support, please reach out. And I'll
20 be available after the hearing.

21 CHAIRWOMAN MARTIN: Thank you. Okay.
22 We will now proceed.

23 On October 18th, 2019, Chinook Solar,
24 LLC, filed an Application for a Certificate of

1 Site and Facility seeking to site, construct,
2 and operate a 30-megawatt solar energy
3 generation facility, and associated civil and
4 electrical infrastructure in Fitzwilliam, in
5 Cheshire County. The proposed project will be
6 located on approximately 513 acres south of New
7 Hampshire State Route 119, east of New
8 Hampshire State Route 12, and west of Fullam
9 Hill Road.

10 On November 8th, 2019, pursuant to
11 RSA 162-H:4-a, a subcommittee was appointed in
12 this docket. Members of that Committee are
13 here tonight.

14 On December 3rd, 2019, the
15 Subcommittee held a public meeting and reviewed
16 the Application. The Subcommittee determined
17 that the Application contained sufficient
18 information to satisfy the application
19 requirements for each agency having
20 jurisdiction, under state or federal law, to
21 regulate any aspect of the construction or
22 operation of the proposed facility.

23 The Subcommittee also made an
24 independent determination that the Application

1 contains sufficient information to carry out
2 the purposes of RSA 162-H. And an order
3 accepting the Application was issued on
4 December 17th, 2019.

5 On December 23rd, 2019, a procedural
6 order was issued in this docket scheduling a
7 public information session on January 15th,
8 2020, which has been held, and a public hearing
9 on February 20th, 2020, which we are here for
10 tonight. The order also scheduled a prehearing
11 conference for February 11th, 2020, and
12 requested that potential intervenors file
13 petitions to intervene by January 17th, 2020.
14 We received one Petition to Intervene from the
15 Town of Fitzwilliam. On February 5th, 2020, an
16 order was issued granting the Town's Petition
17 to Intervene.

18 On January 15th, 2020, pursuant to
19 the procedural order, the Applicant conducted a
20 public information session in Fitzwilliam, in
21 Cheshire County. We are here today for a joint
22 public hearing in this docket. RSA 162-H:10,
23 I-c, requires the Subcommittee to hold at least
24 one public hearing in each county in which the

{SEC 2019-02} [Public Hearing] {02-20-20}

1 proposed project is to be located. The public
2 hearing must be held within 90 days after
3 acceptance of the Application for a
4 Certificate.

5 The public hearing is a joint hearing
6 with representatives of the agencies that have
7 permitting or other regulatory authority over
8 the matter, and are deemed to satisfy all
9 initial requirements for a public hearing under
10 the statutes requiring permits relative to
11 environmental impact. The hearings are joint
12 hearings with the other state agencies, and are
13 conducted in lieu of all hearings otherwise
14 required by any of the other state agencies.

15 Notice of this public hearing was
16 provided by publication in the New Hampshire
17 Union Leader on January 31st, 2020 and the
18 Keene Sentinel on February 1, 2020. It was
19 also posted at the Office of the Public
20 Utilities Commission and the Department of
21 Environmental Services. And it was posted on
22 the SEC website in this docket.

23 This public hearing will proceed as
24 follows: We will first hear a presentation

{SEC 2019-02} [Public Hearing] {02-20-20}

1 from the Applicant. And, following that
2 presentation, we will have questions from the
3 Subcommittee and the Staff. All of those will
4 have the opportunity to pose questions.

5 And, following that, the public will
6 be permitted to pose questions to the
7 Applicant. As you have heard before we
8 started, if you have a question for the
9 Applicant, we ask that you please write down
10 your question on the green form and hand it to
11 Ms. Monroe. I will try to organize those
12 questions by subject matter, and I will present
13 those to the Applicant on your behalf.

14 Once we have asked all of the
15 questions that the public may have, we will
16 then take public comment from anyone who wishes
17 to make it. When you come up to give your
18 public comment, please state your name, and
19 then make your public comments, and please try
20 to keep them as brief as possible and not
21 repeat what other folks have said. You can
22 sign up to make the public statement on the
23 yellow form and hand that to Ms. Monroe.

24 Also, we have a court reporter here,

1 Mr. Patnaude. For his sake, please, I ask that
2 you use the mike and try to speak into the
3 mike, and slowly and clearly as possible.

4 Now, we will proceed to hear from the
5 Applicant, who will give a presentation. And
6 we are just going to go sit back with you all
7 while they do that.

8 *[Short pause.]*

9 MR. BAREFOOT: Hi. Good evening. My
10 name is Heath Barefoot. I'm the Project
11 Director for NextEra Energy. And I'm here to
12 present the Chinook Solar Project.

13 NextEra is the developer of this
14 project. And NextEra happens to be the world's
15 leading generator of energy from the wind and
16 the Sun. We're American owned and operated.
17 We have over 90 solar projects, located in 36
18 states. And, over the past 15 years, we've
19 deployed more than \$90 billion worth of energy
20 infrastructure. And we like to think a large
21 part of our success is in our ability to form
22 lasting partnerships within the communities in
23 which we develop projects.

24 The Chinook Solar Project is a

1 project that's proposed here in the Town of
2 Fitzwilliam. It's a 30-megawatt solar
3 photovoltaic generating facility, that will lie
4 east-southeast of town, south of Route 119,
5 east of Route 12, on land which historically
6 has been harvested for timber.

7 And we have filed an Application for
8 Site and Facility with the New Hampshire Site
9 Evaluation Committee. And we hope to work
10 through this process such that we can begin
11 construction as early as January of 2021, and
12 proceed through for an in-service target date
13 of October 2021.

14 As mentioned, this project has filed
15 an Application for Site and Facility with the
16 New Hampshire Site Evaluation Committee.
17 Tonight is the third opportunity that the
18 project team has had to come here and be with
19 members of the public in Fitzwilliam to answer
20 questions and share information about the
21 project. And, for that, we would like to thank
22 the Town for hosting us, and also for the
23 members of the Committee for being present
24 tonight.

1 We've been hard at work. Our team of
2 experts, engineers, consultants have been busy
3 analyzing this project, looking at all the
4 various aspects as it relates to the
5 environment, as it relates to aesthetics, as it
6 relates to the layout and alteration of
7 terrain, stormwater design, for example. And
8 we've developed a project which we feel very
9 strongly is compatible with the land upon which
10 it will lie.

11 None of this has happened in a
12 vacuum. We've worked in consultation with
13 agencies here in New Hampshire. We've
14 consulted with New Hampshire Fish & Game on our
15 design, as well as the Alteration of Terrain
16 and Wetlands Bureau. And we've incorporated
17 their comments into our design, and this
18 iterative approach has allowed us to arrive at
19 what we feel is a very good design.

20 We've also engaged in outreach along
21 the way, sharing this information with various
22 stakeholders, meeting with the Town, also the
23 Selectboard and the Planning Board, and other
24 interested parties in the state.

1 Ultimately, this has arrived us --
2 allowed us, rather, to arrive at an optimized
3 design, one in which we've managed to minimize
4 impacts to the environment. It makes good use
5 of existing land, which has been primarily
6 harvested for timber. So, we've minimized tree
7 clearing. We have no direct impact to wetlands
8 or streams. And the location adjacent to an
9 existing high-voltage transmission corridor
10 allows us to interconnect into the ISO-New
11 England grid and minimize the length of the
12 gen-tie wire to hook into the system.

13 Initially, there were existing
14 logging roads throughout the facility. We've
15 made use of those to the fullest extent
16 possible. And owing to the location, there is
17 minimal visual impact from an aesthetics
18 perspective. And we feel this project complies
19 with and is compatible with most local
20 ordinances.

21 The benefits are many. And it will
22 deliver clean, reliable renewable energy to the
23 grid and reduce the carbon footprint, and that
24 benefit will be shared regionally. What will

1 remain local are the substantial property taxes
2 that will be paid to the Town over the life of
3 the project. And I know, with other projects
4 our company has developed, often that money is
5 used to support first responders, improve
6 roads, schools, *etcetera*.

7 And an additional benefit will be the
8 construction jobs created. This is a very
9 substantial investment in the region and in the
10 state. We anticipate more than \$30 million of
11 new capital being invested, and a lot of that
12 will go to support local jobs during the
13 construction phase, and local businesses as
14 well.

15 And for this -- for all of these
16 reasons, we feel strongly that this is a
17 project that not only our company is proud of,
18 but we think it's also a project that the
19 members of the community here in the Town and
20 the State of New Hampshire can also be very
21 proud of.

22 And, with that, we brought our panel
23 of experts here with us tonight, that have all
24 worked very closely with us on optimizing the

1 design of this facility. And we're very happy
2 to answer any questions that you may have.

3 Thank you for allowing me an
4 opportunity to share some comments with you.

5 CHAIRWOMAN MARTIN: Okay. All right.
6 At this point, we will take questions from the
7 Committee. Does anyone have a question they
8 would like to ask the Applicant?

9 Okay. Ms. Duprey.

10 MS. DUPREY: Yes. You said that the
11 project would have a "minimal visual impact".
12 And I'm just wondering where there will be
13 visual impact and what it will be?

14 MR. BUSCHER: Hi. I'm Mike Buscher.
15 I'm the aesthetics consultant for the project.
16 I'm with T.J. Boyle Associates.

17 So, we did a very thorough visual
18 analysis of the project. And what we found is
19 that, overall, it's very well sited to avoid
20 visibility.

21 The two areas that we found had
22 visibility was an isolated view just up the
23 street from town here, on -- the name sort of
24 escapes me, the --

1 *[Court reporter interruption.]*

2 MR. BUSCHER: -- Pinnacle hiking
3 trails. And it's going to be a little over
4 two miles away. It's going to be an isolated
5 view on an area known as "Telemark Hill". And
6 we actually included a simulation in the
7 report.

8 In general, we feel that this tends
9 -- the extent of view and the extent of visual
10 change, we said that it was, you know, we felt,
11 because there is a change to the landscape that
12 will be -- is what would be adverse, but that
13 would be minimal, and that it wouldn't be an
14 unreasonable impact to the project.

15 The main area that we found where
16 there would be visibility from the project is
17 from the summit of Mount Monadnock. And that
18 was, when this project was first brought to us,
19 that was an immediate concern that we thought
20 about, and we felt that we would deal with it.
21 And it's the reason why we have a study area as
22 far out as we have it. The study area goes out
23 to six miles. The summit is around 5.75 miles
24 away. The SEC has certain criteria in their

1 rules, such as the future use and enjoyment,
2 how it affects the region.

3 So, to answer this question, we
4 conducted an intercept survey. For two days we
5 went up on top and interviewed people with a
6 very non-biased survey. And that included
7 questioning them about their different
8 activities, why they were there, what their
9 expectations were. And we interviewed 84
10 people over two days, over a Friday and
11 Saturday. And, basically, the results of that
12 were people's expectation and future use and
13 enjoyment of Mount Monadnock were going to be
14 unchanged. About half the respondents were
15 able to identify the project in the simulation
16 we used in the survey. Nobody was able to
17 identify it as a solar project because of the
18 distance, even though we used a highly detailed
19 simulation to create that. It's just that the
20 resolution from that distance is too far away.

21 So, overall, we said that that would
22 result in an adverse impact, but that it would
23 be a very low level and not be unreasonable.

24 And those are really the locations

1 that we found visibility from.

2 MS. DUPREY: Thank you.

3 MR. BUSCHER: You're welcome.

4 CHAIRWOMAN MARTIN: Director Arvelo.

5 DIR. ARVELO: So, can you speak to
6 the impact on wildlife generally, and also more
7 specifically about the fencing, the enclosure
8 of the project, and how wildlife will traverse
9 or get through?

10 MR. VALLEAU: Sure. My name is -- my
11 name is Dana Valleau. And I'm from TRC. And
12 we worked on the wildlife studies and wetlands,
13 you know, all the environmental site studies,
14 and I guess, more specifically, at the fencing.
15 So, each of the array areas have a perimeter
16 fence around each area, and there's spaces
17 between the arrays. So, larger wildlife can
18 find those spaces and be able to traverse
19 between the array areas.

20 For smaller wildlife, through
21 consultation with New Hampshire Fish & Game,
22 we've designed a fence that's got a 6-inch gap
23 underneath it, so smaller wildlife can pass
24 underneath the fence and be able to traverse

1 the area as well.

2 DIR. ARVELO: Thank you.

3 MR. VALLEAU: You're welcome.

4 CHAIRWOMAN MARTIN: Susan Duprey.

5 MS. DUPREY: Is there any sound
6 associated with the solar project or this solar
7 project?

8 MR. WALLACE: Hi. My name is Marc
9 Wallace. I'm with Tech Environmental. I am
10 the Project Manager for the sound study.

11 So, we performed a detailed baseline
12 sound monitoring program and collected baseline
13 conditions for the site. And, then, we did a
14 acoustic modeling analysis of the sound, to
15 assess the sound from the inverters, there are
16 15 of them that are proposed for the site, as
17 well as the transformer.

18 We performed the three-dimensional
19 acoustic model that looks at atmospheric
20 conditions and terrain. And, then, the model
21 is then used to propagate the sound from those
22 different sources. We did the analysis to
23 assess the impacts at the property line, as
24 well as at 51 residential receptors around the

1 sites. We compared that to the Site Evaluation
2 Committee sound limits, which is 10 decibels
3 over background, as well as the Fitzwilliam
4 noise ordinance, which has a similar sound
5 limit for A-weighted sound, as well as a tonal
6 issue, which we also evaluated from both the
7 inverters and the transformer.

8 The sound impacts, at most of the
9 locations, were between zero and two decibels.
10 Anything less than three decibels is
11 imperceptible. There were a few homes on
12 Fullam Hill Road who are closer to the project
13 site where the sound levels would be in the
14 four to five decibel range, which would be
15 considered a noticeable change by people.

16 CHAIRWOMAN MARTIN: Go ahead.

17 MS. DUPREY: And what is the sound?
18 Is it a buzz? Or what's it come from?

19 MR. WALLACE: From the transformer,
20 it's more like a hum sound. Typically, it's
21 low frequency sound. It's in the sound levels
22 that generally tend -- people don't tend to
23 hear.

24 So, again, we evaluated that from

1 both the transformers and the inverters, just
2 to see what that impact would be at the nearest
3 homes.

4 DIR. WILSON: Does the existing power
5 line create noise as well?

6 MR. WALLACE: Yes. That's a very
7 good question.

8 It does probably produce sound. And
9 we did not include that as part of our
10 analysis. So, it's very conservative that way.
11 And, so, again, when we did our baseline sound
12 monitoring, we put our sound meter in the
13 middle of the site. So, basically, it was away
14 from -- as far away from roadways and other
15 sound sources, so it could capture the lowest
16 background sound level.

17 CHAIRWOMAN MARTIN: Any more
18 questions?

19 *[No indication given.]*

20 CHAIRWOMAN MARTIN: We heard, this
21 may be a different person, I'm not sure, we
22 heard some questions when we were at the site
23 about a river that's located nearby. And I
24 also heard mention of some stormwater studies.

1 Can someone speak to whether there
2 are any impacts related to water from this
3 project?

4 MR. PERSECHINO: Good evening. My
5 name is Joe Persechino. I am with the firm
6 Tighe & Bond, the civil engineer for the
7 project.

8 And the first question was the Scotts
9 Brook, which is located, I think we've
10 determined, closest proximity to the solar
11 array was probably a little over a quarter
12 mile, approximately a quarter mile from the
13 site. That being said, the site has been
14 designed in accordance with the alteration of
15 terrain regulations and their newest guidance
16 for large-scale solar arrays. We've had
17 multiple consultations with DES Alteration of
18 Terrain Bureau, and have gotten feedback from
19 them during the course of our design.

20 So, the design for the solar array
21 will include some temporary measures during
22 construction to control stormwater during the
23 construction phase of the project, and
24 permanent measures as well, including 14

1 retention basins that are spread out all
2 through the site to capture stormwater, slow
3 the run-off from the site, and make sure that
4 we keep the post-development stormwater
5 run-off below the rate of run-off under
6 present conditions.

7 So, as we go through this process,
8 we'll still coordinating with the Alteration of
9 Terrain Bureau, and very confident that this
10 site, as designed, will protect the stormwater
11 run-off from the site.

12 CHAIRWOMAN MARTIN: Thank you.
13 Attorney Iacopino.

14 MR. IACOPINO: I just had -- Mr.
15 Barefoot, if you could just report to the
16 Committee with the progress with the ISO-New
17 England system impact study and any
18 interconnection agreements please?

19 MR. BAREFOOT: Yes. So, we received
20 the results of our system impact study, and now
21 we are having some discussions with the
22 transmission owners, that would be National
23 Grid and Eversource, as well as Unitil. Those
24 are all the affected parties.

1 Following this initial round of
2 discussions, we will move over to the
3 negotiations phase for our interconnection
4 agreement. And that will start here shortly,
5 and we'd anticipate having our interconnection
6 agreement executed, you know, most likely
7 sometime during the second quarter of this
8 year.

9 CHAIRWOMAN MARTIN: Go ahead.

10 DIR. ARVELO: I just want to go back
11 to the fencing issue.

12 I understand that there are some
13 small population of turtles in the area. And
14 you mentioned that the fencing is six inches
15 from the ground clearance.

16 MR. VALLEAU: Correct.

17 DIR. ARVELO: Do you know how big
18 those turtles get, whether it would be an
19 impediment to them to cross if they --

20 MR. VALLEAU: Yes. Those two species
21 of turtles are -- the tops of their carapaces
22 are shallow, generally less than six inches.
23 And we came up with the six inches through
24 consultation with New Hampshire Fish & Game.

1 So, that was their recommendation, that a
2 six-inch spacing would be adequate.

3 DIR. ARVELO: And is the fencing
4 meant to also keep out deer from getting into
5 those spaces?

6 MR. VALLEAU: I think the fencing is
7 more to keep two-legged animals out of the
8 electrical --

9 DIR. ARVELO: Two-legged?

10 MR. VALLEAU: Two-legged.

11 DIR. ARVELO: Okay.

12 MR. VALLEAU: Yes. Yes. It's more
13 for a site safety consideration, yes.

14 CHAIRWOMAN MARTIN: Okay. Any other
15 questions from the Subcommittee?

16 *[No indication given.]*

17 CHAIRWOMAN MARTIN: All right. Do we
18 have questions from the public?

19 *[Short pause.]*

20 CHAIRWOMAN MARTIN: Okay. Looks like
21 we have a variety of questions tonight.

22 We will start with one that is
23 directed to you, it looks like. "Heath
24 Barefoot's presentation included 'benefit to

1 local businesses'. Please respond [expand?] on
2 which Fitzwilliam businesses this project will
3 positively impact, and during what timeframe,
4 i.e., during construction or after
5 construction?"

6 MR. MAGNUSSON: Hi. My name is Matt
7 Magnusson. I performed the economic analysis
8 for the project. I am with Seacoast Economics.

9 And, so, one of the things I did was
10 look at the impact on businesses expected from
11 this project. As far as getting down to the
12 level of which individual businesses in
13 Fitzwilliam, that's not really something that
14 we're able to easily figure out.

15 The overall benefit of the project is
16 that it would be expected to bring about 58
17 direct construction jobs, New Hampshire-based
18 construction jobs, to New Hampshire. And of
19 those, there certainly could be some that are
20 from Cheshire County and Fitzwilliam.

21 So, the one thing I did perform was
22 an analysis of what businesses in Cheshire
23 County, because there's government data that's
24 available for that to be able to participate in

1 the project. And there are firms with the
2 construction in the correct industries that
3 would be expected to be for this project, such
4 as for site clearing or electrical work, those
5 sort of skills.

6 And, as far as for other types of
7 jobs, it's also expected that, with the
8 construction in the area, that there would be a
9 benefit to suppliers in the area, and also to,
10 you know, for example, gas stations, grocery
11 stores, those types of things. The benefits,
12 indirect benefits for jobs are expected to be
13 around 38 throughout the State of New Hampshire
14 for industries that supply the construction
15 industry. And it's estimated to be 31 for
16 those who supply the industry, and 38 in
17 industries like the grocery stores that
18 would -- and gas stations that would benefit
19 from, you know, the additional construction
20 spent from the project.

21 But, as far as specific from
22 Fitzwilliam, that is something that would be --
23 there would be expected to be some benefit, but
24 it's not something that's easily calculated.

1 CHAIRWOMAN MARTIN: Thank you. Okay,
2 we have a procedural question.

3 "There was a site walk on the
4 property today. All of the boards were
5 invited, the SEC and NextEra. The public was
6 also invited, however, how was this
7 communicated to the public? How are the
8 abutters notified?" It was a multipart
9 question. "How was this communicated to the
10 public? How are the abutters notified? And,
11 in a normal site plan review, abutters would be
12 notified."

13 Can someone speak to that, beyond
14 what I said at the beginning about public
15 notice of this meeting?

16 MR. IACOPINO: That is how the public
17 is notified, the Site Evaluation Committee
18 process. It's through public notice, generally
19 published in a local paper, because projects
20 like this affect abutters, but also affect
21 people who are not direct abutters. So, the
22 notice that is provided by the Site Evaluation
23 Committee is provided through a broader public
24 notice, generally in newspapers and on our

1 website.

2 So, that is the general way that this
3 Committee notifies the public and abutters of
4 their process. And, once we get to the
5 adjudicative phase, you'll receive other
6 notices that will be published as well.

7 CHAIRWOMAN MARTIN: Okay.

8 ADMIN. MONROE: Pam Monroe,
9 Administrator for the Site Evaluation
10 Committee.

11 As I brought up at the Public
12 Information Session, some of you may not have
13 been here, if you're interested in being on the
14 service list in this docket, send me an email
15 or give me your email address tonight. I will
16 add you to the list, and you will get all the
17 filings, notices, orders, whatever is filed in
18 the docket, you'll get that via email.

19 So, if you're interested in that,
20 please see me or send me an email. My contact
21 information is on the website.

22 CHAIRWOMAN MARTIN: Thank you. Okay.
23 Next question: "I posed the question at the
24 last two presentations asking what sound

1 mitigation is built into the project to protect
2 abutters from noise pollution emitted from the
3 substation transformers. It appears that there
4 are no plans to engineer such protections. It
5 is possible the sound model is wrong. It was
6 stated by the Applicant that violations would
7 be dealt with at a later date by the SEC. Does
8 the Applicant still feel that they are
9 unwilling to do better as a partner in our
10 community?"

11 MR. BAREFOOT: I'd like to state that
12 it's expected there will be conditions to our
13 permit by which the project will have to abide.
14 It's presumed that those conditions will be
15 formulated in an effort to minimize impact to
16 the public.

17 And it's also presumed that, if the
18 project is within those parameters, that we are
19 also minimizing impact. And, therefore, we
20 don't expect there to be any impact or much
21 impact, or at least we're intending to minimize
22 them.

23 To the extent we exceed those permit
24 conditions, obviously, as a condition of our

1 permit, I'm sure the project will have to
2 address that.

3 CHAIRWOMAN MARTIN: Thank you. Okay.
4 Next question: "What, if any, impacts might
5 there be to views or of abutters from
6 reflection from the PV panels?"

7 MR. BUSCHER: Our viewshed analysis
8 and our field investigation did not identify
9 abutters that would have clear visibility of
10 the panels, and therefore there would not be
11 reflectivity issues.

12 CHAIRWOMAN MARTIN: Okay. Well, can
13 I ask a question, since you're up there?

14 MR. BUSCHER: Sure.

15 CHAIRWOMAN MARTIN: When we were
16 leaving the site today, you could see a house
17 on the right as we left. And those folks
18 wouldn't have a view?

19 MR. BUSCHER: We don't -- we do not
20 anticipate that there are views from this.
21 There, where you go in on the access road, the
22 investigation we did did not anticipate there
23 would be views from those locations, once you
24 got to where the panels are actually starting.

1 CHAIRWOMAN MARTIN: Next question, I
2 think I'm going to try to do my best here. It
3 says "Regarding waiver from decommissioning,
4 requirement that all infrastructure at depths
5 less than four feet below grade be removed from
6 the site. How does this fit in with NextEra's
7 view of being compatible with the environment?"

8 MR. PERSECHINO: So, the waivers that
9 we're requesting --

10 *[Court reporter interruption.]*

11 MR. PERSECHINO: I'm sorry. I'll go
12 slow.

13 MR. PATNAUDE: Thank you.

14 MR. PERSECHINO: The waivers that we
15 request for the decommissioning revolves around
16 two items, which both of the waivers that we're
17 requesting, the reason why we're requesting
18 them is such that we reduce the amount of
19 disturbance during decommissioning.

20 The first applied to utilities
21 greater than four feet, we are requesting that
22 to be three feet. So, essentially, most of the
23 conductors or conduits for the power at the
24 facility are required to be buried at a minimum

1 of three feet. So, during the decommissioning
2 plan, if we were to be required to go back and
3 remove all of those, it would be essentially
4 digging up the entire sections of the site
5 again just to remove those conductors below
6 that depth.

7 The second portion of that waiver
8 relates to the piles which are supporting the
9 racks and the panels. And most of those are
10 anticipated to be removed as part of the
11 decommissioning plan. However, we expect some
12 of the piles that would be installed would
13 encounter ledge or rock. And those would
14 likely be drilled, and then grounded into the
15 rock, rather than driven any further, because
16 it's rock. So, during the decommissioning,
17 where we would be pulling those piles out,
18 those that had been installed into rock, we
19 would plan on going back and removing as much
20 as we could, but, at the areas in rock below
21 the elevation, the three feet, we would cut
22 them off at that elevation, versus trying to
23 drill deeper into the rock and the amount of
24 disturbance that would create.

1 So, both of those would be to
2 minimize disturbance during decommissioning.

3 MR. IACOPINO: What material are the
4 piles made of?

5 MR. PERSECHINO: The piles are
6 expected to be steel.

7 CHAIRWOMAN MARTIN: Do we have any
8 other questions, Pam, or is that it for
9 questions?

10 ADMIN. MONROE: Does anyone else have
11 questions?

12 *[No indication given.]*

13 CHAIRWOMAN MARTIN: Okay. Then, we
14 will move on to public comment. And I only
15 have one right now. So, if you did want to
16 speak, maybe you can sign up and see Pam.

17 Suzanne Fournier, if you would like
18 to come up and speak.

19 MS. FOURNIER: Yes, I would. Good
20 evening, everyone.

21 So, I'm Suzanne Fournier, from
22 Milford, New Hampshire. And I'm coordinator of
23 a grass roots group that is called "Brox
24 Environmental Citizens".

1 And I am in opposition to the
2 location of Chinook Solar because of the
3 impacts to the environment. I gave comments at
4 the January 15 hearing, and this evening I
5 would like to make additional comment in two
6 topic areas: (A) The clearing of lands
7 through logging, without a certificate in hand,
8 and the effects on bats and other Rare,
9 Threatened or Endangered wildlife species.
10 That's Topic 1. (B) Design of the Chinook
11 Project without the benefit of a survey of all
12 Rare, Threatened & Endangered wildlife and how
13 they are using the property.

14 And, so, starting with Concern A, I
15 would say Chapter 162-H defines "commencement
16 of construction" as meaning, and I'm quoting
17 from the statute, "any clearing of the land,
18 excavation or other substantial action that
19 would adversely affect the natural environment
20 of the site of the proposed facility." And the
21 definition has some exceptions, reasonable
22 exceptions.

23 2. Serious concerns for the natural
24 environment are now arising due to what appears

1 to be logging that is not under the control of
2 Chinook Project, but instead under the control
3 of some of the landowners. I refer here to
4 Appendix 15G dated January 2018, that says, in
5 part, "TRC has learned that the landowners
6 intend to continue or begin harvests on
7 multiple parcels within the project area."
8 Google Earth imagery shows, for example, a
9 large clear-cut on Lot 12-50. It's the second
10 one down on the map.

11 An important question to ask is: Has
12 construction commenced because of the adverse
13 impacts to the natural environment caused by
14 the logging? I recommend that this, the Site
15 Evaluation Committee, and/or Counsel for the
16 Public look into this issue.

17 3. While Chinook Project has made
18 promises to minimize tree clearing and promised
19 not to impact wetlands, there is evidence that
20 major tree clearing is occurring, and that at
21 least one landowner is impacting wetlands under
22 a Forestry Notification permit with New
23 Hampshire DES. Lot Number 12-29 has a valid
24 Forestry Notification, that's a wetlands

1 notification permit, that was filed on June 13,
2 2019, along with a wetlands impact map. I
3 provided a copy -- I will be providing a copy
4 of that map, along with a copy of my testimony.

5 Let's see. By the way, DES is
6 presently reviewing the Forestry Notification
7 for compliance, because forestry notices are
8 not supposed to be used for current or future
9 development purposes.

10 Number 4. Chinook Project also made
11 promises that logging would occur between
12 November 1 and March 31, that's winter, to
13 protect the endangered Little Brown Bat. I
14 checked today, the Town records, and learned
15 that three lot owners, three out of the seven
16 lots, have logged outside of winter. You know,
17 that's between the November 1 and March 31
18 period, which would be a threat to the Little
19 Brown Bat. That's according to Fish & Game
20 Department.

21 So, these three lot owners combined
22 report that they are logging 155 acres, some of
23 it is mature forest, as I read in the Chinook
24 Project materials. And they would do so, the

1 notices of intent to cut state May, June,
2 August, September, fall. So, I ask you to
3 please investigate.

4 Number 5. There are also concerns
5 that, between May 1 and October 31, so, summer
6 and early fall, when rare turtles wander
7 through the forest, as well as
8 already-disturbed land, so they're wandering,
9 and it's whether or not any potential harm to
10 them was actively prevented, for example, by
11 the use of an exclusionary silt fence dug into
12 the ground, that Fish & Game often specifies be
13 used when Fish & Game is asked about logging in
14 advance. This is something they will
15 recommend. Was silt fencing used by the
16 landowners to block access by turtles from the
17 danger area? I would recommend that the Site
18 Evaluation Committee and/or Counsel for the
19 Public find out.

20 Number 6. This is the next concern.
21 It pertains to the project having been designed
22 without a complete survey of Threatened &
23 Endangered wildlife, the ones that already are
24 known to be around, and others that are likely

1 to be there, too. And that is because, where
2 there are Blanding's turtles, there is also a
3 large umbrella under which numerous other
4 wildlife species can live. If any is a
5 habitat, it's a habitat for many other species.
6 That's from Fish & Game Department. It is
7 therefore crucial that a study be done to learn
8 the way the Rare, Threatened & Endangered
9 species are using this property that is a large
10 wetland complex attractive to wildlife.

11 Number 7. I do foresee appeals of
12 certificates and AoT permits should this study
13 not be done.

14 So, in closing, I want to stress that
15 the full environmental impacts on the
16 endangered and rare wildlife are unknown, but
17 expected to be severe for loss of the forests
18 and major disruption of the wetland complex
19 where they live.

20 A last point is worth repeating from
21 the previous meeting, that New Hampshire needs
22 to wake up and stop energy sprawl, s-p-r-a-w-l,
23 as some other states are working to do, before
24 we lose hundreds and then thousands of acres

1 that have wisely been saved in the current use
2 program.

3 I thank you for listening to my
4 comments.

5 CHAIRWOMAN MARTIN: Thank you. Are
6 there any other people who would like to make a
7 public comment?

8 *[No indication given.]*

9 CHAIRWOMAN MARTIN: I'd like to give
10 the Applicant an opportunity to respond at
11 least on the logging question and protective
12 measures questions that were raised in the last
13 comment.

14 MR. BAREFOOT: Yes. So, on the issue
15 of logging, the land is not under the control
16 of the project. We have an option to purchase
17 the land once we have a permit to proceed. So,
18 the current activity taking place is taking
19 place by private landowners with their own
20 forestry permits.

21 We, the project, upon learning of
22 this activity, did send letters to the
23 landowners informing them that this activity
24 should not occur with the expectation of a

1 project being constructed on the site, and that
2 it was an independent act taken solely by the
3 discretion of the private landowner.

4 CHAIRWOMAN MARTIN: Okay. Thank you.
5 Any other comments?

6 *[No indication given.]*

7 CHAIRWOMAN MARTIN: Anyone else, Pam?

8 *[No verbal response.]*

9 CHAIRWOMAN MARTIN: All right. I
10 think that that is everything that we have for
11 tonight. Thank you, everyone, for coming. And
12 we appreciate your input.

13 And, with that, we will adjourn the
14 meeting.

15 ***(Whereupon the public hearing***
16 ***was adjourned at 6:56 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)