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STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE

July 18, 2019 - 6:02 p.m.  
Fitzwilliam Town Hall  
13 Templeton Turnpike  
Fitzwilliam, New Hampshire

IN RE: SEC DOCKET NO. 2019-02  
APPLICATION OF CHINOOK SOLAR, LLC  
FOR CERTIFICATE OF SITE AND  
FACILITY FOR A RENEWABLE ENERGY  
FACILITY TO BE LOCATED IN  
FITZWILLIAM, CHESHIRE COUNTY, NEW  
HAMPSHIRE  
Public Information Session held  
pursuant to RSA 162-H:10.

(Presentation by NextEra Energy  
Resources  
Question-and-Answer Session  
and Pubic Comment Session)

PRESIDING: Hon. Kathleen McGuire (Retired)  
(Presiding as the Moderator)

COURT REPORTERS: Susan J. Robidas, LCR No. 44

1 NOTED AS PRESENT:

2 Counsel for the Applicant: Douglas L. Patch, Esq.  
3 Nathaniel B. Morse, Esq.  
(Orr & Reno)

4 Also noted as present for  
5 Chinook Solar, LLC  
6 Project Team who  
7 provided answers to questions:

8 Heath Barefoot Project Manager  
(NextEra Energy Resources)

9 Paul Callahan E & C  
(NextEra Energy Resources)

10 Dana Valleau Environmental  
(TRC)

11 Matthew Riegert Sound  
(Tech Environmental)

12 Dennis Moran Civil Design  
(Tighe & Bond)

13 Matthew Magnusson Economics  
(Seacoast Economics)

14 Michael Buscher Visual Impact  
(TJ Boyle)

15 \* \* \* \* \*

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19 Question-and Answer Session 19

20 Public Comment by:

21 Priscilla Borden 65  
22 Patricia Martin 66  
23 Stephanie Scherr 68  
24 David Pinney 70

1                   MODERATOR McGUIRE: Good evening.  
2                   My name's Kathleen McGuire. I'm a retired  
3                   superior court judge. I was a judge about 25  
4                   years before I fully retired. Tonight I'm  
5                   acting as the moderator for this public  
6                   information session. My job is to just kind  
7                   of organize what's going to go on tonight  
8                   concerning the Chinook Solar -- the proposed  
9                   Chinook Solar Project, which is proposed to  
10                  be built, as you know, in Fitzwilliam. This  
11                  is a 30-megawatt photovoltaic solar energy  
12                  generating facility capable of generating  
13                  enough energy to power approximately 7,000  
14                  homes. This project is proposed by a  
15                  subsidiary of NextEra Energy Resources, which  
16                  is headquartered in Juno Beach, Florida. I  
17                  want to thank you all very much for coming  
18                  out tonight and participating in this event.

19                  This public information session is  
20                  the first state -- the first step in a state  
21                  administrative process required by statute,  
22                  RSA Chapter 162-H. Before the Chinook Power  
23                  Project, or any new power project in this  
24                  state can be built, the company proposing the

1 project must receive a Certificate of Site  
2 and Facility from the Site Evaluation  
3 Committee, more generally known as the SEC.  
4 The SEC is an entity formed by the  
5 Legislature for the purpose of reviewing and  
6 authorizing proposed energy sites and  
7 facilities. RSA 162-H:10 requires that at  
8 least 30 days before submitting an  
9 application to the SEC, the company seeking  
10 approval for the energy project must hold a  
11 public information session in the county in  
12 which the project is to be built. As you  
13 know, Fitzwilliam is in Cheshire County, and  
14 tonight's event is that pre-application  
15 information session for the proposed Chinook  
16 Solar Project.

17 The statute further requires that  
18 all public information sessions be recorded,  
19 which is why you see that we have a court  
20 reporter here, Sue Robidas, who is taking  
21 down everything that is said tonight. The  
22 reporter will prepare a transcript of  
23 tonight's session which will be made part of  
24 the application to the SEC.

1           The purpose of tonight's session is  
2           for NextEra Energy Resources to present  
3           information about the Project to the public  
4           and to provide the public with an opportunity  
5           to ask questions and make comments about the  
6           proposed project. As part of the effort to  
7           provide information, an open house occurred  
8           prior to us getting started here, and I know  
9           a lot of you were here and participated in  
10          that. That's going to continue after this  
11          portion of the event tonight is finished. So  
12          the Project engineers and other people  
13          involved in the Project will remain  
14          afterwards to answer more questions.

15                 So tonight's meeting has three  
16          parts. After I finish my introduction, the  
17          Project director, Heath Barefoot, is going to  
18          make opening remarks and give an overview of  
19          the Project. The second part is that members  
20          of the Project team, most I think are sitting  
21          right here, will address questions. Now, the  
22          questions are going to be taken in written  
23          form. So index cards are available over here  
24          at the desk, at the registration desk, so you

1 can get up at any time and write your  
2 questions down. You may want to ask a number  
3 of questions. And if you're asking questions  
4 on different topics, I ask that you use one  
5 index card for each topic. That way -- you  
6 know, some people obviously are going to have  
7 the same questions and there's going to be  
8 some overlap, so that way I can consolidate  
9 them or summarize them so that we can make  
10 the most efficient use of our time. Some of  
11 the questions may not be really questions but  
12 are comments or observation about the  
13 Project. I'm not going to repeat those  
14 comments. What we'll do with those, those  
15 will go into the pile for comments. Those  
16 will go to the SEC. And then in the public  
17 comment portion, you may get up and repeat,  
18 you know, for everyone to hear your comments  
19 about the Project.

20 The third part of tonight's  
21 meeting, as I've just alluded to, is for  
22 public comment. To comment, you will need to  
23 approach that microphone there in the middle  
24 and state your name, spelling your last name

1 for the court reporter, and the town that  
2 you're from. The court reporter will be  
3 taking down all your comments, which she will  
4 transcribe and make part of the application  
5 to the SEC. To ensure a good record, it will  
6 be important for you to speak slowly and  
7 clearly, okay. And please address your  
8 comments to me, okay, and not to each other.  
9 We can't have a dialogue going out in the  
10 audience because Sue many get mad at me. And  
11 yeah, it's bad. It's bad. So please make  
12 sure you just address your comments up here  
13 to me. Again, if you want to -- I'm sorry.  
14 Your questions -- if you want to have written  
15 comments, you just go over to the table and  
16 write those down at any time.

17 As I previously said, tonight's  
18 public information session is the beginning  
19 of a lengthy state administrative process.  
20 The next step will be for NextEra Resources  
21 to file its application with the SEC. RSA  
22 Chapter 162-H provides that this occur no  
23 sooner than 30 days after completing this  
24 public information session. NextEra

1 Resources anticipates filing its application  
2 before the end of August. The application,  
3 including all public comments, will be  
4 available on the SEC web site. Once the  
5 application is filed, the SEC has 60 days to  
6 determine whether to accept it. Within 45  
7 days after acceptance, the SEC will conduct  
8 another public information session in  
9 Cheshire County. Additionally, within 90  
10 days after the application is accepted, the  
11 SEC and other state agencies are required to  
12 hold joint public hearings. The last part of  
13 the state administrative process occurs when  
14 the SEC holds a public adjudicative hearing  
15 at which it will consider the evidence from  
16 NextEra Energy Resources and other parties  
17 and decide whether or not to issue a  
18 certificate authorizing the proposed solar  
19 project. These hearings typically occur  
20 eight months or so after the application is  
21 accepted.

22 Again, thank you so much for  
23 participating in this initial step of the SEC  
24 siting process. As I said, Heath Barefoot,

1           again, who's the Project director for this  
2           project, will introduce the Project and after  
3           which members of the Project team will answer  
4           your questions. And, again, anytime you want  
5           to come up with what's going on, questions or  
6           comments, feel free.

7                       MR. BAREFOOT: Thank you for that  
8           introduction, Judge McGuire. Also, thank you  
9           to all the members of the public here in  
10          attendance, and thank you to the Town for  
11          allowing us to use this space to hold this  
12          information session tonight.

13                      As mentioned, I'm Heath Barefoot.  
14          I'm the Project director with NextEra Energy.  
15          And on behalf of all the panel of experts  
16          that have come with me here tonight, we thank  
17          you for the opportunity to share information  
18          about the Project. But before doing so, I'd  
19          like to share a little bit more information  
20          about who NextEra Energy is.

21                      NextEra Energy is the world's  
22          largest generator of energy for wind and sun.  
23          With 90 projects, solar projects in operation  
24          in 36 states, we have a lot of experience

1 working within communities to design,  
2 construct and operate facilities such as  
3 this. You know, this is the business that  
4 we're in. This is what we do, and we think  
5 we have a very strong track record of being a  
6 successful partner within communities to run  
7 facilities such as this. And over the past  
8 15 years we've deployed \$85 billion of energy  
9 infrastructure.

10 So, the Chinook Project is a  
11 30-megawatt, photovoltaic solar generation  
12 facility. The 110-acre footprint will be  
13 located here in the Town of Fitzwilliam. It  
14 shall lie east of town, south of Route 119,  
15 east of Route 12. It's worth noting that  
16 traditionally this land was historically  
17 harvested for the timber. And also, it's  
18 adjacent to two high-voltage transmission  
19 corridors which makes this an attractive  
20 candidate to host a facility such as this.

21 As Judge McGuire mentioned in her  
22 remarks, we hope to file an application prior  
23 to the end of August to the New Hampshire  
24 Site Evaluation Committee. And once the

1 permit is received, we anticipate starting  
2 construction in the winter of 2020-2021 and  
3 progress through for a targeted in-service,  
4 commercial operation date of October 2021.  
5 Again, the Project, due to its size, is  
6 required to seek a Certificate of Site and  
7 Facility from the New Hampshire SEC, and  
8 tonight's hearing is a required prerequisite  
9 to the filing of our application.

10 So once we've identified a  
11 candidate for a parcel of land for potential  
12 development, you know, that's when the  
13 experts go to work. You know, part of their  
14 job is to assess the site and look at any  
15 sensitive areas from an ecological  
16 perspective or cultural perspective, also  
17 identify any wildlife that might be adversely  
18 impacted. All of that, all of those studies  
19 and all of that information informs how we  
20 design the Project. Ultimately, the  
21 environmentalists, et cetera, will provide  
22 those constraints in the areas upon which we  
23 seek to avoid and/or minimize our impacts to  
24 the solar design engineers. And then when

1           they go about the work of designing an  
2           efficient layout of the facility, you know,  
3           their job is to avoid the areas which were  
4           identified throughout the course of the  
5           studies and reports which have been  
6           conducted. And you'll notice, you know, many  
7           of these were made available to the Town.  
8           You know, there are a few that are still  
9           forthcoming which we can discuss in more  
10          detail later, notably the decommissioning  
11          plan. I'll just touch on that later on as  
12          well.

13                         But this process, however, doesn't  
14          just stop there. There's a consultation  
15          that's made with all the state agencies. You  
16          know, we visit with Fish & Game to understand  
17          wildlife or species that are of concern. We  
18          work with the Department of Environmental  
19          Services, and Alteration of Terrain folks  
20          specifically, to implement a stormwater  
21          control plan.

22                         So as you can see throughout the  
23          history of the development of this project,  
24          we've repeatedly gone to seek the advice and

1           counsel of the agencies to make sure that  
2           we're designing and ultimately, hopefully, to  
3           build a project we can all be proud of. And  
4           again, the process that we followed is one  
5           where we communicated with the Town, both the  
6           select board and the planning board along the  
7           way, discussing the Project and seeking  
8           feedback. All of this ultimately leads us to  
9           our goal, which is to optimize a project,  
10          such that we avoid and minimize the impact to  
11          any sensitive areas or any natural resources.  
12          This project has no direct impact to wetlands  
13          or streams. And because the site  
14          traditionally was actively harvested for the  
15          timber, you know, we can minimize the tree  
16          clearing necessary to construct the facility.

17                         And then notably, if you notice on  
18          the boards here and also on there, there are  
19          two high-voltage transmission corridors that  
20          run right adjacent to the site. This is a  
21          345kV transmission corridor right here, and  
22          then on the side of it there's a 115kV  
23          transmission corridor. So those two parallel  
24          corridors run right adjacent to the Project

1 and, you know, that minimizes the need for  
2 power lines to connect the Project.

3 Also, there were existing logging  
4 roads in place. You know, we seek to  
5 minimize those -- or utilize those, rather,  
6 to the extent possible. And the layout of  
7 this site, the topography, the siting, it's  
8 very favorable in terms of allowing us to  
9 minimize the visual impacts. You know, we've  
10 also shown some simulations in the back so  
11 that you can see the viewsheds and get an  
12 understanding of what that impact might be.  
13 Again, it's very minimal. And ultimately,  
14 you know, we've taken into account the  
15 feedback from the Town. You know, we're  
16 respectful of the setback for wetlands, you  
17 know, the 75-foot buffers. We've also  
18 designed the facility to be in compliance  
19 with the Town's ordinance. So along the way  
20 we've tried to incorporate that.

21 There are other concerns as well,  
22 I'll try to point out. We've designed this  
23 facility such that there's not contiguous  
24 fencing around the whole project. There are

1 gaps in the fence. Each little pod of arrays  
2 has its own fence with a break that allows --  
3 and I'll urge you to get up and look later.  
4 But it allows mobility of wildlife through  
5 the site that can traverse. We've also,  
6 based on feedback from New Hampshire Fish &  
7 Game, designed the facility so that the  
8 fencing around the arrays have a 6-inch gap  
9 that will allow turtles during mating season  
10 to go from the wetlands up into the  
11 highlands, and that way they can traverse the  
12 facility undisturbed; so, just again,  
13 demonstrating that we've tried to be very  
14 mindful and respectful and build a site that  
15 ultimately is compatible with the land.

16 And, you know, the work doesn't end  
17 there. We continue outreach discussions with  
18 various stakeholders, people throughout the  
19 state who have an interest. You know,  
20 notably, the Forest Society and the  
21 Appalachian Mountain Club, recently we  
22 continued dialogue just to address any  
23 concerns where they might lie. And we feel  
24 the benefits of this project is clear: It's

1 a high-value, low-impact facility. Once  
2 constructed, there will be very minimal use  
3 of municipal services, you know, not much  
4 impact to roads. There's certainly no strain  
5 on public schools, you know, in a similar  
6 fashion as say a residential subdivision  
7 might have. But most important being the  
8 \$20 million of economic contribution to the  
9 State of New Hampshire and much, you know, a  
10 significant portion of that will remain here  
11 in the Town of Fitzwilliam. We're estimating  
12 90 jobs created here locally during the  
13 construction phase. And, you know,  
14 ultimately this will become the largest  
15 facility of its type in the state of New  
16 Hampshire and will go a long ways towards  
17 helping the region achieve their goals in  
18 meeting the renewable portfolio standards.  
19 You know, the carbon reduction of a project  
20 like this is a great benefit. This site over  
21 its life, fully burdened with all of the  
22 input costs of manufacturing, materials, and  
23 the loss of, you know, the forest, still will  
24 emit less than a tenth of the carbon

1 footprint that an alternative natural gas  
2 pipe facility would emit.

3 So we've worked very hard to design  
4 a project that we think the whole community  
5 will be proud of. And we welcome the  
6 opportunity to share more information with  
7 each of you and to answer any concerns that  
8 you may have.

9 I noticed prior to getting started,  
10 you know, many of you were going around  
11 looking at the boards and talking to the  
12 panel of experts that we've brought. I think  
13 what I'd like to do is allow an opportunity  
14 for each of them to identify themselves, say  
15 who they are, and then invite you to ask  
16 questions so that we might be able to address  
17 them.

18 MR. PATCH: Good evening. My name  
19 is Doug Patch. I'm with the law firm of Orr  
20 & Reno in Concord, and we're local counsel to  
21 NextEra Energy, and this is my colleague.

22 MR. MORSE: Hi, Nat Morse.

23 MR. VALLEAU: Good evening. Dana  
24 Valleau, and I work for TRC Environmental.

1           And I'm an environmental consultant, wildlife  
2           biologist by training, and I am helping  
3           NextEra Energy with their SEC permit  
4           application and some of the studies with  
5           environmental. So if you have questions  
6           about the environmental impacts or wildlife,  
7           please feel free to ask.

8                       MR. RIEGERT: Hello, my name is  
9           Matthew Riegert. I'm an engineer with Tech  
10          Environmental. We conducted the sound study  
11          for the Project. Our firm specializes in air  
12          quality and sound impact studies. And I'm  
13          happy to speak to any questions about the  
14          sound study that come up.

15                      MR. MORAN: Dennis Moran, Tighe &  
16          Bond, Portsmouth, New Hampshire. And my  
17          specialty for this project is site/civil  
18          design for stormwater erosion and general  
19          layout of the Project.

20                      MR. BUSCHER: Good evening. My  
21          name is Michael Busher. I'm a landscape  
22          architect and owner of TJ Boyle Associates.  
23          We were retained to do the visual analysis of  
24          the Project and the aesthetic analysis. And

1           that's something that my firm specializes in  
2           doing, as well as standard landscape  
3           architecture.

4                   MR. MAGNUSSON: Hi, my name is Matt  
5           Magnusson with Seacoast Economics. I did the  
6           economic impact analysis for this project,  
7           and I looked at four different areas: One  
8           was kind of jobs impact and the impact to the  
9           overall economy, another one would be an  
10          estimate of any impact to property values,  
11          another one would be looking at how it might  
12          impact tourism and recreation in the area,  
13          and the last one would be looking at the  
14          community services impact.

15                   MR. CALLAHAN: Good everybody. I'm  
16          Paul Callahan, and I'm with NextEra Energy.  
17          And I'm in our engineering and construction  
18          group, and I've been with the Company for 31  
19          years.

20                   MR. BAREFOOT: Thank you.

21                   MODERATOR MCGUIRE: So we've got  
22          some questions already; right? Okay.

23                                So the first question is: Are  
24          there any plans to provide three-phase power

1 to the lower portion of Route 12?

2 MR. BAREFOOT: That's outside the  
3 scope of this project.

4 MODERATOR McGUIRE: Okay. How  
5 many, if any, jobs will this project provide  
6 after the construction phase?

7 MR. BAREFOOT: So once the  
8 Project's completed, there is minimal ongoing  
9 work required to keep it operating.  
10 Essentially, it lies there. There's  
11 vegetative maintenance, mowing, et cetera,  
12 and trimming that occurs, you know, two or  
13 three times a year, depending on the rate of  
14 growth of the vegetation and the impact from  
15 the shading and that sort of thing and, you  
16 know, also ordinary maintenance of the  
17 facility itself, but not a lot.

18 You might want to address that  
19 more.

20 MR. MAGNUSSON: Yes. So that's one  
21 of the areas that I looked at with the study.  
22 So as Heath said, actual jobs from kind of  
23 the ongoing maintenance of the facility would  
24 be expected to be pretty low. The main

1 source of ongoing jobs, which would be small,  
2 estimated to be around, probably around six  
3 for the entire state, would be that -- so any  
4 tax revenue that came in, that money that  
5 comes in, depending on how the Town chooses  
6 to use that, could be put towards jobs.  
7 That's one area that it could help. For  
8 example, if you wanted to put it towards  
9 emergency services or something like that.

10 The other way is that that tax  
11 revenue just being present in the state does  
12 help create some additional jobs just at a  
13 small level. But the figure would be  
14 somewhere around six is what's expected.

15 MODERATOR MCGUIRE: Will there be  
16 any opportunities to plant short shrubs, such  
17 as blueberries and raspberries; and if so,  
18 where?

19 MR. VALLEAU: I'm not a hundred  
20 percent sure if I'm the right person to  
21 answer that question, but we talked about it  
22 a little bit during the information session  
23 before. And so outside of the fence line,  
24 the concern with vegetation maintenance is

1 shading. So that area could likely be  
2 shrubs. But it's more of a maintenance  
3 issue. So I guess there would be opportunity  
4 outside of the fence line.

5 MODERATOR MCGUIRE: Okay. So, not  
6 within the Project.

7 MR. BAREFOOT: I'd say it's  
8 currently not contemplated in our current  
9 plans.

10 MODERATOR MCGUIRE: Do you use any  
11 other mechanisms other than weed -- and  
12 that's where I stop. I thought that was the  
13 end of the question -- for trimming and  
14 mowing to control the vegetation?

15 I think the concern is do you use  
16 herbicides to control the vegetation. Is  
17 that the concern?

18 MR. BAREFOOT: Yeah, the current  
19 plan, based on feedback received in  
20 consultation with New Hampshire Fish & Game,  
21 is that herbicides would only be used if  
22 necessary to require control of invasive  
23 species -- buckhorn, for example.

24 MODERATOR MCGUIRE: How does

1           electromagnetic field, EMF, not get accounted  
2           for in studies?

3                       MR. BAREFOOT:  Yeah, EMF is  
4           existent all around us every day, very much a  
5           part of the world that we live in.  Our sound  
6           studies and the ordinances which we design  
7           our facility are specific to sound.

8                       MODERATOR MCGUIRE:  Can you expand  
9           on what ground issues?  There will be -- no,  
10          I don't think I have the right word.

11                      AUDIENCE MEMBER:  Sound.

12                      MODERATOR MCGUIRE:  Sound.  Okay.  
13                      Can you expand on what sound issues  
14           there will be?

15                      MR. BAREFOOT:  So a solar facility  
16           in general is very quiet.  The only  
17           components that will make noise would be the  
18           inverters, the transformers.  They make a  
19           typical kind of 60 hertz kind of hum sound.  
20           But, you know, I have Matt here, and he can  
21           address more some of those concerns.

22                      MR. RIEGERT:  Again, my name's Matt  
23           Riegert with Tech Environmental.  We  
24           completed the sound study which is on the

1 Town's web site, if anybody wants to go back  
2 and look at it after tonight's meeting.

3 Our goal in the sound study was to  
4 determine if the Project would comply with  
5 the regulations that could apply to this  
6 project, those being the New Hampshire SEC  
7 criteria -- Thou shall not increase sound by  
8 10 decibels -- and also the local ordinance  
9 which shares similar criteria as the SEC, the  
10 plus-10 decibel increase, but also has some  
11 additional provisions in it to protect people  
12 from tonal sounds and things of that nature.  
13 So our study was done very conservatively so  
14 that we can say that at all times it will  
15 comply with those regulations. I say  
16 "conservative" because the numbers in our  
17 study assume the absolute quietest hour of  
18 the day or night when the facility would be  
19 operating. Furthermore, the background data  
20 that we collected, the metrics that we used  
21 equates to the quietest six minutes of that  
22 quietest hour. Not much traffic going by or  
23 a breeze goes by. So the baselines that  
24 we're using are very conservative. Our sound

1 study also assumed that the equipment is  
2 operating at a hundred percent load, which  
3 isn't always the case; it goes up and down on  
4 whatever it needs to do. And through some  
5 acoustic modeling, we built a  
6 three-dimensional model in the computer  
7 software. It includes terrain, that for this  
8 project is significant, as you can all  
9 appreciate. And it calculates what the  
10 impacts would be at wherever we want to  
11 calculate those impacts.

12 So, for our study we researched the  
13 closest homes to the Project and any other  
14 sensitive-type receptors. The study has a  
15 list of 51 homes that surround the Project.  
16 We used the model to estimate what the sound  
17 impacts will be collectively of those  
18 inverters and the transformer at all of those  
19 51 homes and compared that to what the  
20 quietest six minutes of the quietest hour are  
21 currently on the site, and with that  
22 information we were able to calculate what we  
23 think the potential worst case possible  
24 impacts would be at those 51 homes.

1           If you look at the sound study,  
2           those increases for the large majority of the  
3           homes that are in the direct vicinity of the  
4           Project, the increase in sound level is  
5           zero decibels, one decibel, two decibels.  
6           Anything less than a three-decibel increase  
7           is not perceptible by the human ear.

8           There were three homes in our  
9           study, and I learned tonight there may be one  
10          more that's in that same general area, where  
11          we calculated that there could be at times,  
12          under those worst-case conditions, absolute  
13          lowest sound level, maximum sound from the  
14          equipment, no winds, no leaves on the trees,  
15          no crickets, no grasshoppers, no peepers,  
16          that those three, now four homes, could  
17          potentially at times see an increase of as  
18          much as 5 decibels. To put that into  
19          context, an increase of 5 decibels is also  
20          the minimum threshold that the human ear can  
21          notice a change in the sound level. So I  
22          think that may address that question.

23                   MODERATOR McGUIRE: Couple  
24           follow-ups for you. Does temperature and

1 humidity affect the result of a sound study?

2 MR. RIEGERT: Temperature and  
3 humidity does affect the propagation of  
4 sound, yes. The acoustic model assumes the  
5 ideal conditions for sound propagation,  
6 including temperature and humidity, as well  
7 as potential for downwind impacts. So, yes,  
8 the model is very conservative in the  
9 assumptions that have been used to create the  
10 results from the study.

11 MODERATOR MCGUIRE: Being that the  
12 sound study is based on a computer model,  
13 what happens if it's wrong? What recourse  
14 would abutters have?

15 MR. RIEGERT: I'm not the proper  
16 person to answer that.

17 MR. BAREFOOT: Yeah, I'll address,  
18 you know, the neighbors' concerns.  
19 Obviously, your questions and comments are  
20 part of the public record. And to the extent  
21 there's a specific concern, you know, I  
22 invite you to address that with any member of  
23 the Project team here. Further, I would say  
24 that, you know, as a condition of our permit,

1           there are going to be many layers and  
2           conditions which we have to abide by. And,  
3           you know, to the extent we're outside of any  
4           of those boundaries, then we'll have to  
5           address them.

6                         MODERATOR MCGUIRE: That's it for  
7           now.

8                         What did the archeological study  
9           find, and why were parts of the report  
10          redacted?

11                        MR. VALLEAU: The archeological  
12          studies didn't find any significant  
13          resources -- oh, sorry about that.

14                        So the archeological studies didn't  
15          find any significant resources that the  
16          Department of Historical Resources had any  
17          concerns with. If anything was redacted,  
18          that would most likely be related to  
19          sensitive resources that the Department of  
20          Historical Resources didn't want made public.

21                        MODERATOR MCGUIRE: You mean that  
22          would have been the decision of the State  
23          or --

24                        MR. VALLEAU: No, no, it would have

1           been a resource that they didn't want  
2           disclosed.

3                       MODERATOR MCGUIRE:   In other words,  
4           was it a NextEra decision to redact or was it  
5           a State decision?

6                       MR. VALLEAU:   No, it was a State  
7           decision to redact that.

8                       MODERATOR MCGUIRE:   Okay.  All  
9           right.  Thank you.  
10                      How long will the array be there?  
11           Twenty years, 30 years?

12                      MR. BAREFOOT:   We anticipate this  
13           project being able to operate for 30 years,  
14           and potentially longer.  At that point in  
15           time, obviously, you know, we would take an  
16           opportunity to explore repowering perhaps,  
17           and if not, then decommission, of course, all  
18           of which would occur, you know, within the  
19           guidelines of prevailing regulations and  
20           according to our permit conditions.

21                      MODERATOR MCGUIRE:   What's the  
22           height of the panels from the ground?

23                      MR. BAREFOOT:   Typically eight feet  
24           at the highest.

1                   MODERATOR McGUIRE: Okay. The  
2 highest point. What about the lowest point?

3                   MR. BAREFOOT: Two feet. Two feet  
4 in the front, eight feet in the back.

5                   MODERATOR McGUIRE: The Project,  
6 quote -- I'm sorry. The Project meets,  
7 quote, regional energy goals. Specifically,  
8 whose energy goals?

9                   MR. BAREFOOT: This project --  
10 there's a Power Purchase Agreement that was  
11 part of the New England Clean Energy RFP.  
12 That was a procurement conducted by  
13 Connecticut, Rhode Island and Massachusetts  
14 utilities. They will count the renewable  
15 credits as towards meeting their goals. But  
16 the benefits of carbon reduction are shared  
17 by all who are interconnected into the  
18 regional grid -- being, you know, New  
19 England. There's a regional grid, much as  
20 you pour water into a pool and it just  
21 disperses. That's kind of what happens to  
22 the energy.

23                   MODERATOR McGUIRE: Could you  
24 explain -- this is going to be for you again,

1 Dana -- what a, quote, sensitive issue is,  
2 might be regarding the archeological study?

3 MR. VALLEAU: So it could be  
4 something that... I'm trying to think of a  
5 good example. So say there was something  
6 that a collector would be interested in that  
7 the State wouldn't want out there for public  
8 consumption. So, for people to know to go to  
9 find a certain sensitive -- or I shouldn't  
10 use the word "sensitive" -- go find a certain  
11 artifact. So, you know, it's something that  
12 should stay in place. And usually there's a  
13 context to any object that's an archeological  
14 object. In other words, it's more important  
15 where it is than collected by somebody. And  
16 also, it's a State-owned resource at that  
17 point. So, you know, if it's considered a  
18 sensitive resource, then the State is  
19 obligated to protect it.

20 MODERATOR MCGUIRE: We have more  
21 questions about the sound, so you're up  
22 again. It appears that the sound study  
23 focuses on one day. Will you provide the  
24 data that was collected during other periods?

1                   MR. RIEGERT: I believe that  
2                   question is referring to the ambient sound  
3                   monitoring that was conducted to establish  
4                   what the existing conditions are. The sound  
5                   monitoring was conducted over a 24-hour  
6                   period in May of this year, and there was no  
7                   additional background, ambient monitoring  
8                   conducted outside of that window. That being  
9                   said, it was an ideal time to collect that  
10                  data. It was early spring. There were no  
11                  leaves on the trees that may rustle. There  
12                  were no bugs out, no peepers, things of that  
13                  nature. And we measured sound levels as low  
14                  as 23 decibels during the day and 20 decibels  
15                  at night, which is about as quiet as it gets  
16                  almost anywhere that we've seen in any of our  
17                  studies. So there's no need to do additional  
18                  background monitoring because it proved that  
19                  it's extremely quiet here. And the data  
20                  shows that.

21                  MODERATOR MCGUIRE: So you didn't  
22                  collect data -- or are you saying you did not  
23                  collect data during other periods, just that  
24                  one day, that one 24-hour period?

1 MR. RIEGERT: Yes, to establish the  
2 existing ambient conditions.

3 MODERATOR MCGUIRE: Okay. And do  
4 you plan to encapsulate the transformers to  
5 mitigate sound; and if not, why not?

6 MR. RIEGERT: I think that's a  
7 project question.

8 MR. BAREFOOT: I'd say the current  
9 design is not to do that. And it's not to do  
10 that because the sound emitted from the  
11 transformer is within thresholds of our  
12 existing ordinances at the state and local  
13 levels.

14 (Pause)

15 MR. BAREFOOT: I'm sorry. Okay.  
16 So the answer is, no, we're not currently  
17 planning to enclose the transformer because  
18 the transformer, the sound coming from the  
19 transformer is within the thresholds allowed  
20 at the state and local level.

21 MODERATOR MCGUIRE: And again, this  
22 is -- it's a little repetitive, and I don't  
23 know if the question was put in after you  
24 answered before. But will the neighbors hear

1 the sound, and what does the noise sound  
2 like?

3 I think you talked about the  
4 neighbors. Maybe you could describe a little  
5 bit more about what the noise sounds like.

6 MR. RIEGERT: The sound will be  
7 characteristic of a transformer inverter,  
8 which is in a lower frequency sound and is  
9 constant. And I guess I don't -- I'm not  
10 sure how else to explain that.

11 MR. BAREFOOT: Sort of like a hum.  
12 But I'll point out, you know, unlike the  
13 situation that existed in town with the other  
14 substation, you know, that was a big  
15 three-phase, 345kV transformer -- three  
16 transformers in fact. Much different animal  
17 from what is being incorporated into this  
18 site's design.

19 MODERATOR McGUIRE: Okay. Did you  
20 perform a viewshed study for, I guess from  
21 Mount Monadnock?

22 Is that Gap Mountain Reserve?  
23 Mount Monadnock.

24 MR. BUSCHER: We calculated

1 viewsheds as per the SEC requirement for a  
2 6-mile study area. The viewsheds included  
3 Mount Monadnock, which is one of the reasons  
4 why the study area went out that far. That  
5 included Gap Mountain within the range.

6 MODERATOR McGUIRE: Okay. Did you  
7 want to discuss the results of the viewshed  
8 study?

9 MR. BUSCHER: The results for the  
10 viewshed study is we followed different  
11 criteria that are laid out in the SEC rules,  
12 the site's rules. And we look at all scenic,  
13 potential scenic resources within that 6-mile  
14 study area. We evaluate the potential  
15 visibility on a training basis, so as if the  
16 entire landscape was void of any type of  
17 vegetation or buildings or any other type of  
18 obstructions other than the land form itself,  
19 and then we calculate a viewshed based on  
20 vegetation and buildings and other  
21 structures.

22 The results of the viewshed study  
23 was that there's actually very minimal  
24 visibility from -- of this project to the

1 surrounding, immediate surrounding area.  
2 There were a few locations where we found  
3 positive visibility, one location being at  
4 Telemark Hill, which is part of the Pinnacle  
5 hiking trails here in town. And the area  
6 that will have most exposure is on top of  
7 Mount Monadnock. Mount Monadnock was also a  
8 very large concern from the very start of  
9 this Project. So we tried to address it head  
10 on as much as we could.

11 Part of our review from Mount  
12 Monadnock incorporated an intercept survey.  
13 We spent two days on top of the mount at the  
14 summit. We interviewed about 84 people, I  
15 believe. We used a series of questions just  
16 to talk about people's expectations, their  
17 experience, you know, what they liked about  
18 the day, how long they were going to spend up  
19 there, what they were hoping to see, why they  
20 went up there. And then we showed them a  
21 series of simulations. We actually showed  
22 them a picture. We oriented them in the  
23 direction of the Project, then we provided  
24 them with a photograph of that same view with

1 the existing conditions. And that photograph  
2 was printed as an 11-by-7. It was taken with  
3 a 50-millimeter focal length on an  
4 SLR-equivalent lens. And we instructed them  
5 to hold it out about one and a half times the  
6 height of that image, which replicates the  
7 perspective from what you're seeing on top of  
8 the mountain.

9 We then provided them the second  
10 image, which is a simulation of the Project,  
11 and we asked them to identify the change in  
12 the image. At that point nobody was aware of  
13 why we were conducting this survey other than  
14 the fact that we were interested in their  
15 experiences and if they could notice a  
16 change.

17 About half of the respondents that  
18 we interviewed could not detect the change  
19 between the existing conditions and the  
20 proposed conditions. About half of the  
21 respondents were able to detect a change.  
22 None of the people that we interviewed were  
23 able to identify it as a solar project. And  
24 overall the results were that it would have

1 extremely minimal impact on people's  
2 experience or expectations or their  
3 likelihood to revisit Mount Monadnock. And  
4 we have -- that full study will be an  
5 appendix to the visual impact assessment.

6 MODERATOR McGUIRE: Has the  
7 society --

8 MR. BAREFOOT: Can I just note  
9 also, the panels face south. So when you're  
10 viewing from Mount Monadnock looking to the  
11 south, the panels are facing away from you,  
12 which also minimizes the impact to the view.  
13 Those simulations are in the back of the  
14 room. So I know many of you that were here  
15 early for the open house had a chance to  
16 look. But again, after we're through, I  
17 would encourage you to have a look.

18 MODERATOR McGUIRE: Has the Society  
19 for the Protection of New Hampshire Forests  
20 been advised of this project; and if so, what  
21 is the Society's reaction?

22 MR. BAREFOOT: No, they're not --  
23 wait. Hold on a second.

24 (Pause)

1 MR. BAREFOOT: Forest Society.  
2 Yeah. So, you know -- yes. So, obviously  
3 they look at each project individually. And  
4 we've agreed to share with them the  
5 greenhouse gas report.

6 Now, this particular site, they  
7 expressed less concern with owing to the  
8 nature of the history: The logging that has  
9 occurred there. This is far from core,  
10 pristine interior forests. You know, the  
11 tree clearing that we're going to have to do  
12 in order to build the site, none of that is  
13 mature forest, mature growth. So it's less  
14 of a concern for them for that reason. And I  
15 think they buy into the carbon reduction  
16 benefit.

17 MODERATOR McGUIRE: Okay. What  
18 will be the impact on wildlife other than  
19 turtles?

20 MR. VALLEAU: So there will be some  
21 displacement because of the habitat change  
22 from open land to solar panels. So most of  
23 the wildlife that we have in the area that  
24 Fish & Game was concerned with were there's a

1 couple species of rare turtles in the area.  
2 And bats were another concern. And to avoid  
3 impacts to bats, the best thing you can do if  
4 you don't have a hibernacula, which is where  
5 they hibernate, is avoid tree clearing when  
6 they're present, which is during the spring  
7 and summer and early fall. So tree clearing  
8 during winter will avoid impacts to bats.  
9 And impact to wildlife in general is just  
10 displacement, and the bats are not  
11 habitat-limited. The U.S. Fish & Game  
12 considers habitat as not being a limiting  
13 factor for the bats during the summer season.  
14 Hibernacula in the northeast, that's a  
15 different story. Those are limited in the  
16 northeast. But we don't have any hibernacula  
17 on this site or even near this site.

18 MR. BAREFOOT: I'll just add,  
19 because I think this kind of addresses some  
20 of the concerns of both this question and the  
21 previous one, and that is, you know, more  
22 than 400 acres which will not be developed,  
23 you know, we can have a conversation with the  
24 Town on how best to use that land for the

1 benefit of the public. You know, it could be  
2 allowed to regrow and reforest, for example.  
3 Currently, there's no restriction placed on  
4 what happens to that land. You know, that's  
5 a conversation that, you know, we would  
6 invite having with the Town.

7 MODERATOR McGUIRE: What specific  
8 precautions will you take to protect prime  
9 wetlands, like Scott Brook and others, as to  
10 be -- others to be potentially designated?

11 MR. VALLEAU: So the Project does  
12 not have any direct impact on the wetlands on  
13 the site. And I can acknowledge that one of  
14 the watersheds that the Project is in does  
15 drain to the lower Scott Brook watershed, but  
16 again, there's no direct impact to the  
17 wetlands. Any potential impacts from erosion  
18 from the site is controlled through the  
19 regulatory process. And there are a lot of  
20 measures that are required to protect water  
21 quality.

22 You want to talk about it, Dennis?

23 MR. MORAN: Sure.

24 MR. VALLEAU: But I think the

1 question is water quality issues, too. And  
2 Dennis knows all about stormwater.

3 MR. MORAN: So we've already met  
4 with New Hampshire DES Alteration of Terrain  
5 Bureau three times. Is that better? So  
6 they're very well aware of the Project. And  
7 we've coordinated with them about what they  
8 would feel comfortable with for our proposed  
9 approach.

10 So there's -- if you look at the  
11 figures off to your right and left, there's  
12 basically five distinct areas on this site.  
13 And during construction, and with our phasing  
14 plan that we coordinate with DES, it's going  
15 to be a phased approach. And the first thing  
16 that's going to be done out in the field is  
17 what remaining trees are out there are going  
18 to be removed. And then crews are going to  
19 set up a sediment base that's going to be  
20 constructed. Those will be constructed on  
21 the downhill side, and those are sized to  
22 contain all the stormwater from the disturbed  
23 area at the time. Before the next phase can  
24 continue, there has to be 85 percent

1           vegetation growth. And that is a back and  
2           forth between NextEra and DES for what  
3           they're comfortable with, what we feel is the  
4           best approach, and that way it will establish  
5           and produce sediment from leaving the site.  
6           There are also some additional on-site  
7           features, such as check dams, hydroseeding,  
8           straw, swales, internal erosion control  
9           measures. And as part of this project,  
10          because of the size, there will likely be a  
11          third-party specialist on site to monitor and  
12          record daily activities specific to  
13          stormwater management.

14                   MR. BAREFOOT: The judge asked if I  
15          could repeat my prior comment because I'm  
16          apparently having microphone trouble. Just  
17          so it's clear to everyone, the sort of  
18          focused-in area that's going to be developed  
19          is 110 acres. There's going to be more than  
20          400 acres that aren't going to be developed.  
21          And so my comment was that we can explore a  
22          conversation about what to do with that  
23          remaining 400 acres, whether we allow it to  
24          reforest or regrow, for example.

1                   MODERATOR McGUIRE: Thank you.  
2                   Please answer if you have identified any  
3                   prime wetlands on the property.

4                   MR. VALLEAU: There are no mapped  
5                   prime wetlands on the property.

6                   MODERATOR McGUIRE: Will the trees  
7                   along the road on -- Fuller Hill?

8                   AUDIENCE MEMBER: Fulham.

9                   MODERATOR McGUIRE: -- Fulham Hill  
10                  remain?

11                  MR. BAREFOOT: Yeah, that's outside  
12                  the Project area. That's on the other side  
13                  of the transmission corridor. So our project  
14                  lies, you know, kind of south of the  
15                  transmission line, so no impact from our  
16                  project to that.

17                  MODERATOR McGUIRE: Okay. Will you  
18                  place the non-developed wet areas into a  
19                  permanent conservation easement?

20                  MR. BAREFOOT: Right. So that was  
21                  kind of a question asked prior to my last  
22                  comment. We're open to discussing how best  
23                  to use that land for the benefit of the  
24                  public.

1                   MODERATOR McGUIRE: How will you  
2 collaborate with the Town during the months  
3 while the construction is taking place -- for  
4 example, about traffic, construction  
5 vehicles, pollution and so forth?

6                   MR. BAREFOOT: Part of that we feel  
7 is best addressed through a Memorandum of  
8 Understanding, which we hope to negotiate  
9 with the Town. Part of what that would  
10 address would be, you know, the times of day  
11 in which construction would occur, road use,  
12 et cetera. So, you know, we expect to have a  
13 conversation with the Town about that.

14                   MODERATOR McGUIRE: Do you have a  
15 study regarding residential property values  
16 where you have done these types of projects  
17 in other areas?

18                   MR. MAGNESSON: Yeah, so that is  
19 one of the areas that I did look into as part  
20 of the Project. I've been working on looking  
21 at property values for different,  
22 similar-type projects for at least the last  
23 decade here in New Hampshire. Specifically,  
24 I've worked on several projects related to

1 wind projects here in New Hampshire. And so  
2 part of the process for this was to look at  
3 what studies have already been conducted.  
4 There's been quite a few that have been done  
5 related to high-voltage transmission lines  
6 and also quite a few have been done related  
7 to wind farms. Solar farms are a little bit  
8 newer. So there are some studies, but there  
9 haven't been as many done.

10 As far as for high-voltage  
11 transmission lines and wind farms, there are  
12 lots of studies that have been done that  
13 looked at actual sales of properties across  
14 the country, and there hasn't been a  
15 consistent relationship established between  
16 electrical infrastructure and property value  
17 change. As far as for solar, more recently  
18 there's been a couple studies that looked at  
19 that specifically in the Midwest, and they  
20 also haven't found a relationship between  
21 property values and solar farms.

22 One of the things that I  
23 specifically did as part of this is looking  
24 at what's happened in other areas of the

1 country. Quite a few studies have actually  
2 been done in New England. I've been involved  
3 with wind studies specifically looking at  
4 wind farms in New Hampshire and looking at  
5 actual property value transactions. There  
6 just is not a consistent relationship,  
7 meaning that you can't say you can have a  
8 house that has a view of the structure like a  
9 wind farm, and there's no way of saying that  
10 that's negatively or positively impacted the  
11 property value.

12 Most recently for this project,  
13 I've looked at -- there's a 2-megawatt solar  
14 farm that's constructed in Moultonborough by  
15 the New Hampshire Electric Co-op. That was  
16 built in 2017. That's the largest project to  
17 date in New Hampshire. And that looked at  
18 actual -- and I looked at actual sales  
19 transactions also, and again, there's no  
20 relationship between -- no relationship  
21 established between the presence of the solar  
22 farm and any impact on property value.

23 So kind of the -- the kind of  
24 common sense thing, you know, it would make

1           sense that if you have something like that,  
2           that it should have an impact. There have  
3           been a lot of surveys saying, do you think,  
4           you know, as you as a homeowner, do you think  
5           that this should impact property values? And  
6           it's been done for wind farms, for  
7           high-voltage transmission lines or electrical  
8           infrastructure out there, and, as I said,  
9           even for solar farms. And it just -- it's  
10          been actually studied reasonably well. Even  
11          though a lot of people can have that  
12          perception 'cause, you know, you kind of  
13          think it would, there just has not been that  
14          relationship established. And this is  
15          looking at, you know, hundreds of thousands  
16          of sales transactions. So hopefully that's  
17          helpful.

18                       MR. BAREFOOT: And I would just add  
19                       that there are a variety of reasons as to why  
20                       people choose to live within a community.  
21                       And we think that the incremental tax revenue  
22                       provided to the town, either through direct  
23                       property tax or through a PILOT agreement,  
24                       goes a long ways towards improving, you know,

1 the budget for the town and the resources  
2 that are made available through that.

3 MODERATOR MCGUIRE: This is going  
4 to be about economic impact again.

5 Explain the estimated \$21 million  
6 economic impact.

7 MR. MAGNESSON: Sure. So the  
8 biggest impact is going to be during the  
9 construction period. And so based on kind of  
10 the data that I've received from NextEra,  
11 estimating around 90 New Hampshire jobs  
12 created during the construction period, that  
13 creates about a \$12 million increase in  
14 economic value throughout the state of New  
15 Hampshire. The reason for that is you have  
16 the wages that are paid to the workers, then  
17 as the workers go out into the community,  
18 they buy things, go to grocery stores, they  
19 buy gas. That gets circulated through the  
20 economy, and that gives a little bit of a  
21 boost. Doesn't stay here long, but it does  
22 circulate a little bit. So the total impact  
23 from that would be estimated around 130 jobs,  
24 and that adds about \$12 million during that

1 construction period. After that, each year  
2 there's the -- you're going to have -- the  
3 town would have the tax revenue that comes  
4 in. That's really the most direct impact  
5 that would benefit the town. That would be  
6 negotiated with NextEra through a PILOT  
7 agreement. And there's also tax revenue that  
8 goes to the state related to the facility  
9 being in place. And there's also payments,  
10 you know, to landowners for use of the land  
11 for leasing. And the final little part of  
12 that is just the work, as Heath mentioned,  
13 with clearing vegetation or helping maintain  
14 it. All that together amounts to about a  
15 \$500,000 added value per year. So if you  
16 take the 12 and then have 500,000 per year  
17 for about a 20-year period, which is the  
18 length of the Power Purchase Agreement --  
19 that's what I used to be conservative -- it  
20 works out be \$21 million in economic value  
21 related to the Project.

22 MODERATOR McGUIRE: What were the  
23 results of assessing vernal pools? And  
24 please also explain about displacement of --

1 explain what "displacement of species" means,  
2 especially for rare and protected species.

3 MR. VALLEAU: Sure. So a vernal  
4 pools survey was done during the time of year  
5 when the species are in the pools and  
6 breeding so we could assess the use of the  
7 pools. And we're looking for spotted  
8 salamanders, wood frogs, blue spotted  
9 salamanders. Here we didn't have any blue  
10 spots, but we had spotted salamanders and  
11 wood frogs. And the majority of the pools we  
12 found were the result of rutting from  
13 logging. There are a number of natural  
14 pools. And for the Project layout, that's a  
15 constraint in which we try to maintain at  
16 least a 250-foot setback from any sort of  
17 disturbance. And a lot of the pools that  
18 were found were much greater than that. So  
19 it is a constraint, and it's a constraint  
20 that we avoid.

21 "Displacement" means that some  
22 species won't be found where those solar  
23 panels are going to be because the habitat's  
24 not suitable for that anymore. And any of

1 the larger species that wouldn't fit under  
2 the fence or wouldn't fly in from above  
3 aren't going to be able to get into that  
4 area. And for common species, there's a lot  
5 of habitat available. So it's, you know, a  
6 habitat loss of 110 acres for some species.  
7 Any of the rare species that we had -- again,  
8 there was two turtles species. One is a  
9 state-listed species, Blanding's turtle, and  
10 the other a wood turtle, which is more of  
11 just an uncommon species. And those two  
12 species spend most of their time in wetlands,  
13 and we're not impacting wetlands. But they  
14 do travel across upland primarily to find  
15 places to lay eggs. And the way the fence is  
16 designed has allowed for them to pass under  
17 the fence. So they're not getting hung up in  
18 a fence or traveling long distance along the  
19 fence; it goes right to the ground.

20 With bats, again, you know, when  
21 they're here in the summer, they roost in  
22 trees. And the solar panel area will remove  
23 the trees. But the way they're thought about  
24 by the U.S. Fish and Wildlife Service is that

1           they're not habitat-limited. There's a lot  
2           of trees out there on the landscape. So when  
3           they come out of their hibernacula and come  
4           back to the site in the spring after the  
5           trees are cleared, they'll be fine. They'll  
6           be able to find other trees to roost in.

7                         MODERATOR MCGUIRE: This is about  
8           economic impact again.

9                         What figure did you use in your  
10          study for payment of taxes to the town?

11                        MR. MAGNESSON: So the figure that  
12          I used was based on looking at what the --  
13          NextEra has a similar kind of proposal with  
14          the Town of Hinsdale. Theirs was estimated  
15          at a PILOT payment of \$500,000 for a  
16          50-megawatt facility. So, for that, after a  
17          conversation with NextEra, it seemed  
18          reasonable, based on that, was to say  
19          \$300,000 for the 30-megawatt facility.

20                        MODERATOR MCGUIRE: Why did you  
21          reach out to the Peterborough Chamber --

22                        MR. MAGNESSON: Sorry. So the  
23          PILOT payment, that means payment in lieu of  
24          taxes. So it's similar to a property tax,

1 but it's a little bit different. And I don't  
2 know, Heath, if you want to give additional  
3 details.

4 MR. BAREFOOT: Yeah. So the reason  
5 ultimately agreements are entered into,  
6 they're sometimes called a tax stabilization  
7 program or agreements or payment in lieu of  
8 taxes, and what they do is they provide  
9 certainty to the Project as to what their tax  
10 exposure is going to be over the life of the  
11 Project. And it also provides clarity to the  
12 Town with respect to the revenue that they  
13 hope to achieve. You know, typically an  
14 asset, when placed into service, it's  
15 depreciated over the life and so the tax  
16 revenue decreases over the life. In an  
17 agreement such as this, you know, you can  
18 stabilize that so that, you know, it's flat  
19 or, you know, not declining at least. I  
20 think for planners and people who are doing  
21 budgeting, often that's favorable. Also, you  
22 remove the potential for the Project to seek  
23 abatement once you have an agreement in  
24 place. So there are a variety of reasons as

1 to why these are common agreements, and one  
2 in which we hope to negotiate with the Town.

3 MODERATOR MCGUIRE: Why did you  
4 reach out to the Peterborough Chamber of  
5 Commerce?

6 MR. BAREFOOT: As part of our  
7 typical corporate philosophy, it's part of  
8 being a solid corporate citizen and member of  
9 the community, we often will join chambers of  
10 commerce and participate locally and support  
11 local organizations.

12 MODERATOR MCGUIRE: At this point  
13 in the Project plan, could the substation be  
14 moved to further minimize the sound impact on  
15 a very quiet area?

16 MR. BAREFOOT: My initial response  
17 to that is that, you know, our current layout  
18 design's been vetted. We don't see an undue  
19 adverse impact from sound arising from that  
20 substation, and so our plan is for it to  
21 likely stay where it's at.

22 MODERATOR MCGUIRE: Okay. If the  
23 site is decommissioned, would there be a  
24 replanting of the forest, as well as taking

1 everything away, removal of all the  
2 equipment?

3 MR. BAREFOOT: We're still in the  
4 process of finalizing a decommissioning plan.  
5 Most typically, the panels, the equipment,  
6 the pilings, that goes. The substation goes.  
7 And, you know, what would be left behind is  
8 going to be the grassy meadow that was  
9 established during the life of the Project.  
10 I think, you know, over time, depending on  
11 how the land is managed, it could reforest.

12 MODERATOR McGUIRE: Are you  
13 required to have a backup plan in the event  
14 of failure of the solar project; and if so,  
15 what is that plan?

16 I'm not sure of what they mean.

17 MR. BAREFOOT: I don't understand  
18 the question.

19 MODERATOR McGUIRE: Yeah. A backup  
20 in the event of the failure of the solar  
21 project. I'm not sure -- I'm going to give  
22 whoever wrote this a chance. I don't usually  
23 do this. But would you come up to the  
24 microphone and just explain what your concern

1 is because we don't want to overlook it.

2 MS. WHEELER: Okay. My name is  
3 Mary Wheeler. Just in case the whole project  
4 fails, for whatever reason. And I'm not sure  
5 what they would be. Like in this case that  
6 the grid goes out, I know you're obligated to  
7 provide power to some of your other  
8 investors. So what happens in that event?

9 MODERATOR McGUIRE: So you're  
10 envisioning a scenario where the Project is  
11 all installed and there's some failure?

12 MS. WHEELER: Yes.

13 MODERATOR McGUIRE: Okay.

14 MR. BAREFOOT: So I think it's just  
15 as an operator, we maintain the equipment  
16 and, you know, we would repair the facility.

17 MODERATOR McGUIRE: Now I'm out of  
18 the questions. Would anybody want to write  
19 down another question at this point? You're  
20 going to have an opportunity to comment, but  
21 that's not a question/answer -- okay. There  
22 are still some. Okay.

23 Please explain the details of the  
24 decommissioning? How are the panels disposed

1 of?

2 MR. BAREFOOT: So, much of the  
3 equipment can be recycled, some of the  
4 racking, et cetera. Panels, in some cases,  
5 there are instances where they are recycled  
6 as well. This is still a relatively new  
7 industry, and 30 years from now, you know,  
8 it's hard to project exactly how they might  
9 be treated. But, you know, it's likely,  
10 obviously, we'd seek to recycle as much as we  
11 could.

12 MODERATOR McGUIRE: Okay. At  
13 what -- this is about the sound again. At  
14 what time and on what date did you measure  
15 the ambient sound level?

16 MR. RIEGERT: I'm going to refer to  
17 the report. Again, it's on the Town web site  
18 if anybody would like to look at it.

19 So, to establish the existing  
20 ambient sound levels, we deployed a sound  
21 meter in the middle of the Project on  
22 Wednesday, May 8th, at approximately 7 a.m.,  
23 and let it run until about 7 a.m. the  
24 following day, Thursday, May 9th.

1 I'm sorry. There was a second  
2 part? Oh, when was the lowest -- yes.

3 MODERATOR McGUIRE: Just what time  
4 and what date.

5 MR. RIEGERT: I have it. So that  
6 sound meter collects instantaneous  
7 measurements over that entire 24-hour period  
8 and provides us with many metrics. We look  
9 at the data in hourly blocks, and that data  
10 showed us that the quietest hour was between  
11 12 midnight and 1 a.m. And the quietest  
12 daytime period -- and I say "daytime" in a  
13 legal manner because the daytime window for  
14 the local ordinance includes up until 10 p.m.  
15 We measured an ambient sound level between  
16 the 9 p.m. and 10 p.m. window of 23 decibels.  
17 And that 23 decibels measured between 9 p.m.  
18 and 10 p.m. was utilized as the existing  
19 ambient sound level for the daytime  
20 condition. At 9 p.m. there may not  
21 necessarily be sun, but to show compliance  
22 with the regulation, that's what was used.

23 MODERATOR McGUIRE: Thank you.  
24 What is Plan B if the SEC denies the

1 application -- I'm not sure -- with the  
2 contracts with the southern states?

3 MR. BAREFOOT: I'm not prepared to  
4 discuss Plan B.

5 MODERATOR McGUIRE: Now, I have a  
6 number of questions that weren't asked word  
7 for word because a number of people, of  
8 course you're interested in the same things.  
9 So if you feel that your question wasn't  
10 answered, would you come on up and write it  
11 again, and I will answer it if you feel that  
12 your question wasn't answered. Because I  
13 have some here that I didn't read word for  
14 word, but it seems that they've been  
15 addressed, sometimes more than once. But I  
16 don't want anybody to leave here feeling that  
17 their question wasn't answered. So if  
18 anybody would like to write down another  
19 question, you're going to have the  
20 opportunity at this point to comment.

21 Okay. We appreciate -- this is  
22 part comment, part question. We appreciate  
23 that NextEra has contributed to the increase  
24 in expenses the Town has incurred. Is it

1 NextEra's intent to make Fitzwilliam whole  
2 for increased local [sic] tech expertise and  
3 administration?

4 MR. BAREFOOT: I'm sorry. I was  
5 reading a question the gentleman just gave  
6 me. Would you mind reading it again?

7 MODERATOR MCGUIRE: Is it NextEra's  
8 intent to make Fitzwilliam whole for  
9 increased legal [sic] tech expertise and  
10 administration?

11 MR. BAREFOOT: Yes, we have an  
12 agreement with the Town to currently  
13 reimburse them for any direct expenses  
14 incurred as part of their review of this  
15 project.

16 MODERATOR MCGUIRE: Okay. Do we  
17 have -- oh, could you please elaborate on the  
18 specific benefits to Fitzwilliam from this  
19 solar project?

20 MR. BAREFOOT: Again, so this  
21 project is a high-value, low-impact project.  
22 It will be a great neighbor. No increased  
23 use on municipal services once it's  
24 constructed. The initial benefit, of course,

1 will be through the construction jobs. But  
2 beyond that, there's going to be incremental  
3 tax revenue that the town can use in support  
4 of their budget for things such as roads or  
5 first responders. You know, also, again, we  
6 invite the opportunity to discuss how best to  
7 use the remaining 400 acres, you know,  
8 allowed to reforest, for example. So there  
9 are a variety of benefits that we feel make  
10 this a worthy project.

11 And lastly, I'll just note that as  
12 a regional grid, the carbon reduction is a  
13 benefit for all users who are interconnected  
14 into ISO-New England.

15 MODERATOR MCGUIRE: It was stated  
16 that there were no mapped prime wetlands.  
17 Did you identify any prime wetlands?

18 MR. BAREFOOT: No.

19 You want to answer that?

20 MR. VALLEAU: Yeah, we looked in  
21 the vicinity of the Project parcels and  
22 didn't identify any prime wetlands.

23 MODERATOR MCGUIRE: Will you commit  
24 to not hiring out-of-state employees for the

1 construction phase of the Project?

2 MR. BAREFOOT: So we typically hire  
3 a construction engineering firm to do the  
4 work itself. And based on prevailing market  
5 conditions and availability of the labor  
6 force, you know, often there are some  
7 travelers, people who have to come in from  
8 out of state. But we do try and hire as many  
9 local folks as we can. Obviously, we have a  
10 construction time line we have to meet in  
11 order to build the Project.

12 MODERATOR McGUIRE: And I think  
13 this is going to be a sound one again.

14 Isn't it reasonable that more than  
15 one microphone would be set up at multiple  
16 locations? I guess to measure ambient sound.

17 MR. RIEGERT: Sure, I'll address  
18 that. That's a very good question.

19 The goal of the ambient sound  
20 monitoring was to determine what is the  
21 lowest ambient sound levels at the 51 homes  
22 surrounding the Project. To be very  
23 conservative, that microphone was deployed on  
24 the Project where there are solar panels

1           planned. That area is logically quieter than  
2           near the homes that are closer to the roads.  
3           So that's additional conservatism built into  
4           our study.

5                   MODERATOR McGUIRE: Okay.

6                   MR. RIEGERT: Right. I guess going  
7           back to the question, the question was would  
8           another microphone benefit the study.

9                   MODERATOR McGUIRE: Hmm-hmm.

10                  MR. RIEGERT: Is that the word? I  
11           would say there would be no change. One of  
12           my previous responses was that we measured  
13           20 decibels at night and 23 decibels during  
14           the day. That's about as quiet as it gets  
15           anywhere around here, and it was likely due  
16           to the season. The season was selected as  
17           there was no leaves on the trees to rustle;  
18           the insects were not awake at night. The  
19           weather conditions were ideal: Sound  
20           monitoring with no precipitation and little  
21           to no wind. It was an ideal night to measure  
22           the lowest ambient sound level in the  
23           vicinity. And using that from the middle of  
24           the site, it's conservative when applying it

1 to impacts at the homes that are closer to  
2 the roadways.

3 MODERATOR MCGUIRE: Okay. Thank  
4 you.

5 Okay. Going once, going twice,  
6 boom. We're going to the next segment, which  
7 is for comments. Again, you are to please  
8 come up to the mic, take one of the two  
9 microphones. Please state your name, and  
10 spell your last name, and the town that you  
11 live in. Somebody did give a written  
12 comment. Again, that was given to the people  
13 at the registration desk. That written  
14 comment and any other written comments will  
15 be part of the application that is submitted  
16 to the SEC, as well as, again, your comments  
17 now will be transcribed and will be submitted  
18 as part of the application to the SEC.

19 Yes, ma'am.

20 MS. BORDEN: My name is Priscilla  
21 Borden, B-O-R-D-E-N. I live in Fitzwilliam.  
22 I have a number of concerns. One concern I  
23 have is this is not on the only open piece of  
24 land this company is going to take over for

1 solar projects. I have a concern about how  
2 many hundreds and thousands of acres  
3 throughout New Hampshire that they're going  
4 to want to put solar farms on. We have  
5 hundreds and thousands of acres of routes  
6 where solar panels can go, and the  
7 electricity is used where it's produced and  
8 you don't need these huge transfer stations.

9 As for water quality, every piece  
10 of land that is higher than a stream has an  
11 effect on that stream, so that when water  
12 enters the ground, it is purified and slowly  
13 goes down to enter the intermittent streams.  
14 If this water is held in retaining pools, it  
15 does not go through the ground and get to the  
16 stream, and the intermittent streams will not  
17 continue to flow through the summer as long  
18 as they would otherwise.

19 My other concern is bird song. The  
20 song of the birds, the noise of the  
21 woodlands, is very different from a constant  
22 hum.

23 MODERATOR McGUIRE: Thank you.

24 MS. MARTIN: I'm Pat Martin,

1 Patricia Martin, M-A-R-T-I-N. And I'm from  
2 Rindge, New Hampshire, so I'm your neighbor.  
3 And I just wanted to thank the people in  
4 Fitzwilliam for considering this project.  
5 I'm very concerned about climate change and  
6 about de-carbonizing our economy [sic]. And  
7 I'm really hoping that you will get a  
8 wonderful PILOT deal and have excellent  
9 mitigation and handling of any wildlife  
10 concerns so that this project can actually be  
11 a model for other projects across the state.

12 In terms of the trees that are  
13 cleared, I just want to point out to people  
14 that the Burgess biomass plant in Berlin, New  
15 Hampshire, burns through one acre of forest  
16 land per hour to produce 75 megawatts. So  
17 that power plant would burn through  
18 144 acres -- which is where this -- about how  
19 much land this project needs to get  
20 cleared -- in about six days. So, you know,  
21 we really need to be thinking about  
22 sustainability.

23 And I am so grateful. I know  
24 Fitzwilliam's been working for three years

1 looking at what kind of regulations -- kudos  
2 to the conservation commission and the  
3 planning board for the work that they've done  
4 to prepare for this. And as somebody who  
5 lives in the town next door, I am so thrilled  
6 and grateful to you and really hoping that  
7 Monadnock, the Monadnock Region, gets the  
8 first big solar project in New Hampshire.  
9 Thank you all.

10 MODERATOR MCGUIRE: Thank you.  
11 There is a front microphone as well.

12 MS. SCHERR: Stephanie Scherr,  
13 S-C-H-E-R-R. I live in Fitzwilliam. Most of  
14 the people in this room I know because of our  
15 fight against the Kinder Morgan Pipeline.  
16 And just in sitting here tonight and hearing  
17 your questions and your comments and the  
18 thoughtful things that we have to say, I feel  
19 that even though there are some concerns and  
20 there are things that we can work on to  
21 mitigate, that this project has a lot of  
22 benefits for us. And I hope that you are  
23 feeling more calm, more positive about this,  
24 since we were subjected to a project that

1 really terrorized our town and, in fact, most  
2 of southern New Hampshire. And so I would  
3 just remind you of what that was like and ask  
4 for you to carefully consider this, inasmuch  
5 as you want to see it well sited, so that we  
6 benefit from this project in the best way  
7 possible and that we feel really good about  
8 this project. So I support all of your  
9 questions. But I just encourage you to  
10 really think about what the option was just a  
11 few years ago and that we would have been so  
12 pleased to have this offered to us at that  
13 time.

14 So, yes, I have concerns, too,  
15 about wildlife, about prime wetlands and many  
16 other things. And I'll be asking a lot of  
17 questions, and I encourage you to ask those  
18 questions and to submit your comments. But I  
19 thank NextEra for having experts that are  
20 answering our questions in fair detail, that  
21 I feel like that you're trying to respond to  
22 us in a reasonable manner. And I think that  
23 that will happen as we continue to ask  
24 questions along the process.

1                   So, thank you, NextEra, and thank  
2                   you to my friends in Fitzwilliam for thinking  
3                   carefully and asking your questions and  
4                   considering the Project well. Thank you.

5                   MODERATOR McGUIRE: Thank you.  
6                   Would anybody else like to comment?

7                   [No verbal response]

8                   MODERATOR McGUIRE: No? Yes.  
9                   Okay.

10                  MR. PINNEY: My name is David  
11                  Pinney, P-I-N-N-E-Y, Fitzwilliam, and I don't  
12                  have any prepared statements. But I am  
13                  sensitive to noise. I live near the  
14                  substation. And people in town are familiar  
15                  with -- most people are familiar with what  
16                  that situation was. And I'm for solar. I  
17                  have solar on my house. I approve of it. It  
18                  works. But I am concerned for the neighbors  
19                  who might hear the sound. And even though  
20                  the sound is below ambient thresholds, the  
21                  sound is a 60-hertz or 60-cycle sound. And I  
22                  liken it to when you go to bed at night and  
23                  you're hearing a mosquito that doesn't stop.  
24                  And sound can be low or below ambient. But

1 if you hear a siren from a fire truck or a  
2 police cruiser that's way off in the  
3 distance, it's not really loud. But you can  
4 imagine that sound off in the distance as not  
5 really loud 24 hours a day, or certainly  
6 during the quiet, ambient times in the  
7 evening when you're trying to enjoy a nice  
8 summer night like tonight or sleeping with  
9 your windows open at night. I would hope  
10 that NextEra would give serious  
11 consideration. It's an expenditure. It  
12 costs money that no corporation wants to  
13 spend if they don't have to, to encapsulating  
14 that system so that it's not an issue and  
15 that the Town doesn't have to revisit it like  
16 they had to with the substation north of  
17 town.

18 MODERATOR McGUIRE: Thank you.

19 Anybody else like to add a comment?

20 [No verbal response]

21 MODERATOR McGUIRE: Well, then, I  
22 think we'll bring the evening to a close. I  
23 really was very impressed with your  
24 insightful questions and with your thoughtful

1           comments tonight. And I was really impressed  
2           with, you know, a small town in New  
3           Hampshire, people coming out who are  
4           concerned, how polite everybody was and  
5           respectful of each other. I really  
6           appreciated it. And so be careful driving  
7           home tonight, and thank you again for coming  
8           out.

9                       (Public Hearing concluded at 7:37 p.m.)

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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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<b>\$21 (2)</b> 49:5;50:20	<b>additional (7)</b> 21:12;24:11;32:7, 17;43:6;54:2;64:3	<b>almost (1)</b> 32:16	<b>area (18)</b> 19:12;21:7;22:1; 26:10;35:2,4,14;36:1, 5;39:23;40:1;42:23; 43:18;44:12;52:4,22; 55:15;64:1	<b>back (7)</b> 14:10;24:1;30:4; 38:13;43:1;53:4;64:7
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