

Comment for DE-24-087 and SEC 2024-02

When does Eversource plan to return to the X-178?

I misunderstood what the waiver of 1503.21 (d)(6&7) meant. Eversource is already allowed to deviate per 6 and 7 below.

“1503.21 (d) The permit holder shall not deviate from the approved plans and specifications without applying for an amended permit or a new permit unless all of the following criteria are met:...

(6) The roadway centerline has not been relocated or has been relocated to no more than 20 feet from the center line of the roadway as originally approved;

(7) The center point of a parking area has not been relocated or has been relocated to no more than 20 feet from the center point of the parking area as originally approved”

Below: What Eversource requested and the waiver allows:

D. WAIVER REQUESTS	
Env-Wq 1503.21 (d)(6&7) Rule Section Waiver Request	Notification; Certification Name of Rule
Reason for Waiver Request Eversource is requesting a waiver for deviations from the approved plans without applying for an amended permit or a new permit if shifts in the proposed project layout occur. Changes in project layout are frequently identified during construction by Eversource and their contractors and may be necessary to safely perform the work. Access shifts would be limited to the extent necessary for safety, would not impact new resources, and access would remain within the existing and maintained ROW. The need for additional permit applications can impact construction schedules and incur costly delays.	
Waiver Timeline Permanent	
Proposed Alternative Allow for the access road centerlines to be relocated during construction, if necessary, up to a distance equal to the approximate width of the ROW (approximately 170-350 feet on the X178-2 Line). Shifts would not create greater than 5% increase in disturbed area along the individual access segment, which is assumed to be the length of the access road between two work pads/structures. Allow for the center point of the parking area, assumed to be the structure replacement work pads for transmission line projects, to be relocated during construction, if necessary, up to a distance equal to half the approximate width of the ROW (approximately 170-350 feet on the X178-2 Line). Shifts would not create greater than 5% increase in disturbed area at each work pad. This would allow contractors to avoid steep terrain or other hazardous areas, or areas that may require significant grading or earthwork that may not have been identified during initial constructability reviews. Landowners may also request layout changes be made after project permitting is complete. In most cases this shift is done to reduce the amount of disturbed area.	

Compliance with Env-Wq 1503.21 (d)(6&7)

The project proposes to improve access routes and work pads around utility structures for the purpose of maintaining existing utility infrastructure. This project is necessary to maintain the safety and reliability of the electrical infrastructure. Proposed disturbances shown on Figures 3 and 4 are the result of avoidance and minimization measures and constructability reviews. Layout changes and shifts will be limited to the proposed alternative above. A reduction in disturbed area is often the result. As previously mentioned, access shifts would be limited to the extent necessary to safely perform work. Access routes will remain within the existing and maintained ROW and would not disturb new resources. Best Management Practices will be utilized to protect wetlands from erosion, sedimentation, or other environmental degradation as originally proposed. Eversource respectfully requests a waiver from limiting shifts of the project road centerlines and parking areas to 20 feet.

“Landowners may also request layout changes be made after project permitting is complete. In most cases this shift is done to reduce the amount of disturbed area.”

Landowners, which Eversource claims do not exist since **it** claims to be the landowner, may contact Eversource during or after project construction and demand that Eversource restores their property to its former condition. They may demand that the truckloads of rip-rap and gravel on the roads and construction pads be removed, the construction pads deconstructed, the contours of the terrain returned to what they were, topsoil replaced where it was bulldozed off, and the whole mess re-seeded.

The landowners who have done this apparently felt that Eversource’s standard “asset condition” structure replacement was a substantial and unacceptable expansion, and had the knowledge and social capital to demand restoration from Eversource.

On a 225’ easement, as exists in Easton, DES has given Eversource a waiver to relocate a road centerline 225’ and a construction area 112’. The cleared easement in Easton is 100’-120’. So the project plans are very provisional and one can’t assume Eversource will adhere to any part of them. Eversource claims “Access routes will remain within the existing and maintained ROW and would not disturb new resources.” What does “existing” mean here? Maybe that is why they clearcut easements down south before construction.

These waiver conditions are one reason why Eversource did not give landowners, the PUC or the SEC the AoT applications. The documents that show a waiver was granted only say which waiver, not why Eversource “requested” it.

What Eversource has claimed about its X-178 “proposed” rebuild:**February, 2024 PAC presentation:**

“Eversource takes a proactive approach to maintain long-term structural integrity ...through holistic evaluation of present and future needs, as well as community and environmental impacts...”

Additional structures were identified and prioritized for replacement based on... minimizing environmental impacts...”

Cons of partial rebuild:

“Re-entry into this right-of-way for future project work will incur significant... environmental/community impacts...”

Full rebuild:

“Eliminates need for repeated re-entry into RoW over coming decades, mitigating impact to local communities, landowners, and sensitive environmental regions...”

A holistic approach... minimizes environmental impacts of working on protected land...

Repeated access is ...more disruptive to the environment and abutting landowners”

June, 2024 PAC presentation

“Additional structure replacements under future projects would require access to the same portions of the ROW...”

– Highest environmental and community impact due to repeatedly accessing the ROW over the course of several years...

–Additional re-entry into corridor will continue to cause additional environment and community impacts”

Full rebuild: “Reduces need for repeated re-entry into ROW over coming decades, mitigating impact to local communities, landowners, and sensitive environmental region...”

Repeated access is costly, time-consuming and more disruptive to the environment and abutting landowners...

Alternative 3 [full rebuild] limits the environmental and community impact to a single project

Short-term impact will be greater than Alternative 2, but will be significantly less over the long run when compared to several smaller projects”

October, 2024 PAC presentation

“At the February and June PAC meetings, we proposed a full rebuild for the following reasons: Limit environmental impacts and disruption to abutters from repeated ROW re-entry, including building and restoring repeated access roads to hard-to-reach areas ... avoids repeated

environmental impacts to sensitive ecological areas, including the White Mountain National Forest”

Yet Eversource requested and DES granted a waiver of Env-Wq 1503.12(d)(1 & 2) because *“Future maintenance may occur within the X-178-2 ROW”* *“Eversource, through consultation with NHDES, [but not landowners] will evaluate whether future terrain disturbances within the X-178-2 ROW [easement] will be permitted with an amendment to this application of subject to a new, separate application.”*

“1503.12 (d) Subject to (b) and (c), above, the amount of contiguous area disturbed shall include any actual or proposed terrain disturbance that occurs on the same property as the proposed project or is part of a larger plan of development: (1) Within 10 years before the commencement of any terrain alteration activity for the proposed project; and (2) Within 10 years after the terrain alteration activity for the proposed project ends.”

Compliance with Env-Wq 1503.12 (d)(1&2)

The project proposes to improve access routes and work pads around utility structures for the purpose of maintaining existing utility infrastructure. This project is necessary to maintain the safety and reliability of the electrical infrastructure. Proposed disturbances anticipated for 2024 within the X178-2 ROW are included in this application and shown on Figures 3 and 4. Project disturbances included in this application and subsequent permit approvals will be considered if future structure maintenance is proposed within the X178-2 ROW. Eversource respectfully requests a waiver from including past disturbance in this application. Future disturbances within the X178-2 ROW will be evaluated and discussed with NHDES and permit amendments or new permit applications will be submitted, if necessary.

Reason for Waiver Request

Eversource is requesting a waiver for including past terrain disturbance in the measurement of contiguous disturbed area included in this X178-2 Line AOT application. Future disturbance, beyond the scope of X178-2 Line Rebuild and OPGW project described in this application is not known at this time.

Waiver Timeline

Permanent

Proposed Alternative

Any existing trails or access roads that may have been created within the last 10 years will be utilized and/or improved as part of this project and have been included in the current calculations within this application. Future structure maintenance may occur within the X178-2 ROW. Eversource, through consultation with NHDES, will evaluate whether future terrain disturbances within the X178-2 ROW will be permitted with an amendment to this application or subject to a new, separate application.

Eversource repeatedly claims that it chose its full rebuild plan because that was the least environmentally damaging plan. Yet to DES it cites future access for construction as its reason for requesting a waiver from 1503.12 (d) (1&2).

X-178 (2) AoT: https://nhconservation.org/lib/exe/fetch.php?media=x178:final_aot_document.pdf

Eversource never allowed a plan without new roads and construction edifices to be discussed. “Pad” is a misleading word for a denuded, leveled and often bermed area many times larger than most people’s house footprint.

Below: Earthworks on the O-154 line, completely rebuilt in 2023. The line was built in 1947-8.



Will Eversource remove the O-154 poles’ 75 year age from its calculations, now that they’ve been cut down and given to local residents who were perhaps unaware that the poles were saturated with pentachlorophenol?

To create permanent construction and pull pads, an area more than 56 times the cabin dwelling space (20' x 40') would have its soil and living growth removed, be excavated and bulldozed to a flat grade, bermed where



required, and covered with rip-rap and gravel. This area would occupy 1.6 acres

Permanent road created in the same way would occupy 1 acre of land.

2.6 of the 5.7 acres now bare of trees and mowed, would be permanently damaged.

If Eversource built another line east of this one, the permanent degradation would be almost doubled.

Above: Eversource's proposed construction/ crane "pads" are more than twenty times larger than my cabin (minus porch, to reduce it to 20' x 40').

Eversource's "proposed" road would be approximately one cabin wide, covering 1/6 of the width of the cleared easement if it was run in a straight line which wouldn't be.

Looking south toward height-of-land, Mt. Blue, and structures 306/311 and 305/310:



North>

Road left is an error.

Zig-zags add 200' of road

Eversource should be deeply concerned about the possibility it will bring phragmites on its wetlands matting from its Great Bay projects to Bog Pond and other wetlands here. 40% lighter mats would also cause less compaction of wetlands.



“Request Your Free Infographic Now: "Better Project Execution with Better Access Mats"”

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This infographic explores how CLT mats boost efficiency, cutting trucks and safety risks by 40%.

Installing access matting and carrying out site work can be safer and more sustainable with the right mats. Cross-laminated timber (CLT) mats are precision engineered for

predictable site performance and reduced environmental impact. Our new infographic explores how much these mats can improve your projects just by switching from waffle mats.

You’ll learn:

- How CLT mats are 40% lighter and require 40% fewer trucks on the road
- Why CLT mats reduce soil compaction and contamination risks from invasive species
- How consistent engineering reduces injury hazards for workers on job sites
- Why renewable southern pine is more sustainable for matting material

Offered Free by: Utility Dive's studioID and Sterling Solutions”

Eversource claimed to the EPA that the X-178 (2) was not formerly used for agriculture.

The photos below appear to show pasture, and if so, these areas were likely to have been pasture for many years.

PHOTO LOG

**X178-2 Transmission Line Rebuild & OPGW Project Phase 1
Woodstock, Easton, and Sugar Hill, New Hampshire**

Photos Taken: November 15, 29, 30, December 7, 8, 13, 14, 2022, and May 1, 2, 3, 8, 9, 10, 18, 2023



Photograph No. 99: Looking northeasterly at proposed access toward Structure 393.

PHOTO LOG

**X178-2 Transmission Line Rebuild & OPGW Project Phase 1
Woodstock, Easton, and Sugar Hill, New Hampshire**

Photos Taken: November 15, 29, 30, December 7, 8, 13, 14, 2022, and May 1, 2, 3, 8, 9, 10, 18, 2023



Photograph No. 95: Looking northeasterly at proposed access toward Structure 389.

47.5' structure with ES planned increased to 70', almost 50% taller.

PHOTO LOG

X178-2 Transmission Line Rebuild & OPGW Project Phase 1
Woodstock, Easton, and Sugar Hill, New Hampshire

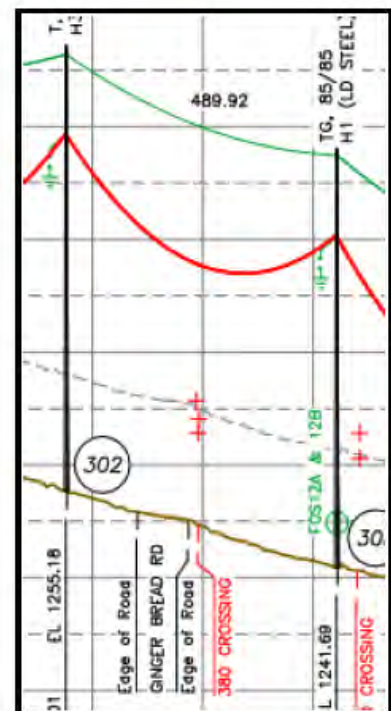
Photos Taken: November 15, 29, 30, December 7, 8, 13, 14, 2022, and May 1, 2, 3, 8, 9, 10, 18, 2023



Photograph No. 19: Looking westerly at proposed access toward Structure 298.



Does the person who lives in the house just left of this structure know that Eversource plans to more than double this structure height, to 79'? The clearance over the road is 25' in excess of what is required by Code.



This subdivision is in former pasture/crop land.

LINE X178-2 - LINE REBUILD				
EASTON STRUCTURE HEIGHT OVERVIEW				
REV. B: 2023-06-02				
EXISTING STR. #	NEW STR. #	EXISTING HEIGHT ABOVE GROUND	PROPOSED HEIGHT ABOVE GROUND	DIFFERENCE BETWEEN EXISTING AND PROPOSED
		(FT)	(FT)	(FT)
298	303	49.14	79.00	29.86



Photograph No. 94: Looking northerly at proposed access toward Structure 388.



Photograph No. 98: Looking northeasterly at proposed access and work pad location for Structure 392.

“Investor-owned utilities ... have an incentive to maximize certain costs. Public utilities are, in general, private companies that are given a monopoly market. In order to ensure that public utilities do not use the monopoly to profit greatly at the public’s expense, their profits are limited to a certain percentage of their utility rate base, which consists of their capital holdings. Other things being equal, if the value of their capital holdings – including power plant, substations, and poles – goes up, then their profits go up...

Suppose that in 1996, two utility companies each have the same allowable 10% profit margin and the same rate base. Company A’s 100,000 poles are all new steel poles estimated to last 80 years. Company B’s 100,000 poles are all new treated wood poles, estimated to last 40 years. The poles cost the same when they were new.

In 2036, Company A’s poles are still going. Company B’s poles need to be replaced. They are replaced with new poles, which now cost an additional \$40 each. By replacing the poles (again with treated wood poles), Company B, assuming a 10% profit rate, has just made a \$400,000 profit. The fact that there are costs associated with buying, installing, and disposing of poles is irrelevant to the power company, which is allowed to pass on those costs to the consumer.

There is another twist to this. Utilities are granted a depreciation allowance – allowable surcharge to help them set aside money to replace capital holdings. This depreciation means that the differential between new and old poles is even greater.

There has been something of a move to introduce competition to utilities, but it is unlikely to change the critical aspects here.”

Bob Eye, former Chief Counsel, Kansas Department of Health and Environment; attorney representing citizens in utility cases, November 1996

The U.S Fish and Wildlife Service and the Endangered Species Act: another captured agency.

“[We](#) analyze data on all 88,290 consultations recorded by FWS from January 2008 through April 2015. In contrast to conventional wisdom about section 7 implementation, no project was stopped or extensively altered as a result of FWS finding jeopardy or adverse modification during this period.”

And by [2023](#):

