From: Ken Kimball
Sent: Tuesday, March 17, 2009 11:29 PM
To: Watershed
Cc: Dave Publicover; Ken Kimball
Subject: Re: AMC's Comments on the Granite Reliable Power 401 WQC

Re: Comments of the Appalachian Mountain Club on the draft 401 Water Quality Certification for the Granite Reliable Power Windpark [NH DES #2008-004]

The Appalachian Mountain Club recommends, based on the testimony submitted during the NH Site Evaluation Committee hearings, that the draft 401 WQC for this Project be modified to include the following in Section E - Water Quality Certification Conditions.

A) To encourage natural forest regeneration on disturbed sites the Applicant should be required as follows:

Materials used for erosion control in the high elevation ecosystems (=/> 2700 feet in elevation) shall be limited to natural organic materials like wood chips or bark that will not inhibit natural regeneration of the forest, and prohibit techniques such as non-native grass mixes that inhibit natural forest regeneration.

B) The Project will represent some of the highest elevation road construction of this size and magnitude in New England and not experienced before in New Hampshire. It will involve road construction on extremely steep slopes, large cut and fills, fragile soils and an environment where precipitation is dramatically higher due to orographic effects. The Certification should stipulate that:

1) The Monitor should be a qualified 3rd party paid for by the Applicant but who is directly responsible to DES, not to the Applicant.
2) The Monitor must be free of any conflict of interest arising from his or her employment or relationship to the Applicant, or its contractors.
3) The Monitor should have the authority to immediately stop construction activity if permit conditions are not being strictly adhered to or to protect the environment.

C) It is common for high elevation soils to have broad areas of subsurface seepage flow that are ecological important in these high elevation ecosystems. The Application proposed to constrict and channelize flows under the roads. In Maine it has been required that 'rock sandwiches'" be used" when road construction interfaces with these broad subsurface flow conditions. The AMC and the State's Public Counsel witness have testified on the need for the 'rock sandwich' technique and the Applicants consultant has now admitted that this technique is warranted for this Project. The Water Quality Certificate should require that an independent 3rd party, qualified expert be required to identify where "rock sandwiches" are appropriate and require the Applicant to use this technique in those locations to protect natural subsurface flow patterns.

The AMC appreciates your consideration of these comments.

Kenneth D. Kimball
Director of Research
Appalachian Mountain Club
PO Box 298
Gorham, NH 03581
(603)-466-2721 x 8149
(603)-466-2822 fax
kkimball@outdoors.org

www.outdoors.org