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NORTHERN PASS TRANSMISSION PROJECT ENVIRONMENTAL IMPACT STATEMENT

My name is Christophe Courchesne. I am an attorney with Conservation Law Foundation. CLF is an intervener and has been engaged in this process from the very beginning. We will be filing additional written comments before the close of the scoping comment period.

The project's amended Presidential Permit application remains legally incomplete and does little to address the project's many environmental and economic failings. In a filing last week, CLF, Appalachian Mountain Club, and the Forest Society urged DOE to reject the application. In its current form, this project is wrong for New Hampshire and for the region as a whole.

My brief comments tonight will focus on the NEPA process, which to date has been opaque, devoid of creativity and collaboration, reflexively dismissive of stakeholder input, and more deferential to the developer than to the public. In the face of a developer bent on its preferred proposal, it is essential that DOE and the other cooperating agencies begin fulfilling their responsibilities under federal law as stewards of the public interest.

In particular, DOE should now reconsider a series of requests that would have strengthened the process:

1. CLF and others have asked DOE to commit to publish and accept public input on DOE's plan for the draft EIS, including the list of alternatives that will be studied in depth. Likewise, NH's Congressional delegation has asked that all technical reports and studies on the project be made public as soon as possible, whether produced by Northern Pass or DOE's own team. Yet DOE has refused to take these doable steps. A

process this important to New Hampshire can and should be an open book, not a black box.

2. CLF surfaced unequivocal evidence that Northern Pass has had an extraordinary and unfair influence over what is supposed to be an impartial NEPA process. Many stakeholders sought a fresh start with a new contractor team untainted by conflict. Yet DOE has retained both the current team and the tilted arrangement for preparation of the EIS. At a minimum, DOE should deny Northern Pass any further role at the table where decisions on the EIS are made.
3. CLF and other stakeholders asked DOE to coordinate a comprehensive regional study of our needs for new energy imports from Canada and the most innovative and least damaging means of transmitting the power. That study could have been completed long ago. The regional study still should be done, before DOE spends one more day considering Northern Pass in a vacuum.

In part because DOE failed to take steps like these, public cynicism about this process is high, and its legitimacy—and overall legality—are in severe jeopardy. Addressing these three subjects would help promote the comprehensive, rigorous, and open review that the law requires and the people of New Hampshire deserve.