STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Investigation pursuant to 30 V.S.A. §§ 30 and 209 regarding the alleged failure of Vermont Gas Systems, Inc. to comply with the certificate of public good in Docket 7970 by burying the pipeline at less than required depth in New Haven, Vermont	)	Case No. 17-3550-INV

Second Affidavit of Jeffrey A. Nelson

I, Jeffrey A. Nelson, being duly sworn, hereby depose and state as follows:

1. I am the Director of Energy and Environmental Services for the Vermont office of Vanasse Hangen Brustlin, Inc. ("VHB"). I provided an Affidavit in connection with this Case on August 4, 2017, which included details on my background and experience, and which I incorporate here by reference.

2. In Docket 7970, I prepared testimony and sponsored the Section 248 Natural Resources Report and related natural resource impact assessments prepared by VHB in connection with the Vermont Gas Systems, Inc. ("Vermont Gas" or "VGS") Addison Natural Gas Project ("ANGP" or "Project").

3. Included in the ANGP Docket 7970 submissions in support of the requested Certificate of Public Good was testimony prepared by me and dated February 28, 2013. In that testimony, I described the general plan for post-construction contouring and restoration. Specifically, my testimony states, "the majority of this Project involves the installation of underground infrastructure with restoration of the ground surface to pre-construction contours with permanent vegetative cover…" Nelson supp. pf. (02/28/13) at 17.

4. My testimony was intended to describe the final step in a typical pipeline construction process, which is the restoration of the project area to a condition comparable to the pre-construction conditions. This includes the pipeline right-of-way and other involved lands where temporary construction easements were obtained by VGS. The restoration process typically involves backfilling the trench in which the pipeline has been installed, grading the land to pre-existing contours, cleaning the corridor, replacing topsoil, and then seeding/mulching to restore vegetative cover or reestablishing other pre-construction land cover conditions (e.g.

roadway or agricultural field). All of this work is to be performed in accordance with the Erosion Prevention and Sediment Control (EPSC) Plan developed for the Project and referenced in the Individual Construction Phase Stormwater Discharge Permit (INDC) for the Project issued by ANR.

5. The process of grading the project corridor includes restoring pre-existing topography on a landscape scale in order to maintain functionality, including existing drainage and water runoff patterns, and pre-construction uses (e.g. agricultural cropping). The intent is that restored areas along the Project corridor will tie-in to the adjacent landscape and landforms with slopes that are comparable with adjacent areas, and abrupt cut/fill faces or topographic mounds are avoided. In very steep areas, post construction erosion prevention measures such as waterbars may be constructed perpendicular to the slope within the right-of-way to divert surface water runoff on a localized basis. The intent is that the restored corridor closely resembles the pre-construction landscape. It will maintain the existing drainage patterns and contours and generally maintains compatibility with pre-construction uses of the landscape such as agriculture, co-located utility rights-of-way, and transportation. "Restoration" does not mean returning the surface at a "micro-topographical level" to the precise inch of what was present at a particular location prior to construction.

6. Under my direction, VHB staff completed detailed observations and took photographs of the ANGP Phase 1 corridor before, during and after construction of the Project. These observations include EPSC inspections of post-construction depth of cover re-contouring while the work was in the process of being completed by VGS. Follow up observations were made by VHB in September 2017 in the areas where post-construction depth of cover-recontouring work was previously performed. The six photograph exhibits attached to this Affidavit were taken by VHB personnel at two representative locations of the Project corridor where re-contouring was completed. The photographs compare in-progress re-contouring in late 2016 with views of the revegetated corridor from September 2017. Exhibit 1 and 2 show the Project corridor looking south approximately 1,400 feet south of Charlotte Road in Hinesburg. Exhibits 3 and 4 show the Project corridor looking south approximately 1,200 feet north of the VELCO Switching Station in Williston. Exhibits 5 and 6 are at the same location in Williston looking to the north. I have also reviewed the affidavit of John St. Hilaire dated September 22, 2017.

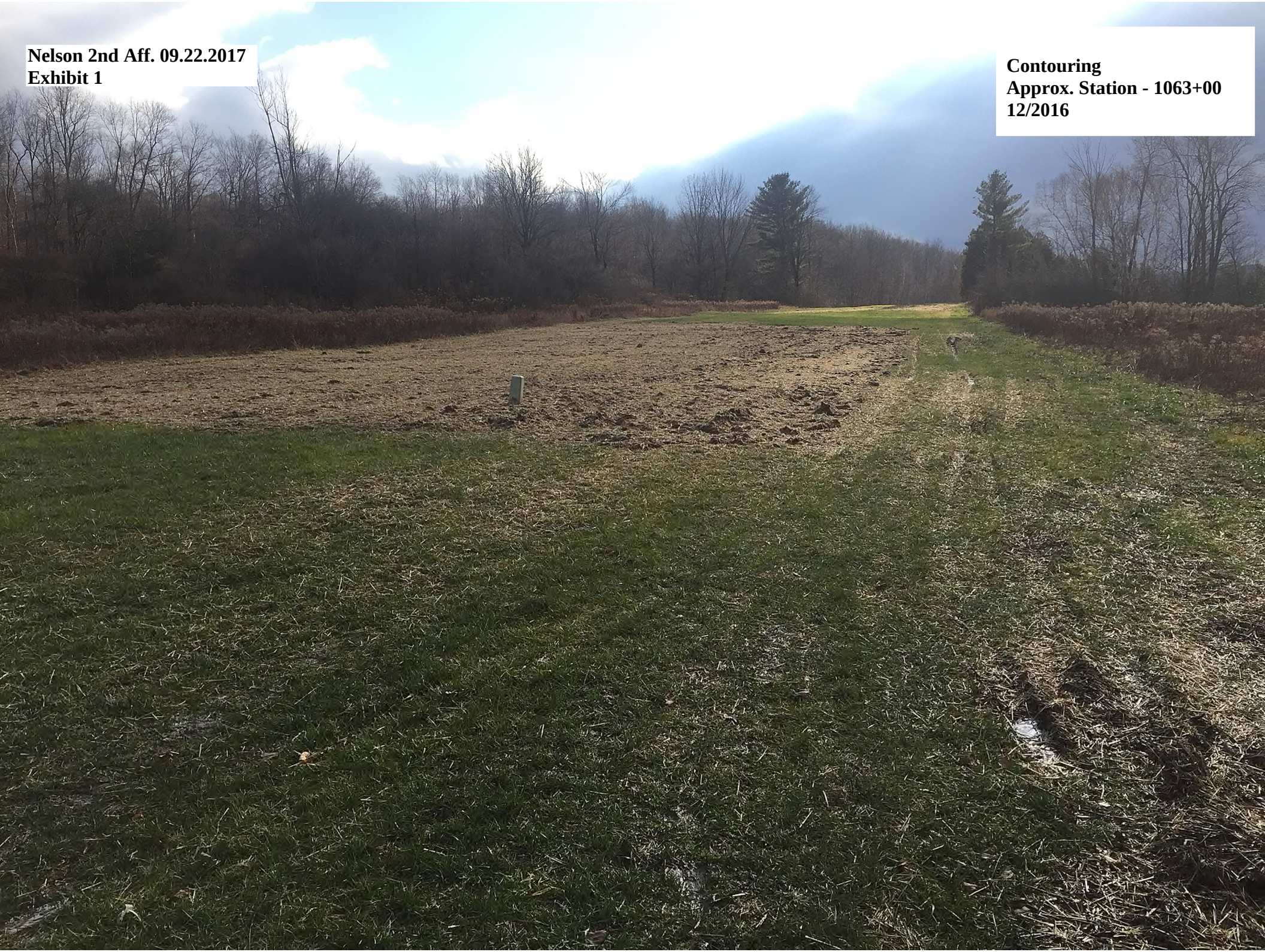
7. Based on our observations and the contents of Mr. St. Hilaire's affidavit, I conclude that the Project corridor, including those areas where supplemental re-contouring was completed, has been restored to pre-construction conditions, consistent with the representations of my 2013 testimony on this topic. In these areas, the Project corridor landscape blends well with the surrounding topography and the existing drainage patterns and other uses have been restored or maintained. There are no mounds or berms over the pipe that would impede surface water flow, no indication of soil erosion due to Project construction and appropriate pre-construction cover conditions have been restored.

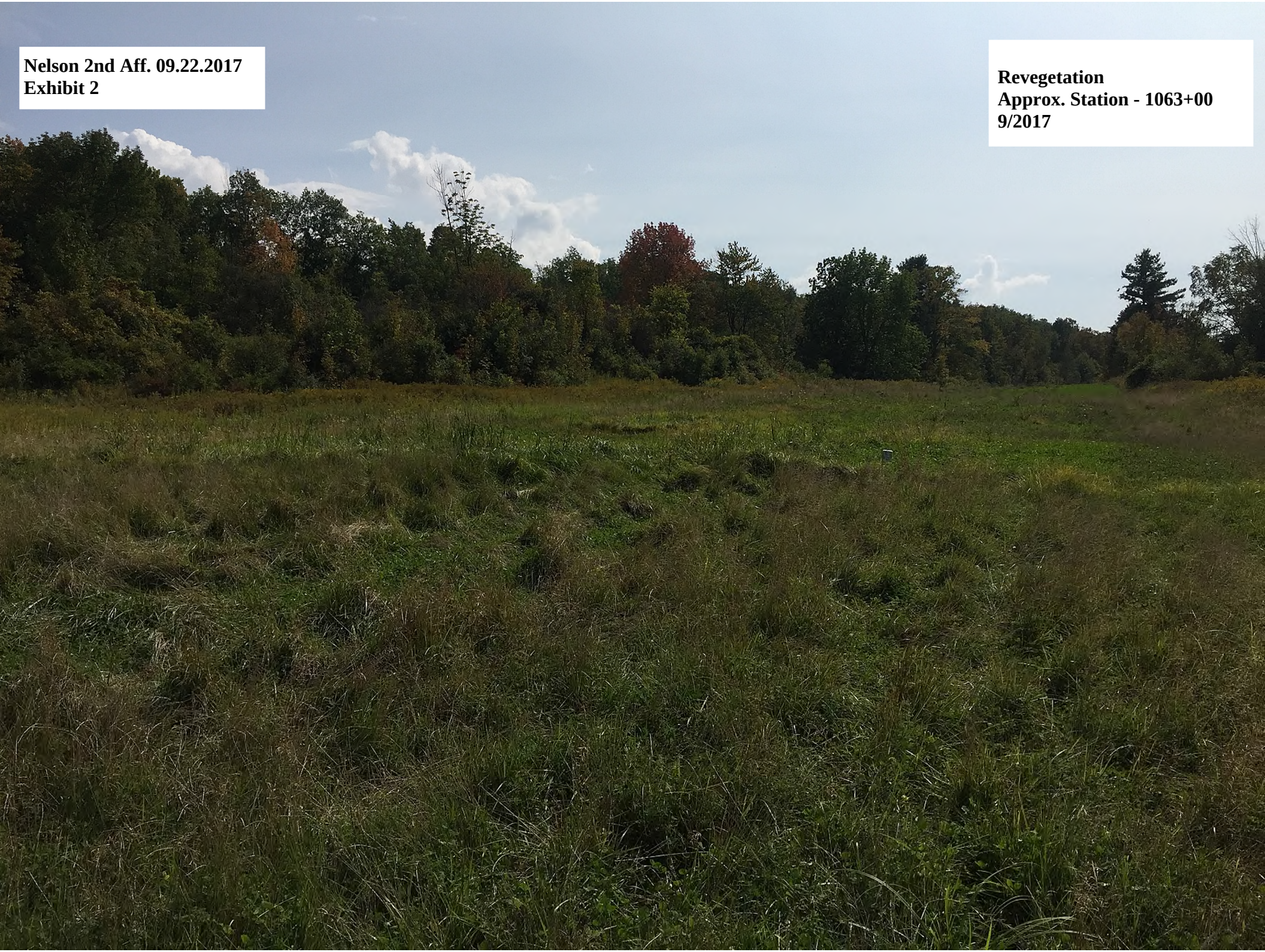
Dated at Burlington, Vermont this 22nd day of September, 2017.

Jeffrey A. Nelson

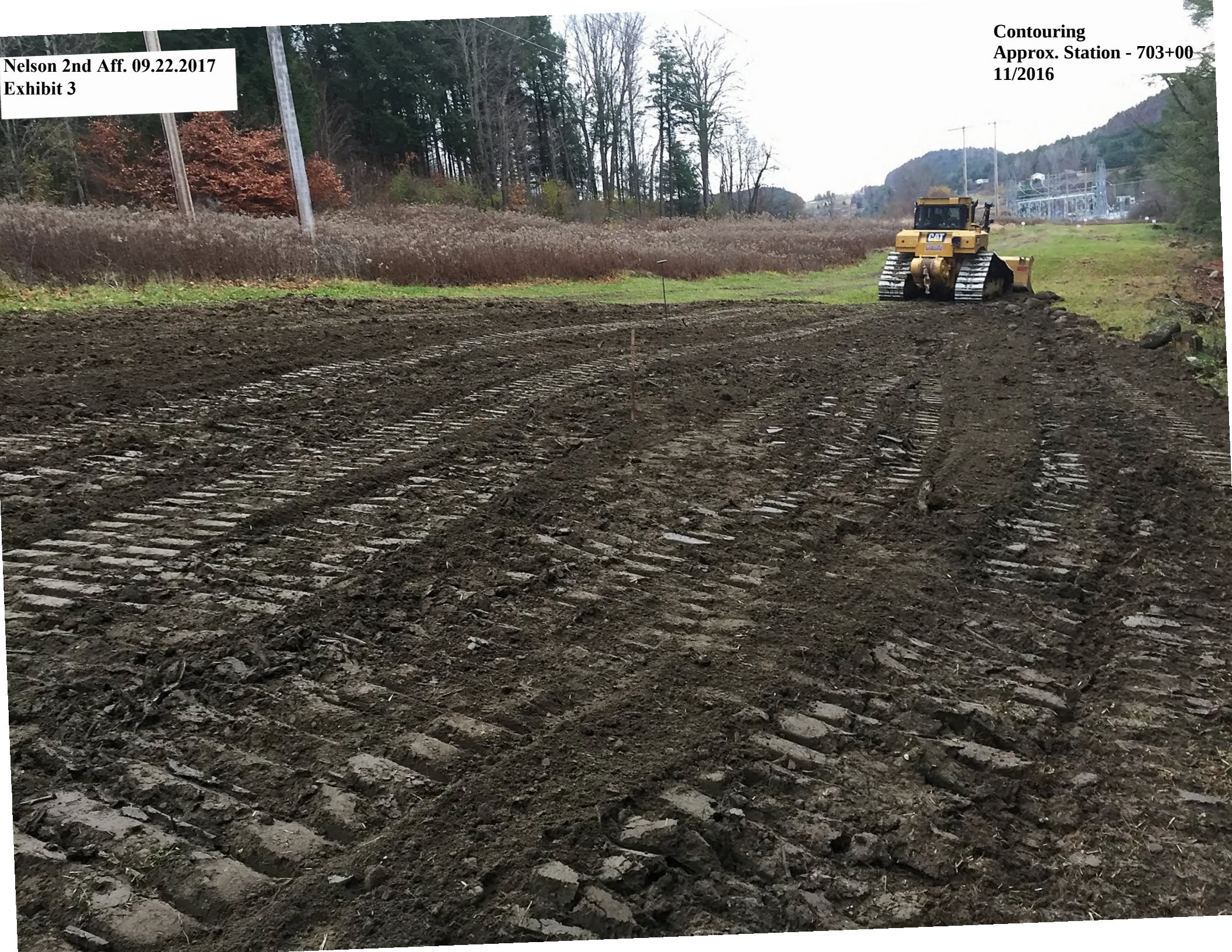
Subscribed and sworn to before me this 22nd day of September, 2017.

Notary Public
My commission expires: 02/10/2019

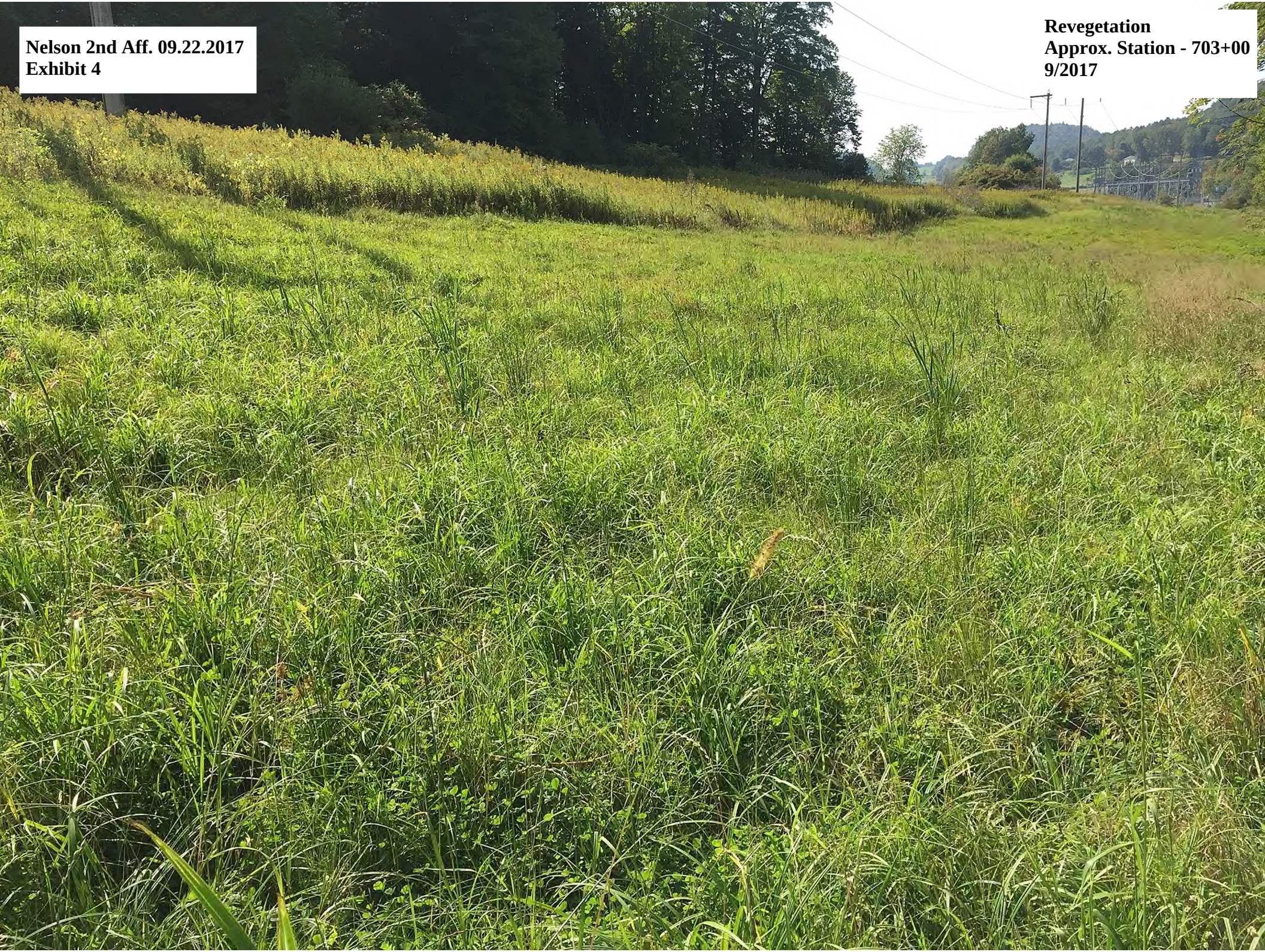

Nelson 2nd Aff. 09.22.2017
Exhibit 1
Contouring
Approx. Station - 1063+00
12/2016


Nelson 2nd Aff. 09.22.2017
Exhibit 2
Revegetation
Approx. Station - 1063+00
9/2017

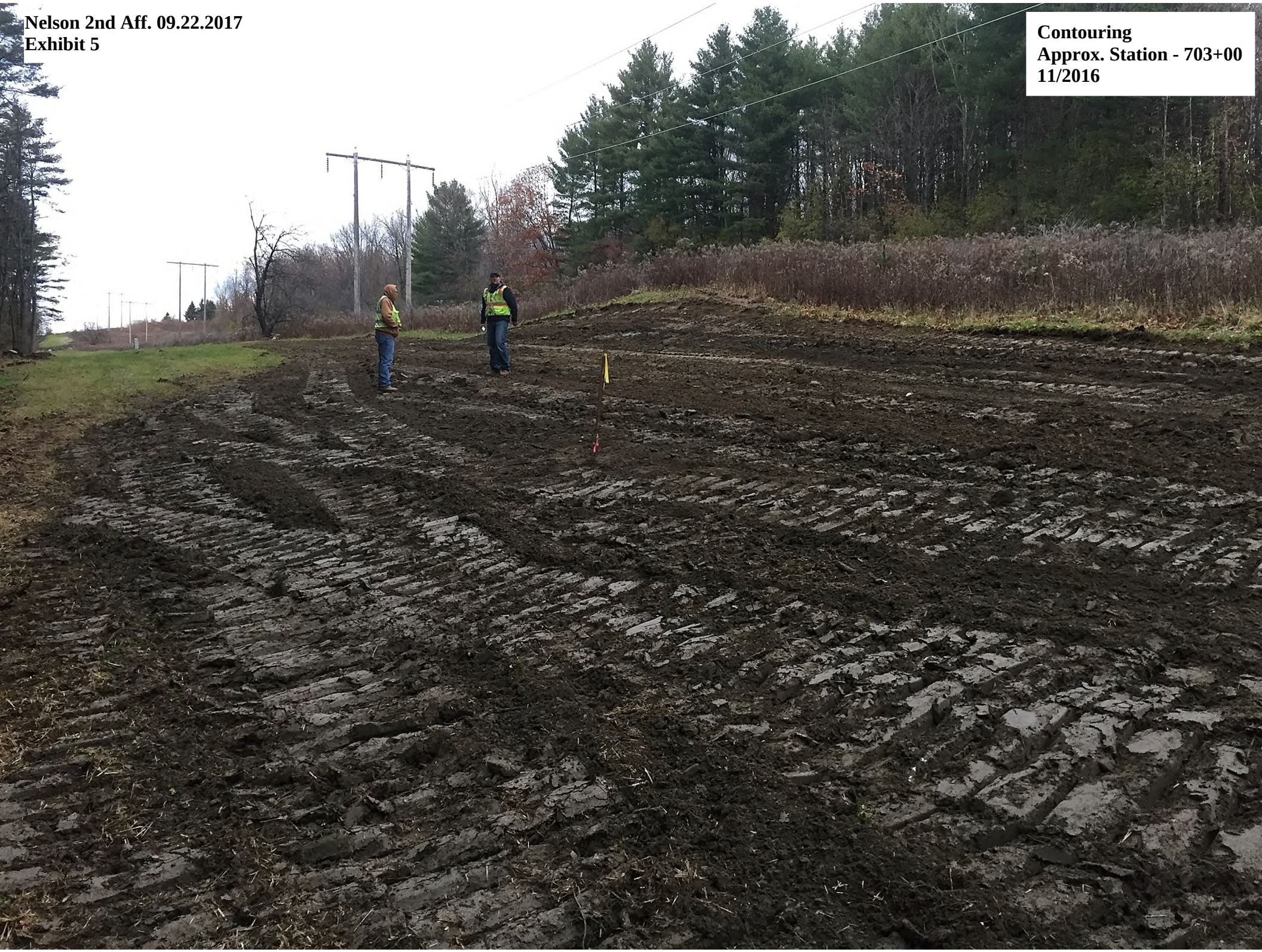
Nelson 2nd Aff. 09.22.2017
Exhibit 3



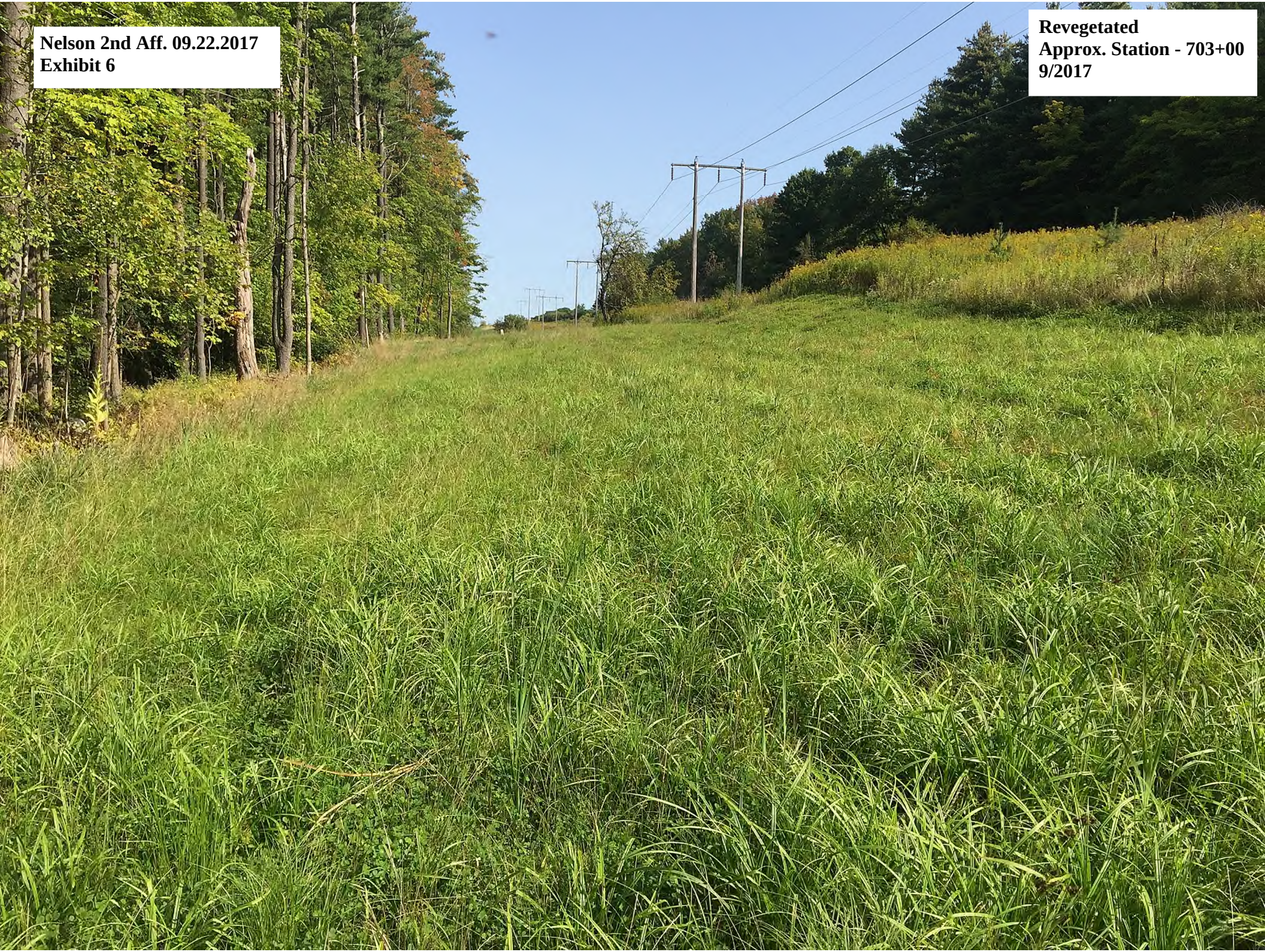
Contouring
Approx. Station - 703+00
11/2016


Nelson 2nd Aff. 09.22.2017
Exhibit 4
Revegetation
Approx. Station - 703+00
9/2017

Nelson 2nd Aff. 09.22.2017
Exhibit 5



Contouring
Approx. Station - 703+00
11/2016


Nelson 2nd Aff. 09.22.2017
Exhibit 6
Revegetated
Approx. Station - 703+00
9/2017