

**STATE OF VERMONT
PUBLIC SERVICE BOARD**

**Petition of Vermont Gas Systems, Inc., requesting):
a Certificate of Public Good pursuant to 30 V.S.A):
§ 248, authorizing the construction of the “Addison):
'Natural' Gas Project” consisting of approximately):
43 miles of new “natural” gas transmission pipeline):
in Chittenden and Addison Counties, approximately):
5 miles of new distribution mainlines in Addison):
County, together with three new gate stations in):
Williston, New Haven, and Middlebury, Vermont):**

Docket No. 7970

**NATHAN PALMER'S
RESPONSES TO
PETITIONER'S DISCOVERY
REQUESTS**

986 Rotax Road,
Monkton, VT
July 12, 2013

Introduction: I have read with interest, your “First Set Of Discovery Requests to Nathan and Jane Palmer” and I have to say it is much as I expected. Your questions are not relevant to our case, are burdensome and extremely time consuming, and I suspect your motivation is to cause me to spend more time and money you know I don't have (Don Gilbert and Eilleen Simollardes have been in our kitchen so I know they know we are not wealthy people) and make me want to give up this fight for our land. And it is none of your business if I have paid my witnesses or not...I didn't ask you if you paid yours! (Of course, I know the answer to that question..no one works for Vermont Gas out of the goodness of their hearts.) I would also like to add here that this is a classic case of a large corporation

with tons of money hiring a bunch of lawyers to bully a landowner who is not represented by counsel. The reason I am not represented by counsel is not because I hate lawyers, it is because I cannot afford to hire one. Being in the way of this pipeline was not *my* plan.

In the interest of saving money (and paper) I am not putting only one question and answer per page.

Q.PET:Palmer.1.1 With reference to your testimony at page 4 lines 2-3, state the date when you applied for certification, describe where you are in the process, and produce copies of all communications with NOFA-Vermont regarding your certification status as it relates to your farming operations.

A.PET:Palmer.1.1 Objection; The fact that you want to use my land for your pipeline does not mean I have to prove anything to you in terms of where my certification is or isn't and I certainly will not provide you with any communications I may have had with NOFA. I might remind you that you are the ones trying to take my land for your own use so don't expect me to provide you with any information you may try to use against me further down the line. I might also add, that you don't understand organic gardening and I have tried (and Heather Darby has tried) to explain it to you but you don't seem to even want to try to understand. Organic gardening is a culture and certification is a confirmation of that culture. I can see where someone purchasing food grown on our farm might want that sort of certification and I would certainly provide that to you if I were selling you food and certification was important to you. But you do not want to buy food grown on our farm, you want to take our land and destroy our soil so you can put your pipeline in it so I have no desire to provide you with certification. I am also attaching a copy of "Pipelines, Power Lines, and Organic Farms", by Paula Goodman Maccabee. It is a paper on the conflict of Land Use with energy infrastructures. See Exhibit NBP disc resp-1. Minnesota recognizes that organic farms are sensitive areas and should be treated as such.

Q.PET: Palmer.1.2 With respect to your testimony at page 5, regarding water following a trench, admit that you have not considered the planned installation of “trench breakers” by VGS as presented in the EPSC Plan.

A.PET:Palmer.1.2 I do not know what the EPSC plan is...I am sure it is somewhere in this pile of paperwork you have attempted to bury me with. I did ask Craig Heindel, (whom I have known for years and trust his judgment), if there was any way the water flow problem could be mitigated and he said they can put in those dams, but they will not prevent all the water from leaking down through the trench scar and as I said before, I DON'T NEED ANY MORE WATER ON MY LAND. So, yes, I have considered the fact you will try to pass off “trench breakers” as a solution and I reject the plan.

Q.PET:Palmer.1.3 With regards to your testimony at pages 5-6, admit that water from an adjacent farm currently drains into your property containing “fertilizer, herbicides and pesticides.”

A.PET:Palmer.1-3 Apparently you didn't look at my Exhibit NP-2 where the yellow arrows show where the “current water flow direction” is and where the “projected water flow direction after pipeline installation” would be. Maybe I should have used different colors so it would be clearer for you, but the current flow is to the north (as I explained in my testimony) and away from our improved garden area and pastures. It is a relatively short distance across our hay field to the marsh. The proposed pipeline trench will bring water from the bottom corner of Norma's field where it will be mainlined into our garden. In addition, the hedgerow that divides our land from Norma's now helps in absorbing moisture from her fields. Our boundary lies in the center of the hedgerow so if you snug your right of way up to our property line, you will have to remove half of the trees and bushes now there. This area is also habitat for wildlife that are essential for the ecosystem that helps us sustain our farm so losing that will also be an “undue adverse impact” of this project, (as your attorneys like to call it.) Believe me, we did our best to work with Norma Norris and Brian Hill (who installed the tiles in that field) to minimize the runoff onto our land when those tiles were installed.

Q.PET: Palmer.1.4 Provide contact information for each of the realtors and appraisers who provided the estimate for the devaluation of property values stated in your testimony on page 11. Provide copies of all communications with each realtor or appraiser and reports utilized by same to arrive at their conclusions.

A.PET:Palmer.1.4 Objection. From your response to motions to intervene: “VGS asks that the Board limit the scope of these proceedings and all interventions relating thereto to ensure they do not encompass matters regarding the value of any discrete parcel, the value of any proposed easement crossing any such parcel, or the projects' potential impact on the value of any such parcel or interest therein.”

So, since you don't want to discuss the devaluation of our property, I will not disclose my sources for this information to you. If the Board finds you deserve a Certificate of Public Good, we will use these contacts in the eminent domain process.

I would also take issue with your question to Heather Darby, **Q.PET:Palmer.1.5** Admit that the statements and opinions in your testimony are not those of UVM or UVM Extension.

A.PET:Palmer.1-5 When a person who is working with the soil needs answers to questions they might have in regards to a situation on their land, they turn to the Extension Service. Heather Darby is a well liked and extremely knowledgeable soil expert and Vermonters are lucky to have her services through the Extension Service. Heather's testimony was strictly to do with soil damage. She did not, anywhere in her testimony, make any negative comment about Vermont Gas or “natural” gas, or the future of fossil fuels, or the detriment to the environment the gas and oil industry causes. I have no idea how she feels about the ANGP or “natural” gas in general. I contacted her about the potential harm that could come from this pipeline installation because she works for the Extension Service and she confirmed what I already knew; that nothing short of a natural disaster (or maybe two or three!) could do as much

damage as you are proposing to do on my farm. So whether or not she chooses to answer the question on behalf of the Extension Service or not, I would like it to be on the record that I object to your asking it. If Vermont Gas is worried about how UVM feels about this pipeline, it should have no bearing on my situation or my farm.