

THE NEW HAMPSHIRE SITE EVALUATION COMMITTEE



AN INTRODUCTION TO THE
COMMITTEE AND ITS PROCESS

Site Evaluation Committee Website

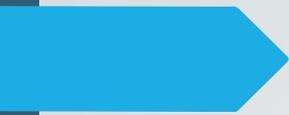
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271-2435

PURPOSE OF RSA 162-H

- **Balance the benefits and impacts** of site selection on the welfare of the population, private property, the location and growth of industry, the economic growth of the state, the environment of the state, historic sites, aesthetics, air and water quality, natural resources and public health and safety;
- **Avoid undue delay** in the construction of new facilities;
- Full and timely consideration of **environmental consequences**;
- Full and complete **public disclosure**;
- Ensure that the construction and operation of energy facilities is treated as a **significant aspect of land use planning** in which all environmental, economic and technical issues are resolved in an integrated fashion.



Statewide Planning Board for Energy Projects

- Designed to integrate the various permitting processes as well as environmental, economic and technical issues.
- Pre-empts local authority and ordinances.
- The “supermarket theory” or “one stop” theory of permitting.

The Committee Today

Position	Person
PUC Commissioner, Chair	Martin P. Honigberg, Chair
DES Commissioner	Thomas S. Burack, Vice-Chair
PUC Commissioner	Robert R. Scott
PUC Commissioner	Kathryn M. Bailey
DOT Commissioner	Victoria Sheehan
DRED Commissioner	Jeffrey Rose
Cultural Resources Commissioner or Director Div. of Historical Resources	Van McCloud or Elizabeth Muzzey
Public Member	
Public Member	Patricia Weathersby, Esq.
Alternate Public Member	Rachel E.D. Whitaker

Seacoast Subcommittee

Robert R. Scott

PUC Commissioner

Presiding Officer

Michele Roberge

Planning Manager, Department of Environmental Services

Sitting for Commissioner Thomas Burack

David Shulock

Director of Legal Division, Public Utilities Commission

Sitting for Commissioner and Chair Martin Honigberg

Elizabeth H. Muzzey

Director, Division of Historical Resources

Dept. of Cultural Resources

Charles Schmidt

Administrator, Department of Transportation

Sitting for Commissioner Victoria Sheehan

Patricia Weathersby, Esq.

Public Member

Rachel E.D. Whitaker

Alternate Public Member

COUNSEL FOR THE PUBLIC

RSA 162-H:9

- **Appointed by the Attorney General**
- **Represents the public in seeking to protect the quality of the environment and in seeking to assure an adequate supply of energy**
- **All rights, responsibilities and privileges of an attorney representing a party in a formal action**
- **Seacoast Docket: Assistant Attorney General,
Christopher Aslin, 271-3679
christopher.aslin@doj.nh.gov**

Before an Application is Filed

- *Independent System Operator (ISO)*
- *Environmental and Resource Studies*
- *Early pre-permitting meetings with relevant state and federal agencies, e.g., DES, F&G, USFW, USACE, PUC, DOT etc . . .*
- *Regional Planning Commission*
- *Municipalities*
- *Transmission Companies*
- *Power Purchase Agreements*
- *Financing*
- *Eligibility for tax credits etc. . .*
- *Pre-Filing Public Information Sessions in Each County*

Requirements of an Application (2)

RSA 162-H:7, V (a)-(h)

- (a)** Describe in reasonable detail the type and size of each major part of the proposed facility.
- (b)** Identify both the preferred choice and any other choices for the site of each major part of the proposed facility.
- (c)** Describe in reasonable detail the impact of each major part of the proposed facility on the environment for each site proposed.
- (d)** Describe in reasonable detail the applicant's proposals for studying and solving environmental problems
- (e)** Describe in reasonable detail the applicant's financial, technical, and managerial capability for construction and operation of the proposed facility.
- (f)** Document that written notification of the proposed project, including appropriate copies of the application, has been given to the appropriate governing body of each community in which the facility is proposed to be located.
- (g)** Describe in reasonable detail the elements of and financial assurances for a facility decommissioning plan.
- (h)** Provide such additional information as the committee may require to carry out the purposes of this chapter. NH Admin. Rules, Site 301

SEC TIME FRAMES

Event	Timeframe
Pre-Application Public Information Session (in each county)	At least 30 days before filing
Chair forwards to agencies with jurisdiction	Expediently
Preliminary review by Committee	Expediently
Committee's determination if application is complete and acceptance if complete	Within 60 days of filing 06/13/16
Designation of a Subcommittee	Upon acceptance of application
One Public Information Session (in each county)	Within 45 days after acceptance of application Must completed by 07/28/16 7/14/16 , Durham (Strafford County); 7/21/16, Newington (Rockingham County)
One Joint Public Hearing (in each county) with other agencies	Within 90 days of acceptance of application Must completed by 9/12/16 – TBD
Agency preliminary reports with draft conditions	Within 150 days of acceptance of application 11/10/16
Agency final decisions	Within 240 days of acceptance of application 2/08/17
Adjudicative proceedings on the merits	After agency final decisions To Be Scheduled
Decision granting or denying Certificate	Within 365 days of acceptance of application 06/13/17

PUBLIC PARTICIPATION (1)

1. Counsel for the Public
 - (603) 271-3679 (Attorney General's Office)
2. Pre-Filing Public Information Sessions: one in each county at least 30 days before filing. RSA 162-H:10, I.
3. Post-Filing Public Information Sessions: one in each county within 45 days of acceptance of the application. RSA 162-H:10, I-a.
4. Post-Filing Joint Public Hearing: one in each county within 90 days of acceptance of the application. RSA 162-H:10, I-c.

PUBLIC PARTICIPATION (2)

5. Written Public Comments

- Accepted throughout the pendency of all proceedings
- Committee must consider and weigh information and reports from the public.

PUBLIC PARTICIPATION (3)

6. Intervention in adjudicative proceeding

- Rights, duties, privileges, immunities or other substantial interests might be affected by the proceeding. NH CODE OF ADMINISTRATIVE RULES, SITE 202.11.
- Interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing the intervention. NH CODE OF ADMINISTRATIVE RULES, SITE 202.11.

SEACOAST, MOTIONS TO INTERVENE SHALL BE FILED BY

JULY 22, 2016

Findings Re: Proposed Site and Facility

RSA 162-H:16, IV (a)-(e)

- Applicant has adequate financial, technical, and managerial capability to assure construction and operation of the facility in continuing compliance with the terms and conditions of the certificate.
- Will not unduly interfere with the orderly development of the region with due consideration having been given to the views of municipal and regional planning commissions and municipal governing bodies.
- Will not have an unreasonable adverse effect on aesthetics, historic sites, air and water quality, the natural environment, and public health and safety.
- Issuance of a certificate will serve the public interest.

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