

STATE OF NEW HAMPSHIRE  
SITE EVALUATION COMMITTEE

Docket No. 2012-01

**Re: Application of Antrim Wind Energy, LLC for a Certificate of Site and Facility**

**Order Accepting Application for Certificate of Site and Facility**

**Issued March 5, 2012**

**BACKGROUND**

On January 31, 2012, Antrim Wind Energy, LLC (Applicant), filed an Application for a Certificate of Site and Facility (Application) for the construction of a proposed 30 megawatt (MW) wind energy facility to be located in Antrim, Hillsborough County, New Hampshire. The Application proposes to locate the project on and adjacent to property at 354 Keene Road (N.H. Route 9) and includes approximately 1,850 acres of private lands leased to the Applicant. The lands occupy the area in Antrim from Route 9, southward to the east summit of Tuttle Hill, and to the north flank of Willard Mountain to the west. The project is proposed to be constructed primarily on a ridge line that starts approximately 0.75 miles south of N.H. Route 9 and runs south southwest, for approximately 2.5 miles. The facility is proposed to consist of 10 wind turbines with a maximum nameplate capacity of not more than 3 MW each. The Applicant asserts that it has not yet finalized its turbine selection but represents that the largest turbine under consideration is the Acciona AW-116 3 MW turbine (AW-116-3000). Each turbine will consist of a tower, a nacelle, and a 3 blade rotor. The total turbine height from foundation to blade tip is proposed to be 492 feet. In addition, the Application indicates that the project would consist of approximately 4 miles of new gravel surfaced roads within the project area, a joint electrical collector system consisting of both underground and overhead collection lines, an interconnection substation, and an operations and maintenance building of approximately 3,000 square feet. The Applicant proposes to interconnect to an existing Public Service Company of New Hampshire 115 kV electric transmission line through the proposed interconnection substation which will be constructed adjacent to the existing PSNH L-163 115 kV electric transmission line. The Applicant expects the completion of construction to occur on or before September 30, 2014.

Copies of the Application have been made available to each state agency having jurisdiction under state or federal law to regulate the construction or operation of the proposed facility pursuant to RSA 162-H:6-a, I. On February 9, 2012, counsel for the Committee advised those state agencies by letter. In his letter, counsel requested that agencies with jurisdiction over portions of the Application advise the Committee if the Application contained sufficient information for the exercise of that agency's jurisdiction. Additionally, counsel also wrote to the Selectboard and the Town Clerk for the Town of Antrim, the Southwest Regional Planning Commission, the Hillsborough County Commissioners, and the Town Clerk of each municipality that abuts the Town of Antrim. Counsel advised each of the municipal and planning agencies of

the process available to them to make their views about the proposed project known to the Site Evaluation Committee.

### **STATE AGENCY REVIEW**

To date, the Committee has not received information from any state agency suggesting that the Application does not contain sufficient information to carry out the purposes of RSA 162-H or to permit the review required by any state agency.

On February 22, 2012, the Committee received correspondence from the Water Division of the New Hampshire Department of Environmental Services (DES) indicating that the Water Division had received sufficient information to conduct its review of the Application's Alteration of Terrain Permit, Application no. 120131-015. The Water Division also indicated that the Applicant's Wetland Permit Application no. 2012-00211 was complete. Finally, the Water Division advised that the Applicant's Individual Subsurface Disposal System Application no. 201200219 was also complete. In its correspondence, the Water Division advised the Committee that the project would require a Section 401 water quality certification (WQC). The WQC is a federal requirement that is administered by the Water Shed Management Bureau of DES. The Water Division advises the Committee that if the project qualifies for the United States Army Corps of Engineers (ACOE) programmatic general permit (PGP), then sufficient information has been provided for the Water Shed Management Bureau of DES to begin its review. If the ACOE decides that the project requires an individual Section 404 permit, then the Application would not be complete until such time as the Applicant submits an application for Section 401 WQC to the Waste Management Bureau. The Application itself indicates that the total wetland impact associated with the project is approximately 0.192 acres (8,350 square feet) which is substantially less than the 3 acre limit for minor and major impact projects as defined in the PGP. Therefore, the Applicant asserts that the project will likely not require a wetland permit application under Section 404 of the United States Clean Water Act (33 U.S.C. §1341). However, the Applicant also asserts that if a Section 404 wetland permit application is required, the Applicant will compile the necessary application and submit the same to the DES as part of the Site Evaluation Committee process.

On February 21, 2012, the Committee received correspondence from the State Fire Marshal, J. William Degnan. The Fire Marshal identified those portions of the Application which relate to his statutory duties and obligations. In addition, the Fire Marshal recommended certain conditions to be included within a Certificate of Site and Facility, if one is granted. The State Fire Marshal did not identify any deficiencies in the Application or indicate that the Application did not contain sufficient information to carry out the purposes of RSA 162-H as it pertains to his agency.

On February 24, 2012, the Committee received correspondence from Glenn Normandeau, Executive Director of the New Hampshire Fish and Game Department. The Fish and Game Department indicated that it does not have statutory authority to issue any permits, certificates or licenses with respect to the proposed project. However, the Fish and Game Department did indicate that it anticipates the receipt of additional information throughout the SEC process




before it can conclude whether or not it supports the final issuance of permits, conditions, and/or licenses.

### **SUFFICIENCY AND ACCEPTANCE OF APPLICATION**

A comprehensive review of the Application reveals that the Applicant has provided all information required by RSA 162-H and by the Site Evaluation Committee rules codified at NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES, Site 301. Based upon my preliminary review of the Application as required by RSA 162-H:6-a, II, I find that the Application contains sufficient information to carry out the purposes of RSA 162-H pertaining to renewable energy facilities. The Application is hereby accepted and deemed to seek the issuance of a Certificate of Site and Facility for a renewable energy facility as defined in RSA 162-H:2, XII. To the extent that this facility may also qualify as an energy facility under RSA 162-H:2, VII, I find that the Application contains sufficient information and pursuant to NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES, Site 302.04, I hereby waive any additional Application requirements that may exist.

March 5, 2012

  
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Amy L. Ignatius, Presiding Officer  
NH Site Evaluation Committee