



The State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

January 7, 2014

Amy Ignatius, Vice Chairman  
NH Energy Facilities Site Evaluation Committee  
Public Utilities Commission  
21 South Fruit St., Suite 10  
Concord, NH 03301

Re: Application of Atlantic Wind, LLC  
Site Evaluation Committee No. 2013-02

Dear Vice Chair Ignatius:

This letter is to notify you that Department of Environmental Services (DES) Water Division staff have completed their determination as to whether or not the various program applications contain sufficient information to complete the technical review of the applications. The following list contains the program application numbers as well as the completeness determination:

1. Alteration of Terrain Permit Application No. 131211-150 – deemed complete.
2. Wetland Permit Application No. 2013-3323 – *deemed incomplete*.  
Review of the application materials found that the compensatory mitigation proposal is incomplete. The applicant's mitigation proposal includes acquiring a conservation easement on a 223 acre parcel known as "the Patten Brook parcel" near Washburn Road in Alexandria. The potential easement holder identified in the application is the New Hampshire Department of Resources and Economic Development (DRED). Representatives from DES and DRED conducted a site inspection of the Patten Brook parcel on December 17, 2013. Based upon that site inspection, DRED has since decided not to hold an easement on the Patten Brook parcel, and no other qualified easement holder(s) have been identified as required under Administrative Rule Env-Wt 501.06(b). DES staff will continue working with the applicant to develop a mitigation proposal that adequately compensates for impacts to aquatic resources and that satisfies both state and federal mitigation requirements.
3. 401 Water Quality Certification Application - deemed sufficient to begin review.  
It is noted that the that the U.S. Army Corps of Engineers (ACOE) has not yet determined if this project will require an individual Section 404 permit or if it will be covered under the general Section 404 permit [i.e., the State Programmatic General Permit (PGP)]. DES staff request that the Applicant notify the DES Watershed Management Bureau as soon as possible as to which ACOE Section 404 permit applies as this will determine if an individual Section 401 Water Quality Certification is required or not.

DES Web site: [www.des.nh.gov](http://www.des.nh.gov)

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The DES Water Division's detailed review of the project along with the provision for technical comments or conclusions will occur concurrently with the SEC project evaluation process and timeframes. If you have any questions, please contact me at 271-2951 or email at: [rene.pelletier@des.nh.gov](mailto:rene.pelletier@des.nh.gov)

Sincerely,

A handwritten signature in black ink, appearing to read "Rene Pelletier", written over a horizontal line.

Rene Pelletier, Assistant Director  
Water Division

cc: Michael J. Iacopino  
Jane Murray, Secretary, SEC  
Vicki Quiram, Assistant Commissioner  
Harry T. Stewart, Director, Water Division  
David Keddell, ACOE  
Mark Kern, EPA