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November 12, 2015

Ms. Pamela G. Monroe, Administrator
NH Site Evaluation Committee
21 South Fruit St., Suite 10
Concord NH 03301-2429

RE: Docket No. 2015-06, Joint Application of Northern Pass Transmission, LLC and Public Service Company of New Hampshire d/b/a Eversource Energy for a Certificate of Site and Facility

Dear Ms. Monroe:

I am writing in response to your letter to State Agency Officials dated October 26, 2015 regarding the above referenced Site Evaluation Committee (SEC) Docket. The Council on Resources and Development (CORD), which is chaired by the Office of Energy and Planning (OEP), is charged under RSA 162-C with management and oversight responsibility of land interests acquired through the Land Conservation Investment Program (LCIP). OEP's Conservation Land Stewardship Program oversees the management and monitoring of the LCIP properties. Because these lands are under CORD's jurisdiction and have certain legal protections, we write to make the SEC aware that the Northern Pass Transmission LLC's (NPT) proposal crosses three properties that were protected through the LCIP. These include Nash Stream State Forest, Percy State Forest, and Cape Horn State Forest (each managed by the Department of Resources and Economic Development under CORD oversight), as shown in Appendix 1 of the SEC application. In addition, there are also a number of LCIP properties that are in the immediate vicinity of the proposed transmission line and/or the Deerfield Substation.

The NPT application describes the project lines as crossing these properties along existing right-of-way (ROW) areas. The information as submitted is sufficient at this time for this purpose. Our understanding is that the Applicants do not intend to propose temporary or permanent impacts to LCIP properties beyond currently allowable activities in the existing ROW areas. We believe it is important for the SEC to be aware that LCIP lands are protected as part of the public trust, and that the sale, transfer, conveyance, or release of any such land or interest in land from the public trust requires legislative action by the New Hampshire General Court. Importantly, even temporary construction activities on or access through LCIP lands would also be subject to the same statutory requirements (and deed restrictions, if a conservation easement).

OEP, in consultation with CORD, will monitor the Applicants' plans and the SEC process to ensure that they do not seek to temporarily or permanently impact LCIP properties in violation. Accordingly, OEP wishes to participate in this proceeding as a state agency not having permitting or other regulatory authority, pursuant to RSA 162-H:7, III. Tracey Boisvert, Conservation Land Stewardship Program Director, is OEP's designated agency liaison. Thank you for the opportunity to provide comment and please do not hesitate to contact us if you require additional information.

Sincerely,

Meredith A. Hatfield
Director

cc: Service List (electronically)