

LAW OFFICES
ARTHUR B. CUNNINGHAM
79 Checkerberry Lane, Hopkinton, NH 03229

June 21, 2016

Pam Monroe, Administrator
Site Evaluation Committee
21 South Fruit Street
Concord, NH 03301-2429

Via email

Dear Administrator Monroe:

On behalf of the Town of Fitzwilliam, New Hampshire, I propose the following rules pursuant to the RSA 162-H:10-b Site Evaluation Committee, May 18, 2016, Rulemaking Notice. This proposal amends and supplements my earlier proposal and is a follow up to the Site Evaluation Committee hearing on June 17, 2016.

The proposal addresses the federal preemption issue, a matter of significance for the Town of Fitzwilliam and other towns concerned about the impact of pipeline construction and operation.

Amend my previous proposal for Site 303.03(d) to read:

d. "Pursuant to Part 1501 CFR 1501.1-8, NEPA and Agency Planning, a detailed description of how the applicant plans to comply with town and municipal ordinances and permit requirements enacted to protect town and municipal water resources, including surface waters, lakes, ponds, rivers, streams, wetlands and drinking water aquifers during the construction and operation of the project.

Add to my previous proposal for Site 303.03 as (e):

e. "Pursuant to Part 1501 CFR 1501.1-8, NEPA and Agency Planning, a detailed description of how the applicant plans to comply with town and municipal ordinances and permit requirements enacted to protect town and municipal assets including economic development, historic homes and buildings, scenic qualities, rural character, peace and quiet, wild life habitat, conservation areas and other planning and permitting ordinances during the construction and operation of the project.

Please advise if I can answer questions about this proposal.

Very truly yours,

Arthur B. Cunningham

Cc: Service list