

Orr&Reno

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June 25, 2018

Via Hand Delivery and Email

Pamela Monroe, Administrator
New Hampshire Site Evaluation Committee
c/o New Hampshire Public Utilities Commission
21 South Fruit St., Suite 10
Concord, NH 03301-2429

***Re: Petition for Declaratory Ruling of New Hampshire Transmission, LLC;
Docket No. 2018-02 – Permits from Department of Environmental Services***

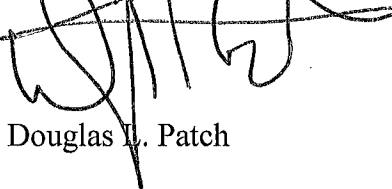
Dear Ms. Monroe:

Enclosed for filing on behalf of New Hampshire Transmission, LLC (“NHT”) in the above-referenced docket, please find the two permits granted by the Department of Environmental Services for the upgrade to the Seabrook Transmission Substation that is the subject of this docket: (1) the Shoreland Impact Permit; and (2) the Minor Impact Wetlands Permit.

Please let me know if you have any questions.

Thank you for your assistance.

Sincerely,



Douglas L. Patch

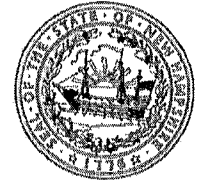
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Enclosures

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The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

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SHORELAND IMPACT PERMIT 2018-01365

NOTE CONDITIONS

PERMITTEE: NEXTERA ENERGY SEABROOK LLC
C/O KENNETH BROWNE
PO BOX 300
SEABROOK NH 03874

PROJECT LOCATION: 626 LAFAYETTE RD, SEABROOK
TAX MAP #11, LOT #2

WATERBODY: BROWNS RIVER

APPROVAL DATE: JUNE 21, 2018

EXPIRATION DATE: JUNE 21, 2023

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Based upon review of the above referenced application, in accordance with RSA 483-B, a Shoreland Impact Permit was issued by the New Hampshire Department of Environmental Services (NHDES). This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Impact 2,001 square feet (SF) of protected shoreland in order to install a retaining wall and gravel fill over existing gravel fill to allow for the repair and replacement of support foundations for nine (9) gas insulated bus lines. No increase in impervious area is proposed.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by TRC, dated February 2018, revised through May 9, 2018, and received by the NH Department of Environmental Services (NHDES) on June 20, 2018.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. The impervious area of the lot shall not be increased, unless additional approval is obtained from NHDES.
4. No natural woodland shall be removed from within the Woodland Buffer located between 50 and 150 feet landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

GENERAL CONDITIONS THAT APPLY TO ALL NHDES SHORELAND IMPACT PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The NHDES Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by NHDES;
6. This permit shall not be extended beyond the current expiration date;
7. This project has been screened for potential impacts to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have only received cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.

APPROVED:



Marie-Eve Jacques
Shoreland Program
Land Resources Management

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BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.

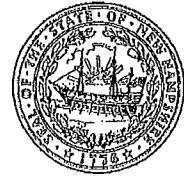
OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



May 21, 2018

Page 1 of 2

Kenneth J. Browne
Nextera Energy Seabrook LLC
PO Box 300
Seabrook, NH 03874

RE: NHDES Wetlands Bureau File 2018-01361, 626 Lafayette Road, Seabrook Tax Map 11 Lot 2

Dear Mr. Browne:

Attached please find NH Department of Environmental Services (NHDES) Wetlands Bureau Wetlands Permit 2018-01361 to impact 3,415 square feet within the previously-developed 100-foot tidal buffer zone to install a retaining wall to allow for the repair and replacement of support foundations for nine (9) gas insulated bus lines.

The decision to approve this application was based on the following findings:

1. On May 11, 2018, NHDES received a request for an expedited review of the wetlands and shoreland permit applications for the project.
2. In a letter dated May 16, 2018, NHDES Commissioner, Robert R. Scott stated, "NHDES will expedite the processing of the application to allow you to meet the necessary construction timeline for work to be completed by September 30, 2018, and because the proposed project will further an important public interest since the upgrade is necessary to maintain electrical system reliability. Further, it is anticipated that other no pending applications will be unreasonably disadvantaged by granting your request."
3. This is a minor impact project per Administrative Rule Env-Wt 303.03(b) Projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02;
4. The impacts are necessary to replace the deteriorating foundations underneath the gas insulated bus (GIB) lines. These GIB lines convey electrical power from the nuclear plant to the New England regional power grid. Therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The impacts will occur within the previously-developed 100-foot tidal buffer zone and will be retained by a retaining wall. Therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. The Wetlands Permit Application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB18-1186 identifying four (4) natural communities in the vicinity of the proposed impacts.
8. In response to the aforementioned NHB Letter, NHB stated, "NHB does not have concerns, provided that there are no impacts to the salt marsh system, and appropriate erosion controls will be in place prior to and throughout the project. The plan figure that was provided seemed to indicate that all impacts would be landward of the tidal wetlands. If the projects changes to include salt marsh impacts, please contact NHB."
9. The Seabrook Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

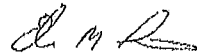
Any person aggrieved by this decision may appeal to the New Hampshire Wetlands Council (the Council) by filing an appeal that meets the requirements specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Council, Env-WtC 100-200. The appeal must be filed **directly with the Council within 30 days** of the date of this decision and must set forth fully **every ground** upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the Council.

Information about the Council, including a link to the Council's rules, is available at <http://nhec.nh.gov/> (or more directly at <http://nhec.nh.gov/wetlands/index.htm>.) Copies of the rules also are available from the New Hampshire Department of Environmental Services (NHDES) Public Information Center at (603) 271-2975.

Your permit must be signed, and a copy must be posted in a prominent location on site during construction.

If you have any questions, please contact our office at (603) 271-2147.

Sincerely,



Eben M. Lewis
Wetlands Inspector
NHDES Wetlands Bureau

cc: John W. Jones, Nextera Energy Seabrook LLC
Sue Foote, Chair, Seabrook Conservation Commission



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



**NOTICE TO RECIPIENTS OF
MINOR IMPACT NH WETLANDS PERMITS**

Your permit was approved by the New Hampshire Wetlands Bureau as a minor impact project. Your project will be reviewed by the US Army Corps of Engineers for possible approval under the Army Corps New Hampshire State Programmatic General Permit – SPGP. The Army Corps will notify you within thirty (30) days if they will require additional information, or an Individual federal permit application.

If you do not hear from the Army Corps within thirty (30) days, and your project meets the conditions of the SPGP (attached), your project will automatically be approved under the SPGP. You should contact the Army Corps, at 1-978-318-8335 (ME, NH, VT, CT, RI), 1-800-362-4367 (MA), if your project does not meet the conditions of the SPGP.

NO WORK SHOULD BE DONE WITHOUT AUTHORIZATION FROM THE ARMY CORPS UNLESS THIRTY (30) DAYS HAVE PASSED AFTER NH WETLANDS BUREAU APPROVAL AND ALL CONDITIONS OF THE SPGP ARE MET.

THESE APPROVALS DO NOT RELIEVE YOU FROM OBTAINING ANY NECESSARY LOCAL PERMITS THAT MAY BE REQUIRED BY YOUR TOWN.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO GIVE US A CALL AT 603-271-2147.

cc: US Army Corps of Engineers



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

WETLANDS AND NON-SITE SPECIFIC PERMIT 2018-01361 PAGE 1 OF 2

PERMITTEE: NEXTERA ENERGY SEABROOK LLC
PO BOX 300
SEABROOK NH 03874

NOTE CONDITIONS

PROJECT LOCATION: 626 LAFAYETTE RD, SEABROOK TAX MAP 11 LOT 2
WATERBODY: PREVIOUSLY-DEVELOPED 100-FOOT TIDAL BUFFER ZONE

APPROVAL DATE: MAY 21, 2018

EXPIRATION DATE: MAY 21, 2023

Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued by the New Hampshire Department of Environmental Services (NHDES). This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Impact 3,415 square feet within the previously-developed 100-foot tidal buffer zone to install a retaining wall to allow for the repair and replacement of support foundations for nine (9) gas insulated bus lines.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by TRC dated 02/18 as received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on May 11, 2018.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the NHDES and the Seabrook Conservation Commission in writing of the date on which work under this permit is expected to start.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
5. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. Erosion control products shall be installed per manufacturers recommended specifications.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
11. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
13. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

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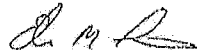
NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

GENERAL CONDITIONS THAT APPLY TO ALL NHDES WETLANDS PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The NHDES Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by NHDES;
6. This project has been screened for potential impacts to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have only received cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species;
7. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.

APPROVED:



Eben M. Lewis
Wetlands Bureau
Land Resources Management

BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.

OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)