



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

August 18, 2020

Attorney Douglas L. Patch
Orr & Reno
45 S. Main Street
P.O. Box 3550
Concord, New Hampshire 03302

RE: Application of Chinook Solar, LLC
Site Evaluation Committee Docket No. 2109-02

Dear Attorney Patch:

The Department of Environmental Services (DES) acknowledges receipt of your July 31, 2020 letter in which you register, on behalf of Chinook Solar, LLC (Chinook Solar), an objection to the application of DES guidance dated February 2020 to the Chinook Solar Application for Certificate to the New Hampshire Site Evaluation Committee. As you are aware, the February 2020 guidance superseded earlier guidance dated January 2019, which lacked comprehensive guidance regarding the hydrologic modeling of solar arrays, as that had not been developed by DES at that time. In the absence of such guidance, or where one chooses to not incorporate current guidance, the DES and applicants for Alteration of Terrain (AoT) permits must rely on the AoT administrative rules, Env-Wq 1500. Unfortunately, the administrative rules and analytical methodologies cited in the rules do not specifically address the hydrologic modeling of impervious surfaces suspended above vegetated surfaces (i.e. solar arrays), and engineering judgement must be employed to evaluate such hydrologic settings. The February 2020 guidance presents the best engineering judgment of AoT regarding this issue.

The DES is willing to continue discussions with Chinook Solar and its consultant regarding hydrologic modeling of solar arrays. If you have any questions or wish to schedule a meeting for further discussions, please contact me at (603) 271-2303 or Ridgely.Mauck@des.nh.gov.

Sincerely,

Ridgely Mauck, P.E.
Alteration of Terrain Bureau

cc: Robert R. Scott, Commissioner, DES
Thomas E. O'Donovan, Water Division Director, DES