

Site Evaluation Committee Information Meeting

May 4, 2014

AGENDA

Introductions

Panel Presentations 3:10 – 4:00 PM

“SEC 101: What It Means to Participate in the SEC Process”

Jason Reimers, Attorney, BCM Environmental and Land Law PLLC, Concord, NH

- What is the SEC? What does it do?
- What happens when an application is filed?
- What is an “adjudicative” proceeding?
- Basic requirements to “intervene.”
- What interveners can expect to accomplish.

“Choosing Your Battle: How to Participate with Limited Time and Money”

Kenneth Kimball, Director of Research, Appalachian Mountain Club, Gorham, NH

- Overcoming the “David” and “Goliath” resource challenge in an adjudicatory process.
- Intervening is not limited to just those with lawyers.
- Choose issues and areas of expertise for effectiveness and credibility.
- Strategically address costs and time commitments.

“What Issues Should Towns Focus Upon?”

Christophe Courchesne, Staff Attorney, Conservation Law Foundation, Concord, NH

- What must the SEC consider?
- What are the legal standards an application must meet?
- What types of evidence can towns provide to influence the process?
- What is the role of municipal input in SEC decisions?
- What additional issues may arise with SB245?

“Practical Next Steps for Towns to Take”

All Panelists

- Define issues of concern
- Attempt early engagement with developers and other stakeholders
- Organize local working group
- Consider collaboration with other towns
- Evaluate potential legal needs and funding
- Prepare and implement local action plan

Question & Answer Discussion 4:00 – 5:00 PM

Northern Pass Permitting Process History (2010-2014)

Presidential Permit Application and First Scoping Hearings

October – December 2010. First announcement of NPT to New Hampshire public, in Franklin, followed by meetings with select boards of towns along the route.

October 2010. NPT submits Presidential Permit application with several route alternatives to DOE. No border crossing specified.

February 2011. NPT updates PP application, identifying border crossing and two alternatives in Pittsburg.

March 2011. DOE holds scoping hearings on PP application in seven NH locations. A firestorm of protest erupts.

April 2011. NPT takes alternative routes off the table as “lacking public support,” narrows to its existing ROW, and asks that scoping be extended 60 days while it “improves” its route in Coos County.

Two years later...

Amended Presidential Permit Application and Second Scoping Hearings

June 2013. NPT files Amended PP application with new (but still incomplete) Coös route.

September 23-26, 2013. DOE holds second round of scoping hearings in four locations. Protest continues.

November 2013. Scoping period closes.

March 2014. DOE publishes initial scoping report.

April 2014. NPT “modifies” the route again, moving approximately 900 structures, files changes with DOE, which to date has not released this information.

May 1, 2014. DOE publishes Addendum identifying 24 alternatives suggested in Scoping comments.

Projected Future Timeline of Northern Pass Permitting Process

Late 2014/early 2015: DOE issues Draft Environmental Impact Statement and sets public hearings and comment period.



Late 2014/early 2015 (exact dates unknown, following release of draft EIS): NPT applies for approval to the **New Hampshire Site Evaluation Committee for a certificate of site and facility for the project; public proceedings and hearings follow.**

2015-2016: DOE issues Final Environmental Impact Statement.

2015-2016: DOE issues final decision on Presidential Permit for the project.

2015-2016: United States Forest Service (White Mountain National Forest), United States Fish and Wildlife Service (Silvio O. Conte Fish and Wildlife Refuge), and Army Corps of Engineers issue final decisions on permit applications (if applicable) for the project.

For More Information

Grassroots Co-sponsors

Alliance against Northern Pass
www.nonorthernpass.org

Bury the Northern Pass
burynorthernpass.blogspot.com

No Northern Pass Coalition
www.fightnorthernpass.org

Responsible Energy Action LLC (REAL)
responsibleenergyaction.com

Stop the Towers/Live Free or Fry
<http://stopthetowersnh.blogspot.com>

Sugar Hill Tower Opposition (STOP)

Organizers

Nancy Martland
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Susan Schibanoff
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Audio transcript recorded
by Brian Tilton posted at
briantilton.com/NorthernPass.html
(see pull down menu)

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SEC Information Meeting

Resources

RSA 162-H: ENERGY FACILITY EVALUATION, SITING, CONSTRUCTION AND OPERATION

Excerpt from 162-H:16 Findings and Certificate Issuance.

IV. The site evaluation committee, after having considered available alternatives and fully reviewed the environmental impact of the site or route, and other relevant factors bearing on whether the objectives of this chapter would be best served by the issuance of the certificate, must find that the site and facility:

(a) Applicant has **adequate financial, technical, and managerial capability** to assure construction and operation of the facility in continuing compliance with the terms and conditions of the certificate.

(b) Will not unduly interfere with the **orderly development of the region** with due consideration having been given to the views of municipal and regional planning commissions and municipal governing bodies.

(c) Will not have an unreasonable adverse effect on **aesthetics, historic sites, air and water quality, the natural environment, and public health and safety.**

Full text at <http://www.gencourt.state.nh.us/rsa/html/nhtoc/nhtoc-xii-162-h.htm>

NEW HAMPSHIRE SITE EVALUATION COMMITTEE

Website: <http://www.nhsec.nh.gov/index.htm>

Updates and Blogs on Northern Pass

- **CLF's "Northern Pass Wire":** Timely news and analysis regarding the Northern Pass project in New Hampshire direct from CLF's advocacy team

<http://www.clf.org/northern-pass/wire/>

- **AMC's "Latest News" on Northern Pass**

<http://www.outdoors.org/conservation/wherewework/wmnf/northern-pass-project.cfm>

- **Forest Society's "Trees Not Towers" Blog**

<http://nonnorthernpassnh.blogspot.com/>

- **Bury the Northern Pass Email List**

To be added to the list for weekly updates on Northern Pass, send an email to BuryNorthernPass@gmail.com