

NOTICE OF REQUEST FOR CERTIFICATION

BOWERS WIND PROJECT

This is to notify you that Champlain Wind, LLC, 129 Middle Street, 3rd Floor, Portland, ME 04101, applied to the Department of Environmental Protection (DEP) for a permit to build a 16 turbine, 48 megawatt grid-scale wind energy development (known as the “Bowers Wind Project”) in Carroll Plantation, Penobscot County, and Kossuth Township, Washington County, Maine. The Land Use Planning Commission also will review portions of the application to determine whether the project (a) is an allowed use in the subdistricts in which it is proposed and (b) complies with land use standards established by the Commission and applicable to the project that are not considered in the DEP’s review of the project. If the Commission determines that the project is an allowed use and complies with the applicable Land Use Standards, it will issue a certification to the DEP for the DEP to include in any final permit decision. The Commission’s certification review is governed by 12 M.R.S., § 685-B(2-C) and 38 M.R.S. § 489-A-1.

A paper copy of the portion of Champlain Wind’s DEP permit application materials that the Commission will review in making its certification determination will be available for review by appointment at the LUPC Augusta office (207-287-2631). In addition, the entire application filed with the DEP is available for review at the DEP’s Eastern Maine Regional Office in Bangor, the Carroll Plantation office, the Penobscot County Commissioner’s office, and the Washington County Commissioner’s office. A copy of the materials reviewed by the Commission for the certification also will be posted on the Commission’s website – go to “Windpower”: <http://www.maine.gov/doc/lupc/>

Any person may request a public hearing regarding the LUPC certification and may request to participate in any such hearing as an intervenor. If the LUPC holds a public hearing, members of the public may also offer testimony at the hearing without formally intervening in the hearing, and/or may submit written comments until the close of the record. A request for public hearing should address what information presented at the hearing would be of assistance to the Commission in its certification review. The Commission also will consider the degree of public interest in this matter in determining whether to hold a public hearing, but the decision whether to hold a hearing is at the Commission’s discretion.

To intervene in any hearing, a person must file a petition under oath or affirmation for leave to intervene. The petition should include a demonstration that the petitioner is or may be substantially and directly affected by the proceeding. The Commission will review and rule on all petitions for intervention.

Interested persons may submit comments on the pending certification request at any time during its processing irrespective of whether the Commission holds a public hearing and such persons need not request a public hearing or intervenor status to do so.

Requests for a public hearing or petitions for leave to intervene in any public hearing regarding the pending certification request must be RECEIVED by the Commission no later than 5:00 p.m. on Nov 16th, 2012. Any requests for public hearing or petitions to intervene will be considered by the Commission at its meeting on December 7, 2012. A request or petition that is not timely filed will be denied unless the requestor/petitioner shows good cause for failure to file on time. Filing may be by electronic mail or facsimile if followed by receipt of an original signed document within five working days. The provisions for intervention may be found in Chapter 5, section 5.13 of the Commission’s rules (<http://www.maine.gov/sos/cec/rules/04/chaps04.htm>).

All filings should be addressed to: Nicholas Livesay, Executive Director, c/o Land Use Planning Commission, 22 State House Station, Augusta, Maine 04333; or emailed to marcia.spencer-famous@maine.gov ; or faxed to facsimile number (207) 287-7439. Questions regarding petitions to intervene may be directed to Marcia Spencer-Famous at (207) 287-4933.