

## APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

→ PLEASE TYPE OR PRINT IN **BLACK INK ONLY**

<b>1. Name of Applicant:</b> Hartland Solar Facility, LLC		<b>5. Name of Agent:</b> Tetra Tech, Inc.	
<b>2. Applicant's Mailing Address:</b> 9805 NE 116th Street, Suite A600, Kirkland, Washington 98934		<b>6. Agent's Mailing Address:</b> 451 Presumpscot Street, Portland, Maine 04103	
<b>3. Applicant's Daytime Phone #:</b> 206-619-3094		<b>7. Agent's Daytime Phone #:</b> 207-650-6406	
<b>4. Applicant's Email Address (Required from either applicant or agent):</b> vh@teichos.com		<b>8. Agent's Email Address:</b> jim.cassida@tetrattech.com	
<b>9. Location of Activity: (Nearest Road, Street, Rt.#)</b> Off Route 151 Hartland, Maine		<b>10. Town:</b> Hartland	<b>11. County:</b> Somerset
<b>12. Type of Resource: (Check all that apply)</b>	<input type="checkbox"/> River, stream or brook <input type="checkbox"/> Great Pond <input type="checkbox"/> Coastal Wetland <input checked="" type="checkbox"/> Freshwater Wetland <input type="checkbox"/> Wetland Special Significance <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Fragile Mountain		<b>13. Name of Resource:</b> unnamed freshwater wetlands
	<b>14. Amount of Impact: (Sq.Ft.)</b> 120,910		<b>Fill:</b> N/A <b>Dredging/Veg Removal/Other:</b> PFO conversion to PSS/PEM
<b>15. Type of Wetland: (Check all that apply)</b>	<input checked="" type="checkbox"/> Forested <input type="checkbox"/> Scrub Shrub <input type="checkbox"/> Emergent <input type="checkbox"/> Wet Meadow <input type="checkbox"/> Peatland <input type="checkbox"/> Open Water <input type="checkbox"/> Other _____	<b>FOR FRESHWATER WETLANDS</b>	
		<i>Tier 1</i> <input type="checkbox"/> 0 - 4,999 sq ft. <input type="checkbox"/> 5,000-9,999 sq ft <input type="checkbox"/> 10,000-14,999 sq ft	<i>Tier 2</i> <input type="checkbox"/> 15,000 – 43,560 sq. ft.
		<i>Tier 3</i> <input checked="" type="checkbox"/> > 43,560 sq. ft. or smaller than 43,560 sq. ft., not eligible for Tier 1	
<b>16. Brief Activity Description:</b> 140 megawatt solar project and associated facilities			
<b>17. Size of Lot or Parcel &amp; UTM Locations:</b>		<input type="checkbox"/> _____ square feet, or <input checked="" type="checkbox"/> 1,130 acres UTM Northing: 453,744 UTM Easting: 4,968,773	
<b>18. Title, Right or Interest:</b> <input type="checkbox"/> own <input checked="" type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement			
<b>19. Deed Reference Numbers:</b> Book#: _____ Page: _____ see Table 1, attached		<b>20. Map and Lot Numbers:</b> Map #: 004-008,008-003,004-007 Lot #: 004-003,005-001	
<b>21. DEP Staff Previously Contacted:</b> Shannon Smith		<b>22. Part of a larger project:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>After-the-Fact:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>23. Resubmission of Application?:</b> <input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		<b>Previous project manager:</b> _____	
<b>24. Written Notice of Violation?:</b> <input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		<b>25. Previous Wetland Alteration:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>26. Detailed Directions to the Project Site:</b>		Travel approximately 4 miles west on Rt 151 from Hartland Village to a left on Burrill Woods Road. Travel approximately 4.5 mile west on Burrill Woods Road to the Project Site.	
<b>TIER 1</b>		<b>TIER 2/3 AND INDIVIDUAL PERMITS</b>	
<input type="checkbox"/> Title, right or interest documentation <input type="checkbox"/> Topographic Map <input type="checkbox"/> Narrative Project Description <input type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input type="checkbox"/> Photos of Area <input type="checkbox"/> Statement of Avoidance & Minimization <input type="checkbox"/> Statement/Copy of cover letter to MHPC		<input checked="" type="checkbox"/> Title, right or interest documentation <input checked="" type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Copy of Public Notice/Public Information Meeting Documentation <input checked="" type="checkbox"/> Wetlands Delineation Report (Attachment 1) that contains the information listed under Site Conditions <input checked="" type="checkbox"/> Alternatives Analysis (Attachment 2) including description of how wetland impacts were Avoided/Minimized <input checked="" type="checkbox"/> Erosion Control/Construction Plan <input checked="" type="checkbox"/> Functional Assessment (Attachment 3), if required <input checked="" type="checkbox"/> Compensation Plan (Attachment 4), if required <input type="checkbox"/> Appendix A and others, if required <input checked="" type="checkbox"/> Statement/Copy of cover letter to MHPC <input type="checkbox"/> Description of Previously Mined Peatland, if required	
<b>28. FEES Amount Enclosed:</b> \$1,305.84			

**CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2**

**IMPORTANT: IF THE SIGNATURE BELOW IS NOT THE APPLICANT'S SIGNATURE, ATTACH LETTER OF AGENT AUTHORIZATION SIGNED BY THE APPLICANT.**

By signing below the applicant (or authorized agent), certifies that he or she has read and understood the following :

**DEP SIGNATORY REQUIREMENT**

**PRIVACY ACT STATEMENT**

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor a permit be issued.

**CORPS SIGNATORY REQUIREMENT**

USC Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry shall be fined not more than \$10,000 or imprisoned not more than five years or both. I authorize the Corps to enter the property that is subject to this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein.

**DEP SIGNATORY REQUIREMENT**

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Further, I hereby authorize the DEP to send me an electronically signed decision on the license I am applying for with this application by emailing the decision to the address located on the front page of this application (see #4 for the applicant and #8 for the agent)."

  
\_\_\_\_\_  
SIGNATURE OF AGENT/APPLICANT

January 26, 2024  
Date: \_\_\_\_\_

**NOTE: Any changes in activity plans must be submitted to the DEP and the Corps in writing and must be approved by both agencies prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.**

Table 1 Deed Reference Numbers

Landowner	Parcel Map & Lot #	Book	Page	Acres
Weyerhaeuser Company	008-003	17.65	87	580.70
Weyerhaeuser Company	005-001	17.65	61	488.70
Weyerhaeuser Company	004-008	17.65	61	715.00
Weyerhaeuser Company	004-007	17.65	61	407.70
Weyerhaeuser Company	004-003	17.65	59	1,819.70
<b>Total</b>				<b>4,011.80</b>

January 8, 2024

Hartland Solar Facility LLC  
500 Union St, Suite 625  
Seattle, WA 98101

Dear Sir/Madam:

## **Permitting Agent Authorization Letter**

Hartland Solar Facility LLC hereby authorizes Tetra Tech at 451 Presumpscot Street Portland, Maine 04103 to be our permitting agent for the proposed Hartland Solar Project in Hartland, Maine.

Any and all acts carried out by the above agent on our behalf shall have the same effects as acts of our own.

Sincerely,

Hartland Solar Facility, LLC



Jim Voorhees  
Senior Vice President of Development  
Teichos Energy



**STATE OF MAINE**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Individual Permit Application Fee – Check Processing Form**

The Department is now requiring the submission of the following permit applications by email:

- Site Location of Development Law (Site Law)
- Natural Resources Protection Act (NRPA)
- Stormwater Management Law
- Maine Waterway Development and Conservation Act (MWDCA)
- Borrow Pits and Quarries – Variances and Notices of Intent to Comply

All applications must include the application fee. The Department’s review of an application for completeness begins upon receipt of the application and application fee. The fee for each permit type is listed in the Department’s fee schedule (<https://www.maine.gov/dep/feeschedule.pdf>).

**Payment by Credit Card.** Application fees up to \$5,000 may be paid by credit card on the Department’s [payment portal](#). Instructions for using the portal and including payment confirmation with an application are available on the Department’s website:

(<https://www.maine.gov/dep/land/permits/individual/index.html>).

*(You do not need to complete this form if you pay the application fee using the portal.)*

**Payment by Check.** Individual permit applicants paying the application fee by check must:

- a. Complete this form and include a copy along with the email submission of the application to [DEP.LandApplication@maine.gov](mailto:DEP.LandApplication@maine.gov); AND
- b. Mail a check for application fee and completed copy of this form to: Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017. Checks should be payable to “Treasurer, State of Maine.”

Project Information	
Applicant Name	Hartland Solar Facility, LLC
Municipality	Town of Hartland
Contact Name	Vincent Hansen
Contact Email	<a href="mailto:vh@teichos.com">vh@teichos.com</a>
Contact Phone #	(206)-619-3094 <span style="float: right;">Ext:</span>

Application Fee			
Permit Type	Processing Fee	Licensing Fee	Total
Site Law	\$8,685.00	\$4,342.00	\$13,027.00
NRPA	\$979.38	\$326.46	\$1,305.84
Solar Decommissioning Law	\$460.00	\$114.00	\$574.00
Permit-by Rule		\$307.00	\$307.00

Check No.:

Amount: \$15,213.84

TEICHOS ENERGY LLC  
P O BOX 408  
MEDINA, WA 98039  
425-658-3775



1/15/2024

PAY TO THE ORDER OF Treasurer, State of Maine

\*\*15,213.84

\$

Fifteen Thousand Two Hundred Thirteen and 84/100\*\*\*\*\*

DOLLARS

STATE OF MAINE  
Department of Environmental Protection  
17 State House Station  
Augusta, ME 04333-0017

**INFORMATION ONLY**

MEMO Hartland Solar - State Permitting Application Fee



1000560250

TEICHOS ENERGY LLC

3542

Treasurer, State of Maine

Date	Type	Reference	Original Amt.	Balance Due	1/15/2024 Discount	Payment
1/8/2024	Bill	Hartland Solar - Sta	15,213.84	15,213.84		15,213.84
					Check Amount	15,213.84

WA Trust Checking - Hartland Solar - State Permitting Application Fee 15,213.84

PART 3. TIER 3 FRESHWATER WETLAND ALTERATION (OVER 43,560 sq. ft) AND INDIVIDUAL NATURAL RESOURCE PROTECTION ACT PERMIT

**ELIGIBILITY CRITERIA & STANDARDS**

This application form constitutes a joint application to both the Maine Department of Environmental Protection and the U.S. Army Corps of Engineers for a proposed alteration to a freshwater wetland that qualifies for Tier 3 review. Either of these agencies, or their review agents, may contact you for further information regarding your activity. The square footage of impact is based on the alteration or impact of the whole activity in the wetland.

An individual NRPA review is required for activities in protected natural resources that do not otherwise qualify for reduced review procedures, such as permits by rule or general permits.

NOTE: Single, complete activities that impact less than 4,300 square feet and do NOT occur within: another type of protected natural resource; 25 feet of another protected natural resource and erosion controls are used; a municipal shoreland zone; a wetland normally containing at least 20,000 sq. ft. of open water, aquatic or emergent marsh vegetation; or a peatland are exempt under the Natural Resources Protection Act, 38 M.R.S. Section 480-Q(17).

**BASIC ATTACHMENTS FOR TIER 3 AND INDIVIDUAL NRPA PERMIT APPLICATIONS**

**For Tier 3 and individual NRPA permit applications, follow the general application instructions on pages 4-8 (green) and, in addition, submit Attachments 1-12, Attachments 13-14, if required, and the appropriate appendices with the pink application form and signature page. All projects must complete Appendix A, all coastal wetland projects must also complete Appendix B and all dredging projects must also complete Appendix C.**

The scale of all drawings must be no smaller than 1 inch equals 100 feet. Larger scale 1" = 20' or 1"=50' plans are also acceptable. **ALL drawings larger than 8½" x 11" must be folded to 8½" x 11". Please note that for the Corps review at least one set of drawings must be on 8½" by 11" size paper.** They must be clear, reproducible, and legible; and each sheet (including the location map) must have a consistent title block, numbering scheme, and date. PLEASE ALSO NOTE THAT REDUCTIONS OF LARGE SCALE PLANS ARE NOT GENERALLY ACCEPTABLE.

All work performed by a professional engineer or other licensed professional must be dated, stamped and signed by the professional.

THE DEPARTMENT HAS FOUND THAT A MAJOR CAUSE OF APPLICATIONS BEING RETURNED IS THE LACK OF PROPERLY PREPARED PLANS. CLEAR AND ACCURATELY DETAILED PLANS ARE CRITICAL TO EFFICIENT APPLICATION PROCESSING. IF YOU DO NOT POSSESS STRONG SKILLS IN DRAFTING PLANS, THE DEPARTMENT RECOMMENDS THAT YOU OBTAIN THE SERVICES OF SOMEONE WHO IS A QUALIFIED PROFESSIONAL.

**Attachment 1**, an activity description. Describe the activity in detail. Include the dimensions of all permanent and temporary structures; the dimensions of impact or alteration caused by each portion of the proposed activity; and the type of activity involved. This written information regarding your activity should match the information shown on site plans or drawings.

If any resource area has been altered on the property before this application was submitted, provide information on the size of the previous alteration, the dates when the alteration occurred, and whether state or federal permits were obtained for the activity(ies). If the proposed activity is part of a larger or multi-phased project, describe the larger project including all phases. If the proposed activity will occur in a fragile mountain area, include the name of the mountain and the approximate elevation at which the alteration will occur.

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**Attachment 2**, an alternatives analysis report that analyzes whether a practical alternative to the alteration exists. The report must address the activity purpose and need, and why the activity cannot be completed by:

- Utilizing, managing or expanding one or more other sites that would avoid the resource impact;
- Reducing the size, scope, configuration or density of the activity as proposed, thereby avoiding or minimizing the resource impact; or
- Developing alternative activity designs, such as cluster development, that avoid or lessen the resource impact.

**Attachment 3**, a map with the activity location clearly marked. Acceptable maps are USGS topographical maps or the Maine Atlas and Gazetteer. These may be available in local sporting goods stores or the municipal offices. Clear photocopies of these are also acceptable.

**Attachment 4**, color photographs that clearly show the area to be altered and generally show vegetation and other landscape features. (Winter photos with snow cover are not acceptable.) Photographs must be mounted on 8½ x 11" sheets and each photo must be labeled to describe each view, location, and the date taken. An original set of photographs or colored photocopies must be attached to the original application. Legible, black and white photocopies of the photos are acceptable for the copies of the application. If photocopies are not clear or legible, duplicate photos must be included. In addition, aerial photographs, if available, are encouraged.

**Attachment 5**, overhead and side view plan drawn to scale, which show the activity and the immediate surroundings in detail. Include the following information:

- The exact location of any lake, pond, river, stream, brook (perennial or intermittent) and/or wetland with the normal high water line, low water line, and/or wetland boundary shown. Show direction of flow for rivers, streams, and brooks.
- The exact location and dimensions of the proposed activity on the lot or parcel, including areas of proposed soil disturbance, fill, and vegetation removal and permanent structures.
- The location and dimensions of all existing structures on the lot. All existing structures on abutting lots must be shown if they are located within 50 feet of any proposed structure.
- The location and dimensions of any proposed seasonal or temporary structures. (If the temporary structure (less than 7 months a year) is part of the larger NRPA activity, they are subject to the NRPA standards.) Note: Seasonal structures in tidal waters (e.g. floats) always need Corps approval.
- The location and type of all proposed erosion control measures.
- For piers, wharves, floats, etc., show the distance to abutting property lines from the proposed structure(s) and the distance to any existing structures (piers, wharves, etc.) on the abutting properties. If property lines are within 100 feet of the proposed structure(s), they should actually be drawn on the plan. An enlarged tax map is often a good reference for this information.
- Clearly identified resource boundaries and resource impact areas.
- The location of all property lines and the names of all abutters.
- For work in tidal waters the mean high and mean low water lines should be shown on all plans.
- The applicant's name, the scale of the drawings or plans, a north arrow, a legend, and the date. If drawings are not to scale they should be clearly dimensioned.

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- Contour lines for significant regrading activities, and large-scale activities that trigger pre- application meetings or that require a Site Location of Development Act permit.

✘ **Attachment 6**, additional plans, if applicable:

- Cross sectional drawings for piers, roadways, stream crossings, dredging activities, retaining walls, riprap, gravel removal, pond construction, fill activities, and dams.
- Profile drawing or plans for activities involving significant amounts of stream culverting or channelization work, roads involving steep embankments or inclines, and boat ramps.

✘ **Attachment 7**, a construction plan. Describe in detail how the activity will be constructed. Be sure to include how the site will be accessed, each step of the construction, timing for each step, materials to be used (including the type of preservative for treated wood and poured or pre-cast concrete, if any) and any activity phasing.

✘ **Attachment 8**, an erosion control plan. If the proposed activity includes grading, bulldozing, digging, scraping the earth, or filling, attach a plan describing in detail the temporary and/or permanent erosion control measures that will be used, when they will be installed, and how they will be maintained. (All erosion control measures must be shown on the activity plans and must conform to the Maine Erosion and Sediment Control Best Management Practices, March 2003.)

✘ **Attachment 9**, a site condition report for activities impacting a freshwater wetland, coastal wetland, great pond, and a river, stream, or brook. Submit a site condition report, containing the following, as appropriate or directed for the resource:

**NOTE:** Unless you have expertise in delineating wetlands and conducting wetland assessments, the Department requires that you hire a consultant/wetland scientist to provide assistance in completing this attachment.

- A plan at the scale of a minimum of 1 inch equals 100 feet, that shows two-foot contour intervals, existing resource boundaries, the area of the resource or adjacent area to be altered, activity location and dimensions, and wetland or waterbody classification(s). All components of the activity impacting the protected natural resource must be included;
- A description of existing resource characteristics including water depths, vegetation, and fauna;
- A description of the methods used to delineate the resource boundaries, and a copy of data sheets completed during the delineation. Please note that freshwater wetland delineations must be performed using the 1987 Corps of Engineers Wetland Delineation Manual or its successor, unless otherwise approved by the DEP and the Corps.
- For activities impacting a **river, stream or brook**, also submit the following:
  - A scale drawing of the project location showing 2-foot contour intervals and including the location of all protected natural resources, roads, structures, bedrock outcroppings, area of extraction (if applicable), point gravel bars (if applicable), cross-section locations, and the location of the 100-year floodplain as estimated using the most recent Flood Insurance Rate Map (FIRM);
  - A description of the stability of the stream banks directly upstream, through, and directly downstream of the project area, including riparian vegetation;
- **If new applicant is a registered corporation, provide either a *Certificate of Good Standing* (available from the Secretary of State) or a statement signed by a corporate officer affirming that the corporation is in good standing.**

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- A description of the floodplain. Does the stream access the floodplain? During what type of flood event (e.g. 10-year, 25-year, or 100-year flood event)?
  - A description of the threatened or perceived threatened facility or infrastructure. Under what environmental circumstance is the facility or infrastructure threatened (e.g. 100-year flood)? How will the proposed project protect this facility or infrastructure?
  - For projects involving extraction from a river, stream or brook, include a description of the river, stream or brook channel through the reach, including bankfull width and depth, channel slope, cross-sectional area, radius of curvature, and meander wavelength, all measured in multiple locations along the reach;
  - For projects involving extraction from a river, stream or brook, include an estimation of the amount of material proposed to be extracted, the timing for the extraction, a description of the disposal area for any material extracted, and a description of how this extraction will change any of the above referenced information;
  - For projects involving extraction from a river, stream or brook, include a description of the sediment regime. If possible, determine sediment input based on sediment traps, sediment sorting and travel rates. Has this regime changed due to an upstream disturbance or event? Is there sediment transport discontinuity being influenced by downstream constrictions or grade controls?
- For activities impacting **coastal wetlands**, submit the coastal wetland characterization checklist described and provided in Appendix B of this application.
- For activities impacting a **great pond**, also submit the following:
- A description of the stability of the banks of the great pond in and adjacent to the project area, including riparian vegetation;
  - A description of the substrate in the project location (e.g. mud, silt, gravel, boulders);
  - For projects involving extraction from a great pond, include an estimate of the amount of material proposed to be extracted, the timing for the extraction, a description of the disposal area for any material extracted, and a description of how this extraction will change any of the above referenced information;
  - A description of the threatened or perceived threatened facility or infrastructure. Under what environmental circumstance is the facility or infrastructure threatened (e.g. 100-year flood)? How will the proposed project protect this facility or infrastructure?
- ✗ **Attachment 10**, the Notice of Intent to File. Fill out the Notice of Intent to File included in the application (Page 16). Submit the original with the application. **Distribute copies as outlined in the "Public Notice and Certification"(after the notice form).**
- ✗ **Attachment 11, for Corps review only.** Applicants must submit a copy of this application and plans to the Maine Historic Preservation Commission (MHPC) at the same time or before they submit this application for review. The MHPC address is: MHPC, 65 State House Station, Augusta, ME 04333-0065. Attach in this submittal evidence that the MHPC was provided a copy of the application. Submit any correspondence from the MHPC to the Corps upon receipt.

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## ADDITIONAL ATTACHMENTS FOR TIER 3 AND INDIVIDUAL NRPA PERMITS

This part of the application is required for activities impacting a freshwater wetland, great pond, coastal wetland, or river, stream or brook that require compensation. **IF YOU ARE NOT PROPOSING SUCH AN ACTIVITY, PLEASE STOP HERE AND DISREGARD THE REMAINDER OF THE APPLICATION.**

To complete this portion of the application, you must refer to the Wetland and Waterbodies Protection Rules, Chapter 310, available from the Department. As noted in the General Instructions, a pre-application meeting is required for many of the projects that must submit the following attachments, unless waived in writing by the Department. For other individual projects taking place in a great pond, coastal wetland, or river, stream or brook, a pre-application meeting is strongly recommended to determine which of the following attachments is required.

NOTE: Unless you have expertise in delineating wetlands and conducting wetland assessments, the Department requires that you hire a consultant/wetland scientist to provide assistance in completing these attachments.

### 1. FUNCTIONAL ASSESSMENT

Submit as **Attachment 12**, when required by the Wetland and Waterbodies Protection Rules, a functional assessment conducted by a qualified professional on the resource area to be altered which analyzes the area based on the functions and values it serves and how these will be affected by the proposed alteration.

NOTE: The functional assessment must be conducted by a qualified professional(s) using the Highway Methodology approved by the Department and the Corps. If another methodology is proposed, the applicant must submit documentation describing how the methodology was developed, how the wetland functions and values are determined using the methodology, and how much field testing the technique has undergone. In cases where the size of the wetland alteration or other factors make use of an established assessment methodology impractical or inappropriate, the Department and the Corps may instead accept the best professional judgment of a qualified professional. The applicant must notify the Department if he or she intends to use best professional judgment. Contact the Department for further information.

### 2. COMPENSATION

**NOTE:** Applicants and their agents are strongly recommended to contact the DEP and the Corps prior to developing a compensation plan.

For applications which include compensation, activities will be held to the Standards For Compensation (Section 6) of the Wetland and Waterbodies Protection Rules.

A. For applications which propose resource restoration, creation, or enhancement,

- Submit as **Attachment 13**, a plan for the proposed compensation work including:
  - A drawing at a scale of one inch equals 100 feet showing proposed boundaries and characteristics of the compensation site, including existing and proposed two-foot contour intervals, wetland boundaries, vegetation types, and sources of water;
  - A narrative describing the specific goals of the compensation work in terms of particular resource functions and values. These goals must be related to the lost or degraded functions of the resource to be impacted by the activity. This narrative must also identify the criteria by which to measure success of the compensation work;

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- Proposed implementation and management procedures for the compensation work;
- A description of the short-term and long-term sources of water for a wetland, including the water quality of these sources;
- A narrative and drawing showing the planting plan, if applicable, including a description of plant species, sizes and sources of plant material, numbers of each species/size, proposed spacing of plants and an explanation of how, when and where seeding and/or planting will take place;
- A narrative and drawing of proposed buffers and other protection measures, such as sediment control measures;
- A description of the plans for monitoring the compensation work, including identifying criteria which will be used to determine if mid-course corrections are required, a description of proposed remediation measures, and a schedule for implementation;
- A narrative describing plans, if any, for control of non-indigenous plant species;
- A schedule for implementing the compensation plan;
- A demonstration of sufficient scientific expertise to carry out the proposed compensation work and; if experimental techniques are proposed, a description of available literature on methods;
- A demonstration of sufficient financial resources to complete the proposed compensation work, including subsequent monitoring and corrective actions; and
- Documentation of a deed restriction or conservation easement to be conveyed to a qualified holder for protection of the compensation area. This documentation must:
  - a) Provide for maintenance of the area as a wetland and/or buffer in perpetuity;
  - b) Authorize the Department to act as an enforcing agent; and
  - c) Include the requirement that any future alterations in, on or over the compensation area be approved by the Department.

**B.** For applications which propose preservation of resources or adjacent uplands,

Submit as part of **Attachment 13**, the following information:

- A location map of the preservation site;
- A legal description of the property to be preserved;
- A description of the preservation site including existing vegetation, sources of water, functions and values, existing uses, and potential threats to the functions and values of the site; and
- Documentation of a conservation easement or deed restriction which protects the property as a conservation area in perpetuity, and authorizes the Department to act as an enforcement agent. These areas may be deeded to local or state conservation groups or agencies, but the Department must approve any land management practices.

C. For applications which propose in lieu fee

Project is proposing to use the Maine Natural Resources Conservation Program In Lieu Fee Program (pink)

SCENIC RESOURCE EVALUATION

The following is an evaluation of scenic resources based on the *MDEP Visual Evaluation Field Survey Checklist (Natural Resources Protection Act, 38 M.R.S. §§ 480 A - Z)*.

**MDEP Visual Evaluation Field Survey Checklist**

**Name of Applicant:** Hartland Solar Facility LLC

**Application Type:** Site Location of Development & Natural Resources Protection Act

**Activity Type:** Installation of 140 MW Solar Energy Generation Facility

**Activity Location:** Hartland, ME

**County:** Somerset

**GIS Coordinates, if known:** 44°52'0.84"N, 69°35'5.44"W

**Date of Survey:** October 17, 2023

**Observer:** Steve Thompson

**Phone:** 207-846-5643

	<b>Distance Between the Proposed Visible Activity and Resource (Miles)</b>		
	<b>0-1/4</b>	<b>1/4-1</b>	<b>1+</b>
<b>1. Would the activity be visible from:</b>			
<b><i>A. A National Natural Landmark or other outstanding natural feature?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There are no National Natural Landmarks or other outstanding natural features within the Study Area.			
<b><i>B. A State or National Wildlife Refuge, Sanctuary, or Preserve or a State Game Refuge?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There are no National Wildlife Refuges, Sanctuaries, Preserves, or State Game Refuges within the Study Area.			
<b><i>C. A state or federal trail?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The Maine Interconnected Trail System (ITS) is a snowmobile trail system that covers the State of Maine and is managed in part by the Maine Bureau of Parks and Lands. There are two ITS routes within the Study Area.			
<b>ITS 113</b> is located approximately 4.2 miles west of the Project and runs along the western edge of the Study Area in the vicinity of Cornville. Due to intervening vegetation and topography, there will be no Project visibility from anywhere on the trail.			
<b>ITS 84</b> is located approximately 800 feet to the west of the Project interconnection substation and 4,100 feet (0.7 miles) to the east of the Project solar array areas, with roughly 18.5 miles of trail running in a northwesterly and southeasterly direction through the Study Area. The trail utilizes the existing CMP 115 kV line Section 82 (Athens – Hartland) transmission line corridor for a majority of its			

route, traversing hills, valleys, woodlands, and wetland areas. The trail will intersect the Project Gen-Tie line along Burrill Woods Road. Project interconnection poles will be briefly visible as trail users cross the road and interconnection corridor.

The Viewshed Analysis also indicated visibility from an elevated point approximately 3 to 4 miles northwest of the Project along ITS 84 in Athens. The viewpoint is near the crest of a hill within the cleared CMP Section 82 transmission corridor and represents the only elevated viewpoint along ITS 84 within the Study Area. The trail in this area is flanked by agricultural fields on either side that allow for open views of the surrounding landscape to the east and south. Fieldwork and 3D modeling determined that portions of the Project will be minimally visible from this location due to the screening effects of foreground tree canopy and vegetation when looking south toward the Project. **Photosimulation 02 in Attachment 2** demonstrates how the proposed Project would appear following installation. Though the simulation represents leaf-on conditions during summer, Project visibility will be filtered and partially screened by branching in the foreground during peak winter use.

Snowmobilers and recreational users of ITS routes in Maine are generally accustomed to seeing energy related infrastructure, both within transmission line corridors and along the trail. While the Project Development Area is 2.6 miles away from the viewpoint, visible portions of the Project can be seen at distances between 3 to 4 miles. As seen in Photosimulation 02, the visible portions of the Project are unlikely to present high visual contrast or be a dominant feature in the landscape when viewed from ITS 84.

In addition to ITS 84 and ITS 113, there is a network of local snowmobile trails in the Study Area managed by the Smokey’s Angels Snowmobile Club, some of which use Burrill Woods Road and will have visibility of Project components when riding within the Project Development Area. Local snowmobile trails are typically managed privately, with access granted by individual private landowners. Local snowmobile trails are not considered scenic resources in this assessment.

**D. A public site or structure listed on the National Register of Historic Places (NRHP)?**

There are no listed or eligible structures, districts, or other places with potential Project visibility within the Study Area.

**Somerset Academy**, located 4.6 miles northwest of the Project in the village center of Athens, is listed on the National Register of Historic Places. There are five eligible structures also located nearby in the village center area of Athens including the **Charles Green House**.

There are five eligible structures in the village center of Hartland located between 4.4 to 4.7 miles to the east of the Project. These structures include the **Hartland Post Office, Water Street Bridge, The Hartland Opera House, and the Dr Calvin Blake House and Barn**.

To the west of the Project in Cornville, there are three eligible structures between 3.9 to 4.9 miles away that include the **P.C. Whittier House and Farm, Brick School, and 459 Notch Road Property**.

There will be no Project visibility from any historic resources.

**E. A National or State Park?**

There are no National or State Parks within the Study Area.

**F. 1) A municipal park or public open space?**

There are no municipal parks or similar public open spaces with potential visibility of the Project. The parks and public open spaces that are present are largely situated near the village centers of Athens and Hartland, approximately 4 to 5 miles from the Project. There are public boat launch facilities at Great Moose Lake (3.8 miles northeast of the Project), and Morrill Pond (2.9 miles southeast of the Project). None of these facilities will have visibility of the Project.

**2) A publicly owned land visited, in part,  
for the use, observation, enjoyment, and  
appreciation of natural or man-made  
visual qualities?**

**Chase Hill Fire Tower:** The State-owned Chase Hill Fire Tower is a year-round locally significant scenic viewpoint located in Canaan, approximately 2.2 miles south of the Project. Chase Hill and the fire tower are mentioned in the Canaan Comprehensive Plan titled *A Report on Our Past, Present, and Future (2003)*, and hiking websites such as *Alltrails.com*. Access to the fire tower is from a small informal parking area off Chase Hill Road and a walk up a short tote road to the tower near the summit of Chase Hill. The tower is used by the general public as a scenic observation point, and is no longer used to monitor wildfire activity. From the ground to the observation deck, the fire tower stands at approximately 48 feet, just above the tree canopy. Views from the observation deck provide a nearly 360-degree overlook of the surrounding woodlands and distant topography. The landscape features visible from the fire tower include rolling hills and views of nearby ridgelines. No lakes, rivers, or other waterbodies are visible from the fire tower. The texture and color of the surrounding wooded landscape is sparsely broken by the occasional distant clearing, road corridors, buildings, and other forms of human development. The Bingham Wind Project is visible to the north at a distance of approximately 20 miles. The most dramatic views from the fire tower are of the topography to the west, including the Bigelow Mountain Range, Sugarloaf, and other mountains near the Rangeley Lakes area.

Looking north and northwest from the fire tower observation deck, the southern third of the Project situated on the southeastern slope of Burrill Hill will be visible in the mid-ground at a distance of approximately 2.2 miles. The solar panel arrays will be the most prominent Project components visible at this distance, occupying approximately 24 degrees of the horizontal field of view. The Project will create a moderate level of contrast in color, texture, and form against the mostly uniform wooded

landscape. The Project collector substation off Burrill Woods Road as well as portions of the associated Gen-Tie line and 100-foot corridor along Burrill Woods Road will be visible, though visually subordinate to the solar arrays. The interconnection substation to the east of the solar array areas will not be visible from the fire tower due to intervening vegetation.

Portions of the Project will appear in the mid-ground of the view and will not block or unreasonably interfere with views of distant topography and landform. See **Photosimulation 01 in Attachment 2**.

**Local Scenic Roads:** The Canaan Comprehensive Plan, titled *A Report on Our Past, Present, and Future (2003)*, describes scenic resources important to the town. Within the Study area, these include scenic sections of Hartland Road (Route 23), approximately 4 miles south of the Project; Easy Street, approximately 4.2 miles south of the Project; and Pinnacle Road, approximately 3.9 miles south of the Project. There will be no Project visibility from any scenic roads due to intervening vegetation and topography.

**3) A public resource, such as the Atlantic Ocean  
a great pond or a navigable river?**

There will be no Project visibility from any waterbodies within the Study Area due to intervening vegetation and topography.

**Great Moose Lake** is located 2.5 miles northeast of the Project in Hartland and Harmony. This is the largest waterbody in the Study Area.

Other significant waterbodies within the Study Area include **Barker Pond** in Cornville (2.2 miles northwest of the Project); **Starbird Pond** in Hartland (1.5 miles northeast of the Project); **Bog Pond** in Hartland (0.6 miles northeast of the Project); **Stafford Pond** in Hartland (2 miles northeast of the Project); **Morrill Pond** in Hartland (2.5 miles southeast of the Project); and **Sibley Pond** in Canaan (4 miles southeast of the Project).

**Wesserunsett Stream** is located approximately 2.8 miles west of the Project in Cornville. Navigable portions of **Black Stream** and associated tributaries are located immediately south, west, and northwest of the Project Development Area. Neither stream will have potential visibility of the Project.

None of the identified waterbodies are rated for scenic quality in the *Maine's Finest Lakes Study* or the *Maine Rivers Study*.

**2. What is the closest estimated distance to a similar activity?**

There are many planned solar projects in Maine. It is unknown which will be closest at the time of construction.



**3. Are any of the resources checked in Question 1 used by the public during the time of year during which the activity will be visible?**

**Yes: Chase Hill Fire Tower** is open to the public year-round. Portions of the Project will be visible during all seasons from the fire tower. **ITS 84** is primarily used during the winter, and portions of the Project will be partially visible during all seasons, including periods of peak winter use.

**ATTACHMENT 1: DESCRIPTION OF ACTIVITY**

See Site Law Application Section 1(A)

**ATTACHMENT 1A: TITLE, RIGHT, OR INTEREST**

See Site Law Application Section 2

**ATTACHMENT 2: ALTERNATIVES ANALYSIS**

See Site Law Application Section 7(H)

**ATTACHMENT 3: SITE LOCATION MAP**

See Site Law Application Section 1, Figure 1-1

**ATTACHMENT 4: SITE PHOTOGRAPHS**

See Site Law Application Section 7, Exhibit 7-3

**ATTACHMENT 5: CIVIL ENGINEERING PLAN SET**

See Site Law Application Section 1, Exhibit 1-1

**ATTACHMENT 6: PROPOSED AQUATIC RESOURCE IMPACTS**

See Site Law Application Section 7(B)

**ATTACHMENT 7: CONSTRUCTION PLAN**

See Site Law Application Section 1(B)

**ATTACHMENT 8: EROSION CONTROL PLAN**

See Site Law Application Section 12 and 14, Exhibit 12-1 and Section 1, Exhibit 1-1

**ATTACHMENT 9: SITE CONDITIONS REPORT**

See Site Law Application Section 7, Exhibit 7-3

**ATTACHMENT 10: NOTICE OF INTENT TO FILE AND ABUTTERS LIST**

See Site Law Application Section 25

**ATTACHMENT 11: HISTORIC**

See Site Law Application Section 8

**ATTACHMENT 12: FUNCTIONS AND VALUES ASSESSMENT**

See Site Law Application Section 7(C)

**ATTACHMENT 13: COMPENSATION PLAN**

See Site Law Application Section 7(I)