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DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
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Marybeth Richardson
Maine Department of Environmental Protection
Portland, ME

Sent via electronic mail only

For: New England Clean Energy Connect Project (SLC-9)
Central Maine Power Company
Beattie Twp, Lowelltown Twp, Skinner Twp, Appleton Twp, T5 R7 BKP WKR,
Hobbs town Twp, Bradstreet Twp, Parlin Pond Twp, West Forks Plt, Moxie Gore, The Forks
Plt, Bald Mountain Twp T2R3, Concord Twp

Completeness Determination

October 13, 2017

Dear Marybeth:

On October 12, 2017, the Department of Environmental Protection (MDEP) submitted to the Land Use Planning Commission (LUPC) a Request for Certification for Central Maine Power Company's New England Clean Energy Connect (NECEC) Project. The proposed NECEC Project is located within the unorganized townships of Beattie Twp, Lowelltown Twp, Skinner Twp, Appleton Twp, T5 R7 BKP WKR, Hobbs town Twp, Bradstreet Twp, Parlin Pond Twp, Moxie Gore, Bald Mountain Twp (T2 R3), Concord Twp, and the plantations of West Forks Plt, and The Forks Plt. The MDEP's Request for Certification asks the LUPC to determine if the NECEC Project is complete for processing.

Completeness Determination

The LUPC has reviewed the certification materials submitted by Central Maine Power Company and determined that there is sufficient information to begin the review of the certification request. The LUPC finds the application complete for processing. This determination of completeness does not preclude the LUPC from requesting additional information during its review that is necessary to enable the LUPC to make necessary findings under applicable review criteria.

Process for Review of Allowed Use and Land Use Standards

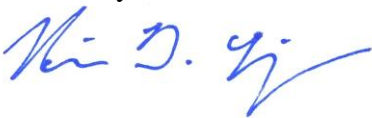
In reviewing requests for certification, the LUPC must consider whether the use is allowed in the subdistricts for which it is proposed, and whether it meets relevant land use standards:

12 M.R.S.A. § 685-B(1-A)(B-1). "...a permit from the commission is not required for a development of state or regional significance that may substantially affect the environment as defined in Title 38, section 482, subsection 2. A project meeting that definition is reviewed under Title 38, section 489-A-1...The Department of Environmental Protection must receive certification from the commission that the proposed development is an allowed use within the subdistrict or subdistricts for which it is proposed and the proposed development meets any land use standard established by the commission that is not considered in the department's review under Title 38, section 489-A-1, subsection 1 before issuing a permit."

In many instances, the LUPC's allowed use determination can be made at the time of its completeness determination. When this occurs, the LUPC may provide the MDEP with a certification of allowed use within the time period in which the MDEP reviews the Location of Development (Site Law) application and evaluates whether the application is complete for processing. However, in the NECEC matter, there are three locations in which the proposed use is identified as a special exception in the subdistrict. When reviewing a special exception use, the LUPC must consider whether the proposed use meets several criteria listed in rule. To make such a determination, the LUPC will need to perform an analysis of the proposal and accept public comments. For this reason, the LUPC's allowed use determination will be completed during the application review period. The land use standards determination also will be made during the application review period, as has been the case in all prior certification reviews.

If you have any questions or would like to further discuss this matter, please contact Samantha Horn at the Augusta office by email (samantha.horn@maine.gov) or at (207) 287-4932.

Sincerely,



Nicholas D. Livesay, Executive Director
Maine Land Use Planning Commission

cc: Gerry Mirable, CMP (via e-mail)
Mark Goodwin, Burns McDonnell (via e-mail)
Samantha Horn, LUPC (via e-mail)
Joshua Brown, LUPC (via e-mail)
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