

November 13, 2019

Maine Department of Environmental Protection  
Attn: Jessica Damon  
106 Hogan Road  
Bangor, ME 04401

**Re: Silver Maple Wind Project | Proposed Wind Power Facility, Clifton, Maine**

Dear Jessica:

We are in receipt of your email messaged dated 11/6/2019 regarding the completeness review of the above noted application. The following, and attached information, represents the response to your questions and requests:

1. Signed application Form – We reviewed the original submitted information and we believe all the applications were signed properly. We have attached copies of the signed signature pages in the event you did not receive them.
2. Expectation of the typical viewer – The applicant has considered the visual impact at the scenic resource of the state or national significance (SRSNS) from the typical viewer at each of these locations. The applicant has contacted the visual impact professional and a full report further describing Chapter 382(3)(D) is being prepared and will be submitted on or before 11/18/2019.
3. Permit-By-Rule application for stream crossing – A completed PBR application is attached for the proposed intermittent drainage crossing associated with the project.
4. Evidence of Fire Response – Attached is a letter from the Town of Eddington Fire Chief indicating their department will respond to any fire issues at the project site.
5. Evidence of power purchase – As described in the submitted application, the Silver Maple Wind Project has not fully contracted a power purchase agreement for the energy that will be produced by the project. SWEB Development USA, LLC plans to continue to explore options for energy sales in the area of Northern Maine and Southern New England with one or more counterparties. The project will also sell renewable energy credits (RECs) within New England. At this time SWEB Development USA, LLC has not finalized either of these agreements. Generally, these agreements require an approved project with determined generation rates.

MDEP | 11.13.2019 | 11657.006

6. Discussions of Safety Setback Distances – The proposed project will meet the required safety setback distances. As described in the application the maximum tower will be 117 meters (384 feet) and the blades are 68 meters (223 feet). A safety setback of 607 feet has been shown on the attached plan sheet 102.

If you have any questions, or need any additional information, please feel free to contact us at any time.

Sincerely,  
CES, Inc.

A handwritten signature in blue ink, appearing to read 'T. Brochu', is written over the typed name.

Tim Brochu, Project Manager  
Senior Vice President

TB/  
Enc.


**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 :

**CERTIFICATIONS / SIGNATURES**


"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 am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment. 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.

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 electronic address located on the front page of this application (see #5 for the applicant and #10 for the agent)".

Signed: Michael Carey  Title Development Manager - SWEB Development USA, LLC Date: Oct 03, 2019

**Notice of Intent to Comply with Maine Construction General Permit** With this Site Law application form and my signature, I am filing notice of my intent to carry out work which meets the requirements of the Maine Construction General Permit (MCGP). I have read and will comply with all of the MCGP standards.

If this form is not being signed by the landowner or lessee of the property, attach documentation showing authorization to sign.

Signed Michael Carey  Date: Oct 03, 2019

**NOTE: You must file a MCGP Notice of Termination (Form K) within 20 days of completing permanent stabilization of the project site.**

**CERTIFICATION**

The person responsible for preparing this application and/or attaching pertinent site and design information hereto, by signing below, certifies that the application for development approval is complete and accurate to the best of his/her knowledge.

Signature: \_\_\_\_\_ Re/Cert/Lic No.: \_\_\_\_\_  
 Name (print): \_\_\_\_\_ Engineer \_\_\_\_\_  
 Date: \_\_\_\_\_ Geologist \_\_\_\_\_  
 Soil Scientist \_\_\_\_\_  
 Land Surveyor \_\_\_\_\_  
 Site Evaluator \_\_\_\_\_  
 Active Member of the Maine Bar \_\_\_\_\_  
 Professional Landscape Architect \_\_\_\_\_  
 Other \_\_\_\_\_

FORM C

**PUBLIC NOTICE FILING AND CERTIFICATION**

The DEP Rules, Chapter 2, require an applicant to provide public notice for all Site Location projects with the exception of minor revisions and condition compliance applications. In the notice, the applicant must describe the proposed activity and where it is located. "Abutter" for the purposes of the notice provision means any person who owns property that is BOTH (1) adjoining and (2) within one mile of the delineated project boundary, including owners of property directly across a public or private right of way.

1. **Newspaper:** You must publish the Notice of Intent to File in a newspaper circulated in the area where the activity is located. The notice must appear in the newspaper within 30 days prior to the filing of the application with the Department. You may use the attached Notice of Intent to File form, or one containing identical information, for newspaper publication and certified mailing.
2. **Abutting Property Owners:** You must send a copy of the Notice of Intent to File by certified mail to the owners of the property abutting the activity. Their names and addresses can be obtained from the town tax maps or local officials. They must receive notice within 30 days prior to the filing of the application with the Department.
3. **Municipal Office:** You must send a copy of the Notice of Intent to File and a duplicate of the entire application to the Municipal Office.

**ATTACH a list of the names and addresses of the owners of abutting property.**

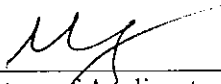
**CERTIFICATION**

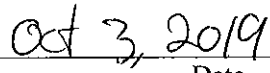
By signing below, the applicant or authorized agent certifies that:

1. A Notice of Intent to File was published in a newspaper circulated in the area where the project site is located within 30 days prior to filing the application;
2. A certified mailing of the Notice of Intent to File was sent to all abutters within 30 days of the filing of the application;
3. A certified mailing of the Notice of Intent to File, and a duplicate copy of the application was sent to the town office of the municipality in which the project is located; and
4. Provided notice of, if required, and held a public informational meeting in accordance with Chapter 2, Rules Concerning the Processing of Applications, Section 14, prior to filing the application. Notice of the meeting was sent by certified mail to abutters and to the town office of the municipality in which the project is located at least ten days prior to the meeting. Notice of the meeting was also published once in a newspaper circulated in the area where the project site is located at least seven days prior to the meeting.

The Public Informational Meeting was held on \_\_\_\_\_  
Date

Approximately \_\_\_\_\_ members of the public attended the Public Informational Meeting.

  
\_\_\_\_\_  
Signature of Applicant or Authorized Agent

  
\_\_\_\_\_  
Date

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**PERMIT BY RULE NOTIFICATION FORM**  
 (For use with DEP Regulation, Natural Resources Protection Act- Permit by Rule Standards, Chapter 305)  
 PLEASE TYPE OR PRINT IN **BLACK INK ONLY**

APPLICANT INFORMATION (Owner)		AGENT INFORMATION (If Applying on Behalf of Owner)	
Name:	SWEB Development USA, LLC (attn: Mike Carey)	Name:	CES, INC. (attn: Tim Brochu)
Mailing Address:	209 West Central Street, Suite 306	Mailing Address:	465 South Main Street
Town:	Natick	Town:	Brewer
State and Zip Code:	Ma. 01760	State and Zip Code:	Maine 04412
Daytime Phone #:	902-222-3959	Daytime Phone #:	207-989-4824
Email Address:	michael.carey@swebdevelopment.ca	Email Address:	tbrochu@cesincusa.com

PROJECT INFORMATION							
Part of a larger project? (check one):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	After the Fact? (check one):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Project involves work below mean low water? (check one):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Name of waterbody:	Springy Pond
Project Town:	Clifton	Town Email Address:	www.cliftonme.com	Map and Lot Number:	Map 1, Lot 5		
Brief Project Description:	(see attached)						
Project Location & Brief Directions to Site:	(see attached)						

**PERMIT BY RULE (PBR) SECTIONS (Check at least one):** I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Rules, Chapter 305. **I and my agents, if any, have read and will comply with all of the standards in the Sections checked below.**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Sec. (2) Act. Adj. to Protected Natural Res. | <input checked="" type="checkbox"/> Sec.(10) Stream Crossing                      | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension  |
| <input type="checkbox"/> Sec. (3) Intake Pipes                        | <input type="checkbox"/> Sec. (11) State Transportation Facil.                    | <input type="checkbox"/> Sec. (18) Maintenance Dredging  |
| <input type="checkbox"/> Sec. (4) Replacement of Structures           | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas                   | <input type="checkbox"/> Sec. (19) Activities in/on/over significant vernal pool habitat   |
| <input type="checkbox"/> Sec. (5) REPEALED                            | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement | <input type="checkbox"/> Sec. (20) Activities located in/on/over high or moderate value inland waterfowl & wading bird habitat or shorebird feeding & roosting areas |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation     | <input type="checkbox"/> Sec. (14) REPEALED                                       |  |
| <input type="checkbox"/> Sec. (7) Outfall Pipes                       | <input type="checkbox"/> Sec. (15) Public Boat Ramps                              |  |
| <input type="checkbox"/> Sec. (8) Shoreline stabilization             | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects                     |  |
| <input type="checkbox"/> Sec. (9) Utility Crossing                    |   |  |

**NOTE: Municipal permits may also be required. Contact your local code enforcement office for more information. Federal permits may be required for stream crossings and for projects involving wetland fill. Contact the Army Corps of Engineers at the Maine Project Office for more information.**


**NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS**

- Attach** all required submissions for the PBR Section(s) checked above. The required submissions for each PBR Section are outlined in Chapter 305 and may differ depending on the Section you are submitting under.
- Attach** a check for the correct fee made payable to: "Treasurer, State of Maine". The current fee for NRPA PBR Notifications can be found at the Department's website: <http://www.maine.gov/dep/feeschedule.pdf>
- Attach** a location map that clearly identifies the site (U.S.G.S. topo map, Maine Atlas & Gazetteer, or similar).
- Attach Proof of Legal Name** if applicant is a corporation, LLC, or other legal entity. Provide a copy of Secretary of State's registration information (available at <http://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>)  
**Individuals and municipalities are not required to provide any proof of identity.**

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules.

I also understand that this PBR becomes effective 14 calendar days after receipt by the Department *unless the Department approves or denies the PBR prior to that date.*

**By signing this Notification Form, I represent that the project meets all applicability requirements and standards in the rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.**

Signature of Agent or Applicant:	 CES INC	Date:	11-13-2019
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**Keep a copy as a record of permit.** Send the form with attachments via certified mail or hand deliver to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. **Work carried out in violation of any standard is subject to enforcement action.**

AUGUSTA DEP  
 17 STATE HOUSE STATION  
 AUGUSTA, ME 04333-0017  
 (207)287-7688

PORTLAND DEP  
 312 CANCO ROAD  
 PORTLAND, ME 04103  
 (207)822-6300

BANGOR DEP  
 106 HOGAN ROAD  
 BANGOR, ME 04401  
 (207)941-4570

PRESQUE ISLE DEP  
 1235 CENTRAL DRIVE  
 PRESQUE ISLE, ME 04769  
 (207)764-0477

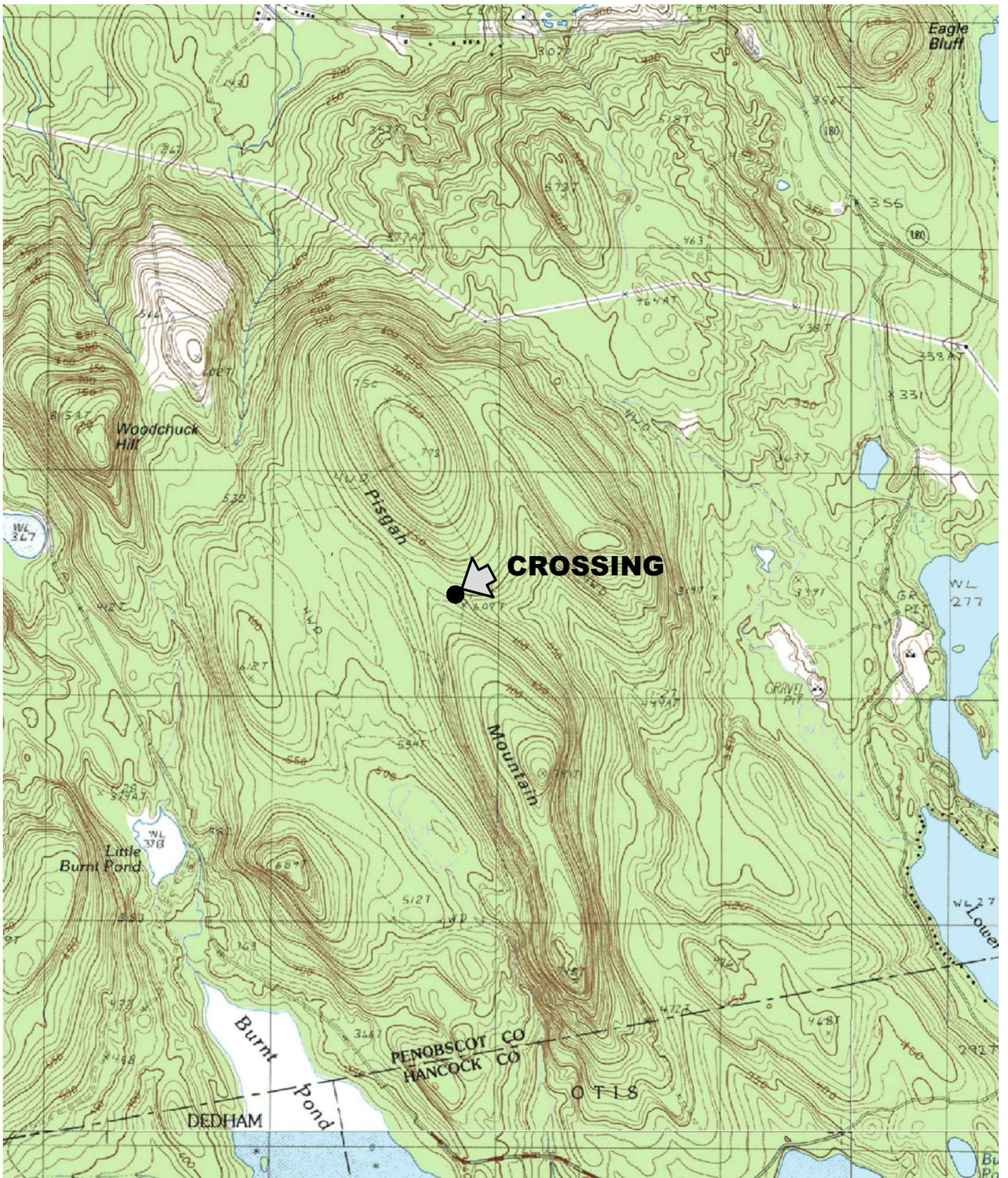
OFFICE USE ONLY	Ck.#	Staff	Staff	
PBR #	FP	Date	Acc. Date	Def. Date
				After Photos

**Brief Project Description:**

The proposed stream crossing will include replacement and extension of two existing 24" culverts located within the existing gravel site access roadway. The natural resource investigations included in the application determined that this drainage would be considered, and intermittent drainage and the area does not include any associated wetland areas. The channel exhibits conditions which indicate that it is dry for the most part of the year. The proposed culverts will be installed in the same location as the existing and will be extended to encompass proposed roadway fill slopes. The total length of the new culverts will be less than 75 feet and the installation will be installed between July 14 and October 2 of the calendar year.

**Directions to the site:**

The proposed crossing will be located at approximately station 3+70 of access roadway 2 as shown on the site location application drawings. To access the site, turn right onto the springy Pond Road from route 180. Travel approximately one mile and turn right into a gravel road which runs through an active gravel pit. Stay on gravel road for approximately 2.25 miles and site is approximately 400 feet in a straight line from the roadway turn to the Pisgah Mountain Wind Farm.



SOURCE:  
 U.S.G.S. TOPOGRAPHIC QUADRANGLE  
 CHEMO POND  
 @ 1:24,000



**SILVER MAPLE WIND ENERGY PROJECT  
 CLIFTON, MAINE  
 LOCATION MAP**

2019-11-13  
 11657.006

# Delaware

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT "SWEB DEVELOPMENT USA, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE NOT HAVING BEEN CANCELLED OR REVOKED SO FAR AS THE RECORDS OF THIS OFFICE SHOW AND IS DULY AUTHORIZED TO TRANSACT BUSINESS.

THE FOLLOWING DOCUMENTS HAVE BEEN FILED:

CERTIFICATE OF FORMATION, FILED THE NINETEENTH DAY OF SEPTEMBER, A.D. 2014, AT 1:41 O`CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CERTIFICATE IS THE ONLY PAPER OF RECORD, THE LIMITED LIABILITY COMPANY IN QUESTION NOT HAVING FILED AN AMENDMENT NOR HAVING MADE ANY CHANGE WHATSOEVER IN THE ORIGINAL CERTIFICATE AS FILED.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.



A handwritten signature in black ink, appearing to read "JBULLOCK", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed.

5606821 8315

SR# 20196666416

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

Authentication: 203459119

Date: 08-22-19





# Town of Eddington

906 Main Road Eddington, Maine 04428

May 20, 2019

Mr. Paul Fuller  
Silver Maple Wind Farm  
129 7<sup>th</sup> St.  
Bangor, ME

Dear Mr. Fuller,

It was a pleasure to meet with you on April 22<sup>nd</sup> and discuss the Pisgah Mountain Phase 2 project. As a result of our discussion I have noted the following:

1. Vehicle access to the facility is sufficient to enable us to safely get an ambulance or fire apparatus to all portions of the site. This is with the assumption that the roadways are maintained, inclusive of snow removal during the winter.
2. It is our understanding that whenever work is being done inside or on top of the wind towers that a minimum 3-person crew will be working. All 3 workers will be trained in high angle rescue and will have all the equipment necessary to successfully affect a technical rescue from any of the towers. This essentially eliminates the need for our department and our mutual aid departments to obtain high angle rescue equipment and technical training. With that arrangement in place our responsibility for patient care, in the event of an incident, will begin at the base door of the tower.
3. In the event that an incident does occur which requires technical resources from another fire department or private entity Silver Maple Wind Farm will assume responsibility for all financial costs incurred.
4. Within the next 2 years, when your personnel re-certify in high angle rescue, we would be interested in sending a couple of our firefighters with you to increase our familiarity with the wind tower safety and rescue systems.
5. We will continue to have access for our personnel and personnel from our mutual aid departments to conduct familiarization training at the site. Any gate keys that you may provide us will be kept secured in our fire apparatus.
6. Any calls for medical or fire emergencies will be made to the Penobscot Regional Communications Center in Bangor at 945-4636.

7. You have provided us with contact information for other Vestas personnel who could assist us in the event of an emergency, but who work at other sites, including the O&M Team at Bull Hill. This information has been forwarded to the Penobscot County Regional Communications Center in Bangor.

Contacts in the event of an emergency are:

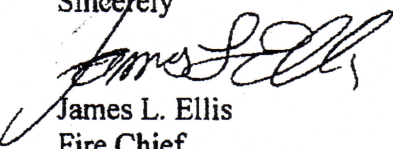
1. Paul Fuller, Manager Pisgah Mountain LLC  
(207)941-9891  
[Paul.fuller@swchdevelopment.ca](mailto:Paul.fuller@swchdevelopment.ca)  
[Paulfuller0123@gmail.com](mailto:Paulfuller0123@gmail.com)
2. Rich Williams, Site Manager Vestas  
(802)585-4654  
[riwls@vestas.com](mailto:riwls@vestas.com)
3. Nick Durling  
SWEB Operations  
(902)818-7519
4. Justin Picard, Lead Technician  
Bull Hill and Hancock  
(207) 460-6213

I would note that since construction of the wind turbines began at Pisgah Mountain the Eddington Fire Department has not received a single call for assistance.

With the above items agreed upon I am satisfied that the Eddington Fire Department will be able to respond to and address any emergency situation at Pisgah Mountain. Should you have any questions or concerns please do not hesitate to contact me.

We look forward to working with you in the future.

Sincerely



James L. Ellis  
Fire Chief

