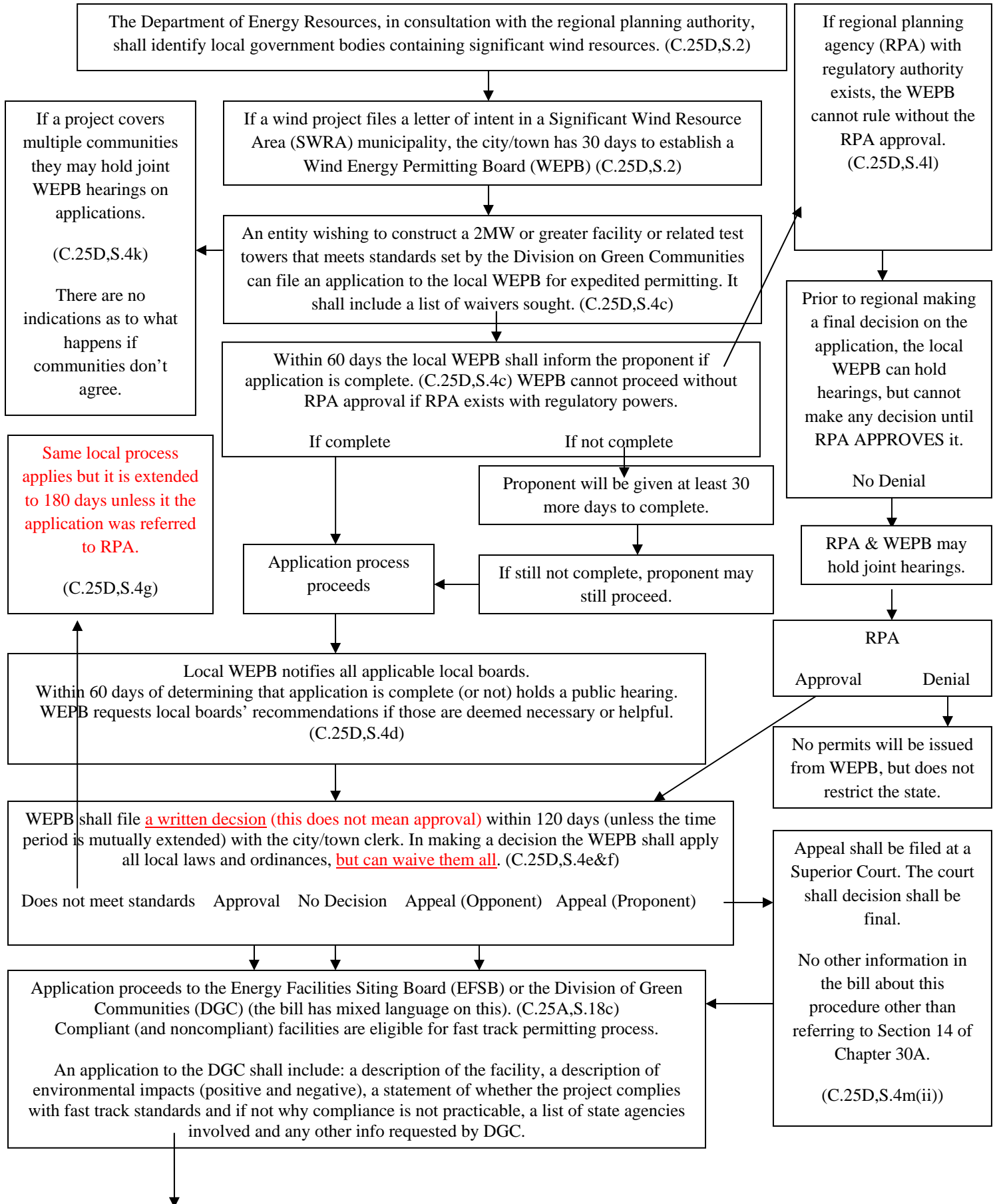


Wind Energy Permitting Process under proposed H.4687



Within 45 days of receipt of the application, the DGC shall review the application, notify all relevant permitting agencies, and inform the applicant in writing whether the application is complete.

(C.25A,S.18c)

- Within 60 days of the DGC notifying the applicant that the application is complete, a hearing officer of the DGC shall take written public comment and hold a nonadjudicatory public hearing to take oral comment on the application.
- The hearing shall be held in the host community or if no appropriate locations are available in a host community, in the nearest available appropriate location.
- The hearing officer shall allow at least 45 days from the DGC's determination that the application is complete for public comments to be submitted. (C.25A,S.18d)

Disputes of Material Fact (Public Comment) Factual Dispute (State Agency) Meets Standards Does not Meet Standards

The DGC hearing officer shall conduct an evidentiary hearing. The hearing shall be concluded within 90 days of the close of initial public comment to DGC.

Evidence may be presented only by the applicant, the municipality, state permitting authorities or any interested party (provided such party submitted comments initially).

DGC shall approve the facility.

DGC can also waive in whole or part any previous conditions set by local WEPB or RPA approvals.

DGC holds additional hearings. If DGC determines:

(A) the facility has complied to the maximum practicable extent with the siting standards

(B) that the facility has mitigated the impact arising out of the non-compliance with the siting standards; and

(C) the benefits of the facility outweigh the detriments.

Notwithstanding the provisions of any other law to the contrary, if the energy facilities siting board issues an approval under this section, no state agency shall require any approval, consent, permit, certificate or condition for the construction, operation or maintenance of the facility with respect to which the approval is issued and **no state agency shall impose or enforce any law, ordinance, by-law, rule or regulation nor take any action nor fail to take any action which would delay or prevent the construction, operation or maintenance of such facility.**