

State of Maine  
Land Use Regulation Commission  
In the Matter of Bowers Wind Project DP4889

Rebuttal Testimony of David P. Corrigan

6/17/11

This brief testimony will serve to rebut some of the claims of the witnesses who submitted sworn testimony on behalf of the Applicant, Champlain Wind LLC. in the above named case.

In the combined testimony of Adam Gravel, Dale Knapp and Joy Prescott, on behalf of Stantec Consulting, they say, on page 7, Table Number 1, under 'Other Wildlife'; "No threatened or endangered species or habitats that support these species."

On Page 26, number 6, "Other Wildlife," they say, in part; "Other predators expected to occur in the Project area based on their habitat requirements include red fox, bobcat, fisher, long-tailed weasel, and raccoon."

And in the same paragraph, they go on to say; "Listed species in the state such as Canada lynx, northern bog lemming, spring salamander, and roaring brook mayfly are not known to occur in this region of the state or the habitats within the Project area and are not expected to be impacted by the Project."

On page 27, Section IV Conclusion, the last line says; "Importantly, the Project area does not include unique habitat that requires protection from development and is not host to species that require special protection."

I believe that there is sufficient evidence already in the record, and that further evidence can be presented by local Residents/Guides/Hunters/Trappers, The Maine Department of Inland Fisheries and Wildlife, and the United States Fish And Wildlife Service to prove that, at best, these witnesses have been negligent in their studies as pertains specifically to the Federally Listed Canada Lynx in this area, and at worst, have perjured themselves by intentionally misrepresenting the facts about the occurrence of Canada Lynx in and around the Project Area.

As to the sworn testimony of Matthew Kerns, Neil Kiely, and Geoff West:

On page 6 of their testimony, under Section III, Number 1, "Potential to generate significant energy in the proposed location." The witnesses say; "The Bowers Project has the capacity to generate significant energy at the proposed location. Specifically, the average wind speed projected for the Bowers Project is 7.5 meters per second, which is between a Class IV and Class V wind resource. The 27-turbine Project is expected to produce up to approximately 200,000 MW hours of energy per year."

This appears to be an unsubstantiated claim. I have not been able to find in the application, in the pre filed direct testimony, or any of the attached exhibits, any actual evidence from Meteorological testing

equipment at the Bowers Site. Unless the applicant and their witnesses are willing and able to present this evidence for all to see, then I have to conclude that the claims laid out for the project as far as wind speeds and “Potential to generate significant energy in the proposed location,” are not backed up by documented facts, but are simply claims that the applicant would like us to 'take their word' for. I certainly do not believe that such claims, in the absence of solid documented data, meet the burden of proof required of the applicant. Neither the Interveners nor the Commissioners have any way to substantiate the claims of the applicant if this data is not provided. I maintain that if the claims can not be substantiated by solid data, then the claims presented by the applicant and their witnesses on this subject are not pertinent to the Commission's decision on this Project.

Respectfully submitted, June 17, 2011.

I, David P. Corrigan of 82 Little Houston Brook Road, Concord Township, Somerset County, Maine 04920, do hereby swear that the above testimony is true and accurate to the best of my knowledge.