Central Maine Power’s
New England Clean Energy Connect
Proposed Project—Site Law Certification

LAND USE PLANNING COMMISSION—DELIBERATIVE SESSION
Proposed NECEC Project - Statewide Scope

Overview of 5 Segments
Proposed Project Within the Commission’s Service Area
Role of the Commission

The Commission must certify:

1) whether the proposed Project is an allowed use within the subdistricts in which it is proposed; and

2) whether the proposed Project meets any land use standards established by the Commission that are not duplicative of those considered by the DEP in its review of the proposed Project under the Site Law.
Subdistricts and Use Listing

<table>
<thead>
<tr>
<th>Subdistrict</th>
<th>Use Listing Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Development</td>
<td>Allowed with a permit</td>
</tr>
<tr>
<td>Residential Development</td>
<td>Allowed with a permit</td>
</tr>
<tr>
<td>General Management</td>
<td>Allowed with a permit</td>
</tr>
<tr>
<td>Flood Prone Protection</td>
<td>Allowed with a permit</td>
</tr>
<tr>
<td>Fish and Wildlife Protection</td>
<td>Allowed with a permit</td>
</tr>
<tr>
<td>Great Pond Protection</td>
<td>Allowed with a permit</td>
</tr>
<tr>
<td>Shoreland Protection</td>
<td>Allowed with a permit</td>
</tr>
<tr>
<td>Recreation Protection</td>
<td>Allowed with a permit by special exception</td>
</tr>
<tr>
<td>Wetland Protection</td>
<td>Allowed with a permit by special exception</td>
</tr>
</tbody>
</table>
P-RR Subdistrict Purpose

• Protect from development and intensive recreational uses

• Conserve the natural environment essential to the primitive recreational experience.
P-RR Special Exception Criteria

Substantial evidence that:

a) there is no alternative site;
b) the use can be buffered; and
c) proposal is consistent with Comprehensive Land Use Plan.
Focus of Public Hearing

Special exception criteria for P-RR subdistrict

Three P-RR subdistricts:
1) the Kennebec River;
2) near Beattie Pond; and
3) across the Appalachian Trail.
Alternatives Special Exception Criterion

There is no alternative site which is both suitable to the proposed use and reasonably available to the applicant.
Kennebec River
P-RR
Kennebec River P-RR

Staff recommendation is that there is no alternative site and that the use would be buffered.

Pages 14-15 of Draft Decision Document
Questions about Kennebec River alternatives?
Beattie Pond
P-RR
Possible factors to consider:

- Cost of land for south alternative is 50 times fair market value
- North alternative would have increased visibility
- Undergrounding cost of approximately $15.3 million (or 1.61% of the $950M Project cost)
- Temporary environmental impacts
- Potential for increased access to Beattie Pond
Beattie Pond – Alternatives Findings

The Commission finds that, on balance,

A. the benefit to recreational users on Beattie Pond of undergrounding the transmission line does not outweigh the environmental, technological, logistical, and financial implications of using this methodology in the Beattie Pond P-RR subdistrict and is therefore not suitable to the proposed use or reasonably available to the applicant.

OR

B. the benefit of undergrounding the transmission line within the Beattie Pond subdistrict outweighs the environmental, technological, logistical, and financial implications of doing so and is therefore an alternative that is both suitable to the proposed use and reasonably available to the applicant.
Questions about Beattie Pond alternatives?
Appalachian Trail P-RR
Appalachian Trail P-RR

Existing Conditions
Appalachian Trail P-RR

Proposed Conditions with Vegetative Buffer
Appalachian Trail P-RR

Proposed Conditions Absent the Vegetative Buffer
Proposed Conditions with Vegetative Buffer Planting
Appalachian Trail - Alternatives

Possible factors to consider:

- Co-located with an existing transmission line
- Alternative routes would cross Appalachian Trail where there are no existing transmission lines
- CMP’s easement to the National Park Service for the Appalachian Trail
- New transmission line greatly exceeds the size of the existing line
- Undergrounding cost of approximately $29.8 million (or 3.13% of the $950M Project cost)
- Noise and scenic impacts of undergrounding construction
- Temporary environmental impacts associated with undergrounding
- Termination stations needed for undergrounding would be visible from the Appalachian Trail
Appalachian Trail – Alternatives Findings

The Commission finds that, on balance,

A. the benefit to recreational users on the Appalachian Trail of undergrounding the transmission line does not outweigh the environmental, technological, logistical, and financial implications of using this methodology in the Appalachian Trail P-RR subdistrict and is therefore not suitable to the proposed use or reasonably available to the applicant.

OR

B. the benefit of undergrounding the transmission line within the Appalachian Trail P-RR subdistrict, outweighs the environmental, technological, logistical, and financial implications of doing so and is therefore an alternative that is both suitable to the proposed use and reasonably available to the applicant.
Appalachian Trail Alternatives

Questions about Appalachian Trail alternatives?
Buffering Special Exception Criterion

The use can be buffered from those other uses and resources within the subdistrict with which it is incompatible.
Beattie Pond – Buffering Analysis

Two main issues:

ACCESS
• Prohibit development within ½ mile of pond
• Potential to make pond more accessible

VISIBILITY
• 3 transmission structures and the shield or conductor wires
• Non-specular conductors
Beattie Pond – Buffering Conclusions

In consideration of all the evidence, the Commission concludes that

A. the proposed Project will be buffered from those other uses and resources within the subdistrict with which it is incompatible, namely recreational fishing on Beattie Pond, provided non-specular conductors are used as required by Condition 2.a of this Site Law Certification and that motorized vehicle access to the P-RR subdistrict via the transmission corridor is prevented in accordance with Condition 2.b of this Site Law Certification.

OR

B. given that the tops of three HVDC structures and their shield wires will be visible from Beattie Pond, a remote pond zoned for protection from development, the proposed Project will not be buffered from those other uses and resources within the subdistrict with which it is incompatible, namely recreational fishing on Beattie Pond.
Beattie Pond – Buffering

Questions about Beattie Pond buffering?
Appalachian Trail – Buffering Analysis

• Co-located with existing line

• Existing transmission line predates the Appalachian Trail and the P-RR subdistrict

• Vegetative planting plan
Appalachian Trail – Buffering Conclusions

In consideration of all the evidence, the Commission concludes that

A. the proposed Project, given the visibility of the existing transmission line, will be adequately buffered from those other uses and resources within the subdistrict with which it is incompatible, namely primitive recreational hiking on the Appalachian Trail, provided the vegetative planting described in CMP’s “Joe’s Hole (Moxie Pond) Planting Plan” is installed and maintained for the life of the project in accordance with Condition 2.c of this Site Law Certification.

OR

B. the proposed Project will not be buffered from those other uses and resources within the subdistrict with which it is incompatible, in that additional clearing and higher poles will be visible to primitive recreational hikers on the Appalachian Trail.
Appalachian Trail– Buffering

Questions about Appalachian Trail buffering?
Other Subdistricts and Land Use Standards

- Allowed use in the D-GN, D-RS, M-GN, P-FP, P-FW, P-GP, P-SL, and P-WL subdistricts

- Complies with all applicable land use standards, with certain conditions
  - draft Conditions #1, #4, and #5
Determination Points

1. Has CMP demonstrated there is no other alternative to the project that is both suitable and available?

2. Is the project buffered from other uses and resources?
Has CMP demonstrated there is no other alternative to the project that is both suitable and available?

The Commission finds that, on balance,

A. the benefit to recreational users on Beattie Pond of undergrounding the transmission line does not outweigh the environmental, technological, logistical, and financial implications of using this methodology in the Beattie Pond P-RR subdistrict and is therefore not suitable to the proposed use or reasonably available to the applicant.

OR

B. the benefit of undergrounding the transmission line within the Beattie Pond subdistrict outweighs the environmental, technological, logistical, and financial implications of doing so and is therefore an alternative that is both suitable to the proposed use and reasonably available to the applicant.
Has CMP demonstrated there is no other alternative to the project that is both suitable and available?

The Commission finds that, on balance,

A. the benefit to recreational users on the Appalachian Trail of undergrounding the transmission line does not outweigh the environmental, technological, logistical, and financial implications of using this methodology in the Appalachian Trail P-RR subdistrict and is therefore not suitable to the proposed use or reasonably available to the applicant.

OR

B. the benefit of undergrounding the transmission line within the Appalachian Trail P-RR subdistrict, outweighs the environmental, technological, logistical, and financial implications of doing so and is therefore an alternative that is both suitable to the proposed use and reasonably available to the applicant.
Determination #3 – Beattie Pond Buffering

Is the project buffered from other uses and resources?

In consideration of all the evidence, the Commission concludes that

A. the proposed Project will be buffered from those other uses and resources within the subdistrict with which it is incompatible, namely recreational fishing on Beattie Pond, provided non-specular conductors are used as required by Condition 2.a of this Site Law Certification and that motorized vehicle access to the P-RR subdistrict via the transmission corridor is prevented in accordance with Condition 2.b of this Site Law Certification.

OR

B. given that the tops of three HVDC structures and their shield wires will be visible from Beattie Pond, a remote pond zoned for protection from development, the proposed Project will not be buffered from those other uses and resources within the subdistrict with which it is incompatible, namely recreational fishing on Beattie Pond.
Determination #4 — Appalachian Trail Buffering

Is the project buffered from other uses and resources?

In consideration of all the evidence, the Commission concludes that

A. the proposed Project, given the visibility of the existing transmission line, will be adequately buffered from those other uses and resources within the subdistrict with which it is incompatible, namely primitive recreational hiking on the Appalachian Trail, provided the vegetative planting described in CMP’s “Joe’s Hole (Moxie Pond) Planting Plan” is installed and maintained for the life of the project in accordance with Condition 2.c of this Site Law Certification.

OR

B. the proposed Project will not be buffered from those other uses and resources within the subdistrict with which it is incompatible, in that additional clearing and higher poles will be visible to primitive recreational hikers on the Appalachian Trail.