



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF
ENVIRONMENTAL PROTECTION



PAUL MERCER
COMMISSIONER

May 7, 2018

Gerry Mirabile
Central Maine Power Company
83 Edison Drive
Augusta, ME 04336

RE: NECEC Overhead Crossing of the Kennebec River

Dear Gerry,

Department staff and staff of the Land Use Planning Commission have been discussing the NECEC project and both of our agencies have serious concerns, based on the information in the record to date, about the potential impacts of an overhead crossing of the Kennebec River Gorge in West Forks Plt and Moxie Gore. This section of river is widely recognized for its outstanding whitewater rafting and attracts thousands of visitors a year to the area, not only for the rafting experience, but also the natural beauty of the place. The Legislature provided this section of river with special protections when it established the standards in the Natural Resources Protection Act for utility line crossings of outstanding river segments. In addition to DEP's requirements for outstanding river segments, the proposed crossing is within the Recreation Protection subdistrict (P-RR), and must meet the LUPC's special exception criteria to be approved. Specifically, the applicant must demonstrate that there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; that the use can be buffered from those other uses and resources within the subdistrict with which it is incompatible; and that such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan.

Even though, CMP has redesigned the project reducing the number of structures needed for the crossing from five to three, our concerns regarding the impacts on existing uses and scenic character remain. If approved, the NECEC transmission line would be the only overhead utility crossing of the river between Harris Dam and The Forks Township and as such, represents the only visual impact in a ten-mile section of river.

The Department and the LUPC request that CMP submit additional information regarding alternatives to the overhead crossing of the Kennebec River. From the Department's perspective at this point in time, both the directional drilling alternative and the Brookfield alternative appear to have less impact on existing uses and scenic character than the proposed overhead crossing. The Department and LUPC are requesting additional and more robust analysis regarding the use of directional drilling technology to place the transmission line beneath the river and the Brookfield alternative. Detailed plans showing the mapped location, size, and any required clearing for transition structures associated with the directional drilling alternative are

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necessary for our analysis. Visual simulations of the Brookfield alternative crossing are necessary for our analysis.

The DEP acknowledges that the Brookfield alternative could entail additional wetland impacts. DEP and Army Corps of Engineers regulations require us to consider the least environmentally damaging practicable alternative. However, 'environmentally damaging' takes many forms and the mere fact that this alternative could have greater impacts to aquatic resources doesn't necessarily automatically dismiss it from further consideration. We suggest that you further investigate a) the practicability of this alternative, b) its overall impact to aquatic resources (both direct and indirect after considering possible avoidance and minimization measures), and c) its overall impact (or not) to other 'environmental' factors (i.e. other protected natural resources). It may then be necessary to convene a meeting with the DEP, Corps and other stakeholders to further discuss this option.

The Department believes it is important to have this information in time for the Department, LUPC staff, and the interested persons to have an opportunity to review and comment on it prior to the public hearing.

Sincerely

A handwritten signature in black ink, appearing to read "James R. Beyer". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

James R. Beyer
Regional Licensing and Compliance Manager
Eastern Maine Regional Office
Department of Environmental Protection

Cc Mark Goodwin, Burns and McDonnell
Naomi Kirk-Lawler, LUPC
Jay Clement, ACOE