State of Maine

Department of Conservation

Maine Land Use Regulation Commission

Monday, May 16, 2011

Volume I of III

First Wind - Blue Sky East LLC/Bull Hill

Development Permit for Wind Energy

In the Matter of

Pending Development Permit Application DP 4886

Held at Ramada Inn

251 High Street, Ellsworth, Maine

Don Thompson & Associates

Court Reporters
(This hearing was taken before Angella D. Clukey, Notary Public, at the Ramada Inn, 251 High Street, Ellsworth, Maine, on Monday, May 16, 2011, beginning at 6:11 p.m.)

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MS. HILTON: Good evening, ladies and gentlemen. I would like to open the meeting tonight. We're here to hear from you all. We've got a -- this is a public hearing on Development Permit DP 4886, which is Blue Sky East, LLC's, Bull Hill wind power project in Hancock County.

Let me start by introducing myself. My name is Gwen Hilton and I am the LURC commission chair and presiding officer for this hearing. I'm going to have the commissioners -- the other LURC commissioners and staff introduce themselves. Starting on my right here, go ahead, Sally.

MR. FARRAND: Good evening and welcome. My name is Sally Farrand and I live in Beaver Cove.

MR. SCHAEFER: Steve Schaefer, Grand Lake Stream.

MS. MILLS: Amy Mills from the AG's office.

MS. HILTON: Gwen Hilton from Starks.

MS. CARROLL: Good evening. My name is Catherine Carroll, commission staff director.

MR. LAVERTY: I'm Ed Laverty from Medford, Maine.

MR. NADEAU: Jim Nadeau, Winterville Plantation.
MR. MURPHY: I'm Don Murphy, project planner.

MS. HORN OLSEN: Samantha Horn Olsen, planning division manager.

MR. PALMER: Jim Palmer, scenic expert.

MS. HILTON: And I guess -- we also have Karen Bolstridge, regional representative, over at sign-in and Scott Perrow who is recording this session.

And I have an opening statement here to read. This evening's hearing is being held pursuant to the provisions of 12 MRSA Section 685-B. The hearing will be conducted in accordance with the Administrative Procedures Act and Chapter 5 of the Commission's rules for the conduct of public hearings.

Today's hearing is being held to receive testimony on the matter of Development Permit DP 4886 submitted by Blue Sky East, LLC to construct a 34-megawatt wind energy development in T16 MD, Hancock County. The proposed wind energy development would consist of 19 1.8-megawatt wind turbines, up to three meteorological towers, an underground electrical collection system, access roads, a substation and an operations and maintenance building.

The purpose of this public hearing is to allow the public to present direct testimony and evidence as to whether the development proposal meets the criteria for approval as specified in 12 MRSA Section 685-B(4) and 4-B
of the Commission statutes and the Commission's land use
districts and standards.

Those wishing to testify should sign up on the sheets,
which have been placed on the table inside the door at the
hall here. If you haven't done so and you want to testify,
please do so. All witnesses must be sworn and will be
required before they give testimony to state for the record
their name, residence, business or professional
affiliation, the nature of their interest in the hearing
and whether or not they represent another individual, firm
or other legal entity for the purpose of the hearing.

In addition to being transcribed, we will be recording
the proceedings. So I request that you speak clearly.
Also, our transcriber here -- if you're name is -- last
name is a little unusual, it would be very helpful if you
spelled it for her.

All questions and testimony must be relevant to the
Commission's criteria for approval of this proposal.
Irrelevant or unduly repetitious material or questions will
be excluded. The record of this hearing will remain open
for a period of 14 days until Tuesday, May 31st to receive
written statements from the interested public and for an
additional seven days until Tuesday, June 7th for the
purpose of receiving rebuttal comments. No additional
evidence or testimony will be allowed into the record after
the closing of the record.

Persons attending this hearing who wish to be notified of the final action taken by the Commission as a result of this hearing may leave their names and addresses with our staff. I'd also like to mention that any witnesses who pre-filed testimony relating to any topic on behalf of a party in this matter is not permitted to testify at either of the public hearings. And so that would be anybody who's going to be testifying during the -- the daytime session tomorrow.

At this time I would like to swear in any witnesses who plan to testify this evening. So if you think you're going to be testifying, would you please stand up and raise your right hand? Do you promise to tell the whole truth and nothing but the truth?

AUDIENCE MEMBERS: I do.

MS. HILTON: Okay. Thank you very much. And don't forget, if you want to testify, you do need to sign in. And we have -- we'll be calling out the names once we get to that -- that part of our agenda tonight.

What we're going to do before that is have the staff make a statement and provide the administrative history and submitting the file to the record. I guess who's -- who's going to be doing that? Don?

MR. MURPHY: Yes. Okay. My name is Don Murphy, I'm
the LURC project planner for this application at the
commission office in Augusta. And I will begin by
presenting a short administrative history of this
Development Permit DP 4886.

On February 4th, 2011 an application was submitted by
Blue Sky East, LLC. And it is for a grid scale wind energy
development to be located wholly in T16 MD, and that's in
Hancock County, and it was accepted for processing.

This proposed wind energy development project will be
located within the expedited permitting area for wind
energy development. The proposed Bull Hill wind project
would be located on Bull Hill and Heifer Hill and would
consist of 19 wind turbines, the access roads the chair was
referring to, underground collector lines, a substation and
an operations and maintenance building and up to three
permanent met towers.

The project would connect to the New England electrical
grid using an existing transmission line that runs through
the parcel. The proposal will be described more fully by
the applicant. And that's coming up. State agency review
comments that were submitted for this application were by
the State soil scientist; the Department of Inland
Fisheries & Wildlife; Department of Environmental
Protection; Maine Historic Preservation Commission.
Comments were also submitted by LURC's third-party peer
reviewers on scenic and sound assessments.

On March 2nd, 2011 the Commission approved holding this public hearing and granted intervenor status to three parties: The Concerned Citizens of Rural Hancock County; the Hancock County Commission; and the Natural Resources Council of Maine. NRCM, Natural Resources Council of Maine, has since withdrawn their intervenor status and will not participate during the daytime portion of the -- of these proceedings. The Hancock County Commissioners are participating as a governmental agency.

I will now enter the list of materials into the file and -- into the record as Exhibit 7D. And we have those here and they include the items I described. Thank you.

MS. HILTON: Thank you, Don. Next the applicant is going to present the project.

MR. BARNS: Good evening. I'm Brooke Barns from Stantec Consulting in Topsham. Stantec did the environmental assessments for this project as well as putting the application together. And I'd like to just briefly introduce the Bull Hill project to you.

As has been stated, it's a wind power project located in T16, east of Eastbrook. The application was accepted by LURC as complete in February of this year. But that acceptance as complete is really the culmination of years of effort that brought it to the point of being ready for
When a developer is evaluating a location to put potential wind power, they call it prospecting; looking at things that are important to the success of a project and are going to make it feasible. It's a combination of what's the nature of the land ownership, what's the proximity of the area to transmission, what are the existing conditions on the ground, natural resource conditions, as well as topographic conditions, and, of course, the wind resource?

In this particular location which is illustrated here, the land ownership is a single ownership, H.C. Haynes. It's a low elevation site ranging from 450 feet on Heifer Hill to 624 feet up on Bull Hill where you -- some of you were today on the tour. There's a transmission line -- an existing transmission line with sufficient capacity to take this project that runs right through the middle of the area. As far as existing conditions, it's a heavily harvested commercial forest with a significant number of existing permanent access roads.

And, finally, the crucial wind data. There's two years of wind data which has proven this site to be a very good wind resource with a consistent wind direction. Once that prospecting is complete and those kind of desktop analyses look like a site is going to be a valuable location and a good location to pursue, then the studies begin.
And I think of the studies in -- of two types. One is the natural resource studies and the other are cultural type studies. Natural resource studies are the things that my company is most familiar with and many of you may be as well. It's evaluating things like wetlands and vernal pools and rare plants, it's doing avian rapture and bat studies for a couple of seasons. You saw it today -- some of you that went out you saw our radar that we used to look at avian passage. It's soils mapping to determine what kinds of soils there are on the site. It's storm water run off calculations, it's an analysis of phosphorus that might be generated by the impervious areas on the site. Those are the kind of natural resource things which are -- take time and are accomplished over a year or so in order to build the application that you have in front of you.

As for cultural things, it's historic evaluations, which include looking at potential archeological areas as well as historic architecture. You saw the Eastbrook Baptist Church today on the national registry. Also what I put in the cultural bucket are things like shadow flicker, an analysis is done of potential impact of shadow flicker, and a sound analysis to determine what -- the sound will be generated from the project and where the impacts might be.

All of those studies, both natural and cultural, are rolled together and resulted in the two volumes that you
have in front of you. Some of the highlights of this particular project, as has been stated, it's 19 turbines, they are Vestas V100 turbines with 1.8 megawatts of potential generation for each turbine, which translates into a total generating nameplate capacity for the project of 34 megawatts. Actual generation will be less depending on wind speed. And the overall height of the turbines is 476 feet.

There's a direct connection to the transmission line. There's no need for a transmission line here. The collector line, which is going to take the power from each of the turbines and bring it to the centrally located substation that's illustrated there, is going to go underground, in the roads. So that avoids the need for clearing and wetland impacts and vernal pool impacts that are usually associated with transmission lines.

And that's, to my mind, from where I work in an environmental consulting company, one of the best parts of this project is we end up with zero wetland impact and zero vernal pool impact.

I believe that the project is very well conceived and well designed. I look forward to presenting the project in more detail to you tomorrow during the regular hearing portion of it. And I do appreciate the time that you're all taking here in the next day and a half and over the
time to follow to carefully evaluate the project. Thanks very much.

MS. HILTON: Thank you. Now, I guess we're ready to hear from you folks. And I just want to remind you when you come up to testify to state your name and residence, business or professional affiliation, the nature of your interest in the hearing and whether or not you represent another individual, firm or legal entity for the purpose of the hearing. And I remind you again that we're transcribing this, so it's very helpful if you speak clearly.

Catherine has how many people -- folks do we have that want to testify?

MS. CARROLL: Several.

MS. HILTON: Okay.

MS. CARROLL: I guess what I would like to do, it works best, is to read off the names on the sign-in sheet and -- in the order in which people came in to sign in. And I will name the first five names on the list, whether you wanted to testify or not, I don't want to guess and second guess. Some people checked no, some didn't check anything at all. So if I could just name -- name off the first five names on the list and you can come right up and speak for a few minutes, whatever you want --

MS. HILTON: I think -- we have quite a few people
signed up here. I would like you to keep your testimony to
about five minutes. And -- so that everybody has an
opportunity to speak. And, also, we will -- and would like
to have any written testimony that you have, if you want to
leave that with us as well. So if you -- you can always
summarize what you think are the most important points if
you want if you're concerned about the time.

And, again, we will be taking comment for -- I don't
have the date right in front of me, but for a period of
time following this hearing. So with that.

MS. CARROLL: And forgive me if I am not pronouncing
your names correctly. Stefan Nadzo, Donald Smith, Mike
DiCenzo, Deirdre Jordan, Brian Jordan. You wish to come up
to the mike, sir?

MR. NADZO: Yes.

MS. CARROLL: Go right ahead.

MR. NADZO: I am Stefan Nadzo -- N-a-d-z-o -- Stefan,
S-t-e-f-a-n. I live in Eastbrook. I am here because I
live in Eastbrook. As we were just told, this project
abuts Eastbrook, that's my interest. The only other person
that I am representing is Nancy Nadzo who is my wife. And
I am retired and so is she. I think that's all you wanted
to hear from me.

MS. HILTON: That's perfect.

MR. NADZO: Thank you. Well, I try to get my orders
right. I'll be very brief because, as you said, there were
lots of hands that went up and I'll send to Don my written
testimony or whatever it's called by e-mail.

My interest here this evening is specifically about
one, two or three of the towers -- and I'm not sure because
the map that I saw was sort of Appendix A on a piece of --
sheet, it wasn't quite that big and so it was hard to read.
But one, two or three of the towers which are very close to
the Eastbrook line at the end of Sugar Hill Road, which is
where I live, which looked to me to be well within 1 mile
of various homes in Eastbrook, several homes even, perhaps,
even as close as half a mile. Again, it's hard to measure
distance on the sheet that I have, but they look to be very
close.

The impact of having them that close is various and I
think some of those things will be mentioned by others.
What I'm going to mention this evening is specifically
property value having the towers that close. As all of you
obviously already know, the value of a property of a home
and land for many people is the most valuable thing they
own. For some of us it's the only truly valuable financial
thing that we own. So it is an important issue.

I've done a lot of research over the last year when I
first heard that First -- of First Wind's interest in
Eastbrook. I've done a lot of research on the internet.
And it's pretty clear from some of the realtor sites that the issue is -- for determining realtor -- property value impact is proximity, the proximity of towers. And most of the websites that I've seen -- again, these are mostly realtor sites that I'm looking at because I figure they're the experts -- give a figure of 1 mile that towers -- if they get closer than 1 mile to a property, that's when it starts to seriously impact residential property. Farmland, grassland, that's different. But we're talking here about residential property.

Eastbrook's new ordinance -- you probably have heard, just shortly ago we passed an ordinance in which based on some of this research we set up a separation of 1 mile. That is to say, no turbine towers in Eastbrook can be closer than 1 mile from a residence. My concern here is it seems -- I don't want to use the word unfair because probably some of you are lawyers and maybe unfair is not a legal term, but it seems unfair and a bit unreasonable that some Eastbrook residents who happen to be living at the end of Sugar Hill Road quite close to the township line are going to be sort of penalized, if you like, by having towers within a half a mile of their home simply because of where the town line is.

So what I'm asking you to do -- and I don't know if this is an appropriate thing to ask of you -- is if you
decide to approve this project, which for all the good reasons which it may have, could you -- is it possible for you to include in your approval statement something that tells First Wind or Blue Sky, as they're called here, I guess, that no towers can be built in Township 16 which are within a mile of any residential property -- residential home or land -- home in Eastbrook?

In other words, is there a way of giving the Eastbrookers who live at the end of the Sugar Hill Road the protection that they worked so hard to get in the Eastbrook ordinance? Is there some way to extend that across the town line? Obviously, we can't do that and I'm asking that if you people are able to do that, we would be extraordinarily grateful for that. Thank you.

MS. HILTON: Thank you.

MR. DICENZO: I'm Mike DiCenzo from Lincoln, I'm kind of representing Friends of Lincoln Lakes. And my interest in this is I just hate to see my state ruined by wind turbines. I guess that's a little bit selfish, but --. Thank you, commissioners, and thank you for listening.

I appreciate the chance to comment on the proposed industrial development for Bull Hill in Eastbrook. It seems to be the big push to start the next wind project before the problems of the last one are resolved. There's still issues to be settled in Mars Hill, Freedom and
Vinalhaven with complaints of noise, vibration, flicker, problems with property values, such as not being able to sell one's home, even at reduced rates.

The visual atrocities should be considered even though the wind task force promptly excluded that as part of their expedited wind law written by the wind industry, passed by the Legislature in a moment of climate change hysteria, whipped up by NRCM and others without back checking our economic analysis.

The tourism industry was never included, though they bring in billions to the state. What if the turbines drive away tourists? These turbines and others, surely planned, will be visible from Acadia National Park. Visitors do not come to Maine to see industrial junk. They have enough of that in their home state. The few construction jobs and even fewer permanent jobs are not worth crippling Maine's largest industry, especially when they could be working on our roads, bridges and rails, which are in need of extreme maintenance, especially the rail system, which will become more valuable as fuel prices continue upward.

The federal subsidies dictate where the work goes. If the wind dollars are available, reasons abound why this would be the best thing for Maine and the opportunity should not be lost. But if the subsidies were for infrastructure, the same reasons would surface, jobs, money
for communities, people need it, et cetera. Here is the difference. Wind sprawl ruins the mountains with erosion, road building, herbicide spraying, wetland filling, deer yard flattening, ecology altering -- ecology altering vibration affecting wildlife, the effects on humans are well documented and largely ignored.

The nastiest mine on the planet is the Baiyun Obo in China with a 7 square mile toxic lake where these clean green turbines begin. 97 percent of the rare earth minerals come from this mine. Although, there are other mines, of course, but that's the big one. The CO2 count should start here, but the pro-wind pushers only want to talk about CO savings after the turbines are up and spinning.

This also is highly suspect. For instance, Denmark will try to shove their wind energy to Norway and Sweden when it becomes a problem. Norway and Sweden will reduce their hydro power to accommodate the erratic wind bursts, so there is no CO2 reduction as there would be if a coal plant was turned off.

Sources say also if a coal plant was turned down, the emissions could increase, so there is no benefit from the wind power. A TransCanada rep also claimed in the Bangor Daily News, wind power is not meant to replace base load generation anyway. The subsidies for infrastructure would
improve what is already here. We cannot wait for the bridges to fall in before they're rebuilt. The one in Minnesota which collapsed killed 13 people. I hope the fed money comes Maine's way before something like that happens here.

We need the turbine steel in our bridges, not on the mountaintops. And the construction jobs will follow the fed money. Wind turbines originated, I think, in Texas and maybe they belong there. But Maine has hydro and each state may need a different mix to meet the questionable renewable goals. Maine does not need wind turbines blooding the countryside, especially if they only perform at the level UMPI's at 11.7 percent. That would be kind of like building a hydro damn on a river that only flows one month out of a year. If the subsidy money was there, though, I bet somebody would build it.

Down here, so close to the coast, it would seem prudent to wait for the tidal experiment to conclude instead of rushing headlong into inefficient, erratic, unneeded and expensive wind power that will surely drive Maine's energy bills higher. Thank you.

MS. HILTON: Thank you, Mike. Also, if anybody else has a -- wants to hand out their testimony, Samantha here of the staff has offered to do that for you. Okay?

MS. CARROLL: Deirdre or Brian? All right. I will
name off the next five names. Gary Kuhn, Rosanna Rich, Mulla, Phyllis Young, oh, Lordy, Brian -- I'll just leave it at that. So I'll do it again. Gary Kuhn, Rosanna Rich, Mulla, Phyllis Young and Brian. Do you want to hand that to Samantha?

MR. KUHN: I do have a PowerPoint, if that's available. If not, you can look at the slides you have in front of you on printout and I can go through mine that way.

MS. HILTON: So you've got the -- you've got it here?

MR. KUHN: Yes, ma'am, I do. All the slides are right there in front of you except -- well, they're in color, too, so it really doesn't make a difference other than the fact that the audience would be able to see the PowerPoint.

MS. HILTON: Well, I'm a little concerned if -- if everybody came up with a PowerPoint that we might -- it might take more time having never done this before. I'm going to -- why don't we -- go ahead and we'll look at these as we go through.

MR. KUHN: Okay. For the record, my name is Gary Kuhn, I'm a property owner in the town of Eastbrook. And as you well know, the town of Eastbrook abuts the project.

My question tonight deals with the wind resource. In the last year I've been involved -- I attended the meetings in the development of the ordinance for Eastbrook. And it required a lot of research in many subject areas because it
-- this is a difficult subject. Early this year I had the opportunity, because it was posted on the LURC website, to take a look at the application that was submitted by Blue Sky, BSE.

BSE reported that the prevailing wind direction was northwest and the average wind speed was 7.2 meters per second. The next slide is of a map of the United States. This map was developed by the Department of Transportation. And it, basically, shows the wind resource at the 80 meter tower height, which is 262 feet, and where the resources are located in the United States.

The DOE stated when they developed the data that areas with an annual average wind speed around 6.5 meters per second and greater at the 80 meter height are generally considered to have a suitable wind resource for wind development by the Department of Energy. So, basically, what they're saying is that -- and you can look at the map, you can see where the colors are -- the heightened colors where the wind resource really is in the United States.

The next slide is of the state of Maine. You visit their website, you can click on each state in the United States and you can look at where the resources are. If you look at the state of Maine and you look at the color composition of the 80 meter height, you'll see that, basically, everything east of Bangor fails to meet the DOE
My next slide is of a map done by the DEP in the state of Maine. The state of Maine has been conducting wind speed tests in various locations around the state for many years. Looking at the map you can see where they've highlighted areas where the DEP owns and operates the sites, where they're done by industry and which ones are seasonal. The data that is done by the DEP and the state is represented by what they call a wind rose. It's called a wind rose because of the shape of the data. And my next slide you'll see that and I'll go there in a second. But, basically, I concentrated on the wind rose for Cadillac Mountain. Because Cadillac Mountain, when you look at the state map, it shows that there is a wind resource and that resource data was collected over a five-year period and shows that on Cadillac Mountain it's 12.01 knots. Well, if you convert that to meters per seconds, it's 6.178.

Looking at the wind rose, which is your next colored slide, it shows the direction of the prevailing winds. And you can see from the wind rose that the longest finger of the rose is out of the west and the south. And the next prevailing wind is out of the north and the west. It shows you that -- what the velocity is, where the strongest winds come from and -- and their intensity.
The elevation of Cadillac Mountain is 1,532 feet, the elevation of Bull Hill is 584 feet. I just heard Stantec say it was 620, that could be true. But we're only talking about a difference of 35 feet. Cadillac Mountain is approximately 1,000 feet higher than Bull Hill and yet the wind is only averaged over five years, which the DEP feels that that is reputable, viable data for wind, at 6.178 meters, which still falls below the 6.5 that's recommended by the Department of Energy.

What the DOE's data is telling us is that if you look at the map in the center part of the United States, that there's basically 10 states that provide roughly 80 percent of the wind in the United States. And I've listed the ten states and you can see, it's on the slide.

Maine accounts for .1 percent of the nation's wind energy and 1.9 percent of the nation's graphic area. Maine's wind potential is only 11 percent of what it would be if Maine had average wind, which Maine doesn't have average wind based on the DOE data. So another way, Maine's allocation of wind potential versus its area, physical size of the state, is 89 percent below the national average.

Based on the DOE data and the data collected by the Maine DEP, are we in our haste asking the right questions? Shouldn't we be asking ourselves, is the wind speed data
provided by BSE and -- has it been validated? That's
basically all I have to say.

MS. HILTON: I have a question for you. On the -- the
data from NREL, the national data, what is the date on
that? That's probably on there, but I --. Do you know?

MR. KUHN: 2007, I do believe, but I'm not for certain
sure.

MS. HILTON: All right. Thank you.

MR. KUHN: Thank you.

MS. CARROLL: Rosanna.

MS. RICH: First of all, I want to thank you for having
this public meeting. My name is Rosanna Rich, I live in
Eastbrook, I have a -- my own company called Indian Meadow
Herbals. I'm here because I live in Eastbrook. And I'm
not representing any legal entity.

I'm a year-round resident in Eastbrook who consistently
participated in the process of creating Eastbrook's wind
and land use ordinances. I'm requesting that if LURC
permits Blue Sky East to develop industrial wind in
Township 16 that you require the said developer to adhere
to Eastbrook's wind ordinances.

I have read the Bull Hill wind project sound level
assessment dated March 25th, 2011 ordered by the LURC
commissioners and authored by Warren Browne and John Adams
regarding Township 16. I take issue with the last line of
the report stating -- and I quote -- "It is the reviewer's opinion that the Eastbrook ordinance is not entirely quantifiable and provides an insufficient basis for estimating acceptable wind project design."

I acknowledge that Mr. Browne and Adams have their expertise in their field; however, the Eastbrook ordinances express the essence of how Eastbrook residents are willing to live with a wind farm. Like any law that governs, it is flexible and has interpretation by the authors. Mr. Browne and Adams are interpreting one way, the people of Eastbrook interpret it differently. The ordinance is good enough for Eastbrook people and defines limits about industrial wind development in our town.

I would like to acquaint the LURC commissioners with the human endeavor of nine Eastbrook landowners who became the special planning board and the nine-month gestation period that birthed Eastbrook's wind ordinances. David Bolter, a former LURC executive director and long-time landowner on Molasses Pond provided know how and proficiency in creating the ordinance that is now law in Eastbrook. He was joined by eight other Eastbrook residents with -- and with the best of intentions they set out on a journey voluntarily to legislate a multinational industry and its impact on their town.

Feeling the pressures of brutal economic times, they
knew they would be sacrificing some of their much-cherished qualities of their town for anticipated financial gain. Unlike Mr. Browne and Adams, they were not paid for their endless hours they invested from March to November 2010, they were not professionals in understanding their task. They had to grapple with a new vocabulary, they had to answer to citizens of Eastbrook during two-hour public meetings every other week and eventually had to craft a law requiring wind developer compliance.

They met their task with courage, passion and persistence to preserve a way of life while juggling a huge jump from small rural Maine town to potentially a large industrialized one. They provided open public comment before and after every meeting, made available updated copies of their progress, kept order with angry citizens who at times countered their decisions and dedicated an entire day to visiting Stetson Mountain 1 project to further educate themselves for the daunting task.

Another 30 Eastbrook landowners committed their time to attending meetings or provided documentation regarding industrial wind generation to support those attending meetings. These Eastbrook citizens fully knew that they were out of their depth of understanding the magnitude of such a chore, but everyone hung in there. Sometimes agreeing, sometimes taking issue, but participating in the
completion of the charge.

Unlike Dr. Goldberg, the sound specialist who presented his opinion to the town, and Dan Pileggi, the lawyer who represented town officials, these ordinary citizens committed countless hours to the mission without compensation. These 30 landowners exemplified endurance and tireless steadfastness.

The Eastbrook wind ordinance may not be quantifiable in some people's opinion; it is a document that can be changed and amended to meet the requirements of a transitioning town. The ordinance is important to us. I implore you to use it. We, the landowners of Eastbrook and Township 16, are the ones who have to live with the wind farm.

If you approve Blue Sky's application, if you reject our ordinance, Blue Sky East will only have the Maine state model ordinance as a guide for wind development in Township 16. The Maine state model ordinance does not protect Maine citizens, in fact, it makes them sick. There are volumes of information substantiating nervous system and cardiovascular issues secondary to wind turbine proximity.

The landowners of Township 16, Eastbrook, Osborne and Franklin have signed a petition to present to the LURC commissioners requesting that you require Blue -- Blue Sky East to adhere to Eastbrook's wind ordinances if you permit the application. The petitions -- the original petitions
will be submitted at the completion of the public comment period. And you have copies of the petitions. Thank you very much.

MS. HILTON: Thank you.

MS. CARROLL: Mulla, Phyllis, Brian? Anyone interested in coming up to testify? All right.

MR. MUNGER: Is it Brian or Bruce?

MS. CARROLL: Well --

MR. MUNGER: My name is Bruce Munger. Does it look like that?

MS. CARROLL: No. I recognize that name. And -- no. It looks like Brian Russell. Sorry.

MR. RUSSELL: Francis Russell? Is it Francis Russell?

MS. CARROLL: It could be. Is there a Francis Russell who wishes --? All right. Thank you.

MR. RUSSELL: Hi. My name is Francis Russell. Public speaking is not my forte, as you will see in the next minute and a half. The -- I am a property owner in Eastbrook, I am -- and that's Russell -- R-u-s-s-e-l-l and it's c-i-s. I own land in Bar Harbor and I purchased a 90-acre parcel that was supposed to be -- of a hurt piece of property that I was designating for myself as an ecological preserve and have just spent 11 months down in Costa Rica working with environmental groups. And, actually, never envisioned a 24-hour noise source that
would affect the breeding habits of various animals on my property.

And I guess I will have to wait until you break ground in order to -- what do you call it -- seek further legal action. Thank you.

MR. LAVERTY: Mr. Russell, what -- how close is your property to the project area?

MR. RUSSELL: Do we have a map -- I saw a map up here earlier. I believe that Kate can describe --

AUDIENCE MEMBER: Is that okay if I describe --

MR. LAVERTY: Are you sworn?

MR. RUSSELL: Am I what?

AUDIENCE MEMBER: I'm not.

MR. LAVERTY: Where is -- where is your property?

MR. RUSSELL: My property --

AUDIENCE MEMBER: You are the closest person to the --

MR. RUSSELL: I am the closest person -- I believe my 90-acre parcel is at the top -- at the end of the road leading to Sugar Hill.

MR. LAVERTY: Right next to the project site?

MR. RUSSELL: Yes.

MR. LAVERTY: Okay. That's what I was trying to get at.

MR. RUSSELL: Yes. And like I say, I -- I just -- when I purchased it, I never envisioned a -- a land use that
would generate noise for 24 hours. And I'm -- that's where I stand.

MR. LAVERY: Thank you.

MR. RUSSELL: Thank you.

MS. HILTON: Thank you. Who do we have next?

MS. CARROLL: The next five on the list are Nancy Lowry, Bruce Munger, Renata Moise, Natalie Stein and Sherry. And I'll leave it up to Sherry to pronounce his or her last name.

MS. MILLS: Ms. Moise is going to testify after the break.

AUDIENCE MEMBER: Nancy Lowry is not testifying.

MS. CARROLL: All right. Bruce. And I understand that Ms. Moise is going to testify after the Commission takes a brief break around 7 o'clock.

MR. MUNGER: Hi. Thank you for being here. My name is Bruce Munger -- M-u-n-g-e-r. I live in Sullivan, Maine. I teach at MDI High School and I mow lawns during the summer, if anybody is in the neighborhood and looking --. I'm also a volunteer firefighter in Sullivan.

I've listened to this debate for many years and have personally visited many wind farms several times so that I could see and hear them with my own eyes and ears. I've listened to this debate for many years. I hear a lot of talk about birds, bats, noise, flicker and other things.
But the biggest objection is the fact that we will see the turbines in a place where we do not see them now. So this is a clear choice between what we see and what we don't see. We will see the turbines.

I will see them better from Schoodic Mountain than you will see them from Cadillac Mountain. I regularly climb Schoodic Mountain and Black Mountain and will continue to do so, perhaps, more often so I can show my friends a better view of the turbines. That's what we will see.

What you don't see are plumes of smoke dumping invisible toxins into the air that float downwind in an easterly direction until they pollute our air Down East. You don't see dead birds, not the ones killed occasionally by a windmill, but whole flocks of birds drowning in oil spilled from the Exxon Valdez into the pristine waters of Alaska; you don't see 11 men who were killed when their oil rig exploded, or the steady flow of oil pouring into the Gulf of Mexico from a broken weld pipe; you don't see the sludge washing into the Louisiana Bayou; you don't see the tar balls washing up onto the white sandy beaches of Alabama and Florida; you don't see the backroom deals in OPEC as they conspire to choke us on the price of oil. They have us over a barrel, literally.

You don't see thousands of military men and women who die protecting our freedom, including protecting the
world's oil supply. I'm tired of talking about the
problems and then rejecting the solutions. We sometimes
don't see the whole problem, but I wish we would see it
clearly and realize that seeing a few machines in our
backyard is not as bad as ignoring the many things that are
killing us from afar.

MS. HILTON: Thank you.

MS. CARROLL: Natalie or Sherry? If not, I'm going to
deliberately skip over Hailey's name and Dave Fowler
because they're affiliated with the applicant, but they
signed in. Next on the list is Jodi Yeo, Edmond Francis,
Bob Deforest. I'm going to skip Scott Bodwell's name.
Paul Alexander John, Mike Barker. Is it Chuck Yeo? All
right, sir.

MR. YEO: It's pronounced Yeo.

MS. CARROLL: Yeo, thank you.

MR. YEO: I am the chairman of the Town of Eastbrook
planning board. I just wanted to say that for the last --
all -- most of last year we worked hard on getting that
ordinance for the town of Eastbrook. We had absolutely
nothing for a windmill ordinance before then. And it -- it
took us a long time, there are a lot of things in there
that a lot of people don't like. But I want you all to
hear -- hear this. It was over a 90 percent approval
voting for our ordinance. That's all I have to say.
MS. HILTON: Thank you. All right. Working down the list, Jim Lane. Have I got that right? Mary Harris, oh, my goodness, somebody from Cherryfield, Maryanne John. Maryanne and after Maryanne, perhaps, Cynthia. I think Cynthia might be with the Hancock County Commissioners. Okay. Thank you. Michael, you're testifying tomorrow, Mr. Good.

MR. GOOD: Right.

MS. CARROLL: All right. I'm going to skip you, sir.

MR. JOHN: I'd like -- my name is Maryanne John, I live in Eastbrook, I'm a resident of Eastbrook. By profession I'm a registered nurse and I have no other affiliation. Thank you.

I'm -- I also would like to thank you for the opportunity to address you tonight and I appreciate your holding this public hearing. My concern revolves around the intangible consequences of sighting a large industrial wind energy complex in Hancock County, Township 16 in particular.

In the 25 years I've lived in Eastbrook I've come to know exactly why the phrase "the way life should be" is so apt for our Maine way of life. It reflects for me the preponderance of nature in our environment, not the hands of man. This force of nature nourishes us and sustains us, it is why we like to hike in the mountains, ride into the
woods, boat out onto a lake, go hunting and fishing. There is an intangible peacefulness that reins above all in these circumstances. Our bodies respond to it and are at rest on a deep level. Just being outdoors, for most of us in Down East Maine, means enjoying these natural beauties and benefits, the very reasons people love to visit here and why Maine has its particular mystique.

One can get away completely from cell phone towers, smokestacks, highway noise, all the supposed conveniences of the 21st century and experience the way life should be. Our pristine natural areas are what draws visitors, our economic lifeblood, to Down East Maine. To sacrifice them for a short-term energy fix may be a recipe for economic disaster going forward.

Summer people don't come here to look at wind farms, baby boomers may think twice before retiring nearby to a huge industrial wind facility. And tourists, especially Europeans, won't recommend a visit to a place that looks so much like home. This brings me to our concerns here tonight.

Our landscape and way of life will truly be changed by allowing this large industry to set up in Township 16 and beyond. They talk of 19 turbines now and will include another 14 or so in Eastbrook and look to a total of 48, at least from what Dave Fowler told us last May. This great
change in the basic nature of this area from rural to major industrial is what concerns me. Those of us who live nearby chose our community because it is rural. Now several individuals want to prosper by this project, turning this area into a commercial industrial zone for the big energy corporations and the many who live or vacation here are forgotten.

The impact of the noise alone is enough to worry me. And the low frequency noise, the one that bothers sleep, disturbs migraine sufferers and children, is not even measured or regulated. The studies are incomplete on appropriate decibel levels and setbacks. And no one speaks for the animals. Not just the falcons and other birds and the bats, but the other animals, especially the nocturnal ones, who will be affected by the installation of these wind turbines.

To watch our great state in general, and Hancock County in particular, take on the look and feel of an industrial complex saddens me. To see and hear these turbines around any bend in the road disturbs our enjoyment of our natural world. As Jodi Mitchell sang several decades ago, don't it always seem to go, you don't know what you've got until it's gone. Please don't allow the destruction of so much of mother nature with all of her wonderful power to nourish and sustain us only to generate so little manmade power.
Please deny this permit application.

MS. HILTON: Thank you.

MS. CARROLL: Did you want to take your break? It's 7 o'clock.

MS. HILTON: Yes. We are, actually -- we need to take a break for about 10 to 15 minutes.

MS. CARROLL: Do you want me to name off the people who
would testify --

MS. HILTON: Yeah. Why don't we -- we'll name off the names of the folks that we think would like to testify so you can be prepared when we come back.

MS. CARROLL: So we -- after the break we would start with -- hold on, bear with me. We're going to start with Renata Moise after the break. And then after Ms. Moise, it will be Alan 'Chubba' Kane, Jodi Speer, Dylan Voorhees and perhaps Steph Ferdinand. Thank you.

MS. HILTON: Okay. So we'll be back in about 15 minutes.

(Whereupon a recess was held at 7:07 p.m., and the hearing was resumed at 7:19 p.m. this date.)

MS. HILTON: I want to thank you all for being patient with us. I think what we're going to do is -- Catherine has been calling all the names off the list here thinking that maybe there's some folks that want to testify who didn't mark their name off here. But I've asked her that
maybe it would be better to just call those names who have
marked off that they do want to testify. So -- just so you
all know that. So we'll start again with Renata Moise.

MS. MILLS: That's great, come on up. I just wanted to
clarify for the commissioners that Ms. Moise is a witness
for Lynn Williams' group here and she had anticipated being
available tomorrow during the so-called technical session
with the rest of the parties. However, she's not available
tomorrow, she's available here.

The applicant has indicated they have no objection to
taking this particular witness out of order, so to speak.
So that is why we have Ms. Moise here tonight to present
the testimony that she has for you.

MR. LAVERTY: Will there be cross-examination from the
applicant and rebuttal?

MS. MILLS: The applicant and Lynn Williams worked that
out and agreed that it would be fine to do it here. I
think that Kelley Boden, on behalf of the applicant, does
not have any cross-examination questions. That's my
understanding. But certainly she was made available, so
there is no issue with respect to her pre-filed testimony
remaining in the record.

MS. Moise: Okay. Thank you. My name is Renata Moise.
I live in Hancock, Maine, I've lived there all my life.
I'm a nurse midwife at Maine Coast Memorial Hospital. I'm
going to speak on the issue that I was going to do the
testimony on tomorrow, I also wanted to put in a little
extra of my own thoughts other than the specific issue I
was going to talk on.

Schoodic Mountain for me is an incredibly spiritual
experience. I've climbed it all my life quite frequently.
And the vista from the top, which is in all directions of a
beautiful mountain, lakes and the ocean, is, for me, a very
meaningful one. And the idea that I will be looking at a
giant wind farm 10 miles away, which will be the -- the
wind towers themselves will be about at the height of
Schoodic Mountain because of the height of Bull Hill and
then the height of the wind tower to end the turbines. So
we're talking about gigantic things that are, basically, at
the height of these beautiful mountains that are in a Maine
forestry preserve, actually; Black Mountain and Schoodic
Mountain are part of that.

The other issue that struck me was last October -- and
I need to change one word in my written sworn testimony. I
had thought it was on the Monday of the Columbus Day
holiday, but I found my old calendar and it was actually on
the Sunday that we hiked, not the Monday. I had hiked
Black Mountain -- it's hard for me to look in this and look
there. Okay. I hiked Black Mountain with my husband and
another couple from near Bangor on that Sunday. And after
hiking back from the east side, we climbed down and drove
the old dirt track back to the Donnell Pond access road,
turned right and headed down to the Donnell Pond parking
area at the foot of Schoodic and the west side of Black.
We intended to hike down the trail to the beach at Donnell
Pond for a look at the lake and briefly explore the trails
that lead off the beach toward the west side of Black
Mountain.

In the parking lot I spotted a young man with a
clipboard standing near the Schoodic Mountain trail head
and I immediately knew what that was. I had read in the
paper, maybe the Bangor Daily, a little blurb about this
proposed wind farm. And my heart just clinched.

I -- anyway, I'd heard the rumor or read about it, that
they planned to put a wind farm on Bull Hill, which -- or
somewhere else to the north in the township or in Eastbrook
at that time, nobody really knew. And I told my companions
that I felt this man with the clipboard was taking a survey
for the scenic impact study on behalf of the company. I
mean, who else would stand with a clipboard in this remote
location late in the afternoon on an October day?

So I told my group that I wanted to participate in the
study when we were done with our walk. Others in our group
were hurried to get home, but they agreed we should talk to
him. I became more and more upset as I walked down to the
beautiful lake and back just not -- imagining the
destruction that was going to be done to this beautiful
part of Maine.

And I'd already looked at the map at home when I'd
heard about it, that Bull Hill rises at 616 feet in the
air. And I just did it on my little DeLorme, you know, the
map, and it looked like about 11 miles north of Schoodic
Mountain and the windmills themselves would rise hundreds
of feet in the air above the hill.

Black Mountain is 1,094 feet high, Schoodic Mountain is
1,069 feet high. Manmade roads and clearings would be
obvious. I know they said that there already are some
roads, but those are, like, you know, old woods roads kind
of things. They're going to need to make really big, wide
roads to pull these gigantic metal things up these
mountains. And also blast parts of the tops of the
mountains to set them there. They can't just sort of set
them gently between the pine trees.

As we reached the parking area, again on foot, I walked
with my husband and the husband of the couple over to the
young man with the clipboard. Had I not known why he was
there, I'm not sure that the purpose of why we were even
asked to take a survey would have come out. They never
really got to that until quite far into the survey. Only
two of us could take the survey at a time and it took at
least 15 minutes or more. And here we are late on an 
October -- near sunset basically in October standing 
outside taking this survey.

And my husband and his friend said they would take the 
survey first. In retrospect, I was interested to see -- 
just I saw via the computer the breakdown of the percentage 
of men versus women that took the survey from this company 
and it was more men than women. And I wondered about that. 
And I think it's because a man was asking the questions in 
an isolated location and only two could take the survey at 
a time. In a larger mixed group, the men would tend to go 
first. And since it was lengthy, people wouldn't be 
standing around for, you know, half an hour to 45 minutes 
waiting for everybody in a group to take the survey.

I found -- I have a masters degree and my husband has a 
masters degree, like, nearly a doctorate. The questions 
were very confusing. I've never taken a survey that 
numbered things 1 through 7. It was -- I found it -- and 
so I stood watching and listening and became more and more 
upset by this process, so upset that I did not take the 
survey myself. And I know there are -- you know, people 
might say, well, why didn't you? I was -- I felt 
hysterical because I felt like there was no way that a 
person could voice what they really felt or even understand 
what was being asked of them.
I also -- I asked and asked to see pictures of what it would look like from the top of Schoodic Mountain and was not shown those. We were only shown the picture of what they said it would look like from the beach at Donnell Pond, which is where we had walked to that day. And I was so upset that I asked him for his card and I kept it the whole time since then, not really realizing that I would ever be here today testifying before you about --.

I -- unfortunately, I certainly agree we have -- our air quality is bad, but this wind farm is, basically, going to sell electricity to cities where they will waste more electricity and our air will still be bad and we will have destroyed this pristine, amazing spot on this planet, which we can never get back, so --.

I also felt like they should have asked -- they should have done this survey in the summertime when many -- maybe they did, but I don't think that they did -- when many boaters and swimmers, et cetera would be using Donnell Pond, not late in October.

So that's it. Thank you very much.

MS. HILTON: Thank you. Do any commissioners have any questions of her or the staff? Okay. All right. Thank you very much.

MS. CARROLL: So we're on to Mr. Cane, Jodi Speer and Dylan Voorhees are the next three that are checked off to
testify.

MS. SPEER: Good evening. I am Jodi Speer, I live in Brooksville, not, by any means, close to the proposed grid scale wind installation east of Eastbrook, but I am here in solidarity with those who are close neighbors. I work mostly on toxic issues as an activist. And I -- I see this as a power grab. And I -- and I'm offended by the attempt to industrialize rural areas.

I'm also in solidarity with environment-friendly businesses who are affected by this. And my testimony, which I will send you in a few days, will reference testimony that was given by Greg Drummond and David Corrigan who both spoke eloquently about defiling of scenic assets that will ruin their nature-based tourism in other parts of the state.

By destroying ecosystems, the installation of massive turbines destroys property values along with a peaceful way of life and makes the environment inhospitable to visitors. What I believe to be most objectionable, personally, are the dangerous effects of high and low frequency noise and shadow flicker from rotating turbines. We really should pay close attention to the complaints that are submitted about high decibel noise, which causes headaches, sleep disturbance, depression and other problems. Symptoms reported from low frequency vibrations and shadow flicker
are equally troubling because the pulsating sounds and strobe light effects disrupt body rhythms and can damage the cardiovascular and nervous systems with life-threatening consequences ranging from high blood pressure and memory impairment to heart attacks and seizures.

The April 2011 report from Ken Fletcher’s office, the Energy Independence and Security Office, contains glaring disinformation about health effects of wind turbine noise, trivializing the damage it causes as mere annoyance. The reports’ authors rely on industry-founded studies that make no distinction between high decibel and low frequency noise.

More credible is testimony delivered in Augusta on April 25 by two acoustic consultants, Robert Rand and Steve Ambrose. Unlike the scientists for hire cited in the Energy Independence and Security Office’ report, their credentials are unimpeachable. I would refer you also to a report by Dr. Nina Pierpont. And I will give the website for that source.

Other concerns about environmental degradation from wind turbines and transmission lines, the infrastructure of the grid requires constant maintenance and replacement of worn out parts over thousands of miles. Herbicides sprayed on the corridors along with oils and transmissions fluids
used will contaminate aquifers. And I feel great sadness for the domestic and wild animals, in addition to birds and bats, who suffer from massive industrial development of remote areas.

Considering these casualties of progress, big green support of grid scale wind is disappointing, especially on the part of Maine Audubon, which overlooks the tragedy of roughly 100,000 birds killed every day from wind turbines. The estimate comes from the American Wind Energy Association. Every megawatt of installed wind power results in between one and six bird deaths annually.

Like the Natural Resources Council, the Conservation Law Foundation, the Island Institute and other mainstream environmental groups, Maine Audubon takes money from industrial wind companies, a classic sellout for corporate largesse. If they did their homework, they would have to acknowledge the absurdity of advertising grid scale wind-generated electricity as a replacement for petroleum and coal-fired energy.

No more than 3 percent of us in Maine heat with electricity. Obviously, fewer still drive electric cars. And if we did increase reliance on electric generation, Canadian hydro would be far more economical than wind.

I hope you will all listen to Clyde MacDonald of Hampden, well-known for many years on the Maine political
scene who recommends that we follow Vermont's example in hydro Quebec. And I cite for that a reference — an issue of Bangor Daily News last September.

For this reason, I would have liked the Legislature to have passed LD 956, which would have removed the 100-megawatt limitation on renewable energy sources to expand the range of choices available to us. We'll have to try again for the renewable portfolio standard bill.

I am referencing a couple of news sources that I won't -- I won't go into here, except to say that it's very common for the wind energy vested interests to say that power plants -- that unlike power plants that use fossil fuels, wind turbines carry no additional fuel costs once they're erected.

And the -- the quote cited in the Bangor Daily News from Jeremy Pain, director of the Maine Renewable Energy Association, goes as follows: Every time a turbine is spinning, it's offsetting fossil fuels. That is a lie. And opponents of the wind Energy Reform Act bills that have come before the Legislature this year and will be here before you as well can be counted on to repeat that lie again and again during their testimony.

I'm counting on you to discount those false statements as you debate the project before you. Thank you very much.

MS. HILTON: Thank you.
MR. VOORHEES: Good afternoon, commissioners and Chairwoman Hilton and the rest of the Commission. My name is Dylan Voorhees and I'm the energy director at the Natural Resources Council of Maine. I will be submitting within the next day or two some written testimony for you. I just wanted to start by thanking you for your time and service in these tough issues across the state of Maine. You serve a really invaluable role as decision-makers. NRCM's experience in wind power is familiar to many of you. And I won't read through it. I do want to mention specifically that part of our experience that's informed these comments is our role on the Management Plan Advisory committees established by the Bureau of Parks and Lands for the Donnell Pond unit in both 1991 and 2007. And many of our comments relate to that. And before I sort of go into the -- some of the highlights of my testimony, I certainly won't read it all to you, I just wanted to say in response to the last speaker that NRCM does not accept any donations or funding from those in the wind energy. NRCM is a strong supporter of both protecting scenic and recreational resources in the state and developing renewable energy as part of our strategy to limit pollution and climate change. And we think that the Maine Wind Energy Act does a relatively good job of providing a
balanced approach for both of these important goals. Most of my comments are related to the -- you know, the specific statutory criteria in front of you for a development permit, especially regarding scenic resources. But I did want to start and -- and just make a brief comment on, you know, why wind power is important.

We in the state and the region remain overdependent on fossil fuels for power, a situation that's both economically and environmentally unsustainable. Climate change is not the only, but certainly one of the most dramatic negative effects of continued fossil fuel use. And climate change will cause sweeping harms across the state from our forests, our coasts, our oceans, public health to physical infrastructure.

And so we have to transition to -- to a cleaner energy economy. We have to do that through lots of different ways simultaneously through energy efficiency and renewable energy that we have available in the state.

And I -- I don't want to comment on it further, I'm happy to answer any questions, but we've looked very closely at this really important issue of wind power displacing pollution and fossil fuel energy, primarily natural gas. We've looked at it at great length. And it's a complicated issue, but the simple conclusion is that wind power plays an important role in displacing these fuels and
pollution. So we -- we can't -- we continue the status quo of energy at our own peril. This doesn't mean that -- that clean energy trumps other things, hence, that's the need for balancing.

We've looked very closely at this project. And in short, we believe it's a very close call for whether this project meets the criteria of the law and strikes that appropriate balance. We don't have for you an ultimate judgment today on the project, but we want to provide some information that may be useful to the Commission.

Specifically, there will be significant impacts on scenic resources of statewide and national significance and the existing uses of those resources, including Donnell Pond and Donnell public lands, Black and Caribou and Tunk Mountains.

You've got -- you'll have some more detailed testimony, but I wanted to -- to speak for a moment about the Donnell unit itself. The Bureau of Parks and Lands has two easements in addition to the unit itself, about 470 acres adjacent to the unit, including lake frontage on Donnell Pond. And the purpose of these easements is to, quote, protect the scenic values as seen from within the unit. The Department of Inland Fisheries & Wildlife holds a lot of other easements, more than 1,400 acres including on Tunk Lake and elsewhere. The purpose of those easements is,
quote, to provide protection for viewsheds and lakeshore quality.

Donnell Pond is a Class 1A pond with outstanding scenic quality, shoreline character and fisheries. BPL's management plan, it will be attached to my testimony so that it's in the record for the Donnell Pond unit. It says, quote, the unit offers excellent opportunities for remote and semi-remote recreational experiences. The quality of the lakes and ponds along with its miles of undeveloped shoreline, sand beaches, hiking trails and campsites in scenic surroundings combine to make this a unit of high recreational value for a variety of users. The recreation management goal for this unit has been to maintain it's remote to semi-remote natural character.

BPL in its management plan has designated 6,000 acres for back country, nonmechanized recreation, which, as you know, is the most protective category, another 4,000 acres for remote recreation. And BPL is in the process of expanding back country nonmechanized recreation in this unit for multi-day hiking and camping throughout those areas.

And I'm speaking at some length to these issues because it is -- it is disturbing to us that the Bureau of Parks and Lands has, apparently, been told not to provide comments to you on this and other development projects.
And staff at BPL are really the foremost experts of the public lands that they oversee, what features they include, what type of experience they provide to users, the management goals. And we think that BPL staff could provide valuable information to the Commission on this and other proposed developments about the likely impacts of proposed development both on the public lands and the recreational uses those lands are intended to provide.

We encourage the Commission to specifically request comments from BPL, or, in the alternative, to invite BPL staff to a LURC meeting to discuss potential impacts from development projects, either this one or future ones of all types.

One of the statutory criteria that you need to consider is the existing character of the -- of the surrounding area. And we think the Donnell Pond unit is, aside from Acadia National Park, one of the only places in the region where people can hike to a top of a mountain, and get broad scenic vistas over the landscape. There's the Cutler public lands unit, which is directly on the coast, as perhaps one of the only other places where you can find multi-day hiking this kind of experience around the region.

And the views from the tops of the mountains in the Donnell unit, Black and Caribou and Schoodic and Tunk are stunning. And the expectations of the viewers that hike to
these destinations, we expect that they expect to see
generally undeveloped views. These are very well used
public lands. The BPL notes in its plan, quote, the trail
heads to these destinations often overflow. And, of
course, the hikers surveyed found at least 150 hikers there
on an October weekend.

On Donnell Pond it's a little bit different. We think
the users of that pond are more varied and have more varied
expectations. They might be people looking for a remote or
semi-remote experience, they might also be people, you
know, motoring around and fishing who don't care as much.
And so their expectations may be a little bit less.
Narraguagus Lake is another important resource. It's less
accessible and sees less use. It's also a much more remote
destination.

So what are the impacts on these -- on these resources?
As you know, this is a very difficult thing to evaluate,
it's not easily quantifiable. And what the law says is you
need to pay attention to the scope and scale of -- of
turbines and also the context. And, you know, we think the
context is -- means a lot. A turbine is a turbine, where
it is matters a great deal. And that's why our comments
really focus on fleshing out for you the meaning of this
context.

The most direct impact is going to be on Narraguagus
Lake. It's a remote feeling area, many turbines are going to be visible and they're relatively close, starting just under 3 miles. On the other hand, that -- that landscape around it is low and rolling and there may be primarily fishermen using it who, as Mr. Palmer notes, may care less about -- about those turbines on the landscape. And so we would agree with his assessment that the impact overall is probably medium.

On the Donnell Pond unit, hikers in that -- in that area are clearly in search of scenic vistas and remote hiking and camping experiences. And these mountains have a scarcity. And the turbines are going to be very visible. And I guess I conclude on that that we think those -- those views will be significantly impacted.

Mr. Palmer sort of characterized the overall impact on Black and Tunk Mountains as medium to high. When you think about Caribou and Schoodic, we might -- we might characterize that as high.

There are some mitigating circumstances also. And one of those is the fact that these views, as you hike to the top of these mountains, the most dramatic views are to the south away from the project towards Acadia national Park. And that may be why people on the surveys said they'd keep coming back because that was one of the draws. So that's a mitigating, you know, factor that we thought about and we
encourage you to.

And there are other mitigating reasons that are sort of described in my -- in my comments. And -- and there are also some adverse effects impacts to Donnell Pond. And overall we would agree with Mr. Palmer on those, that the impact is going to be medium.

Lastly, there's one other issue that we urge the Commission to consider. It's our understanding that there may be some additional wind projects or perhaps an expansion of this project planned in this region or in this viewshed in the future. If this project is approved, then it, obviously, is a bit of a magnet or an anchor for other projects, both because of some of the economic efficiencies, but also because once -- once those scenic resources have been adversely impacted, that's something that the Commission will take into consideration.

And this is a situation, therefore, where LURC has the ability to think about cumulative impacts of multiple projects before any of them have been built. We don't have a magic bullet for how you go about resolving that -- those complicated issues, it's something we're continuing to think about, but I certainly want to draw your attention to that.

So in conclusion -- and I appreciate you bearing with me through some longer comments -- we recognize that the
Commission has -- has both statutory mandates to protect the north woods and is also operating under the Wind Act, you've got the responsibility and the authority to balance these goals.

Some wind sites cause relatively few adverse effects impacts to the north woods, others cause such major impacts, those projects should clearly, to us, not be approved and some sites are really close calls. And -- and based on our information, we think that's one of those.

So we hope that this information is helpful and we urge you to consider these -- these comments along with the other information you have. And, again, thank you very much for your time and your service.

MR. LAVERTY: Mr. Voorhees, thank you for your comments. I would like to explore this issue of the Donnell unit for a minute. For the people that are here and don't understand the complexities of our regulations, we are to consider visibility impacts in expedited areas only -- in areas only on -- or particularly on resources of state or national significance. And Donnell unit is one of those.

MR. VOORHEES: Right.

MR. LAVERTY: We normally rely on our sister agencies that have the specific expertise and have been assigned the specific responsibility by the Legislature to development
management plans to address a lot of these issues. So
normally we submit a project like this to the Bureau of
Public Lands, in this instance, and ask them to determine
the consistency -- or this project's consistency with that
management plan.

You suggest that for some reason the Bureau of Public
Lands has refused to provide comments; is that correct?

MR. VOORHEES: I don't know that they've refused -- and
your staff can help you out on that. It is our
understanding that there's been some instruction to not
provide those comments that you might have traditionally
gotten in the past.

And this gets above my pay grade pretty quickly, but I
want to simply -- as -- Commissioner, as you well
understand, they have valuable information. If there is a
way for you to solicit those comments, it is worth an
effort. And we will -- we can attach the management plan
to our -- our comments and put it in the record, but
there's an interpretation that needs to happen. And BPL
staff can help with that, they can't make -- they can't
make the judgment ultimately that you need to.

MR. LAVERY: The -- you recommend -- you recommended
that perhaps rather than just circulate the application as
we normally do to review agencies, BPL being one of them,
that we take the additional step of specifically requesting
their comments; is that correct? Did I hear you correctly?

MR. VOORHEES: I think that is -- that would be wise
and I think it is particularly relevant to -- in this
project where you have this piece of BPL land. And it is
BPL through the Department of Conservation that through
rule making identified those resources, which you referred
to, as resources of statewide significance. They didn't
say, all BPL lands are significant, they went through rule
making, there's some dozen -- I don't know how many there
are, and this is one of them.

And so it seems in this case to be particularly
relevant. And -- and if there's a way for you to solicit
the comments from them on those questions -- and maybe you
need to form some specific questions, not just -- you know,
comment on this, but maybe you have specific questions
related to my testimony or others, that could be forwarded
to the agency.

MR. LAVERTY: I don't know to whom to address this
question, would it be to you? Have we specifically
requested comments from the Bureau of Public Lands with
regard to the impact of this project on the management plan
for the Donnell unit?

MS. CARROLL: I think it's safe to say, yes, we did
solicit comments from the Bureau of Parks and Lands and I
will defer to project manager Don Murphy to speak
specifically about that to answer your question,
Commissioner.

MR. MURPHY: Yes. We did -- sending out to the review
agencies, the application initially sent out to all the
review agencies, went to Bureau of Parks and Lands, Alan
Stearns. Allen responded in an e-mail that he was
deferring to -- that we had a -- that LURC had a scenic
consultant and from the -- the scenic review standpoint he
was deferring to LURC's consultant.

We can -- that -- that e-mail response is available --
oh, actually, we have it right here. I can read it to you.

MR. LAVERTY: What about other provisions of the plan,
the management plan, in addition to visibility?

MR. MURPHY: There was some discussion back in the fall
where Alan advanced different --

MR. LAVERTY: Mr. Stearns is no longer the director of
the bureau, correct?

MR. MURPHY: That's correct.

MR. LAVERTY: Has the current director been requested
to provide information?

MR. MURPHY: We then sent a follow-up e-mail -- we
thought it would be a good idea to send a follow-up e-mail
that, I believe, went to Kathy Eikenberg -- would that be
safe -- yes, that's right -- and if they wanted to weigh in
again on this because there had been a changing of the
guard. And, again, there was a -- there was not a comment
submitted. There was an e-mail that came back that said,
we are not weighing in on this. I'd have to get the exact
wording for you, but that's the effect of it.

MR. LAVERTY: Well, I just have to say, I mean, that I
would like -- I would ask you, again, before the record
closes if you couldn't resubmit that? Because, I mean,
this is a finding we need -- we have to make. We are
laypeople, I mean, we're not professionals here, we're --
we're, you know, citizens of the state of Maine appointed
to do this job on your behalf. And we have to rely on the
expertise of our -- our sister agencies in state
government. And here is an agency with the expertise --
not only an agency with the expertise, but it's fascinating
to me that it's within the conservation, which is the same
unit we're a part of.

And it just -- it just seems that this doesn't seem to
be the way to run the railroad, it seems to me. So I'd
encourage the staff to resubmit queries as to the
consistency of this project or the extent to which this
project is consistent with the management plan for the
Donnell unit.

MR. MURPHY: Yes, we will -- we will do that. And
we'll, again, forward them the links and the information
that we gave them for that review.
MR. LAVERTY: Thank you. And thank you, Mr. Voorhees.

MR. FARRAND: I agree completely with Ed. And I would further ask that in addition to requesting that they provide that information, that they come -- send a representative who can speak intelligently on this management plan and come to one of our meetings. If they can't -- if they can't be here tomorrow and they can't comment, then I think they ought to have -- they ought to submit comments and I would like to invite them to come to a meeting and -- and speak to this issue because I think it is extremely important that we have the benefit of that expertise in order to make an intelligent decision.

MR. MURPHY: Yes.

MS. HILTON: Okay. Good. Thank you very much.

MR. VOORHEES: Thank you.

MS. CARROLL: Okay. The next five names on the list are Jim Freeman, Jimmy, Pat DeFilipp, Antonio, Lauri, and Alan -- Alan Michka. So, Jimmy, I guess you're first up.

MR. FREEMAN: Good evening. Last time I was in front of you was also in a Ramada Inn when you gave the approval for --

MR. LAVERTY: Jim, can you state your full name?

MR. FREEMAN: My name is Jim Freeman, I live on Verona Island. I represent myself and Maine Earth First. So, once again, I was at the last -- your last meeting of the
approval of Plum Creek's plan and protested in front of you
that day and was hauled out in handcuffs. I'm not going to
do that again tonight.

But in hindsight, the reason we protested that was your
erroneous decision that night -- or that day and a judge
has ruled pretty much that we were there was justified. We
made umpteen attempts to talk to you about that beforehand
and -- our opinion and through all the hearings. Again, we
feel it was on deaf ears.

You're pretty bright people, I've come to learn, and I
do respect you as citizens. But I come here again to tell
you that there's a fraud being perpetrated on the citizens
of Maine with this industrial wind, it doesn't work. It's
simply a fraud. And it's based on stimulus money,
subsidies and tax financing, tax increment, finance or TIF.

All these companies are getting tax write-offs for
higher polluting projects that they have elsewhere using
them as carbon trade-offs, they're ruining the landscape of
Maine and they don't work. In Kibby Mountain I believe
it's 19 percent efficient. The propane generators that are
used to start the turbines in the wintertime don't work
because it's too cold. You know this. And yet you have to
vote on it incrementally piece by piece. And I just
implore you, please make the right decision and stop this
madness. We need alternative energy, but these things just
aren't the answer. Thank you.

MS. HILTON: Thank you.

MR. DEFILIPP: Hi. My name is Pat DeFilipp, I'm a resident of Auburn, Maine. I also work for Reed & Reed. We're a company out of Woolrich that has been involved in just about all of the wind farms that have been built in the state.

I would like to say that we're in favor of the Bull Hill project. We feel it will provide a clean source of renewable energy which we so desperately need in the state and in the country. It's a source of power that won't burn coal, oil or cause us to dam up the rivers. I think Maine is a state that particularly benefits from wind power, we desperately need the private investment.

I'm originally from the Rumford area. And years ago the paper mill was just the engine of the whole region. And over the past 20 years or so it's just taken such a downturn that the eight -- the whole area has really -- really floundered. So to see a private investment like wind power come into the state, I think is just a great shot in the arm for the whole -- the whole area.

Wind power creates tax revenues that don't burden us. They don't put traffic on our roads, they don't put kids in our schools, they don't use our drinking water and they don't put sewerage in our treatment plans.
Wind power creates jobs. We're just completing the Rawlings Wind project up in Lincoln. It's -- the south half was energized last week, the north half is being energized this week. We have had about 220,000 work hours on that project. That's the equivalent of about 110 people working 40 hours a week for a year. A guy asked me tonight, well, where do those jobs go? Well, luckily those same people are going to another wind project in the western part of the state. Hopefully, when that project is done, they can maybe come back to this project.

So we have a whole -- a whole company built of people that make a livelihood just on temporary jobs. So they are valuable.

Finally, I would just like to say that we have had a lot of experience with First Wind, First Wind's a parent company of -- of Blue Sky. We worked with them on the Mars Hill project, the Stetson 1 project, the Stetson 2 project and the Rawlings project. I would just like to say that they're straight shooters, they don't cut corners and they always want to do the right thing. So we're proud to be associated with them. Thank you.

MS. HILTON: Thank you.

MS. CARROLL: Again, I -- is it Antonio? I'm sorry if I'm not pronouncing that correctly.

MR. BLASI: Antonio Blasi, owner and operator of
Hancock Point Kayak Tours. So I'm a boat person. And when I was taking the survey, as my wife Renata described, there wasn't anything there about being on the pond and looking up, that I can remember, looking up and seeing how the project would effect the view from being on the pond.

MS. HILTON: All right. Thank you.

MS. CARROLL: All right. Lauri and Alan.

MR. SIBULKIN: Good evening. I'm Lauri Sibulkin from Phillips. And I'm a long ways from my boundary mountains, but I'm a member of the Friends of the Boundary Mountains and your mountains are boundaries next to the sea, so I guess it still counts.

A couple speakers ago was a midwife for the industrial industry. Well, I guess I'm the undertaker. I'm a hazmat industrial remediation technician. For a good many years I've gone around and picked up the wreckage left behind by American industry, steel mills and iron foundries and chemical plants and mining and so on and so forth. When the company, whatever their name might be, is done, they manipulate things while they quietly slip on down the road with their fortunes and leave the mess behind and people like me come in and clean up the mess, if you're in a city area where there's enough interest to warrant super funds involvement. Oh, by the way, at the federal government's expense. Otherwise, the stuff just sits there up on the
hills.

I've seen the consequences of allowing industry a freehand in doing whatever it is they do and I've helped clean up the mess each time on the dime. Now, when a new form of industry is developing, there is a learning curve. There are, inevitably, some mistakes. There are design problems, there are costs to humans and animal life. This is just the way it works. And I don't have a huge problem with that.

This is no longer a new industry. And a large part, the major part of a learning curve is either behind us or directly under our noses at different locations throughout Maine and New England. This industry, the industrial wind energy generation situation across the board, all the companies combined, have had years to establish a resume for itself and either earn the respect or distrust of citizens, any of us that take the time to study and self-educate.

Well, industrial wind in general has proven to be led by opportunistic operators far more interested in the chance to make personal fortunes than in actually generating clean, inexpensive -- and that's important -- electricity where it's most needed. And that's important, too.

You can do all kinds of things that would be just ducky
if they would either put the generation plant on Long Island Sound next to the factories or bring their factories up to Maine and hire us. But when you put them that far apart and give us the damage and them the juice, I don't like it.

This industry has established a history of trying to buy its way into communities. It has become very good at making issues of common citizens become unimportant. Somebody who lives out on Sugar Hill, they're 3,800 feet from the nearest turbine, but somehow that's not that important compared to what I hear about, oh, we're reducing our dependency on oil, we're reducing our dependency on foreign sources. That family or those families are neighbors -- well, not mine, but near enough. I live in Maine, I'm from Maine.

And in other cases this industry has managed to take some of these issues right off the table. Apparently, I'm not really allowed to have the nickels and dimes prosperity or lack of it of the wind industry discussed, I can't say goodness gracious, without subsidy money, huge subsidy money this won't work. You're not allowed to consider that in your deliberations. Maybe I'm mistaken there, but this is what I have been told.

Well, experience shows that while the developer is trying to garner local support for the project, whichever
one it might be, they're everybody's best friend. They promise a turkey and fresh fish in every pressure cooker and a new car in every garage. Once that permit is in the bag, what actually comes to light is that the turkeys and suckers are actually those of us in the local living rooms and the new Yugo is that scrap of metal out on the mountainside and that pressure cooker is what you have to live in every time the wind blows and your nerves get rasped raw by the sound of those windmills.

And I've listened to them. I've stood under them, I've stood 100 yards away, 600 yards away, and so on. I know some people can't hear them. Well, I'm an industrial worker and I've lost a lot of my hearing and I hear them just fine. And when we played a recording of that one night at a meeting, about half an hour into the meeting I went over to the sound technician and said, would you turn that bloody thing off, it's driving me to drink. And this is something that folks within a mile or a mile and a half or whatever are going to have to put up with forever.

Please don't let the good people of this community go through what the citizens of Freedom and the northeast part of Mars Hill are now struggling with. With their piece of mind battered to pieces, some are trying to sell out and leave. Who's going to buy their homes? When they've approach the developer, they've been met with batteries of
lawyers instead of fair buyout offers. Is that what we want to have happen here? There are people that are close, very close.

Industrial wind has so many unresolved problems and issues that it is unlikely to ever become independently economically viable. And it's clearly not an endurable neighbor. It's not yet ready to join in as a dependable and reliable and affordable part of the electricity generating industry here in Maine. Please deny this application and stop this project. Thanks.

MS. HILTON: Thank you very much. Is that the end of our list?

MS. CARROLL: No, Alan is coming up.

MS. HILTON: Oh, Alan. All right.

MS. CARROLL: And then that's it on my list.

MS. HILTON: Okay.

MR. MICHKA: Good evening, Commissioners. Alan Michka from Lexington. I am a member of an organization over in Somerset County involved in another -- or formally involved in another project, but I'm here tonight strictly on behalf of myself as a concerned citizen of Maine.

I was not originally going to speak today, I had not even planned on coming over. At the last minute I decided to, I found myself with a little time on my hands. So I don't have prepared notes, but I am going to prepare some
written notes to submit within the next couple days. I am
going to be very specific in my statements this evening,
they deal directly with the tangible benefits section and
the decommission section, although, my written notes will
encompass some other comments as well.

First I wanted to comment on the decommissioning. As
one of the speakers said tonight, this is really no longer
a new process for us. And the time is now really for the
Commission to start giving greater consideration to the
decommissioning plans that are being accepted in the state,
especially when you consider that First Wind is probably
one of the largest -- and probably is the largest developer
of wind projects in Maine and will soon probably have
upwards of 200 turbines here.

And I think the Commission needs to give some
consideration to some of these decommissioning plans that
are allowing the full funding of these plans to be deferred
until 15 years down the line. I think you need to look at
the possibility of what might happen two, three years down
the line if one company has a couple hundred turbines or
more in the -- in the state that are not covered or insured
for decommissioning. So I think the time is now to start
upping the bar on the decommissioning plans that are
allowed.

Beyond that, on the tangible benefits section, I've
only gone through the tangible benefits section in the last
couple days and, in truth, it's one of the reasons I
actually came out tonight. After reading through the
tangible benefits section, I was a little taken aback at
what seemed to be a fairly incomplete and poorly written
tangible benefits section. Of course, this is something
that's unique to expedited permitting in the state and
carries a lot of weight with the Commission, I'm sure.

This company, in their tangible benefits section,
expounds -- well, in the entire application talks about
their experience in developing projects, talks about the
fact that they have seven projects across the country and
several more in development and that their long-term plan
is to be a major operator of wind projects. However,
despite that, they seem to be unable to put together a
tangible benefits section that is specific and not vague.

So I hope that in tomorrow's technical hearings that
the Commission will pay extra attention to that and really
put it through a tight sieve of scrutiny when they make
their case on tangible benefits. Specifically, I wanted to
address several portions of the tangible benefits section.
And I'll just go through it piecemeal here.

First of all, they talk about the fact that they can
reduce price volatility. And while I don't doubt for a
second that they can reduce price volatility if everything
works out as planned, but I want the commissioners to consider reducing price volatility is not the same as reducing the electricity prices.

When you reduce volatility at the upper end of the pendulum swing, that's not necessarily a good thing. Wind power really only has the capacity, especially in the northeast, to raise electricity price. Under employment, this is in a section that's really going to need some attention by the Commission, specifically on permanent jobs. In Section 22.1.2 the commissioners will notice that First Wind estimates that they're going to hire between three and eight permanent employees for their project. Now, this is a company, remember, that says that it has a lot of experience developing wind projects.

I would think that a company that has this much experience developing wind projects would have some idea right now as to how many jobs are actually going to be needed. Three to eight is a pretty wide range. That's almost a 300 percent increase from the lower to the upper end of that. And I would think that the -- with that much experience, they could not only tell you specifically how many jobs there will be, but they could tell you what those jobs will be and they'll be able to tell you what they're going to pay those people.

And this is a tangible benefits section, you've got to
evaluate this. And just saying three to eight permanent jobs doesn't say much. The Commission needs to know what are those jobs, what will those jobs pay and specifically how many of them will there be? If after developing this many wind farms First Wind still doesn't really have that good of an idea how many people are going to work there, they're either not being square with the Commission or you need to, you know, cast some doubt upon the voracity of their entire application.

And just as a side note, I think there's probably been some embellishment and a little bit of an exaggeration in the number of jobs being created by this. One developer of a project I'm very familiar with had a 48-turbine project planned in which their initial application they estimated four to six permanent jobs. They reduced the number of turbines down to 39, a 25-percent decrease in the number of turbines, and the jobs went up to eight to ten. So I think there might be some playing with the numbers here and the Commission needs to be vigilant about that.

Also, the application seems to rely heavily on the applicant's other projects almost more so -- there's more ink in here talking about Mars Hill, Stetson and the Oakfield project than there seems to be about the Bull Hill project. Also something that's very interesting. And I would -- I would ask the commissioners to get First Wind to
be more specific about the Bull Hill project and a little bit less information about what they've done in the past. Each case is an individual case and has to be decided on its own merits.

You're not here to determine whether Mars Hill was a good thing or whether Stetson was a good thing, you're here to determine whether this project is a good thing. So don't rely on information about those other projects to determine whether or not this is a good project. It's a small project, it's going to have a smaller impact, they just ought to go ahead and be upfront about that.

Also interestingly, they -- in the 22.2, environmental benefits, I understand that the Commission has to assume to some extent because of the statute that there are environmental benefits associated with this, but nothing requires you to believe some the inflated numbers that they use. And in this case it's especially interesting because they don't really talk too much about environmental benefits associated with Bull Hill. Again, they talk about Mars Hill. And they go on to say that Mars Hill would displace approximately 288,000 barrels of oil and 61,000 tons of coal per year with it's 42-megawatt generating capacity. What would have been so difficult about doing the same thing for Bull Hill? Do they know how many megawatts they're planning on -- of capacity they're
planning on building? They could have done the numbers for that. But I don't know if it's just sloppy work, laziness or what it is. But on top of all of that, there's no indication that oil or coal is going to be displaced to any degree by wind projects in Maine. And that is something that's just -- that's been laid out pretty clearly lately.

Ken Fletcher, the Office of Energy Independence Secured just the other day, probably a week to two weeks ago, told the EUT committee down in Augusta that oil is not going to be displaced to any significant degree by wind power, case closed on that. And that's also confirmed by the ISO New England annual report. New England in 2009 generated no more than .9 percent of its electricity with oil. So we can kind of clear that one up right now. But it doesn't keep applicants from kind of fudging the numbers a little bit. So be careful with that as well.

And the other thing is this business of TIFs. They kind of play around with TIFs in here and they kind of suggest, you know, well, this town did this with TIFs and this one did that, but they kind of stay away from talking about what they're going to do on this project. They've indicated they're going to seek a TIF. I would encourage the Commission not to allow the review of this section to be completed until you know what the specific deals of that TIF are. That's critical to know in order to make an
They talk about property tax benefits to the communities around these projects, but in this TIF agreement it's suggested that they're going to follow here an 80/20 split with 80 percent going back to the developer, most of the property taxes they pay are going back to them. So don't just assume that property tax benefits means much, it doesn't in this case, it sounds like, but you need to know the specifics on that.

The -- I have just some very specific requests and then I'll be done here. One other thing about the TIF thing, the Legislature right now has a bill before it that would preclude developers from even asking for TIF treatment on a wind project -- an expedited wind project after a permit has been issued. Now, I recognize in this case they've already come up front and said, we're planning on getting a TIF. But, again, I think it's important that you don't take this any further down the road until you know what the details of that TIF are.

Demand specifics -- just to quickly reiterate, demand specifics on the permanent jobs that are going to be -- that are going to be created by this project. Three to eight jobs is an unreasonable estimate. Just is it three, is it four, is it five? They should be able to give you an exact number at least within plus or minus one. Ask what
the salaries are going to be for those jobs and ask
specifically what those jobs are going to be. They should
know this if they're an experienced developer.

Demand that First Wind provide specific development
employment data. Just saying full-time equivalence is
really not sufficient either. If they want to say 65
full-time equivalent, 65 full-time equivalent for how long,
one month, two months, three months? The Rawlings project
was estimated to be a six-month project and they had 40
turbines. This one is 19 turbines, I believe it was. How
long will it take? We need to know more about that. Just
saying it's going to take this many people to construct it
is not much information really.

If the applicant chooses to submit power production
figures, I would suggest and request that you require them
to submit information, such as was required from
TransCanada, on their production data. As you can see,
that estimated production is sometimes significantly
different than what it actually turns out to be. They've
submitted data for Mars Hill and for Stetson -- or
combined, actually, for Mars Hill and for Stetson. Rather
than just taking that number at face value, ask them for
the specific data in the form that TransCanada -- a month
by month for the last year, something that can be
corroborated with the FERC data. Rather than just taking a
big number in an application, ask for specific data and for specific evidence that it's good information.

Ignore the section in 22-2, the one regarding offset oil and coal burning. That doesn't apply here. ISO New England says that wind is going to displace oil and gas. And the oil we're talking about, like I said, .9 percent of the generation in New England. Not 9 percent, .9 percent of the generation in New England comes from oil.

So we all want to, you know, decrease our oil consumption and it's, obviously, a good thing if we do, but we've got to stop playing with these little myths about it's going to get us out of Iraq and things like that. Land-based wind power in Maine is going to do virtually nothing for oil consumption in Maine.

And on the decommissioning, require that the applicant have all the money in place up front to decommission one of these projects. Especially in a case, again, where you have one owner/operator of so many turbines in Maine, ask yourself when you're developing this decommissioning plan, what happens two years down the line if things go south for this company; is the money going to be there to take these turbines down?

Something tells me that, you know, these -- this idea of using salvage value and things like that -- it's just something to help out the bottom line a little bit and we
shouldn't be putting this on the backs of Maine. If we accept things like salvage value as a figure in developing decommissioning plans, we're accepting the risk. The developer should take the risk on this not us. And I'll leave it there. I could rattle on for nights -- or all night, but, anyway, I appreciate -- I very much appreciate your service and I don't envy you in the least. It's got to be just one of the worst jobs in Maine right now considering what the state has left you with.

So I do -- I do respect the difficult decisions that you have to make and I -- more than anything, I just respect the fact that you show up here and do this. It's got to suck. Anyway, thank you.

MR. LAVERTY: Mr. Michka, I wanted to thank you for your comments. You know, for a guy that said he came here on a whim at the last minute and was totally unprepared, I've got to tell you, that was some show. Please, would you follow up and submit that in writing, please, to the record?

MR. MICHKA: I will.

MR. LAVERTY: Thank you very much, sir.

MS. HILTON: Anybody else on our list?

MS. CARROLL: No.

MS. HILTON: Is there anyone else that wanted to testify? Okay. Well, good. I thank you for all coming.
And I have a closing statement here that I would like to
read to you, which also includes how long the record is
open for any other submissions.

This hearing will be continued tomorrow morning,
May 17th at 8:30 a.m. to hear testimony from the applicant,
the intervenors and government agencies. A second session
to hear testimony from the public will be held tomorrow
night at 6:00 p.m.

I wish to remind everyone that following tomorrow's
hearing sessions the record of the hearing will remain open
for a period of 14 days until Tuesday, May 31st to receive
written statements from the interested public and for an
additional seven days until Tuesday, June 7th for the
purpose of receiving rebuttal comments. No additional
evidence or testimony will be allowed into the record after
the closing of the record.

I think that's everything. Do we have anything else?
All right. I guess we're done. Thank you for coming.

(Concluded this hearing at 8:24 p.m. this date.)
CERTIFICATE

I, Angella D. Clukey, a Notary Public in and for the State of Maine, hereby certify that on May 16, 2011, a hearing was held regarding Pending Development Permit Application DP 4886; and that this hearing was stenographically reported by me and later reduced to typewritten form with the aid of computer-aided transcription; and the foregoing is a full and true record of the testimony given by the witnesses.

I further certify that I am a disinterested person in the event or outcome of the above-named cause of action.

IN WITNESS WHEREOF, I subscribe my hand and affix my seal this 1st day of June 2011.

ANGELLA D. CLUKEY, NOTARY PUBLIC
Court Reporter

My commission expires: March 17, 2017
NADZON [1] - 12:21

MULTIPLE [1] - 53:18
MYSTIQUE [1] - 33:7
MYTH [1] - 76:11


MUCH-CHERISHED [1] - 25:1

MULTIPLE [1] - 53:18
MYSTIQUE [1] - 33:7
MYTH [1] - 76:11