

March 18, 2026

By Email Only

Board Chair
Board of Environmental Protection
c/o Board Clerk Ruth Ann Burke
17 State House Station
Augusta, ME 04333-0017
Ruth.a.burke@maine.gov

**Re: Comments of Catherine B. Johnson on the Appeal of NECEC Transmission LLC
Condition Compliance Order**

Dear Board Members,

I support the Appeal by the co-appellants, Natural Resources Council of Maine, Maine Audubon, Appalachian Mountain Club, and Trout Unlimited because the DEP's Order does not address the concerns that I raised in my earlier testimony. My recommendations for changes are below.

The definition of mature forest is not based in science – The minimum height and basal area requirements of mature trees used in the plan are not based in science and are not a valid way of determining whether a forest is mature or not.

Recommendation: The order should require an ecologically sound definition of mature forest and incorporate that into all of the plan's elements, including both the harvested lands and the uncut lands.

There is no on-going protection for mature forests in the easement area – The plan for the easement lands is essentially "business-as-usual." Mature forest will not be protected in the lands harvested under the proposed easement. As the BEP order stated: *Standard sustainable forestry operations commonly allowed in areas subject to working forest easements would not be consistent with the primary goal of the Conservation Plan.*

Recommendation: 10,000 acres of land within the easement area, in addition to areas within the riparian zones and in blocks of at least 5000 acres, should be permanently managed as mature forest, not subject to the "shifting mosaic."

Limited, ecologically sound harvesting could occur in these areas while permanently maintaining their status as mature forests.

Existing remaining mature forests in the easement area should be protected: The crisis with mature forest is now. Existing patches of mature forest should not be harvested. Protecting mature forest cannot be put off for forty years.

Recommendation: All existing mature forest areas and surrounding buffers within the easement should be put into “no-cut” areas, either as part of the easement or transferred to a conservation organization.

The plan does not ensure long-term protection of mature forests. Given the existing, heavily harvested condition of the proposed 50,000 acre easement, and even with the improvements recommended above, the proposed plan does not address the primary goal of the Conservation Plan.

Recommendation: To achieve the primary goal of the Conservation Plan, an additional 10,000 acres should be purchased and transferred to the Bureau of Parks and Lands or to a reputable conservation organization with a track record of managing lands as mature forest to be managed as mature forest permanently.

Please reverse the DEP’s order and require NECEC to submit a conservation plan that actually conserves and protects mature forests.

Respectfully submitted,



Catherine B. Johnson

cc: Service List