

York, Marylisa

From: Burke, Ruth A
Sent: Wednesday, November 17, 2021 1:34 PM
To: DEP, NECEC
Subject: FW: Public comment for hearing on 11/22/2021

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Ruth Ann Burke
Maine Department of Environmental Protection
Board of Environmental Protection
Commissioner's Office

From: Bruce Baker <brucewbaker.me@gmail.com>
Sent: Wednesday, November 17, 2021 1:27 PM
To: Burke, Ruth A <Ruth.A.Burke@maine.gov>
Subject: Public comment for hearing on 11/22/2021

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Public Comment for Hearing 11/22/21
Department of Environmental Protection
Melanie Loyzim, Commissioner

Commissioner Loyzim,

The following is a series of questions and comments following the November 2nd referendum vote. I am hopeful that you will find them fair minded. I want you to understand how very disappointing the last 2 years or so have been for many of us. We cannot observe our state government's oversight as it relates to this corridor without disappointment.

I worry that agencies like yours might be dismissive, thinking that we citizens don't know the rules or the process. I hope that you will consider my comments as fair and ponder whether your process is as fair or whether you have represented the citizens of Maine as fairly as we deserve.

-Why is this process so slow, so flawed?

-Why has CMP been allowed to continue construction (which is destruction) at almost break neck speed?

-Why are they being allowed to continue along the corridor which is highly unlikely to be approved? i.e.; the state owned land which was found to have been illegally leased by a Maine Superior Court Judge, is being cut up to and away from by CMP as I write this. They are clearly destroying forest and cutting a corridor which at the very least is likely in the wrong place.

-Why has the State DEP ignored the State Constitution?

-Why have the State Constitutional procedural requirements been ignored in the land lease?

-Why has Avangrid, a foreign company, filed a lawsuit questioning the constitutionality of our highly scrutinized referendum process here in Maine? As a Maine resident and a supporter of killing the corridor, it turns my stomach to see how our state's democratic process and our elected officials, especially former Attorney General and sitting Governor, Janet Mills, have been so incompetent.

-Why did the DEP not take immediate action when the Superior Court found that the Bureau of Public Lands botched its duty to the people of Maine so clearly?

-Even worse, why does this whole project in support of foreign companies (CMP/Avangrid) and governments (the province of Quebec) and another state (Massachusetts) appear to this Maine citizen as a money grab and a political system intentionally asleep at the wheel?

-Perhaps most regretful is the question of why would this state put faith in a company like Central Maine Power? They are not to be trusted. They are incompetent in conducting their corp business. They are rated as perhaps the worst public utility of their type in the United States, and Governor Janet Mills has gifted them a financial windfall. Why are we rewarding this dysfunctional company?

-In the meantime, our solar generating capacity in the State of Maine is exploding. It would be growing even faster if CMP was doing its job. But it is too busy building its cash cow corridor for the benefit of everyone except Maine and Mainers. We have been stepped on or over for the past two years. Why are we giving Mass an easy way toward its green political future? Where is their offshore wind farm that Ted Kennedy crushed because it somehow ruined his afternoon of sailing?

The following are taken from Black v Cutko. They are excerpted from the Superior Court conclusions. The '**bold**' is mine for emphasis. They are simple declarative conclusions of the Superior Court which make clear in part, why this whole legal process regarding the NECEC Transmission line is so flawed and frustrating to anyone who bothers to look at it.

"This is not a situation where an agency failed to take an important step in a public administrative process. In this case, **BPL provided no public administrative process at all prior to deciding to enter into the 2020 lease.** Article IX, Section 23 and the Maine Legislature's designation of these lands as public trust lands make these shortcomings very fundamental." Page 28 Pp 2

"At the same time, the Court is not permitted as a matter of separation of powers to create such a process for the agency; it can only find, as it has, that a public process was required given this unique Constitutional Amendment and the enabling statute enacted by the Legislature. A "simple remand" would be anything but simple. No recognizable process currently exists and the parties could spend many months litigating in multiple forums how much process is required." Page 29 Pp 2

-One of the only clear processes has been the referendum. Another has been the State Constitution. The vast number of towns across Maine voted to reject the corridor. The few towns voting 'for' were, I guess predictably, along the Canadian border.

-The voters of Maine want CMP to stop cutting trees and start focusing on Maine. Get our Maine electrical grid robust and functional, connecting us to the 'in state' Solar grid network which is coming on line. A renewable network to go along with our hydro and our potential wind generation. That is the fastest and least destructive way for Maine to meet its clean energy goals! Governor Mills knows this.

Please terminate the construction of this senseless corridor. It must be now. It is way past the time for this fatally flawed DEP Permit to be revoked.

Respectfully,

Bruce W Baker
Fryeburg, ME