

OLD CANADA ROAD SCENIC BYWAY, INC.

June 19, 2020

James R. Beyer
Regional Licensing and Compliance Manager
Department of Environmental Protection
17 State House Station
Augusta, ME 04333

Bob Haynes
Coordinator, Old Canada Road Scenic Byway, Inc.
P.O. Box 301
Bingham, Maine 04920

RE: Stay of Department Order AL-27625-26-A-N/L-27625-TB-B-N/L-276252C-C-N/L-27625-VP-D-N/L-27625-1W-E-N

Dear Mr. Beyer,

Today I write in response to the Department's invitation to comment on the Application for Stay of Agency Decision. The Directors of the Old Canada Road Scenic Byway, part of Intervenor Group 1, are in full support of the Application for a Stay of the Agency decision submitted on behalf of Intervenor Groups 2 and 10 by their Attorney Elizabeth Boepple. All of the points so clearly exposed in the Application reflect the Directors concern.

We understand that in order to grant this stay it must be proven that such an action will not adversely affect the permit applicant but will adversely affect the environment where activity is conditionally permitted. Many additional permits are necessary for the NECEC project to attain a "green light", not to mention the upcoming Referendum in November. I cannot imagine anyone with a project as small as camp construction allowed to start without all permits in place ranging from LUPC to DEP to an approved soil test.

Granting the Stay will not injure the NECEC project as Massachusetts has already granted a time extension. It appears Massachusetts is apparently not desperate for power supplied by this generator source, as they have not already taken advantage of the fully permitted corridor in Vermont. By not doing so, they are actually prolonging any perceived environmental benefit from hydropower, making Maine citizens question the real motive for the original request for proposals. It will injure the permit applicant by lessening the portrayal sent to investors and Maine voters of being in control of the permit process. Such a sense of control is fictional. The spin however is prominent such as Mr. Dickenson's May 12 comment in the Morning Sentinel " *In our original proposal we worked hard to develop a project that provided robust mitigation measures to protect the environment and through this permitting process, we now have made an exceedingly good project even better for Maine*". In fact, the robust permit application can be described as denied, without compliance with the many and varied conditions that DEP put on the project. To date we have not heard how the project will comply with those conditions, seemingly a key component of moving ahead. In addition –who is the "we" in that statement?

Bisecting the largest remaining undeveloped forest in the North east, excepting traditional use, is not in the interest of Maine. Beginning construction would be a flagrant violation of permitting laws which Maine citizens respect. Allowing any construction to begin without the full array of approved permits and a referendum vote in favor of the project would harm the environment, without just cause. Visitors to Maine enjoy the undeveloped space, and that is placed at serious jeopardy by the NECEC. There is no point in fast tracking a project that may not happen with so much at risk.

The Directors of Old Canada Road Scenic Byway Inc. strenuously urges the Department to grant the Stay for the multitude of reasons described so well in Attorney Boepple's application.

Sincerely,

Bob Haynes

Bob Haynes, for the Old Canada Road Directors.