

STATE OF MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION

and

STATE OF MAINE LAND USE PLANNING COMMISSION

IN THE MATTER OF

CENTRAL MAINE POWER COMPANY )  
NEW ENGLAND CLEAN ENERGY CONNECT )  
#L-27625-26-A-N/#L-27625-TG-B-N/ )  
#L-27625-2C-C-N/#L-27625-VP-D-N/ )  
#L-27625-IW-E-N )

CENTRAL MAINE POWER COMPANY )  
NEW ENGLAND CLEAN ENERGY CONNECT )  
SITE LAW CERTIFICATION SLC-9 )  
Beattie Twp, Lowelltown Twp, Skinner Twp, )  
Appleton Twp, T5 R7 BKP WKR, )  
Hobbs town Twp, Bradstreet Twp, )  
Parlin Pond Twp, West Forks Plt, Moxie Gore, )  
The Forks Plt, Bald Mountain Twp, Concord Twp )

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**PRE-FILED DIRECT TESTIMONY AND EXHIBITS OF  
JOSEPH CHRISTOPHER ON BEHALF OF  
WESTERN MOUNTAINS & RIVERS CORPORATION**

**I. WITNESS BACKGROUND AND QUALIFICATIONS**

My name is Joseph Christopher. I live in The Forks, Maine. I am the owner of Three Rivers Whitewater (“Three Rivers”), Inn By River and Kennebec Riverside Cabins in the Forks Plantation in Somerset County, Maine. I operate The Sugarloaf Inn and am the President of the Sugarloaf Inn Association. I am also one of the owners of the Shipyard Brew Haus both in Carrabassett Valley, in Franklin County, Maine. Three Rivers also has a small resort in Millinocket, Maine which is in Piscataquis County. I have previously chaired the Kennebec Valley Tourism Counsel, was the long-time

president of the Raft Maine Association. I am currently the president of the Signal Point Marina Association. I have been actively involved for over thirty years in rafting the Kennebec River, other nearby rivers, as well as other recreational uses of the woods, streams, ponds, lakes and other natural resources in Somerset County and western Maine that will be affected by the New England Clean Energy Connect transmission project ("NECEC" or "Project").

I am also a member of the Board of Directors of Western Mountain & Rivers Corporation ("WM&RC"). I am providing this testimony on behalf of WM&RC and in support of the application by Central Maine Power Company ("CMP") for permits by the Department of Environmental Protection ("DEP") and Land Use Planning Commission ("LUPC") for the Project.

My testimony addresses the first statutory criterion listed for hearing, namely whether the Project will have an unreasonable adverse effect on the scenic character of the surrounding area and fit harmoniously into the surrounding environment. Included in these considerations will be the impact of the Project on existing scenic/aesthetic uses, recreational or navigational uses as well as the adequacy of buffering.

As a related matter, as the DEP and LUPC are aware, CMP and WM&RC have entered into a Memorandum of Understanding ("MOU") that would require CMP to make various monetary donations and non-monetary concessions in the event that the Project receives regulatory approval and enters commercial operation. Because the terms of the MOU are directly intertwined with the use of natural resources directly and indirectly affected by the Project, this testimony also will address how the Project will impact the scenic, aesthetic, recreational and other values of these areas.

## II. IMPACT OF PROJECT ON SCENIC CHARACTER AND EXISTING USES

The vast majority of the Project is sited in a manner that will co-locate NECEC transmission facilities with existing transmission lines and adjacent to existing developments. The Project will not change the character of uses associated with these areas.

One of the primary concerns of WM&RC and its members is the scenic and aesthetic impact of the Project from an overhead crossing of the Kennebec River. CMP has addressed these concerns by proposing that the transmission line cross the river underground and by locating structures and other development associated with the termination points away from the viewshed of users of the river. Based on these revisions to CMP's application, prior concerns of WM&RC and other intervenors regarding the impact of the Project on the scenic, aesthetic, recreational and navigational attributes of the Kennebec Gorge area have been addressed and the Project has been designed in a manner to eliminate any adverse impact in these regards and fit harmoniously into the surrounding environment.

There also should be little impact from the Project upon users of other rivers, streams, ponds, lakes, and waterways for rafting, boating, fishing, or other activities. Rafters along Maine's primitive waterways, including the upper Kennebec and Penobscot Rivers usually begin their trips close to hydro facilities that include Harris Station along the Kennebec River, as well as McKay Station along the Penobscot River. For those rafting, fishing, or boating downstream of McKay Station, these persons are accustomed to not only seeing the large hydro-electric facilities, but also transmission lines that run in close proximity to, and even cross, the Penobscot River. These users

are generally appreciative of the benefit offered by hydro-electric dams, transmission lines, and related electricity infrastructure. They also understand that these developments are necessary in order that they may enjoy electricity for their personal use. It is also worth mentioning that for many nature-based tourism businesses and outfitters, including those with connections with WM&RC, 60% of these tourists are from Massachusetts. The NECEC will likely be much less controversial to these persons, especially where the energy supply benefits of the Project will directly reduce their electricity supply costs under the terms of the Section 83D RFP.

With regard to the portion of the NECEC that will comprise the new 54 mile corridor extending to the Canadian border, this land is part of a privately held industrial forest that has been regularly clear cut over generations. The characterizations by intervenors that these areas are “pristine,” “untouched,” or “natural” are misleading and simply not true. Even for these areas, CMP has proposed the NECEC in a manner that seeks to minimize adverse impacts of the Project upon the experiences of hikers, hunters, rafters, anglers or other users of the wilderness whose activities may take them in the vicinity of the NECEC.

CMP has proposed to site the line in a manner that seeks to avoid the impact on these areas and have proposed buffers to help ensure that waterbodies are protected. CMP has also proposed the use of buffers that will help protect water bodies, as has been noted by the Maine Department of Inland Fisheries & Wildlife (“MDIFW”) Staff. The Project also proposes other buffers that will allow for the movement of animals between important habitats and help shield adjacent uses from unsightly developments. The Company has proposed the use of single tower structures that will blend with

surroundings. WM&RC and its members believe that the addition of the NECEC to this landscape should not negatively impact the scenic viewshed from natural resources affected by the Project or the tourism industry whatsoever.

### **III. IMPACT AND RELATIONSHIP OF MOU UPON SCENIC CHARACTER AND EXISTING USES OF AREAS IMPACTED BY THE NECEC**

As part of the MOU, CMP has offered certain economic and non-economic concessions that will only be available if the Project is approved. CMP has agreed to donate between \$5 and \$10 Million to WM&RC to be used for projects that could include recreation projects, education programs about the history, ecology and uses of Maine's rivers and other projects/programs within the charitable mission of WM&RC. CMP has also agreed to provide increased public access to natural resources and increased recreational opportunities on areas directly impacted by the Project and surrounding areas. These various accommodations by CMP will directly benefit users of natural resources affected by the Project, as further described below.

In recent years, access to the Kennebec and Dead Rivers and Indian Pond by rafting and angling outfitters has been extremely limited and has become expensive. Rafting outfitters currently pay \$3.00 per person to access the Kennebec River and have been threatened with substantial increases in the near future. Access to the Dead River is currently only permitted if users and outfitters pay a premium of \$13.50 per person. Renewed access to these areas through potential no fee easement agreements with CMP, as contemplated by the MOU, would provide increased access to these rivers will provide a direct benefit to outfitters, rafters, anglers and other members of the public using these resources. The economic benefits to the tourist industry and local economy would also be significant and should not be understated.

As part of the MOU, CMP has also agreed to evaluate and negotiate in good faith donations of CMP land that is not essential to CMP's current or anticipated future needs in order to expand public access to trails, streams, ponds, and other natural resources.

- Old Rail Bed from Indian Pond to Route 15 in Rockwood
- River Frontage below The Forks
- 670 Acres on the Dead River below Grand Falls to be potentially made available to WM&RC or to one or more other charitable and/or environmental organizations designated by WM&RC
- Flagstaff Hut lease released
- Hut Sites leased at Grand Falls, Chase Stream and Indian Pond and trails under license agreement to Maine Huts & Trails
- Moxie Falls trail easements acquired and assured for 1 motorized and 1 non motorized trail from town to the falls.
- Availability for single track bike trails off the existing and proposed bike trail system
- North End of Indian Pond
- Below the dam on the Kennebec River

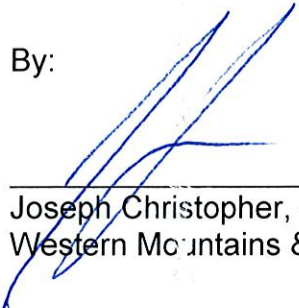
It is the intent of WM&RC and CMP that these land donations and acquisitions for trails will help complete and connect The Forks Area trails system (formerly the FAST trail, Ridge Trail section) from the Flood Road to the center of town. CMP has also agreed to make available to WM&RC gravel pits and the use of gravel at no fee for development and maintenance of recreational assets. Through increased public access to additional lands, lakes, streams, ponds, trails, and other natural resources, the NECEC will actually enhance scenic, aesthetic, and recreational enjoyment of these new resources as well as other resources that are adjacent to the NECEC facilities.

#### **IV. CONCLUSION**

In closing, I and many other Board members of WM&RC have, over the course of several decades, worked in western Maine's recreation and nature-based tourism industry. We are confident that the NECEC will have no adverse impact on the existing

scenic/aesthetic, recreational, or navigational uses of areas directly impacted or adjacent to the Project. The NECEC seeks to preserve the scenic, aesthetic and recreational character of existing resources impacted by the NECEC, including the Kennebec River and Gorge. At the same time, the NECEC will increase public access and recreational opportunities, thereby creating new opportunities for enjoyment and use of these important natural resources for generations to come. The DEP and the LUPC should therefore grant permits for the NECEC.

Date: 2/27/19

By:   
\_\_\_\_\_  
Joseph Christopher, on behalf of  
Western Mountains & Rivers Corporation

State of Maine  
County of Somerset

Date: 2/27/19

The above-named Joseph Christopher, on behalf of Western Mountains & Rivers Corporation, did personally appear before me and made oath as to the truth of the foregoing pre-filed testimony.

Carol A. Gordon  
Notary Public/Attorney at Law  
My Commission Expires:

CAROL A. GORDON  
Notary Public, Maine  
My Commission Expires September 23, 2020