

State of Maine  
Department of Environmental Protection  
In the matter of

Central Maine Power Company  
New England Clean Energy Connect

Pre Filed Testimony of Robert Haynes,  
Coordinator Old Canada Road Scenic Byway

Group 1:

Old Canada Road  
Friends of the Boundary Mountains  
Wilderness Guides

**Topic 1 : Scenic Character and Existing Uses**

Personal Introduction

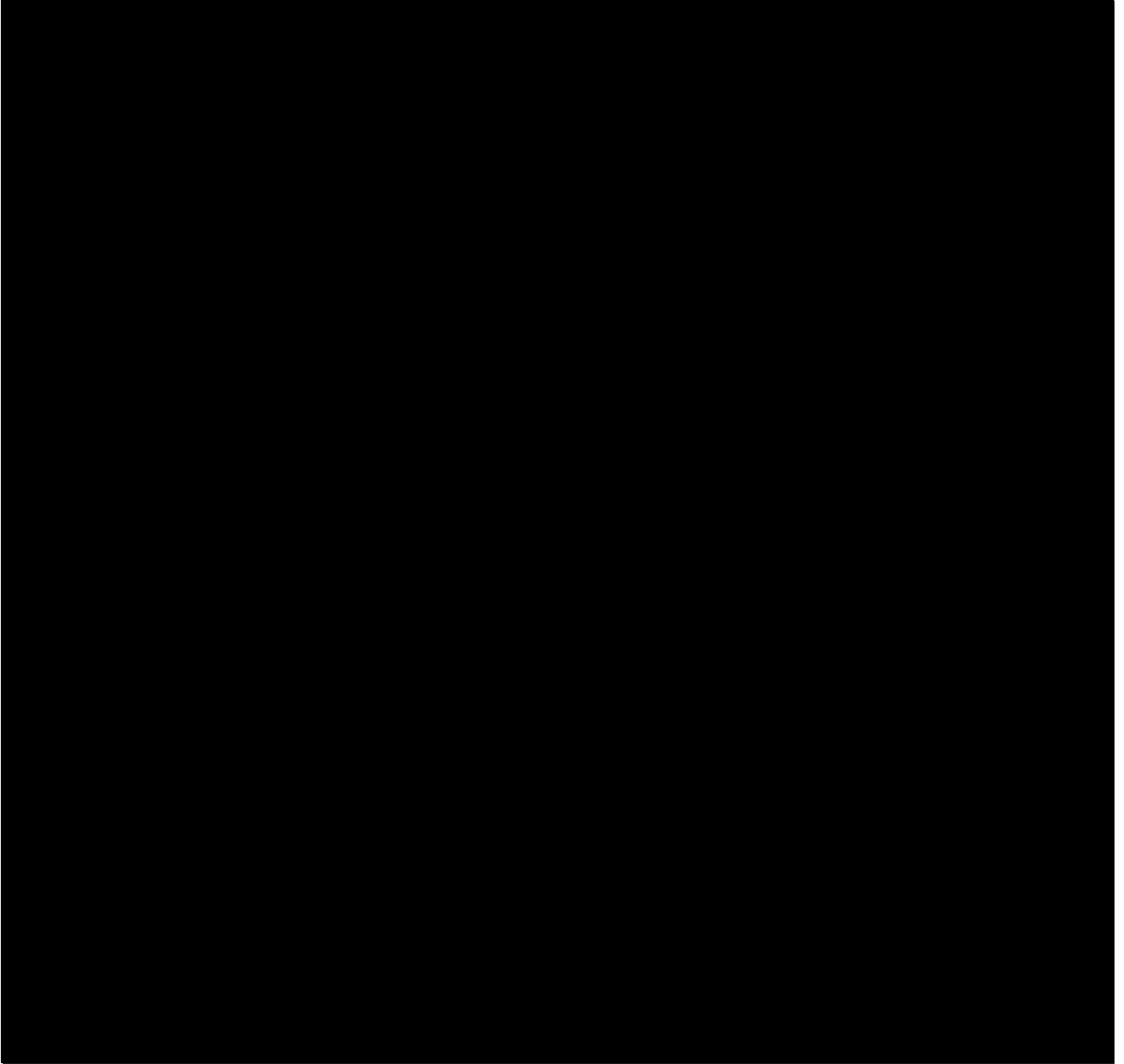
Project introduction (not part of verbal testimony)

OCR introduction

Scenic Character and Existing Use

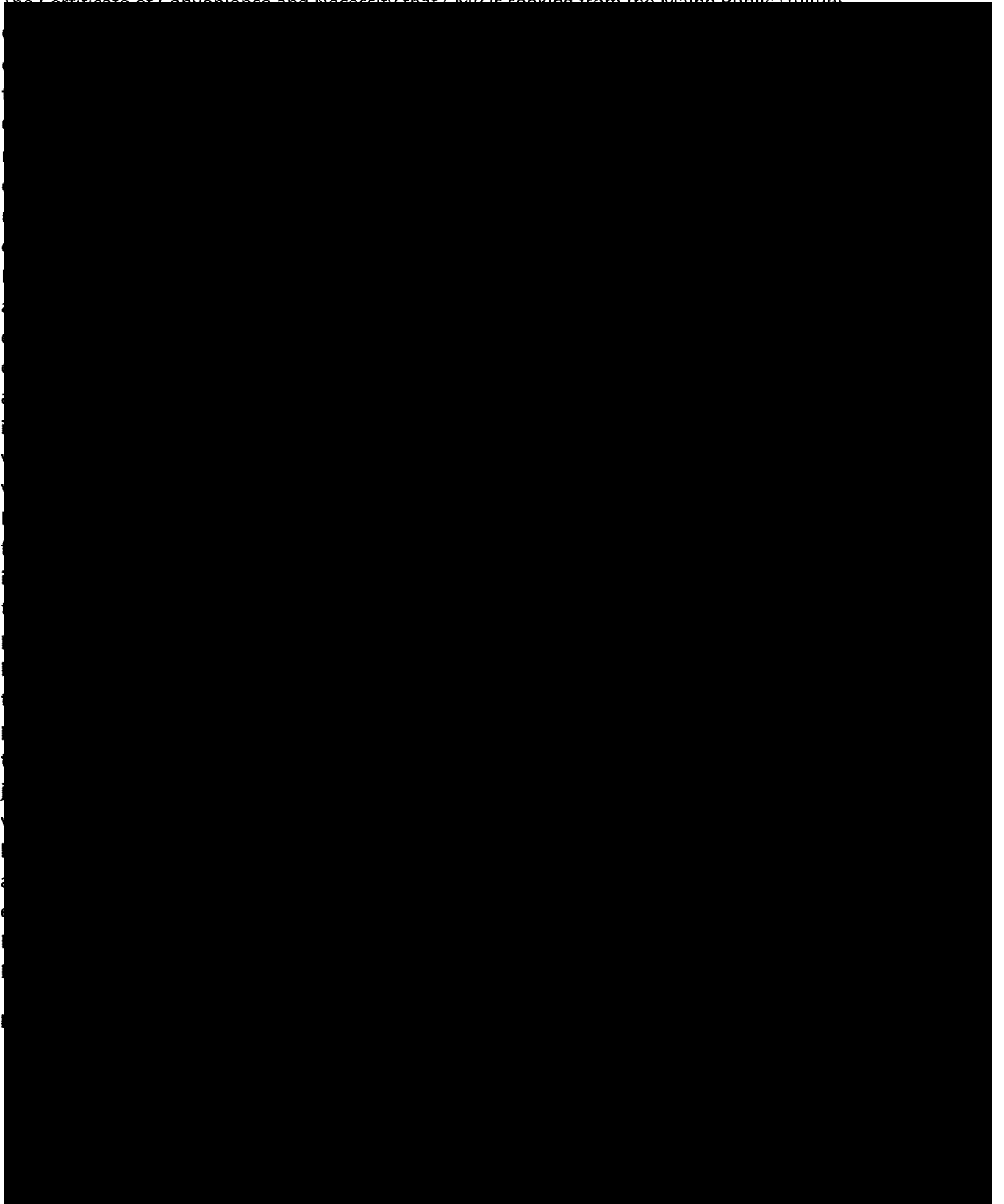
I am Robert Haynes and am a self-employed consulting Forester in Skowhegan Maine. I graduated from the University of Maine with a B.S. in Forestry in 1977. I have enjoyed a position as Coordinator of the Old Canada Road National Scenic Byway for the past 18 years and, am also a project abutter. My testimony will focus on the Northern project area north of the Kennebec River.

## Project Overview



Certification

The Certificate of Convenience and Necessity that CMP is seeking from the Maine Public Utilities



## Design

As designed the project is located on applicant land purchased (northern portion) for the specific powerline purpose, months before the project was awarded and surveyed years before purchase. The location serves two purposes, one of which is to connect to an existing power corridor south of the Kennebec River and two, is to follow potential sources of wind generation, should that option ever present itself. The corridor is 300 feet wide and 53 miles long, but due to the application, only 150 feet can be considered, at this time. As designed, the vegetation will be removed, excavation completed necessary to locate concrete footings of sufficient size to support the 100 foot- plus tower and the tons of cable necessary for transmission. Logistics of this are daunting particularly when weather fluctuates from -30 to 100 degrees Fahrenheit. Elevation creates its own challenges particularly as soil depth is inversely proportionate to elevation. Wet land soils or muck, seem to have no bottom making tower location challenging. Factors of weight, temperature, and wind are complicated.

When the land was purchased, there was no consideration for a vegetative buffer. When the abutting owner cuts timber up to the property line, as they have the right to do, the entire tower will be exposed from across the cut instead of only the top 50 feet. This expands the appearance of a power corridor 150 feet plus the cut width to the vantage point, which lengthwise would be about 10 miles of the Spencer Road. Undergrounding of lines this size and sensitivity is a common practice. This transmission line will hang in an area of tremendous wind (Coburn Mt.) and be maintained by a company with a less than stellar maintenance record. This is not the Central Maine Power Company that won the J.D Power Awards years ago. Undergrounding would increase reliability, not require herbicide, commercial timber could continue to be grown on the 150 foot wide (1,000 acre corridor) and wildlife would have un-interrupted travel. Furthermore, additional Maine contractors would be available to do much of the work. All of the above, herbicide, view, timber growth, wildlife and jobs, remain very serious concerns of residents along the Byway, and ignored by the applicant.

**Point-** Considering undergrounding satisfies most concerns of citizens, why wasn't it considered?

### What is Old Canada Road National Scenic Byway?

Old Canada Road National Scenic Byway (OCR) was designated as one of 45 such roads of national significance in 2000 by the Federal Highway Administration. Since then additional roads have been added, bringing the total to 150 nationwide in 2019. Byways are selected on their high recreational, scenic, cultural, historical, and geographical qualities. The Byway is governed by a Board of Directors operating as a 501 c 3 corporation since 2001. In eight years, over a million dollars was secured by OCR through federal and other competitive grant sources benefiting our 78- mile road from Canada through Solon. Central Maine Power has been a very cooperative landowner participating most recently in a corridor lease for a 225,000 thousand -dollar trail project in the Forks and West Forks on the Kennebec and Dead Rivers. This provided exceptional views of both rivers and in most places is ADA compliant. Tourism is tremendously important in the Byway region. Maintaining the experience expected by our travelers is part of the Byway mission. Funding for the National Scenic Byway program ended in 2011 but last month, with help from outdoor partners it is well on the way to getting back to original levels starting with the overwhelmingly passed (404-19) House vote in support of HR831- Reviving America's Scenic Byways Act of 2019 that will reopen nominations for scenic byways. Language is in the Senate to reauthorize program funding of fifty million dollars, with some changes.

Maine as a term is a destination in itself. The Upper Kennebec Valley is a tremendously valued subset of that name. Coburn Mountain, Number Five Mountain, Moose River Bow Trip, Attean Pond, Spencer Lake all are frequent destinations for travelers and residents most extensively in summer, fall and winter. Visitors come to experience what they do not have at home, open space, extensive views and a sense of wilderness. A sense of wild may be more accurate as wilderness has gone. A harvested forest re-growing trees may be all that is necessary for a wonderful experience. In the book The Experience Economy published in 1999 by Pine and Moore, the authors elaborate on "experience tourism". Visitors are not traveling to Maine to pick up a balsam pillow and a light- house snapshot, but are coming for a memory they can talk about for years at family gatherings. An unbroken landscape is required for this experience. Maine is tremendously fortunate to have commercial landowners that allow public use of their property. Public use and commercial forestry have always co-existed in Maine. An above ground powerline is not compatible with positive visitor experiences or the vocations of those in the recreational outdoor industry. A physical bisector with markers over one hundred feet tall is an inconsistent use of the area and incompatible with traditional use. True change is coming and all need to be adaptable and responsible to decrease our climate impact. One could argue that Massachusetts, Maine and CMP are postponing that positive change by haggling over money. Vermont is ready to go and has the same environmental benefit. Hydro Quebec wins either way and Maine has an additional 1000 acres to sequester carbon, continued stellar view sheds and uninterrupted tourism economy.

## Scenic Character and Existing Use

### Points from pg.4

- The apparent purpose of the project is to secure the market for the next 40 years with a 1200MW power supply whose generation type is outdated.
- If the project can stand alone on its own benefits, why would a responsible company (s) feel the need to send 258 million dollars to improve its chances of acceptance?
- Why is a project being considered that has no merit to the State of Maine?
- Why weren't the advantages of placing the cable underground where appropriate, considered?
- There is no proof that the power is generated by water.
- Why is it acceptable to encourage environmental damage in another country while not allowing it in our own?

Scenery is not just a pretty view. It creates intrigue as to what may have happened within the view and always creates the question of what is beyond. The story is remembered as vividly as the view, perhaps more so. Scenic Character is another term alluding to massive views of a perhaps a daunting climb or intimidating running- river. Travelers and residents enjoy Maine, as much for what it has, and many times, more, for what it does not. A day without cell phone service can be quite a pleasant novelty. Scenery creates a destination and destinations require time that translates into income for recreational business and those offering meals and lodging. Power lines are not destinations- they are available at home. Injected here could be the dollar value of the lodging, meals, guide fees, supplies and other associated income to area business. As an indicator over 800 snowmobiles were in the Forks last weekend. The accepted income associated with that industry years ago was five hundred dollars per sled for individuals owning their own. Rentals increase that number dramatically as they run three hundred dollars per day. Sled enthusiasts do not just ride for the thrill but for the scenery as well. In winter, more line will be exposed, from the concrete up.

Unfortunately, for the applicant this Moose River Basin area has two very popular hikes that peer down on the transmission line. Visual impact assessment cannot compete with the fact that looking down from height of 3,700 and 3,100 feet to a corridor at 1,400 feet makes a 150- foot wide corridor very visible. Hunting and camping guides have used this area since there were hunters and campers. Aside from the wood products industry, tourism and recreation are the most important business in the area. Saddling it with the burden of a 100- foot tall powerline and associated permanent clear- cut corridor is unconscionable, when there is another option. Exhibit 1 shows the Moose River Basin area and its remarkable lack of development, which this corridor will bisect. While concentrating on the portion of corridor west of Rt. 201 and the Scenic Byway the poles will also be seen from, the pavement in the north bound direction at Johnson Mountain and in the south bound direction at Parlin Pond. Along the Spencer Road to the Number Five Mountain destination, the line will be visible as it runs parallel to the road in places and crosses as well.

Should this line be constructed as planned the items listed as Points above, will be included in conversations regarding the towers. Children will ask their parents why the big tower is there. Knowledgeable parents will answer in a variety of statements summarized in the above questions. The view of the tower ignites the question and there only takes one in view to begin the conversation. The answers as taken from above are not ones we want told.

There is a statement in which we could all take pride- something like.....

“See that long patch of cleared ground? Unbelievably, under there is a cable that moves, certified green, renewable power from Canada to southern New England lighting a million homes and helping our environment! “ “ Wow, who did that?” Well that would be Central Maine Power Company and the State of Maine!

This is the positive spin the project needs for exemplary success.  
To achieve it only two things need to happen:



2-Where ever possible the **line must be underground.**

Cost will be greater, but the cost of placing the line below grade was not the reason Northern Pass was rejected.

## Conclusion

It is evident to OCR that CMP has not made sufficient effort to allow the construction project to blend into the existing natural environment or shown that the towers wouldn't negatively affect existing uses and scenic character.

Chapter 315 Section 10 Scenic resources.

10. **Scenic resources.** The following public natural resources and public lands are usually visited by the general public, in part with the purpose of enjoying their visual quality. **Under this rule, the Department considers a scenic resource as the typical point from which an activity in, on, over, or adjacent to a protected natural resource is viewed. This list of scenic resources includes, but is not limited to, locations of national, State, or local scenic significance. A scenic resource visited by large numbers who come from across the country or state is generally considered to have national or statewide significance. A scenic resource visited primarily by people of local origin is generally of local significance.** Unvisited places either have no designated significance or are "no trespass" places. Sources for information regarding specific scenic resources are found as part of the MDEP Visual Evaluation Field Survey Checklist (doc. #DEPLW0540) provided in the application.
- A. National Natural Landmarks and other outstanding natural and cultural features (e.g., Orono Bog, Meddybemps Heath); **#5 Bog**
  - B. State or National Wildlife Refuges, Sanctuaries, or Preserves and State Game Refuges (e.g., Rachael Carson Salt Pond Preserve in Bristol, Petit Manan National Wildlife Refuge, the Wells National Estuarine Research Reserve);
  - C. A State or federally designated trail (e.g., the Appalachian Trail, East Coast Greenway); **Old Canada National Scenic Byway, ITS snowmobile trail**
  - D. A property on or eligible for inclusion in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended (e.g., the Rockland Breakwater Light, Fort Knox); **Prisoner of War Camp**
  - E. National or State Parks (e.g., Acadia National Park, Sebago Lakes State Park);
  - F. Public natural resources or public lands visited by the general public, in part for the use, observation, enjoyment and appreciation of natural or cultural visual qualities. (e.g., great ponds, the Atlantic Ocean). **Coburn Mountain Public Land, Moore Pond Public Land, #Five Mountain Trail (private land purchased for public benefit)**
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Applicants for permits under the NRPA are required to demonstrate that a proposed activity meets the standards of the NRPA that have been established by the Legislature. Standard 1 in Section 480-D of the NRPA requires an applicant to **demonstrate that a proposed activity will not unreasonably interfere with existing scenic and aesthetic uses.**

CMP has not made efforts to assure the project will not interfere with scenic aesthetic uses.

**8B. Design.** When circumstances do not allow siting to avoid visual impacts on a scenic resource, elements of particular concern should be designed in such a way that reduces or eliminates visual impacts to the area in which an activity is located, as viewed from a scenic resource. Applicants should consider a variety of design methods to mitigate potential impacts, including screening, buffers, earthen berms, camouflage, low profile, downsizing, non-standard materials, lighting, and other alternate technologies.

OCR maintains that CMP did not make design allowances to mitigate any impacts to scenic character or existing use

**OCR asserts that CMP has made no effort to minimize project effects within sight of OCR or any of the scenic land-marks along the Spencer Road and suggests that the Maine Department of Environmental Protection take appropriate action.**

Sincerely for the Old Canada Road Board of Directors,




Robert Haynes, Coordinator

State of Maine

Somerset, ss.

February 28, 2019

Personally, appeared before me the above named Robert Haynes and made oath as to the truth of foregoing pre-filed testimony.



Davida D. Barter, Notary Public

My commission expires: 3/16/2020

DAVIDA D. BARTER  
NOTARY PUBLIC - MAINE  
MY COMMISSION EXPIRES 03/16/2020