



July 18, 2018
(electronic filing)

Maine Department of Environmental Protection
Attn: Jim Beyer
106 Hogan Road Suite 6
Bangor, Maine 04401

Re: Request by the Appalachian Mountain Club to intervene in the matter of Central Maine Power Company's New England Clean Energy Connect Project Natural Resources Protection Act and Site Location of Development Act Applications.

Mr. Beyer:

Following is the Appalachian Mountain Club's (AMC) petition to intervene in the matter of Central Maine Power Company's New England Clean Energy Connect Project Natural Resources Protection Act and Site Location of Development Act applications.

Thank you for your consideration of this petition.

Sincerely,

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Additional Offices: Amherst, MA • Bethlehem, PA • Bretton Woods, NH • Greenville, ME • New York, NY • Portland, ME

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
(Electronic Filing)

**APPALACHIAN MOUNTAIN CLUB PETITION TO INTERVENE IN THE MATTER
OF CENTRAL MAINE POWER COMPANY'S NEW ENGLAND CLEAN ENERGY
CONNECT PROJECT NATURAL RESOURCES PROTECTION ACT AND SITE
LOCATION OF DEVELOPMENT ACT APPLICATIONS**

Pursuant to provisions of 5 M.R.S.A., Chapter 375 and Chapter 3 Section 11(A) of the Department of Environmental Protection rules, the Appalachian Mountain Club (AMC) hereby petitions to intervene in the above-captioned proceeding. Section 11(A)(1) of DEP's rules states "*A petition shall be granted if it demonstrates that the petitioner is or may be, or is a member of a class which is or may be, substantially and directly affected by the proceeding.*" For reasons outlined below, the Appalachian Mountain Club is entitled to intervene in this matter.

The AMC, headquartered at 10 City Square, Boston, MA 02129, is a private non-profit organization whose mission "*promotes the protection, enjoyment, and understanding of the mountains, forests, waters, and trails of America's Northeast and Mid-Atlantic regions.*" We encourage public respect for the natural environment, provide leadership in its protection, and provide recreational and educational programs and facilities for the enjoyment and wise stewardship of the outdoors. Our over 100,000 members, volunteers and supporters reside largely in the Northeast and include over 6,500 members in our Maine chapter, as well as many others who visit the state on a regular basis to participate in outdoor recreational activities. AMC owns 74,000 acres of forest land in Piscataquis County that are managed for multiple uses including biological conservation, sustainable forestry, backcountry recreation and environmental education. We have been leaders in promoting ecotourism and regional economic development in the Moosehead Lake region. The AMC therefore has an active interest in the protection of Maine's significant natural resources. Any proposal to modify these environments must be undertaken only with the most careful consideration of the potential long-term impacts.

The AMC recognizes that the increased use of environmentally sound renewable energy resources is a positive development. We have a long history of research and advocacy in the areas of air quality and climate change, and fully recognize the adverse impacts that our society's continued heavy reliance on fossil fuels can have on the areas we care about. However, we feel that the construction of renewable energy facilities must be undertaken with a full understanding of the potential consequences, and that adverse impacts associated with these facilities should be avoided, minimized or mitigated to the maximum degree possible.

The AMC has a demonstrated history of active involvement with energy facility siting and operation issues in the state including wind and hydroelectric power. We have been active intervenors in several wind power permitting processes as well as Federal Energy Regulatory Commission (FERC) hydroelectric dam relicensings. We conduct GIS-based research on the relationship between wind power and natural resource values, and served as an alternate member of the Governor's Task Force on Wind Power Development in Maine. We thus have a strong

interest in the appropriate siting of future energy facilities (including transmission lines) in the state.

The AMC has the following specific interests that support our standing to intervene in this matter:

- **Kennebec Gorge:** AMC was an intervenor in the FERC relicensing of the Harris Dam hydroelectric project and led the development of a settlement agreement that included the protection of the shoreland of Indian Pond as well as public access and specified flow regimes to support recreational whitewater boating opportunities for different skill levels through the Gorge. AMC members are among those who use the Gorge for recreational activities, and AMC chapters host volunteer-led whitewater paddling trips through the Gorge.
- **Appalachian Trail:** The AMC is a member of the Appalachian Trail Conservancy, a non-profit organization that partners with the US National Park Service on the maintenance and management of the AT. AMC maintains sections of the trail in five states (though not the section that would be impacted by this project), and AMC members are users of all sections of the trail. AMC led the development of a settlement agreement with the Bingham wind power project that provided compensatory mitigation for the visual impact of the project on the AT, demonstrating our interest in protecting the scenic character of the trail.
- **New corridor:** The project as proposed would cut a new 150-foot-wide corridor for 53 miles through the undeveloped forests of western Maine. The AMC has a long history of working for the conservation and appropriate development of Maine's undeveloped forest regions (dating back to our role in founding the Northern Forest Alliance in 1990), with a particular focus on the western Maine mountains region. We are a founding member of the Maine Mountain Collaborative¹, an organization dedicated to promoting innovative approaches the conservation and management of this globally significant region.
- **Applying best available technology:** AMC's Energy and Climate Policies² states, "*It is the policy of the AMC that best available technologies and operational changes to reduce impacts should be required and consistently applied components of the permitting of all energy projects, and should not be a subject for negotiation between developers, permitting agencies, and stakeholders.*" AMC has a demonstrated history of working toward this end. In 2013 we helped develop and secure passage of legislation that required the use of "best practical mitigation" for wind power projects, and we negotiated a settlement agreement with the Bingham wind project requiring the use of radar activated lighting be required to prevent nighttime light pollution. This application proposes using outdated aboveground transmission lines with high ecological and aesthetic impacts, though the technology exists to bury HVDC transmission lines along

¹ We wish to make clear that our intervention has no official connection to the Maine Mountain Collaborative, and any views expressed by AMC in this matter are the sole responsibility of AMC and should not be construed as representing those of the MMC or its members.

² See https://www.outdoors.org/wp-content/uploads/2017/10/2015_Energy_Policy-1.pdf.

existing corridors. Burial is both practical and economically viable and was proposed by two competing projects in the Massachusetts RFP process. Burial would greatly reduce the forest fragmentation created by the new corridor and eliminate the need for overhead lines over the Kennebec Gorge.

- **Demonstrated greenhouse gas emissions:** Projects claiming greenhouse gas emission reductions should demonstrate unequivocally that such reductions are actually occurring in the atmosphere. In neither this application nor Northern Pass project in New Hampshire has Hydro-Quebec demonstrated that the power transmitted by this project would result in a true and verifiable reduction in global greenhouse gas emissions, rather than simply shifting existing power from one market to another.

We therefore respectfully request that our Petition to Intervene in this matter be granted.

Dated July 18, 2018



David Publicover, D.F.
Senior Staff Scientist/Assistant Director of Research
Appalachian Mountain Club