

Kirkland, April

From: Alan Stearns <alan@rrct.org>
Sent: Tuesday, April 16, 2019 6:27 AM
To: Clement, Jay L CIV USARMY CENAE (US)
Cc: Bryan Emerson; Mirabile, Gerry J.; Beyer, Jim R
Subject: Re: [Non-DoD Source] RRCT comment: NAE-2017-01342 Central Maine Power

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jay:

Thanks for the response. While we always work well with CMP, RRCT's comments stopped short of suggesting CMP actions, but rather focused on the opportunities to re-focus MNRCP or In Lieu Fee toward more intentional outcomes, especially for the largest projects where MNRCP payments might be targeted toward watersheds or localities.

Thanks,

Alan

Alan Stearns, Executive Director
Royal River Conservation Trust
P.O. Box 90, 325 Main Street | Yarmouth, ME 04096
www.RRCT.org | Alan@RRCT.org | (207) 215-8315 (cell); (207) 847-9399 (main office)
[Donate, Join or Renew](#) | [Business Contributions](#) | [Planned Giving and Stock Transfers](#)

On Mon, Apr 15, 2019 at 2:01 PM Clement, Jay L CIV USARMY CENAE (US) <Jay.L.Clement@usace.army.mil> wrote:

Alan:

Thank you for your comments concerning the application of Central Maine Power Company to construct and maintain the electrical transmission line known as the New England Clean Energy Connect, extending from the Maine/Canadian border at Beattie Township to Lewiston, Maine.

We will forward your comments to the applicant who may contact you directly in an effort to resolve your concerns. We have made your comments part of the official file and they will be considered, along with all other comments received, in determining what permit action is in the public interest.

Because your concerns are specific to the compensation plan for the project and you may be able to suggest alternative/supplemental compensation for impacts in southern Maine, I'm looping Gerry Mirabile from CMP and Jim Beyer from the Maine DEP into this reply. Applicant sponsored mitigation can certainly be an alternative or complement to an ILF payment. In fact, we already see that in CMP's current proposal, albeit for impacts closer to the northern section of the project. Perhaps your more specific regional knowledge could offer them other options in the southern Maine area and I encourage you to have those direct discussions.

If you have any questions concerning this matter, please contact me at 207-623-8367 at our Augusta, Maine Project Office.

Sincerely,

Jay L. Clement
Senior Project Manager
Maine Project Office

-----Original Message-----

From: Alan Stearns [mailto:alan@rrct.org]

Sent: Monday, April 15, 2019 1:39 PM

To: Clement, Jay L CIV USARMY CENAE (US) <Jay.L.Clement@usace.army.mil>; Bryan Emerson <bryan.emerson@tnc.org>

Subject: [Non-DoD Source] RRCT comment: NAE-2017-01342 Central Maine Power

Jay:

In the form of comments on CMP's pending application, I write to continue our conversation about the suitability of the Maine Natural Resources Compensation Program (MNRCP), as currently structured, to best compensate for the impacts of large-scale projects. RRCT's concern is that MNRCP is becoming a "one size fits all" program, and that applicants of any scale no longer appear to need to consider localized or watershed-based compensation of impacts. Further, MNRCP reliance on large regions - rather than more narrow watersheds or smaller regions -- have inadequate basis in natural resource sciences.

Of particular interest to the Royal River Conservation Trust (RRCT) are significant wetland impacts from the pending proposal in the towns of Pownal (Cumberland County) and Durham (Androscoggin County) resulting from various transmission and substation project elements. All of the Pownal impacts, and most of the Durham impacts, fall within the Royal River watershed. The Royal River watershed is split by MNRCP's regional lines (Southern and Central) with little or no discernible basis.

A significant fraction of the \$3,074,416 that CMP proposes to pay to MNRCP arises from these Pownal and Durham impacts. RRCT's concern is the difficulty -- or the burden -- to arrive at a possible goal that the compensation for impacts would actually benefit either the communities of Pownal and Durham, or the watershed of the Royal River. This concern might be significantly exacerbated when considering impacts from large substations on communities such as Lewiston.

ISSUE #1: According to methodologies used by the Maine Statewide Outdoor Recreation Plan (SCORP), Durham and Androscoggin County have significantly lower percentages of conservation acreage than other communities, counties, or regions of Maine. It's not clear to me that the regulatory concept of Environmental Justice remains a currently applied regulatory concept. If so, the environmental impacts of major projects might best be compensated with an eye toward local geography and comparable income levels of impacted and benefited communities.

ISSUE #2: In Cumberland and Androscoggin Counties, the problem of targeting compensation is exacerbated by the lack of designated habitat focus areas in most of interior Cumberland County, and all of Androscoggin County. These focus areas are a considerable factor in competitive MNRCP scoring and decision-making. In counties or watersheds with large wetland impacts (high rates of development), but a bias against well-scored wetland compensation due to a lack of priority areas, there is a predicted cumulative deterioration of hydrology and other important natural resource factors. The wetlands of Durham and Pownal score very high according to the Nature Conservancy for predicted riparian climate resilience, and have a meaningful role in water quality, habitat, and flood control downstream and throughout the Royal River watershed.

ISSUE #3: The vast scale of MNRCP's regions, combined with the split of the Royal River watershed with little or no basis in natural resource science, makes it difficult to predict that the wetland compensation of impacts within a watershed will benefit the watershed. After years of dialog, RRCT urges MNRCP to revise its approach to regions.

ISSUE #4: The large size of the MNRCP regions (and resulting difficulty focusing or predicting the geographic competition for compensation proposals) is accentuated by the large scale of the CMP application. Small development proposals lead to a valid argument for pooling impacts and scoping large geographies for viable wetland compensation. Large development proposals or projects -- with hundreds of thousands or millions of dollars of wetland compensation -- have the scale and magnitude to be expected to have localized or watershed-based compensation portfolios. I'd urge the Army Corps to consider requiring that CMP's contributions to MNRCP come with specific geographic parameters for resulting compensation.

Thanks,

Alan

Alan Stearns, Executive Director

Royal River Conservation Trust

P.O. Box 90, 325 Main Street | Yarmouth, ME 04096

[Blockedwww.RRCT.org](http://www.rrct.org/) <Blockedhttp://www.rrct.org/> | Alan@RRCT.org <mailto:Alan@RRCT.org> | (207) 215-8315
(cell); (207) 847-9399 (main office)

Donate, Join or Renew <Blockedhttps://rrct.org/donate-2/> | Business Contributions
<Blockedhttps://rrct.org/donate-2/business-partnership-program/> | Planned Giving and Stock Transfers
<Blockedhttps://rrct.org/donate-2/>