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To: DEP, NECEC
Subject: Public Hearing Testimony : New England Clean Energy Connect Project License Suspension Proceeding

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Commissioner et al:

I am a resident of Rome, Maine and my testimony is my own.

I am here to impress upon the DEP that regardless of our individual views about the NECEC project, the only proper action DEP can take at this time is to suspend the permit issued for NECEC. This is because CMP/NECEC no longer has Right Title and Interest for the entire line.

Maine's Constitution, Article IX, Section 23 states that public land may not be reduced or its uses substantially altered except by a 2/3 vote of the Legislature. Further, if the legislature votes that public lands may be reduced or altered, the proceeds from the sale of such land must be used to purchase additional real estate in the same county for the same purposes.

Unfortunately, the State chose to ignore the law when it signed a lease with Central Maine Power in 2014 for 33 acres that bisect a parcel of public land in Somerset County between Johnson Mountain Township and the West Forks for construction of the NECEC Corridor. This was the first of *three secret leases* that were brokered *out of the public view* by the State with CMP by *two different administrations*, for such little money they can scarcely be said to have been negotiated, without the required legislative approval.

Maine's Legislature has found *four times* now that this lease was a substantial alteration that must require a 2/3 vote of their approval. Most recently, in July, the 130th Legislature passed SP 594 - resolving on behalf of the people they represent, US, to express their sense in accordance with Maine's constitution that the lease provided to CMP to cross the public reserved land in West Forks Plantation and Johnson Mountain Township constitutes a substantial alteration of those lands, requiring a 2/3 vote of all the members elected to each House of the Legislature.

Justice Michaela Murphy ruled, "The Court finds no competent evidence to support BPL's claim that it made the constitutionally-required finding of no "reduction" and/or no "substantial alteration" before it entered into the 2020 lease with CMP. Director Cutko therefore exceeded his authority and his decision is therefore reversed."

The Bureau of Parks and Lands did not make a written finding about project impacts for months after the lease was signed. There has never been a full Environmental Impact Statement for this project. And CMP fought the proposed study of the project's impact on greenhouse gas emissions. This project has not, thus far, been held to the same high standard as every other infrastructure project in this state. It must be held to the same standard. Allowing a corporation to subvert our laws sets a dangerous precedent.

CMP/NECEC has no Right Title and Interest for the entire line, and should not be allowed to continue damaging construction activities until they either receive legislative approval, identify and permit an alternate route, or succeed on appeal.

Thank you.

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