



**Comments of the Appalachian Mountain Club  
Regarding suspension of the DEP Order  
# L-27625-26-A-N/L-27625-TB-B-N/L-27625-2C-C-N/L-27625-VP-D-N/L-27625-IW-E-N,  
permitting the New England Clean Energy Connect  
November 22, 2021**

Good evening, I am Eliza Townsend, Maine Conservation Policy Director for the Appalachian Mountain Club. The Appalachian Mountain Club again requests that the Department of Environmental Protection suspend the permit for the New England Clean Energy Connect power transmission corridor.

AMC is the nation's oldest conservation, recreation, and education organization, with the mission to foster the protection, enjoyment, and understanding of the outdoors. We have 6,500 members in Maine and own 75,000 acres of forestland in the 100-Mile Wilderness region of Piscataquis County, managed for multiple use, including sustainable forestry, backcountry recreation, and environmental education. Our forest management and conservation advocacy activities are informed by an active, highly credentialed research team.

We testified in October that the permit should be suspended because:

- CMP does not have the right, title and interest in the full property needed to complete the corridor, and it did not have that RTI when it applied for the permit;
- With the lease to cross public lands invalidated, CMP has no route to complete the corridor;
- Continued construction increases the long-lasting harm to a forest of global significance, and that harm may never be mitigated if the project is not completed.

These circumstances are reason enough for the DEP to suspend the permit for the NECEC. Since October 19, two additional changes of circumstance have occurred that make the permit suspension absolutely imperative.

First, on November 2 Mainers voted overwhelmingly to ban the construction of the NECEC and to require the legislature to approve by a 2/3rds vote the use of public lands for such projects. With last week's certification of the election result, that measure will become law in less than a month, and the damage to our environment gets worse every day that Central Maine Power continues with construction. Commissioner Loyzim should suspend the permit immediately.

Second, CMP has submitted a Conservation Plan that is wholly inadequate. In fact, it is not a plan at all, as it meets none of the seven obligations set out in Condition #39 and outlined on page 81 of the Final Order. The DEP ordered CMP to identify the specific areas to be conserved and the management of those parcels "to protect wildlife and fisheries by maintaining suitable and sufficient habitat," as required by Site Law and its implementing rules. Instead, the Conservation Plan merely expresses an interest in conserving parcels in a general 7-million-acre block, and reports on the establishment of a working group to identify specific parcels.

This is unacceptable. The Final Order was clear. Yet today, while the habitat fragmentation that the Department found unreasonable without mitigation has now occurred, there is no meaningful plan in place to compensate for those impacts. If the DEP's future orders are to have any meaning, it must enforce those already in existence. This issue alone is reason to suspend the permit.



The changes in circumstance are now numerous and very serious:

- An invalidated lease, meaning CMP does not have full right, title, and interest;
- The project cannot be completed as permitted, and there is no alternate route;
- Maine voters have overwhelmingly passed a new law which the department must enforce;
- CMP has not complied with the conditions of its permit.

While we appreciate the voluntary, temporary halt to construction, that is not enough. Central Maine Power has demonstrated that it cannot be trusted to do the right thing. A formal suspension of the permit is required. Based on the facts, Commissioner Loyzim has no choice but to suspend the permit.

She should do it immediately to prevent further damage to our natural resources.