

PETITION

TO: The Maine Department of Environmental Protection for leave to intervene in the matter of CMP's New England Clean Energy Connect (NECEC) project

FROM: Friends of the Boundary Mountains (FBM)

Identification of the petitioner:

Friends of the Boundary Mountains (FBM) is a 501 (3) (c) non-profit grassroots organization formed in 1995. The mission of FBM is to safeguard the Boundary Mountains from development and to conserve the area for traditional uses of recreation, wildlife and forestry. The group formed in 1995 when the protected mountaintops were originally threatened by rezoning for wind power development.

FBM has a long history of working to safeguard the Boundary Mountains from industrial development. FBM was an active participant in the LURC and DEP proceedings regarding Kenetech Corporation's plan to industrialize the Boundary Mountains with windpower development in the 1990s.

In 2007 FBM was granted intervenor status with respect to the LURC proceedings in the matter of Zoning Petition ZP 709, submitted by TransCanada Maine Wind Development, Inc and Plum Creek Maine Timberlands, LLC for the Kibby Wind Power Project in Kibby and Skinner Townships.

In 2010 FBM was granted intervenor status with respect to the LURC proceedings in the matter of Development Permit DP 4860 (Sisk Mountain) located in Kibby Twp. and Chain of Ponds Twp, submitted to the Land Use Regulation Commission (LURC) by TransCanada Maine Wind Development, Inc.

FBM also actively participated in the LURC rulemaking proceedings regarding TransCanada's petition to expand the expedited zone on Sisk Mountain in Chain of Ponds Township.

FBM actively participated in all the above proceedings with LURC.

Effect of the proposed activity on the petitioner:

FBM represents many members of the public who live, work, or recreate in the Boundary Mountains. FBM is a public voice, sometimes the only public voice, dedicated to protecting the Boundary Mountains.

Constructing a huge high voltage transmission line that would cut through the Boundary Mountains is anathema to our membership and the mission of Friends of the Boundary Mountains.

We have long advocated for the preservation of this region of the State as a completely intact ecosystem. No other part of Maine combines the beauty, remoteness and sense of wildness as these Boundary Mountains stretching northerly and westerly to the Canadian border.

In 1999 Friends of the Boundary Mountains submitted a Conservation Proposal for protecting the Boundary Mountains to the Bureau of Parks and Lands, Maine Department of Conservation. Friends of the Boundary Mountains has also published a guide to the Boundary Mountains for those seeking to take a self-guided tour of these magnificent and historic lands.

Friends of the Boundary Mountains honors the heritage and traditions of people who draw strength, and often their livelihoods, from this land. We have long supported a sustainable working forest ethos in the Boundary Mountains. We see no inherent conflict between using the forest in this manner and preserving the Boundary Mountains as intact habitat for myriad species of wildlife, including a number of threatened species of concern. But NECEC would vastly fragment and change the habitat and therefore this activity would have great impact on our members and organization.

Specific contentions regarding the subject matter of the hearing and the relevant statutory criteria:

Most of the discussion and questions raised about CMP's NECEC project has heretofore centered on the economic and job aspects and benefits, or lack thereof; whether the project will truly bring in renewable energy; the value and cost to Maine vs. MA; future impacts on Maine's energy mix; the adequacy of proposed mitigation, and the impacts on Maine tourism and outdoor recreation, in particular the crossing of the Kennebec Gorge and AT.

Much less frequently have questions and challenges been directed at the impacts and cumulative effects of the 54 miles of new transmission line corridor proposed to be cut through the wildlife habitat of the Boundary Mountains.

Friends of the Boundary Mountains contents that CMP's claim of environmental sensitivity in laying out the new corridor has vastly underrated the habitat damage that will ensue and the adverse impacts on specific wildlife species. We content that no amount of mitigation can overcome the fragmentation and disruptions that NECEC will cause in the Boundary Mountains.

Another aspect of CMP's NECEC that has not been disseminated or widely discussed is the effects of High Voltage Transmission Lines on animals and plants. Friends of the Boundary Mountains contends that this issue needs to be part of the subject matter of the DEP hearing.

Relevant statutory criteria exist in the NATURAL RESOURCES PROTECTION ACT Title 38 §480 and following subsections.

“The Legislature finds and declares that the State's rivers and streams, great ponds, fragile mountain areas, freshwater wetlands, significant wildlife habitat, coastal wetlands and coastal sand dunes systems are resources of state significance. These resources have great scenic beauty and unique characteristics, unsurpassed recreational, cultural, historical and environmental value of present and future benefit to the citizens of the State and that uses are causing the rapid degradation and, in some cases, the destruction of these critical resources, producing significant adverse economic and environmental impacts and threatening the health, safety and general welfare of the citizens of the State.”

“The Legislature further finds and declares that there is a need to facilitate research, develop management programs and establish sound environmental standards that will prevent the degradation of and encourage the enhancement of these resources. It is the intention of the Legislature that existing programs related to Maine's rivers and streams, great ponds, fragile mountain areas, freshwater wetlands, significant wildlife habitat, coastal wetlands and sand dunes systems continue and that the Department of Environmental Protection provide coordination and vigorous leadership to develop programs to achieve the purposes of this article. The well-being of the citizens of this State requires the development and maintenance of an efficient system of administering this article to minimize delays and difficulties in evaluating alterations of these resource areas.”

“The Legislature further finds and declares that the cumulative effect of frequent minor alterations and occasional major alterations of these resources poses a substantial threat to the environment and economy of the State and its quality of life.”

“This article is known and may be cited as "the Natural Resources Protection Act."

Also relevant statutory criteria can be found under the SITE LOCATION OF DEVELOPMENT law, §484. Standards for development: 3. No adverse effect on the natural environment. The developer has made adequate provision for fitting the development harmoniously into the existing natural environment and that the development will not adversely affect existing uses, scenic character, air quality, water quality or other natural resources in the municipality or in neighboring municipalities.

Spokesperson for the petitioner:

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Statement regarding the ability of the petitioner to participate in the proceeding:

Friends of the Boundary Mountains is committed to participate in the NECEC proceedings. Our ability to participate is demonstrated by our history as Intervenors in 3 previous LURC proceedings involving large-scale industrial windpower projects in the Boundary Mountains, as detailed above. Friends of the Boundary Mountains is committed to protecting these wildlands and intends to oppose CMP's intrusion to the utmost of its ability.

Thank you for consideration of this Petition.

Robert P. Weingarten
President, Friends of the Boundary Mountains

July 17, 2018