

23 AUGUST 2010

TO: SAMANTA HORN/OLSEN PDM
FROM: E.J. Russell RECEIVED
PO Box 89 SEP 02 2010
LAKESVILLE - ME. LURC-AUGUSTA

Be so ADVISED I AM DEAD AGAINST
ANY WIND POWER ON ANY MOUNTAIN
OR RIDGE^s IN MAINE. The Final
Cost to produce this power is
.29¢ per KW vs .09¢ per KW
from Regular HYDRA power. These
phony wind companies are nothing
more than FOREIGN OWNED POWER
CO^s who use this "Phony Green
Power" as nothing more than a
TAX RIGHT OFF, and all this
at the expense of our WILDERNESSES.

I will be UNABLE to ATTEND
the 22 September meeting in
Lee re the Kossuth two
proposals. All this MUST STOP.

over.

E.J. Russell.

I Live off Grid and I generate
my own Power, so the laws in
the low Run Power Car to the
residence of Maine will not
Affect me one way or the other.
Please wake-up to the truth
about this Pseudo Green Power.
It's not the answer.

BJ

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LURC-AUGUSTA

TO THE PLANTATION OF CARROLL:

**NOTICE AND PETITION THAT THE MEMBERS OF THE COMMUNITY DO
HAVE A UNALIENABLE RIGHT TO REGULATE ANY WINDMILLS BEING
ERECTED IN OUR PLANTATION**

I am in fact Joseph Matthew Griffiths , All rights reserved, by appearance not pro se , rather as a living, breathing , Sovereign Native American human being , Sui juris , not under the venue and jurisdiction of any presumed contracts by the State and/ or Federal Executive Branch of Government , or any other presumed contracts of any existence unless I explicitly admit in Uberrima fides (utmost good faith) , by restricted appearance , of necessity, without recourse. At no time by presumption appears and proceeds in any other manner, waives no rights, remedies and/ or defenses. Joseph Matthew Griffiths stands being himself in honor , without prejudice, with clean hands, the undersigned , gives Notice and Petition to CARROLL PLANTATION , LURC, STATE OF MAINE, and FIRST WIND the following facts and notice:

I am in fact a member of a community known as CARROLL PLANTATION.

It has come to my attention, that I and other human beings who reside in the said Plantation are not going to decide whether we want windmills to be erected in or on our said Plantation . That though they (FIRST WIND) may try and educate us and in that sense get our approval without our electoral consent it has been told to us that because we are a Plantation we do not have the right to tell them they can or can't , that LURC and the State have more jurisdiction over our property than we do .And that if we wanted a say in what goes on in our community we would have to submit to their rules and organize a planning board. I utterly reject this nonsense.

Well I do not know if I am for or against said wind mills, I know for a fact that it is an unalienable right of ours (the community) to decide what stay and goes in our community. The fact that transmission lines are in place, and that energy will be produced as **commerce** negates a common law (natural law) right to them exercising their right to do what they want on private property , as Contrary to what any STATE, LURC, or FEDERAL AUTHORITY, may feel they have in exercising the right over our community. We have the unalienable right of self government. An example of a person having a windmill for there own private use ,and any energy it produces remaining on their own property , is much different than a person, in this case a Corporation, operating a windmill, and having to transport the energy via **commerce**.

My point to have the community members decide, it is our unalienable right and nobody else ,let's have an election, and see the outcome and enforce it. Let the members of the community decide for themselves, we have the right of conscience, and are our own authority to govern ourselves, and a right to regulate commerce in our community, one way or the other.

In the meantime, let's not enter into any contractual obligations with them whatsoever, in taking any undue tribute, or federal reserve notes, besides what is due from them, in the assessment of property taxes, on property they already own.

A copy of this said Notice and Petition was delivered in hand to the Plantation, and mailed to the Lincoln News, the STATE of MAINE, LURC, and FIRST WIND.

By my signature here, and any one else who may want to sign, I hereby revoke their desire to do their commerce in our community, without our elected consent. I ask the said CARROLL PLANTATION to stick this Notice and Petition in a conspicuous place where any member of the community can sign it if they so choose. Only members who reside in our community may sign. Any member who signs this reserves their unalienable right to regulate the commerce in our community, and if any person, human or otherwise, goes against us, against our will, without a proper authority, via election, for the community, FIRST WIND, and whomever else, may be liable for any and all property damages occurred against us, as a result of not getting our permission on this community matter, as this is not a private issue.

CONSTITUTIONAL ISSUES STATE

Section 1. Natural rights. All people are born equally free and independent, and have certain natural, inherent and unalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and of pursuing and obtaining safety and happiness

Section 4. Freedom of speech and publication; libel; truth given in evidence; jury determines law and fact. Every citizen may freely speak, write and publish sentiments on any subject, being responsible for the abuse of this liberty; no laws shall be passed regulating or restraining the freedom of the press; and in prosecutions for any publication respecting the official conduct of people in public capacity, or the qualifications of those who are candidates for the suffrages of the people, or where the matter published is proper for public information, the truth thereof may be given in evidence, and in all indictments for libels, the jury, after having received the direction of the court, shall have a right to determine, at their discretion, the law and the fact.

Section 5. Unreasonable searches prohibited. The people shall be secure in their persons, houses, papers and possessions from all unreasonable searches and seizures; and no warrant to search any place, or seize any person or thing, shall issue without a special designation of the place to be searched, and the person or thing to be seized, nor without probable cause -- supported by oath or affirmation.

Section 6-A. Discrimination against persons prohibited. No person shall be deprived of life, liberty or property without due process of law, nor be denied the equal protection of the laws, nor be denied the enjoyment of that person's civil rights or be discriminated against in the exercise thereof.

Section 15. Right of petition. The people have a right at all times in an orderly and peaceable manner to assemble to consult upon the common good, to give instructions to their representatives, and to request, of either department of the government by petition or remonstrance, redress of their wrongs and grievances.

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Section 19. Right of redress for injuries. Every person, for an injury inflicted on the person or the person's reputation, property or immunities, shall have remedy by due course of law; and right and justice shall be administered freely and without sale, completely and without denial, promptly and without delay.

Section 20. Trial by jury. In all civil suits, and in **all controversies concerning property**, the parties shall have a right to a **trial by jury**, except in cases where it has heretofore been otherwise practiced; the party claiming the right may be heard by himself or herself and with counsel, or either, at the election of the party.

Section 21. Private property, when to be taken. Private property shall not be taken for public uses without just compensation; nor unless the public exigencies require it.

Section 22. Taxes. No tax or duty shall be imposed without the consent of the people or of their representatives in the Legislature.

Section 23. Title of nobility prohibited; tenure of offices. No title of nobility or hereditary distinction, privilege, honor or emolument, shall ever be granted or confirmed, nor shall any office be created, the appointment to which shall be for a longer time than during good behavior.

Section 24. Other rights not impaired. The enumeration of certain rights shall not impair nor deny others retained by the people.

CONSTITUTIONAL ISSUES FEDERAL

Amendment 7 - Trial by Jury in Civil Cases. Ratified 12/15/1791.

In Suits at **common law**, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of **the common law**.

Amendment 9 - Construction of Constitution. Ratified 12/15/1791.

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

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There are other natural rights not in the Constitution , preventing exercising this kind of authority over us without our consent, which are only recognized by the Constitutions, but are not from the Constitutions, but endowed by our Creator.

Made this 9th day of August , 2010

Signatures:

 Sui juris

2293 Main Rd

Carroll Plantation, Maine
04487

207-738-2218

Lapointe, Jeannine

From: marvin nancy allen [mallen7035@fairpoint.net]
Sent: Wednesday, July 07, 2010 5:17 AM
To: Horn-Olsen, Samantha
Subject: Kossuth Township

I am strongly against any effort to streamline permitting around Pleasant Lake in Kossuth TWP. Pleasant was designated as "1A" for a reason. Windmill production DOES NOT change that.

Please do not allow the landscape around Pleasant Lake to be raped by these people.

Regards,
Marvin Allen
299 Peace Pipe Drive
Litchfield, Maine 04350
207-252-0398

Lapointe, Jeannine

From: Eric Lane [tlane@gwi.net]
Sent: Wednesday, July 07, 2010 12:36 PM
To: Horn-Olsen, Samantha
Subject: Kosuth petition

Dear Samantha, I am writing to voice my opposition to the further expansion of the expedited wind zone. The area is first and foremost a recreational area with conservation land and class 2 lakes or great ponds in the view shed. Your own reference indicates that LURC's charge is to preserve natural character.

- **Natural character:** The Commission will seek to maintain the natural character of lakes by encouraging: visual screening of larger developments and non-conforming structures; consolidated use of recreation facilities such as boat docks and access ramps; and provisions for long-term protection of undeveloped shoreland as part of subdivisions and commercial, industrial, and other non-residential proposals

Please stand up for Maine's recreational users.

Thanks

Eric Lane

Lapointe, Jeannine

From: C3H8EQUIP@aol.com

Sent: Monday, September 13, 2010 2:23 PM

To: Todd, Fred

Subject: Proposed rule number:2010-P211-Champlain Petition Rule

Mr. Todd,

I wish to express my support of First Winds petition to incorporate Kussuth parcels into the project. I would like to be able to attend the LURC meeting on Sept. 22nd., but my current obligations make it impossible. Should things change, I will gladly attend to add my voice to the planned project. I believe that the addition meets the criteria to add a specified place to the expedited permitting area.

Sincerely,
David W. Breed

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Wednesday, September 08, 2010 3:23 PM
To: 'Millmar4@aol.com'
Subject: RE: No ! No ! No !

Thank you for your comment. I am assuming that you are writing regarding the rulemaking proposal for Kossuth. If that is incorrect, please let me know.

Samantha Horn Olsen

From: Millmar4@aol.com [mailto:Millmar4@aol.com]
Sent: Wednesday, September 08, 2010 3:21 PM
To: Horn-Olsen, Samantha
Subject: No ! No ! No !

Please record us as being very opposed to the Wind Project !!!

Marion & Charles Millner Grand Lake Stream Road Princeton Maine

Lapointe, Jeannine

From: Millmar4@aol.com
Sent: Wednesday, September 08, 2010 3:30 PM
To: Horn-Olsen, Samantha
Subject: Re: No ! No ! No !

Yes that is correct sorry should have been more expletive ! Just catching up on old mail that needed attention best to you in defeating this ugly project BUT with the way politics goes these days we are concerned !! CJ Millner

Lapointe, Jeannine

From: Eydiebreed@aol.com
Sent: Friday, September 17, 2010 7:57 PM
To: Todd, Fred
Subject: Support for the 2010-P211-Champlain Petition Rule

Our family is building a camp in the Vinegar Hills development of Carroll Plantation. This is our commitment to our family's future, and we looked very seriously at the impact that First Wind might have on our goal. Having attended meetings and talked with Neil Kiely and the presenters, we have had our questions addressed. We have also checked out the actual windmills and do not find them objectionable. We support the proposal to incorporate Kussuth parcels into the project. Our camp is located immediately to the south of the proposed project. We believe that it will be a good project for the community and fit well with the area. The positive impact on the community in terms of environmentally friendly renewable energy, economic development and much needed tax relief will be a true blessing for the many poor families who live there. Please allow this very positive project to continue and make it a win-win arrangement for all parties concerned.

Sincerely, Eydie and Dave Breed

Lapointe, Jeannine

From: jack gagnon [jackg@fairpoint.net]
Sent: Wednesday, August 11, 2010 7:22 AM
To: Horn-Olsen, Samantha
Subject: Adding Kossuth Twp to the Expedited Wind Development Zone

I am completely opposed to subjecting Kossuth to this destruction. Why? -- The governor's plan calls for roughly 1700 windmills, spaced 1/5 of a mile apart; a total distance of about 340 miles. Imagine a road from Sanford to Presque Isle. Now envision driving for about six hours, You will pass a 400 foot high windmill every time your odometer clicks off two tenths of a mile. And it gets worse. -- Since wind turbines have to be placed at the highest elevation possible to be even marginally productive, guess what areas are being targeted? The least accessible, undeveloped areas, i.e., the best of the remaining Maine wilderness. Think about it. **If you wanted to formulate a plan to ruin what the Maine woods has to offer, this would be it!**

jack gagnon

lakeville, maine

Lapointe, Jeannine

From: TonyV45@aol.com
Sent: Friday, July 09, 2010 1:00 PM
To: Horn-Olsen, Samantha
Subject: Bowers Mountain wind project

As a land owner in Lakeville I am opposed to the construction of windmills on Bowers Mountain for environmental and aesthetic reasons.

Tony Vendetti
Lower Sysladobsis Lake

Lapointe, Jeannine

From: psalm1 tds.net [psalm1@tds.net]
Sent: Wednesday, July 07, 2010 2:38 PM
To: Horn-Olsen, Samantha
Subject: from Sara Alexander, met you today at the LURC meeting

Dear Samantha,

It was very nice meeting you and talking with you today at the LURC meeting. Thank you for clarifying the process today. Unfortunately, despite my repeated requests, I was not able to read the letter (below) to the people in that room. I believe that this letter describes the "elephant in the room" when it comes to First Wind's proposals to expedite development in Carroll Plantation, and to now to expand development to Kossuth.

Please expedite this letter to the LURC committee, and in your public comment forum, from my brother who is a Carroll Plantation taxpayer and former resident of Maine. It is imperative that Mainers, including the LURC committee members, understand the concepts behind First Wind's proposed development.

If you have any questions, please feel free to contact me at my email address or at 269-2157.

Thank you,
Sara Alexander

June 30, 2010

Dear Taxpayer of Maine,

I request that you, as a taxpayer of Maine, ask yourself whether this is the Maine that you envision...one with strobe lights, flicker, constant strong noise, possible adverse health effects, and threats to wildlife....and for power that will not even light your own lamps! If this kind of reckless development is not the Maine you envision, immediately voice your opposition to the board of select persons in Carroll Plantation (zip code 04487), and in nearby Kossuth.

Here are some important negative aspects of wind turbine projects that you should consider. These nasty side effects are never mentioned by developers of wind turbine projects.

-Noise. Wind turbines make low-frequency noise, like a drumming sound as the blades pass the towers. This noise can cause disruptions to sleep patterns. Here is an example of the noise wind turbines can make in nearby Vinalhaven, Maine: http://www.youtube.com/watch?v=XH0NUyrZ_OQ
This low frequency noise has been associated with sleep disorders, irregular heartbeats, and anxiety.

-Shadow flicker. This is the reflection of sunlight off windmill blades, which can create an annoying reflection in homes, roads, and properties.

-Property values. There is widespread agreement that property values decrease in the vicinity (within sight or sound) of wind turbines. First Wind is trying to convince you otherwise. Do not let them fool

you. Gardner Appraisal Group's analysis for the American Wind Power Center found that, at 1.8 miles from wind turbines, property values decreased an average of 25%. Decreases in property values closer to turbines are even greater. Talk to residents in the vicinity of the Mars Hill project and ask them which direction their property values have headed.

-Energy efficiency. Wind turbines are not energy- or cost efficient. According to the Energy Information Administration, wind produces only 1.3% of U.S. electricity but receives federal taxpayer subsidies 25 times as much per megawatt hour as subsidies for all other forms of electricity production combined. Wind power needs to be backed up by other sources of energy in order to avoid blackouts.

-Cost. Wind turbine projects need your tax subsidies to survive. They are energetically inefficient. They leave very few permanent jobs in the communities where they are constructed. Neil Keilly, representative for First Wind, informed me that the proposed Bower's Mountain Project would receive support from federal stimulus money. If wind power is so efficient, why can't it pay for itself? First Wind in an out-of-state (international) corporation that simply does not have the welfare of Carroll Plantation, Kossuth, or of Maine in mind.

Residents of Carroll Plantation, Kossuth, and of Maine, wake up! Ask yourself: if wind energy is so good for the state, such a swoon for taxpayers, such an efficient form of 'green' energy, why is First Wind not trying to develop the top of Acadia National Park or Mount Katahdin? Further, why is First Wind not developing sites well offshore out of the site and sound of land? First Wind needs to answer these questions before they proceed with the proposal. An out-of-state development company is coming the beautiful eastern Maine and trying to cram a money-losing project down your throat. They are using taxpayer subsidies to try to balance their books. They are trying to woo residents with tax breaks but have no plans to offset the decrease in residents' property values.

We should not let First Wind's hollow promises of financial benefits to Carroll and Kossuth taxpayers fool us, the people of State of Maine. First Wind is an aggressive international development company all too happy to tap into federal stimulus funds at the expense of the quality of life that Mainers have long cherished and protected. In addition to writing the Carroll Plantation and the Kossuth town office, I also ask you to immediately voice your opposition against the Bowers Mountain Wind Project to:
LURC: Attn: Bower's Mtn. Proposed Wind Project, 22 State House Station, Augusta, ME 04333.

Thank you.

Sincerely,

Paul Rudershausen
303 College Circle
Morehead City, NC 28557

Lapointe, Jeannine

From: Tracy Allen [muttleys1@att.net]
Sent: Monday, September 20, 2010 11:12 AM
To: Horn-Olsen, Samantha; Kevin & Marie Gurall; 'Lynne Williams'
Cc: Carroll, Catherine M.
Subject: Letter regarding FW request to move 695 acres in Kassuth into Expedited
Attachments: Kassuth.wpd

September 20, 2010

To: LURC Commissioners

From: Tracy Allen
17 Bama Road
Lakeville, ME 04487
(207) 738-2421
(706) 492-7000

Dear Commissioners;

I am writing to oppose First Wind's (aka - Champlain Wind) request to move the 695 acres in Kossuth Township, ME into Expedited status. Unfortunately I will not be able to attend the September 22nd meeting being held in Lee, ME but I hope that you will all take the opportunity to read my letter prior to ruling on First Wind's request.

I recognize that you have been limited in what you can, and can't do, in regards to the proposed wind towers across this state. Governor Baldacci and the Maine legislature has taken away any option you have to remove property from Expedited status and put it into Non-Expedited territory. It's apparent that the Governor and Legislature have pushed LURC to approve as many projects as possible - so that the state can reach Governor Baldacci's stated wind goals. But you do still have the power to not allow property that is currently NOT in Expedited territory to remain that way.

It has come to light that the Governor's task force did not take notes during their last two meetings: the meeting where they apparently came up with the boundaries for Expedited versus Non-Expedited territories. Part of Kassuth was put in Expedited and the rest was not. 'Unfortunately' for First Wind - Dill Hill Ridge was left out of the Expedited territory. Their request that you move this land into Expedited - so that it will make it that much easier for them to move forward with their proposed project for Bower's Mtn - is frustrating. As was noted in your June meeting in Bangor - First Wind has not even put a permit in for the Bower's Mountain project yet and yet they are already attempting to move borders. Neil Keily made it quite clear that to not have it moved into Expedited territory - would cost extra time and money for First Wind. (And while it was 'generous' of him to offer extra staff to help you with all the work involved with this process - I still couldn't sympathize with him!!)

I ask that you consider the fact that Dill Hill Ridge towers over Pleasant Lake - a beautiful lake that was rated 1A in LURC's 1987 Great Lake study. While we'll never know for certain how the Task Force made its decisions, I hope you'll agree that their intent was obviously to protect Pleasant Lake. Please enforce the principal values as expressed in your Comprehensive Land Use Plan and REFUSE to move Dill Hill Ridge into Expedited status.

9/20/2010

Thank you
Tracy Allen

Lapointe, Jeannine

From: Vincent Crosby [2vrcjrlake@gmail.com]
Sent: Friday, September 17, 2010 8:41 PM
To: Horn-Olsen, Samantha
Subject: Expansion of expedited area (kossuth)

To whom it may concern:

Please be advised that I ,Vincent R Crosby, PO box 215 Springfield Maine, 04487 is opposed to the Expansion of the expedited area in Kossuth.

Thank you , Vincent R.Crosby

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Thursday, September 23, 2010 8:46 AM
To: Todd, Fred
Subject: Fw: Bowers Mountain Wind Project

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

From: Lisa Wilson <buddy3dave@yahoo.com>
To: Horn-Olsen, Samantha
Sent: Wed Sep 22 16:02:31 2010
Subject: Bowers Mountain Wind Project

Dear Mrs. Horn-Olsen,

I am writing you concerning the LURC approval of the Bowers Mountain wind project that is being contemplated. My husband and I own property on Bowers Mountain Rd in Carroll Plantation. We purchased this piece of land solely for the magnificent view, tranquility and simplicity of the area. We have had intentions on building our log cabin dream home to spend our life in. If the proposed windmills are erected our property is useless to us and we most likely will never be able to sell it because frankly who wants to look at 500ft steel structures. I spoke with the First Wind project manager I believe Mr. Jarvis and he told me "sometimes you don't like what your neighbors put up in there yard but its their choice and you can't do anything about it". I hope this is not the case, this is not simply a matter of a neighbor putting a second story addition on to their house but much, much more drastic. This is going to change the areas landscape and for a state that the primary industry is tourism I don't think this a very wise move. And the tax breaks they are claiming to save the people are really minute and not worth the long term repercussions. I hope that you listening to the concerned people of the area and are not letting the all mighty dollar sign obstructs your views.

Thank you,

Lisa Wilson

Lapointe, Jeannine

From: Lapointe, Jeannine on behalf of LURC
Sent: Wednesday, September 22, 2010 9:40 AM
To: Todd, Fred
Subject: FW: champlain Rulemaking

From: Rene Crone [mailto:rene_crone@hotmail.com]
Sent: Wednesday, September 22, 2010 6:52 AM
To: LURC
Subject: champlain Rulemaking

As a local business owner, I would like to take this opportunity to let you know how First Wind has benefited my business, as well as nearly every other business in our small community. First Wind brought a huge economic boost to Danforth and the surrounding towns. I know personally that we saw many of the workers and supervisors daily in our convenience store. There wasn't a rent to be found in town - every available vacancy was filled. Even now, when the project has reached its completion - it continues to boost our local economy. We have people riding in from all around to see the windmills. While in town these visitors always stop at the local business' to fuel, eat, or pick up items in our stores. Everyone comments on them - it is quite exciting to have them as a part of our town. It's great to have them so close where the local students can benefit from visiting them, studying them and enjoying the beauty of them. Windmills certainly are a huge part of our future and we are so glad to have them so close. I am personally grateful for the Windmills and what they have done for our business. I feel that it has made only a positive impact on our town.

Rene Crone
The Mill Yard Convenience

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Tuesday, September 21, 2010 6:44 PM
To: Todd, Fred
Subject: Fw: Champlain Rulemaking
Attachments: 2010-09-21 Ltr to LURC re Champlain Wind.pdf

From: Sean Mahoney <SMahoney@clf.org>
To: LURC
Cc: Horn-Olsen, Samantha
Sent: Tue Sep 21 15:57:08 2010
Subject: Champlain Rulemaking

Attached please find comments from the Conservation Law Foundation in support of the Champlain Wind petition to expand. I regret that I will not be able to attend tomorrow's public hearing on this petition to testify in person. Should you have any questions, please do not hesitate to contact me. Sean

Sean Mahoney
Vice President and Director
Maine Advocacy Center

Conservation Law Foundation
47 Portland Street, Suite 4
Portland, ME 04101
207.210.6439 x12 | smahoney@clf.org
www.clf.org
Stay up to date with our blog, the [CLF Scoop!](#)



CONSERVATION LAW FOUNDATION

September 21, 2010

Chair Gwen Hilton
c/o Marcia Spencer-Famous
Land Use Regulatory Commission
22 State House Station
Augusta, ME 04333

Re: Champlain Wind, LLC Kossuth Township Petition Wind Power Project

Dear Chair Hilton,

On behalf of the Conservation Law Foundation, I am submitting these comments on the Champlain Wind, LLC petition to expand the expedited wind energy permitting area in Kossuth Township, Washington County. CLF was an intervenor in prior permitting proceedings for wind power projects (Kibby, Stetson, Redington/Black Nubble) and most recently submitted comments on the proposal to expand the expedited wind energy permitting area for the Kibby II proceeding. CLF also filed an amicus brief in the recent Law Court case where Friends of Lincoln Lakes challenged the statute authorizing the creation of the expedited wind energy permitting area. CLF argued that the statute was not only constitutional but an accurate reflection of the Legislature's directive to develop Maine's renewable energy and resources. We write today as a general matter to underline our continued support for the development of wind power in Maine, to make several observations about the changes in Maine's goals and statutes since we were last before the Commission that encourages the development of wind energy, and to support Champlain Wind's petition to expand the expedited wind power permitting area in Kossuth Township.

There is overwhelming evidence that Maine's climate, along with the rest of the world's is changing and that a principal cause of the change is greenhouse gas emissions. *See, e.g.,* (2009). *Maine's Climate Future: An Initial Assessment* Jacobson, G.L., I.J. Fernandez, P.A. Mayewski, and C.V. Schmitt, available at <http://www.climatechange.umaine.edu/mainecimatefuture/>. Such changes will have profound impacts on our environment and our economy. A primary source of those GHG emissions are the means by which we generate power to heat and cool where we live and work, transport people and goods, and power our industry.

47 Portland Street, Suite 4, Portland, Maine 04101-9872 • 207-210-6439 • Fax: 207-221-1240 • www.clf.org

MASSACHUSETTS: 62 Summer Street, Boston, Massachusetts 02110-1016 • Phone: 617-350-0990 • Fax: 617-350-4030
NEW HAMPSHIRE: 27 North Main Street, Concord, New Hampshire 03301-4930 • 603-225-3060 • Fax: 603-225-3059
RHODE ISLAND: 55 Dorrance Street, Providence, Rhode Island 02903-2221 • 401-351-1102 • Fax: 401-351-1130
VERMONT: 15 East State Street, Suite 4, Montpelier, Vermont 05602-3010 • 802-223-5992 • Fax: 802-223-0060

Maine has worked to promote renewable sources of energy to replace carbon-based energy sources – coal, oil and gas – that are the root source of GHG emissions, beginning almost two decades ago when the Department of Environmental Protection (“DEP”) issued its first report on GHG’s in 1990. The recent failure of Congress to enact federal climate legislation only heightens the importance of state and regional efforts to increase energy independence and decrease reliance on dirty fuels.

Since the DEP’s initial report in 1990, the Legislature has enacted a number of statutes that have made Maine a regional and national leader in the efforts to address climate change, including encouraging the development of energy sources that do not emit GHG’s, such as wind energy. In 2003 the Legislature passed, “An Act to Provide Leadership in Addressing the Threat of Climate Change,” (“Climate Change Act”), which called for a reduction in GHG emissions over the short, medium and long-term. 38 M.R.S. §§ 574, 576. That same year, the Legislature enacted the Maine Wind Energy Act, Pub. L. No. 665, § 3, 121st Leg., 2nd Spec. Sess. (ME 2003), finding that it is in the public interest to explore opportunities for and encourage the development, where appropriate, of wind energy production. *Id.* at § 3402.

In 2007, following an initial round of permitting of four grid-scale wind energy projects in Maine, Governor Baldacci appointed a Task Force on Wind Power Development in Maine. The Task Force had several objectives – to make Maine a leader in wind power development, to protect Maine’s quality of place and natural resources and to maximize the tangible benefits Mainers receive from wind power development. *See*, “*Report of the Governor’s Task Force on Wind Power Development: Finding Common Ground for a Common Purpose*” (“Report”). In its Report, the Task Force not only recommended that Maine adopt the statutory goals of obtaining 2000 MW and 3000 MW of installed wind power capacity by 2015 and 2020¹, respectively, but also that the Legislature make changes to the process for evaluating applications to develop grid-scale wind energy projects in certain areas of the State, known as Expedited Areas. *Id.* at 18-22.

The Task Force – comprised of a broad cross-section of stakeholders and agencies -- identified Expedited Areas in the state based on where the wind resources were sufficient and where grid-scale wind energy development would be most compatible with existing patterns of development and resource values. The Task Force unanimously recommended that projects in these Expedited Areas qualify for streamlined and expedited treatment with respect to permitting decisions and appeals of those decisions. *Id.* at 20-22.

In response to the Report, the Legislature passed “An Act to Implement Recommendations of the Governor’s Task Force on Wind Power Development”, which amended the MWEA to make further Legislative findings concerning the State’s interest in encouraging

¹ “Installed wind power capacity” refers to the functioning, built infrastructure of turbines generating megawatts (“MW”) of electricity. A MW is equivalent to one million watts. The productive capacity rate of electrical generators is often measured in MW. One MW is enough to generate electricity for 250-300 average U.S. homes.

CONSERVATION LAW FOUNDATION

the development of grid-scale wind energy, 38 M.R.S. § 3402, and to set statutory goals of developing 2000 MW and 3000 MW of wind power by 2015 and 2020. *Id.* at § 3404 (2). That Act also created the Expedited Permitting of Grid-Scale Wind Energy Development, 35-A M.R.S. §§ 3451 – 3457, which designated certain parts of the State to be Expedited Areas, amended the regulatory and adjudicatory review process set forth in 38 M.R.S. §§ 344(2-A)(A)(1) and M.R.S. §§ 346(4) for projects in the Expedited Areas and provided a process for making additions to the Expedited Areas. Subsequently, LURC developed and adopted guidelines that, consistent with the statute, provided guidance as to how the Expedited Areas could be expanded.

Today, Maine remains well short of its goal to have 2000 MW of wind power generated here in Maine by 2015. As a matter of environmental protection as well as economic development and energy independence, Maine must capitalize on the opportunity that an abundant and renewable resource presents and implement the work and directives of successive Legislatures. While an individual wind power project must certainly be subject to scrutiny with respect to impact on natural resources, it is critical that the larger issues underlying the permitting statute – economic, environmental and energy – also factor in to the decision-making process.

In the instant case, it is our position that Champlain Wind’s petition to expand the expedited wind energy permitting area in Kossuth Township for its proposed Bowers Mountain Wind Project meets the requirements of the statute and is consistent with LURC’s guidelines. The statute provides:

In order to add a specified place to the expedited permitting area, the Maine Land Use Regulation Commission must determine that the proposed addition to the expedited permitting area:

1. Geographic extension. Involves a logical geographic extension of the currently designated expedited permitting area;
2. Meets state goals. Is important to meeting the state goals for wind energy development established in § 3404; and
3. Principal values and goals. Would not compromise the principal values and the goals identified in the comprehensive land use plan adopted by the Maine Land Use Regulation Commission pursuant to Title 12, §685-C.

35-A M.R.S. § 3453. In the Guidelines adopted by LURC on March 3, 2010, the Commission provided greater clarification as to how it would analyze petitions to expand the Expedited Areas pursuant to these statutory criteria. As clarified by LURC, Champlain Wind’s petition meets that criteria.

Specifically, the majority of the proposed project is in the Expedited Area of Carroll Plantation and the expanded area is a natural extension across a political boundary unrelated to geography. The proposed project would add 57 MW of installed capacity, roughly 25% of

CONSERVATION LAW FOUNDATION

which would be in the expanded area. Mid-sized, low-elevation projects such as this one are critical if Maine is to reach its statutory goals of 2000 MW and 3000 MW. Just as importantly, the proposed project will be able to share infrastructure with the existing Stetson wind power project. And this proposed project will not compromise the values and goals set forth in the CLUP.

In weighing the benefits against the impacts of this project, we urge the Commission to keep in mind that Maine has a good plan to develop its renewable energy resources and to avoid haphazard siting of wind power projects. It's a plan born out of environmental necessity, economic opportunity and regulatory oversight. But good planning involves not just developing a plan but also implementing it. Champlain Wind's petition to expand the Expedited Area to Kossuth Township is consistent with that plan and should be granted.

Very truly yours,

A handwritten signature in blue ink that reads "Sean Mahoney". The signature is written in a cursive style with a large initial "S" and "M".

Sean Mahoney
Vice President and Director
Maine Advocacy Center

Lapointe, Jeannine

From: Lapointe, Jeannine on behalf of LURC
Sent: Wednesday, September 22, 2010 11:03 AM
To: Todd, Fred
Subject: FW: Champlain rulemaking

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

From: Dana Morrison [mailto:dmorrison@eastgrandschool.org]
Sent: Wednesday, September 22, 2010 10:07 AM
To: LURC
Subject: Champlain rulemaking

My comments regarding First Wind's responsibility to the community:

First Wind has shown support for our local community in various ways. One of the most significant forms has been support for East Grand School, which I work for as a computer administrator. They provided, first of all, financial support for the Outdoor Education Program, which probably rivals even the most ambitious schools with regard to getting students outside. We all know that our wallets are tight and First Wind has helped keep this program moving forward.

Aside from financial support, there has been direct local support for outdoor activities. For the past two years, the students at East Grand have helped organize an event called the "East Grand Adventure Race." This past year, a portion of the race was held inside the wind park at Stetson Mountain, which is also operated by First Wind. The three elements of the adventure race are map and compass, mountain biking, and canoeing. First Wind provided great support for permitting a portion of the activities within the wind park. Comments from participants concluded that riding past wind turbines was one of the favorite parts of the course.

Though I am in no position to debate direct impact of wind energy or wind parks, I can tell you from our dealings with First Wind that they have been an environmentally friendly company as well as friendly to the community.

My comments are respectfully submitted,

Dana Morrison
Weston, Maine

207-538-0660

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Thursday, September 23, 2010 8:47 AM
To: Todd, Fred
Subject: Fw: Champlain Wind / Bowers Mt.

From: Anna Smith <abmaggieus@yahoo.com>
To: Horn-Olsen, Samantha
Sent: Wed Sep 22 15:04:08 2010
Subject: Champlain Wind / Bowers Mt.

We are writing to inform you of our support of the wind farm proposed (Champlain Wind / Bowers Mt.) in Carroll, ME area.

We are summer residents of Lakeville, ME and understand that there is a group protesting the project and purporting to speak for all the residents and we want to voice our support for the project and that the group protesting does NOT speak for all residents of Lakeville!

In our opinion, a good amount of the group protesting the project had no opposition to building (camps?) on Junior Lake which was suppose to be a forever pristine lake and they wanted power and telephone access with no objection to the blight the poles that carry these services create, we find the wind towers more astatically

pleasing then old fashion power poles. We have been to the Stetson project and found no objectionable noise level as some have complained about.

So once again, we as summer residents of Lakeville, ME wish to express our support for the Champlain Wind/ Bowers Mt. project.

Bernard and Anna Smith
11 Hemlock Lane
Lakeville, ME 04487

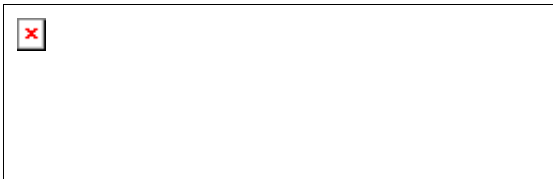
Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Thursday, September 23, 2010 2:17 PM
To: Todd, Fred
Subject: FW: Testimony on Expansion of Expedited Wind Permitting Area - Kossuth
Attachments: LURCtestimonyfor expansionfinal.pdf

From: D. Gordon Mott [mailto:Forester@AlmanacMtn.US]
Sent: Thursday, September 23, 2010 2:05 PM
To: Horn-Olsen, Samantha
Subject: Testimony on Expansion of Expedited Wind Permitting Area - Kossuth

Dear Samantha:
I attach my written testimony concerning the expansion in Kossuth.
Thanks much.
Gordon

--



Testimony for LURC Hearing in Lee, Sept. 22, 2010

My name is Gordon Mott. I am a Maine forester in private practice.

We reside and own most of Almanac Mountain in Lakeville and own other properties on Dill Ridge and Lombard Mountain in Lakeville from all of which the entire proposed wind development including the expansion to Dill Hill will be visible.

I serve as forester for many small tracts of forest land in Lakeville, Carroll Plantation and Kossuth including two properties in close proximity to the proposed expansion. Neither owner has expressed concern.

I speak today entirely for myself from 22 years residence and fairly extensive knowledge of the region.

I understand the conflicting considerations surrounding wind development and agree with much that is presented in the application for expansion, and with much that is presented in opposition.

I would offer brief personal views.

It is fundamentally important to observe and respect the rights of these and all other property owners in our region to use their private properties in accord with what the law permits. Furthermore, both private persons and corporations should be supported in their rights to invest their capital as they see fit using whatever provisions exist in perfect or imperfect law and subsidies in the process.

As a forester for others and forest land owner myself, I understand particularly well the marginal economics of owning and managing forest land and support the observation in the application that the proposed use for wind energy generation will augment long-term sustainable forest productivity in a desirable way, in a region where the economy is significantly supported thereby.

I also understand the concern about turbine noise from visits to portions of the Stetson development on Route 169 in varying wind conditions. At the same time, direct experience in attempting to market an adjacent 280 acre parcel for the owners, I understand that noise from truck and other traffic on Route 6 will probably significantly surpass new noise generated from wind turbines in the proposed expansion. The parcel was turned down by two prospective buyers for reasons of traffic noise.

I also understand very well and share the concern of many, that the multiplication here and on most of the regional high topography, dominates and transforms the natural day and night landscape in an unprecedented way to a disturbing degree. We have seen many changes to our natural landscape and environment in the recent decades of extensive road expansions, severe mechanized forest harvesting, expansion of development on the lake shores and increased motorized use of the lakes including jet skis and airboats without any limitations. But in a very real subjective sense the wind turbines take from our natural landscape in an unprecedented and troublesome way for many. The subjective impact is increased when we realize the development accrues to the credit and benefit of those to our southwest to continue to send increased air emissions to us on the prevailing winds. It is a troubling equation.

The entire future wind development on both Bowers Mountain and in the proposed expanded area on Dill Hill will be prominently visible from all of our Almanac Mountain properties where we maintain scenic outlooks for public use that are visited constantly. Public trails and new outlooks around the high east and northeast periphery are under construction. Old growth forest fragments on the property are protected and listed with Maine Natural Areas program. Weddings take place on these outlooks. Ashes are scattered. Because Almanac is an icon in the viewscape from many of the lakes in the region, care

has been taken to screen all residential development from view. The woodlot below the outlooks is managed to preserve old sugar maple for presentation in this autumn season. The landscape views from and to Almanac are public treasures, flawed only by one TV relay tower. The natural outlooks from Almanac treasured by generations of visitors will be altered by the proposed wind development.

Similarly, The entire development will be visible from the legacy fire tower site on Dill Ridge where the new trail is designed to travel.

All that said, it must also be said that the addition of the proposed extension on Dill Hill to the development will not have a significant additional impact. There is no basis from here upon which to oppose the addition.

As I calculate upon how to resolve the conflicts of the rights of private property owners, public rights to the natural environment, desirable revenue support for forest landowners, significant impacts on natural landscape viewsheds, green credits to continue polluting the air here, negative reactions by shoreland owners where shoreland development itself impacts natural conditions, I come to accept the impact of wind development if, and only if, one critical important provision is present: they contribute to conservation that would not otherwise take place in the face of development in the region. I urge the Commission to come to the same conclusion and ensure in every possible way, that significant tangible conservation benefits to the affected local region will be provided in all approvals for both the proposed extension and any ultimate development permit.

If we can look at the turbines turning on our natural hills and know that with each turn they are churning out conservation contributions such as financial resources that will provide easements or public ownerships of our few remaining winter yards to help restore white tail deer - a species in decline here because of loss of habitat, know that they are providing funds to preserve and protect the few remaining fragments of old growth forest and wooded fens in the region, that they will produce resources to purchase public access to high viewpoints, access to public waters and limited sand beaches for the people of the region, support development of non-motorized trails, support education in natural resource science and land management for students of the region, and support a full range of other conservation and educational endeavors, then some of us will watch them turn with some acceptance and even pleasure in place of alarm.

I want to acknowledge that in discussions, First Wind staff have indicated they are seriously committed to this kind of endeavor. It was done at a token level after Stetson I was permitted. But in the eyes of many, the annual conservation awards from that contribution of \$1,000 to \$3,000 fall considerably short of desirable levels that would begin to balance the impacts of development.

And while I want to acknowledge apparent sincere good intentions on the part of First Wind, nothing yet is etched anywhere.

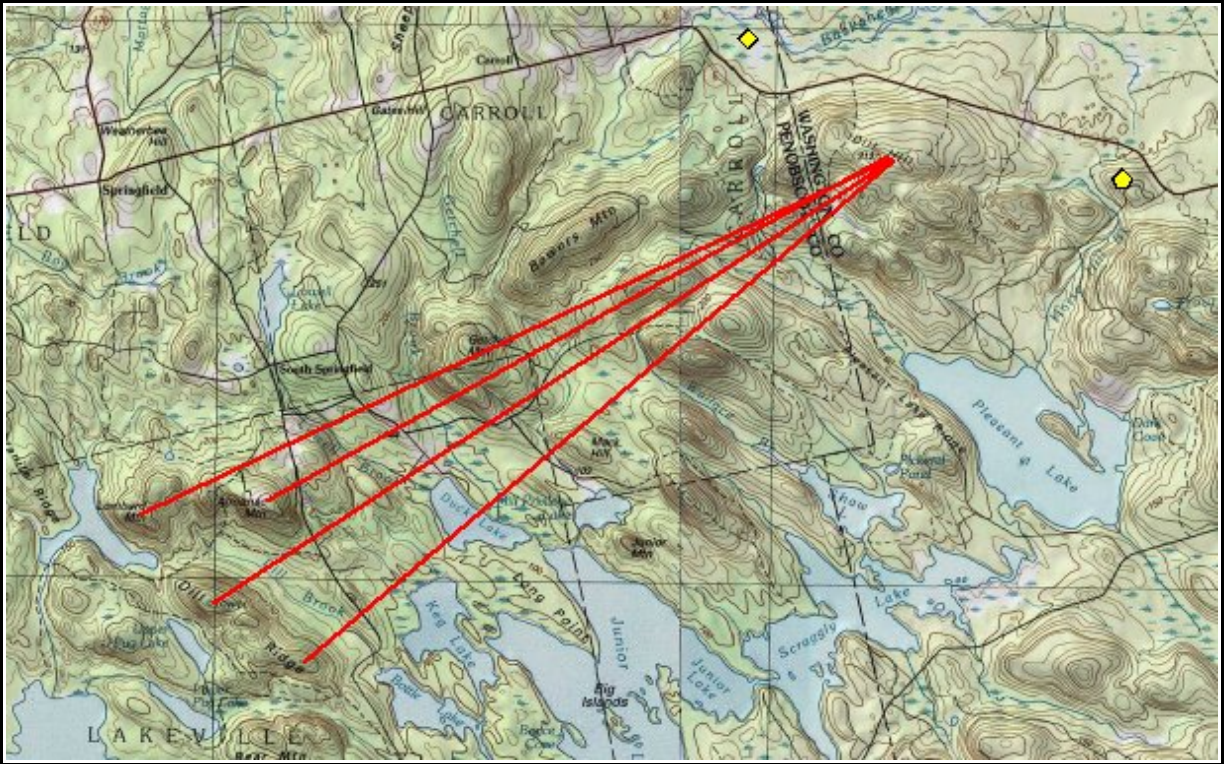
It should be a firm condition of any approval for extension to the expedited permit area, that significant commitments to conservation are to be made by the beneficiaries as a compromise in support of the significant goals of the CLUP. In recognition that the proposed extension lies beyond the original expedited permitting area, it would be appropriate for contributions to be generous. Public Law 642 offers a minimal baseline. A small percentage of the annual value generated by each tower would be an appropriate starting point.

Thanks very much,

A handwritten signature in black ink, appearing to be "John" or similar, written in a cursive style.



Northeast Segment of 1931 Panoramic Alidade Map from Old Fire Tower on Dill Ridge in Lakeville. Note Bowers Mountain and Dill Hill behind Getchell Mountain at 60 degrees.



Privately owned parcels in Lakeville managed for public viewing access from all of which Dill Hill will be visible. DG and VL Mott.

September 22, 2010

Re: Petition by Champlain Wind LLC to Add Portions of Kossuth Twp to the Expedited Permitting Area for Wind Energy

My name is Gary Campbell and I have a camp in Lakeville.

Champlain Wind LLC is petitioning the Commission to modify the boundary of the expedited wind permitting area. They'd like to extend it to include a portion of Kossuth Twp. Ironically, the Petitioner's parent company, First Wind, under its former name UPC Wind, played a role in determining exactly where that boundary would be drawn in the first place. In fact, the Petitioner's attorney who is here today was on the Governor's Task Force that created it!

From what I've read, the process went like this: the Chairman of the Task Force met with each wind developer separately, for competitive reasons, and had them show him what areas they wanted included in the expedited area. Then he met with environmental organizations such as Maine Audubon and the Appalachian Mountain Club and asked them what lands they would like left un-expedited.

The resulting boundary line was then debated for two days. Unfortunately we're told there is no record of what transpired, but Task Force members have characterized it as a frantic give-and-take before unanimous agreement was reached.

Maine is fortunate that the Task Force saw fit to exclude the most of the West Grand Lake Watershed from the expedited area. This shows that they recognize the intrinsic and economic value that area represents.

In almost all cases the boundary follows political borders. But there are a few townships that the Task Force divided into an expedited portion and an unexpedited portion. This had to have been deliberate. When you examine a map, it becomes obvious that in many of these instances the boundary was adjusted to preserve the view from a Great Pond that LURC has determined to be a Class 1A Scenic Resource of Statewide Significance. For example:

Adamstown Twp was bisected to protect Mooselookmeguntic, Rangley and Upper Richardson Lakes

Lincoln Plt. was bisected to protect Aziscohos Lake

Long A Twp. was bisected to protect Upper Jo-Mary & South Twin Lakes

T4 Indian Purchase Twp. was bisected to protect Middle Jo Mary & North Twin Lakes

T1 R9 WELS was bisected to protect Pemadumcook and Ambajejus Lakes

Kossuth Twp is another example. Kossuth was obviously bisected in order to protect the Outstanding scenic value of Pleasant Lake. Pleasant Lake is a Class 1A resource of Statewide significance.

The parcel of land that Champlain Wind wants to develop is only 1.8 miles from Pleasant Lake. The three hills on the parcel are all visible from Pleasant Lake. In fact, even without wind turbines on them the hills form part of the horizon.

In addition, Trout Lake is 2.7 miles away and, like Pleasant Lake, it has a clear view of the parcel in question. Trout Lake is one of only 176 Management Class 6 remote ponds in the State. This designation means that LURC affords special protection to maintain its remote status, natural resource value and the primitive recreational experience in a remote setting.

If the Commission adopts the proposed rule, it will compromise many of the principal values and goals identified in the Commission's Comprehensive Land Use Plan (CLUP).

To deny the petition doesn't mean that Champlain Wind can't build their industrial facility on this parcel. It will mean that the Commission recognizes the unique value of this area and places the burden of proof on the developer to make a strong case for rezoning this area as industrial.

I therefore respectfully ask the Commission to deny Champlain Wind's petition.

Last month, as he stood at the Height of Land Overlook near Rangeley, Governor Baldacci said it perfectly. He said:

"It's all about that view.
That view says 'Maine'.
It gives people inspiration.
And it's going to be that way forever."

I pray that he's right.

Thank you for your time and attention.

September 22, 2010


To LURC,

Good afternoon, my name is Barry Gillis. I am a resident from the town of Danforth where I served as a Selectman for 15 yrs. Also as a former State Rep. I served on the Agriculture, Conservation, and Forestry committee.

I come here today to urge you to please allow Kossuth to be included in the proposed Bowers wind farm zone.

Over 90% of the citizens of Danforth supported the Stetson Mt. Wind project. It was beneficial to our area in many ways economically. Our area has realized more tourists to the area that come to see the Winds mills. I feel adding Kossuth into the wind farm zone for perhaps future development is definitely a positive. Thank you for your consideration in this matter.

Regards,



Barry G. Gillis

COUNTY OF WASHINGTON
P.O. Box 297, County Courthouse
Machias, Maine 04654
(207) 255-3127
Fax: (207) 255-3313
e-mail: manager@washingtoncountymaine.com

Commissioners:

Christopher M. Gardner, Chairman
John B. Crowley, Sr., Commissioner
Kevin L. Shorey, Commissioner

County Manager:

Betsy Fitzgerald
Administrative Secretary:
Gail Popham

September 22, 2010

Land Use Regulatory Commission
22 State House Station
Augusta, ME 04333
Attn: Samantha Horn Olsen

Re: Champlain Energy LLC, Petition to Expand Expedited Permitting Area for Wind Energy Development (Proposed Rule Number: 2010-P211)


Dear Ms. Horn Olsen:

On behalf of the Commissioners of Washington County, I submit this letter of support to the Champlain Energy, LLC Petition to Expand the Expedited Permitting Area for Wind Energy Development in Kossuth Township in Washington County.

Washington County is a vast area and the Commissioners are always looking to provide opportunities for thoughtful development of the county's resources. By expediting the permitting area for wind energy development, such potential for utilization of resources will not come at the expense of residents but instead can be viewed as supportive of the residents both in the unorganized territories and the county at large.

The Commissioners are cognizant that support of this petition to expedite the permitting area into Kossuth Township is a step in the process and that an application for the wind energy project has yet to be submitted.

Sincerely,



Betsy Fitzgerald
County Manager

“The Sunrise County – where the sun first shines!”

Peter Fisher
P.O Box 212
West Enfield, ME
04493
September 22, 2010

Land Use Regulation Commission
Department of Conservation
22 State House Station
Augusta, Maine 04333-0022

Subject:

Testimony opposing Champlain Wind LLC's Petition to add portions of Kossuth Township to the Expedited Permitting Area for industrial wind development.

My name is Peter Fisher. I am the secretary of the Partnership for the Preservation of the Downeast Lakes Watershed (PPDLW). I have lived in Maine for most of my life. My wife and I previously owned a property on Long Pond in Lincoln. That lake environment is most likely going to be in full view of the Rollins Project. My current summer home, where we spend six months of the year, is on Junior Lake and will be in full view of the hypothetical Bowers Mountain Project.

We are opposed, for a variety of reasons, to the industrialization of Maine's wild mountaintops and would be opposed even if my personal environment was not to be compromised by their existence.

Summary:

I will limit my testimony to one aspect of the possible actions that may result as an outcome of this hearing process. By having entered Rule Making, the Commission is opening itself to the possibility of a vast number of speculative applications for extending the Expedited Areas to parcels of land that the Governor's Task Force on Wind Power Development has excluded from the streamlined, Expedited Permitting process.

Attachments:

Exhibit A – Map – Expedited Wind Power Permitting Area

Exhibit B – Map – U.S.D.E. Wind Power Classification, Maine 50m Wind Power

Exhibit C and D – Maps of Townships

Testimony:

The July 7th decision by the Commission to enter Rule Making in response to a request from Champlain Wind appeared to be a difficult decision. It was quite obvious to the audience that the work load of the Commission members would appear to be monumental. I would guess that it would have been so at any point in the history of the Commission, but must be amplified by the level of industrial wind permitting requests, the development of Moosehead Lake and the increase of private individuals choosing to make their seasonal homes into year-round residences.

One concern voiced by a Commission member at that earlier meeting was that by entering Rule Making, the Commission would be opening themselves to an even greater amount of complex information to review and process.

It is my opinion that the choice to enter Rule Making may very well have been a poor choice. By having entered Rule Making, the Commission is opening itself to the possibility of a vast number of speculative applications for extending the Expedited Areas to parcels of land that the Governor's Task Force on Wind Power Development has protected from the streamlined, Expedited Permitting process.

There is no application for any permit for any industrial projects in the township of Kossuth or the adjacent plantation of Carroll. To be discussing the possible impact of a hypothetical unpermitted project and whether or not aspects of the non-existent project demand an extension of the Expedited Area and a streamlining of its permit review would certainly seem to be putting the horse before the cart.

What can be discussed? Can the concept of whether or not the applicant has explored fully consolidating the Bowers project within the existing Expedited Area be discussed, though there is no permit? Can we discuss the impact to the environment, the scenic value or the recreational experience if we don't have a permit? Can we discuss that the new 2.3MW turbines already double the output of the 1.5MW turbines, thus the power output of the project if fully contained within the existing Expedited Area has already doubled? It would seem that to do so is to be discussing and reviewing the non-existent permit application.

Exhibits:

I reviewed topographical maps, a map of the Expedited Wind Power Permitting Area and the U.S.D.E. map entitled Wind Power Classification, Maine 50m Wind Power. I have identified at least 11 townships which could be ripe for extension of the Expedited Areas.

Each of these townships is:

- Currently **excluded** from the Expedited Areas
- Appears to have no significant bodies of water
- Has no easily discernable outstanding natural or recreational assets
- Has more than one mountaintop within its limits
- Appears to have no capacity to make ordinances or to negotiate TIFs
- Has mountaintop wind ratings of **excellent, outstanding and superb**

Townships:

Seven Ponds Twp.	White Cap Mt. 3815 ft.
Oxbow Twp.	Kennebago Divide 3645 ft.
Upper Cupsuptil Twp.	Snow Mtn. 3765 ft.
Lower Cupsuptil Twp.	Burnt Mt.
Tim Pond Twp.	East Kennebago Mt 3791 ft.
The southern portion of Coplin Plt.	
Redington Twp.	Black Nubble 3670 ft. Reddington Ridge 3984 ft.
Madrid Twp.	Potato Nubble 3029 ft.
North Of Weld Twp.	Jackson Mt. 3308 ft. Little Jack Mt. 3434 ft.
TBR11 WELS	Saddleback Mt. Big Shanty Mt.
TBR10 WELS	Big Wilkie Mt.

Closing:

The Commission has set a precedent by entering Rule Making to consider an action for which they have no permit application. Regardless of the Commission's statement that testimony should be limited to discussion regarding the expansion of the Expedited Area, the hearing and testimonies can only be addressing issues in response to a non-existent permit.

In so doing, the Commission must entertain similar requests. There are numerous tracts of land that have much higher ratings for wind than the poor to good ratings in the Carroll/Kossuth region. These townships appear to be of great value to the goals of the Governor's Expedited Wind Law and any landowner or speculator would be smart to secure leases to those regions and pursue similar requests for altering the boundaries of the Expedited Areas.

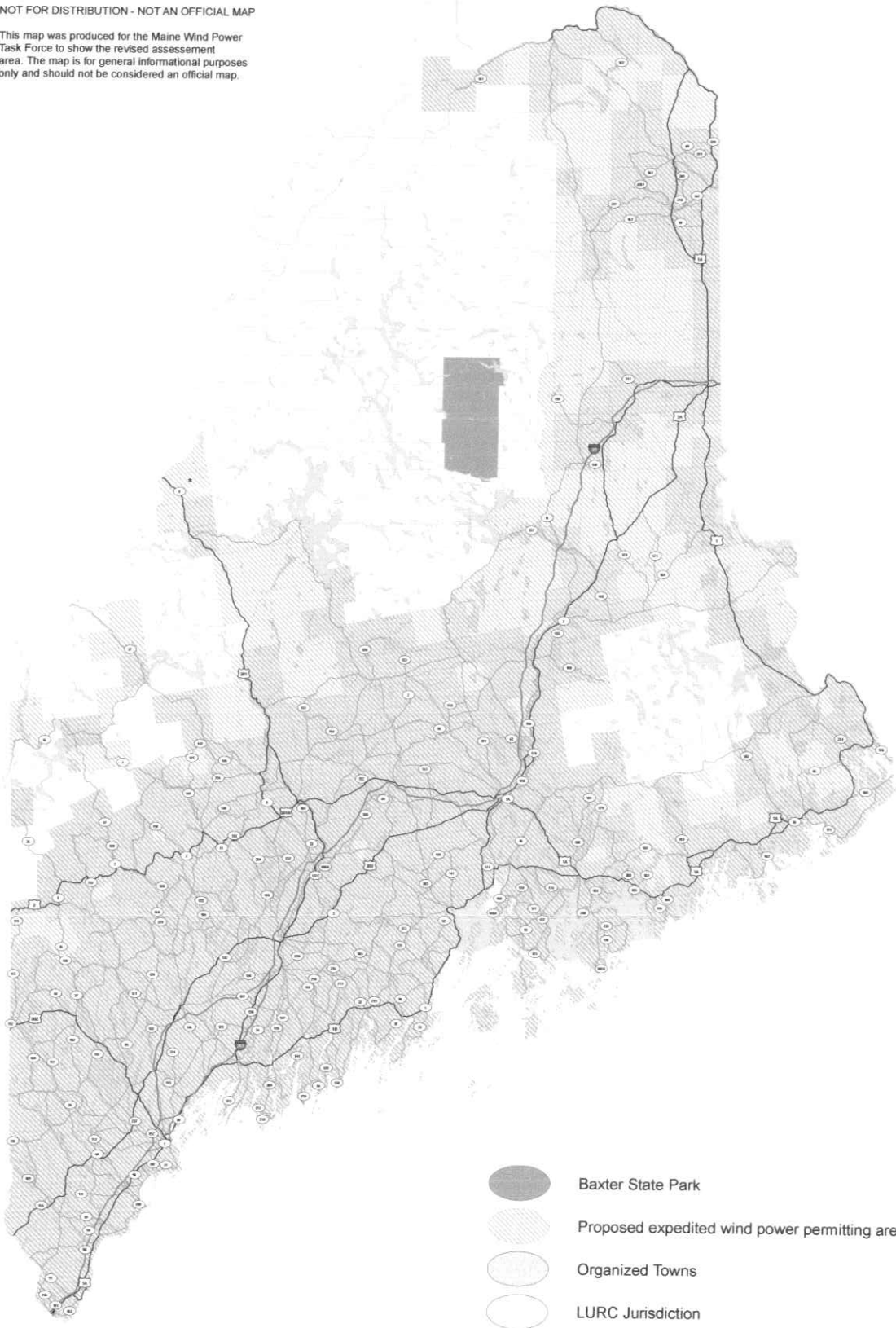
I would hope that the Commission can hear the testimony and somehow extract itself from this position.

Thank you for time and commitment.

Proposed Expedited Wind Power Permitting Area

NOT FOR DISTRIBUTION - NOT AN OFFICIAL MAP

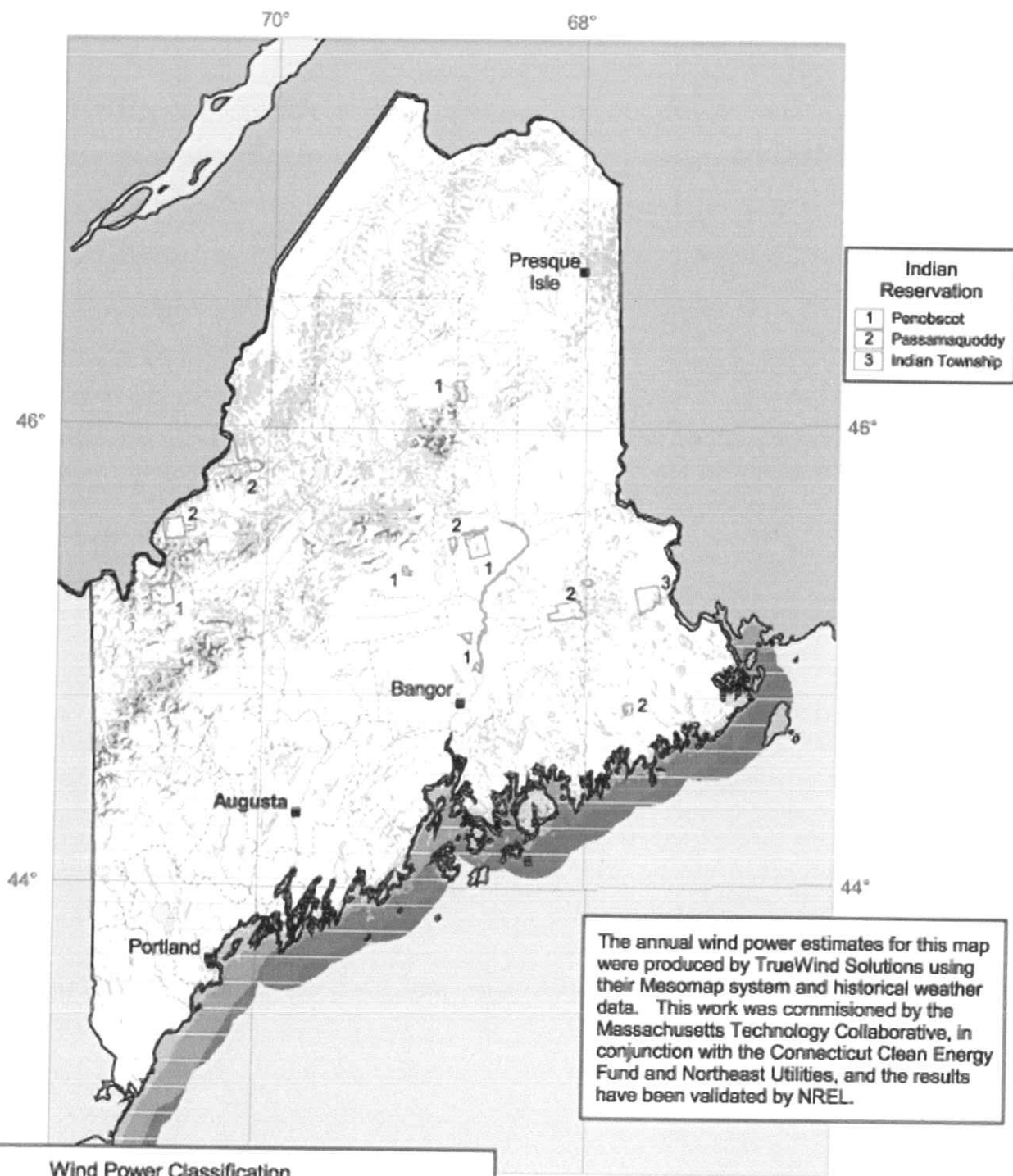
This map was produced for the Maine Wind Power Task Force to show the revised assessment area. The map is for general informational purposes only and should not be considered an official map.



* Note: Boundary Bald Mountain in Bald Mtn Twp is excluded

Maine - 50 m Wind Power

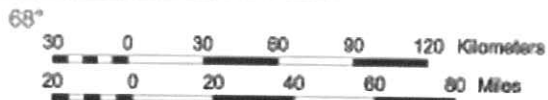
Exhibit B



Wind Power Classification

Wind Power Class	Resource Potential	Wind Power Density at 50 m W/m ²	Wind Speed ^a at 50 m m/s	Wind Speed ^a at 50 m mph
1	Poor	0 - 200	0.0 - 5.6	0.0 - 12.5
2	Marginal	200 - 300	5.6 - 6.4	12.5 - 14.3
3	Fair	300 - 400	6.4 - 7.0	14.3 - 15.7
4	Good	400 - 500	7.0 - 7.5	15.7 - 16.8
5	Excellent	500 - 600	7.5 - 8.0	16.8 - 17.9
6	Outstanding	600 - 800	8.0 - 8.8	17.9 - 19.7
7	Superb	> 800	> 8.8	> 19.7

^a Wind speeds are based on a Weibull k value of 2.0



U.S. Department of Energy
National Renewable Energy Laboratory



06-FEB-2007 1.1.4

EXHIBIT C

TOWNSHIPS WITH WIND RATINGS OF EXCELLENT, OUTSTANDING AND SUPERIOR

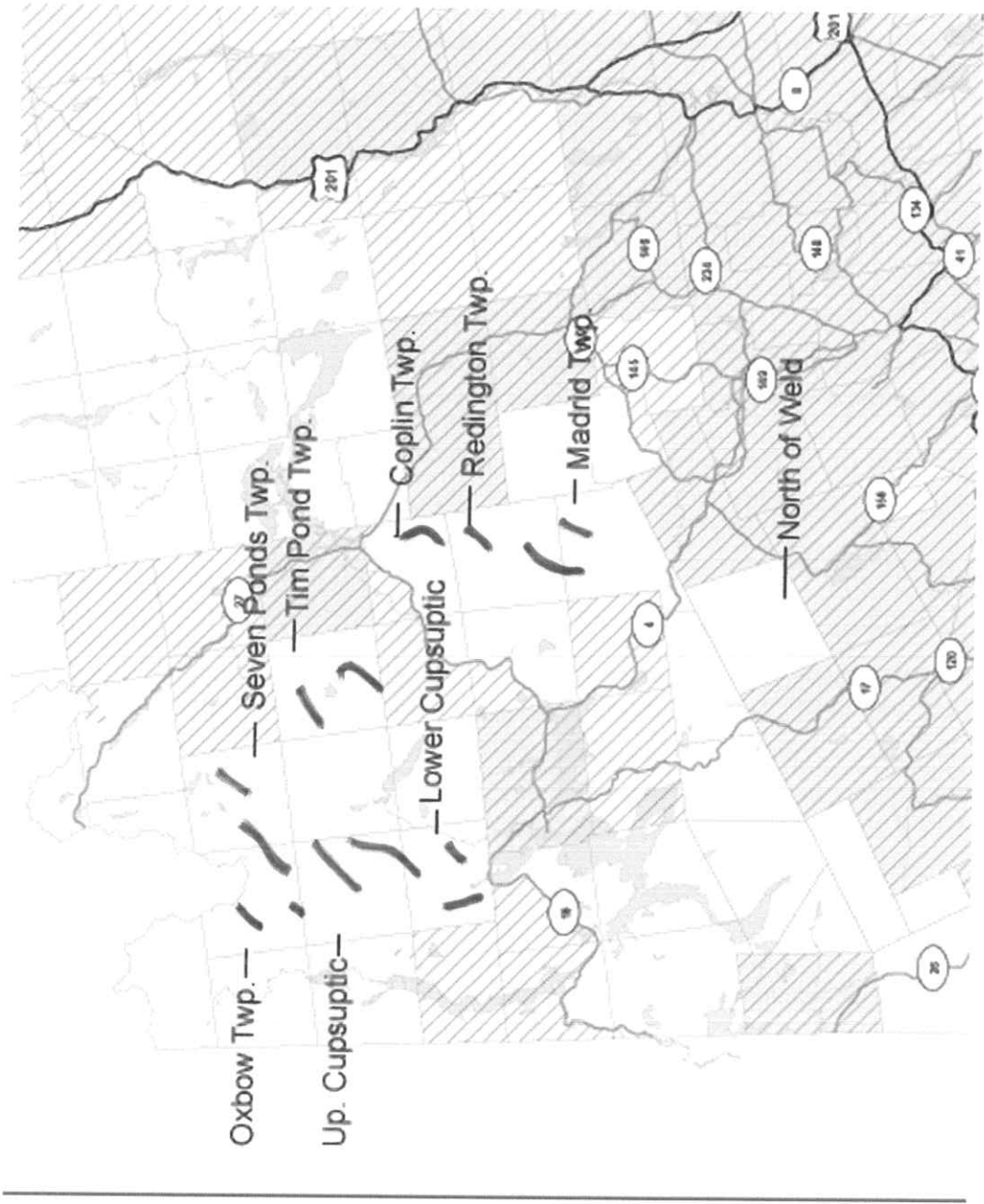
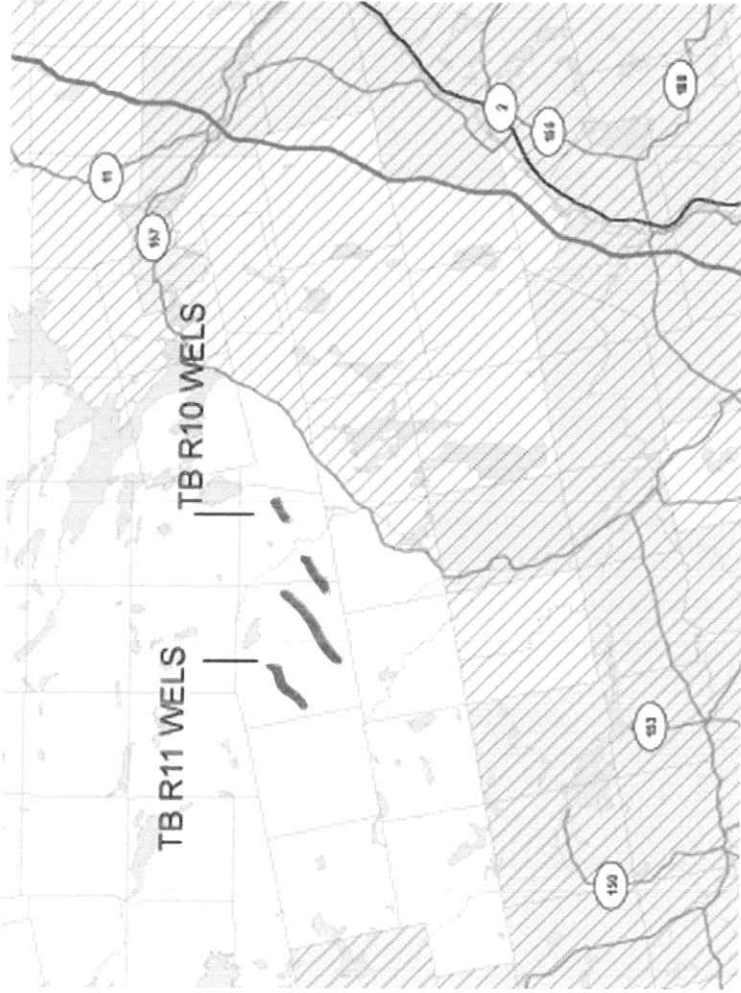


EXHIBIT D

TOWNSHIPS WITH WIND RATINGS OF EXCELLENT, OUTSTANDING AND SUPERIOR



Testimony of Paul J. Rudershausen, Taxpayer of Carroll Plantation, Maine,
to LURC, September 22, 2010

LURC commissioners, in considering adding Kossuth township to the expedited wind zone, or to leave it free of such unsustainable development, I ask you consider the following: 1) through stimulus spending the Obama administration has quadrupled the federal deficit; we are adding 4.8 billion dollars to the national debt every day. The deficit the Obama administration has amassed will jeopardize our economic and national security, 2) the First Wind Bowers Mountain proposed project would rely on this budget-busting stimulus money if it were to be approved. Neil Keilly, developer for First Wind, informed me that the Bower's Mountain project would be tapping into federal stimulus money. In other words, the project cannot survive without tremendous giveaways from us the taxpayers. Wind turbine development is not economically solvent on its own. For example, the First Wind Stetson Mountain project received 40 million dollars in federal handouts just to survive, 3) public opinion about wind development in Maine is now shifting as citizens and taxpayers learn of the economic and physical inefficiencies of this reckless and unnecessary development. Maine has no companies that manufacture or export components for the wind-

power industry. I remind you that wind power actually increases carbon emissions; the inherently erratic nature of wind causes gas-fired plants to run at sub-peak efficiency, causing higher carbon dioxide emissions, and 4) wind power does not replace oil and natural gas, contrary to what wind developers would like us to believe. I assure you, not a single representative of First Wind came to this meeting today without a gas-consuming vehicle to transport them here; that fact would not change even if the Governor's dream of 2,000 megawatts of Maine wind energy were to come true.

First Wind's petition to add Kossuth Township to the Expedited Permitting Area for Wind Energy Development contains at least three false claims, none of which are journal-referenced. These false claims about adding Kossuth lands to the expedited permitting area are 1) it would not decrease land values near turbine construction, 2) it would not compromise the land use plan goal to protect high value scenic resources, and 3) it would enhance state and regional security. Repeat, these are all First Wind false claims. There is no conceivable way that a money-losing, taxpayer-subsidized development that does not reduce our dependence on fossil fuels "enhances state and regional security." And far from providing income to the taxpayers of Maine, Mainers will pay eight percent of the cost to upgrade its transmission lines, which is simply another form of subsidy for wind

turbine development in the state. First Wind's promise of a tax break to Carroll citizens will be a flash in the pan compared to the long term negative consequences of some over-arching construction.

LURC Commissioners, what is now clear is that expedited wind areas were hastily determined to meet political deadlines. The fact that expedited wind areas were so haphazardly designated by a select few should be of concern to all Maine taxpayers. Of even greater concern is that an out-of-state developer wants to add beautiful non-expedited areas to the developable zone for wind turbines. Quite frankly, all of us in this room should be disturbed that economically unsustainable development zones were so arbitrarily designated by the Wind Power Task Force, yet no minutes, no official record of such deliberations exist. It is almost as if the citizens of Maine were being locked out of the very democratic process that Task Force members, and other public officials of Maine, are charged to uphold.

In six short weeks Maine will have elected a new governor. This new governor may or may not agree with the present gubernatorial administration's stance on wind development, but they will undoubtedly know, even if only to admitting to themselves, that wind development is unsustainable and that public opinion of wind development has changed.

Maine taxpayers are waking up to the longer term ecological, economic, and human health effects of wind turbines.

Commissioners, as you know, Maine outlawed billboards long ago. Mainers decided long ago that the scenic beauty here was a national treasure that no commercial enterprise, no matter how that enterprise was couched, could justify defacing. I too recognized this scenic beauty years ago when I bought property in Carroll Township. When I bought that property I wished, as I still do, that I have a tranquil place to retreat to enjoy the beauty of the downeast chain of lakes. If I had wanted the lights, the whooshing of giant turbine blades, the destruction of scenic vistas by high rise development, I could have bought property elsewhere. Instead, I chose to buy property here in downeast Maine. I realized, as I believe you do, that some Maine treasures, including the Kossuth land near Pleasant Lake is a priceless natural treasure that should forever be off limits to the irreversible development that First Wind proposes.

Commissioners of LURC, as you drive home tonight, I ask you to spend a few minutes to envision your legacy as member of LURC. I ask you to envision the Maine you would like your children and grandchildren to inherit. Is your vision for your children and grandchildren this one here (((POSTER)))...one where formerly beautiful mountaintops are lined with

high-rise wind turbines, roads, and the constant flicker of strobe lights?... one where your progeny view almost every significant mountain ridge in central and northern Maine and see the scab of energetically inefficient and economically unsustainable development that mars the working Maine forest? As it stands, the present governor's plan for wind development would permanently clear cut and develop 30,000 acres of mountaintops in the state, roughly an equivalent size to Acadia National Park.

In contrast, do you envision this Maine for your children and grandchildren (POSTER)... These are all photos taken off the LURC website. Not a single wind turbine is pictured on that site. Why? Because I believe that Mainers take real pride in protecting the natural heritage of their lands. Maine landscapes, such as those pictured here, are a national treasure. Mainers trust LURC to be stewards of these treasures, to make sure that Maine is one state that can still boast that it is where "the way life should be" ...a Maine where wise planners do not cave to the demands of out-of-state tax-subsidized developers like First Wind, and where development of this magnitude is much, much more carefully planned in order to preserve the priceless natural beauty of the state.

Commissioners, I urge you to look beyond the political hype and false claims of wind power, to make a decision on both the Kossuth petition and

the Bower's project, that will protect the scenic beauty of the downeast lakes area for generations to come.

Thank you.

Paul J. Rudershausen

303 College Circle

Morehead City, NC 28557

LURC COPY

Public Testimony
September 22, 2010

Dear LURC Committee Members,

As a fellow citizen and taxpayer of Maine, I would like to ask you why you are considering Kossuth Township as an expansion area, and not Mount Katahdin? If wind energy is so efficient in Maine's inland mountains, it would seem that Mt. Katahdin would be a better choice for development, since it is a higher mountain and would therefore receive more wind.

Since it has been determined by First Wind that there will be no disruption of the scenic beauty, it would make perfect sense to place wind towers in Baxter State Park since it is after all, a State Park and not subject to the same scrutiny as a national park like Acadia.

The same closed-door process that was used to deem certain portions of Maine as expedited for wind development could be used to designate Baxter State Park as an expedited area.

There is no doubt that people would flock to Maine, "the way life should be," in order to enjoy the scenic beauty that has now been embellished with massive wind towers and its supporting infrastructure.

Of course this is a ridiculous notion. But if we use the same line of reasoning that has been used to designate portions of our beautiful state as expedited, and now to potentially allow the development of Kossuth township, what would stop us from developing Mt. Katahdin and Baxter State Park?

How can you, as citizens of this beautiful state, look your fellow citizens in the eye and tell us with a clear conscience that the decision to forever change this beautiful scenic landscape with wind towers, will help make Maine a better place, and "the way life should be?"

How can you look us in the eye today and tell us that the infrastructure that is required to maintain these massive towers into perpetuity will be cost-efficient for us as taxpayers? How can you look us in the eye and tell us that we all will be happy with a project financed by stimulus money that

will operate at 30% efficiency at best, and much of the energy will be exported to southern New England? And what about the fact that our cost of electricity, which is already high, will increase even more to pay for this infrastructure?

As a fellow citizen of Maine, how can you look us in the eye and say that this project is the best thing for our public health? To make a decision to develop Kossuth township to wind (as well as Carroll Plantation) will be exposing citizens in the area to the constant effects of light flicker and sound reverberations which have been found to cause health problems. Will it bother you to know that you have facilitated wind development and thus the degradation of the quality of life for citizens of Maine?

If Neil Keilly is so adamant about how benign wind is, perhaps LURC should consider an expedited area for wind development in his yard. Neil Keilly is a representative from an out-of-state company whose mission is to woo Mainers into believing wind is good for them. You, LURC committee members, have a mandate from a governor who has six more weeks in office, and then will be working in the wind industry. In the meantime, you have a mandate from the people of Maine to protect their interests with responsible land use. The later mandate is much more far-reaching. I implore you to do the right thing.

Thank you.

Sincerely,

Sara Alexander
280 Marcho Rd.
Etna, ME 04434

Subject: Testimony of Eric and Tammy Lane, against Champlain Wind LLC's Kossuth Petition.

My name is Eric Lane and along with my wife, Tammy Lane, own property on Junior Lake (Class 1B Lake #4708 T05 R01), on the West Grand chain of lakes – the natural area that would be impacted by the Kossuth Petition. My family and I recreate and rejuvenate in this area at various times during the year.

Introduction

To the Commissioners:

The job of finding the appropriate balance between resource protection and renewable energy development has fallen to you. This unenviable position was recently highlighted during the TransCanada hearing for an expansion of the expedited wind zone.

Your vision statement which is in the text below gives the guidance and the CLUP the framework to deny the application. Governor Baldacci reinforced the reason to deny the application himself on August 14th while he was standing on Route 17 in Township D overlooking Mooselookmeguntic Lake and the Bemis Mountain range. He was quoted in the Lewiston Sun Journal with the following statement:

“It’s all about that view” and he added, “That view says Maine. It gives people an inspiration and it’s going to be that way forever”.

(www.sunjournal.com/franklinstory/89348).

That view that Governor Baldacci was taking in is principally excluded from the expedited wind zone. The area in the Kossuth expansion also includes a very similar view but from a different part of the state. My point here is that the view shed must have been a principle discussion point in excluding areas from the expedited zone. The Downeast Lakes Region was excluded from the expedited zone and I would argue that it was done to protect the view shed from the ridges and to protect the view shed from the outstanding or significant Great Ponds and Lakes associated with those ridges (Commission’s Wildlands Lake Assessment 1986/1987). Since the committee which authored the map of the expedited wind zones has failed to keep records of their significant deliberations I will take the Governor’s position that, **“it’s all about that view”**.

The application falls short of approval in several other areas:

Project Context and Setting

The application indicates that only 30 acres of the area designated for addition to the expedited zone will be used for the actual industrial wind generation facilities. The area

highlighted in the maps is much larger and looks to be several hundred acres. I would argue that the larger parcel is necessary in case the proposed Bower's Mountain project fails to win approval. In which case, the project could then be reapplied for on the newly added area to the zone. If Bower's Mtn. is denied then the expansion in the expedited zone is unnecessary.

Please deny the application until the Bower's Mtn. project is approved or denied.

Meets State Goals

The applicant is asserting in *paragraph 2* that time is of essence. Time is of the essence for them but not for LURC. Your obligation to the citizens of the State is to perform full due diligence no matter how long it takes. Champlain Wind has several time constraints which include possible loss of federal subsidies, changing regulations and loss of shareholder value. The fate of the State wind power initiative does not rest on this application.

The applicant in *paragraph 3* is asserting that the Bower's project should influence the decision around this application.

Deny the application until the Bower's project is approved or denied.

The geographical area discussed in *paragraph 3* is rated as having poor wind characteristics on the expedited wind map. Has the applicant presented any evidence from the Stetson projects that show they are generating anywhere near the installed capacity? Why would LURC approve expedited additions to areas designated as poor wind quality without proof that prior approved wind projects are operating at or near their installed capacity? Does LURC have support for this?

Principal Values and Goals

In paragraphs 3.1.1 and 3.1.2 the applicant asserts that the project if approved would not be out of character with current forestry and recreational use. *The application should be denied as the project will increase noise pollution, light pollution and destroy the character presented by the view shed.* Industrial timber harvesting produces noise pollution in the area when in operation. However, harvesting causes noise pollution from dawn to dusk only and because of the mostly inaccessible ridgeline does not impact the view shed. The industrial wind turbines do not fit the same criteria as they will destroy the view shed, develop ridgelines and create around the clock noise pollution as well as dusk to dawn light pollution. The ridgeline development would conflict with the **March 2010 updated CLUP, page 276.**

The industrial wind turbines detract from recreational enjoyment as they will destroy the view shed, create around the clock noise pollution and dusk to dawn light pollution. Degradation in recreational enjoyment is in direct conflict with the last paragraph of the LURC vision statement (attached to the end of this text).

Application should be denied due to incompatibility with existing use.

Paragraphs 3.1.3 Bullet 2--Fish and Wildlife resources

Applicant indicates there are no nesting bald eagles within 4 miles of the proposed addition. They further state a detailed wildlife study will be done at the permit application. How is it possible they know that there are no eagles if a detailed survey has not yet been done? There are nesting eagles on Junior Lake and my research indicates that eagles can have territories as large as 10,000 acres. 10,000 acres is a little under 6 square miles. This could put the Junior Lake eagles in the proposed area as part of their territory. <http://www.baldeagleinfo.com/eagle/eagle3.html>

Deny application until detailed wildlife survey has been done.

In paragraph 3.1.13 the applicant asserts that a landscape analysis reveals that few public places are impacted by the visibility of the proposed project. The applicant fails to reveal if the Great Ponds of outstanding and significant value will have visibility to the project (Commission's Wildlands Lake Assessment 1986/1987).

The Great Ponds are a publicly managed resource and open to the public. I believe the view sheds from the Great Ponds will be irreparably harmed and the application should be denied until a thorough visual impact assessment has been performed. I would open my own camp on Junior Lake (Class 1B lake of statewide significance with one outstanding value) for any interested LURC commissioners to personally evaluate these ridge and Great Pond views.

Deny application until a visual impact assessment has been performed.

In paragraph 3.2.4 the applicant asserts that the proposed expansion is located within 10 miles of three organized towns which implied that it could not be classified as a remote or undeveloped area. It is **also** within 10 miles of several Great Ponds of outstanding or significant assessment (Commission's Wildlands Lake Assessment 1986/1987). In the Land Use Regulation Commission Chapter 10 Appendix C many of these Great Ponds are listed as UNDEV=relatively undeveloped and a few are listed as INAC=relatively inaccessible that in addition with many other outstanding or significant resource features caused LURC to place them in a resource class of 1 or 2 which are considered by the commission to be lakes of Statewide significance and of exceptional value for the State of Maine. I would ask the commission not to ignore these wildlands lake assessment findings. This area is remote and relatively undeveloped and protection measures should be considered.

Numerous remote wilderness campsites (some on islands) maintained by the Department of Conservation are also on these Great Ponds within that 10 mile radius. The area surrounding this entire proposed expansion is quiet, relatively undeveloped and remote. If I use 10 decibels of sound which I researched to be the equivalent measure of sound for rustling leaves then my own experiences tell me, at night in this area, there is never more than 10 decibels of night noise on average. That kind of quiet wilderness experience does not exist in many places in our country. My own research also indicates that the decibel

scale being logarithmic would put the current DEP allowed night time sound output from wind turbines at over 5000 times the intensity of rustling leaves. That would destroy the wilderness experience and compromise the natural character of the area.

<http://www.physicsclassroom.com/class/sound/u1l12b.cfm>

The project should be denied as it compromises the natural character of the area.

3.3 Specific Goals

11. B

The proposed use would increase noise and light pollution and should be denied.

11. G

The area has shown geological instability. The 4th largest earthquake in recent Maine history (Sept. 15, 1994) had its epicenter in Springfield, Maine as recorded by the Department of Conservation Maine Geological Survey.

<http://www.state.me.us/doc/nrimc/mgs/explore/hazards/quake/quake.htm>

table 3

Springfield is within 10 miles of the proposed project expansion. Being the tallest structures by far in Maine, have they been designed to withstand an earthquake? Has a contingency plan been developed for safety of employees or the public?

11. J Scenic Resources

While the proposed expansion area does not contain any specific scenic resources there are several that exist within the view shed and qualify for LURC protection.

(Commission's Wildlands Lake Assessment 1986/1987)

(March 2010 CLUP Scenic Resources)

“there will undoubtedly always be some need to evaluate scenic resource impacts during the review of specific development projects, generally for those projects that are large-scale or located in particularly sensitive areas”.

See also comments above for Paragraph 3.2.13 and Paragraph 3.2.4.

The applicant once again alludes to detailed review at the development stage.

Please deny until the Bower's Mtn. permit has been approved or denied.

Conclusion

This is a case of the cart before the horse. If the Bower's Mtn. project as described by the applicant is denied then this exercise is unnecessary. I believe LURC will find the scenic and character change unacceptable in this area of Maine and deny the application. Wind power has been legislated into existence but there are areas of the state where it fits better than others. This is more than a case of not in my backyard. The area has been rated with poor wind generating characteristics and great ponds and lakes within the projects view shed have been identified by the commission to be of outstanding and significant value to the State of Maine and have a highly sought after wilderness character. It should be protected. In your own March 2010 CLUP report section 5.9 Recreational Resource you have stated the following: “Most recreational pursuits in the jurisdiction rely heavily

on the area's exceptional natural resource values. These values serve both as the basis for recreational activities and as the setting which enhances the quality of the recreational experiences. Depending on the activity, recreationists enjoy the jurisdiction's lakes, ponds, rivers, streams and other water resources; fish and wildlife resources; botanical resources; ecological values; scenic and cultural resources; coastal islands; and mountain areas. As recreational lands elsewhere are increasingly developed, opportunities for backcountry experiences will become scarcer, and the remote values of the jurisdiction will become even more highly prized. The jurisdiction's exceptional recreational resources are unparalleled in the Eastern United States and provide the setting for many outstanding recreational experiences".

LURC can stand up as Governor Baxter did and preserve what's left of wilderness Maine.

We recognize the difficulty of your position and hope you will stay true to your mission and commitment to the people of the State of Maine.

Sincerely,
Eric and Tammy Lane
1507 Royalsborough Road
Durham, Maine 04222
tlane@gwi.net
207-353-2661

Vision, Goals and Policies

The Maine Land Use Regulation Commission (LURC or the Commission) is charged with extending the principles of planning and zoning across its jurisdiction, which spans more than 10 million acres of the State of Maine. Known historically as the Wildlands of Maine, this vast landscape is the least populous and least developed portion of Maine and encompasses the largest block of undeveloped forestland in the Northeastern United States. The lands of the jurisdiction are predominantly privately owned, though they also contain many public values and resources. The Commission faces complex and unique challenges in its planning and regulatory responsibilities due to this intermixing of private ownership and public values.

The Commission's responsibilities include planning for the future, not just reacting to present conditions.

This Comprehensive Land Use Plan provides the Commission with an opportunity to not only look back at trends and evaluate their effects, but also to develop a future vision of the jurisdiction. The vision, below,

describes how the jurisdiction ideally would look in the future if change is successfully accommodated. The goals, policies and implementation measures of this plan, which follow, are aimed at attaining this vision.

The vision is best viewed in the context of the purpose and scope of the Commission's enabling legislation:

The legislature finds that it is desirable to extend principles of sound planning, zoning and subdivision control to the unorganized and deorganized townships of the State: To preserve public health, safety and general welfare; to prevent inappropriate residential, recreational, commercial and industrial uses detrimental to the proper use or value of these areas; to prevent the intermixing of incompatible industrial, commercial, residential and recreational activities; to provide for appropriate residential, recreational, commercial and industrial uses; to prevent the development in these areas of substandard structures or structures located unduly proximate to waters or roads; to prevent the despoliation, pollution and inappropriate use of theater in these areas; and to preserve ecological and natural values. The Legislature declares it to be in the public interest, for the public benefit, for the good order of the people of this State and for the benefit of property owners and residents of the unorganized and deorganized townships of the State, to encourage the well-planned and well managed multiple use of land and resources. The Legislature acknowledges the importance of these areas in the continued vitality of the State and to local economies. Finally, the Legislature desires to encourage the appropriate use of these lands by the residents of Maine and visitors in pursuit of outdoor recreation activities, including, but not limited to, hunting, fishing, boating, hiking and camping.

Ms. Samantha Horn-Olsen
Land Use Regulation Commission
22 State House Station
Augusta, ME 04333-0022

September 22, 2010

Re: Proposed Rule Number: 2010-P211 - Petition by Champlain Wind, LLC to expand the expedited wind energy permitting area by adding 695 acres located in Kossuth Township, Washington County.

Dear Ms. Horn-Olsen and LURC Commissioners,

Thank you for giving the public the opportunity to comment on this petition. I urge the Commission to deny Champlain Wind, LLC its petition to add any portion of Kossuth Township to the expedited wind energy permitting area.

I am a summer resident who uses the high quality recreational opportunities in the Downeast Lakes watershed. I fish, canoe, kayak and hike here. I'm one of the thousands of visitors, who, over several generations, have returned to this area year after year to experience the legendary mystique of the hills, lakes, and forests from Pleasant Lake to West Grand Lake, and from Sysladobsis to West Musquash. I represent the traditional recreational economy that employs hundreds of people as hunting and fishing guides, contractors, as workers in retail and service businesses, and sporting camps. This economy is directly threatened by the Kossuth Petition, and the related Bowers Mountain project.

I'm also a writer. I find inspiration in the astounding beauty of the area's pristine lakes, hills and forests. Even though I've only spent a few summers here, I have written essays about this area for Down East and Cabin Life Magazines, and am constantly writing more. Many writers, such as the late Edmund Ware Smith, and fishing guide-author Randy Spencer of Grand Lake Stream, have also found this part of Maine to be a wellspring of inspiration.

I urge LURC to deny the petition based on three issues:

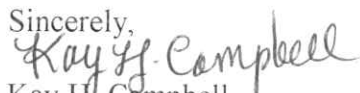
First, extending the expedited territory into Kossuth Township contradicts the core mission of LURC to protect the recreational economy in its jurisdiction. The proposed addition and wind project directly threatens this area's economy. Its 428 foot tall wind turbines will desecrate the pristine ridgelines surrounding its jewel-like lakes. The sounds of turning wind turbines, amplified over water, will disturb the deep stillness of its forests and lakes. The flashing, all night, every night, of a string of red strobe lights, will interrupt its star-filled night skies all the way to Grand Lake Stream. The proposed project will ruin the pristine beauty of the area. Fewer people will return once they learn of what has been allowed to happen to this beautiful and storied place. While Champlain Wind's petition briefly acknowledges that the wind turbines will likely be visible from several lakes, it downplays the impact that they will have on the traditional recreational economy. I strongly disagree with this, and urge the Commission to deny based on its real impact.

Second, LURC's mission statement acknowledges the importance of managing watersheds as a whole. The Downeast Lakes watershed merits such treatment, since it includes one of Maine's most pristine lake chains, rimmed with forests and framed by rolling wooded hills. The Downeast Lakes Land Trust has raised millions of dollars to acquire and conserve acreage in this watershed to protect it from just this sort of development. Their efforts have just been recognized by the U.S. Forest Service as the #1 priority for the Forest Legacy Program. Carving out more of the watershed for industrial wind development will have a detrimental effect on the natural character of the very watershed that so many, including the U.S. Forest Service, are working so hard to protect and preserve.

Third, LURC's mission is also to prevent "the intermixing of incompatible industrial, commercial, residential and recreational activities". LURC Commissioner Steve Schaefer, resident of Grand Lake Stream, Master Maine Guide, member of the Grand Lake Stream Guides Association, and President of the Board of Directors of the Downeast Lakes Land Trust has correctly recused himself from decision making on the Kossuth petition and the Bowers Mountain project. The fact that he had to do this shows that stakeholder interests are in major conflict, because the requested territory extension and the entire project, are clearly inappropriate given the importance of this area to the traditional economy and the State of Maine as a whole.

Based on these issues; protecting the area's traditional recreational economy, managing the watershed as a whole, and preventing incompatible industrial activities in your jurisdiction, I urge you to deny Champlain Wind LLC's petition. In denying the petition, you will be upholding LURC's values, and you will help keep these precious forests, lakes and ridgelines pristine for the enjoyment and the inspiration of future generations.

Thank you again for this opportunity to comment.

Sincerely,

Kay H. Campbell
Lakeville, Maine

Carolyn R. Dodge
P.O. Box 44
Dixmont, Maine 04932
(207) 944-3454
carolynrae@conscious-possibilities.org

September 22, 2010

Board of LURC Commission
State House Station
Augusta Maine 04333

RE: Champlain Wind Rulemaking Petition to add Lands in Kossuth Twp to the Wind Power Expedited Permitting Area.

Your Honorable Board of Commissioner to the Land Use Regulation:

Thank you for allowing me the opportunity to speak to you today and provide testimony on behalf of these expedited ambitions. The whole expedited process that has been implemented by way of LD2283 failed to include a transparent communication with the people of Maine given an opportunity of a 15-year window of opportunity prior to 2007. Expanding upon this would only serve to continue with a disrespectful process to the rights of the people of Maine.

As I review a multitude of documents, I fail to see conclusive impact studies to these intact and undisturbed ideal habitats for the wildlife that resides there. My sovereignty is not restricted by the boundaries of Native lands; I am a taxpayer, large landowner and registered voter to the state of Maine and the USA. What I have always understood as a Native American is that our immune systems are owned and fused to the natural eco-systems. The status of our sustained health is contingent upon the decisions we make today. Impulsive or expedited activities have only ever proven to create mistakes that we have the intelligence to avoid. I respectfully request that there is no change to the permitting process and standards. I feel that more information and responsible impact studies need to be presented. I request this as a responsible and respectful process to the people of Maine.

Respectfully Submitted,



Carolyn R. Dodge
2010 Candidate for State Representative District 39
2009 UMO Public Administration, Masters
2004 UMA Behavioral Sciences Bachelors
Certified Alcohol and Drug Counselor

Citizens Task Force on Wind Power

To all in Maine concerned with the preservation of Conservation Land:

The difficult planning and hard thought process of LURC's expedited permit boundaries for industrial wind energy development is being tested by the First Wind / Champlain Wind application to change said boundaries of the defined expedited areas of the Bower's Mountain/Dill hill wind project.

Our state has for many years been national leaders for the respect and staunch support of our state's beautiful natural resources. This is LURC's mission. Our state has stood on the principles of respect of natural beauty and associated lifestyle. Much of our state's attraction and economy is based on this foundation of principle.

We are not and don't think anyone should be anti-alternative energy technology but the people of this state need to expect that just as much thought and deliberation, if not more, goes into the redefining of the expedited borders as went into defining them in the first place. This decision will define our position as a state, scrutinize the strength of our resolve for our principles and show our backbone as a people.

We are still in the infancy of this technology and the real life, net gain has not been disclosed or clearly defined. We are being asked as a people to change the criteria of what is an acceptable sacrifice for an undetermined true gain. We do not know the exact net gain in electrical output for the net loss in other resources however esoteric they may be. The infringement on non-expedited, or conservation land should be left for last when real experience has been analyzed, not part way through the game. We have no hard data to make this forever decision. The wind industry exists through taxpayer subsidy and we are now asked to give up our conservation land too. The industry can't stand on its own economy and the rush to alternative energy may be leaving wreckage in its path. This reminds us of the days of gold or oil rush of yore. How many hasty decisions have we regretted from the past? Are we going to lose something again for repeating the same behavior?

If LURC allows the changing of it's designated expedited border with little or no debate then the red flags should rightfully be going up, all the history and commitment of the state to protect it's most cherished land should be called into question.

Let's slow down, open our eyes and really collectively think about this at this juncture in our energy future. There may be alternatives to these land based wind farms soon to be discovered. It would be a shame to find that the infringement on our most beautiful and important land was unnecessary. If we get this wrong it will be very wrong and will not be able to be turned back.

Sincerely,

Steven and Diane Neil
Camden and Lakeville, Maine

9-22-10

To the Commissioners:

- I realize that the situation that you are in is a difficult one.
- Thank you for taking your time to listen to both sides of this issue.
- I have been a registered ^{master} Maine Guide since 1978. During the past 30 years I have made part of my livelihood in this profession.
- I believe more research needs to be done on the impact ~~on~~ ~~the~~ wind towers will have on the Maine tourism industry. Maine's #1 industry.
- Ultimately your decision could affect how Maine has looked for hundreds and thousands of years.

- For these reasons and so many more, please deny First Winds application in Kossuth.

Thank you
Michael Kerr
Lakeville, maine

Land Use Regulation Commission
22 State House Station
Augusta, Maine 04333-0022

I am Lindsay Wheaton, owner of a sporting camp on West Grand Lake, in the town of Grand Lake Stream. Our Lodge is in a direct view line of the proposed Bowers Mountain project. We will look at the turbines and red lights.

Our guests come to our lodge because of the natural resources – to fish for landlocked salmon on West Grand Lake, to flyfish the Stream, to hunt birds, bear, or deer, or to enjoy the undeveloped shorelines and the quiet. We often have guests comment that they forgot how many stars are in the sky because of light pollution in the cities. They come to appreciate the rich cultural history of the guides and sporting camps. The sight of the turbines and red lights will negatively impact this experience. People can just as easily search the internet for another place to stay.

We are trying to keep our small family business afloat in very hard economic times. For these reasons, I oppose First Wind's request to include Kossuth Township as an expedited area and I oppose the Bowers Mountain project. Please do not allow First Wind to make this impact on our community.

First Wind told the residents of Grand Lake Stream last week that they are only required to consider the impact of their projects to communities within 8 miles and that our town is 18 miles away. We got the message loud and clear that they are not interested in the impact it will make to us. I hope LURC cares and I hope the State of Maine cares.

The positive benefits from 25 wind turbines pales in comparison to what it will take away from our community. We, in Grand Lake Stream, have spent a tremendous amount of time, effort and money to protect our natural resources and to keep things the same. We have done so to support our economy and way of life. Please do not let First Wind take it away from us.

Lindsay Wheaton

PO Box 8

Grand Lake Stream, ME 04637

ls wheaton@earthlink.net

MEMORANDUM OF LEASE

PARTIES TO LEASE: LESSOR
Baskahegan Company
70 Blanchard Road
Cumberland, Maine 04021

LESSEE
Champlain Wind, LLC
c/o First Wind Energy, LLC
its successors and assigns
179 Lincoln Street, Suite 500
Boston, MA 02111

LEASE: Land Lease Agreement dated April 27, 2010.

PROPERTY: Certain parcels of land situated in Kossuth Township,
Washington County, Maine, shown as Maine Revenue
Services Kossuth Township Parcels 01-9.1, 01-9.2, and
01-4, and being more particularly described on Exhibit A
attached hereto and made a part hereof.

PREMISES: Lessor leases to Lessee the Property for the purposes
described in the Lease. Lessee's leasehold interest includes
the right to use and develop that portion of the Property
preliminarily depicted in the map attached hereto as
Exhibit B.

TERM OF LEASE: Lease shall be for an initial term of twenty five (25) years
and shall commence on April 27, 2010.

EXTENSION TERM: The Lessee shall have the option to renew the Lease for one
additional twenty (20) year term.

RIGHTS UPON SALE: Should the Lessor, at any time during the term of the Lease,
decide to sell all or any part of the Property to a purchaser
other than the Lessee, such sale shall be under and subject
to the Lease and the Lessee's rights thereunder, and any
sale by the Lessor of the portion of the Property underlying
the right-of-way therein granted shall be under and subject
to the right of the Lessee in and to such right-of-way.

NON-INTERFERENCE Lessee shall have the exclusive right to convert all of the
wind resources of the Property. Lessor's activities and any

grant of rights Lessor makes to any third party, whether located on the Premises or elsewhere, shall not, now or in the future, interfere in any way with Lessee's exercise of any rights granted under this Agreement. Lessor shall not interfere with the wind speed or wind direction over the Property by engaging in any activity on the Property that might cause a decrease in the output or efficiency of any wind turbine generators and towers and related equipment, including anemometry equipment, facilities, infrastructure and substructures, including electrical energy measuring and related equipment ("WTGs"), including any WTGs located on land owned by Lessor adjoining the Premises. Lessor's rights to erect structures on the Premises in compliance with all applicable laws and ordinances shall not be limited except as provided in the Lease. Lessor will neither build nor permit to be built on the Premises any obstruction over one hundred feet (100') in height within one thousand (1000') feet of any WTG, whether located on or off the Premises, unless it first obtains the written consent of Lessee, which consent shall not be unreasonably withheld, conditioned, or delayed.

DATED this 31st day of August, 2010.

Baskahegan Company

By:

Name: ROGER MILLIKEN, JR.

Title: CEO

STATE OF Maine
COUNTY OF: Cumberland

On this 31st day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Roger Milliken, Jr., personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his, signature on the instrument, the individual(s) or the person(s) upon behalf of which the individual acted, executed the instrument.

Lisa Stuart
Notary

Public

Lisa Stuart
Notary Public
State of Maine
My Commission Expires 10/10/10

Exhibit A

Legal Description of Property

Certain parcels of land situated in Kossuth Township, Washington County, Maine, shown as Maine Revenue Services Kossuth Township Parcels 01-9.1, 01-9.2, and 01-4, and being more particularly described in the following deeds:

Parcel 01-9.1: Quitclaim Deed with Covenant from Peter and Larry Shay Partnership to Baskahegan Company dated March 17, 1995 and recorded at the Washington County Registry of Deeds in Book 1986, Page 309.

Parcel 01-9.2: Confirmatory Deed from Peter and Larry Shay Partnership dated May 18, 2010 and recorded at the Washington County Registry of Deeds in Book 3635, Page 159.

Parcel 01-4: Warranty Deed from Henry H. Putnam to Baskahegan Company dated January 9, 1920 and recorded at the Washington County Registry of Deeds in Book 343, Page 123.

MEMORANDUM OF LEASE

PARTIES TO LEASE:

LESSOR

Lakeville Shores, Inc.

its successors and assigns

P.O. Box 99

Winn ME 04495

LESSEE

Champlain Wind, LLC

c/o First Wind Energy, LLC

its successors and assigns

179 Lincoln Street, Suite 500

Boston, MA 02111

PROPERTY:

That certain lot or parcel of land situated in Kossuth Township, Washington County, Maine, shown as Maine Revenue Services **Kossuth Township Parcels 01-7 and 01-23**, and being more particularly described in the deeds referenced on the attached Exhibit A and made a part hereof.

PREMISES:

Lessor leases to Lessee the Property for the purposes described in the Lease. Lessee's leasehold interest includes the right to use and develop that portion of the Property preliminarily depicted in the map attached hereto as Exhibit B (the "Premises") for the purposes described in the Lease. The Premises shall be surveyed and may be redefined in accordance with the Lease.

TERM OF LEASE:

Lease shall be for an initial term of twenty seven (27) years and shall commence on **JULY 21, 2010**.

EXTENSION TERM:

The Lessee shall have the option to renew the Lease for one additional twenty (20) year term.

SALE OR DIVISION OF
PROPERTY:

During the term of the Lease, Lessor shall neither sell any portion of the Property, nor divide the Property by any other means constituting a "division" pursuant to the subdivision laws of the State of Maine, the rules and standards of the Maine Land Use Commission, the ordinances of the municipality where the Property is located or any other applicable statute, law, ordinance, by-law or rule, without the prior written consent of Lessee in each instance. Should

the Lessor, at any time during the term of the Lease, decide to sell all or any part of the Property to a purchaser other than the Lessee, such sale shall be under and subject to the Lease and the Lessee's rights under the Lease.

NON-INTERFERENCE

The primary purpose for which the Premises have been leased is for a wind power project, including but not limited to designing, constructing, maintaining and operating wind turbine generators and towers and related equipment, including anemometry equipment, facilities, infrastructure and substructures, including electrical energy measuring and related equipment ("WTGs"), towers, transmission and interconnection facilities and uses incidental thereto and all necessary appurtenances and the installation of anemometers. Lessee shall have the exclusive right to convert all of the wind resources of the Property. Lessor's activities and any grant of rights Lessor makes to any third party, whether located on the Property or elsewhere, shall not, now or in the future, interfere in any way with Lessee's exercise of any rights granted under the Lease. Lessor shall not interfere with the wind speed or wind direction over the Property by engaging in any activity on the Property that might cause a decrease in the output or efficiency of any WTG, including any WTGs located on land adjoining the Property. Lessor must consult with and obtain Lessee's prior written approval as to the location of all structures measuring in height greater than one quarter of the WTG tower height, and within a radius of 20 rotor diameters from any WTG, whether located on or off the Property.

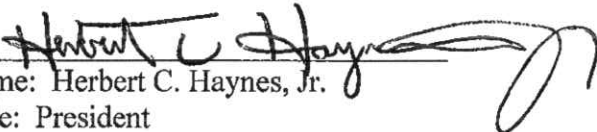
EASEMENT RIGHTS TO USE MOOSE ROAD

The parties hereby acknowledge and agree that:
(a) the Property is bounded on the west by land of Bowers Mountain, LLC in Carroll Plantation, Penobscot County, Maine (the "Bowers Mountain Property"); (b) the Bowers Mountain Property is benefitted by an appurtenant 66-foot wide right of way over the so-called Moose Road, for all purposes of a way including all types of travel and utilities, as said road extends southerly from the Brown Road, crossing other lands of Lessor (in Carroll Plantation) to the Bowers Mountain Property, as reserved by deed dated April 24, 2006 and recorded at the Penobscot County registry of Deeds in Book 10400, Page 46; (c) Lessee is leasing the Bowers Mountain Property, including said wide right of way over the Moose Road, for purposes related to its proposed wind power project, with a Memorandum of Lease having been recorded at said Registry in

Book 12152, Page 38; and (d) in connection with its lease of the Bowers Mountain Property or any portion thereof, Lessee shall have full rights to use said 66-foot wide right of way over Moose Road, including for transportation of heavy equipment by crane, large truck, motor vehicle or as otherwise determined by Lessee, and to maintain or improve the roadway within said 66-foot wide right of way as may be necessary or convenient to Lessee for such purposes.

DATED this 15th day of July, 2010.

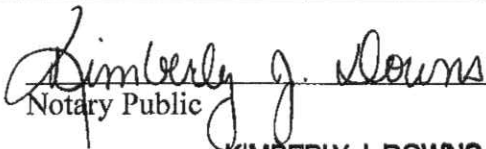
LESSOR: Lakeville Shores, Inc.

By: 
Name: Herbert C. Haynes, Jr.
Title: President

STATE OF MAINE

COUNTY OF PENOBSCOT ss.

On this 15th day of JULY, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared HERBERT C. HAYNES, JR., personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his, signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

KIMBERLY J. DOWNS
MY COMMISSION EXPIRES JULY 9, 2014

SEAL

Exhibit A

Deeds of Property

Kossuth Parcel 1-7

Deed from Wagner Timber Partners to Lakeville Shores, Inc. recorded at the Washington County Registry of Deeds on December 4, 2000 in Book 2477, Page 132.

Deed from Herbert C. Haynes, Inc. to Lakeville Shores, Inc. recorded at the Washington County Registry of Deeds on May 29, 1998 in Book 2246, Page 346.

Kossuth Parcel 1-23

Deed from Herbert C. Haynes, Inc. to Lakeville Shores, Inc. recorded at the Washington County Registry of Deeds on November 28, 2006 in Book 3221, Page 117.

*124th
Maine
Legislature*

*3 State House Station
Augusta, ME 04333-0003
(207) 287-1540*

September 21, 2010

Gwen Hilton, Chair
Land Use Regulation Commission
22 State House Station
Augusta, ME 04333-0022

Dear Chair Hilton and Commissioners:

We are writing to express our strong support for Champlain Wind, LLC's petition to expand the expedited permitting zone to incorporate its plans for development of a 25 turbine, 57 megawatt grid-scale wind energy project on Bowers Mountain ("Bowers Project"). The proposed Bowers Project is located in Carroll Plantation, currently part of the existing expedited wind permitting area, and Kossuth Township, where portions of the Township are not currently located in the expedited area.

We both take an active interest in new energy projects, particularly those that advance Maine's wind energy generation goals and together served as Task Force members on the Governor's Task Force on Wind Power. In passing the Wind Power Act unanimously, the Legislature established a number of goals and policies as well as specific mandates for the State of Maine and its permitting agencies, including LURC, designed to facilitate the appropriate siting and successful development of wind power in the State.

At the time the legislation was passed, there was recognition among Task Force members and legislators that all appropriate areas had not been included in the expedited zone and that the expedited map would need to be amended as new information became available. As a result, the legislation created a statutory mechanism allowing LURC to add areas to the expedited permitting area where three criteria are met: 1) the proposed area is a logical geographic extension of the currently designated expedited permitting area; 2) it is important to meeting the state goals for wind energy development; and 3) it does not compromise the principal values and goals of the Comprehensive Land Use Plan (CLUP). LURC has subsequently adopted guidance to assist in interpretation of these standards.

We believe that Champlain Wind's petition is exactly the type of expansion that was contemplated by the Task Force members and legislators in developing the criteria listed above. With respect to the first criterion, the proposed addition is a targeted area limited to those areas located immediately adjacent to Carroll Plantation, currently in the designated permitting area (as well as portions of Kossuth Township), that would be suitable for potential wind turbines and associated infrastructure. With respect to the second criterion, the proposed 57 megawatt project would further advance the State's wind energy goals, approximately 16 MW of which would be located in Kossuth Township. We believe that mid-size projects, such as the one proposed here, are critical to helping the State meet its ambitious wind energy goals, which are currently well behind 2015 targets. Finally, wind power is a compatible use with other existing uses in the area proposed for addition to the expedited area and we do not believe any principal value of the CLUP would be compromised in this location.

We appreciate the time and effort the Commission and LURC staff have spent reviewing this petition and wanted to express our support for approval of Champlain's request.

Sincerely,



Philip L. Bartlett, II
Senate Majority Leader



Stacey A. Fitts
State Representative



CONSERVATION LAW FOUNDATION

September 21, 2010

Chair Gwen Hilton
c/o Marcia Spencer-Famous
Land Use Regulatory Commission
22 State House Station
Augusta, ME 04333

Re: Champlain Wind, LLC Kossuth Township Petition Wind Power Project

Dear Chair Hilton,

On behalf of the Conservation Law Foundation, I am submitting these comments on the Champlain Wind, LLC petition to expand the expedited wind energy permitting area in Kossuth Township, Washington County. CLF was an intervenor in prior permitting proceedings for wind power projects (Kibby, Stetson, Redington/Black Nubble) and most recently submitted comments on the proposal to expand the expedited wind energy permitting area for the Kibby II proceeding. CLF also filed an amicus brief in the recent Law Court case where Friends of Lincoln Lakes challenged the statute authorizing the creation of the expedited wind energy permitting area. CLF argued that the statute was not only constitutional but an accurate reflection of the Legislature's directive to develop Maine's renewable energy and resources. We write today as a general matter to underline our continued support for the development of wind power in Maine, to make several observations about the changes in Maine's goals and statutes since we were last before the Commission that encourages the development of wind energy, and to support Champlain Wind's petition to expand the expedited wind power permitting area in Kossuth Township.

There is overwhelming evidence that Maine's climate, along with the rest of the world's is changing and that a principal cause of the change is greenhouse gas emissions. *See, e.g.,* (2009). *Maine's Climate Future: An Initial Assessment* Jacobson, G.L., I.J. Fernandez, P.A. Mayewski, and C.V. Schmitt, available at <http://www.climatechange.umaine.edu/mainecimatefuture/>. Such changes will have profound impacts on our environment and our economy. A primary source of those GHG emissions are the means by which we generate power to heat and cool where we live and work, transport people and goods, and power our industry.

47 Portland Street, Suite 4, Portland, Maine 04101-9872 • 207-210-6439 • Fax: 207-221-1240 • www.clf.org

MASSACHUSETTS: 62 Summer Street, Boston, Massachusetts 02110-1016 • Phone: 617-350-0990 • Fax: 617-350-4030
NEW HAMPSHIRE: 27 North Main Street, Concord, New Hampshire 03301-4930 • 603-225-3060 • Fax: 603-225-3059
RHODE ISLAND: 55 Dorrance Street, Providence, Rhode Island 02903-2221 • 401-351-1102 • Fax: 401-351-1130
VERMONT: 15 East State Street, Suite 4, Montpelier, Vermont 05602-3010 • 802-223-5992 • Fax: 802-223-0060

CONSERVATION LAW FOUNDATION

Maine has worked to promote renewable sources of energy to replace carbon-based energy sources – coal, oil and gas – that are the root source of GHG emissions, beginning almost two decades ago when the Department of Environmental Protection (“DEP”) issued its first report on GHG’s in 1990. The recent failure of Congress to enact federal climate legislation only heightens the importance of state and regional efforts to increase energy independence and decrease reliance on dirty fuels.

Since the DEP’s initial report in 1990, the Legislature has enacted a number of statutes that have made Maine a regional and national leader in the efforts to address climate change, including encouraging the development of energy sources that do not emit GHG’s, such as wind energy. In 2003 the Legislature passed, “An Act to Provide Leadership in Addressing the Threat of Climate Change,” (“Climate Change Act”), which called for a reduction in GHG emissions over the short, medium and long-term. 38 M.R.S. §§ 574, 576. That same year, the Legislature enacted the Maine Wind Energy Act, Pub. L. No. 665, § 3, 121st Leg., 2nd Spec. Sess. (ME 2003), finding that it is in the public interest to explore opportunities for and encourage the development, where appropriate, of wind energy production. *Id.* at § 3402.

In 2007, following an initial round of permitting of four grid-scale wind energy projects in Maine, Governor Baldacci appointed a Task Force on Wind Power Development in Maine. The Task Force had several objectives – to make Maine a leader in wind power development, to protect Maine’s quality of place and natural resources and to maximize the tangible benefits Mainers receive from wind power development. *See*, “*Report of the Governor’s Task Force on Wind Power Development: Finding Common Ground for a Common Purpose*” (“Report”). In its Report, the Task Force not only recommended that Maine adopt the statutory goals of obtaining 2000 MW and 3000 MW of installed wind power capacity by 2015 and 2020¹, respectively, but also that the Legislature make changes to the process for evaluating applications to develop grid-scale wind energy projects in certain areas of the State, known as Expedited Areas. *Id.* at 18-22.

The Task Force – comprised of a broad cross-section of stakeholders and agencies -- identified Expedited Areas in the state based on where the wind resources were sufficient and where grid-scale wind energy development would be most compatible with existing patterns of development and resource values. The Task Force unanimously recommended that projects in these Expedited Areas qualify for streamlined and expedited treatment with respect to permitting decisions and appeals of those decisions. *Id.* at 20-22.

In response to the Report, the Legislature passed “An Act to Implement Recommendations of the Governor’s Task Force on Wind Power Development”, which amended the MWEA to make further Legislative findings concerning the State’s interest in encouraging

¹ “Installed wind power capacity” refers to the functioning, built infrastructure of turbines generating megawatts (“MW”) of electricity. A MW is equivalent to one million watts. The productive capacity rate of electrical generators is often measured in MW. One MW is enough to generate electricity for 250-300 average U.S. homes.

CONSERVATION LAW FOUNDATION

the development of grid-scale wind energy, 38 M.R.S. § 3402, and to set statutory goals of developing 2000 MW and 3000 MW of wind power by 2015 and 2020. *Id.* at § 3404 (2). That Act also created the Expedited Permitting of Grid-Scale Wind Energy Development, 35-A M.R.S. §§ 3451 – 3457, which designated certain parts of the State to be Expedited Areas, amended the regulatory and adjudicatory review process set forth in 38 M.R.S. §§ 344(2-A)(A)(1) and M.R.S. §§ 346(4) for projects in the Expedited Areas and provided a process for making additions to the Expedited Areas. Subsequently, LURC developed and adopted guidelines that, consistent with the statute, provided guidance as to how the Expedited Areas could be expanded.

Today, Maine remains well short of its goal to have 2000 MW of wind power generated here in Maine by 2015. As a matter of environmental protection as well as economic development and energy independence, Maine must capitalize on the opportunity that an abundant and renewable resource presents and implement the work and directives of successive Legislatures. While an individual wind power project must certainly be subject to scrutiny with respect to impact on natural resources, it is critical that the larger issues underlying the permitting statute – economic, environmental and energy – also factor in to the decision-making process.

In the instant case, it is our position that Champlain Wind’s petition to expand the expedited wind energy permitting area in Kossuth Township for its proposed Bowers Mountain Wind Project meets the requirements of the statute and is consistent with LURC’s guidelines. The statute provides:

In order to add a specified place to the expedited permitting area, the Maine Land Use Regulation Commission must determine that the proposed addition to the expedited permitting area:

1. Geographic extension. Involves a logical geographic extension of the currently designated expedited permitting area;
2. Meets state goals. Is important to meeting the state goals for wind energy development established in § 3404; and
3. Principal values and goals. Would not compromise the principal values and the goals identified in the comprehensive land use plan adopted by the Maine Land Use Regulation Commission pursuant to Title 12, §685-C.

35-A M.R.S. § 3453. In the Guidelines adopted by LURC on March 3, 2010, the Commission provided greater clarification as to how it would analyze petitions to expand the Expedited Areas pursuant to these statutory criteria. As clarified by LURC, Champlain Wind’s petition meets that criteria.

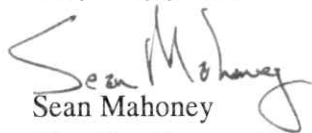
Specifically, the majority of the proposed project is in the Expedited Area of Carroll Plantation and the expanded area is a natural extension across a political boundary unrelated to geography. The proposed project would add 57 MW of installed capacity, roughly 25% of

CONSERVATION LAW FOUNDATION

which would be in the expanded area. Mid-sized, low-elevation projects such as this one are critical if Maine is to reach its statutory goals of 2000 MW and 3000 MW. Just as importantly, the proposed project will be able to share infrastructure with the existing Stetson wind power project. And this proposed project will not compromise the values and goals set forth in the CLUP.

In weighing the benefits against the impacts of this project, we urge the Commission to keep in mind that Maine has a good plan to develop its renewable energy resources and to avoid haphazard siting of wind power projects. It's a plan born out of environmental necessity, economic opportunity and regulatory oversight. But good planning involves not just developing a plan but also implementing it. Champlain Wind's petition to expand the Expedited Area to Kossuth Township is consistent with that plan and should be granted.

Very truly yours,



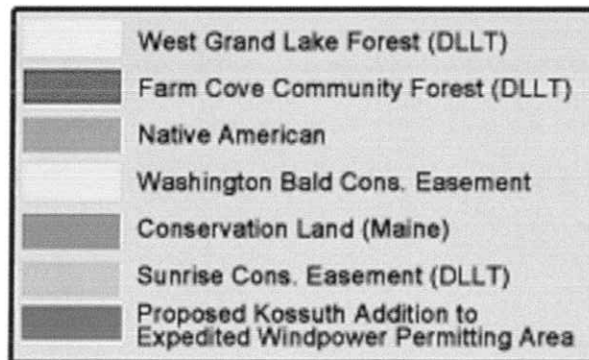
Sean Mahoney

Vice President and Director

Maine Advocacy Center

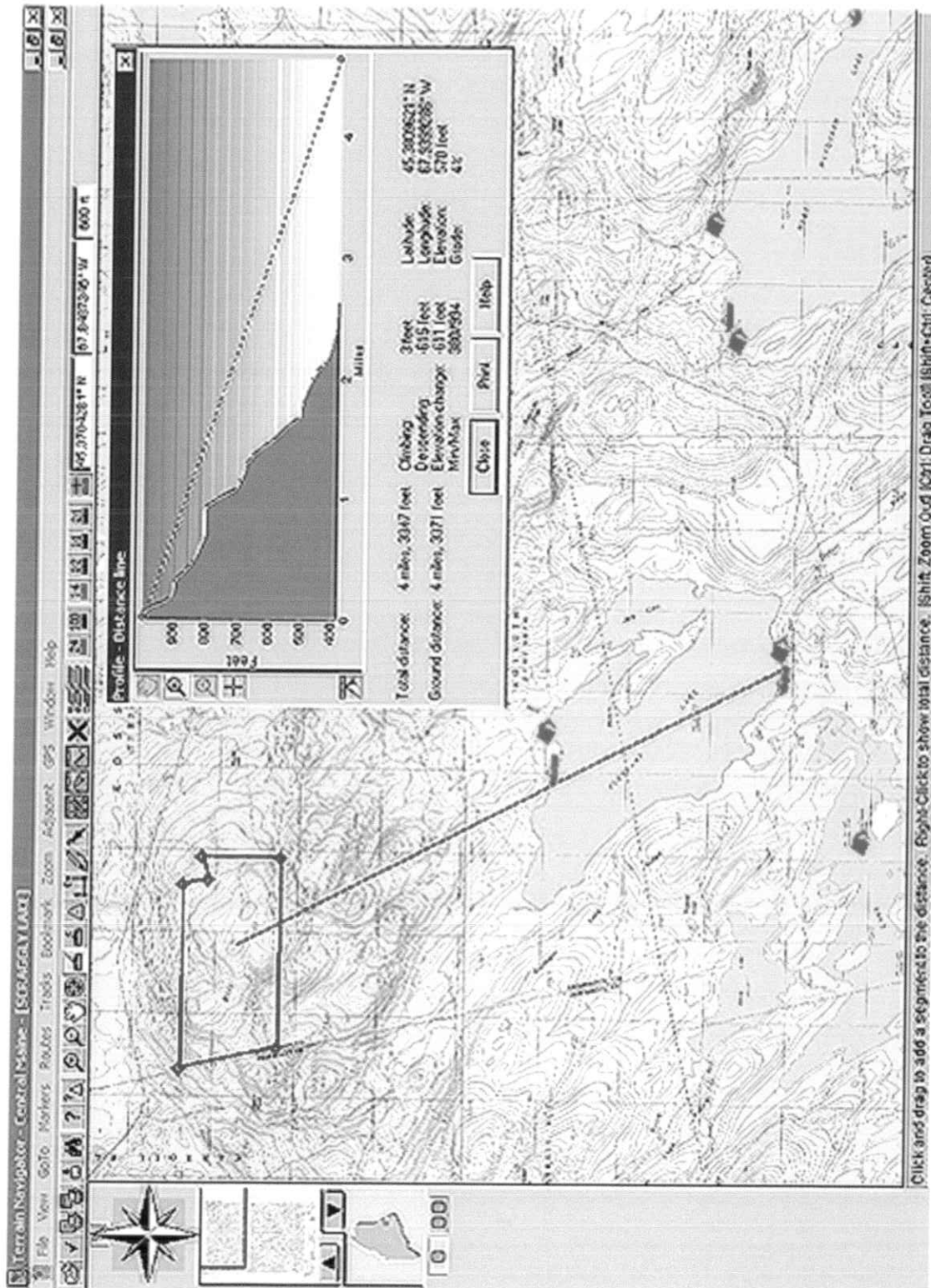
FIGURE 1

Map of the Proposed Kossuth Addition to the Expedited Area and its proximity to West Grand Lake Watershed's Conservation Areas



source: Downeast Lakes Land Trust

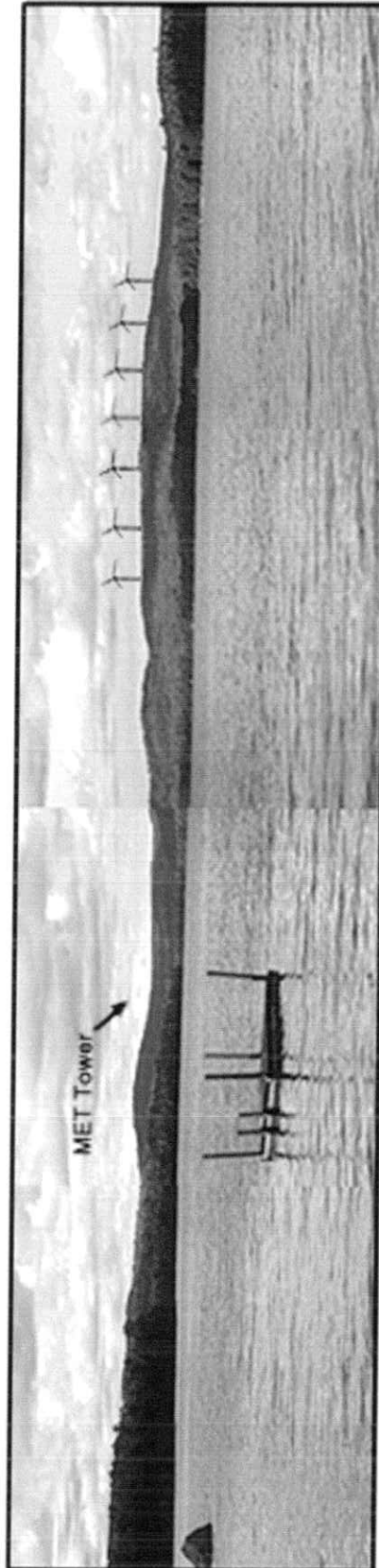
FIGURE 2
Line of sight analysis showing summit of Dill Hill is clearly visible from Pleasant Lake



Boundary of Kossuth parcel leased by Champlain Wind LLC determined by coordinates provided in the Petition prepared by Stantec Consulting. Software by Maptech Terrain Navigator using on USGS maps.

FIGURE 3

Montage of photos taken from public landing on south shore of Pleasant Lake looking toward Dill Hill. Seven wind turbines superimposed on Dill Hill. The scale of the turbine images is based on the water level being 319' above sea level and Dill Hill being 1015' above sea level. The apparent height of Dill Hill is therefore 696'. The turbines, being 428' tall are drawn as .615 (428/696) of the apparent height of Dill Hill. This height calculation is also confirmed by reference to Bowers MET Tower (BOWMET2AF) which is indicated by the arrow. It is visible with the naked eye but is not visible in this photo due to its size and resolution.



Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Friday, October 01, 2010 1:23 PM
To: Todd, Fred
Subject: FW: Wind Energy

From: karen sprague [mailto:kage2@mgemaine.com]
Sent: Friday, October 01, 2010 1:02 PM
To: Horn-Olsen, Samantha
Subject: Wind Energy

Kenneth and Karen Sprague
PO Box 5
34 Church Street
Grand Lake Stream, ME 04637
207-796-5101

Dear LURC,

Give us a break! Maine landscape has been scarred enough! Why would LURC even consider approving more? Please leave the hilltops and ridges alone. We protect the construction of a windmill anyplace, especially in the Grand Lake Watershed area. Maybe some staff members should fly over this area and view the pristine lakes involved. Camp owners and visitors alike enjoy the salmon fishing in this area. We are known all over the world for the water watersheds and environment we live in. Maine, the way life should be!

Sincerely,
(and thank you for your time)

Kenneth and Karen Sprague

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Monday, October 04, 2010 5:55 PM
To: Todd, Fred
Subject: FW: Request to expedite

From: Tim Pitcher [mailto:timmaine@fairpoint.net]
Sent: Monday, October 04, 2010 5:45 PM
To: Horn-Olsen, Samantha
Cc: 'Kevin & Marie'; pfisher@telplus.net; 'Gary Campbell'; 'Kay Campbell'; tlane@gwi.net
Subject: Request to expedite

Samantha,

I was unable to attend the recent LURC hearing in Lee on First Wind's petition.

I would like to object in the strongest terms.

I believe that these watershed areas should be protected for a variety of reasons, not least of which are economic.

However my protest is based on the protection too of the quality of conservation of resources, one of which is the harmonious visual appeal of the elements of waterways and their surrounding landscapes.

I firmly believe that these natural gifts will be irreparably destroyed by any further expansion of Industrial Wind power installations.

I began travelling to the area of The Grand Lake Chain of Lakes in the early 70's and have been a resident at the foot of Bottle Lake in the Town of Lakeville for the last fourteen years.

Recently I sailed aboard the schooner Mary Day out of Camden Harbor upon Penobscot Bay ... I was as shocked as anyone on board to see the monstrous eyesore of the wind towers planted atop Vinalhaven. This intrusion is a desecration on an otherwise pristine view and the experience of sailing Maine's beautiful costal shores.

Please do not bring the same fate inland.

I respectfully request that First Wind's petition be denied.

Sincerely,

Timothy Pitcher

23 Trappers Point Road
Lakeville, Maine 04487

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Monday, October 04, 2010 10:32 AM
To: Todd, Fred
Subject: Fw: Adding Kossuth Twp to the Expedited Wind Development Zone

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

From: dustythedog@juno.com <dustythedog@juno.com>
To: Horn-Olsen, Samantha
Sent: Sun Oct 03 19:55:02 2010
Subject: Adding Kossuth Twp to the Expedited Wind Development Zone

To Whom It May Concern,

My husband and I would like to go on record as being vehemently opposed to the Bowers Mountain wind project. We believe it would have a negative impact on the view shed and water quality of West Grand Lake and surrounding waters. Stetson Mountain Project is hard enough to look at.

Sincerely,
Kim & Mark Gray

Hampden, ME/Grand Lake Stream, ME

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Monday, October 04, 2010 10:34 AM
To: Todd, Fred
Subject: Fw: Champlain Wind's Bowers Mountain Project

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

From: cdriza <cdriza@leenslodge.com>
To: Horn-Olsen, Samantha
Sent: Sun Oct 03 10:10:45 2010
Subject: Champlain Wind's Bowers Mountain Project

To Samantha Horn-Olsen,

My name is Charles Driza and I am the owner of Leen's Lodge on West Grand Lake. I am writing to express my concern of issuing a permit to grant Champlain Wind's a permit to add Kossuth to the Expedited Wind Area.

My family and I made a significant investment in Leen's Lodge and the land it is on 10 years ago. We did a great deal of research to locate a wilderness area where we could live and take part in the traditional activities of the area. When we found West Grand Lake, we knew our looking was over. The area is a true gem of a wilderness area and we enjoy sharing this wilderness with our guests every year. We have guests that have been coming to the lodge for generations due to the beauty and unchanging aspects of the area. Some of our guests were here with their fathers and grandfathers and now bring their grandchildren.

The Dining room of the lodge looks at Bowers Mountain, and the view is a spectacular wilderness view. With the development of the Wind Farm, the view and wilderness value will be lost forever. Not only will we loose business from the installation of the farm, but the area will be forever scarred. We do not see the value of such a project in our area and do not believe in the financial returns or "Green Value" of this project. In addition, we feel that the installation at the head of this pristine water shed could damage the delicate balance of our waters and wildlife forever. We implore you to reconsider your position before issuing a permit for this project.

Sincerely,
Charles Driza

Lapointe, Jeannine

From: Kevin OBrien [lowbed550@yahoo.com]
Sent: Thursday, September 30, 2010 4:40 PM
To: Todd, Fred
Subject: Re:Bowers Wind farm

Dear Board Members,

My name is Kevin O'Brien, President of Quadcounty Snowmobile Club. The Club is in Springfield with trails in Webster Plt., Prentiss Twp., Carroll, Lakeville Penobscot County and T8R3, T8R4, 5nd and Kossuth in Washington County. Quadcounty S.C. maintains 135 miles of ITS, Club and Municipal Trails. ITS 110, ITS105, Club trail 3 are in the Stetson 1&2 wind farm areas. Club Trail 5 is in the proposed Bowers Wind farm in Carroll and Kossuth.

Quadcounty S.C. has had good working relationship with First Wind since the beginning of Stetson 1. The club has had input in trail layout during the planning stages and First Wind has made sure that our ITS trails stayed open, even through the construction stages of both Stetson projects. ITS 110 travels parallel with Stetson 1 for 8 Miles staying outside the 600 foot safety zone. We are proud to have First Wind as one of our business members and have published stories and pictures in the MSA newspaper, The Maine Snowmobiler. The stories of grooming through the Wind farms and our annual wind farm ride-in has brought a lot of attention in the snowmobile community. I am one of the five club members operating the club's three groomers. Grooming ITS105&ITS110 takes between 10-15 hours to complete after leaving the Springfield Clubhouse. On those long rides at night, I have plenty of time to check out animal tracks and sometimes the animals themselves. I am happy report that the rumors that the turbines drive of wildlife is not correct as I have seen as much deer, moose, rabbits, squirrels and of course coyotes at the wind farms as anywhere else on our trails.

Asking directions to the wind farm is in the top three questions that I field on the trail along with where is gas and food. Its the number one question I am asked at home by phone directed to me by clerks at the two stores in Springfield or the Store in Lee. The views from the area and site of the towers from close proximity is a tourist attraction and destination.

I would like to have a chance to make a rebuttal of Kevin Gurall statement of Tuesday Night September 22, 2010. His innuendos were about as accurate as he addressing me in his speech as "Mr. Olsen". Yes, as I stated in my opening I work for H.C. Haynes Inc. I have for fourteen years as a truck driver moving large oversize equipment. The only monetary gain I have gotten is my weekly pay check on the weeks I moved equipment to, around and from the wind farms. Yes, I enjoyed working closed to home those days. That is also why I like the wind farms providing jobs in this area. The construction of the wind farm also gave a boost to the local economy. Danforth, Springfield, Lee, Mattawamkeag and Lincoln, all profited from the construction be it hotels, B&Bs, lodges, restaurants, gas stations, garages and parts stores.

Mr. Gurall also mentioned that First Wind gave Quadcounty S.C. \$2000 to grease the skids. Wrong again, sir. The use of the Eight Rd. to build Stetson 2 last winter, caused Quadcounty S.C. to close Club Trail 3 for the season. The trail closure caused us to backtrack instead of looping to ITS105, adding 5 more hours to the 10-15 hour trip grooming. At \$60/hour cost of running the large tractor groomers, First Wind helped with extra grooming time.

I graduated from UMO with a B.S. in forestry mgnt. in 1978. From 1979-1986, I owned a logging co. and harvested timber on Dead River Land and then after land was sold to the Penobscot and Passamaquoddy tribes. In 1951, Dead River land was set up with 31 year cutting plan, my crews started the second cutting rotation. 1979&80, I was cutting the planned area of Bowers Mt and Dipper Pd. The area has been cut twice since the Penobscot tribe sold that parcel of land. I also cut in the following years, along Keg Lake, West Grand Lake, Pocumpus and Junior Lake.

Mr. Gurall keeps stating how pristine all the lakes on the watershed are. He is almost right. All

those lakes were pristine until my woods roads were made into roads to the Hundreds of cottages and year round homes on Bottle Lake and stream, Keg Lake , Junior and Upper and Lower Dobsis Lake. 1980 there was 3 cabins on the 5 mile long Junior Lake, now there must be 40+ year round homes. Mr. Gurall is worried about road building and dynamiting three miles from Junior Lake is going to damage the pristine lake. He has no problem with his home and the others 75- 100 feet from the lake. Sounds like "I am here. Now lock the gate. No one else in."

There will always be change, It is called progress. I notice change every year when I take a boat ride on Junior as I can see the houses more clearly from the lake.
submitted,

Kevin O'Brien

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Friday, October 01, 2010 6:25 AM
To: Todd, Fred
Subject: Fw: Adding Kossuth Twp to the Expedited Wind Development Zone

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

From: Sydney Lea <leabaron@aol.com>
To: Horn-Olsen, Samantha
Sent: Fri Oct 01 05:58:45 2010
Subject: Adding Kossuth Twp to the Expedited Wind Development Zone

Dear Ms. Horn-Olsen:

My name is Sydney Lea, and I have been intimately associated with conservation efforts in Washington County around the town of Grand Lake Stream. I was co-chair of the leadership committee that conserved 32, 000 acres around West Grand Lake, and am now chair of the same committee to purchase 22,000 acres outright on the lake's eastern shore. My sisters and my brother and I own an island in West Grand, which has been in our family since the early 1960s.

Let me make plain that in this letter I speak as an individual and in NO WAY as a spokesman for the Downeast Lakes Land Trust. However, my having devoted more than a decade of effort to the values for which the trust stands may indicate how deeply I feel for the region, and, more particularly, its citizens.

Those citizens are heavily dependent upon the natural resources of their neighborhood: Grand Lake Stream has more registered Maine guides than any town in the state. Fishermen and other tourists come, literally, from around the world to enjoy the unspoiled scenery, the companionship of the guides, and the superb sport to be had here. Imagine the effect of that enthusiasm of a large number of strobe-lit wind turbine on the most conspicuous ridge line in the area.

Please understand that I am, and have long been, an advocate for renewable energy. I have seen almost no truly persuasive evaluation of this wind project's benefits in that respect or any other. Nor have I spoken to a SINGLE SOUL in Grand Lake and environs who is other than horrified by the prospect of such a blight on the district's natural beauty.

It seems to me that part of any cost-benefit appraisal of such a project should include the cost to the land- and waterscape's integrity, and, more importantly, the feelings of those primarily affected by any given undertaking.

With thanks for your consideration

Sydney Lea

POB 9
Newbury VT 05051

POB 100
Grand Lake Stream ME 04637

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Wednesday, September 29, 2010 9:46 AM
To: Todd, Fred
Subject: FW: Kussoth wind project

From: Lou Cataldo [mailto:lou.cataldo@yahoo.com]
Sent: Tuesday, September 28, 2010 10:24 PM
To: Horn-Olsen, Samantha
Subject: Kussoth wind project

To whom it may concern, My name is Louis Cataldo. I am the first selectmen for the Plantation of Grand Lake Stream, Vice president of the Grand Lake Stream Guides Assoc. and a 4th generation resident of Grand Lake Stream. I am also vice president of the Down East Lakes Land Trust which is not going to take a position on this issue. I am writing this letter to oppose the petition by Champlain Wind to include Kossuth to the Expedited Wind Area. For the last one hundred plus years Grand Lake Stream has been a favorite hunting and fishing destination for sportsmen from all over the world. The reason Grand Lake Stream has been able to maintain a high quality experience for its sportsmen is no accident. We work very hard at keeping Grand Lake Stream at the top of the list of a very competitive sporting camp industry. Besides offering great hunting and fishing, the most important thing we offer is beautiful, sparsely developed lakes and thousands of acres of unposted forests. We raised millions of dollars to keep this area a place where people could come to visit and experience unspoiled natural beauty. That is becoming more and more uncommon in the world. An industrial wind project at Kossuth will be visible from the village of Grand Lake Stream. I am sure that if 400 foot tall windmills were constructed at the proposed site in Kossuth, the wilderness experience that we have worked so very hard to protect, will be adversely affected forever. Will our sporting camps suffer? Will the number of working Registered Maine guides in the area be reduced? Who knows, what I am sure of, having an industrial wind project in eye sight of the 4th largest cold water lake in the state of Maine will not be good for business. Please don't let this project go forward and ruin what the residents in the Grand Lake Stream Area have worked so hard to preserve. Thank You Very Much,
Louis Cataldo

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Monday, October 04, 2010 10:51 AM
To: Todd, Fred
Subject: Fw: Adding Kossuth Twp to the Expedited Wind Development Zone

From: Debbie & Dave Tobey <davidtobey@earthlink.net>
To: Horn-Olsen, Samantha
Sent: Mon Oct 04 10:49:19 2010
Subject: Adding Kossuth Twp to the Expedited Wind Development Zone

Oct.4, 2010

Dear L.U.R.C. Commissioners,

For those of you that may be unfamiliar with Bowers Mt. and Dill Ridge, it is in clear view of Grand Lake Stream. This is where ten years ago a group of local people started a Land Trust to protect the natural resources. That Land Trust today is the largest in New England, has protected over 360,000 acres in an effort to provide an environment conducive to Guides, Lodges and the wood product industry. Which is the unique heritage and culture of this vast area. This year we were named to have the number one Conservation Project in the Nation. After raising 40 million dollars to accomplish what has been done and busy raising another 22 million dollars to protect the east shore of the very watershed that some want to erect 26 wind turbines. Doesn't make common sense to locals.

With a clear conscious the citizens, guides and lodge owners of this area can only hope that L.U.R.C. commissioners will make the right decision on expediting Kossuth twp. and can guarantee that none of the below will happen.

1- Sport fishing industry on the St. Croix watershed is a 5.5 million dollar a year industry, (determined by UMO) one-third of this watershed will be in view of the 26 turbines proposed for Bowers Mt. project. What will be the net loss to this industry once project is done?

2- The purest strain of Landlocked Salmon in Maine still thrives in these very near by waters and are cultured at near by Grand Lake Stream Hatchery. Our local biologist and geologist fear once disturbed, the very springs that feed the West Grand Lake chain will raise the water temperature and change the ecology of the watershed for ever. The excavating, removal of canopy closure, and especially dynamiting for every tower will surely contribute to a water temperature increase. Isn't this L.U.R.C.'S job to prevent this from happening?

3- By taking valuable wildlife habitat out of timber production, how many jobs and revenue will be lost to the locals that depend on those existing healthy resources? Jobs directly supporting Maine two largest industry's Wood products and Tourism.

In closing I strongly urge you to NOT expedite Kossuth twp. and do your best to not allow Bowers Mt. project to be completed.

Sincerely,

Dave Tobey

Past President, Maine Professional Guides Assoc. , Grand Lake Stream Guides Assoc.
 Assessor Grand Lake Stream Plantation and a Registered Maine Guide in this area for 38 years

10/5/2010

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Monday, October 04, 2010 10:57 AM
To: Todd, Fred
Subject: Fw: Adding Kossuth Twp to the Expedited Wind Development Zone

From: Debbie & Dave Tobey <davidtobey@earthlink.net>
To: Horn-Olsen, Samantha
Sent: Mon Oct 04 10:49:19 2010
Subject: Adding Kossuth Twp to the Expedited Wind Development Zone

Oct.4, 2010

Dear L.U.R.C. Commissioners,

For those of you that may be unfamiliar with Bowers Mt. and Dill Ridge, it is in clear view of Grand Lake Stream. This is where ten years ago a group of local people started a Land Trust to protect the natural resources. That Land Trust today is the largest in New England, has protected over 360,000 acres in an effort to provide an environment conducive to Guides, Lodges and the wood product industry. Which is the unique heritage and culture of this vast area. This year we were named to have the number one Conservation Project in the Nation. After raising 40 million dollars to accomplish what has been done and busy raising another 22 million dollars to protect the east shore of the very watershed that some want to erect 26 wind turbines. Doesn't make common sense to locals.

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In closing I strongly urge you to NOT expedite Kossuth twp. and do your best to not allow Bowers Mt. project to be completed.

Sincerely,

Dave Tobey

Past President, Maine Professional Guides Assoc. , Grand Lake Stream Guides Assoc.
 Assessor Grand Lake Stream Plantation and a Registered Maine Guide in this area for 38 years

10/5/2010

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Thursday, September 30, 2010 12:07 PM
To: Todd, Fred
Subject: Fw: Adding Kossuth Twp to the Expedited Wind Development Zone

From: Sonia Lea <soniajordanlea@gmail.com>
To: Horn-Olsen, Samantha
Sent: Thu Sep 30 12:06:02 2010
Subject: Adding Kossuth Twp to the Expedited Wind Development Zone

Dear Ms. Horn,

Please stop the plans to develop Bowers Mountain for wind energy. I feel that it will gravely hurt the surrounding communities. I am a frequent visitor to the Grand Lake Stream area and hold it close to my heart. I support wind energy, but not the current plan. Please take my opinion and the opinion of others opposed into careful consideration. Thank you, Sonia Lea

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Monday, October 04, 2010 10:34 AM
To: Todd, Fred
Subject: Fw: Wind turbines at the head of the West Grand Lake Watershed.

From: Elaine Brown <ebrownjv@yahoo.com>
To: Horn-Olsen, Samantha
Sent: Sat Oct 02 08:01:28 2010
Subject: Wind turbines at the head of the West Grand Lake Watershed.

We are writing in opposition to the construction of wind turbines at Bower Mt and Dill Hill Ridge. Many of the people in this area make their living from guiding, sports camps, and stores. They depend on the visitors who come here for the beauty and serenity of this area.

We can't believe that Lurc can be so stringent with individual home owners and yet would allow for all the cutting and dynamiting in this area to benefit who? Not us in this area.

Are you all aware of the area that will be affected by the turbines? I am sure you are.

Beauty and tranquility is the reason many of us retired to this area and now it could be destroyed by this company who will make money and then sell it off to a hydro company, so what have we gained- Nothing.

Please really think about give permission for this project to take Place. Thank You.

Sincerely John and Elaine Brown

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Thursday, September 30, 2010 12:30 PM
To: Todd, Fred
Subject: Fw: Adding Kossuth Twp to the Expedited Wind Development Zone

From: Benner, James W <james_benner@baxter.com>
To: Horn-Olsen, Samantha
Sent: Thu Sep 30 12:17:36 2010
Subject: Adding Kossuth Twp to the Expedited Wind Development Zone

Dear Ms. Horn,

Please stop the plans to develop Bowers Mountain for wind energy. I feel that it will gravely hurt the surrounding communities. I am a frequent visitor to the Grand Lake Stream area and hold it close to my heart. I support wind energy, but not the current plan. Please take my opinion and the opinion of others opposed into careful consideration.

Thank you,

James Benner

The information transmitted is intended only for the person(s) or entity to which it

For Translation:

http://www.baxter.com/email_disclaimer

Lapointe, Jeannine

From: Prescott, Joy [joy.prescott@stantec.com]
Sent: Friday, October 01, 2010 2:59 PM
To: Todd, Fred
Cc: Neil Kiely; Browne, Juliet
Subject: Testimony from Neil Kiely
Attachments: Champlain Wind.pdf

Fred – Neil asked that I forward a copy of his written comments from the public hearing. Thanks. – Joy

From: Neil Kiely [mailto:NKiely@firstwind.com]
Sent: Friday, October 01, 2010 9:21 AM
To: Prescott, Joy
Cc: Browne, Juliet
Subject: Testimony

Neil J. Kiely
Director, Development New England
First Wind
129 Middle Street, 3rd Floor
Portland, ME 04101
p. 207.228.6874
c. 207.210.1590
f. 207.541.1941
nkiely@firstwind.com

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Champlain Wind, LLC

9/22/10 Presentation to LURC

Introduction:

Good afternoon, I am Neil Kiely, Director Development, New England for First Wind Energy, LLC. We are pleased to have the opportunity to present Champlain Wind's Petition to incorporate certain land into the expedited wind zone. I will introduce the project briefly before walking through each of these criteria.

The Proposed Addition is part of an extended ridgeline being evaluated for the Bowers Project. At this point, the Bowers Project is projected to include 25-27 turbines for a total of 57-62 megawatts (MW). The Bowers Project will be located approximately 8 miles south of Stetson and 5 miles south of Line 56, the transmission line serving Stetson. With the construction of Bowers, the capacity on Line 56 will be fully utilized. The project is adjacent to Route 6 and has existing logging road access. Elevations range from 750 to 1120 feet. Landscape is regenerating Beech-Birch-Maple forest. The Proposed Addition is limited to ridgeline areas suitable for turbine placement, and it is anticipated that the final development area, including roads and turbine areas, will be less than 60 acres. We recognize the opportunity for conservation in the area and have initiated conversations in that regard with various stakeholders. We look forward to presenting a substantial conservation benefit as part of the Tangible Benefits package that would be presented as part of the full development application.

Photos of the area: These were taken as part of the on-going field work that will support the materials to be included in a complete development application. The photos reflect the active forestry activities, improved roads, and low elevation features of the site.

1. Geographic Extension: The Proposed Addition is a logical geographic extension of the currently designated expedited permitting area.

As illustrated on the elevation and aerial maps, the Proposed Addition is part of a low elevation ridgeline that ranges in elevation from 750 to 1120 feet and is situated south of Route 6. As the aerial map illustrates, this area has been heavily harvested, and all three landowners for the project have had active forestry operations.

The map of the boundaries of the expedited area illustrates that the Penobscot County line and Route 6 were used as convenient boundary lines for the designated expedited wind area. The proposed addition is thus a natural extension across a political boundary that is unrelated to geography, an example specifically noted in the Guidelines.

The proposed addition is not a broad area but is limited to the ridgelines that would be suitable for potential wind turbines and associated infrastructure, with the anticipated footprint limited to approximately 60 acres.

Approximately 72 percent of both the project footprint and total MW capacity of the Project would be located in Carroll Plantation within the currently designated expedited area.

2. Meets State Goals: The Proposed Addition is important to meeting the state goals for wind energy development established in 35-A MRSA Section 3404

Guidelines set forth four factors to consider.

First, “the primary factor will be the progress the state has made in achieving the goals set forth in section 3404.” In its letter dated September 20, 2010, responding to the Commission’s request for expert advice, the Maine PUC noted that Maine was far short of reaching its statutory wind power goals, and that the expansion of the expedited permitting area to accommodate 57 MW of wind power should be considered as important to meeting the State’s goals for wind power development.

The second factor is the project’s potential for Energy Generation. In its Sept. 20, 2010, letter, the Maine PUC estimated that a 57-MW facility would generate enough energy to serve the electricity needs of approximately 23,500 Maine households. The PUC also notes that the energy generated is from a renewable resource and, when operating, would tend to displace fossil fuel generation.

The third factor is project viability. The Maine PUC writes that although it has not conducted an analysis of the viability of the Bowers Project, it concludes that it is reasonably likely that the proposed project is viable. It supports this conclusion by noting that the Bowers Project is proximate to Stetson which also is owned by First Wind. It will be able to utilize the transmission line built for Stetson, and First Wind’s technical and financial ability to build the project is demonstrated by its development and operation of three existing wind energy facilities in the state.

I would like to expand on one of the points noted by the PUC, which is Bowers’ proximity to the Stetson Wind Project. Approximately 9 years of wind data have been collected by meteorological wind towers at Stetson, which is relevant to Bowers because of its proximity and similar elevation. Furthermore, Stetson has been actually producing energy since January 23, 2009. In addition, the Bowers Project has been collecting wind data from 3 meteorological towers since November of 2009.

The fourth factor is an evaluation of the impact to public resources and public infrastructure, compared to the energy generated and associated benefits. The Bowers project would have no impact on public infrastructure other than potential access off Route 6. There are no public resources located within the Proposed Addition that would be impacted. The public benefits of wind energy generation generally are presumed by Section 3404 and would be further augmented by both the economic impacts of construction and tax revenues in Carroll Plantation and Washington County, as well as the additional Tangible Benefits package that would attend the project and will be presented at the Application stage.

- 3. Principal Values and Goals: The Proposed addition would not compromise the principal values and goals identified in the comprehensive land use plan adopted by the Maine Land Use Regulation Commission pursuant to Title 12, Section 685-c.**

The CLUP defines four principal values that we shall evaluate in turn.

Principal Value 1: Economic Value to the Jurisdiction: The economic value of the jurisdiction derived from working forests and farmlands, including fiber and food production, largely on private lands. This value is based primarily on maintenance of the forest resource and the economic health of the forest products industry. The maintenance of farmlands and the viability of the region's agricultural economy is also an important component of this value.

Land within the Proposed Addition is primarily managed for timber harvesting, and it has been harvested in the past. Wind projects provide an alternative source of revenue to landowners during a period in which the value derived from timber and fiber production continues to decline. This revenue affords greater flexibility in forest management practices, as well as greater stability in large tract land ownership and stewardship.

As described in a recent report on the future of forests in Maine, "wind power creates additional value for landowners and helps preserve the forest economy." It further noted that "turbines are fully compatible with most harvesting regimes and place no additional demands on public services, unlike most other forms of development."

Principal Value 2: Diverse and abundant Recreational Opportunities: Diverse and abundant recreational opportunities exist for recreational activities which require or are significantly enhanced by large stretch of undeveloped land, ranging from primitive recreation in certain locations to extensive motorized trail networks. Recreation is increasingly an economic driver in the jurisdiction and the State.

Land within the Proposed Addition includes limited recreation opportunities, primarily a network of former logging trails that have been used by local residents for hunting and snowmobiling. Development within the Proposed Addition would not materially impact these activities. In fact, a local snowmobile club indicates that the Stetson Wind Project has attracted substantial interest from snowmobilers who desire to ride to the farms as a destination. Two years ago, a snowmobile ride-in organized at Stetson attracted approximately 150 riders. A similar event planned for last year evoked interest well in excess that number but was cancelled due to lack of snow.

Principal Value 3: Diverse Abundant and unique high value resources and features, including lakes, rivers and other water resources, fish and wildlife resources, plants and natural communities, scenic and cultural resources, coastal islands, mountain areas and other geologic resources.

It is important to note that the Proposed Addition area does not include any high value natural resources or features identified by this Principal Value. There are no lakes, rivers, ponds or mapped LURC wetlands. There are no Significant Wildlife habitats, such as Significant Vernal Pools and deer

wintering yards. Nor does it contain any federally protected species. There are no rare or significant plants or natural communities, and no scenic or cultural resources located within the Proposed Addition. The Proposed Addition will be visible from some scenic resources in the area, and we will discuss that in greater detail in a few minutes.

Principal Value 4: Natural Character: Natural Character, which includes the uniqueness of a vast forested area that is largely undeveloped and remote from population centers. Remoteness and the relative absence of development in large parts of the jurisdiction are perhaps the most distinctive of the jurisdiction's principal values. These values may be difficult to quantify but they are integral to the jurisdiction's identity and to its overall character.

The Proposed Addition is not located in an area of LURC jurisdiction that is undeveloped or remote from population centers. It is adjacent to Route 6, and automobile access is available through existing improved logging roads. The Proposed Addition is located within 10 miles from the organized towns of Springfield, Topsfield, and Talmadge and adjacent to Carroll Plantation. The Proposed Addition is within eight miles of an operating wind energy facility and within five miles of the transmission line connecting that facility to the electrical grid. It is also bounded by DEP jurisdiction.

The Goals of the CLUP are too numerous to review in detail, though as discussed in the Petition, like the Principal Values they would not be compromised by the Proposed Addition.

I would like to focus on three goals for further discussion.

Scenic Resources:

As a threshold matter, there are no identified scenic resources of local, state, or national significance within the proposed petition area. For example, there are no hiking trails, no great ponds, no rivers, no scenic byways or other areas of unique scenic or recreational value. Turbines located within the petition area would be visible from recreational resources outside the petition area, and would be fully evaluated as part of any development application. Importantly, the area is not known for primitive recreational pursuits, and by allowing wind energy development here, the Commission can accommodate renewable energy projects important to advancing the Commission's climate change and energy goals while keeping the more remote regions of the jurisdiction intact and protecting the abundant primitive recreational opportunities that such areas provide.

The only scenic/recreational resources of state or national significance in the area within eight miles of Kossuth are eight lakes or ponds. As part of any subsequent permit application, we would conduct a detailed visual impact assessment, including specific turbine locations and overall impacts. As the Guidelines state, "a detailed scenic review including appearance of a proposed project is more appropriately conducted at the development permit application stage and is not required for an expansion petition." According to the Guidelines, the appropriate standard of review for the Petition is a landscape level analysis. A landscape level analysis indicates the following.

In general, the area lakes do not possess unique features that are found only in association with these landscapes.

- To the contrary, there are many lakes that offer similar scenic and recreational value within the region and within the jurisdiction generally.
- The landforms are similar throughout the region and do not include dramatic mountain views or complex landforms that are more typical of areas of unique visual or scenic value.

The predominant use of the lakes is for boating and fishing, and allowing wind power within the viewshed of these lakes will not unreasonably affect the users' recreational experience of the resource.

- In many instances, there will be only limited views of turbines and at distances that will diminish the significance of the views.
- Although the turbines will be visible on the horizon, they will not loom over the lakes or dominant the views from the lakes.
- In all instances, the views of turbines within the petition area will be an incremental visual impact from turbines in Carroll.

Thus, while the lakes are an important recreational resource, they do not rise to the threshold of rendering the area fundamentally incompatible with the development of wind power.

Local Public Resources Not of State or National Significance in Relation to the Proposed Addition.

As discussed in your last meeting about revisions to the Guidelines, one of the differences between evaluating a project within the Expedited Permitting area is that only those scenic resources with state or national significance are considered. Local scenic resources that do not meet that threshold are not evaluated. We have provided a list of these resources that could have views of the turbines. With the assistance of our visual consultant, LandWorks, we have identified 13 such viewpoints. Seven of those likely would have views of the project in Kossuth. Of those seven, all of those also would likely have views of the project in Carroll.

Energy Resources:

The CLUP specifically states that “wind power is increasingly recognized as the most significant renewable source of electricity that is economically viable at the utility scale.” CLUP at 187.

Of the 12 policies directed to the CLUP’s energy resources goals, 8 are directly related to wind power. See CLUP at 13.

Finally, the CLUP discusses the significant economic, energy independence, and environmental benefits of wind energy, highlighting the ability of such projects to “reduce the region’s dependence on imported fossil fuels, reduce greenhouse gas emissions, increase fuel diversity and [provide] price stability, and provide economic and employment benefits for Maine citizens.” See CLUP at 187; see also CLUP at 193-94.

A project in the location of the Proposed Addition furthers this goal.

Economic Development:

The Proposed Addition is a form of economic development that is located in the area that is appropriate for growth. It would generate substantial economic benefits from construction, taxes, tangible benefits, and conservation funds. The Proposed Addition would extend these benefits to Washington County rather than limiting them to Carroll Plantation.

Population Density

There are only six structures located within a mile of Proposed Addition.

In Summary

We believe that the Proposed Area in Kossuth is an appropriate place to locate a wind project, and we have demonstrated how it meets the three criteria LURC has set forth in its Guidelines. I appreciate the opportunity to present this information, and I would welcome any questions you might have at this point.

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Monday, September 27, 2010 8:58 AM
To: Todd, Fred
Subject: FW: Champlian Wind - Kossuth zoning

From: jack gagnon [mailto:jackg@fairpoint.net]
Sent: Monday, September 27, 2010 8:32 AM
To: Horn-Olsen, Samantha
Subject: Champlian Wind - Kossuth zoning

I would like to state for the record, again, that I am in complete opposition to the rezoning of Kossuth as "expedited" for wind power development. I find it hard to believe that LURC could even consider this, since the supposed mission and purpose of LURC is to ***"protect the irreplaceable remote character of Maine's North Woods."***

Destruction of the mountaintops for the placement of 500 foot tall wind turbines requires clearcutting large areas, which is an esthetic and environmental disaster. **It turns the landscape from remote to an industrial installation. People come from all over the world to fish and hunt on this land, and to visit the nearby watersheds. This irreversible blight to the land and the horizon will send the tourists elsewhere. If you destroy the Maine woods, you destroy everything we have here to attract visitors.**

Champlian Wind's proposed development puts money in their pockets while it offers NEXT TO NOTHING to Maine. The jobs are few and short term, the destruction is permanent. The tax abatement is minimal compared to the devastation it allows. **The electricity is sold on the open market. Wind power does not save soldier's lives or reduce our need for petroleum. It has no impact on our consumption of the oil that we use to run our vehicles and heat our homes. There is no benefit to Maine.**

These turbines begin to depreciate as soon as they're erected. We will end up with an incredible untended graveyard of industrial scrap after the wind power folks rape our back yards and move on. PLEASE RULE IN FAVOR OF MAINE. DO NOT APPROVE THE ZONING CHANGE.

jack gagnon
lakeville, maine

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Monday, September 27, 2010 12:42 PM
To: Todd, Fred
Subject: FW:
Attachments: Testimony before the Land Use Regulatory Commission.docx

From: Betsy Fitzgerald [mailto:manager@washingtoncountymaine.com]
Sent: Monday, September 27, 2010 12:31 PM
To: Horn-Olsen, Samantha
Subject:

Samantha - I am attaching a copy of my testimony from the Sept. 22 hearing at Lee Academy. Thanks for putting this in the file. Regards. Betsy Fitzgerald

Testimony before the Land Use Regulatory Commission

September 22, 2010

Lee Academy

Re: Champlain Energy LLC, Petition to Expand Expedited Permitting Area for Wind Energy Development
(Proposed Rule Number: 2010-P211)

Good Afternoon

My name is Betsy Fitzgerald and I represent the Washington County Commissioners as the County Manager. On their behalf, it is my charge today to report to you their enthusiastic support for expanding the area of Champlain Energy's wind energy development project into Kossuth Township in Washington County. This expansion would expedite the permitting process for the entire project.

Washington County is a vast area, almost larger than the states of Rhode Island and Delaware combined and it really does take four hours to drive from one side of the county to the other. Statistically, Washington County has the highest unemployment rate, the lowest median incomes, and the highest rates of cancer and diabetes, certainly not a rosy picture. What the county does have is space and a premium location with regards to wind.

That wind, a renewable resource, has the potential to provide a viable alternative power source, especially to fossil fuels. Already, wind turbines generate kilowatt hours at the adjacent projects Stetson I and II. The next project, proposed for Carroll Plantation in Penobscot County and Kossuth Township in Washington County, is the logical expansion. In order for the project to move forward as a complete package, expanding the permitting area to include the Washington County locations; would be an example of the efficient use of resources as state goals for wind energy development are addressed. The permitting process, one you know much better than I, would be better served by considering the entire area as one project. Any time a governmental process can be shown to be more efficient, we all know, that leaves a positive impression in voters' minds. Here is an opportunity to show that by expanding the permitting area the process becomes more sensible and cost-effective, the goal of the legislation from the start.

The principal goals of the comprehensive land use plan are governed by thoughtful development, without permanent risk to the environment, a win-win proposal for residents of the area and the county as a whole. The Washington County Commissioners support the existing wind power projects in the County and the expansion of permitting area of Champlain Energy LLC. Having this opportunity to voice that support on their behalf is a responsibility I gladly assume.

Thank you for your attention and I would be pleased to try and answer any of your questions.

Lapointe, Jeannine

From: Elgin@hchaynes.com
Sent: Monday, October 04, 2010 6:38 PM
To: Todd, Fred
Subject: Kossuth-Champlain Wind Comments
Attachments: Kossuth-LURC Comments.doc

Sorry to late for a proof reader and God know I need one.

Written Statements

to

Re-State and Follow-up Verbal Testimony

presented at

Sept. 22, 2010 Public Hearing

at

Lee Academy in Lee Maine.

Pertaining to

Champlain Wind LLC

Petition to Add Portion of Kossuth Township to the Expedited Permitting Area for Wind
Energy Development, Chapter 10, Appendix F.

Submitted by:

ELGIN H. TURNER, on behalf of

LAKEVILLE SHORES, INC.

If I understand the procedure correctly, the Commission's determination to add to the expedited permit area must be based on the following three criteria:

1. Geographic Extension
2. Meets State Goals:
3. Principal Values and Goals.

My comments will deal with only number 1 and 3. I will leave the discussion as to the merits of the State of Maine goals pertaining to wind energy development to others.

Geographic Extension

Having been involved with several different developments that involve encumbering large parcels of land, it is quite common to encompass more land than actual needed but put in place a framework to redefine and revise the area at a later date. This seems to be what has happened in this case.

A group of qualified individuals were given, a relatively short period of time, to delineate the expedited area for wind energy permitting in the whole State of Maine. This necessitated that the group look at the State with a broad view and was unable to assess every acre's value for the production of wind energy. It seems evidence that this is exactly why this procedure was established, to allow logical expansion, once a specific project was submitted for consideration. From a geographic standpoint, a look at the contour maps makes this expansion seem very logical and a natural use of the land. Our political boundaries were superimposed upon landscape and should not be used to limit developments that make sense.

Principal Values and Goals

As one who attended a good number of public meetings pertaining to the update of the comprehensive land use plan, I know that one of the messages that should have come through loud and clear is that the new plan should consider economic developments and values within the LURC jurisdiction. This message came not only from the landowners but from the people who live, work and recreate within the jurisdiction.

Since the hearing, I've had the opportunity to read the Governor's letter approving the new comp plan and was encouraged to see that he also recognizes the importance of economic considerations. In the past, I have felt this message gets lost in many deliberations and considerations before Commission and its staff.

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Wednesday, September 29, 2010 11:46 AM
To: Todd, Fred
Subject: FW: Adding Kossuth Twp to the Expedited Wind Development Zone

From: Jake Lea [mailto:jlea@mclt.org]
Sent: Wednesday, September 29, 2010 10:49 AM
To: Horn-Olsen, Samantha
Subject: Adding Kossuth Twp to the Expedited Wind Development Zone

Dear Samantha –

I am the owner of a camp on West Grand Lake. I have been visiting the area for over 40 years and have come to know the native population and the summer population of the Grand Lake Stream area quite well. I helped the Downeast Lakes Land Trust preserve 342,000 acres around West grand Lake and I am helping to continue their efforts to conserve another 22,000 acres. A great part of the preservation effort was to support the local economy through the conservation of their natural resources which the local economy so heavily depends on. The erection of windmills on Bowers Mountain would irreparably damage what we have fought so hard to preserve. I am not opposed to wind power but in this case the location of the towers will destroy the much touted wilderness landscape that the local economy promotes as one of its greatest assets. Please, at all costs, oppose permitting First Winds application to allow wind turbines on Bowers Mountain or adding Kossuth Township to the Expedited Wind Development Zone.

Working to ensure a green future

*John W. Lea
Director of Land Preservation
Montgomery County Lands Trust*

*215-513-0100
jlea@mclt.org*

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Wednesday, September 29, 2010 9:46 AM
To: Todd, Fred
Subject: FW: Champlain Wind Kossuth petition

From: jack gagnon [mailto:jackg@fairpoint.net]
Sent: Wednesday, September 29, 2010 7:41 AM
To: Horn-Olsen, Samantha
Cc: Timpano, Steve
Subject: Champlain Wind Kossuth petition

I do not understand how LURC, in good conscience, or while following its own mission statement, can possibly consider approving this "expedited" permit. I live here. I have to drive by First Wind's Rollins Access Road every day now. **What used to be a rural landscape is now destroyed** Have you visited the Lee, Maine site? They're just getting going and it looks like they're clearing a parking lot for a mega-mall. What can approval of this development possibly have in common with LURC's responsibilities to the citizens of Maine?

*The Bowers Project is expected to include 57 MW of installed capacity, approximately 16 MW of which would be located in the Proposed Addition in Kossuth. **Fifty-seven megawatts of wind power alone may not have a huge impact on the State meeting its wind power goals. However, if the State is to meet its goals, it will have to permit a relatively large number of projects of varying sizes throughout the State.***

How nice that you decide this so casually, to ruin the landscape, clearcut the mountaintops. And for what?

jack gagnon

lakeville, maine

Lapointe, Jeannine

From: dconley@pwless.net
Sent: Tuesday, September 28, 2010 2:45 PM
To: Todd, Fred
Subject: Lee Testimony in Writing from East Grand Outdoor Ed
Attachments: LURC Letter First Wind Support.docx; Outdoor Education Class 10-11.docx

Dear Fred,

Attached is a letter to back up my testimony at the Lee LURC meeting last week. I run the outdoor education program in Danforth and economically speaking "there aint much here" for our young people.

Thanks for listening,

Dave Conley

September 28, 2010

LURC Committee

From Dave Conley, Weston, Maine

Dear LURC Committee Member,

I testified at the LURC Meeting in Lee last week but didn't leave anything in writing. I am writing on the topic of the economic benefit of First Wind's presence in rural Washington County communities

I live in Weston (just north of Danforth) and own a guiding business www.canoethewild.com and have guided over 200 canoe trips in the past 24 years. I have paddled the Baskahegan watershed from Lindsay Brook down to the Mattawamkeag River. I have paddled on Pleasant Lake as well as Junior and Scraggly Lakes. I also work with the East Grand School's Outdoor education program for the past 10 + years. Our Outdoor Education program is offered as an elective to our high school students and is year long. Three years ago we were facing deep cuts with the school budget and our program was cut in half reducing it to a spring only program.

We approached the town of Danforth which had received a tax windfall due to First Wind's wind turbine components sitting on property within the town limits of Danforth waiting to be installed. The budget committee and then the people of Danforth voted (3 years running now) to provide the extra funds to keep the program year long verses part time in the spring. This was made possible due to First Wind's Stetson Project.

First Wind has also made 3 contributions totaling \$7,000.00 directly to the program which has helped with equipment upgrades and other program expenses.

You might not realize what a big deal this is but living in a rural area such as the Danforth/Weston area as I stated at the hearing "there aint much there" is a true statement in terms of opportunity for young people.

Please visit our school's website for pictures and videos of our program with links to Bill Green's coverage of the East Grand Adventure Race through Stetson Ridge and Deidra Flaming's coverage of the Outdoor Education program and race. Deidra writes weekly features for the outdoor section of the Maine Sunday Telegram.

If you have any questions, Please don't hesitate to contact me.

Thank You,

Dave Conley

Master Maine Recreation Guide &
East Grand High School Outdoor Education Instructor
Tel. 207-448-2743

www.eastgrandschool.org

Outdoor Education Class 2010-11

Mission Statement

Promoting leadership development, teamwork, trust and physical fitness while gaining an appreciate for the outdoors and all that it has to offer!

Fall Topics

- Introduction to Canoeing
- Deep water canoe t-rescue
- Intro. To Poling (Keeping an old tradition alive)
- Survival Fire Building (warming and cooking)
- Utilizing a Tarp Shelter against the elements
- Campsite management
- River safety...before you go.
- Planning and packing for a trip (equipment, food, maps)
- Safely using Gas Stoves and Lanterns
- Bill Mason Video on Tandem Paddling (rainy day)
- Mt. Biking
- Kayaking
- Knots and their uses

Fall Outing

October 14 & 15 or 18 & 19 (TBA), Overnight Canoe Trip on the St. Croix River,
Purpose: implementing skills learned during classes, promoting teamwork, leadership development and problem solving.

Winter Topics

- Map & Compass
- Bush Whack Challenge
- Climbing Wall
- Snowshoeing
- Researching Career Opportunities in the Outdoors
- How to Build a Survival Fire in the dead on Winter
- Cross Country Skiing
- Igloo Building and Survival Shelters
- Hockey
- Introduction to Winter Camping
- How to beat the #1 outdoors Killer...Panic!

Winter Outing

Overnight Winter Camp Outing, How to survive a night in the Maine woods. (March)

Spring Topics

Introduction to Fly Fishing
Introduction to Whitewater Canoeing skills
Z-Drag and River Rescue
Documentary on the Allagash Wilderness Waterway
Plan and Prep for Machias River Outing
Climbing Wall
Mt. Biking
Canoeing (flat and whitewater)
Race Practice Sessions (Before & after school)
Review skills learned throughout the year and test over.
Boxing (last day of class).

Spring Calendar

March, Hodgdon High School's Health fair, (students teaching students), Take part and get a free night at Big Rock after the Health Fair!

March 26, George River Canoe Race

April 2, Passagasawaukeag Stream Canoe Race

April 10, *Marsh Stream Canoe Race

April 16, Kenduskeag River Canoe Race, Bangor

April 23 & 24, *Over Night Machais River Outing (Sat. & Sun. at the end of April Vacation)

May 7, *Houlton Canoe Race

May 14, *East Grand Adventure Race

*M.A.C.K.R.O. (Maine Canoe & Kayak Racing Organization) High School Challenge Races. Receive a nice Mackro Hoodies for taking part in 3 Mackro sanctioned races.

Benefits for our High School Students

Students overcome fears and gain confidence as they take on new challenges such as running rapids, climbing the wall or Tower, ride a zipline, and are placed in leadership roles.

Students learn the value of teamwork as they are put into situations where they need to problem solve and work as a team.

Students learn to lead and organize as they take ownership of the program.

Students gain an appreciation of the outdoors and the skills to safely recreate in it.

Students are introduced to economic opportunities in the outdoors such as guiding.

Students learn guiding skills while assisting younger students on outings.

Students are encouraged to get outdoors for good physical activities that can be life long such as canoeing, hiking, biking, etc. As a result of the program, they spend less time inside (playing games on the computer and watching TV).

Other Opportunities include: outings to other High Schools to Teach Outdoor Living Skills. These schools may include Woodland, Greenville and Southern A. (TBA).8

Lapointe, Jeannine

From: Lapointe, Jeannine on behalf of LURC
Sent: Tuesday, October 05, 2010 8:30 AM
To: Todd, Fred
Subject: FW: Champlain Wind--Bowers Mountain
Attachments: Champlain Wind Bowers Mountain.pdf

From: Cleaves, Elbridge G. [mailto:egcleaves@prentissandcarlisle.com]
Sent: Monday, October 04, 2010 4:49 PM
To: LURC
Subject: Champlain Wind--Bowers Mountain

To Whom It May Concern:

Please find attached written comments under cover of First Settler's Lodge regarding Bowers Mountain.

Thank you. Elbridge

First Settler's Lodge

October 4, 2010

Samantha Horn Olsen
Maine Land Use Regulation Commission
Department of Conservation
22 State House Station
Augusta, Maine 04333-0022

Re: Champlain Wind Bowers Mountain Expanded Expedited Permit Area

Dear Ms. Olsen:

These comments are neither in support nor against the expansion of the expedited permit area in Kossuth Twp. Having many years experience as a Registered Maine Forester, Master Maine Guide, Co-owner of First Settler's Lodge (near Danforth), and a member of a local land trust, I know it is difficult to bring conservation and economic interests together to find ways to help sustain our small rural communities in eastern Maine.

Any thinking person knows that the solution to our national energy needs is not simple, inexpensive nor of a single source. Wind can play an important role in that solution but there are usually tangible and intangible trade offs as with many uses of our natural resources. At Stetson it seems that those tradeoffs were appropriate and the investment sizeable. First Wind was mindful of the history and values in the area and actively engaged the conservation community, the sporting community, and area residents. However, one of the greatest concerns I hear is directed at process, whereby fear of support will incrementally lead to projects on all high land in a region. Whether that fear is perception or reality, the current process has the potential to create such mistrust and be counterproductive to the creative solutions needed to meet our long-term natural resource based community needs.

It has been my experience that the people of First Wind and those who have been affiliated with the Stetson projects have aptly demonstrated and want good solutions. I believe in the end good people on all sides of these issues will again be able to avoid creating ill-afforded divisions in our small rural communities and the outside perception of real winners and losers.

Thank you.

Sincerely,



Elbridge G. Cleaves



P.O. Box 56
Weston, ME 04424
(207) 448-3000
www.firstsettlerslodge.com

Lapointe, Jeannine

From: Spencer-Famous, Marcia
Sent: Friday, October 01, 2010 8:38 AM
To: Todd, Fred
Subject: FW: Environmental and Energy Report - Stetson I
Attachments: Emissions as of 2009-12-31.xlsx

From: Timothy Clapp [mailto:tclapp@firstwind.com]
Sent: Friday, February 26, 2010 3:26 PM
To: Spencer-Famous, Marcia
Cc: Bonnie Lind; Matt Kearns; Dave Cowan; Browne, Juliet; Brooke Barnes
Subject: Environmental and Energy Report - Stetson I

Marcia: Our Stetson permit states that “[t]he permittee shall submit to the Commission annually for the first two years of operation a report detailing the project’s contribution to the State’s environmental and energy policy objectives. The report must include total megawatt hours generated and an estimate of avoided pollution by project operation.”

I’ve attached an excel worksheet that shows the MWh generated as of 12/31/2009 since the commercial operation date of January 23, 2009. This table also provides numerous pollutant avoidance data as well as household equivalent estimates, all of which are in-line with Maine’s environmental and energy policy objectives.

Pollutant avoidance estimates provided in our initial application were produced from the WRI calculator previously found at <http://www.wri.org>; however, this calculator is no longer provided by WRI. Instead, we shifted to the EPA eGRID data that provides us with additional information on a NERC sub-regional level. We find this more applicable than the previous, larger picture of a global approach that was provided by WRI.

The Emissions & Generation Resource Integrated Database (eGRID) is a comprehensive inventory of environmental attributes of electric power systems. As a source of emissions data for the electric power sector, eGRID is based on available plant-specific data for all U.S. electricity generating plants that provide power to the electric grid and report data to the U.S. government. Data reported include generation in megawatt-hour (MWh); resource mix (for renewable and nonrenewable generation); emissions in tons for carbon dioxide (CO₂), nitrogen oxides (NO_x), and sulfur dioxide (SO₂); emissions in pounds for methane (CH₄), nitrous oxide (N₂O) and mercury (Hg); emission rates for CO₂, NO_x, and SO₂ (in both pounds per megawatt-hour [lb/MWh] and pounds per million British thermal unit [lb/MMBtu]) and for CH₄, N₂O, and Hg (in pounds per gigawatt-hour [lb/GWh] and pounds per billion Btu [lb/BBtu]); heat input in MMBtu; and nameplate capacity in megawatts (MW). eGRID reports this information on an annual basis (as well as by ozone season for NO_x emissions and emission rates, generation, and heat input) at different levels of aggregation (boiler, generator, plant, companies, and grid regions of the country).

Data users should take note that eGRID’s emissions and emission rates are calculated at the generation source level, as they are derived for individual power plants. If eGRID’s output emission rates (in lb per M[G]Wh) are applied at the retail source level (i.e., by assigning emissions to usage by retail customers), emissions should generally be revised upwards by an appropriate factor to reflect transmission and

distribution line losses. eGRID data do not include imports – just plant generated net MWh, MMBtu, and emissions.

Timothy Clapp

Senior Environmental Coordinator

First Wind

<mailto:clapp@firstwind.com>

Office: (518) 854-9530

Cell: (518) 681-1820

www.firstwind.com



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Stetson Wind Farm

Since COD January 23, 2009

Year to Date As of	12/31/2009		CO2 (tons)	NOX (lbs)	NOX (tons)	SO2 (lbs)	SO2 (tons)	Mercury (Hg) lbs	lbs of CO2 in terms of		# of SUVs	# of Household equivalents Average	BBL's of Oil Equivalent	Tons of Coal Equivalent
	CO2 (lbs)	CO2 (tons)							# of Cars	# of SUVs				
MWh Generated 138,969	1,152,624,482	57,631	119,930	60	327,870	164	1.4	10,067	7,188	19,458	258,323	73,804		

Lapointe, Jeannine

From: Lapointe, Jeannine on behalf of LURC
Sent: Monday, October 04, 2010 8:20 AM
To: Todd, Fred
Subject: FW: Champlain rulemaking
Attachments: Bower Mtn LURC letter.doc

From: Margaret Thickstun [mailto:mthickst@hamilton.edu]
Sent: Saturday, October 02, 2010 9:09 AM
To: LURC
Subject: Champlain rulemaking

Dear Commissioners, I attach a letter concerning the request by Champlain Wind/First Wind for expedited processing of their proposal to build wind turbines on Bower Mountain in Washington County. I have copied the text of the letter into this e-mail as well, although without our corporate header, which should read "Darrow Foundation." Thank you.--Margaret Thickstun

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 Ralph Mason
 Kim Mitchell
 Jeff Nestel-Patt
 Tobias Schine
 William Steiner
 Jaike Williams

October 1, 2010

Land Use Regulation Commission

22 State House Station

Augusta, Maine 04333-0022

Dear Commissioners:

My name is Margaret Thickstun, and I serve as the president of Darrow Foundation, which runs a wilderness canoe camp (Darrow Camp) in the unincorporated township 5ND on the West Grand Lake watershed. Our base camp is located about 8 miles from Bower Mountain, the proposed site of the First Wind project, and our campers paddle on Junior, Bottle, West Grand, and Sysladobsis Lakes, from each of which the proposed turbines would be visible.

I write to urge you as strongly as possible not to expedite the planning process for the First Wind project on Bower Mountain. This project is not in the interests of Washington County, its residents, or its businesses.

Darrow Camp has been in operation for over 50 years now, and we find it increasingly difficult to offer a genuine wilderness experience for our campers. Apart from the Allagash waterway, which is heavily trafficked and quite expensive for children from out of state, there is little wilderness left in the state of Maine. The efforts of the Downeast Lakes Land Trust to preserve the shorelines around West Grand, Pocumcus, Wabassus, and Fourth Machias

Peter Yoder

Darrow Camp

Andrew P. Buckman
Executive Director

Craig Lawrence
Assistant Director

Richard Stratton
Business Manager

Lakes has greatly enhanced our ability to operate in the state. The placement of turbines within sight lines of these areas would make our efforts to remain in Maine almost quixotic.

I am not opposed to wind power in principle, and I am not making this plea out of a not-in-my-backyard knee-jerk response. I live during the non-summer months along the Erie Canal in New York State. We have an active wind energy program in this area, and I drive by windmills several times a week. They look quite attractive on the ridges above the farmland.

But in upstate New York the local people—mainly farmers—benefit from the rent they receive from the power company for the use of their unused ridgelines. Cows do not require undeveloped scenery to produce milk. In Washington County, residents depend on tourism—paddlers, sport fishermen, hunters, people seeking wilderness and scenic views—for their income.

My area, although still rural, is located in the midst of large population centers that require power—New York City, Albany, Syracuse, Rochester, Buffalo. Washington County is, as you well know, at the ends of the earth as far as power demand goes. The power will not be used locally.

It is already difficult for the fishing lodges on West Grand Lake to compete with locations in Montana, Wyoming, Canada, and New Zealand. Adding wind turbines to the ridgelines would destroy all the hard work that area residents have made, through developing the Downeast Lakes Land Trust, toward securing their financial future.

I implore you to follow the normal permitting process in considering the impact of First Wind's proposed project at Bower Mountain. To expedite this process would be to put the needs of corporations ahead of the interests of local citizens and businesses and cause irreparable damage to the environment and the financial future of Washington County.

Thank you for your attention.

Sincerely,

Margaret Olofson Thickstun

President

The Darrow Foundation is incorporated in the State of Maine and recognized as a non-profit organization under Section 501(c)(3) of the Internal Service Revenue Code. Contributions are tax-deductible as allowed by law.

--

Margaret Olofson Thickstun
President, Darrow Foundation
P. O. Box 11
Hanover, ME 04237
1-888-854-0810
www.darrowcamp.org

10/5/2010

Summer mailing address:
P. O. Box 9
Grand Lake Stream, ME 04637



Darrow Foundation

P. O. Box 11
Hanover, ME 04237
(888) 854-0810
www.darrowcamp.org

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October 1, 2010

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22 State House Station
Augusta, Maine 04333-0022

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Darrow Foundation

P. O. Box 11
Hanover, ME 04237
(888) 854-0810
www.darrowcamp.org

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Thank you for your attention.

Sincerely,

Margaret Olofson Thickstun
President

The Darrow Foundation is incorporated in the State of Maine and recognized as a non-profit organization under Section 501(c)(3) of the Internal Service Revenue Code. Contributions are tax-deductible as allowed by law.

Lapointe, Jeannine

From: Harold Clossey [hclossey@sunrisecounty.org]
Sent: Sunday, October 03, 2010 6:59 PM
To: Todd, Fred; Horn-Olsen, Samantha
Subject: Champlain Wind Kossuth Expedited Wind Zone Expansion testimony attached
Attachments: Official LURC Testimony Bowers Mtn.pdf

Dear Mr. Todd and Ms. Horn-Olsen:
Please find SCEC's written testimony attached.

Please confirm receipt.

Thank you,
HC

Harold W. Clossey
Executive Director
Sunrise County Economic Council
PO Box 679, Machias, ME 04654
Office: 207.255.0983
Cell: 207.214.3600
Fax: 207.255.4987
hclossey@sunrisecounty.org

Sunrise County Economic Council initiates and facilitates
the creation of prosperity and jobs in Washington County.



Visit our website: www.sunrisecounty.org

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Indian Township Planning
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Legislative Delegation

Chris Gardner
Washington County
Commissioner, Chair

October 4, 2010



Catherine Carroll, Chair
Land Use Regulation Commission
Department of Conservation
22 State House Station
Augusta, Maine 04333-0022

RE: Champlain Wind Kossuth Expedited Wind Zone Petition

Dear Ms. Carroll:

Please find Sunrise County Economic Council's testimony and support below in regards to Champlain Wind's petition to expand the Expedited Wind Zone into Kossuth Township in Washington County to allow the Bower's Mountain Wind project to go to the next phase of the planning process.

Please contact me directly if I can be of further assistance.

Thank you,

Harold Clossey
Executive Director

Testimony of Harold W. Clossey, Executive Director, Sunrise County Economic Council

September 22, 2010

Lee Academy, Lee, ME

Good afternoon, Madame Chair and Commissioners.

Thank you for allowing me to speak today. My name is Harold Clossey. I am the Executive Director of the Sunrise County Economic Council (SCEC). Our offices are located at 1 Stackpole Lane in Machias. SCEC is a private 501(c) 3 nonprofit economic development organization that initiates and facilitates the creation of prosperity and jobs in Washington County, Maine. Founded in 1993, SCEC has designed and implemented long-range solutions to the multi-faceted economic and community development issues facing Washington County by crafting robust partnerships with area nonprofits, state and local government, and our diverse business community. In the past four years, this collaborative approach has generated nearly \$270 million in funding for locally initiated projects, creating hundreds of jobs. The priorities of 17-member Board of Directors include: alternative and renewable energy, communications, tourism, enhancement of rail, highways and port infrastructure, or information technology and transportation initiatives. SCEC, hand-in-hand with businesses, communities, organizations and county government, work diligently to increase economic activities in Washington County.

Our message today to the commission is simple: Please support Champlain Wind's request to be include just less than 700 acres in Expedited Wind Zone and allow the company to proceed with plans and permitting to build the Bowers Mountain wind site.

The State of Maine's leadership and legislators' collective foresight to create the Task Force to shape and form the Expedited Wind zone regulations was a great attempt to help the State to reach its energy goals for clean, renewable sources of energy, lessening our dependence on foreign sources. But, despite its best intentions and strategies, it was far from perfect in the sense that it could not cover every nook and cranny of the state. They recognized this and in fact built in the process of expanding that zone that brings us here today.

To this end, the 123rd legislature enacted, "**An Act to Implement Recommendations of the Governor's Task Force on Wind Power Development**". This emergency legislation became law April 18, 2008.

Specifically, **35-A M.R.S. §3453**, states:

"The Maine Land Use Regulation Commission may, by rule adopted in accordance with Title 5, chapter 375, add a specified place in the State's unorganized or de-organized areas to the expedited permitting area. In order to add a specified place to the expedited permitting area, the Maine Land Use Regulation Commission must determine that the proposed addition to the expedited permitting area:

- 1. Geographic extension.** *Involves a logical geographic extension of the currently designated expedited permitting area;*
- 2. Meets state goals.** *Is important to meeting the state goals for wind energy development established in § 3404; and*
- 3. Principal values and goals.** *Would not compromise the principal values and the goals identified in the comprehensive land use plan adopted by the Maine Land Use Regulation Commission pursuant to Title 12, §685-C."*

SCEC believes Champlain Wind's petition meets and exceeds these minimum thresholds set forth by the State

statute and feel strongly this wind zone expansion should be allowed as it fits within the parameters of the law AND the current uses of this region such as recreational, tourism, the natural-based forest industry and the other winds farms close-by (within eight miles) that have fit into the community well. The increased economic activity and creation of short and long term jobs, expansion of our tax base and the company's willingness to invest in Washington County bodes well for our communities and our residents.

Beyond the well documented positive economic benefits and enormous ripple effect throughout the local economies and across the entire state during the Stetson I and Stetson II projects including the preconstruction, engineering, construction, operation phase, and the positive impact on local tax bases, I'd like to point out a few specific and direct impacts from the Washington County Unorganized Territories Tax Incremental Finance program of the Washington County Government. This County program is administered by the Sunrise County Economic Council. SCEC oversees the TIF Grant programs as well as the TIF micro-loan program for businesses, initiatives, and projects located in the Unorganized Territories of Washington County. SCEC's employee, Diane Smith-Halkett, serves as the Washington County UT TIF Administrator. The TIF programs have been up and running for about six months. It's growing slowly and steadily as word gets out to the UT communities, and gaining momentum as exposure increases.

To give you a sense of the impact from the TIF program, just over the past six months, roughly **\$128,743** has been distributed to several Unorganized Territory businesses, projects and initiatives through this grant program. This \$128,743 has leveraged an additional **\$2,530,702** in investments and resources for a grand total of **\$2,659,445!**

And this money has been put to very good use:

Examples include a watershed study to plan for nature-based tourism improvements; two alternative energy projects working with tidal, solar and wind resources; hunting lodge purchase assistance for a hunting and guiding business; a community learning center expansion; a poll for a sustainable gardening concept, and critical road and culvert infrastructure improvements in Machias River watershed region in a public-private partnership that included the Maine Bureau of Public Lands and Downeast Lakes Land Trust.

SCEC's positive experience working with First Wind, Champlain Wind's parent company, for the past several years gives us complete confidence this project will be first rate, in full respect of all regulations of all states rules and regulations, and build our country's capacity to generate a renewable source of energy right here in Maine and in Washington County.

To reiterate: SCEC supports this expansion wholeheartedly. We ask you today to please support Champlain's Wind's petition to allow expansion of the Expedited Wind Zone to create the Bowers Mountain Wind Farm.

Thank you. I would be happy to answer any questions you may have at this time.



Harold Clossey
SCEC Executive Director

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Monday, October 04, 2010 3:29 PM
To: Todd, Fred
Subject: Fw: Kossuth Petition Comments
Attachments: MA, NRCM, AMC Jt Petition Comments Bowers.doc

From: Jennifer Gray <jgray@maineaudubon.org>
To: Horn-Olsen, Samantha
Sent: Mon Oct 04 14:29:24 2010
Subject: Kossuth Petition Comments

Samantha,
Here are the joint comments regarding the Kossuth Petition submitted by Maine Audubon, the Appalachian Mountain Club and the Natural Resources Council of Maine. Please feel free to contact me with any questions.

Thanks.

Jenn

--

Jenn Burns Gray
Staff Attorney and Advocate
Maine Audubon
20 Gilsland Farm Rd.
Falmouth, ME 04105
jgray@maineaudubon.org
207-781-6180 ext. 224



Natural Resources
Council of Maine

October 4, 2010

Samantha Horn Olsen
Land Use Regulation Commission
Department of Conservation
22 State House Station
Augusta, ME 04333-0022

RE: PROPOSED RULE NUMBER: 2010-P211 CHAPTER NUMBER AND TITLE:
Ch. 10, Land Use Districts and Standards: Amendment of Appendix F, Expedited Wind
Energy Development Area Designation

The Appalachian Mountain Club, Maine Audubon and the Natural Resources Council of Maine submit the following comments on the petition to enact Rule Number 2010-P211 regarding the addition of 695 acres in Kossuth Township to the expedited wind energy permitting area.

We support this petition as it is consistent with the intent of relevant section of the Wind Siting Law to allow such additions to the expedited area, and is consistent with the guidance that the Commission has adopted to consider such petitions. Petitioner has satisfied the three criteria required for approval. Adoption of this rule will allow the Commission to evaluate the entire project in an efficient way through a development permit process. Our support of this petition does not reflect any conclusions we may come to during the permitting process. Like the Commission we not only lack sufficient

details to come to those conclusions, but also have not attempted to evaluate the project in relation to the appropriate legal standards for a permit.

The proposed area is a logical geographic extension of the Bowers Mountain ridgeline complex. As members of the Governor's Task Force on Wind Power Development, we were intimately involved with the drafting of the proposed expedited permitting area boundaries. The proposed area lies at the very northern edge of a large area around the Downeast lakes that was intentionally excluded from the expedited area because it represents a broadly treasured landscape with significant conservation values—where wind development was not appropriate for any expedited review. This does not mean that this modest fringe parcel is not appropriate to add, especially since the Commission has made it clear in its guidance document that it is very unlikely to allow incremental encroachment into the unexpedited area through sequential petitions. At the time these boundaries were delineated, Bowers Mountain was not identified as a potential wind development site and the topography of the region was not considered in the delineation (instead township lines and Rt 6 were used). Making such minor corrections to expedited permitting area boundaries in areas where the original delineation is not sufficiently refined to reflect coherent topographic patterns is appropriate. The expansion would be consistent with the Commission's guidance document in that a substantial portion of the potential project is already within the expedited area.

We offer no additional comments on the second criteria except to say that the state continues to need additional wind development to meet its goals (permitted projects total 445 MW, or 22% of the 2015 goal of 2000 MW) and the project appears generally viable.

The third criteria is perhaps the most difficult to evaluate. Because the Comprehensive Land Use Plan is a document with diverse values and goals, it requires the Commission to make a threshold judgment about whether impacts of the project would compromise those values and goals. Although there are likely important impacts from this project that must be carefully evaluated, in this case there does not seem to be a preponderance of conflicts that would merit denial of the petition. (This is in contrast to the previous petition heard by the Commission.)

The area does not contain any rare natural communities or at risk wildlife. Based on the available information, the proposed expansion area consists of common second-growth hardwood forest with no identified significant ecological or recreational resources. Because the majority of the potential project area is already within the expedited permitting area, the proposed expansion would have minimal additional impact on the remote core of the Downeast Lakes region that was excluded from the expedited area. According to the Department of Inland Fisheries and Wildlife, there are no endangered or threatened species or species of concern in the project area. Additionally, there are no fisheries or significant wildlife habitat concerns. We therefore conclude that the proposed expansion would not compromise any of the CLUP's principal values, goals or policies related to natural character or the protection of ecological resources.

The primary issue that must be considered by the Commission is the close proximity of the proposed expansion area to Pleasant Lake, a Great Pond with outstanding scenic value as determined by the Maine Wildland Lakes Assessment. The presence of Pleasant Lake was one of the reasons the southern portion of Kossuth Township was excluded from the expedited permitting area. There are also several other Great Ponds with statewide scenic significance within eight miles of the proposed area, and conserved and public lands in the vicinity. In addition, while part of the West Grand Lake and Junior Lake complexes are within eight miles, large portions of those lakes are just beyond eight miles from Bowers Mountain.

If development within the proposed expansion area had the potential to create undue scenic impact to Pleasant, West Grand, or Junior Lakes where none would otherwise exist, that could be considered sufficient reason to reject the petition. However, portions of the potential project area already within the expedited area are approximately the same distance from these and other lakes as the proposed expansion area, and are likely to be equally visible. The scenic impact of development within the proposed expansion area is thus likely to be marginally additive to, rather than qualitatively different from, development within the adjacent expedited area. Based on this, we do not believe that the proximity of the proposed expansion area to Pleasant Lake, West Grand or Junior Lakes is sufficient grounds to reject the petition. In this case, the scenic impact of any proposed project can be evaluated during the development permit stage, when the impacts of the project in its entirety can be considered.

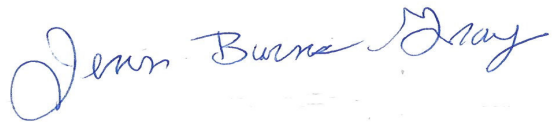
We thank the Commission for the opportunity to present these comments, and look forward to continued engagement with the Commission in its on-going efforts to ensure that the appropriate balance is maintained between wind power development and protection of the jurisdiction's significant natural resource values.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "David Publicover". The signature is fluid and cursive, with a large initial "D" and "P".

David Publicover
Appalachian Mountain Club

A handwritten signature in blue ink that reads "Jennifer Burns Gray". The signature is written in a cursive style with a small bird-like flourish above the "y" in "Gray".

Jennifer Burns Gray
Maine Audubon

A handwritten signature in gray ink that reads "Dylan Voorhees". The signature is written in a cursive style.

Dylan Voorhees
Natural Resources Council of Maine

Lapointe, Jeannine

From: Roger Milliken, Jr. [roger.milliken@gmail.com]
Sent: Monday, October 04, 2010 1:00 PM
To: Todd, Fred; Horn-Olsen, Samantha
Subject: Sept22 testimony
Attachments: Milliken LURC testimony Sept2010.pdf

Dear Fred and Samantha,

Please find attached Roger Milliken's testimony presented to LURC in Lee on the 22nd.

Lisa Stuart, his assistant

--

Roger Milliken, Jr



BASKAHEGAN COMPANY

Roger Milliken, Jr., President

70 Blanchard Road, Cumberland, Maine 04021

(207) 829-6596

Fax (207) 829-5120

Testimony to LURC on expanding expedited wind zone to include 700 acres of land in Kossuth Township, September 22, 2010

Good afternoon. My name is Roger Milliken, Jr., and I am president of the Baskahegan Company. Baskahegan is a ninety-year-old family company, which owns nearly 100,000 acres in northern Washington County, including some of the area subject to this hearing. I represent the third generation to care for this land, and we are beginning to involve leaders of the fourth generation in its stewardship.

I am here today to support the addition of nearly 700 acres in Kossuth to the expedited zone for wind permitting. My support is based on three different perspectives—as a forest landowner, a conservationist, and a Maine citizen.

Our goal as a family is to assure the continued sustainable management of the Baskahegan forest. By leasing some of our land for wind turbines, we can be assured of an income stream whenever the wind blows, regardless of the ups and downs of the wood markets. This steady income will bolster the economic rationale for the 4th and 5th generation to commit to continued management of the forest.

The parcel we have leased to First Wind was severely cut over when we purchased it in 1995. As a result, there is no rare or irreplaceable forest resource on the property. Our goal was to let the forest grow back and then fold it into our long-term management. The presence of wind towers will not compromise this objective. They will impact perhaps 40 acres for turbines and roads. Trees will continue to grow all around them, harvests will continue when appropriate, and public recreation like hunting and snowmobiling will continue.

Since 2004, Baskahegan has been green-certified by the Forest Stewardship Council (FSC), the most ecologically stringent of the forest certifiers. The goal of FSC is to assure that forest management is ecologically sound, economically sustainable and socially responsible. As part of their audits, FSC scrutinizes carefully any proposed changes of land use from forest management. We successfully made the case to them that very little acreage will be affected, that our management will be more economically sustainable thanks to lease income, and that a wind farm will bring a net environmental benefit.

Let me expand on that latter point. Thinking long-term, climate change poses a significant risk to our forest. More than half of our forest's economic value is represented by red spruce, and the geological record makes it clear that spruce has

moved out of Maine whenever the climate warmed. Maine's forest industry depends on spruce's long fiber for papermaking and its light weight and strength for 2x4s and 2x6s. For the long-term health of Maine's forest industry, we must reduce our dependence on climate-warming fossil fuels. A new wind farm will do just that.

All the talk here today of mountain top "destruction" causes me to reflect on my visit in August to West Virginia. Its hills and hollows give rise to an amazingly vibrant forest. Springs and streams ripple through groves of tall trees. The Nature Conservancy told me that new species are being discovered in these mountains every year. I was appalled to witness first-hand how, driven by our pursuit of cheap energy, miners are reducing to rubble the oldest mountains in the U.S. and filling with waste rock the verdant hollows that support the world's most biologically diverse temperate hardwood forests. This beauty and diversity is destroyed—forever. Five hundred mountains and over a million acres have been impacted by surface mining for coal. To place turbines on top of the hills in Carroll and Kossuth as our part in stopping this horror seems like a reasonable trade-off to make.

This leads to my final point: as a citizen of Maine I was proud to see us step up to the challenge of replacing destructive energy with sustainable, clean energy. I was proud to see that our leaders and regulators understood that in order to do so we needed a rational, clear transparent regulatory process, which led to the creation of the expedited zone.

The 700 acres subject to this hearing are bounded by a political boundary on the west and a man-made feature to the north—Route 6. Baskahegan owns land on both sides of Route 6. It defies logic that land on the north side is expedited, while land to the south, a literal stone's toss away, is not. Just eight miles north, over 50 turbines are spinning, bringing benefits to the county, the state and the planet.

More importantly, a line of hills that could host wind development extends across the boundary from Penobscot to Washington County. Geologically, the hills on either side of this imaginary line are identical. In terms of wind resource, the 75% to the west of this political line is intimately connected to the 25% that lies to the east. Topographically it is one feature. It is hard to argue, given that the related hills immediately to the west are already in the expedited zone, that extending the zone would create significant additional scenic or noise impact.

There is no doubt that it makes sense to treat these ridgelines in a consistent regulatory fashion. The proposed area, less than 700 acres, makes a logical addition to the over one hundred thousand acres of the expedited zone that abuts it on three sides. It will help the State meet its goal to be a leader in wind. And, by furthering the stability of land ownership and forest management, it will help meet the principle values and goals of the Comprehensive Land Use Plan.

Please vote in favor of expanding the expedited zone onto less than 700 acres in Kossuth.

Thank you.

Lapointe, Jeannine

From: Stephen Blaisdell [sblaisdell@mdandb.com]
Sent: Tuesday, September 28, 2010 10:36 AM
To: Horn-Olsen, Samantha; Todd, Fred
Subject: Copy of my talk for LURC hearing at Lee Academy
Attachments: First Wind Letter of Support.doc

Thank you both for the opportunity to speak, please put my notes on th erecord

[Steve](#)

Steve Blaisdell P.E. | VP Engineering



423 Brunswick Ave. Gardiner ME 04345
207 203 1605
207 582 8794 fax
sblaisdell@mdandb.com

A Breed Apart



**Maine Drilling
& Blasting**

September 28, 2010

RE: LURC Hearing in Lee, Maine on September 22, 2010

Meeting the Goals for Wind Energy Development

Maine Drilling & Blasting, Inc. has worked with other Maine contractors to participate in the construction of Mars Hill, Stetson I, and Stetson II for First Wind, and Sheffield, VT, and Rollins Wind Farm for First Wind, currently under construction.

We have other customers for wind projects, but we have a very deep respect for First Wind. First Wind trusted us to build the early wind projects. This gave us an opportunity to build a résumé. This résumé has opened doors for us and other Maine contractors to build wind projects in Maine, New Hampshire, Vermont, Massachusetts and New York.

For the past four years, Maine Drilling & Blasting, Inc. has many employees who are proud to be building sustainable projects. We appreciate construction opportunities when the construction industry has suffered massive job losses.

We ask all stakeholders in the permitting process to consider how important these jobs are and how valuable this customer is to construction. A local knowledge of wind construction enhances future development and benefits the Maine economy.

Steve Blaisdell
VP, Engineering
Maine Drilling & Blasting, Inc.
sblaisdell@mdandb.com

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New Hampshire 603.647.0299
New York 518.632.9170
Pennsylvania 800.422.4927
Vermont 802.479.3341

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Monday, October 04, 2010 4:02 PM
To: Todd, Fred
Subject: Fw: Comments re Champlain Wind Kossuth rulemaking
Attachments: LSI - Champlain tesimony MLL with attachments.PDF

From: Wroten, Kathryn G. <KWroten@preti.com>
To: Horn-Olsen, Samantha
Cc: Wroten, Kathryn G. <KWroten@preti.com>
Sent: Mon Oct 04 15:57:06 2010
Subject: Comments re Champlain Wind Kossuth rulemaking

<<LSI - Champlain tesimony MLL with attachments.PDF>>
Please see attached.

Michael L. Lane | Attorney

PretiFlaherty

45 Memorial Circle | P.O. Box 1058 | Augusta, ME 04332-1058

T 207.791.3286 | M 207.992.6739 | F 207.623.2914

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Testimony of Lakeville Shores, Inc., regarding Champlain Wind Kossuth rulemaking
petition

I am Mike Lane of Richmond, Maine. I am here tonight representing Lakeville Shores. As you know, LSI owns the land in Kossuth proposed for inclusion in the expedited wind area. Lakeville Shores supports this rulemaking petition.

The Commission has authority and discretion as delegated to it by the Legislature to add land to the expedited area. The Commission shouldn't be fearful that in approving this rulemaking, it somehow is approving the project without the appropriate natural resource review. The ultimate development will be subject to detailed natural resource inventory and analysis by you, staff, the review agencies, intervenors and the public. This is a timing issue – to make review by the Commission and review agencies as meaningful and as clear as possible. The Commission, LURC and the public are not here to look at specifics of this project. This is not the time to discuss whether this project may or may not lead to the degradation of Bicknell's Thrush habitat. The Commission is here to look at only three criteria very specifically set forth by the Legislature in the statute: geographical extension; meets State goals; and principal values and goals. The three criteria are easily met in this petition. The project, ultimately, will get the same level of review whether this is a rulemaking or development review.

The three review criteria before the Commission are: (1) the petition involves a logical extension of a currently designated expedited area, (2) the extension will facilitate movement toward the State's wind energy/renewable energy goals, and (3) the principal values and goals of the CLUP will not be compromised. Again, the Commission must

not be distracted by other more detailed or site-specific presentations that may occur nor should it weight in its decision-making anything beyond these three criteria. The Commission has been empowered by the Legislature to take this type of rulemaking action within its discretion, and need only consider the three listed criteria.

1. Geographic extension.

As you know, Champlain is in the early stages of planning the Bowers Mountain Wind Project. In order to present a complete project package to the Commission for approval, Champlain first seeks to bring the entire project area into an expedited area within the subject Petition. The project development will be proposed in Carroll Township and Kossuth Township at a later date. The Kossuth Township areas consist of low elevation hills, which logically extend south from Carroll to Kossuth and together the areas may comprise the whole project.

Carroll is currently expedited, but areas of Kossuth Township intended for inclusion and eventual permitted wind development are not. If the applicant does not undertake this logical geographic extension of the expedited area through this rulemaking, it would be faced with a disjointed permitting process for its complete project, i.e., first it would submit a rezoning application for the Kossuth Township areas only, followed by submission of a final development application for the two areas, either together or separately. By considering the Kossuth Township for expedited development now, a streamlined process for site-specific review may occur later. This is exactly the process called for by the Commission in its denial of the Kibby II rulemaking.

2. Meets state goals.

Of the four factors to be considered regarding whether a project meets the state's goals, as set forth in LURC *Guidelines for Review of Petitions for the Addition of Lands to the Expedited Permitting Area for Wind Energy Development*, the primary factor is the progress the state has made toward achieving the goals of § 3404. As of April of this year, the state had only achieved 12 percent of the legislative goal of 2,000 megawatts of installed wind energy capacity by the year 2015 and only 8 percent of the goal of 3,000 megawatts by 2020. The state wind energy generation goals appear at Title 35-A M.R.S. § 3404(2)(A)-(C).

The state is well behind in its stated goals, and unless the Commission and developers move expeditiously to permit wind energy development projects, the state will fail in these important renewable energy goals. The inclusion of the proposed 695 acres of Kossuth Township as expedited area now will serve to facilitate an efficient and streamlined site-specific development process for the entire proposed development project at a later time. Adding these 695 acres to the expedited area allows the Commission to review the project as a single project rather than piecemeal review that the Commission railed against in its Kibby II decision.

3. Principal values and goals.

What is before you in this rulemaking is not development review. The CLUP includes four principal values, three broad goals, and twenty specific goals. Champlain has addressed these in detail in its petition document. Rather than recounting each and every one of these values and goals for the Commission here, Lakeville Shores would

like to draw the Commission’s attention to the statements made by the Governor in his March 16, 2010 letter to the Commission Members regarding the revised CLUP. In particular, the Governor stated the following: “In approving this Plan, I take special notice that one of the most important and overarching goals of the revised plan is to update LURC’s role regarding economic activity in the jurisdiction and to support economic development in appropriate locations.” (emphasis supplied).

By expanding the expedited area in question by 695 acres, the Commission will facilitate a more streamlined permitting process for a subsequent wind development project in this area which not only will move the state closer to its legislative wind capacity goals, but will achieve needed economic development in the jurisdiction, as was addressed by the Governor’s letter and is also contained at Principal Value 3.1.1. Economic Value of the Jurisdiction. Any development application submitted will be subject to the other applicable rigorous permitting requirements of LURC’s Chapter 10 and other state law, but will not need to go through the more cumbersome process of first seeking to rezone the area, and then submit the development plan.

4. State Review Agency Comments.

Review agencies commenting on the Champlain Petition either deferred review to consideration of site-specific issues in the development review process, or had nothing of substance to add now. The Maine Public Utilities Commission – Maine’s highest authority on issues of power generation and transmission – discussed state goals, potential for energy generation and project viability in the context of the second criteria

regarding state goals, and found consistently with that which Champlain included in its Petition.

Specifically, BPL, in its review comments stated that it may have further, more detailed comments to offer at the development permitting stage, but nothing at this time. MDIFW did not identify any special fisheries or wildlife concerns, and there were no records of Endangered, Threatened or Special Concern species or their habitats, no other significant wildlife habitats mapped, and no recommendations for additional fisheries or wildlife surveys at the time of review. MDIFW noted that it would address project specific management concerns if any arise, when a project is proposed for development within the area. Maine Natural Areas Program also did not find any reason to provide comment to LURC at this stage. The PUC provided detailed comment on the state goals, potential for energy generation, and viability of the project, all consistent with what Champlain stated in its Petition.

The Legislators did the best they could with what they had at the time. The Legislature carved out expedited areas based on what information was before it at the time. The Legislature intentionally made expansion of the expedited area simple to facilitate projects. The Legislature did not intend that wind projects fail because land falls outside of the expedited area. The Legislative intention was to see that its wind goals were met and that is why they included this relatively simple rulemaking process.

For these reasons, it is incumbent upon the Commission to find that the Petition meets the legislative criteria for expansion of an expedited area; all site-specific issues will be raised and addressed when an application for a development permit is considered.



STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

JOHN ELIAS BALDACCI
GOVERNOR

March 16, 2010

Land Use Regulation Commission Members
Department of Conservation
22 State House Station
Augusta, Maine 04333-0022

Dear Commission Members:

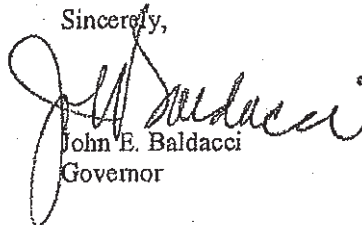
By this letter, I approve the Land Use Regulation Commission's revised Comprehensive Land Use Plan that you adopted unanimously on March 3, 2010. The revised Plan provides a balanced, fair and flexible approach for promoting orderly growth and development in the 10.4 million acres of the jurisdiction for the next decade. I recognize that it is the result of 5 years of extensive public and stakeholder involvement and that it reflects the input from landowners, residents, various recreation and conservation organizations and the general public.

In approving this Plan, I take special notice that one of the most important and overarching goals of the revised Plan is to update LURC's role regarding economic activity in the jurisdiction and to support economic development in appropriate locations. I also recognize your commitment to inclusive, collaborative stakeholder processes to find solutions that work for landowners and residents of the jurisdiction while protecting the public interests in this extraordinary area. It is important to continue to provide every opportunity for residents and landowners within the LURC jurisdiction to meaningfully shape new policies as they are developed and implemented.

In the revised Plan, you mention that considerable opportunities may exist for non-regulatory, voluntary approaches that provide landowners with flexibility and incentives to protect the principal values of the jurisdiction while achieving reasonable economic returns. You have assured me that you will actively explore collaborative processes as they may offer a path forward which not only maintains but improves landowners' value while enhancing the protection of public interests. These assurances are integral to my approval of this revised Plan.

LURC's important role in the planning and zoning of this unique and vital part of our state is critical to Maine's future. Working forests, healthy and vibrant communities, and abundant recreational and natural resources are part of our heritage and must be safeguarded and enhanced for our generation as well as our children and grandchildren. I urge you to continue your hard work on behalf of the great state of Maine.

Sincerely,


John E. Baldacci
Governor



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888-577-6690 (TTY)
www.maine.gov



JOHN ELIAS BALDACCI
GOVERNOR

STATE OF MAINE
DEPARTMENT OF CONSERVATION
22 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0022

ELIZA TOWNSEND
ACTING COMMISSIONER

March 11, 2010

Dear Governor Baldacci,

We want to thank you for meeting with us earlier this week and appreciated the opportunity to present the Comprehensive Land Use Plan (CLUP) to you in person and answer your questions.

As you know, the Plan is the Commission's policy document and the real work of finding solutions to the challenges and opportunities facing the jurisdiction will be undertaken in the years ahead through the implementation of the Plan. In this regard, you inquired about how we intend to move forward with implementation.

As we reflect on our process in developing the Plan and the issues that have been dealt with over the Commission's 40 year history and our tenure, we are encouraged by collaborative processes that have been used in other settings and that are characterized by:

- Respect for diverse points of view
- Creative search for solutions that work for all parties
- Open sharing of information

History shows that collaborative processes can achieve unprecedented levels of success both from the perspective of the regulated parties and public interests. They can result in creative, equitable and enduring solutions.

Mindful of this, as we undertake the important work of implementation, we are committed to collaborative stakeholder processes that allow us to find solutions that work for landowners and residents of the jurisdiction while protecting the public interests in this extraordinary area and its resources. The issues facing the jurisdiction are complex and we certainly do not have the answers or even the tools necessary to address them all. We believe that stakeholder involvement and collaborative processes will not just be important but may well be essential to the success in effectively and equitably addressing the most intractable and fundamentally important issues the Commission confronts.

We recognize that collaboration requires willing partners and that the Commission can not command collaboration. We can, however, offer and encourage this approach and are prepared to do so. We also understand that collaboration requires changing old mindsets, traditional behaviors and making a new start – this is very challenging but success in other arenas make clear it is possible and that the results can be impressive. We are prepared to model this patient, open and inclusive behavior and encourage others to do so as well. We would like to initiate a collaborative approach for implementing the Plan as soon as possible. This would allow us to take the important next steps in addressing issues while clearly demonstrating our commitment to involving landowners, residents and other interests in an open dialogue.

www.maine.gov/doc
PHONE: 207-287-4900
FAX: 207-287-2400
TTY: 888-577-6690

We can assure you that we will make every opportunity for residents and landowners within the LURC jurisdiction to meaningfully participate and shape these efforts as new policies are developed and implemented based on the CLUP.

This is not to say we are abandoning our statutory charge – you may also be assured that we will adhere to it while working to implement the Plan – rather, we are looking to achieve the objectives of the LURC Act through more creative and effective means. In these regards, we are encouraged by collaborative processes, as they may offer a path forward which not only maintains but enhances landowners' value while enhancing the protection of public interests.

We hope that this resolves any questions that you may have regarding our intentions as we go forward. We stand ready to answer any questions that you may have in this regard; and, again, truly appreciate the opportunity to serve the people of Maine as Commissioners of the Land Use Regulation Commission.

Sincerely,



Gwendolyn R. Hilton, Commission Chair



Steve Schaefer, Commission Vice-Chair

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Monday, October 04, 2010 10:33 AM
To: Todd, Fred
Subject: Fw: Testimony re Champlain Wind's Petition for Kossuth
Attachments: Kate Roseberrys testimony.doc

From: Peter Fisher <juniorlake@gmail.com>
To: Horn-Olsen, Samantha
Sent: Sun Oct 03 19:27:49 2010
Subject: Testimony re Champlain Wind's Petition for Kossuth

Please find attached my testimony re Champlain Wind's Petition. Thank You
Kate Roseberry

Kate Roseberry
39 Leighton Street
Bangor, ME
04401
October 3, 2010

Land Use Regulation Commission
Department of Conservation
22 State House Station
Augusta, Maine 04333-0022

I wish to enter the following as my personal testimony opposing Champlain Wind LLC's Petition to add portions of Kossuth Township to the Expedited Permitting Area for industrial wind development.

My name is Kate Roseberry. I am a property owner and summer resident of Lakeville, Maine. I am in opposition to the Proposed Addition of any part of Kossuth Township into Expedited Zoning. We feel that this is an encroachment on the quality of the Downeast Lakes Watershed and that any industrial projects that might be applied for within the non-expedited zone should be subject to the greatest scrutiny by LURC in order to safeguard this valuable asset, little known to the rest of the state.

I wish to address what I believe to be several inaccuracies and assumptions that I found in Champlain Wind's Petition.

1. The Petitioners state on page 3 that "In 2009, Champlain erected three meteorological towers in Carroll, part of the expedited permitting area, and is collecting wind data, conducting environmental and other studies to help establish final project layout". On page 6, it is stated that, "three met towers were installed in Carroll in 2009 to begin measuring the wind resource and Champlain **expects** the on-site wind data will confirm the predicted viable wind resource." This would seem to say that after a year of data collection from the 3 towers on Bowers, they have no definitive evidence of wind viability. However, they go on to say, "Taken together, the data from Stetson and from Carroll **provide** sufficient information for a landscape-level analysis that a viable wind resource exists within the Proposed Addition." Here they infer that the data from Bowers is measurable. They have gone from expectant to definitive on the same page.

More alarming is the assumption that data from the Stetson projects is valid data to claim viability of the hypothetical Bowers/Kossuth project.

Again, page 6 states, "The Stetson Wind Project, located approximately **eight miles** from Bowers and the Proposed Addition, is a 57 MW project which became operational in December 2008. Approximately **nine years of wind data** have been collected by meteorological towers at Stetson, and **provide a landscape-analysis indicating a viable wind resource on the hills in both Carroll and Kossuth**. These findings are **supported by the elevation of the terrain in the Proposed Addition, because the elevations are comparable to those at Stetson.**"

Forgive me for the bold underlining, but I wanted to stress the alarming assumptions. The Petitioner suggest that the data collected from the MET towers at the Bowers locations is incomplete and contends that the 9 years of data collected at the Stetson site, 8 miles away tells them that the hypothetical Bowers/Kossuth project will be viable. They offer no real data and go on to say that, because the hills are about the same elevation, therefore the wind will be the same. The assumption that peaks of equal elevation therefore have the same wind characteristics would seem to be absurd.

No data about wind, met towers or Stetson production numbers is available. They claim proprietary rights, but they have the turbines installed. No competitor is going to be competing for that site.

Attachment 1 is a topographical map created using DeLormes Topo USA. I have included the area containing Stetson 1 and 2, the hypothetical Bowers/Kossuth areas and a large region to the west of these ridges. The Stetson Ridge is highlighted in red, the Bowers/Kossuth in Blue and major ridges and peaks to the west of both are highlighted in yellow.

One can easily see the lack of physical similarity between the Stetson ridge and the Bowers/Kossuth ridge. Stetson is a straight ridge running south to north. Bowers/Kossuth is part of a basin shaped series of peaks and has a basically west to east orientation, almost perpendicular to Stetson.

The prevailing winds in this region are primarily blowing from the west. The Stetson ridge runs perpendicular to that wind and has the low lying Mattawamkeag River basin and few if any peaks to the west of its ridge. One would think that this could be characterized as a virtually unobstructed exposure to the westerly winds.

The Bowers/Kossuth basin runs parallel to the prevailing winds, if they had unobstructed exposure. The map clearly shows that a long continual series of peaks and ridges exist from the Kossuth parcel all the way to the Penobscot River.

I am not a scientist or a climatologist or a meteorologist. But I don't think those degrees are required to see that the *assumption* that the wind data collected at the Stetson site should be used to provide accurate data for the viability of an industrial wind project on the Bowers/Kossuth site.

If we're going to allow these kinds of assumptions, then why not use the output of the turbine at the campus of UMPI, to assume a similarity to the output of the Stetson Project? That turbine is producing an average of 10.81% of nameplate capacity. I noticed that Attorney Kiely, when asked if the Stetson Project was on target for the PUC's 30% output target, was quick to point out that that was over a 20 year period. It seemed to me that he was saying that he had a lot more years to get to that level.

2. Another questionable statement is the quote on page 8 attributed to "Keeping Maine's Forests: A Study of the Future of Maine's Forests" from which the inference is that, "Wind turbines are capital intensive to build but have no fuel costs..". **Attachment 2** outlines at least a dozen parts and functions of each turbine tower that require electricity. The document states that that level of power usage, may at times, greatly infringe on the actual grid output of the turbine. Many of the listed power usages are particular to cold

climate placement. While the author of the piece, Eric Rosenbloom, is often challenged by industry experts, one must admit that many of these claims would seem to be mechanically legitimate.

3. While the Petitioners repeatedly state that, “there are no LURC-mapped or publicly identified natural or cultural resources within the Proposed Addition”, “the Proposed Addition does not include any high-value natural resources or features”, “The Proposed Addition does not include any mapped scenic or cultural resources”, “No other scenic or cultural resources of state or national significance”, “no federally designated wilderness or other comparable outstanding natural and cultural features”, “no designated wilderness areas”(Trout Pond?), “The Proposed Addition does not include any high-value natural or cultural resources and would not compromise the diversity, abundance, or uniqueness of any resources in the vicinity”, one must be aware that in most instances they are speaking specifically of the area for which the petition wishes to rezone.

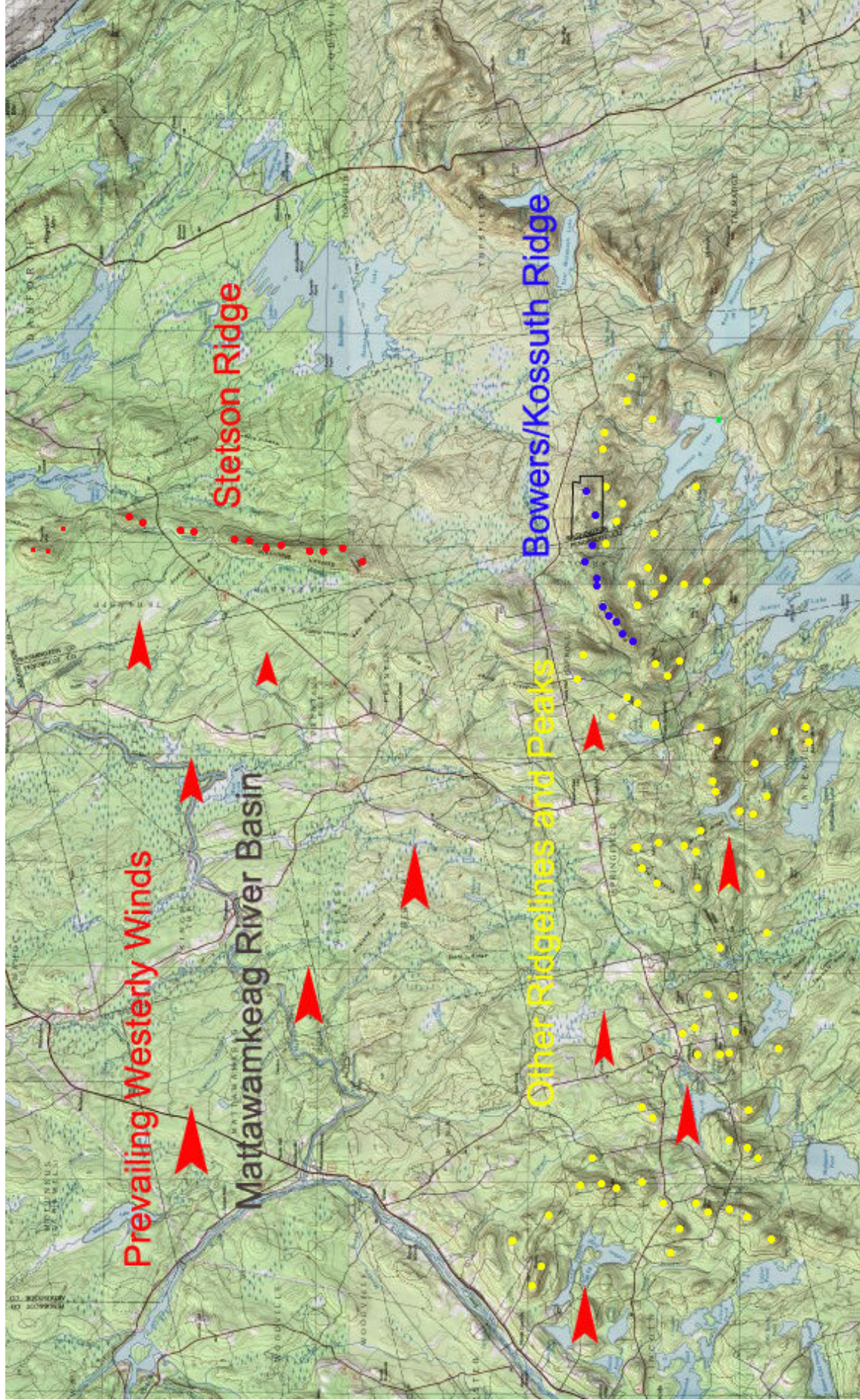
I would plead with the Commission to realize that the impact of the hypothetical activity *within* the Proposed Addition will have a greater effect on the regions *beyond* its boundaries. **It is not the content of the area as much as the location of the area that must be considered.**

Attachments:

Attachment 1 – Topographical Map

Attachment 2 – Energy Consumption in Wind Facilities

Attachment 1



Attachment 2

A Problem With Wind Power

www.aweo.org

by Eric Rosenbloom

Energy consumption in wind facilities

Large wind turbines require a large amount of energy to operate. Other electricity plants generally use their own electricity, and the difference between the amount they generate and the amount delivered to the grid is readily determined. Wind plants, however, use electricity from the grid, which does not appear to be accounted for in their output figures. At the facility in Searsburg, Vermont, for example, it is apparently not even metered and is completely unknown [[click here](#)].* The manufacturers of large turbines -- for example, Vestas, GE, and NEG Micon -- do not include electricity consumption in the specifications they provide.

Among the wind turbine functions that use electricity are the following:†

- yaw mechanism (to keep the blade assembly perpendicular to the wind; also to untwist the electrical cables in the tower when necessary) -- the nacelle (turbine housing) and blades together weigh 92 tons on a GE 1.5-MW turbine
- blade-pitch control (to keep the rotors spinning at a regular rate)
- lights, controllers, communication, sensors, metering, data collection, etc.
- heating the blades -- this may require 10%-20% of the turbine's nominal (rated) power
- heating and dehumidifying the nacelle -- according to Danish manufacturer Vestas, "power consumption for heating and dehumidification of the nacelle must be expected during periods with increased humidity, low temperatures and low wind speeds"
- oil heater, pump, cooler, and filtering system in gearbox
- hydraulic brake (to lock the blades in very high wind)
- thyristors (to graduate the connection and disconnection between generator and grid) -- 1%-2% of the energy passing through is lost
- magnetizing the stator -- the induction generators used in most large grid-connected turbines require a "large" amount of continuous electricity from the grid to actively power the magnetic coils around the asynchronous "cage rotor" that encloses the generator shaft; at the rated wind speeds, it helps keep the rotor speed constant, and as the wind starts blowing it helps start the rotor turning (*see*

next item); in the rated wind speeds, the stator may use power equal to 10% of the turbine's rated capacity, in slower winds possibly much more

- using the generator as a motor (to help the blades start to turn when the wind speed is low or, as many suspect, to maintain the illusion that the facility is producing electricity when it is not, particularly during important site tours) -- it seems possible that the grid-magnetized stator must work to help keep the 40-ton blade assembly spinning, along with the gears that increase the blade rpm some 50 times for the generator, not just at cut-in (or for show in even less wind) but at least some of the way up towards the full rated wind speed; it may also be spinning the blades and rotor shaft to prevent warping when there is no wind

Could it be that at times each turbine consumes more than 50% of its rated capacity in its own operation?! If so, the plant as a whole -- which may produce only 25% of its rated capacity annually -- would be using (for free!) twice as much electricity as it produces and sells. An unlikely situation perhaps, but the industry doesn't publicize any data that proves otherwise; incoming power is apparently not normally recorded.

Whatever the actual amount of consumption, it could seriously diminish any claim of providing a significant amount of energy. Instead, it looks like industrial wind power could turn out to be a laundering scheme: "Dirty" energy goes in, "clean" energy comes out. That would explain why developers demand legislation to create a market for "green credits" -- tokens of "clean" energy like the indulgences sold by the medieval church. *Ego te absolvo*.

Lapointe, Jeannine

From: Horn-Olsen, Samantha
Sent: Monday, October 04, 2010 10:33 AM
To: Todd, Fred
Subject: Fw: Testimony opposing Kossuth petition by Champlain Wind
Attachments: Working Draft Kossuth_2.doc

From: Kevin and Marie <mainlymaine@fairpoint.net>
To: Horn-Olsen, Samantha
Sent: Sun Oct 03 15:13:16 2010
Subject: Testimony opposing Kossuth petition by Champlain Wind

Hi Samantha, hope you had a good weekend. This is the full document that I (on behalf of all of the 120+ members of the Partnership for the Preservation of the Downeast Lakes Watershed - PPDWLW) offered testimony on during the Lee meeting on 9/22. I also have included here the additional line of sight information that the moderator had asked us for. This document is the collaborative effort of a handful of core PPDWLW members and was not written by a high priced lawyer, but hopefully will be considered by the commissioners with at least as much "weight" as if it had been. In fact, I would be so bold as to say that it should be weighted more heavily because it was written by ordinary citizens of the area that will be most dramatically impacted by this petition if it is approved by LURC. Thank you in advance to you and the commissioners, and Mr. Todd for your consideration of our argument against rezoning Kossuth.

Your message is ready to be sent with the following file or link attachments:
Working Draft Kossuth_2

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



**PARTNERSHIP FOR THE PRESERVATION
OF THE DOWNEAST LAKES WATERSHED
(PPDLW)**

September 22, 2010

Land Use Regulation Commission
Department of Conservation
22 State House Station
Augusta, Maine 04333-0022

Subject: Testimony opposing Champlain Wind LLC's Petition to Add Portions of Kossuth Township to the Expedited Permitting Area for Wind Energy Development

This testimony explains why, pursuant to Title 35-A §3453, the area referenced in the Kossuth Petition cannot be added to the expedited area.

My name is Kevin Gurall. I am the President of the Partnership for the Preservation of the Downeast Lakes Watershed (PPDLW). I also own property on Junior Lake, on the West Grand Lake Watershed – the natural area that would be impacted by the Kossuth Petition. My family and I live here year round.

PPDLW is a not for profit organization. Our mission statement reads:

The Partnership for the Preservation of the Downeast Lakes Watershed is a nonprofit organization dedicated to the long-term preservation of Maine's Downeast Lakes Watershed through conservation, environmental action and opposition to inappropriate industrial or commercial development.

We represent a diverse mix of over 120 year-round residents, part-time residents, small business owners and visitors from more than a dozen states who treasure the natural character and quality of place of the Downeast Lakes. We know that residents and visitors alike choose this region because of its unique recreational opportunities in an area with a backdrop of undeveloped horizons, mountain ridges and protected shorelines. Its natural character is remarkably untouched by human development.

Both the PPDLW and I personally hope that the Land Use Regulation Commission (The Commission) will stay true to the vision articulated in its 2010 Comprehensive Land Use Plan by safeguarding this region for future generations and preserving the unique tourism potential of a region with its natural character still intact.

1. Overview

Title 35-A §3453 provides that the Commission may add a specified place to the expedited area if each of three specific criteria are met: (1) the proposal involves a logical geographic extension of the currently designated expedited area; (2) the proposal is important to meeting state goals for wind energy development; and (3) the proposal would not compromise the principal values and the goals identified in the Commission's Comprehensive Land Use Plan (CLUP).

PPDLW objects to approval of the Kossuth Petition on the basis of all three criteria:

- It is not possible to determine here whether the area referenced in the Kossuth Petition is a natural geographic extension of the currently designated expedited area, so the Petition should be denied. Apparently there is no public record of how and why the geographic boundaries of the currently designated expedited area were established. What little information we have been able to find suggests that the geographic boundaries were intentionally drawn to respect township and political boundaries, and to exclude certain areas from development. Changing the boundaries on some other basis should be denied. With this in mind, the burden of proof should be very high for removing intended protections.
- Granting the Kossuth Petition should be denied, because the project would not produce enough clean power to justify compromising the natural character and the quality of associated recreational tourism at Pleasant, Junior, Scraggly, West Grand, Pocumcus, and Sysladobsis Lakes. These are lakes which the Commission itself has deemed to be of State significance.
- Granting the Kossuth Petition would compromise principal values and goals contained in the Commission's 2010 Comprehensive Land Use Plan, so the Petition should be denied. The 2010 Plan includes very specific language about preserving the scenic integrity and natural character of Maine's most precious wildlands. Because the area referenced in the Kossuth Petition is so important to the natural character of the West Grand Lake Watershed, the Kossuth Petition cannot be granted.

In fact, no less than three of the 2010 Plan's four principal values would be compromised, as would all four of the broad goals, and numerous specific policies and goals. For this reason, the land specified in the Kossuth Petition cannot be added to the expedited permitting area.

The question currently before the Commission – whether it *may* grant the Kossuth Petition – is limited to whether adding the lands referenced in the Kossuth Petition to the expedited area meets all three specific criteria set out in Title 35-A §3453. This Petition fails to meet any of the three.

We respectfully suggest that the Commission must consider scenic impacts and impacts on the natural character of the West Grand Lake Watershed when considering the Kossuth Petition. §3453 makes clear that the expedited wind law does not supersede the Commission's enabling legislation, and that the Commission's responsibilities to preserve and protect the natural areas within its jurisdiction as articulated in its comprehensive land use plan remain intact.

Indeed, once lands are included within the expedited permitting area, the Commission's ability to consider scenic impacts is limited to resources located within 8 miles of the project site -- an arbitrary distance when viewing a prominent ridgeline across large expanses of water, and when considering industrial development that would be one half again as tall as the ridgeline itself.

2. Application of the Criteria Required by §3453

2.1 Application of Criterion One – *Involves a logical geographic extension of the currently designated expedited permitting area;*

It is not possible to determine whether the area referenced in the Kossuth Petition is a natural geographic extension of the currently designated expedited area.

According to the Chairman of the Governor's Task Force, the boundaries of the expedited area were initially proposed by the Petitioner and other wind developers in private meetings. Then conservation and environmental groups were asked what areas they wanted to protect. After a period of frenzied negotiating during the final two days, a map designating an area for expedited wind permitting was created and approved unanimously¹. Unfortunately, we've been told that there is no public record of those final discussions as no minutes were taken². We therefore can't say how and why the current boundaries were established in any particular instance. What little public information exists appears to suggest that the geographic boundaries were intentionally drawn to respect jurisdictional boundaries, and subsequently contracted to specifically exclude some sites from development.

A natural geographic feature that crosses the boundary of the expedited area is not sufficient grounds for expanding the expedited area. The Commission, in its Guidelines³ adopted on March 3, 2009, suggested that because portions of the expedited area were designated using township or other political boundaries, which may cut across ridgelines or other naturally occurring geographic features relevant in the siting of wind power, some adjustment to the expedited area boundary may be needed. We would respectfully suggest that the opposite is a stronger argument.

If the expedited area specifically *excluded* areas where expedited wind development is not appropriate, and if a ridgeline that is prominently visible from that intentionally excluded area crosses the boundary of the expedited area, perhaps that boundary should be adjusted to exclude the entire ridgeline.

We recognize of course that removing land from the expedited area is at the discretion of the Legislature, and not the Commission. We are merely pointing out that there is insufficient basis for the Commission to conclude that a ridgeline spanning the boundary of the expedited area should be contained within it, simply because that ridgeline is of interest to a developer.

Clearly it was not the Legislature's intent to encourage wind development *everywhere* within the expedited area. It is unlikely that industrial scale wind development was intended for the middle of lakes, the lawns of town halls, the backyards of apartment buildings or the median strips of roadways – all of which are included in the expedited area. Therefore, just because a portion of a particular ridgeline is contained within the expedited area does not mean any portion of that ridgeline is appropriate for grid scale wind development.

¹ The 17-member Task Force included Juliet Browne of Verrill Dana LLP, currently representing First Wind. Other participants included: Kurt Adams, currently Exec.VP and Chief Development Officer of First Wind; Josh D'Agnato then representing UPC Wind (First Wind); Matthew Kearns, currently Director of Project Development for First Wind.

² PinetreeWatchdog.org, "Flaws in bill like skating with 'dull skates' " Aug 12, 2010

³ Land Use Regulation Commission. Guidelines for the Review of Petitions for the Addition of Lands to the Expedited Permitting Area for Wind Energy Development, March 3, 2010.

At a minimum, when considering whether a larger portion of a natural geographic feature should be included within the expedited area, the Commission should consider whether development of that geographic feature could have an adverse impact on other areas that were intentionally excluded from the expedited area.

2.2 Application of Criterion Two – Meets state goals. Is important to meeting the state goals for wind energy development established in §3404;

In its Guidelines issued on March 9, the Commission interprets the phrase “important to meeting the state goals for wind energy development” to mean that *projects that have a limited potential for energy generation and disproportionate impacts on public resources in the state are not important to meeting the state goals for wind energy development*. The Guidelines go on to say that the Commission will consider a number of factors, including the project’s potential for electric generation, and the impact on public resources – such as recreational and scenic impacts.

On September 20, 2010 the PUC submitted its Review Comments on this petition. There are at least two critical errors in the analysis they presented in that letter.

First, its endorsement was based on the combined potential output of all 25 turbines on the Bowers Mountain project and the Kossuth extension⁴. Neither of these two projects has a permit application associated with them yet and details are vague. For the PUC to consider the total potential energy generation of both projects combined, the PUC is taking an all-or-none approach. They must be assuming that if denied the Kossuth extension, Champlain Wind will abandon the Bowers Mountain project. There is no evidence to support this.

Second, in arriving at the concluding statement that these 57 turbines will provide “enough energy to serve the electricity needs of approximately 23,500 residential households”, they use a faulty multiplier. Their calculation assumes the average residential household consumes 6.38 MWh annually. This figure is lower than it has been since the 1960’s⁵. According to the U.S. Energy Information Administration, in 2008, the average annual electricity consumption for a U.S. residential utility customer was 11.04 MWh.

We therefore believe the projections provided by the PUC are misleading.

We maintain that the 695 acre parcel in question has very little potential for energy production. Although the figure changes from time to time, Champlain Wind tells us that the Kossuth parcel will hold seven Siemens 2.3MW turbines. This yields a proposed nameplate capacity of (7 turbines x 2.3 MW =) 16.1 MW, or (16.1 MW x 8,760 hours/year =) 141,036 MWh. But actual electricity generated will be a fraction of that. Because the petitioner treats its historical capacity factors as a trade secret, we must look elsewhere for an accurate capacity multiplier. While the PUC uses a projected capacity factor of 30%, the experiment at the University of Maine at Presque Isle has delivered an actual capacity of only 11.6%. By averaging these two approaches we come up with 20.8%.

⁴ While this approach, considering the parent project as well as the proposed extension, is being discussed as a possible revision to the “Guidelines for the Review of Petitions for the Addition of Lands to the Expedited Permitting Area for Wind Energy Development”, it is not currently included.

⁵ Power To The People: Tracing The Roots Of America’s Addiction To Electricity by William Ecenbarger, Chicago Tribune, February 25, 1990.

Using 20.8% as the capacity factor, we can expect the seven turbines to generate a gross amount of (141,036 MWh x 20.8% =) 29,335 MWh. The gross amount is the power generated before adjustment for the power consumed by the turbine for yaw control, blade pitch control, lighting, sensing, heating, ventilating, dehumidifying, heating the oils, the oil pump, hydraulic braking system, thyristors, and magnetizing the stator. Using the U.S. Energy Information Administration's figure of 11.04 MWh per household consumed per year, the projected gross production of 29,335 MWh is enough power to serve only (29,335 MWh x 11.04 MWh =) 2,657 households.

Because the electric generation potential on the lands included in the Kossuth Petition is so limited this project is not important to meeting the state goals for wind energy development.

The Kossuth Petition would add a prominent ridgeline to the expedited area for grid scale wind development. Turbines on this ridgeline would be clearly and prominently visible from a natural resource and public recreational area of both state and national significance – the West Grand Lake Watershed (Exhibits 1A-K)⁶. The Governor's Task Force recognized and protected the unique value of this area by omitting it from the expedited area (see Exhibit 2).

Furthermore, the Commission's own Wildlands Lake Assessment⁷ identified several lakes that would be impacted by the proposed wind project as being of statewide significance (see Exhibit 3). This study was specifically mentioned in the expedited permitting law as a reference for identifying resources of state and national significance per 35-A §3451.

- Pleasant Lake is a Class 1A Lake – a lake of statewide significance – due to its outstanding fishery, scenic quality, botanic features and significant shoreline character. (Exh. 1A)
- Trout Lake is one of only 176 Management Class 6 remote ponds in the State⁸. This designation means that Trout Lake is afforded special protection to maintain its remote status, natural resource value and the primitive recreational experience in a remote setting. (Exh. 1E)
- West Musquash Lake is a Class 1A Lake – a lake of statewide significance – due to its outstanding fishery and scenic quality, as well as significant shoreline character and cultural resource values. (Exh. 1C)
- Scraggly Lake is a Class 1B Lake – a lake of statewide significance – due to its significant fishery, scenic quality, shoreline character and cultural resources. (Exh. 1B)
- Junior Lake is a Class 1B Lake – a lake of statewide significance – due to its significant fishery, scenic quality, shoreline character, and cultural resources. (Exh. 1D)
- Sysladobsis Lake is a Class 1A Lake – a lake of statewide significance – due to its outstanding botanic resources as well as significant fishery, scenic quality, shoreline character, cultural resources. (Exh. 1F)
- Upper Sysladobsis Lake is a Class 1B Lake – a lake of statewide significance – due to its significant fishery, scenic quality, shoreline character and cultural resource values.
- West Grand Lake is a Class 1A Lake – a lake of statewide significance – due to its outstanding fishery, wildlife, scenic quality, shoreline character, and cultural resources. West Grand Lake is recognized by D.I.F. & W. as one of only 5 lakes in the State of Maine where landlocked salmon

⁶ Created utilizing DeLorme's Topo USA v. 8

⁷ Maine Wildlands Lake Assessment, June 1, 1987.

⁸ Comprehensive Land Use Plan, 2010; Appendix C: The Commission's Lake Management Program, Page C-26

were native and were not stocked as they were in every other salmon lake in the state. (Exh. 1G)

- Pocumcus Lake is a Class 1A Lake – a lake of statewide significance – due to its outstanding fishery, wildlife, scenic quality, and cultural resources. (Exh. 1K)
- Big Lake is a Class 1A Lake – a lake of statewide significance – due to its outstanding fishery, wildlife, botanical and cultural resource values. (Exh. 1H)

This region contains the single largest concentration of Class 1A/1B lakes (6 scored 1A; 3 scored 1B; plus 6 scored class 2) in any accessible portion of Maine that we know of. These lakes received 17 "O" ratings and 20 "S" ratings. Those ratings include:

	Outstanding	Significant	Significant +
Fishery	5	4	
Wildlife	3		
Scenic qualities	3	4	
Shoreline Character	1	5	1
Botanical Features	3	1	
Cultural or historical features	2	5	

Potential scenic impacts on these lakes and the importance of scenic quality of these lakes to the natural character and recreational quality of the region are further addressed below.

Because development of the site would disproportionately impact the scenic and recreational quality of public resources of state and national significance, this project is not important to meeting the state goals for wind energy development.

2.3 Application of Criterion Three – *Would not compromise the principal values and the goals identified in the Comprehensive Land Use Plan.*

Principal Values. In its 2010 Comprehensive Land Use Plan, the Commission identified four principal values:

- *“The economic value of the jurisdiction derived from working forests and farmlands, including fiber and food production, largely on private lands. This value is based primarily on maintenance of the forest resource and the economic health of the forest products industry. The maintenance of farmlands and the viability of the region's agricultural economy is also an important component of this value.*
- *Diverse and abundant recreational opportunities, including many types of motorized and non-motorized activities. Unique opportunities exist for recreational activities which require or are significantly enhanced by large stretches of undeveloped land, ranging from primitive recreation in certain locations to extensive motorized trail networks. Recreation is increasingly an economic driver in the jurisdiction and the State.*
- *Diverse, abundant and unique high-value natural resources and features, including lakes, rivers and other water resources, fish and wildlife resources, plants and natural communities, scenic and cultural resources, coastal islands, mountain areas and other geologic resources.*
- *Natural character, which includes the uniqueness of a vast forested area that is largely undeveloped and remote from population centers. Remoteness and the relative absence of development in large parts of the jurisdiction are perhaps the most distinctive of the jurisdiction's principal values, due mainly to their increasing rarity in the Northeastern United States. These values may be difficult to quantify but they are integral to the jurisdiction's identity and to its overall character.” (CLUP, Ch. 1, p. 2).*

Notably, all four of these principal values focus on balancing and preserving the health of traditional forest products and agricultural industries, natural resources, and recreational opportunities. None of them address industrial scale development of energy resources.

Permitting a grid-scale wind energy project on Dill Hill will severely compromise three of these four principal values:

- The principal value, *diverse and abundant recreational opportunities*, explicitly mentions that unique opportunities exist for “recreational activities which require or are significantly enhanced by large stretches of undeveloped land.
- The principal value *diverse, abundant, and unique high-value natural resources and features*, specifically emphasizes lakes, scenic resources, and mountain areas – and specifically recognizes that recreation is an increasing economic driver in the Commission’s jurisdiction and the State.
- The principal value *natural character* explicitly acknowledges the value of remoteness – the relative absence of development over large areas and the increasing rarity of such places.

Industrial scale energy resource development in the area proposed in the Kossuth Petition conflicts with these three principal values, because the area is a dominant natural feature clearly visible from the West Grand Lake Watershed – a truly unique, nationally-recognized, high-value natural area that offers numerous recreational opportunities. These opportunities have been made possible through a combination of both public and private funding and action:

- 24 public boat launches (see Exhibit 4)
- 21 breathtaking public campsites, many on undeveloped islands (see Exhibit 5)
- many miles of undeveloped shoreline
- thousands of acres protected by conservation easement
- numerous pristine scenic vistas that appear untouched by time
- during the summer this area is extensively used for camping, swimming, fishing, hunting, hiking, canoeing, kayaking, bird watching, ATVing, photography and climbing. Winter activities include ice fishing, hunting, XC skiing, snowshoeing, snowmobiling, camping, bird watching and photography.

The West Grand Lake Watershed encompasses approximately 225 square miles which puts it on a par with Moosehead Lake and the Allagash Wilderness Waterway. Protecting the West Grand Lake Watershed has been one of the greatest land trust accomplishments in the nation. In fact, the 21,700-acre West Grand Lake Community Forest, with its exceptional wildlife habitat and recreational value, was selected as the #1 national priority for funding by The Forest Legacy Program of the U.S. Forest Service in fiscal year 2011.

The West Grand Lake Watershed represents exactly what the Commission's 2010 Land Use Plan intended to protect. In the section on primary values, the Plan notes that "*Natural resources are generally enhanced when they are part of a large, relatively undeveloped area, especially one that encompasses entire watersheds or ecosystems.*"

- Exhibit 6 is a map of the West Grand Lake Watershed. It shows the scale of the various conservation efforts that have been invested to preserve the natural character of the Watershed and the proximity of the proposed Kossuth parcel.
- Exhibits 1A-K are line of sight analyses showing that the top of Dill Hill is clearly visible from boat landings, state campgrounds and other points of interest on the lakes of the Downeast Watershed, including those with the top two ratings class on LURC's own wild land study - as noted on pages 5-6. Note that the analysis shown does not take the full 428' height of the Siemens 2.3MW turbines into account.
- Exhibit 7 is a photograph of Dill Hill as it will appear from the southern shore of Pleasant Lake. This is the prominent vista that provides so much of the natural character to Pleasant, Scraggly, West Musquash and Junior Lakes. This isn't a mountainous area where the visual impacts are limited to areas close to the project site. It's Downeast Maine, where the few mountains and ridgelines are dominant features on the horizon for many miles away.

It is hard to capture the natural character and beauty of this area in photographs. It's a rare and enriching experience to stand on one of the remote island campsites, look out at the horizon and know that the view is just as it was when Native Americans hunted and fished there centuries ago. It

is hard to capture the feeling in words of seeing the majesty of eagles soaring along the ridgeline, moose feeding along the shore, loons crying in the distance – with the backdrop of mountain vistas untouched by human development.

We urge you to take a tour of Pleasant Lake or Scraggly Lake. Please stand at one of the campsites, and view the mountains for yourself, before you make a decision that will change this place forever.

Once the Commission allows this portion of Kossuth to be added to the expedited area, it loses the ability to stay true to LURC's Comprehensive Land Use Plan.

Broad Goals. Approving the Kossuth Petition would compromise all 3 of the broad goals set out in the Commission's 2010 Comprehensive Land Use Plan.

The Commission's 2010 Plan includes the following 3 broad goals:

- "1. Support and promote the management of all the resources, based on the principles of sound planning and multiple use, to enhance the living and working conditions of the people of Maine and property owners and residents of the unorganized and de-organized townships, to ensure the separation of incompatible uses, and to ensure the continued availability of outstanding quality water, air, forest, wildlife and other natural resource values of the jurisdiction.*
- 2. Conserve, protect and enhance the natural resources of the jurisdiction primarily for fiber and food production, outdoor recreation and plant and animal habitat.*
- 3. Maintain the natural character of certain areas within the jurisdiction having significant natural values and primitive recreational opportunities."*

Goal #1 acknowledges that resource management should accommodate multiple uses; it specifically refers to protecting natural resource values. It also refers specifically to the interests of property owners in the Commission's jurisdiction – but adding the Kossuth property to the expedited area would, by definition, compromise the interests of private property owners whose pristine view of natural areas would be impacted, and the people of Maine, who would lose the region's natural mountain vistas which are so fundamental to its quality of place.

Goal #2 clearly articulates that priorities for the region are for fiber and food production, outdoor recreation and plant and animal habitat – please note the conspicuous absence of industrial scale development of electric generation resources.

Goal #3 addresses the need to maintain the character of areas with significant natural values and primitive recreational opportunities – and the West Grand Lake Watershed and the adjoining lands protected by the Downeast Lakes Land Trust and other conservation entities is a one of a kind treasure. It is hard to imagine how it would be possible to preserve the scenic integrity of this region by allowing expedited permitting without a full public process and due consideration of the impacts on the natural character of the region, the tourist based economy of the region, and the potential for recreation-based economic development.

In addition to the principal values and broad goals, approving the Kossuth Petition would compromise many of the specific objectives and policies set out in the Commission's 2010 Comprehensive Land Use Plan.

- The Commission has a specific policy to preserve the integrity of natural resources. The Commission's policies regarding the location of development on a jurisdiction-wide level (CLUP, Ch. 1, p. 6) specifically focus on development that "retains the principal values of the jurisdiction, including a working forest, integrity of natural resources, and remoteness," it would not be possible to maintain the principal values of the West Grand Lake Watershed if the area contained in the Kossuth Petition – one of the most prominent features on an undeveloped horizon, were included for expedited permitting and industrial development.
- There is a specific policy to discourage growth which results in scattered and sprawling development patterns. Because the development project contemplated in the Kossuth Petition would produce so little electricity, it is a form of scattered and sprawling industrial development.
- The Commission is committed to encouraging economic development that "does not diminish the jurisdiction's principal values." Because the development contemplated by the Kossuth Petition would substantially impact the natural character of the region, the jurisdiction's principal values would certainly be diminished.
- The 2010 Plan includes a siting goal to "Assure that Development fits harmoniously into... the natural environment." (CLUP, Ch. 1, p. 7.) Expediting the permitting of wind turbines that will stand 428 feet tall atop a ridgeline the highest point of which is only 705 feet (1024'–319') above Pleasant Lake is the antithesis to development that fits harmoniously into the natural environment.
- The 2010 Plan includes an infrastructure goal to ensure that infrastructure improvements "do not have an adverse impact on the jurisdiction's principal values", and as associated policy that would "require new utility lines... and associated facilities... be... landscaped so that they do not degrade natural values; and... located so as not to inappropriately encroach upon or change the character of remote areas." Because the area included in the Kossuth Petition is prominently visible from one of the most important remote areas in the state, the Kossuth Petition is counter to this goal and policy.

There are many more potential conflicts with the 2010 Plan, but the above are sufficient grounds for denying the petition.

Because granting this Petition will severely compromise three of the four principal values, all three of the goals and several policies identified in the 2010 Comprehensive Land Use Plan, the Commission must deny it in order to remain true to its values and committed to its goals.

3.0 The question is limited to whether the Kossuth Petition meets the criteria in 35-A § 3453

§3543 is very specific about the criteria the Commission must use to determine if it may (note that it is an option, not a requirement) add more land to the expedited area.

Once an area is included in the expedited area, there are limitations on the consideration of scenic impacts. In this case, however, since the area addressed by the Kossuth Petition is excluded from the expedited area, there are no limitations on considering scenic impacts. Indeed, the law specifically requires the Commission to consider consistency with the Commission's Comprehensive Land Use Plan, and that plan very specifically values scenic quality and natural character.

Other mountain and ridge tops important to the natural character of the West Grand Lake Watershed and adjoining protected lands are included in the expedited area, and we are sure that others will argue that the area addressed by the Kossuth Petition should be similarly treated. The reasoning behind what was and was not included in the current expedited area, however, is not available to the public, and even if it were, is not relevant to the question currently before the Commission.

We respectfully suggest that ignoring the potential scenic impacts is not an option during this proceeding. 35-A § 3453 is very specific about the factors that the Commission must consider, and refers to the primary values and goals articulated in the Commission's 2010 Land Use Plan. We are grateful for the Commission's foresight in approving a comprehensive land use plan that so specifically values and protects the scenic integrity and natural character of Maine's wildlands.

4.0 The Commission's 2010 Comprehensive Land Use Plan is more important now than ever.

The introduction to the Commission's 2010 Comprehensive Land Use Plan articulates well the Commission's responsibility to balance competing interests:

"Known historically as the Wildlands of Maine, this vast landscape is the least populous and least developed portion of Maine and encompasses the largest block of undeveloped forestland in the Northeastern United States. The lands of the jurisdiction are predominantly privately owned, though they also contain many public values and resources. The Commission faces complex and unique challenges in its planning and regulatory responsibilities due to this intermixing of private ownership and public values." (CLUP, Ch. 1, p. 1.)

The Kossuth Petition is a case not only where private and public interests are in conflict with each other, but also where there are competing public interests (e.g. production of cleaner power, vs. protection of Maine's natural landscape and quality of place) and competing private interests (e.g. tax benefits to local communities, vs. costs to regional property owners and businesses who depend on tourism and quality of place). In cases like this, where there are numerous competing interests, the public is best served by full and transparent consideration of issues --rather than expedited consideration of some interests at the expense of others.

It is unlikely that all of the interests and organizations that could potentially be impacted by the Kossuth Petition and the proposed development of industrial scale wind turbines will come before you. The area land trusts have large donors on both sides of the issue, local communities are sorely tempted by the promise of tax dollars, landowners who will benefit financially from selling or leasing their lands for development are pitted against the landowners and the public as a whole who would lose the undeveloped vistas and fundamental natural character of the region.

With this in mind, we encourage you to look all the harder at the Kossuth Petition -- because it is you who will need to weigh the value of this unique undeveloped landscape that is the last of its kind, and you who need to determine whether allowing expedited permitting of industrial development here is consistent with the Commission's 2010 Comprehensive Land Use Plan.

Exhibit 1 A

Line of sight from 400 foot tower on Dill Hill to boat landing on north shore of Pleasant Lake (1A)

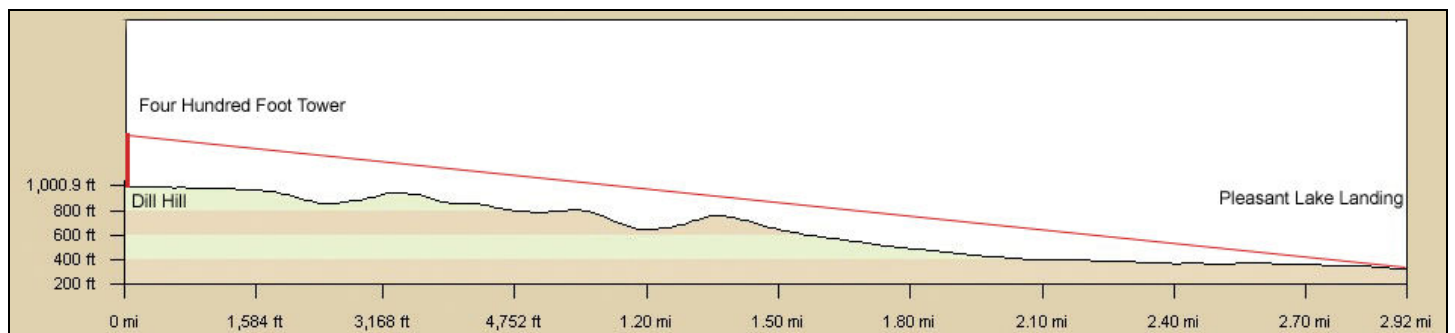
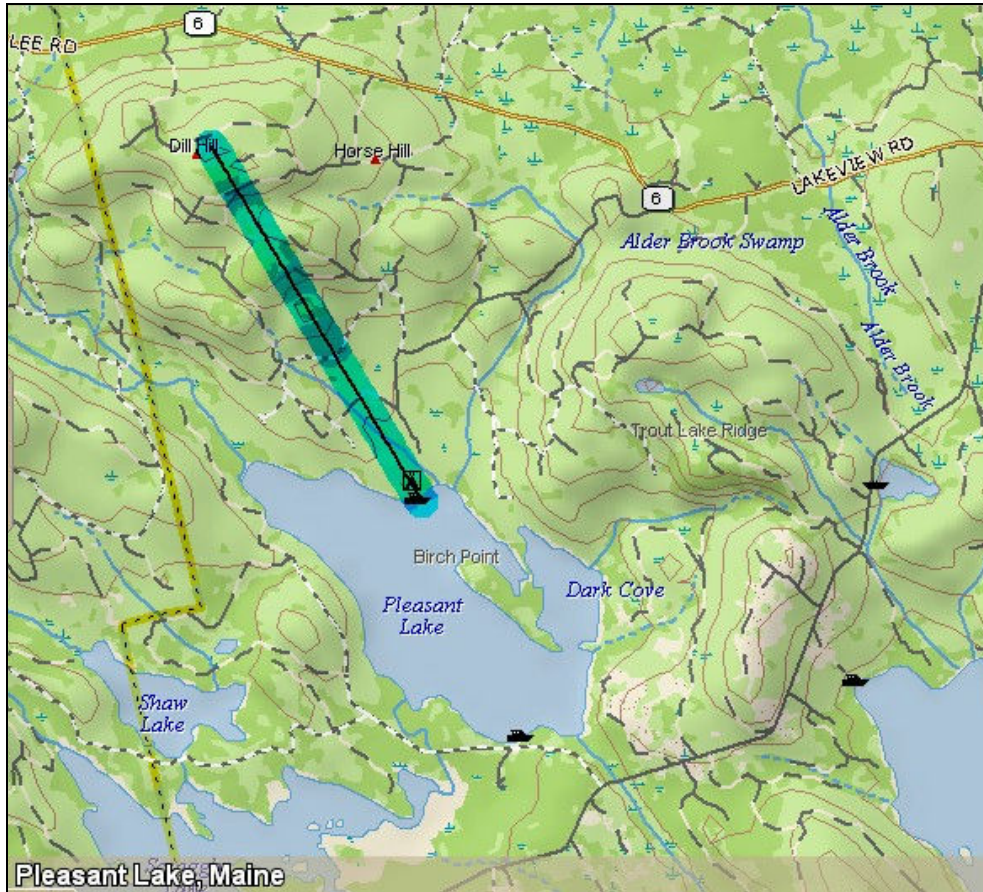


Exhibit 1B

Line of sight from 400 foot tower on Dill Hill to boat landing on Scraggly Lake (1B)

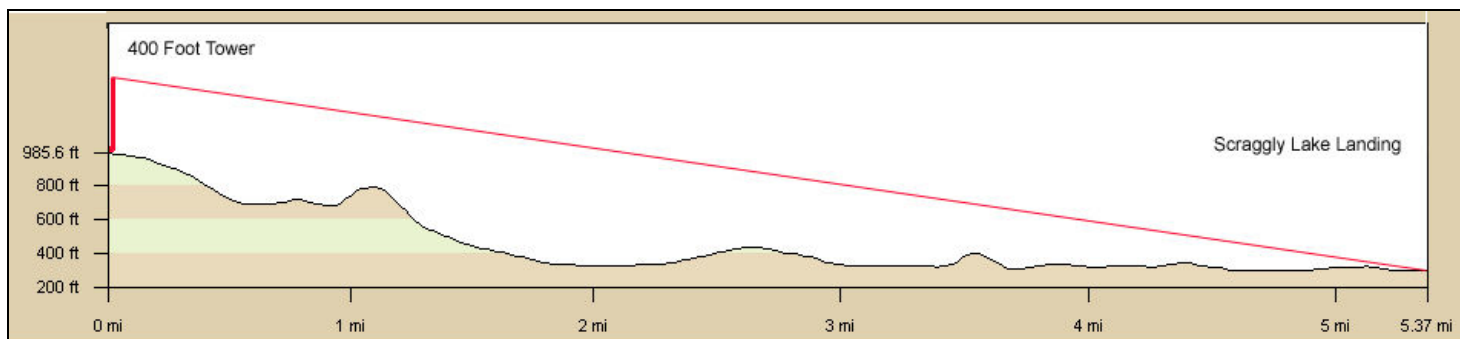
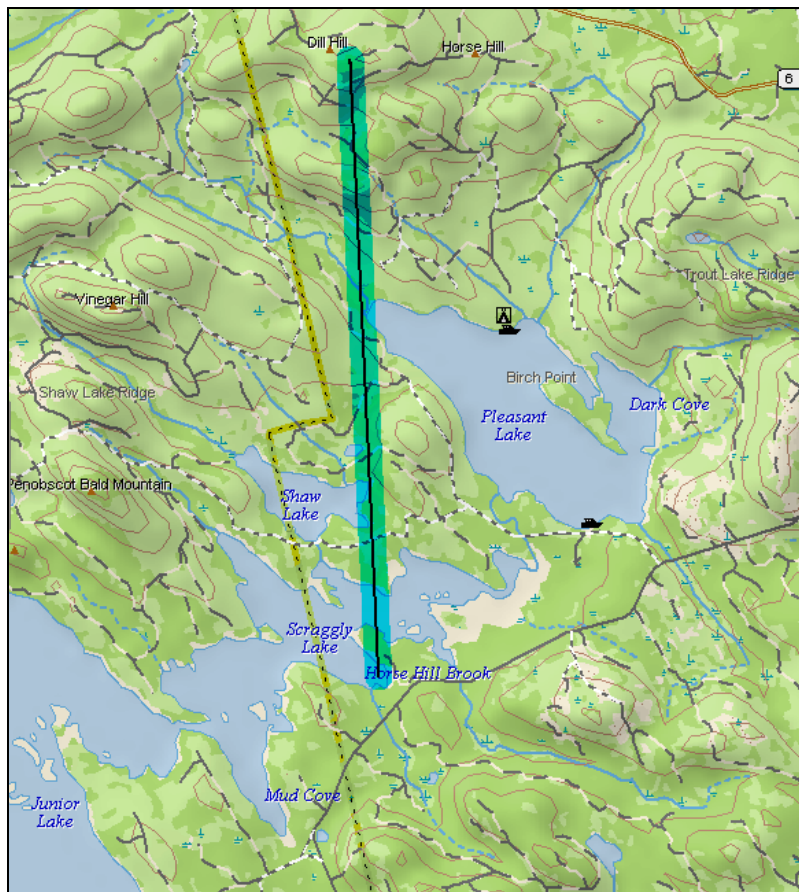


Exhibit 1C

Line of sight from 400 foot tower on Dill Hill to boat landing and campsite on West Musquash Lake (1A)

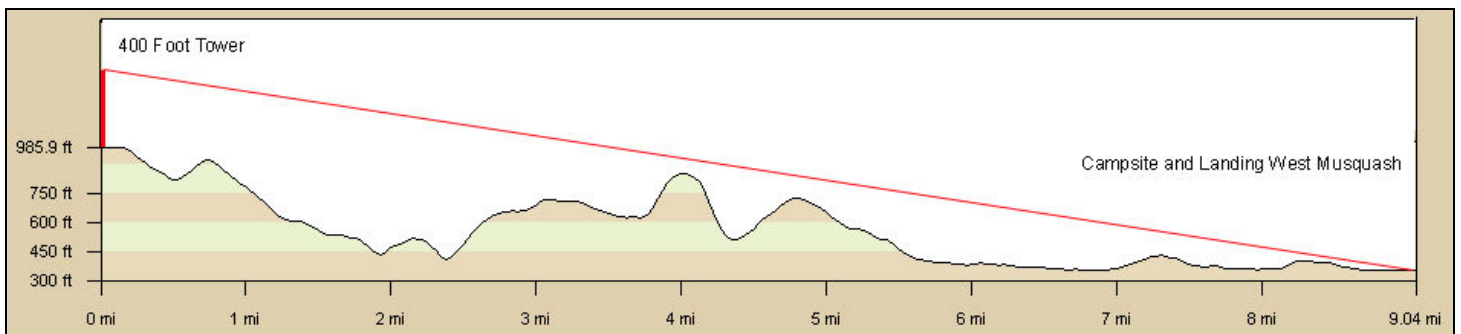
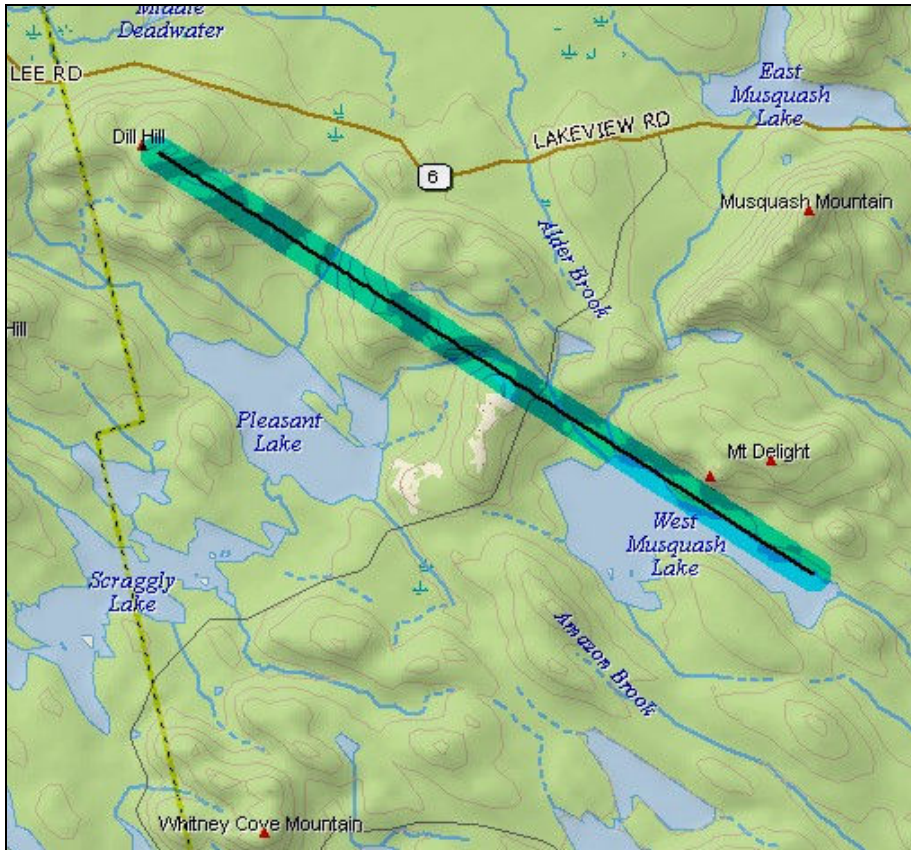


Exhibit 1D

Line of sight from 400 foot tower on Dill Hill to Bottle Island campsite on Junior Lake (1B)

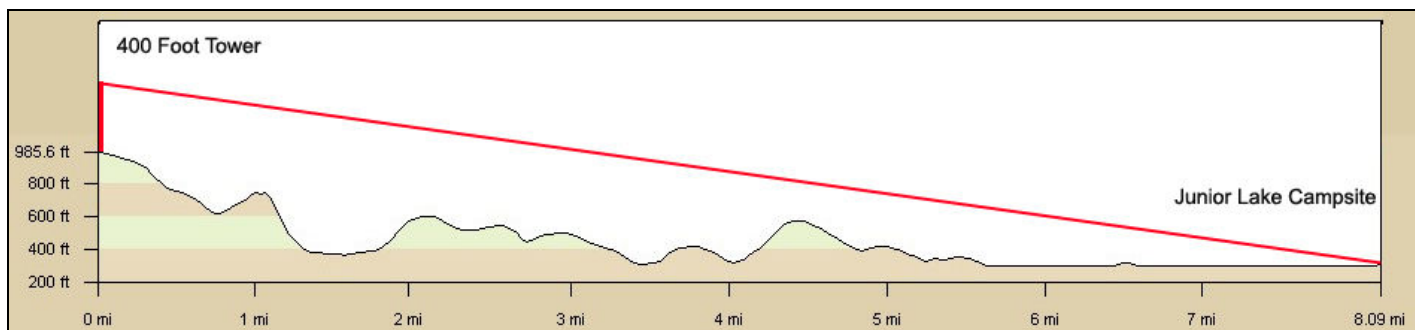
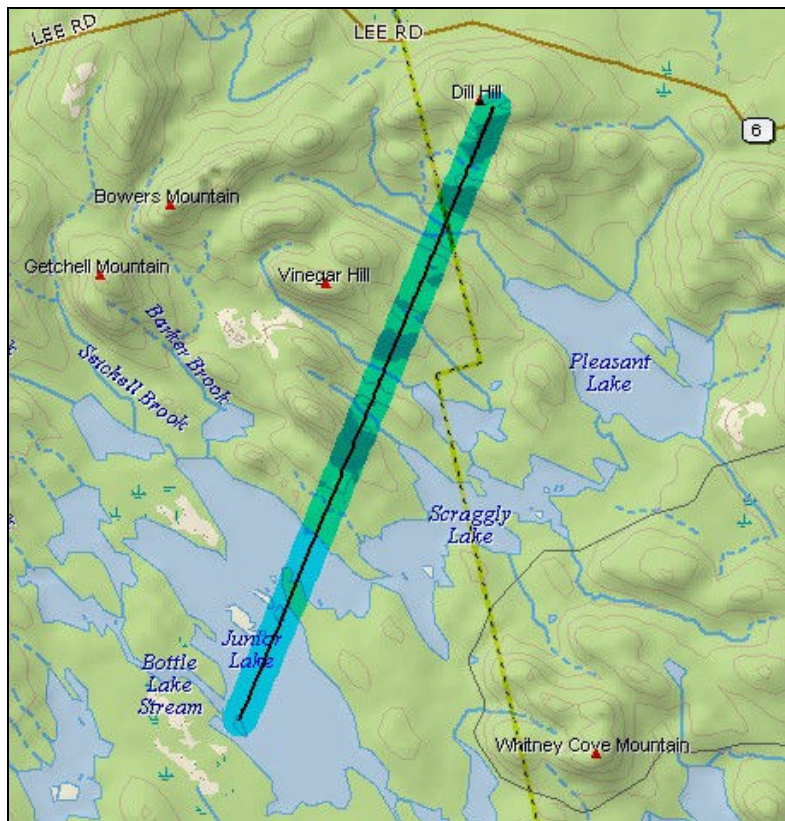


Exhibit 1E

Line of sight from 400 foot tower on Dill Hill to Trout Lake wilderness protection region

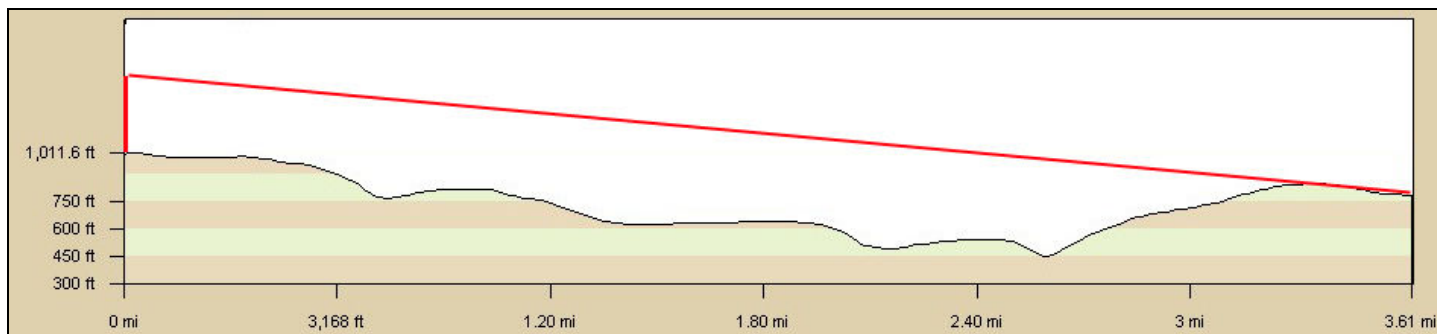
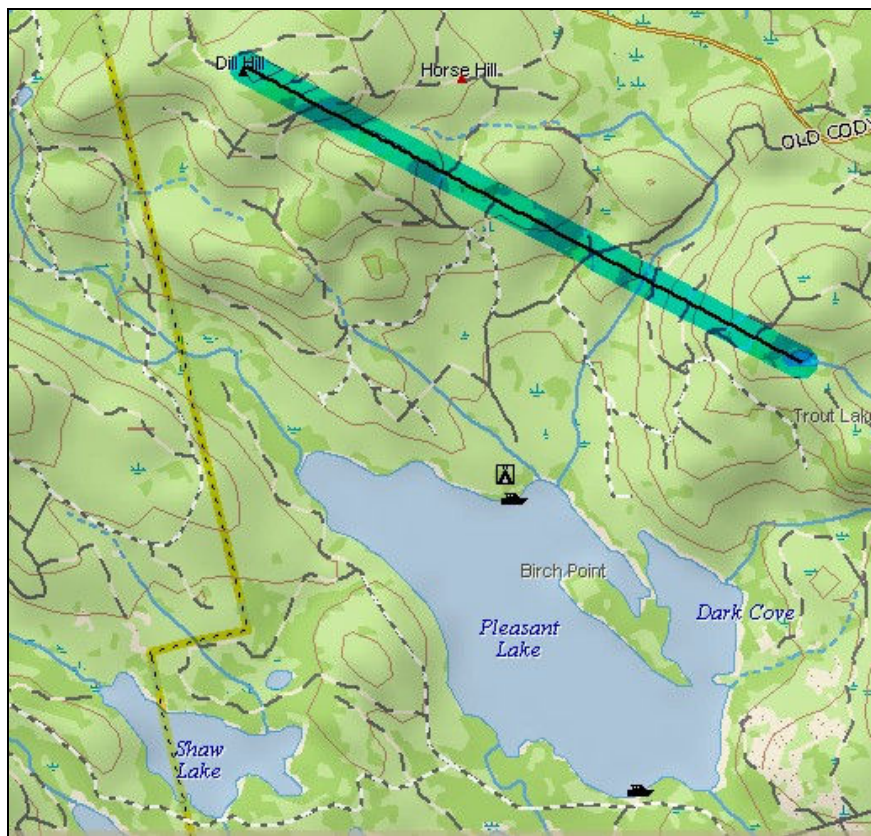


Exhibit 1F

Line of sight from 400 foot tower on Dill Hill to Lower Syslodobsis Lake (1B)

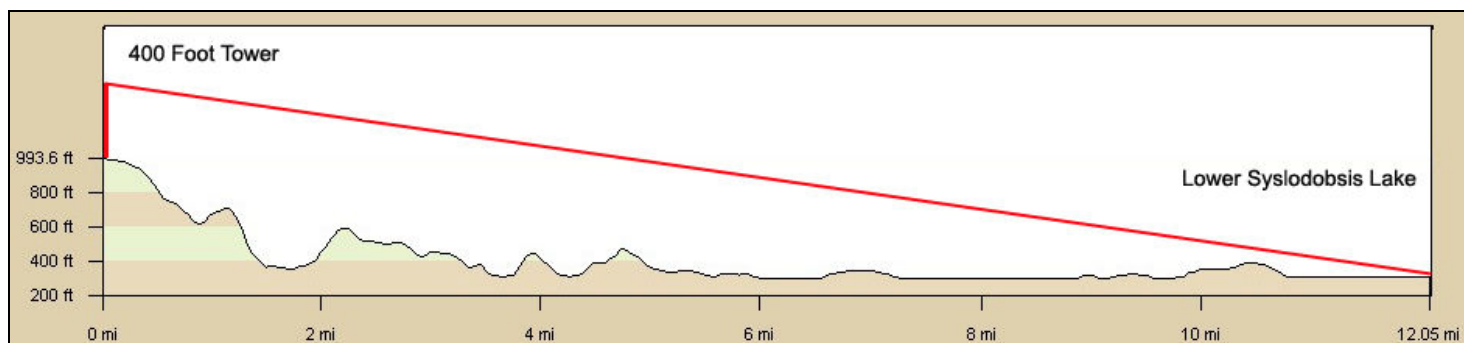
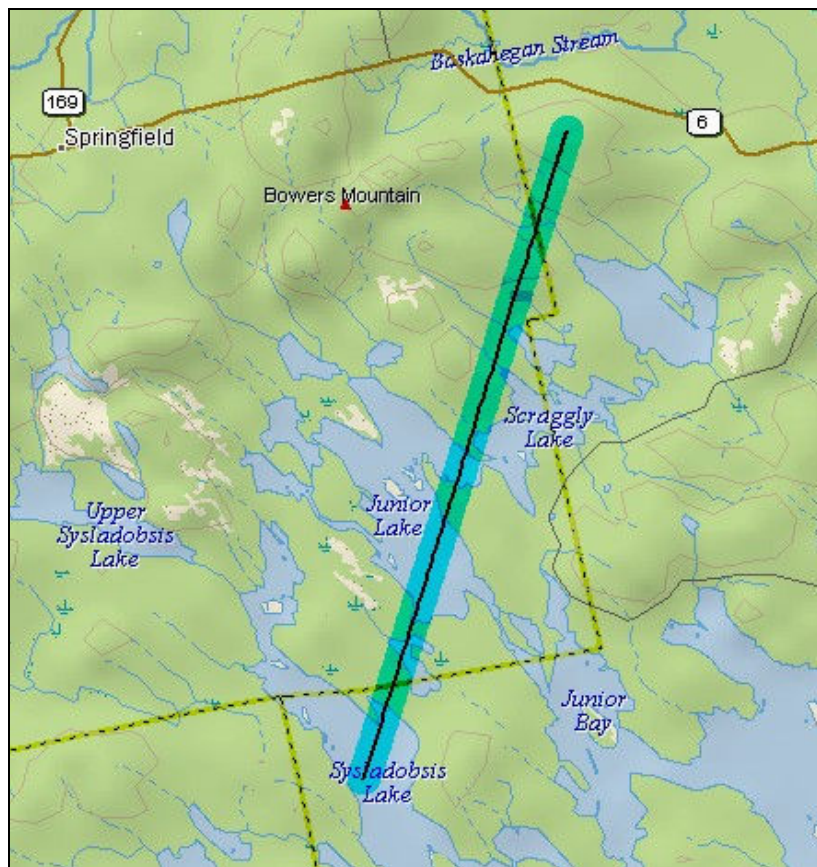


Exhibit 1G

Line of sight from 400 foot tower on Dill Hill to Grand Lake Stream Village (1A)

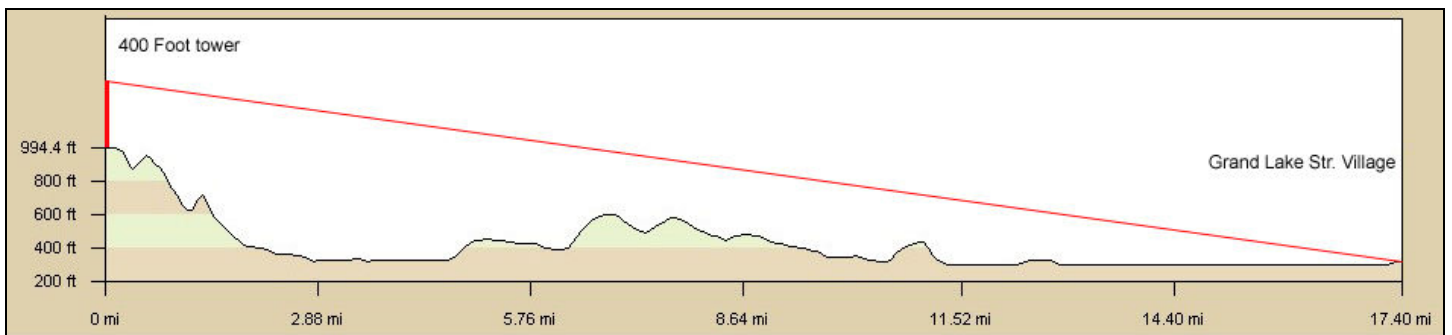
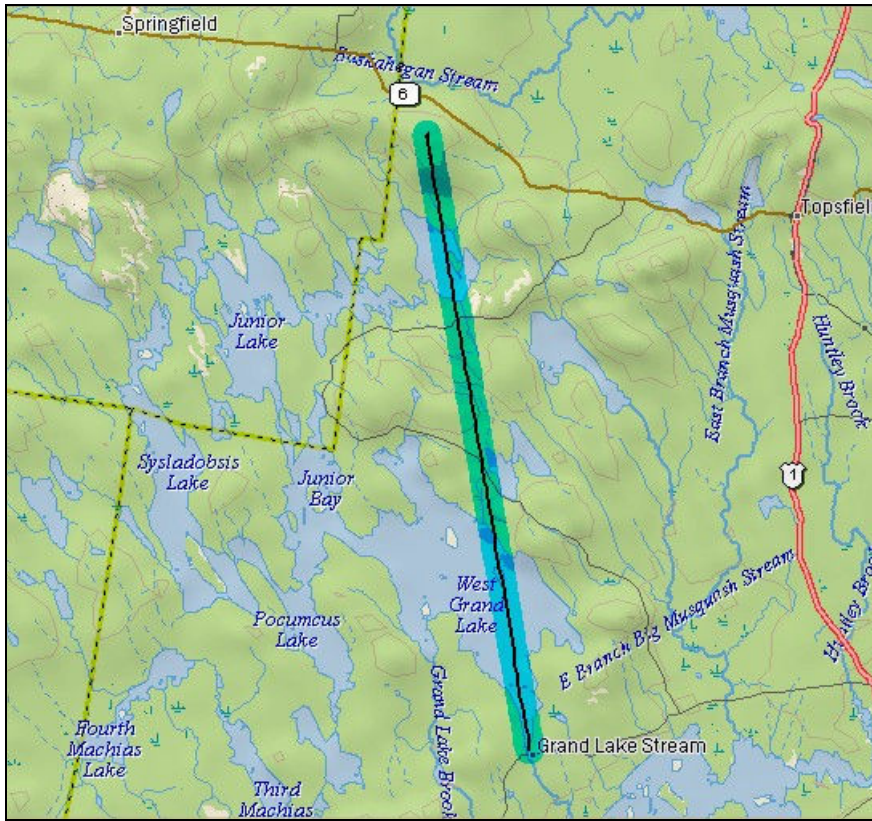


Exhibit 1H

Line of sight from 400 foot tower on Dill Hill to campsite on Big Lake (1A)

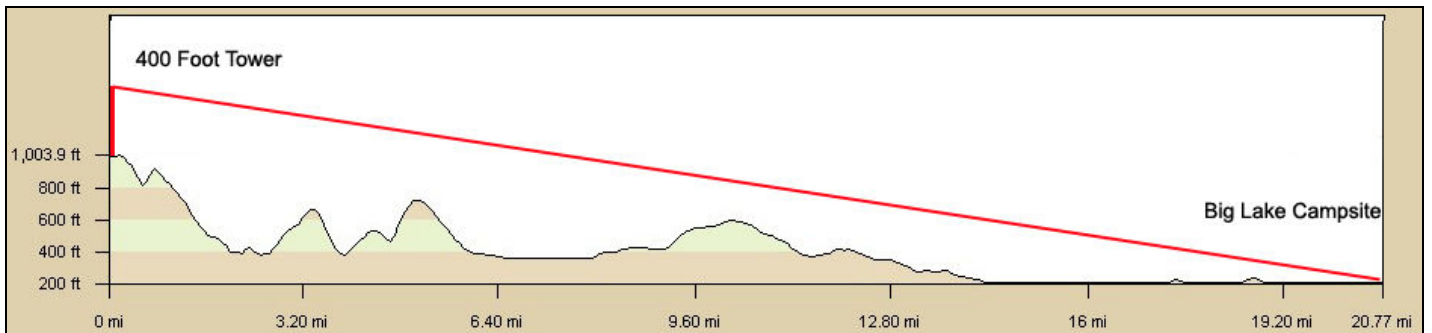
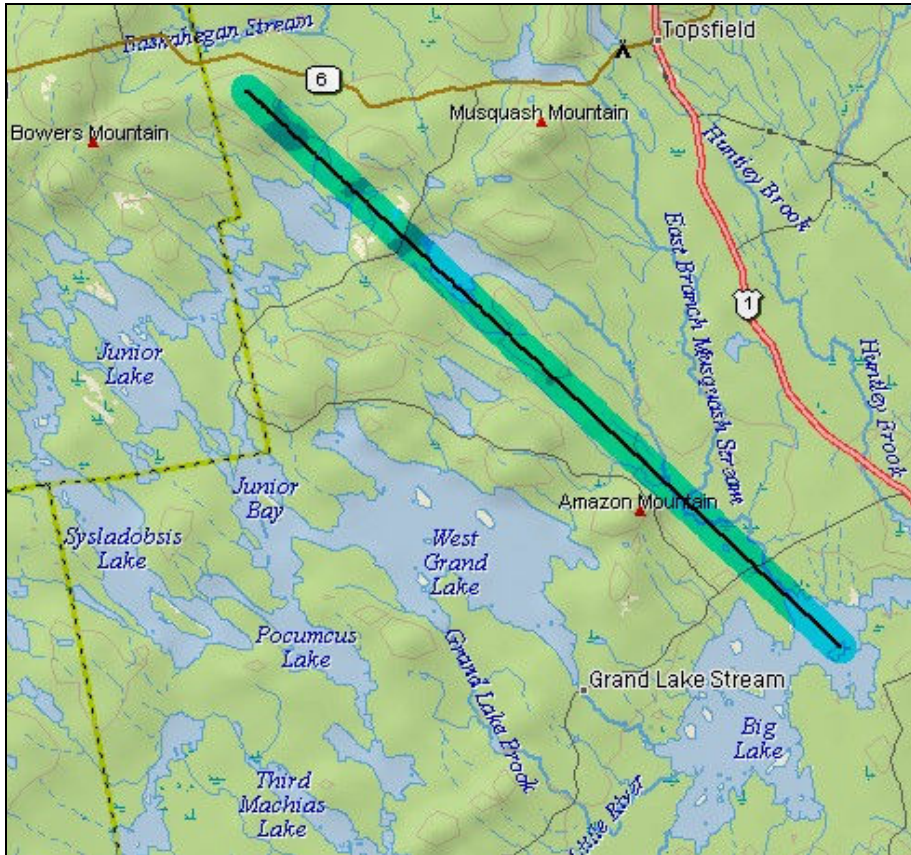


Exhibit 11

Line of sight from 400 foot tower on Dill Hill to Keg Lake (2)

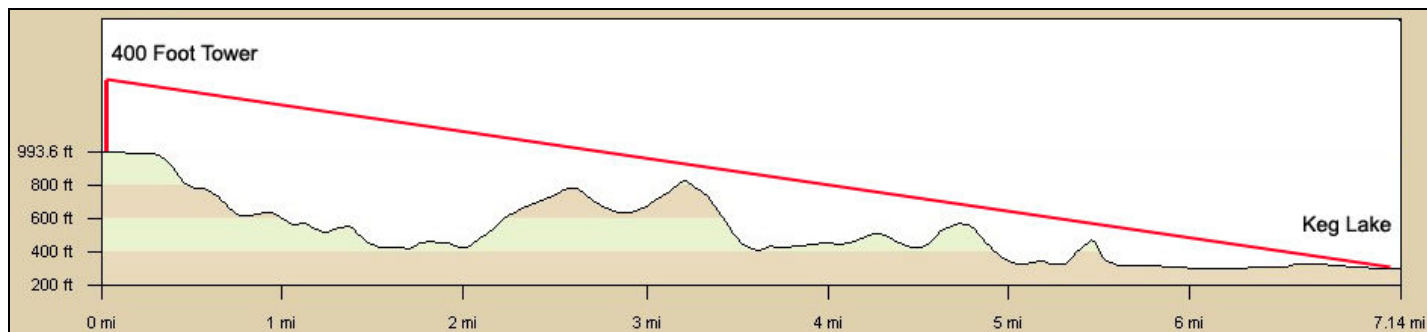
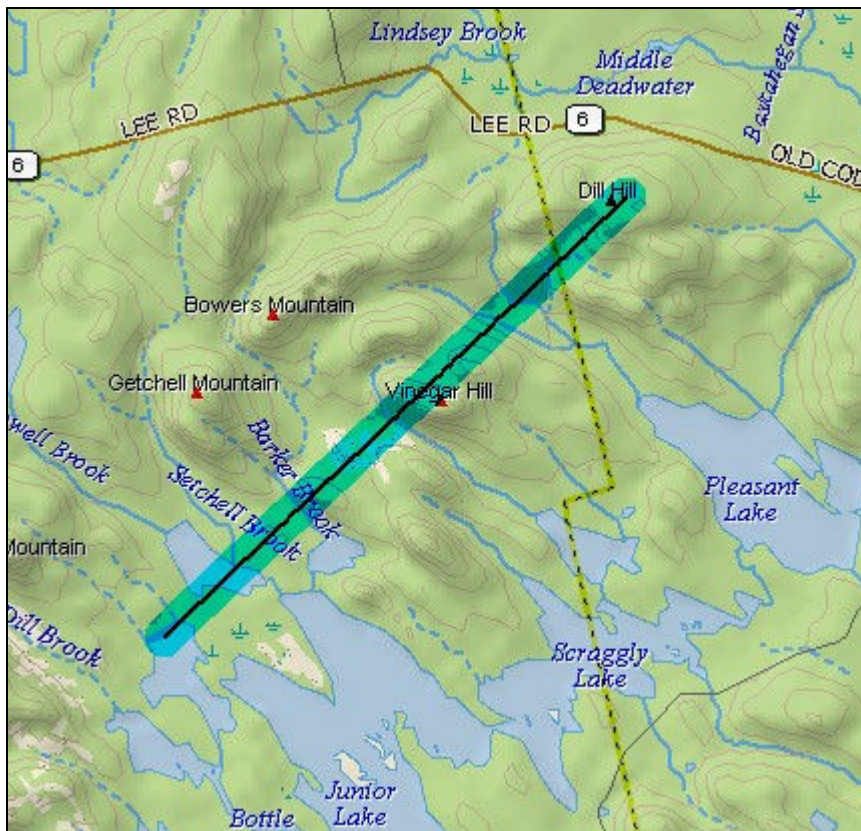


Exhibit 1J

Line of sight from 400 foot tower on Dill Hill to Bottle Lake (2)

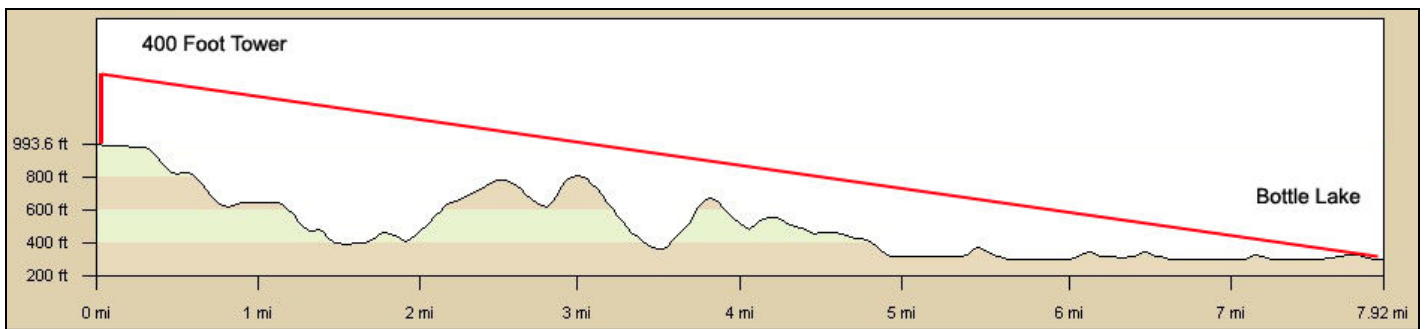
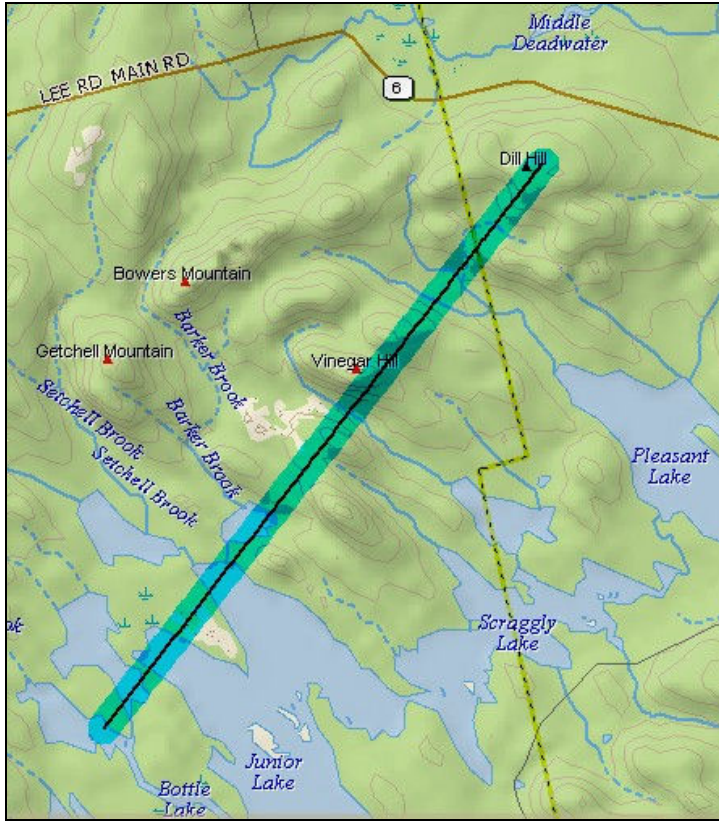


Exhibit 1K

Line of sight from 400 foot tower on Dill Hill to Pocumcus Lake (1A)

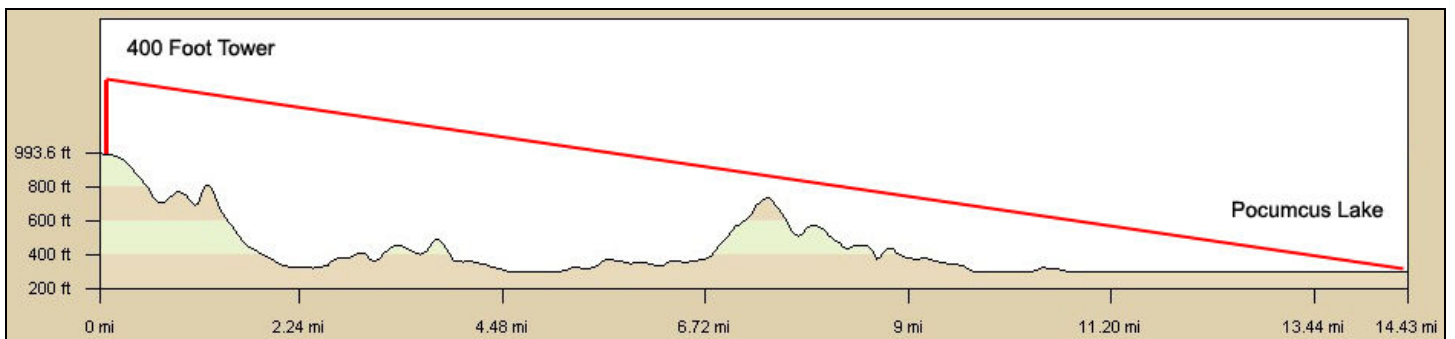
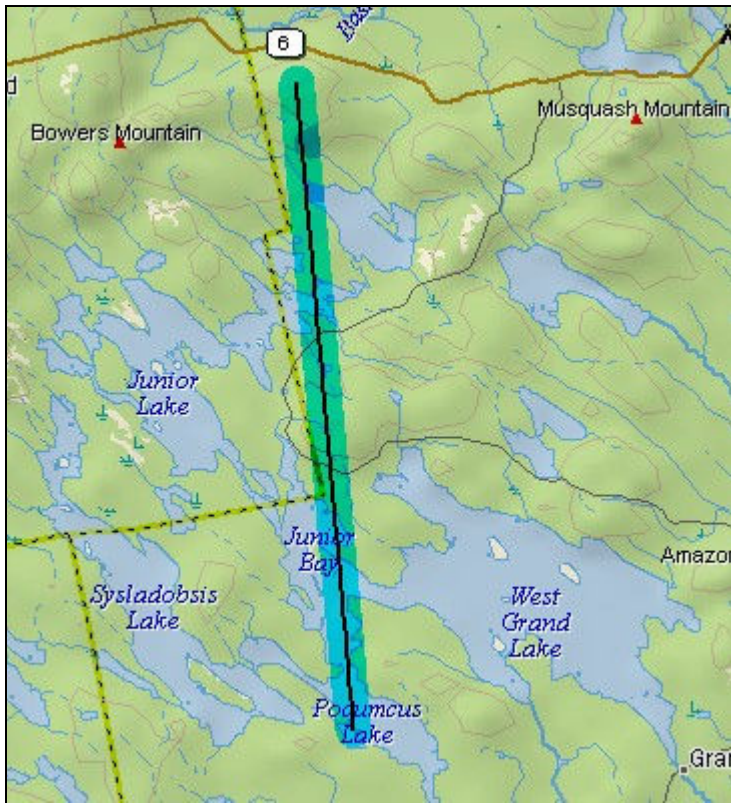


Exhibit 2

Detail from the Map of the Expedited Wind Permitting Area showing how the Grand Lake Watershed area was spared.

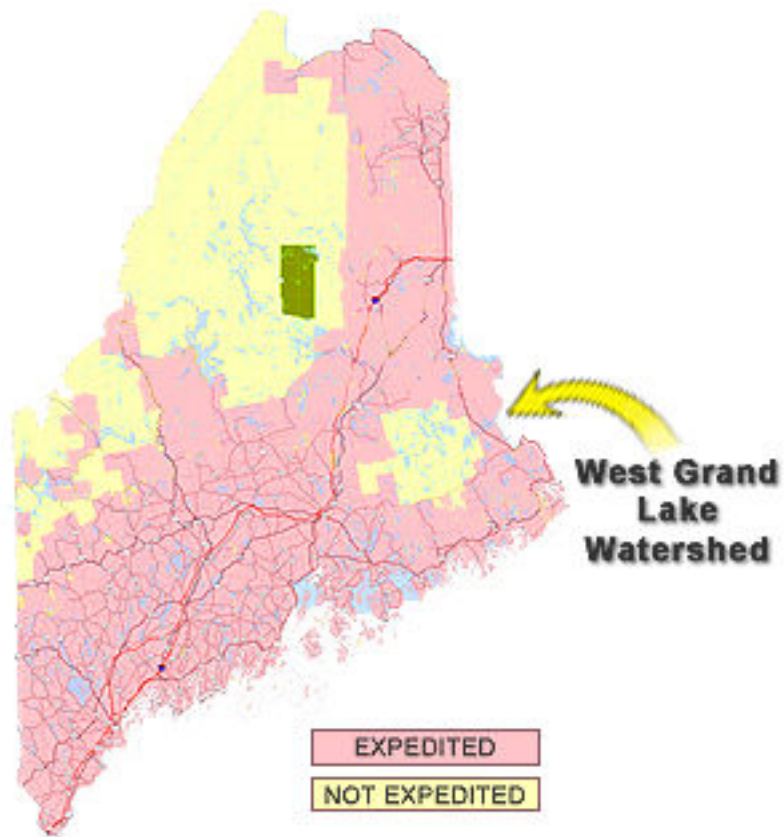


Exhibit 3

LAKES ASSESSMENT: WEST GRAND LAKE WATERSHED

source: Maine Wildlands Lake Assessment, June 1, 1987

	Resource Class	Fisheries	Wildlife	Scenic	Shore Character	Botanical	Cultural
Pleasant Lake	1A	O		O	S	O	
West Musquash Lake	1A	O	O				S
Scraggly Lake	1B	S		S	S		S
Junior Lake	1B	S		S	S		S
Sysladobsis Lake	1A	S		S	S+	O	S
Upper Sysladobsis Lake	1B	S		S	S		S
West Grand Lake	1A	O	O	O	O		O
Pocumcus Lake	1A	O	O				S
Big Lake	1A	O	O	+		O	O

KEY

O = Outstanding, S = Significant, + = reported positively, requires further study
 Class 1A = Lakes of Statewide Significance with two or more Outstanding values.
 Class 1B = Lakes of Statewide Significance with one Outstanding value.

Exhibit 4

Map of the Grand Lake Watershed area showing locations of public boat launches

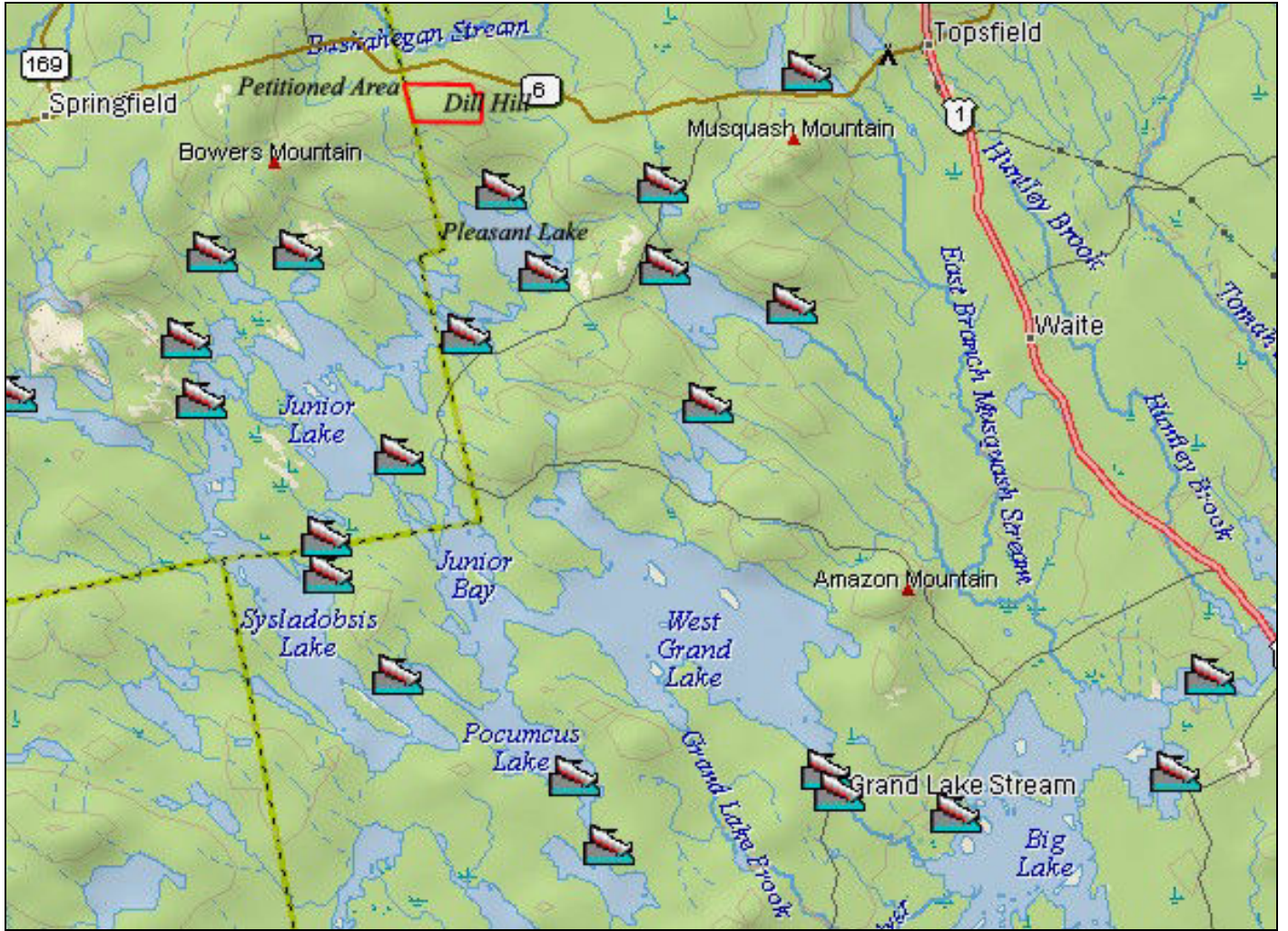


Exhibit 5

Map of the Grand Lake Watershed area showing locations of public camp sites

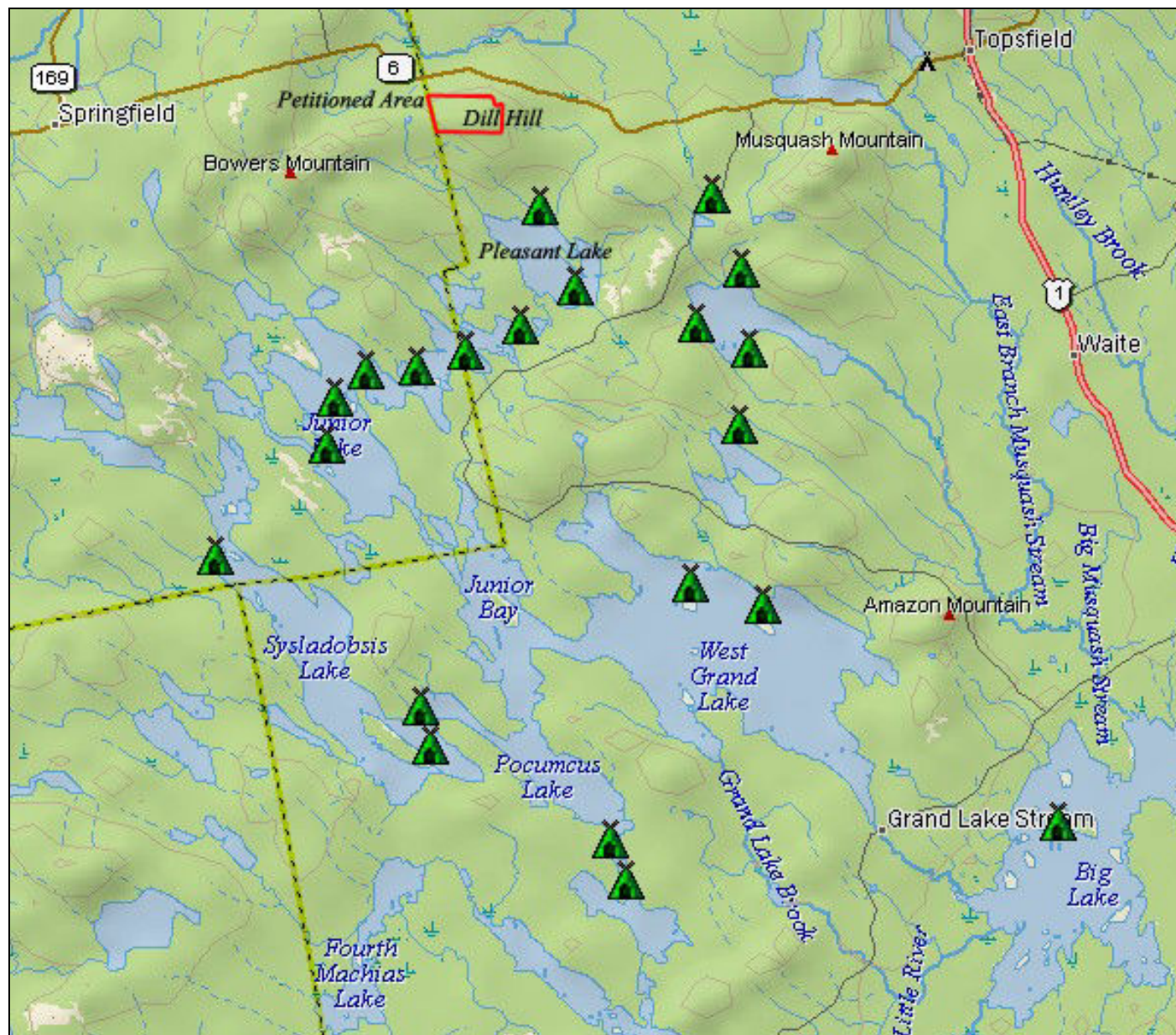
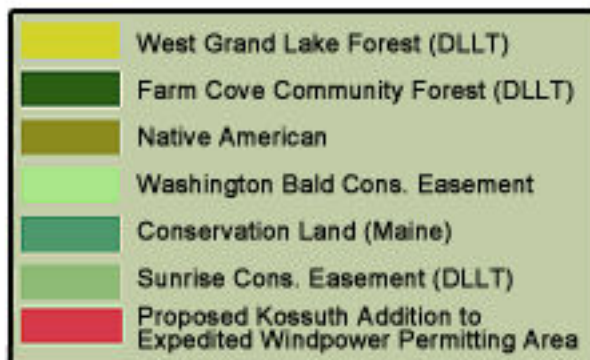
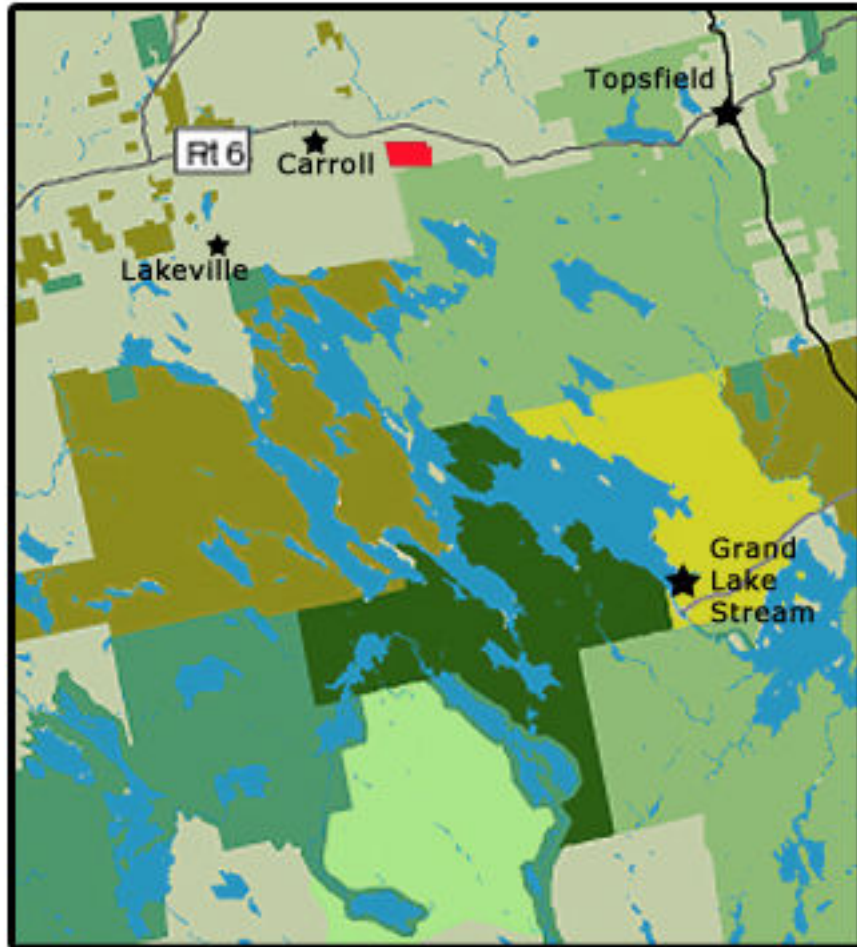


Exhibit 6

Map of the Proposed Kossuth Addition to the Expedited Area and its proximity to West Grand Lake Watershed's Conservation Areas



source: Downeast Lakes Land Trust

Exhibit 7

Montage of photos taken from public landing on south shore of Pleasant Lake looking toward Dill Hill. Seven wind turbines superimposed on Dill Hill. The scale of the turbine images is based on the water level being 319' above sea level and Dill Hill being 1015' above sea level. The apparent height of Dill Hill is therefore 696'. The turbines, being 428' tall are drawn as .615 (428/696) of the apparent height of Dill Hill. This height calculation is also confirmed by reference to Bowers MET Tower (BOWMET2AF) which is indicated by the arrow. It is visible with the naked eye but is not visible in this photo due to its size and resolution.



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10/1/10

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LURC-AUGUSTA

Dear Anderson;

We are residents of Lakeville, we live here year round. Most of the residents here approve your wind power. Of course there's a few who oppose. They are comparing with coal mining when the hills or mountains are leveled. This is not the case here. They complain about corrosion; if at all possible would your company be able to seed or replant trees, it might keep these opponents happier and be able to change their minds.

We know the MPUC controls the rates on electricity; if your company could persuade them to lower our rates it would be a plus in your favor.

Detroit Michigan and other auto
makers are making electric cars. Ask
the opponents where they plan to charge
their batteries. Maybe the nearest trees?
Please tell these opponents we have
left enough debt for our children and
Grandchildren. The USA has enough debt
already, we do not need more.

Our address is



MILTON B. DYSART
1337 Bottle Lake Rd.
Lakeville, ME 04487-8204

Tel 738-2329

Betty Dysart

Thank You:
Milton Dysart

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OCT 10 2010

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OCT 04 2010

LURC-AUGUSTA

To: LURC

From: Bob Jacobs, DBA as Mill Stream Grocery

Re: Bowers Mountain Wind Project

In 1943 my grandparents bought a camp on Bottle Lake. I had the pleasure of fishing, hunting and recreating in the surrounding area as a young boy through adulthood. In 1981 my wife and I were lucky enough to purchase a camp on Bottle Lake and our children also had the opportunity to enjoy recreating in all seasons in the surrounding lakes, rivers and woods. In 1988, I moved my family from a comfortable home in southern Maine to open Mill Stream Grocery in Springfield. For the last 21 years I have operated this business as my family has grown. This is probably the most difficult task that I have ever undertaken.

The economic climate in the area has never been good. Area mills and businesses have struggled to stay afloat. This area has changed dramatically in the past 25 years; from a wilderness lakes area to a quite highly developed seasonal recreational lakes area. The construction has been a welcome boost to businesses and has provided jobs for people in the area.

I know that wind power is not the total answer to our electrical power needs, but we need diversity. The economic boost in an otherwise depressed area would be welcome. The tax relief to the citizens of Carroll will be important to a town with virtually no business.

I realize the landscape may change somewhat, but change has been going on for the last 25 years. Anyone who has not lived in this area for twenty years and tried to make a living cannot begin to comprehend the difficulty entailed.

My only request to all the wind projects in the area is that traditional recreational use always be allowed, and if in the future wind power is not feasible, that you leave the land in better condition than when you came here.



358 Depot Rd

Lebanon, ME 04487
(PWT)

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October 1, 2010

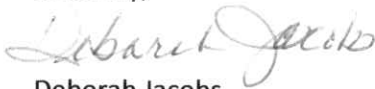
Land Use Regulation Commission

Re: Bowers Mountain Project

Dear Sirs,

I have been listening to the opposing sides of this issue for some time. There is a group of taxpayers in Lakeville who are strongly opposed to the wind project now under review. I personally would like you to know that this group does not represent all Lakeville residents. Many people have no real opposition to the project as it does not affect them in any way, others are quite taken with the wind mills and do not mind their dotting the countryside. Personally, I find them rather majestic and a sign that we are moving progressively forward in trying to find alternate means of energy. We have depended on oil and the Middle East for far too long, and while I realize that wind energy will not completely replace our need for oil, in my opinion, it is a move in the right direction.

Sincerely,



Deborah Jacobs
358 Depot Rd
Lakeville, Maine 04487

P O Box 116
Grand Lake Stream, Maine 04637
207-796-2685

October 1, 2010

Samantha Horn-Olsen
Harlow building
22 State House Station
Augusta, Maine 04333-0022

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RE: First Wind Petition for Kossuth

Dear Ms. Olsen,

I have recently attended several meetings here in Grand Lake Stream regarding First Wind's Bowers Mountain project, including the Kossuth expansion. The first meeting was a presentation by First Wind. At this meeting we were shown a map depicting three turbines that would be visible from Canal St. here in Grand Lake Stream. This location is at the dam, town dock and boat launches. It is at the narrowest place on West Grand Lake where it becomes the stream. The distance is approximately 18 miles and these structures appeared to be very tall, even at this distance.

The second meeting was a presentation from the Partnership for the Preservation of the Downeast Lakes Watershed. Their presentation was an informational meeting following the LURC hearing in Lee. At their suggestion I am commenting with my point of view, literally and figuratively.

My father, Robert Hazelwood (a former LURC commissioner), and I operate a sporting camp business at Kitchen Cove Point, on the eastern shore of West Grand Lake. We are located in T6ND, which is already part of the conservation land of Downeast Lakes Land Trust (DLLT). I have located both Bowers Mountain in Carroll and Dill Hill in Kossuth on a Google map and drawn a straight line to represent what First Wind showed us, and the dotted line represents my line of site from our location.

Our view is panoramic, offering views of the lake at its widest portion. We can see a distance of 15 miles or more across lake. Now that I am familiar with the terrain, I can point to both Bowers Mountain and Dill Hill on the horizon.

The sun sets to its northern extreme on June 21st(our longest day of the year), due west on both September 21 and March 21st, and the southern extreme on December 21st(our shortest day of the year). This would mean that the sun will set directly behind the Kossuth location when the sun sets to the northern extreme (northwest) in June. I have included several sunset photos taken in the month of August – so the Kossuth location is to the right of the sun. I have clientele that come here for the beauty of our area and our great fishing. One in particular, Terry Junghans who provided the pictures, is a professional photographer and has been coming here for more than 20 years to enjoy our Log Cabin (circa 1930's) and the natural resources of our area.

Another feature of our spot is the night sky. We have such a vast star-gazing opportunity which may be despoiled by the blinking red lights on top of these structures. With the blades turning in the wind, I have been told that these lights will appear to be strobe-like.

I am also a Real Estate Broker and Certified Maine Assessor. I have thought long about this expansion project and I can see no added value to Washington County for the Kossuth expansion. I have investigated the TIF that First Wind has for the Stetson I and II projects. The town value of Kossuth, located in an unorganized area, is approximately \$5,000,000. Adding the proposed seven turbines would almost quadruple the value of Kossuth, but add little to the overall value of Washington County, UT \$284,000,000. If a TIF is granted, it then becomes a burden on the tax-payer for lost revenue from taxation and a boon to First Wind for tax refunds.

I have seen the LURC map showing the expedited areas of this area. Kossuth is divided in half by Route 6, with the southern portion not being in the expedited area. I question why so much area was put in the expedited zone in the first place. The DLLT has been working for more than a decade to put our area in conservation, and they have succeeded in protecting from development more than 385,000 acres of land. Their efforts are on-going as the next phase for conservation is the Plantation of Grand Lake Stream itself.

Regarding the 2015 renewable energy goals as established by Gov. Baldacci, I attended several seminars sponsored by the Maine Revenue Services for continuing education. The first seminar highlighted the town of Eastport with its tidal power turbines. This was quite impressive, though it is still in the early stages of development. This could be a very exciting event for the future of our coastal neighbor. The second seminar was a presentation by the University of Maine regarding ocean wind power. The University is partnering with many Maine businesses in the research and development of ocean wind turbines. How exciting for the State of Maine to have both of these 'green' energy resources being in the developmental stages.

I learned that ocean wind is classified into 5 groups. The site selected for the University testing is near Monhegan Island, which was one of three areas shown to have the best ocean winds for coastal Maine. When I questioned First Wind about the quality of the winds in Kossuth, they said that on their scale of 1 – 3, that this site rated 2, a good wind source. I had heard at a previous town meeting that this site is actually in a marginal zone for wind. You probably can answer this one with your data on hand.

My parting thoughts are that we are giving our resources away, in our hurry to comply with 2015 energy goals. With stimulus money and TIF incentives, First Wind appears to be erecting wind mills wherever they can, regardless of possible other sites that would perhaps be better suited for their purposes, i.e. better wind and less visible exposure.

In closing, I hope that you can see my point of view for the resources that we are trying to protect.

Sincerely,

Nan Sprague

Nan Sprague, Sporting Camp Owner
Nancy Hazelwood-Sprague, Real Estate Broker
Nancy Sprague, Certified Maine Assessor

encl: sunset and Log Cabin photos
Google map


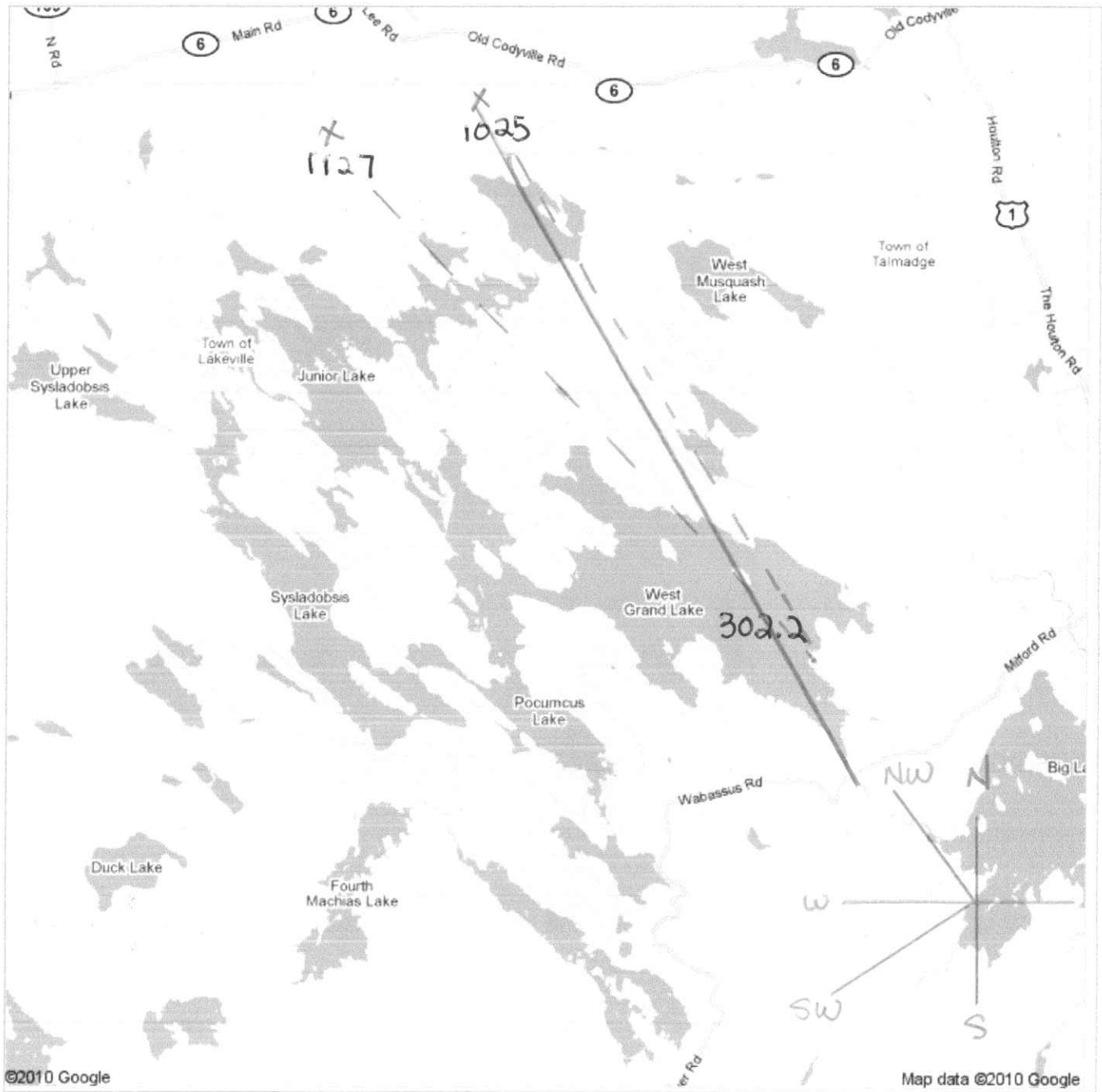
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LURC-AUGUSTA

Google maps

Get Google Maps on your phone
Text the word "GMAPS" to 466453

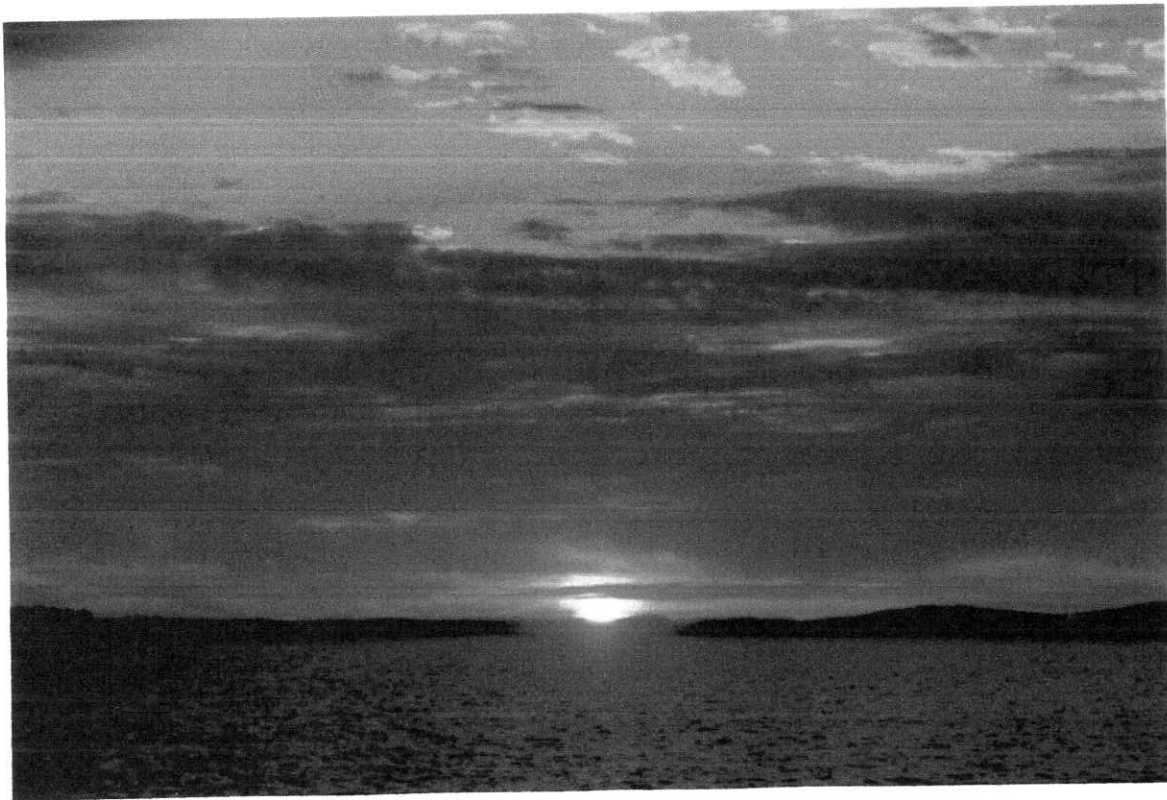
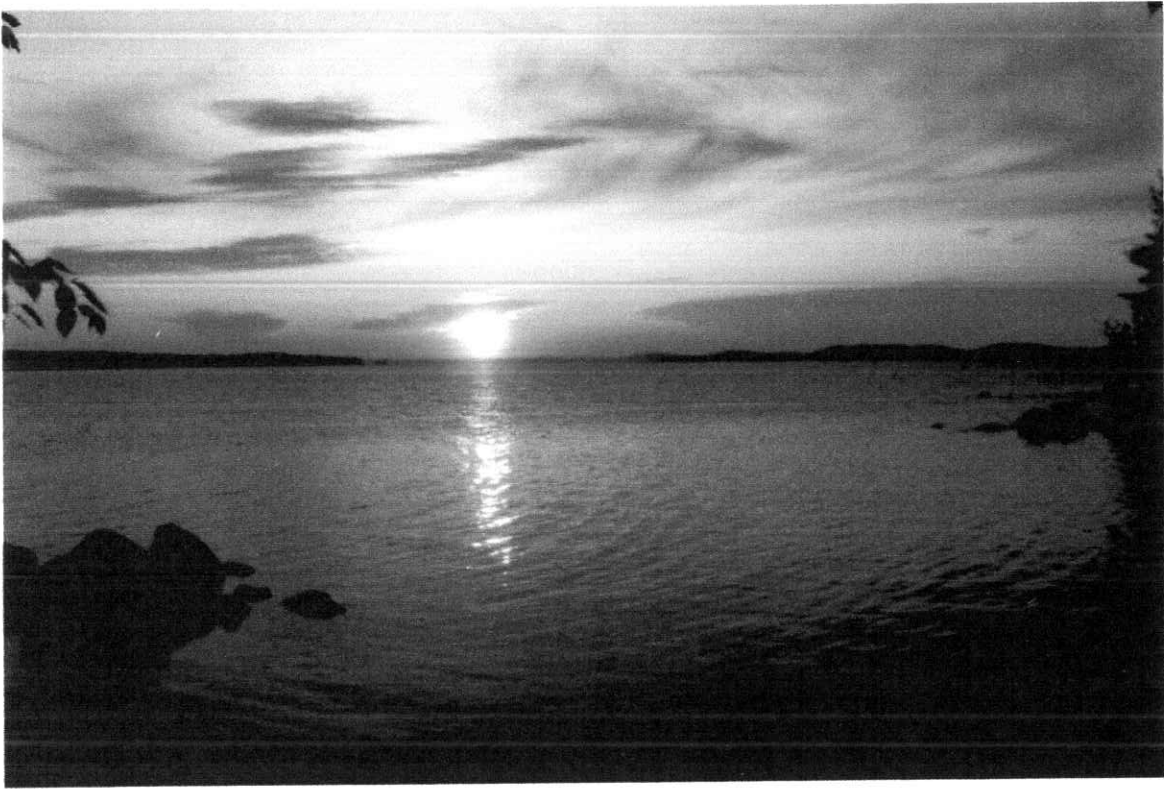



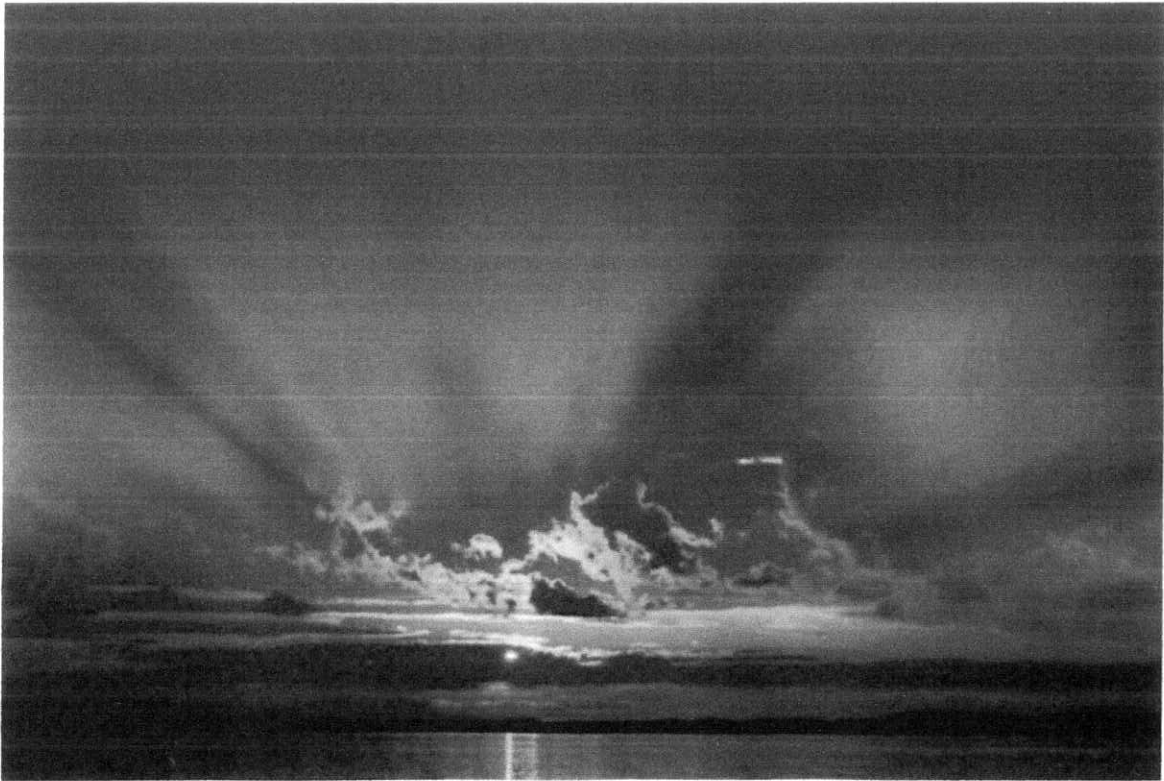
————— Line of site from Canal St.
 - - - - - Line of site from Kitchen Cove Point, T6ND

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re: Bowers Mtn. (Champlain) Project

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Dear LURC

It would be a mistake to allow 700 acres more to be added to the "expedited" zone. The Trout Pond area needs protection and the pristine West Musquash Lake watershed deserves better than ugly turbines blinking all night. These waters are crystal clear and hardly any shoreline development. If Maine doesn't start valuing these areas they will be surrounded with industrial wind sprawl. Despite Libby Mitchell's wailing about the beauty of windmills, that is only her opinion. The mountains and ridgelines are God's work and man will never improve them. The "East Woods" actually starts around Lincoln, a very large town 73+ or - square miles. The recent approval of the seriously flawed Hollis 1 and 2 projects negatively impacts 13 lakes. The Downeast Lakes region is known for its clearwater lakes, but the Lincoln lakes are valuable also. Mostly "man made," they resemble natural lakes after 100 or so years of naturalization. Only the dams are in the visitor as the shorelines have gradually adjusted and look pristine. The Downeast Lakes are an addition to the Lincoln lakes and wind sprawl does not belong here.

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diminished if windpower is allowed to fester over the hills, it will be hard to find a place in Maine to go to get away from the industrial windpower. I have asked First Wind if there is a place in Maine which will be free from their industrial blight and they would not answer me. They want the state covered and do not care about the citizens. I guess that is what happens when so much money is at stake. First Wind is only interested in the money. They could care less about the electricity or the environment. Those are two points they use to further their greedy agenda.

The Danish Federation of Industries Niels Gram claims "windmills are a mistake and economically make no sense." Aase Madsen, the Chief of Energy Policy in the Danish Parliament, calls windpower "a terribly expensive disaster." These Danes know windpower. Denmark has over 6000 turbines, but their coal use has increased, 2 new natural gas fired plants had to be built to adjust the erratic windpower's bursts onto the grid, and CO₂ has increased by 35% in 2006 alone. They are giving the U.S. fair warning, but not enough people are listening.

LURC has a chance to make a difference and begin to correct the

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To allow 700 more acres to be added to the "expedited" zone would be devastating. Evergreen/UPC/First Wind/Champlain/ad nauseum already has everything in their favor. It seems like they have guns to the DEP's, DIFW's, LURC's, and the legislature's heads. How did developers gain such a stranglehold on the organizations that used to protect our scenic state? The current trend is most troubling. LURC must know the "expedited" lawmaking process was seriously corrupt. Industry should never be allowed to rewrite the rules. When they do, the environment always suffers and citizen's rights are trampled. That is where we stand now, and the legislature is too scared to correct a law that should never have passed.

I live on Mattanawcook Lake here in Lincoln. My view is to the East and the rolling hills resemble a scene from the North Woods. No lights and at times no noise from town. It is a relaxing place to live and raise a family. If Pollina 1 & 2 are built, I will see all 40 turbines and however many will be blinking all night long, wasting electricity. We enjoy canoeing at West Mesquah and fishing into Trout Pond. These experiences will be greatly

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situation. Denmark only has 10% of its forest cover left. Maine needs to stop windspawl and allow the forests to regenerate before we are in Denmark's situation.

I will not ramble on any longer. You are hearing a lot of the same from others, so I hope you will listen. If you had no intention of acting on citizen's concerns, you should be honest and upfront with us. If we are all wasting our time it would be nice of LURC to inform us. I know you have to have some hearings, others are at your discretion, but I worry that your minds are already made up. Baldacci would not have appointed you if you had disagreed with him. This windspawl agenda has been setting up for years. First Wind swooped around Lunenburg at least 8 years ago, setting up leases and making sure the right people stayed on the Town Council and the Planning and Appeals Boards were staffed to their liking. When the time was right, they attacked.

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Please help keep Maine a serene
scenic place to live and recreate.

Thank you.

Mike DiCenzo
56 Taylor St.
Lincoln, ME
04457

Friends of Lincoln Lake

ph: 207-794-2107



New England
Forestry Foundation

Conserving New England's forests since 1944

Ex 18

September 20, 2010

Mr. Fred Todd
Land Use Planner – LURC
22 State House Station
Augusta, Maine 04333

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Re: Proposed Rule Number 2010-P211 – Champlain Petition Rule

Dear Mr. Todd,

The New England Forestry Foundation, Inc. (NEFF), a non-profit land conservation organization, holds a conservation easement on land owned by Typhoon LLC in the southern third of Kossuth Township. The principle purposes of the conservation easement, which covers a total of approximately 342,000 acres in Washington and Penobscot Counties, are to protect the land from residential development and to allow the landowner to practice sustainable forest management activities.

NEFF has no objection to the siting of wind-generation facilities near land conserved by the subject conservation easement. Consequently, NEFF supports the revised petition to add portions of Kossuth Township to the expedited area for wind energy development.

Yours sincerely,

Whitney Beals
Director of Land Protection

cc: Wagner Forest Management for Typhoon LLC

