

THE STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

APPLICATION FOR SITE LOCATION OF DEVELOPMENT ACT PERMIT  
AND NATURAL RESOURCES PROTECTION ACT PERMIT  
FOR THE NEW ENGLAND CLEAN ENERGY CONNECT  
FROM QUÉBEC-MAINE BORDER TO LEWISTON  
AND RELATED NETWORK UPGRADES

PRE-FILED DIRECT TESTIMONY OF

ERIC S. SHERMAN

FEBRUARY 28, 2019

**TESTIMONY OF ERIC J. SHERMAN**

1 **Please state your name and address.**

2 My name is Eric J. Sherman. I was born in Greenville and have lived in Maine all  
3 but four of my 56 years. I live at 23 Birch Point Road in Greenville.

4 **What is the name of your organization and business address?**

5 I am a private citizen.

6 **What is your current position?**

7 I am a classroom teacher at Greenville Consolidated School located at 130 Pritham  
8 Avenue in Greenville.

9 **What other occupations have you had in the greater Forks area?**

10 I am entering my thirty-fifth year as an active registered Maine Whitewater Guide,  
11 and I have been a Registered Maine Recreational Guide for over twenty years.

12 **Why did you intervene in these proceedings?**

13 I became an intervenor because I hike, bike, ski, snowshoe, kayak, canoe, and raft in  
14 Maine's vast wilderness. I climbed Williams Mountain and Number 5 Mountain a  
15 few years ago; they are located in the proposed view shed of the NECEC, near Route  
16 201 and Route 15 in the Rockwood/Jackman/Parlin area, and I took photographs from  
17 the fire towers. The NECEC transmission line will be visible from these mountains.  
18 Should the NECEC be approved, these are just two of the dozens of negative visual  
19 impacts it will cause. I spend a large portion of time from May through October  
20 working on the Kennebec and Dead rivers in The Forks area. I love Maine's  
21 wilderness, and I love sharing it with the people who come to this area for rafting,  
22 camping, sightseeing, and vacationing. I have concerns for the experiences of the

1 guests who book raft trips on the Kennebec River, concerns for the other waterways  
2 and wildlife that will be affected, concerns that CMP/Avangrid/Iberdrola is touting  
3 this project as “green” and that it in fact is not guaranteed green and that Hydro-  
4 Quebec has been suspiciously absent from all proceedings, I have concerns that if  
5 this project happens, the North Maine woods as we know them will disappear  
6 because they will be open to more development, and finally, concerns that existing  
7 and future renewable energy projects in Maine could be eliminated because of the  
8 NECEC. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] I cannot underscore the enormity of the decision if you should vote

16 to approve the NECEC. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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9 Likewise, the LUPC’s “About Us” statement mirrors the DEP’s in that it  
10 promises to protect Maine’s natural assets; it reads: *“Along with carrying out its planning  
11 and zoning responsibilities, the LUPC... For larger development projects requiring DEP  
12 review under the Site Location and Development Law, the LUPC certifies that the  
13 proposed land uses are allowed and that proposed development activities comply  
14 with applicable LUPC land use standards... The unorganized and deorganized areas  
15 include...the western mountains and up to the Canadian border. These areas are  
16 important to the vitality of both the State and local economies, are home to many  
17 Mainers, and are enjoyed by Maine residents and visitors in pursuit of outdoor  
18 recreation activities including hunting, fishing, boating, hiking, and camping.  
19 The Legislature created the Commission to extend principles of sound  
20 planning, zoning and development to the unorganized and deorganized areas of the  
21 State to:*

- 22 ● *Preserve public health, safety and general welfare;*
- 23 ● *Support and encourage Maine’s natural resource-based economy and*

[REDACTED]

1 strong environmental protections;

2 ● Encourage appropriate residential, recreational, commercial and

3 industrial land uses;

4 ● Honor the rights and participation of residents and property owners

5 in the unorganized and deorganized areas while recognizing the

6 unique value of these lands and waters to the State;

7 ● Prevent residential, recreational, commercial and industrial uses

8 detrimental to the long-term health, use and value of these areas and

9 to Maine's natural resource-based economy;

10 ● Discourage the intermixing of incompatible industrial, commercial,

11 residential and recreational activities;

12 ● Prevent the development in these areas of substandard structures or

13 structures located unduly proximate to waters or roads;

14 ● Prevent the despoliation (plundering), pollution and detrimental uses

15 of the water in these areas; and

16 ● Conserve ecological and natural values."<sup>2</sup>

17 When I bring my crew to where we load the rafts at Harris Station Dam, my crews  
 18 (and I) are awestruck at the enormity of the dam. I share with them the history of the  
 19 dam, the natural history of the area, and the specifics of the hydropower generation  
 20 of Harris Station. Believe me, the irony that a dam which drastically altered the  
 21 landscape 65+ years ago is not lost on me in my protest against the NECEC. But that  
 22 is history, and I'm looking ahead to the future which can avoid more destruction of

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<sup>2</sup> <https://www.maine.gov/dacf/lupc/about/index.shtml> (last visited February 27, 2019)

1 our natural resources by dividing the forest from the Canadian border to the Forks.  
2 Except for the stairs at Carry Brook (which were constructed for safety reasons),  
3 once we leave Harris Station Dam, people don't see a man-made structure until we  
4 hit the ball field at West Forks where we see the Moxie Road briefly, the bridge, and  
5 some houses. The company I've worked for since 2001, Moxie Outdoor Adventures,  
6 has its lunch site just upstream of where the proposed lines will cross either over or  
7 under the river. In either scenario, those lines will be visible from our lunch site, and  
8 will be an eyesore that detracts from the wilderness experience of my guests, the  
9 other guests, the other guides, and me. If the lines go over the river (I'm aware that  
10 CMP/Avangrid/Iberdrola has said they will go under it), the lines will be right there  
11 for us to view for the duration of our lunch. If they drill under the river, which does  
12 not seem eco-friendly, we will still be able to see the lines running to the towers on  
13 the west side of the river coming from the north, and the lines going from the towers  
14 on the east side of the river running toward the southeast. I am aware that  
15 CMP/Avangrid/Iberdrola says they will leave a buffer zone along the river to  
16 minimize the scenic impact from the river, but from our lunch site, we will again be  
17 able to see the towers on both sides of the river from our upstream vantage point.  
18 From what I understand, going under the river will entail having some sort of  
19 stations on both sides of the river that will have driving access. This will open up  
20 this area to ATV and other traffic, and who wants to listen to the hum of ATVs and  
21 other vehicles while they eat lunch on their rafting trip?  
22 The other river view of the power lines that CMP/Avangrid/Iberdrola has not  
23 addressed are from downriver looking back upriver. Once the lines are passed,

1 there's a left turn in the river, a straight stretch where the confluence of Moxie  
2 Stream is passed, then a right turn in the river, and a long straight stretch from which  
3 the power lines will be able to be seen. These scenarios are unacceptable. People  
4 don't leave their homes in Boston and its suburbs and in Southern Maine and its  
5 developed areas to visit a place that looks like an industrial park, especially when  
6 they expect a wilderness experience.

7 The spot where the NECEC will cross Moxie Stream is a quiet, closed in area where  
8 the dense trees and bushes grow right to the stream's edge. Here it will open up a  
9 300-foot-wide swath that will destroy the character of this beautiful place. It clearly  
10 states on the LUPC About Us page:

- 11 • Prevent the development in these areas of substandard structures or  
12 structures located unduly proximate to waters or roads;
- 13 • Prevent the despoliation (plundering), pollution and detrimental uses  
14 of the water in these areas<sup>3</sup>

15 I am very concerned for the wilderness, waterways, and wildlife that the powerline  
16 will affect from the Maine/Canada border all the way to Lewiston. I read an article  
17 that summarized the following about CMP/Avangrid/Iberdrola's plan:

18 "CMP/Avangrid/Iberdrola's proposed line includes above-ground transmission lines  
19 across 263 wetlands, 115 streams, 12 inland waterfowl and wading bird habitat areas,  
20 the Kennebec River Gorge, the Appalachian Trail, and near Beattie Pond, a Class 6  
21 remote pond.<sup>4</sup>" In actuality, these figures should be much higher as they do not  
22 include the roads which will need to be built to the construction sites. This is

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<sup>3</sup> *Id.*

<sup>4</sup> <https://www.nrcm.org/projects/climate/proposed-cmp-transmission-line-bad-deal-maine/> (last visited February 27, 2019)

1 unacceptable. My family owns a camp on Moosehead Lake, and we are not allowed  
2 to cut a six-inch diameter tree within 100 feet of the lake due to LUPC laws that say  
3 there will be a negative impact on the water and wildlife. How can the corporate  
4 backed NECEC be approved when laws are so strict for private citizens? If it does  
5 get your agencies' approval, then there is a double standard that needs to be  
6 addressed.

7 Additionally, there will be a negative impact on the deer herd in the area of the new  
8 53.5 miles of corridor. We already know that if this power line comes to fruition, the  
9 cut will go through some deer wintering yards, and that is a definite detriment to  
10 them. However, we need to consider the fact that having all of that area opened up  
11 will dramatically increase the kill both during and outside of hunting seasons. The  
12 number of deer taken on existing power lines is very high compared to that of forest  
13 kills. It's wide open and ATV or other vehicular access to those areas will increase  
14 the number of hunters that will go there, and the deer are sitting ducks. With this  
15 wide-open space interspersed between and among deer wintering yards, the coyotes  
16 will feast when deer get bogged down in deep snow under the transmission line. I'm  
17 sure the area's moose population will suffer similar fates. The native brook trout and  
18 other fish that live in the 115 streams, the waterfowl, wading birds, amphibians, and  
19 other species that live in the 263 wetlands will be adversely affected when the  
20 canopy of the trees is permanently removed. How can anyone justify the devastation  
21 that the 145-mile NECEC project will cause to the environment, when a single tree  
22 cut too close to Moosehead's shoreline causes a fine?

23 I am also concerned that if the power line is allowed, then a precedent will have been



1 set. What will stop developers from building more transmission lines, gas lines,  
2 wind turbines, roads, bridges, cabins, condominiums, and who knows what else in  
3 this wilderness area? The NECEC may well be the beginning of the end of the  
4 wilderness feel and character of Maine’s precious woods. There are people who live  
5 and work in the footprint of the proposed transmission line. The traditional jobs that  
6 are performed here are tourism based because of what this area has to offer: fishing,  
7 hunting, bird watching, moose watching, hiking, camping, rafting, canoeing,  
8 kayaking, snowmobiling, skiing, a get away from the hustle and bustle of city life,  
9 and yes, logging. But Maine laws control the actions of loggers, and the land that’s  
10 cut grows back; it’s not permanent like the NECEC will be. When this area looks  
11 like suburban Portland, who will want to visit and spend their money here? Why has  
12 there not been an economic impact study for this area before the proposed NECEC is  
13 built? Will there be a full environmental impact study for this area? Before permits  
14 are issued, these studies must be required. Your charge is “to preserve, improve and  
15 prevent diminution of the natural environment of the State.” Do not just let the  
16 NECEC pass without thorough, fine-tooth combing of its serious effects.

17 Finally, the issue here is Maine- what Maine needs, not what  
18 CMP/Avangrid/Iberdrola and the Massachusetts legislature WANTS.

19 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[https://nwis.waterdata.usgs.gov/me/nwis/uv/?cb\\_00060=on&cb\\_00065=on&format=gif\\_default&site\\_no=01042500&period=&begin\\_date=2018-08-16&end\\_date=2018-08-16](https://nwis.waterdata.usgs.gov/me/nwis/uv/?cb_00060=on&cb_00065=on&format=gif_default&site_no=01042500&period=&begin_date=2018-08-16&end_date=2018-08-16) (last visited February 27, 2019)

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Date: 2/20/19

Respectfully submitted,

By: Eric J. Sherman  
Print Name: Eric J. Sherman

STATE OF Maine  
COUNTY OF Piscataquis

Personally appeared before me on the above-named Eric Sherman, who being duly sworn, did testify that the foregoing testimony was true and correct to the best of his/her knowledge and belief.

Before me,

Kathleen Bishop

Notary Public/ Attorney at Law

My Commission expires 6/19/2023



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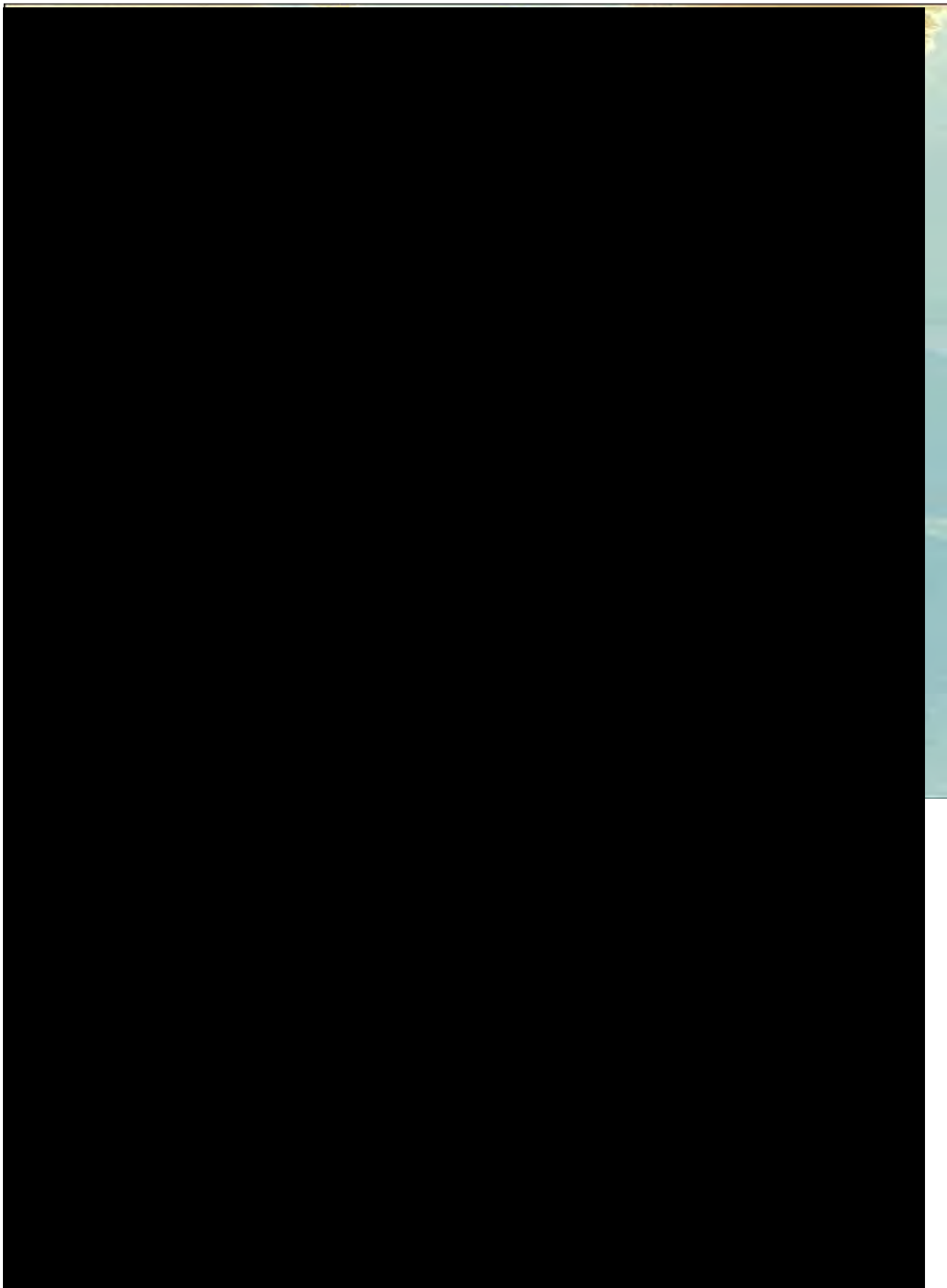
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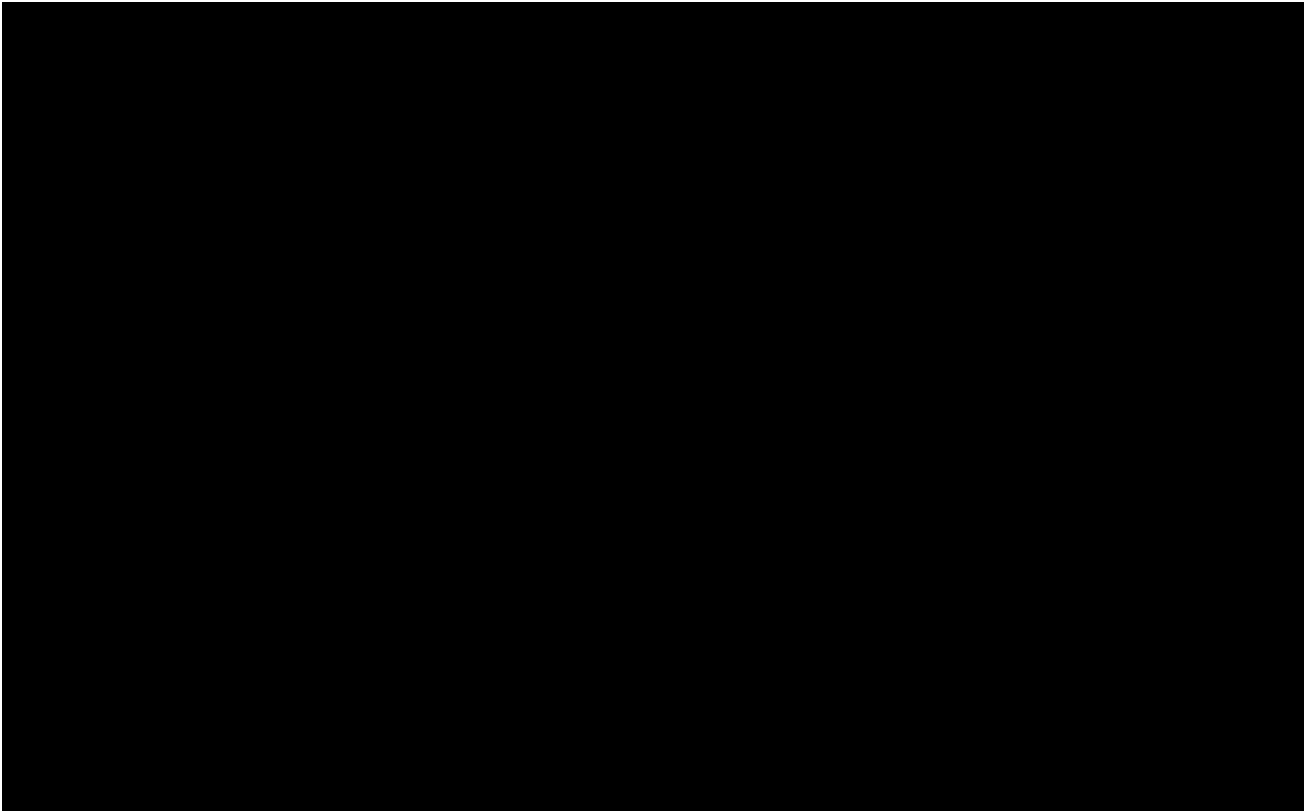
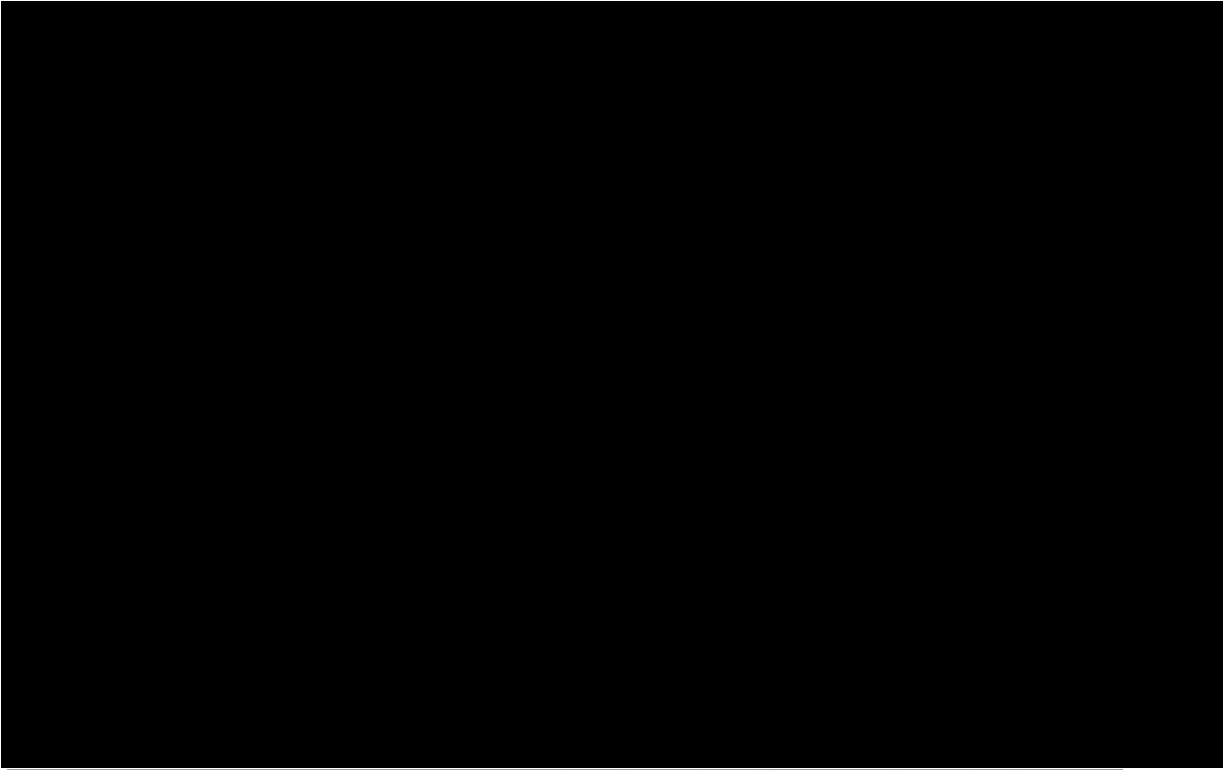
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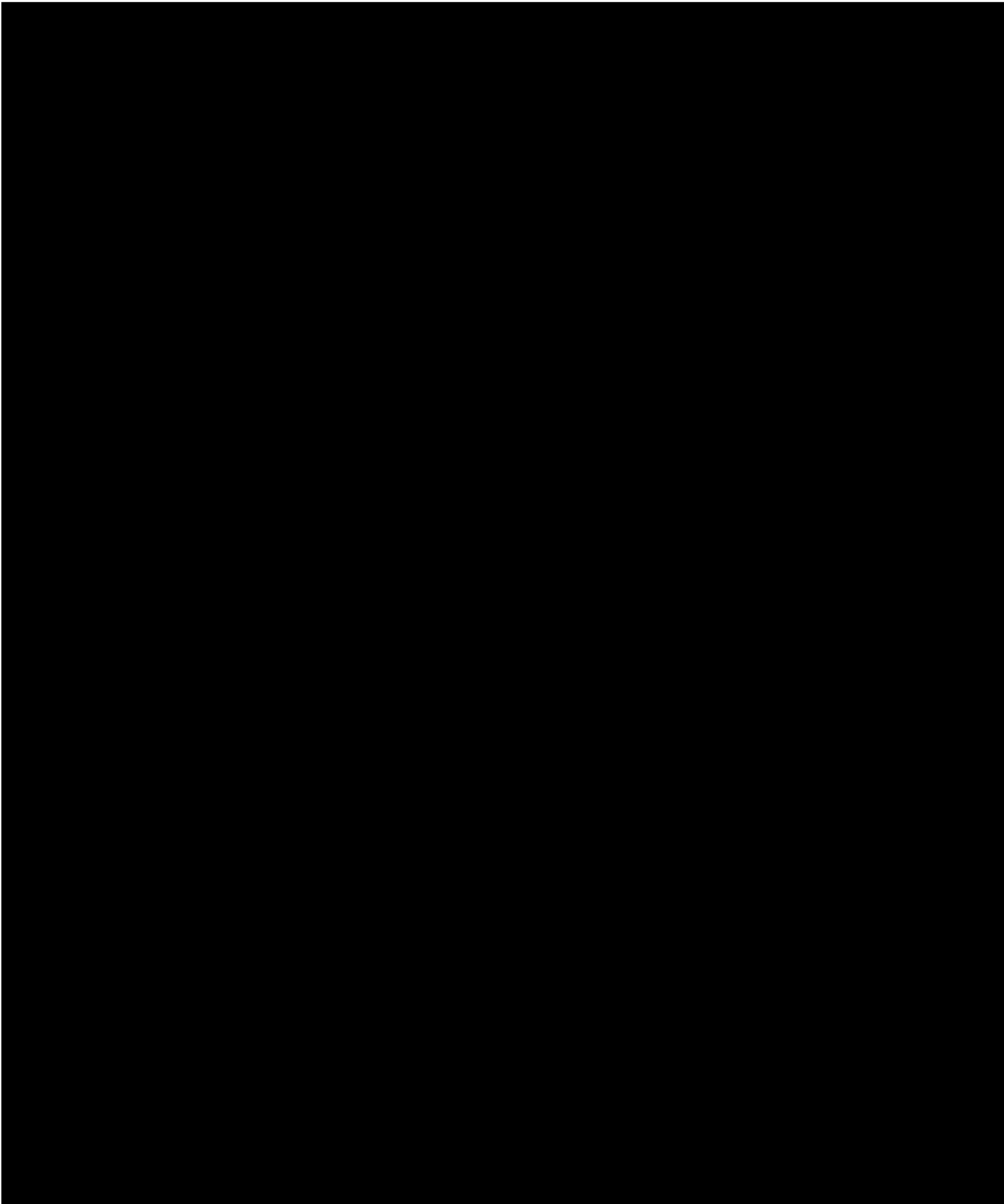
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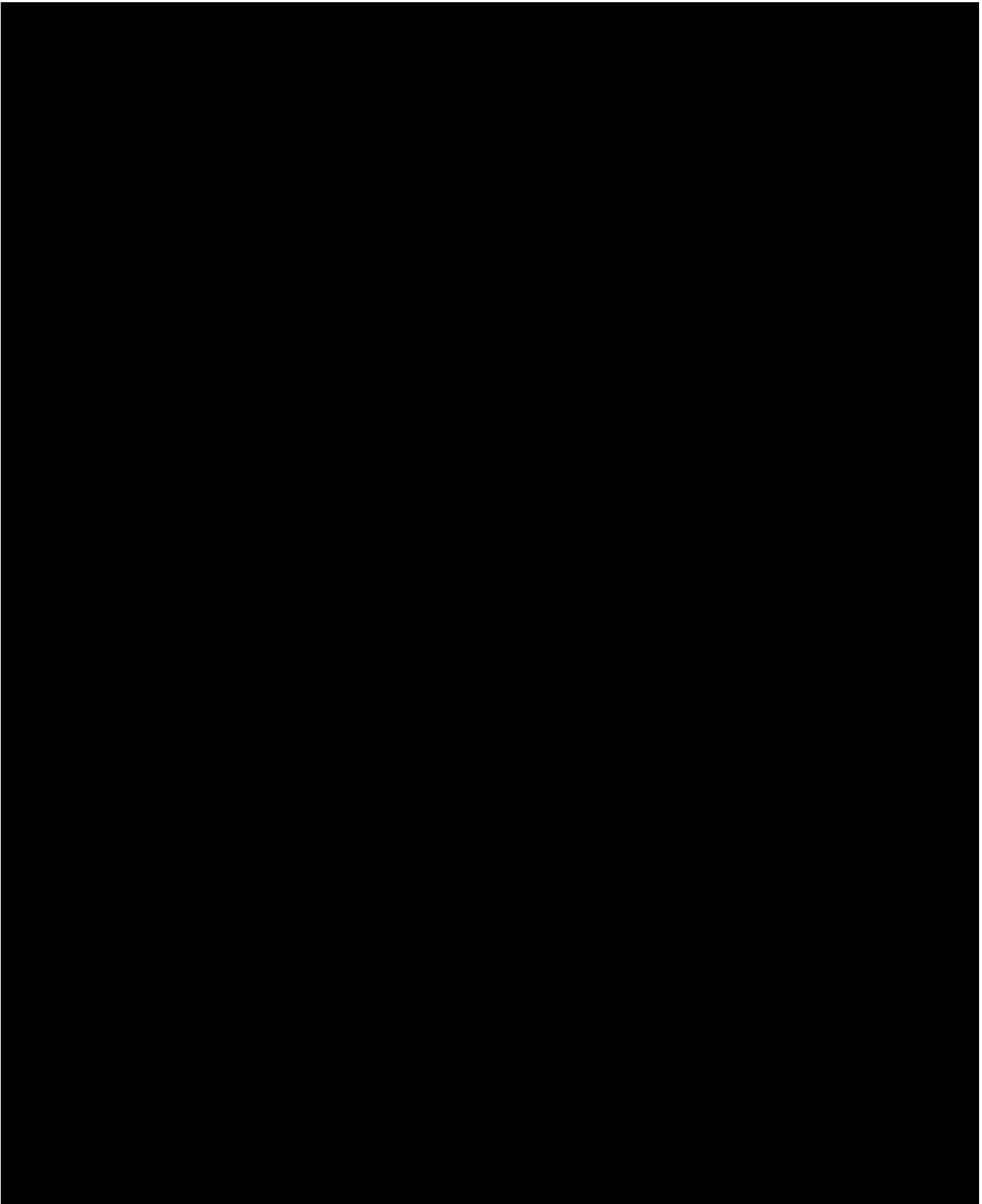
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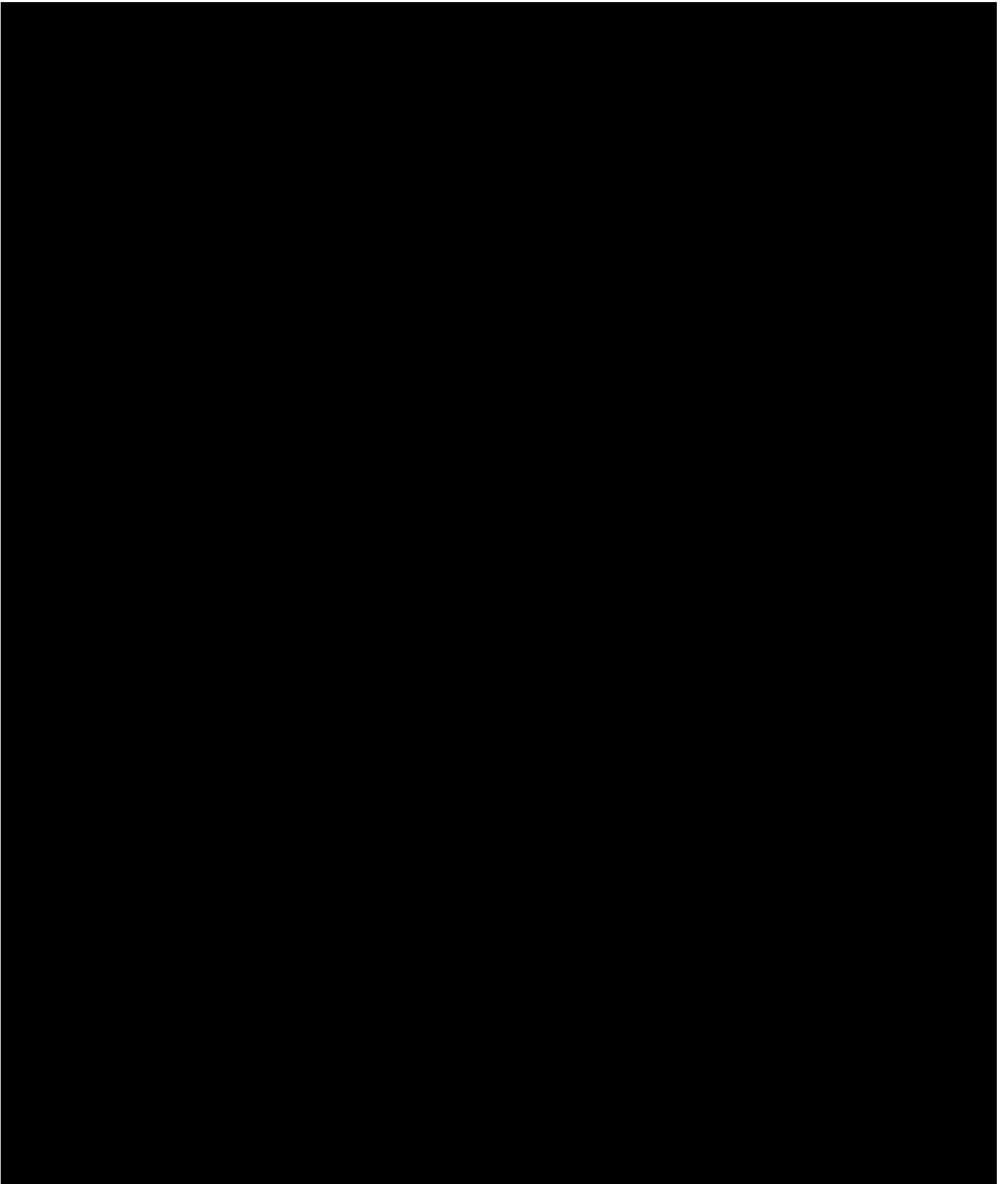
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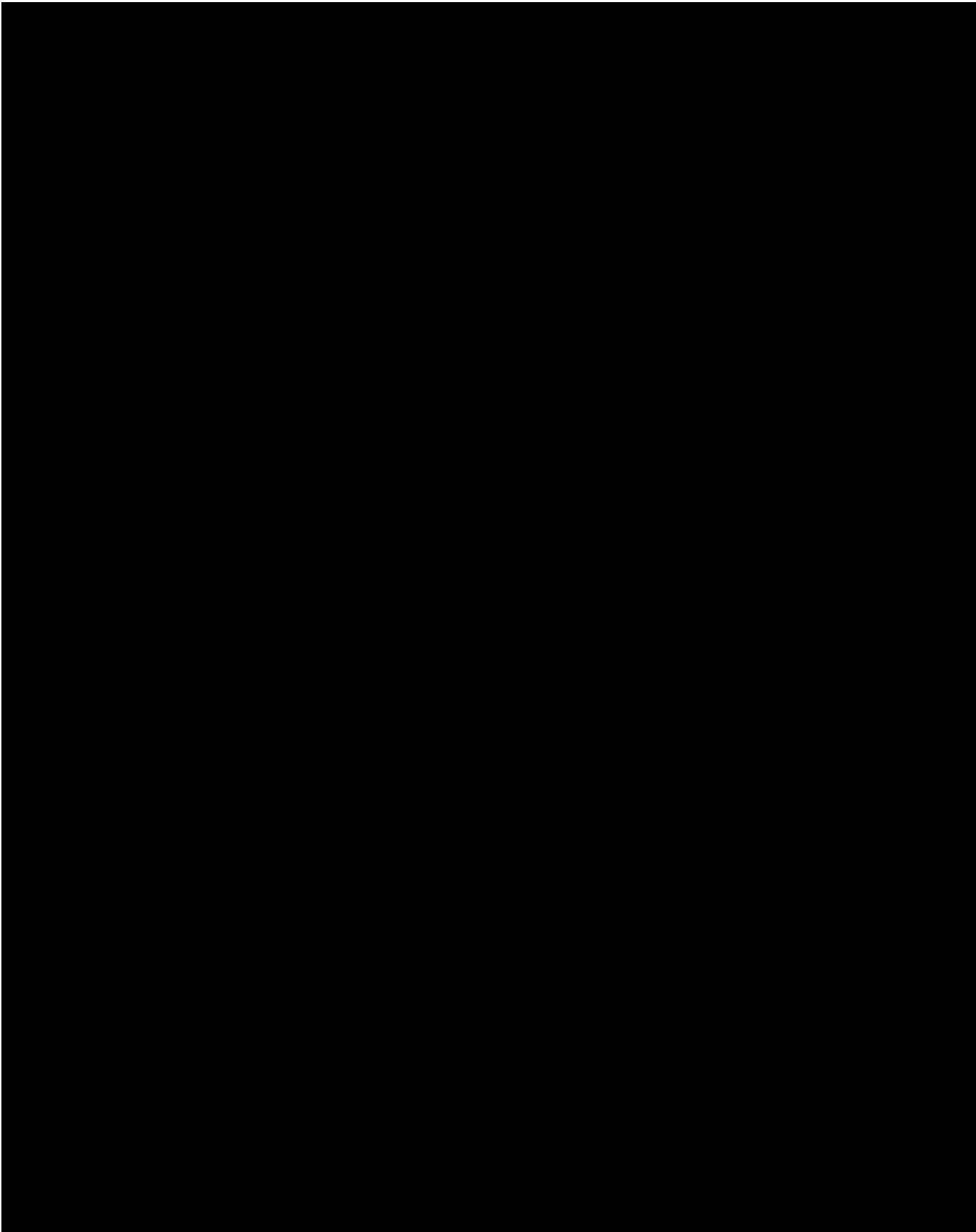




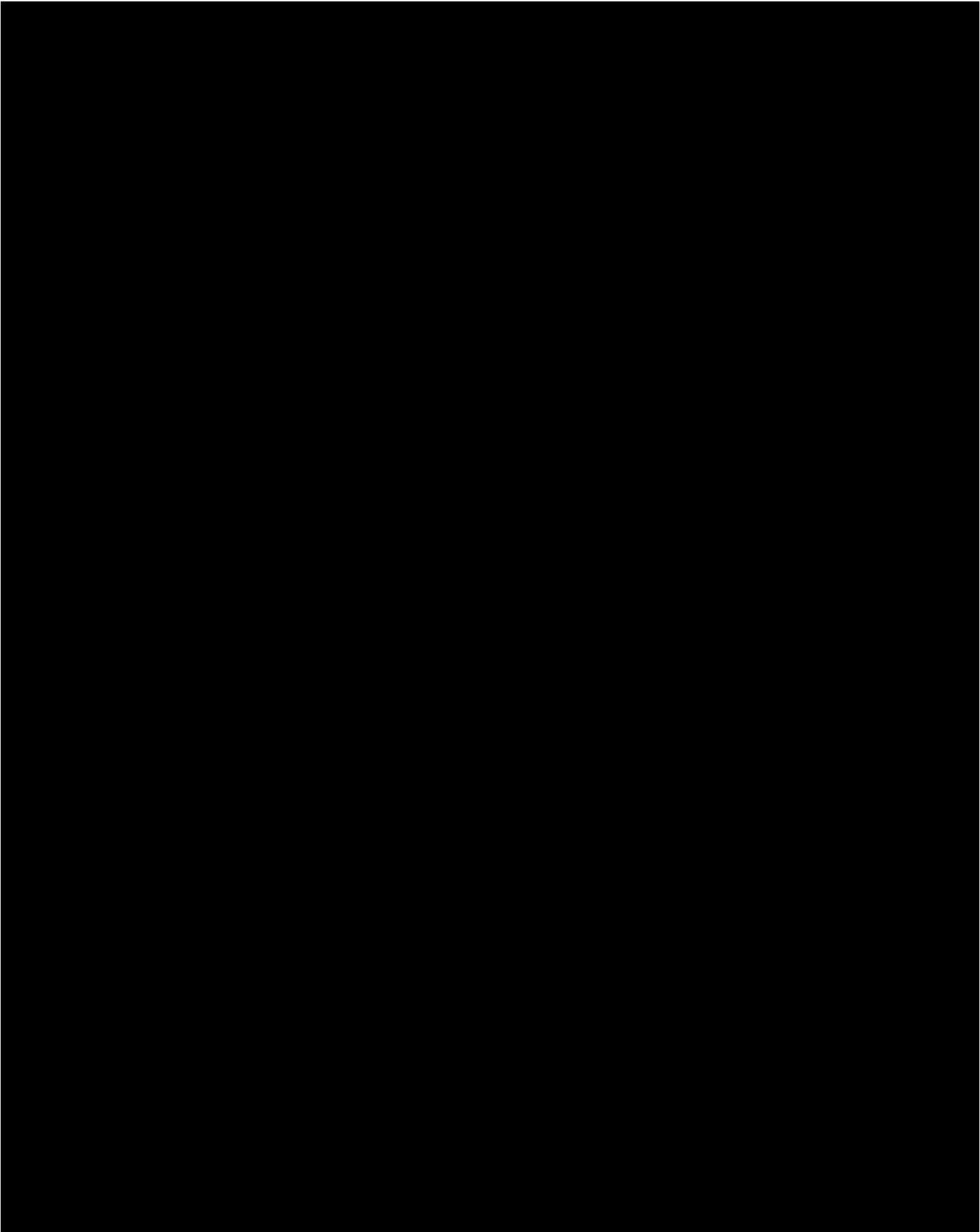


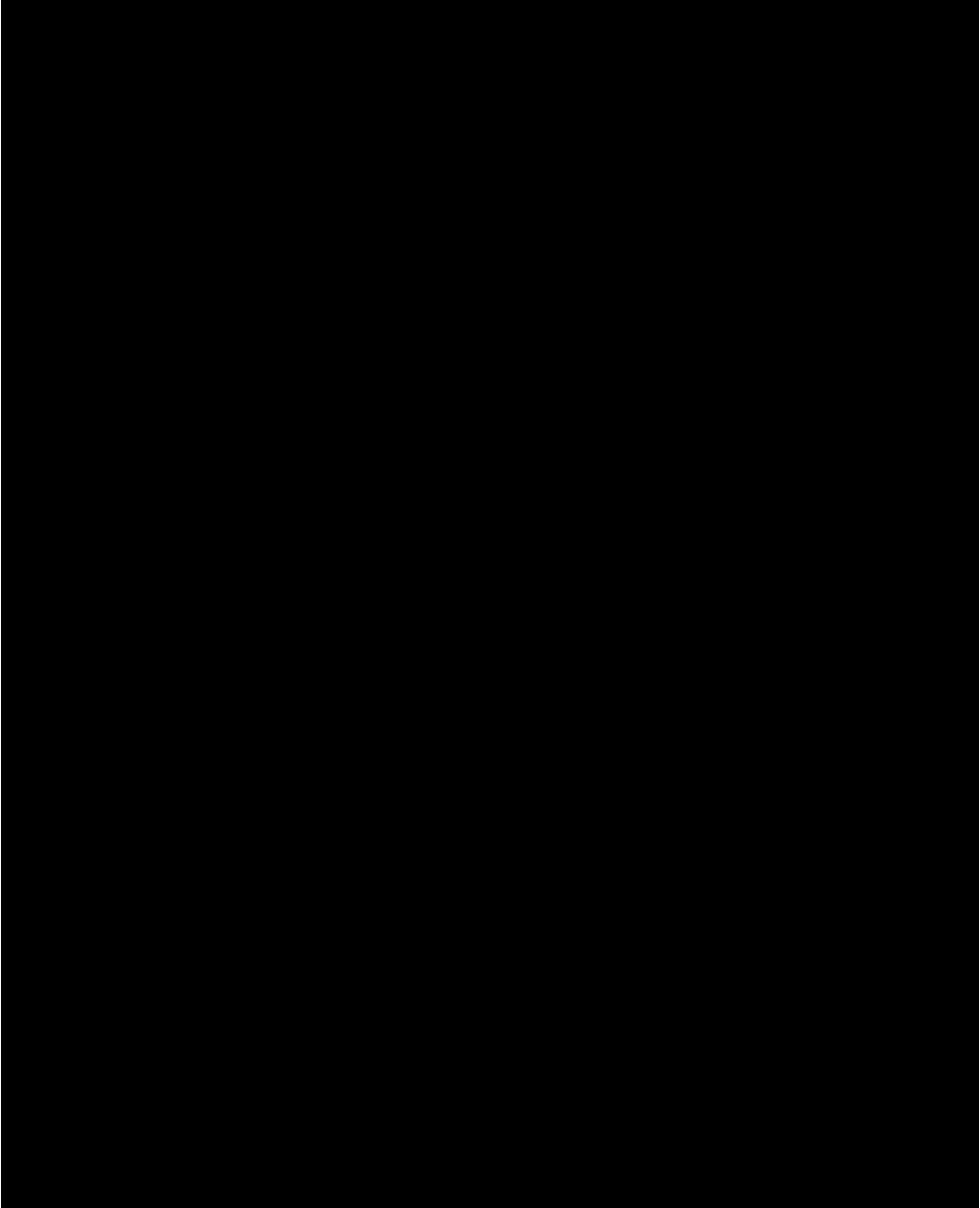


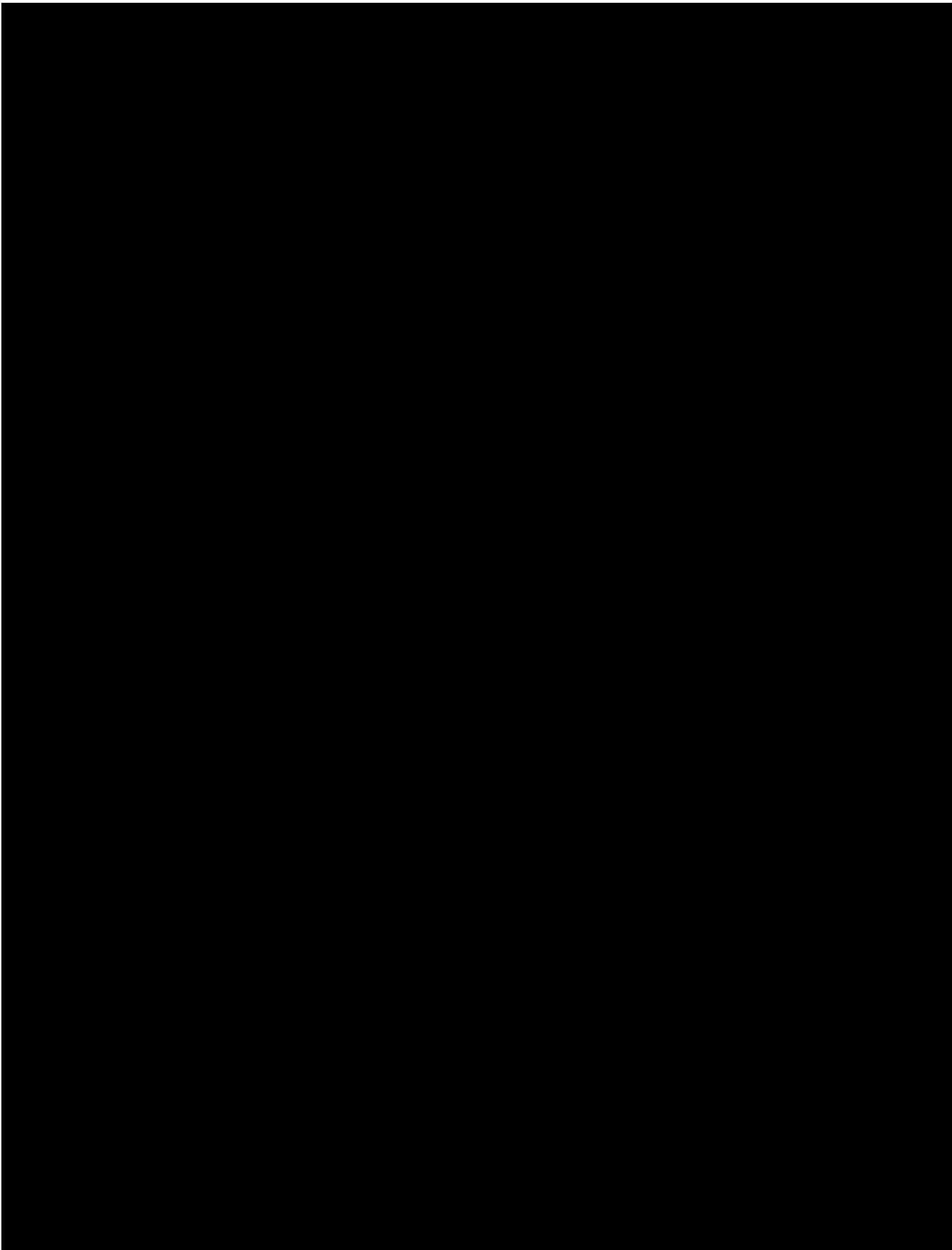


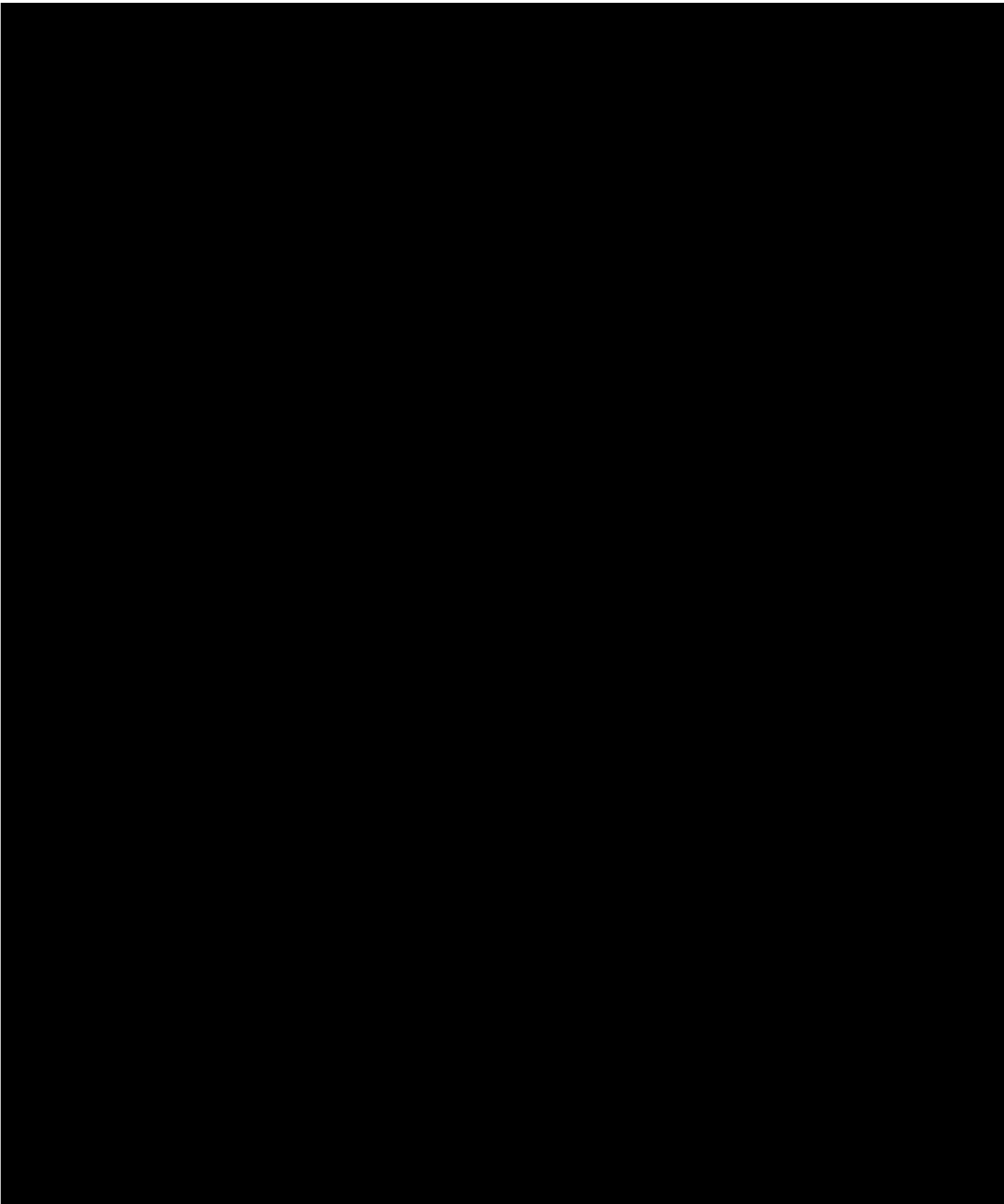


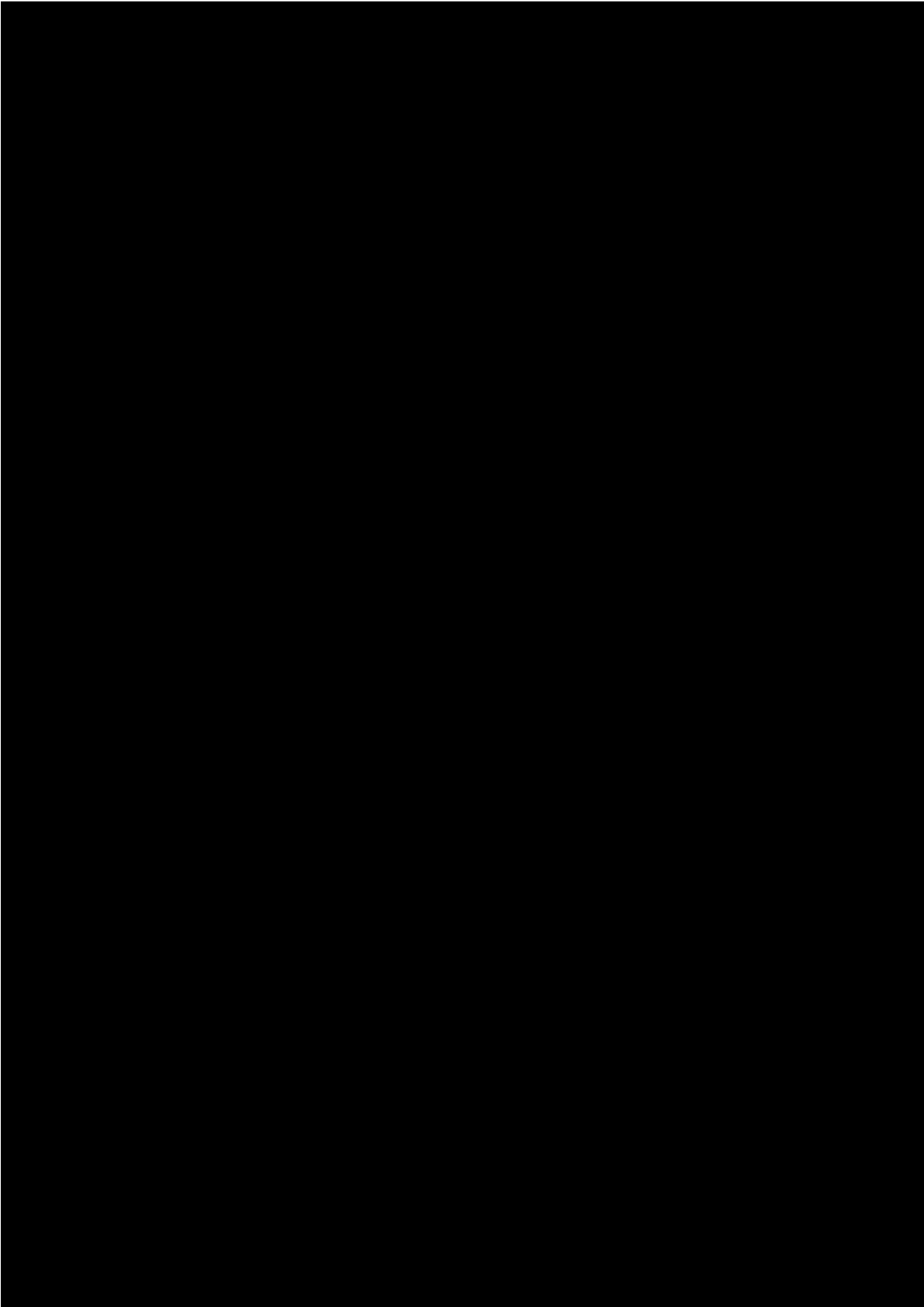


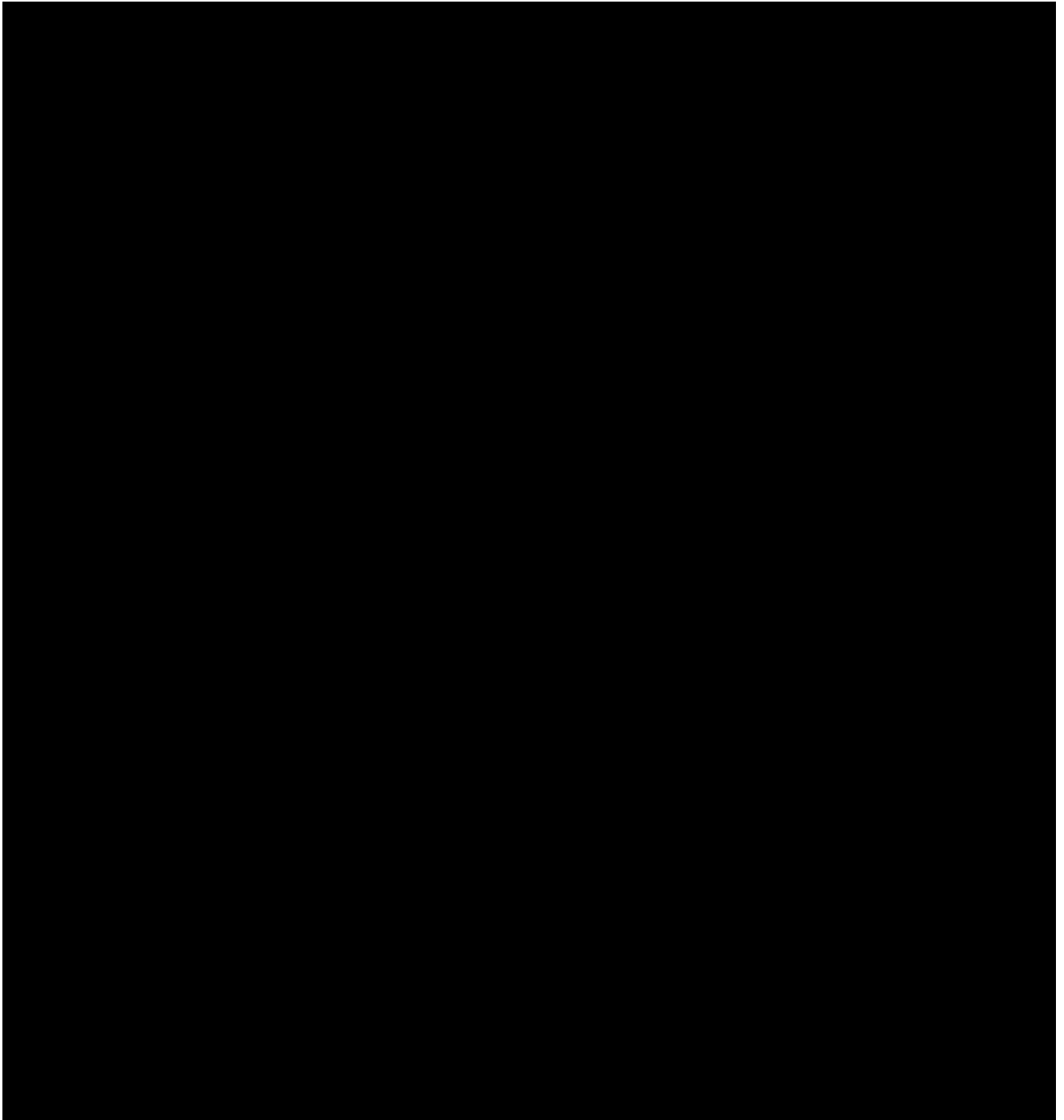


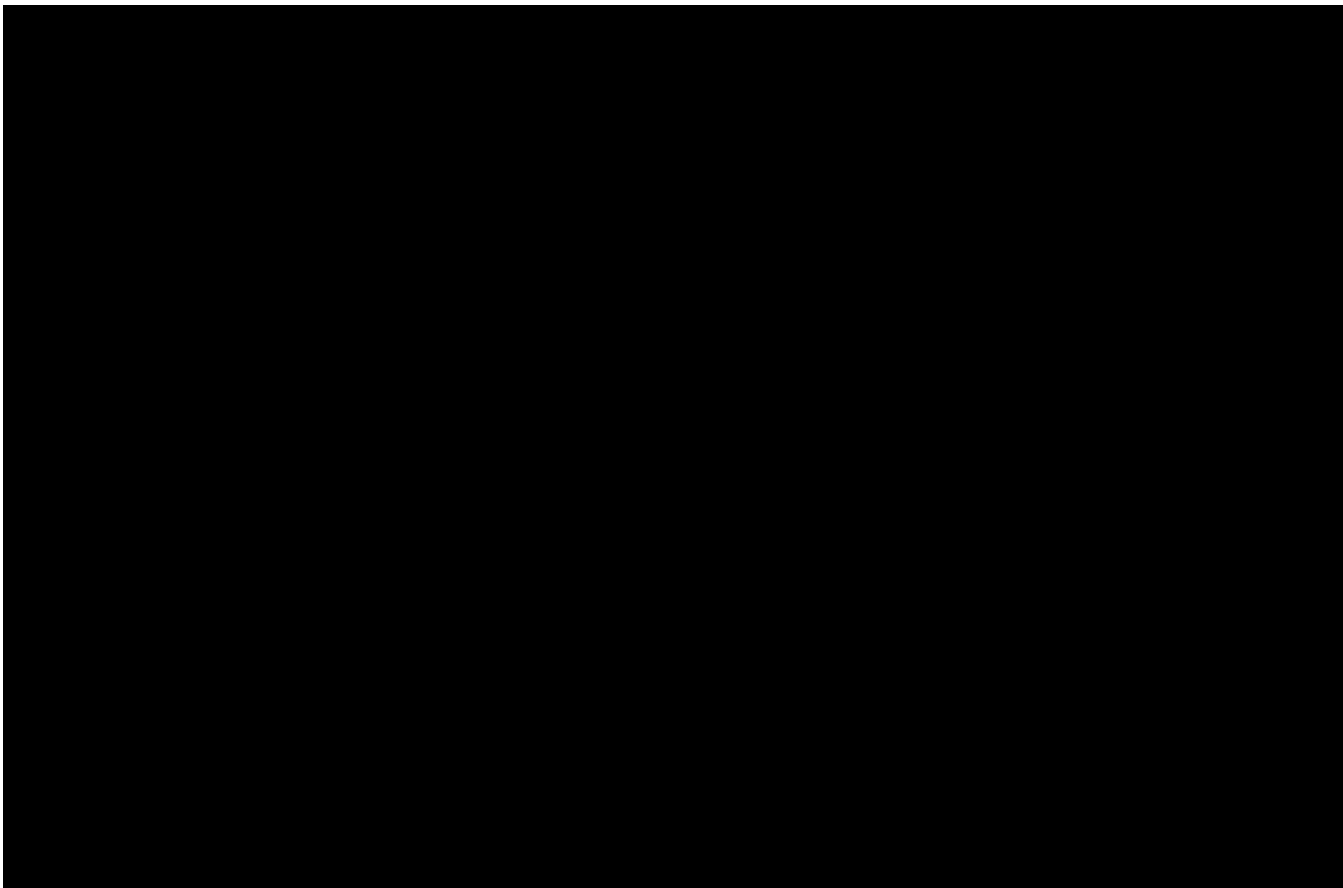
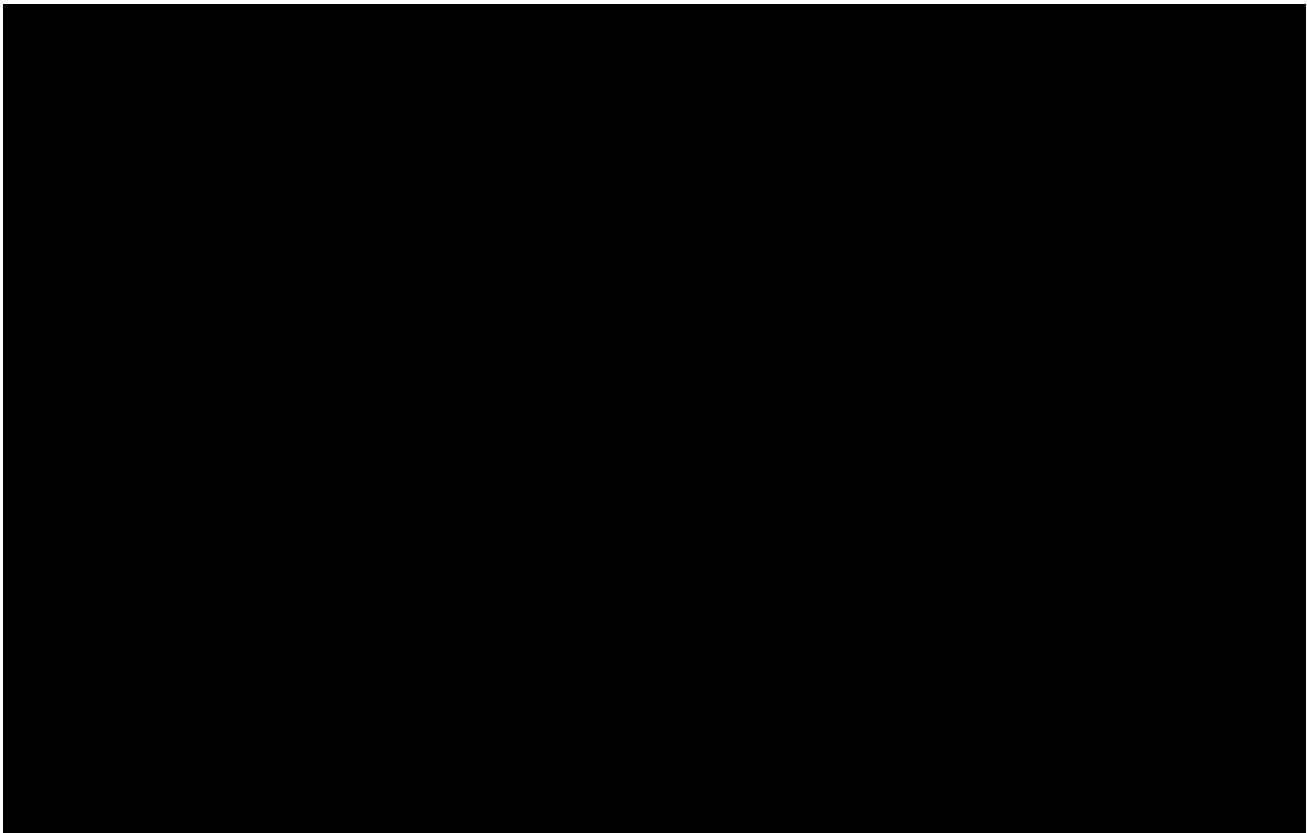


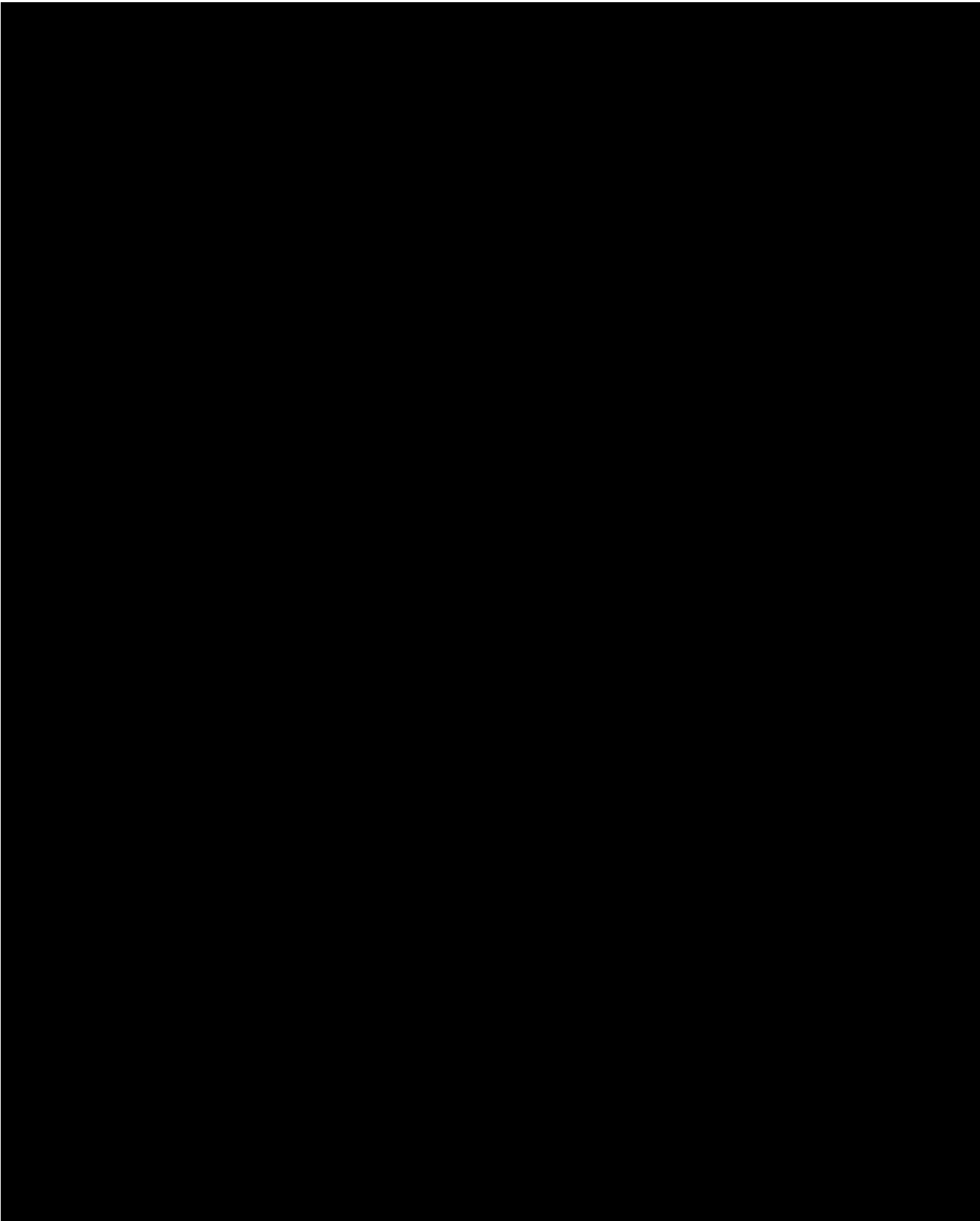






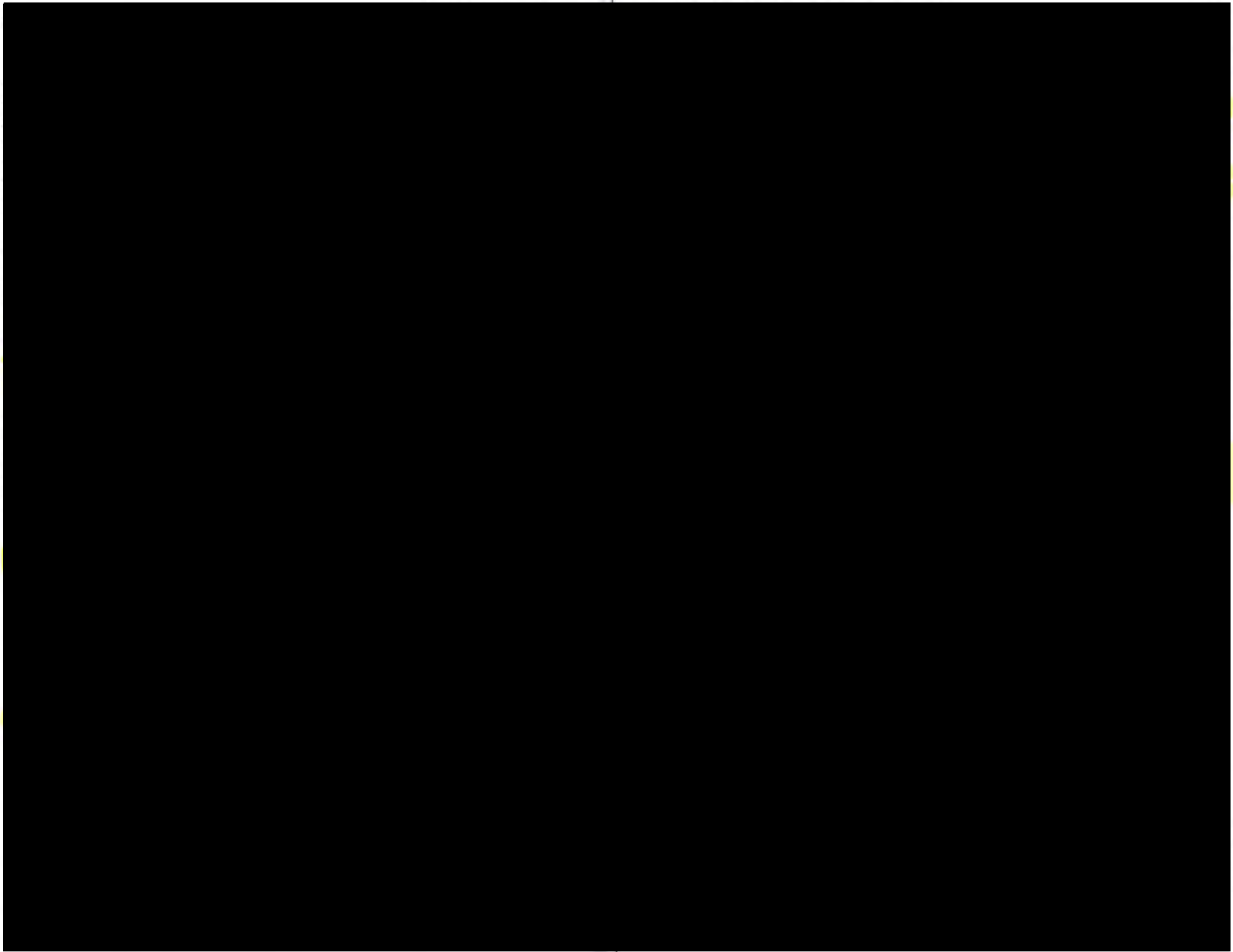


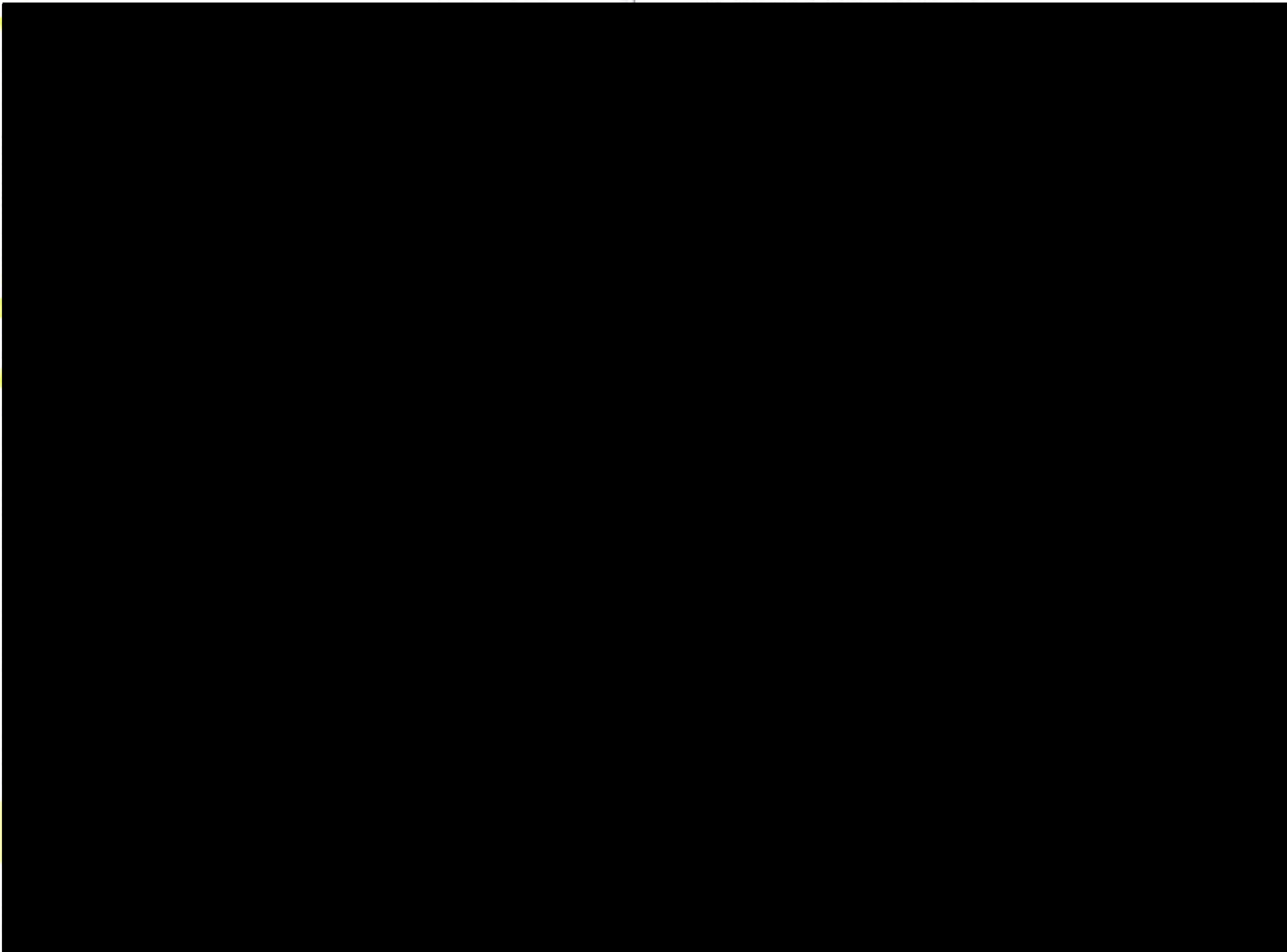


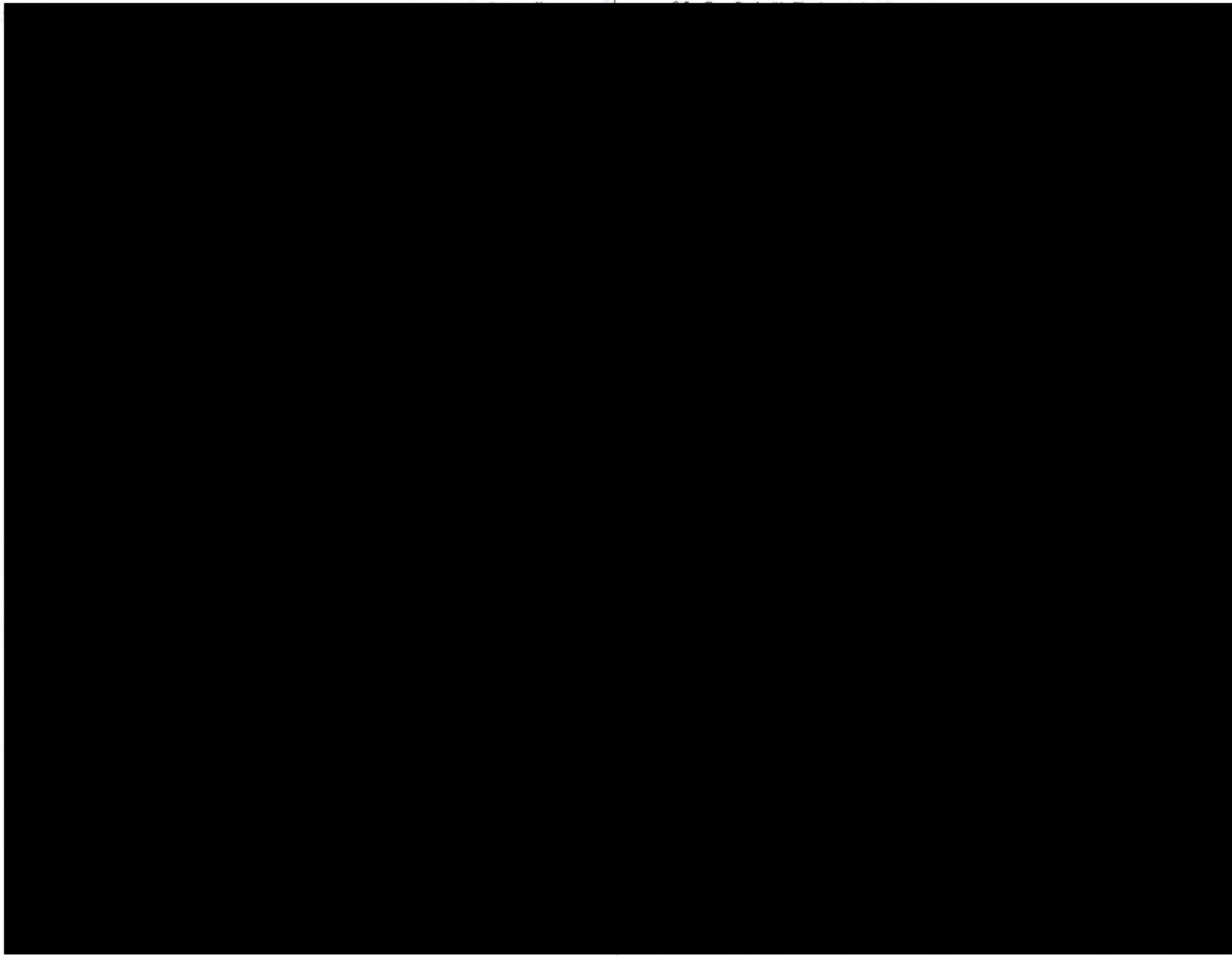


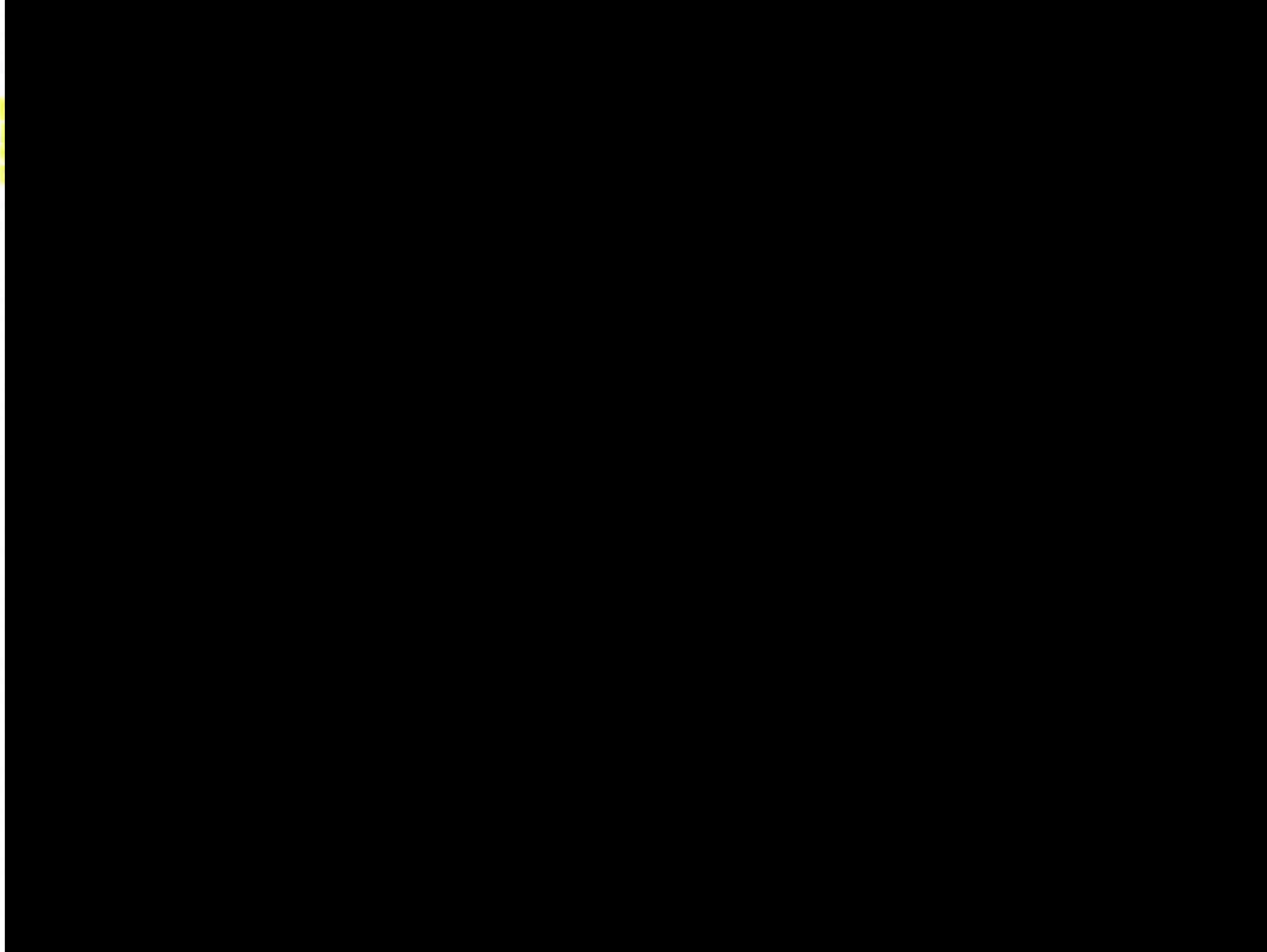


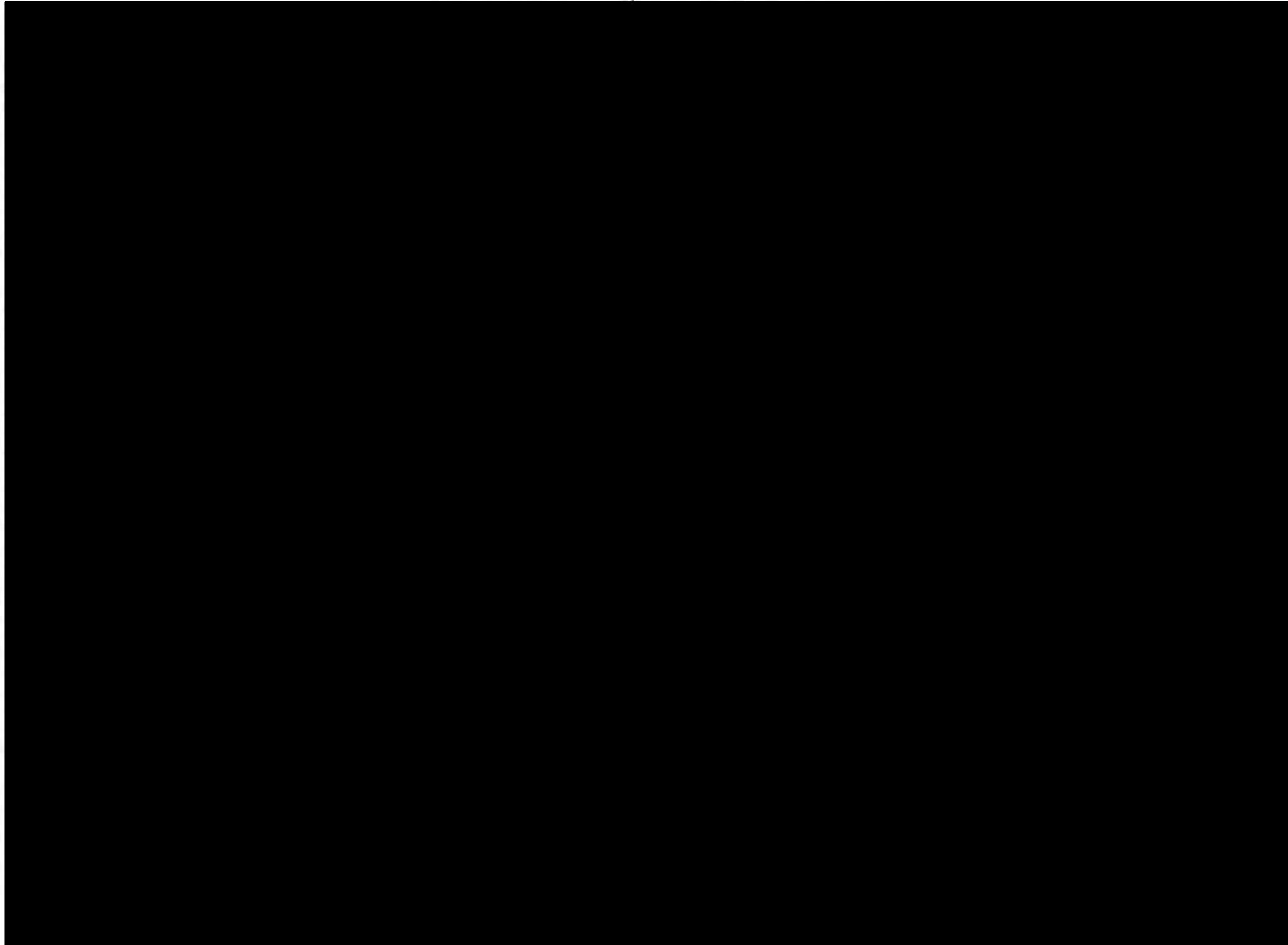


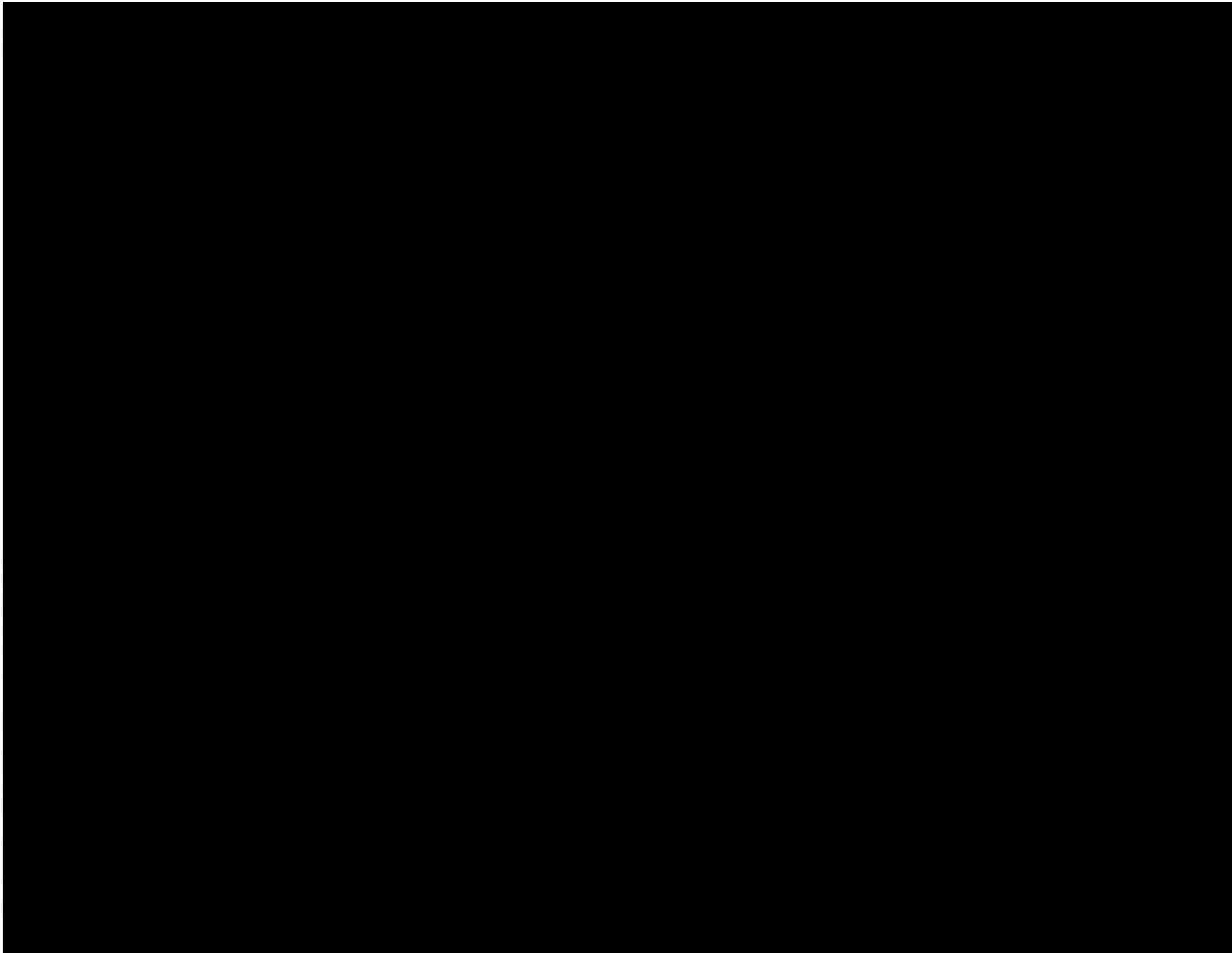


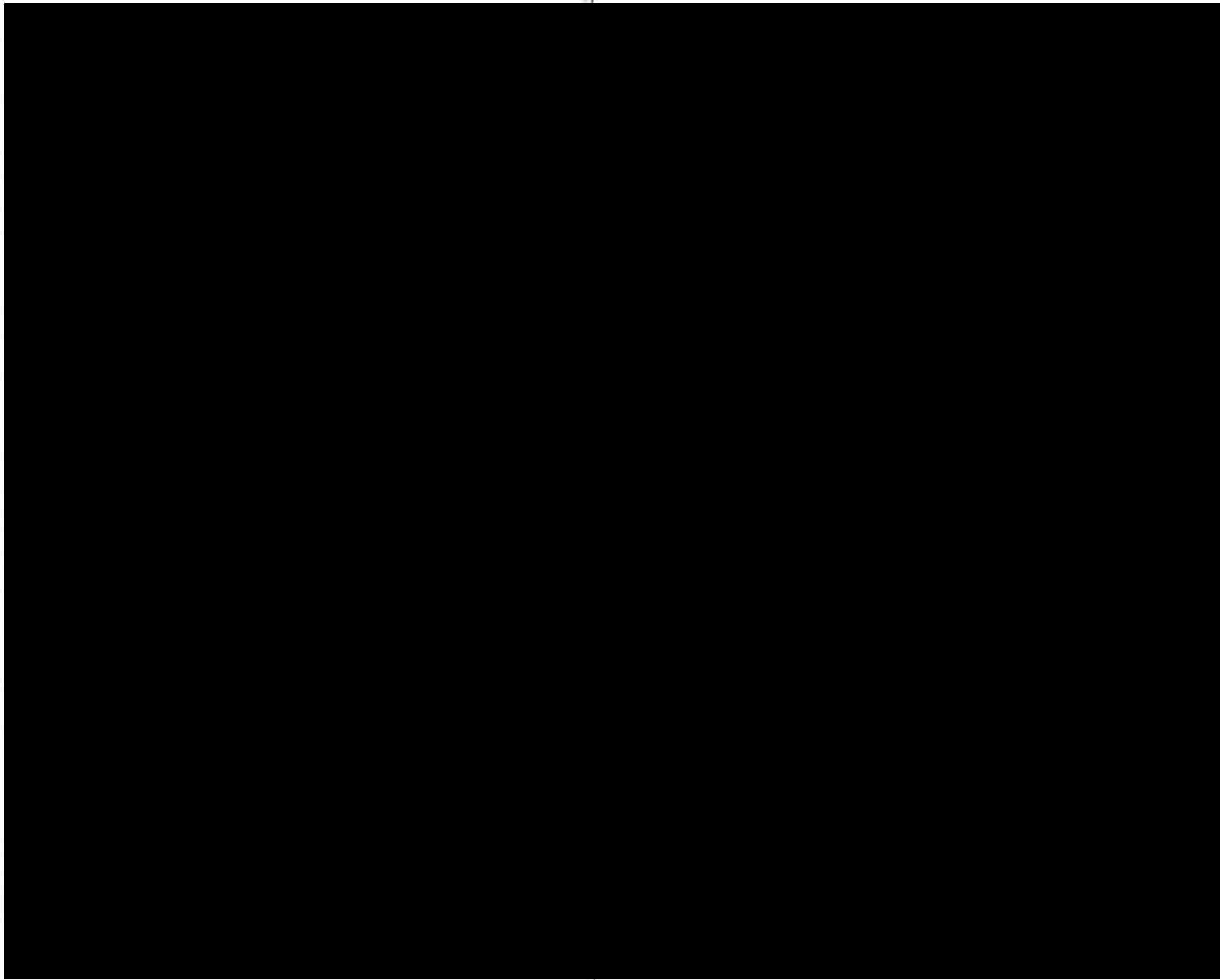




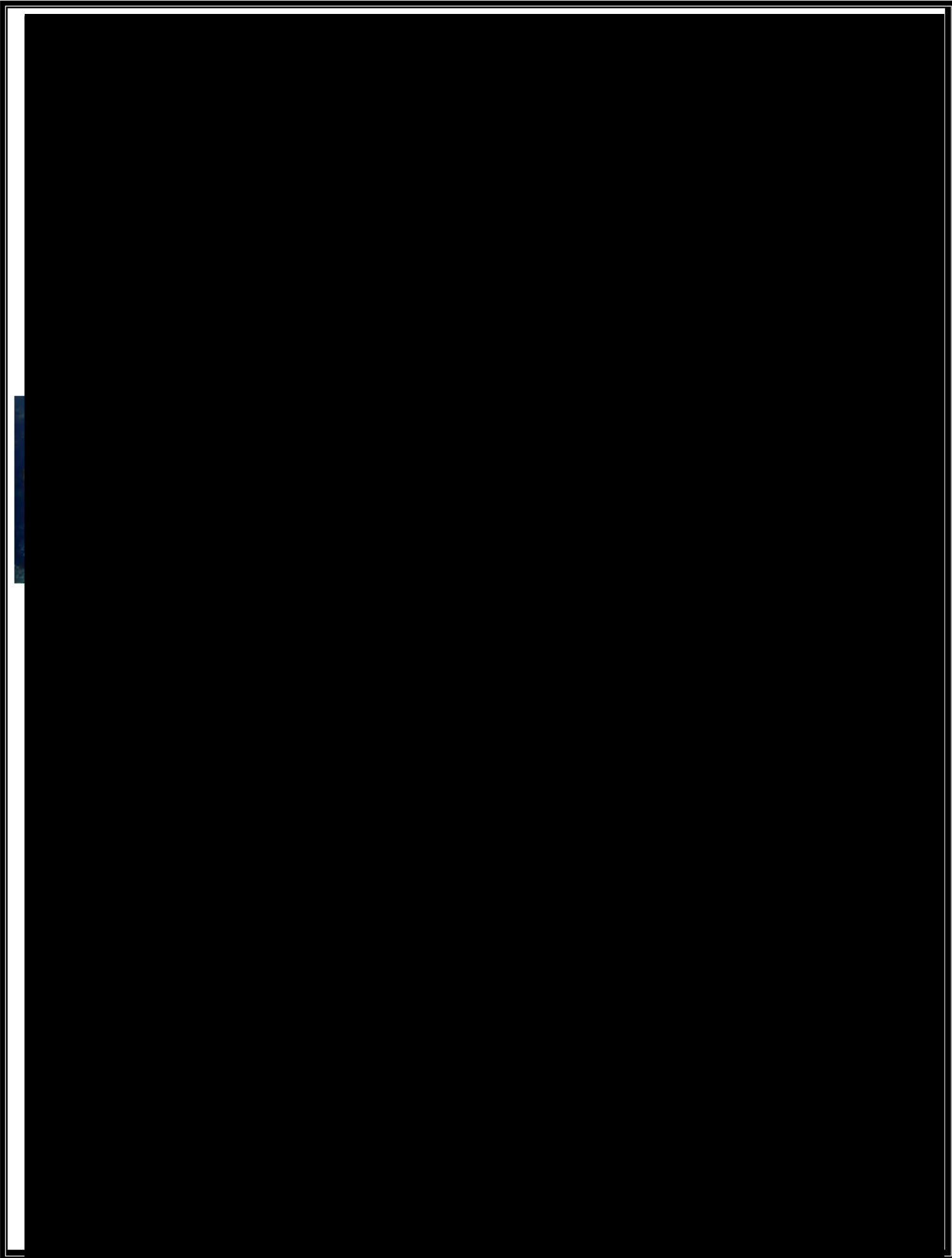


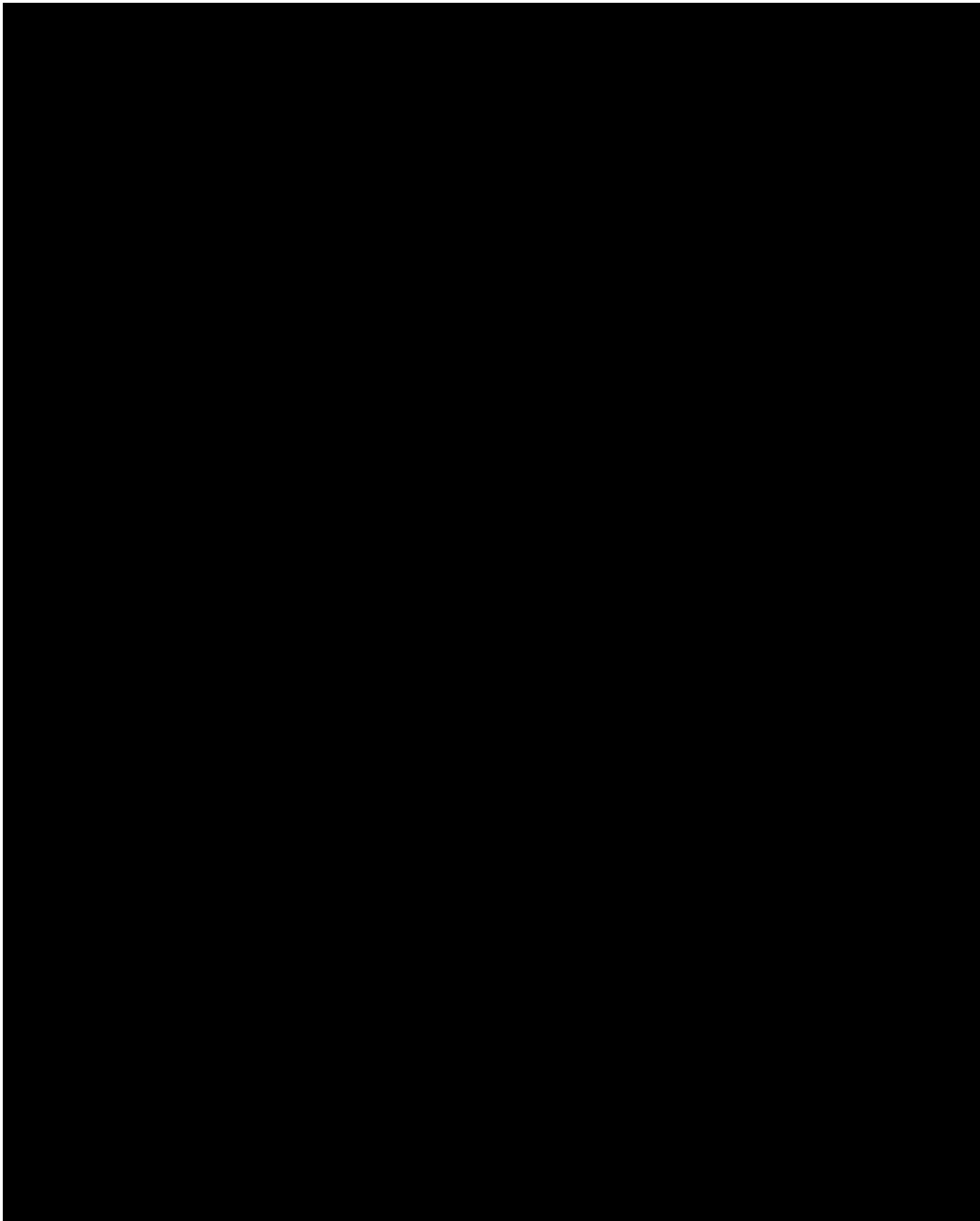


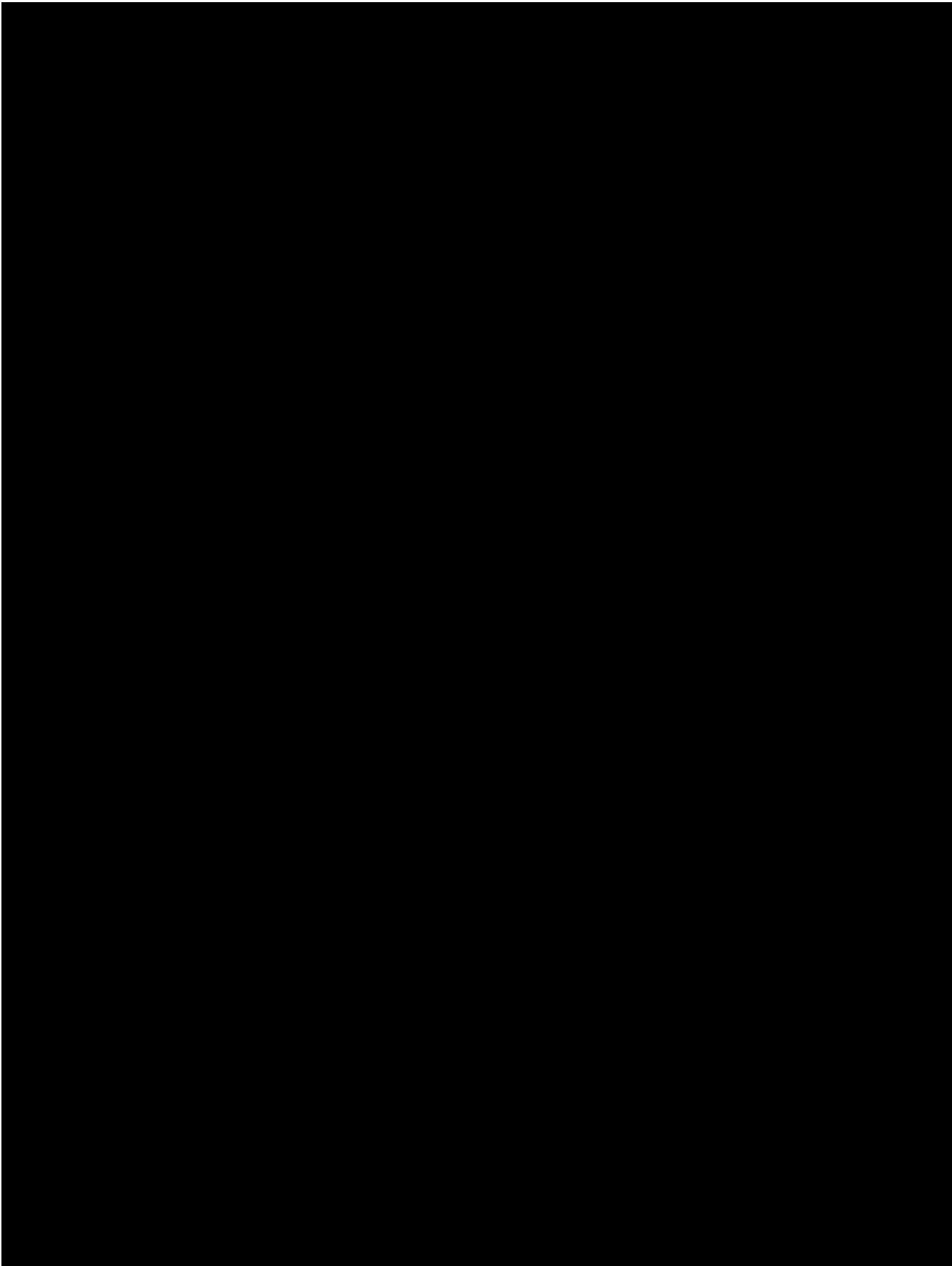


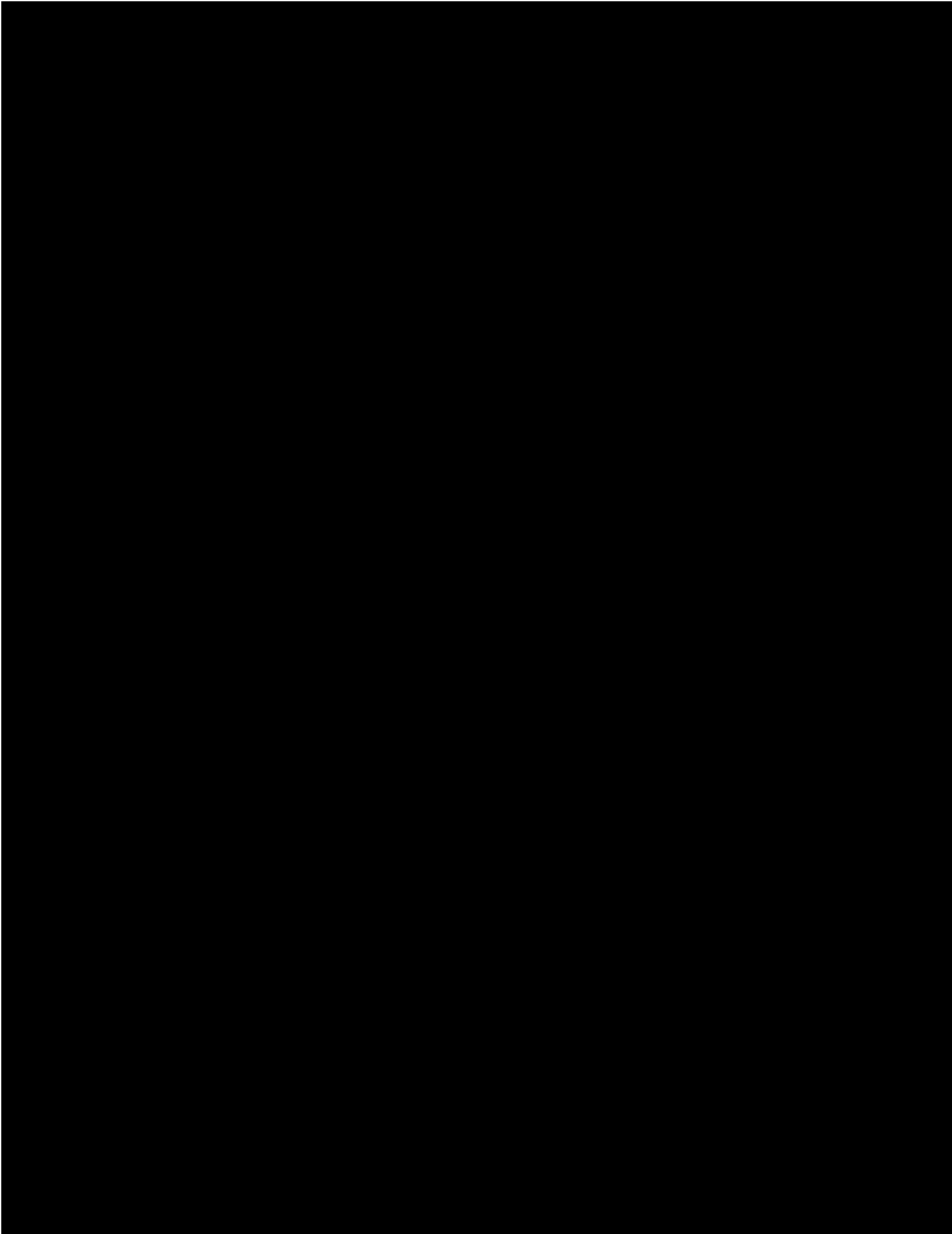


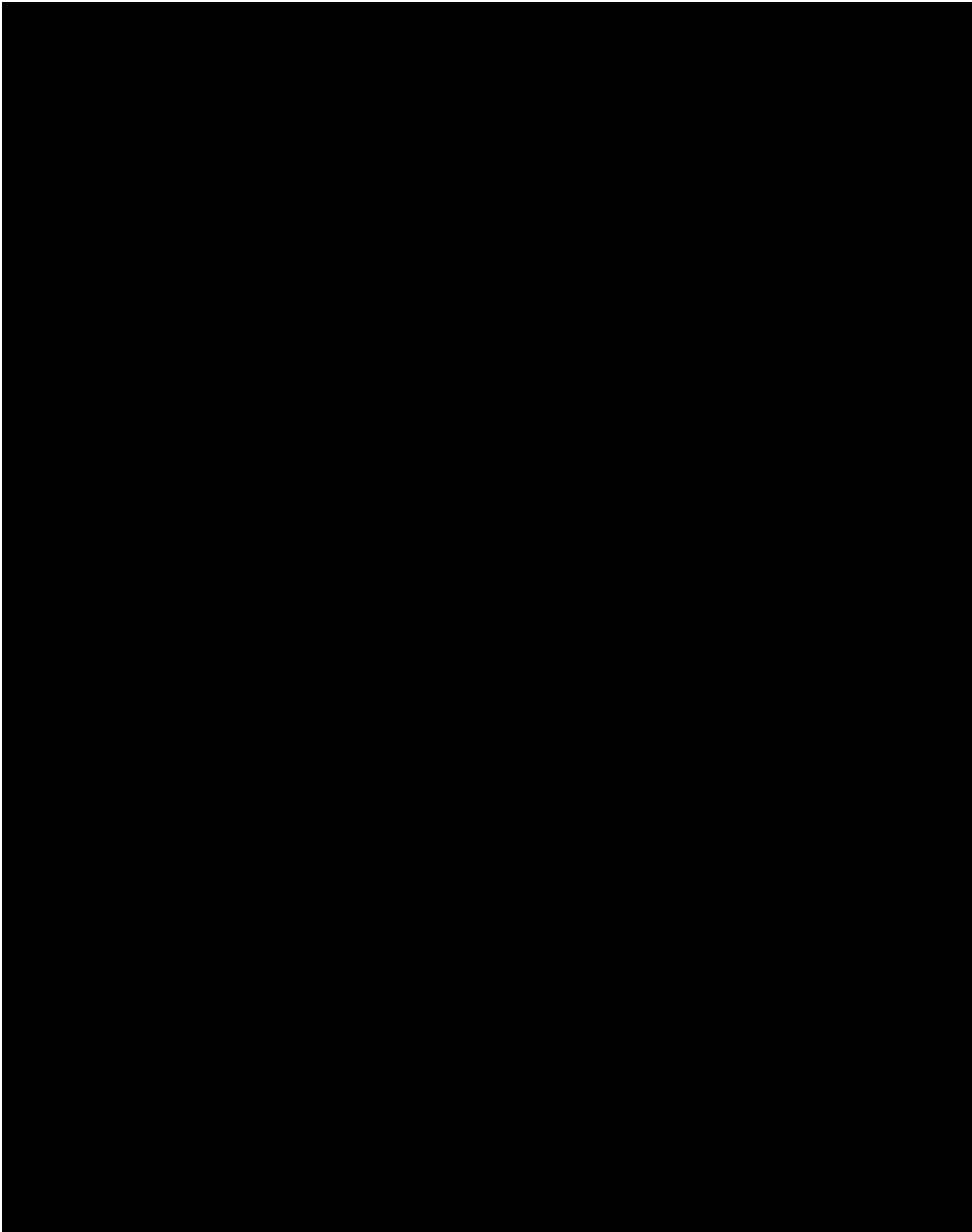


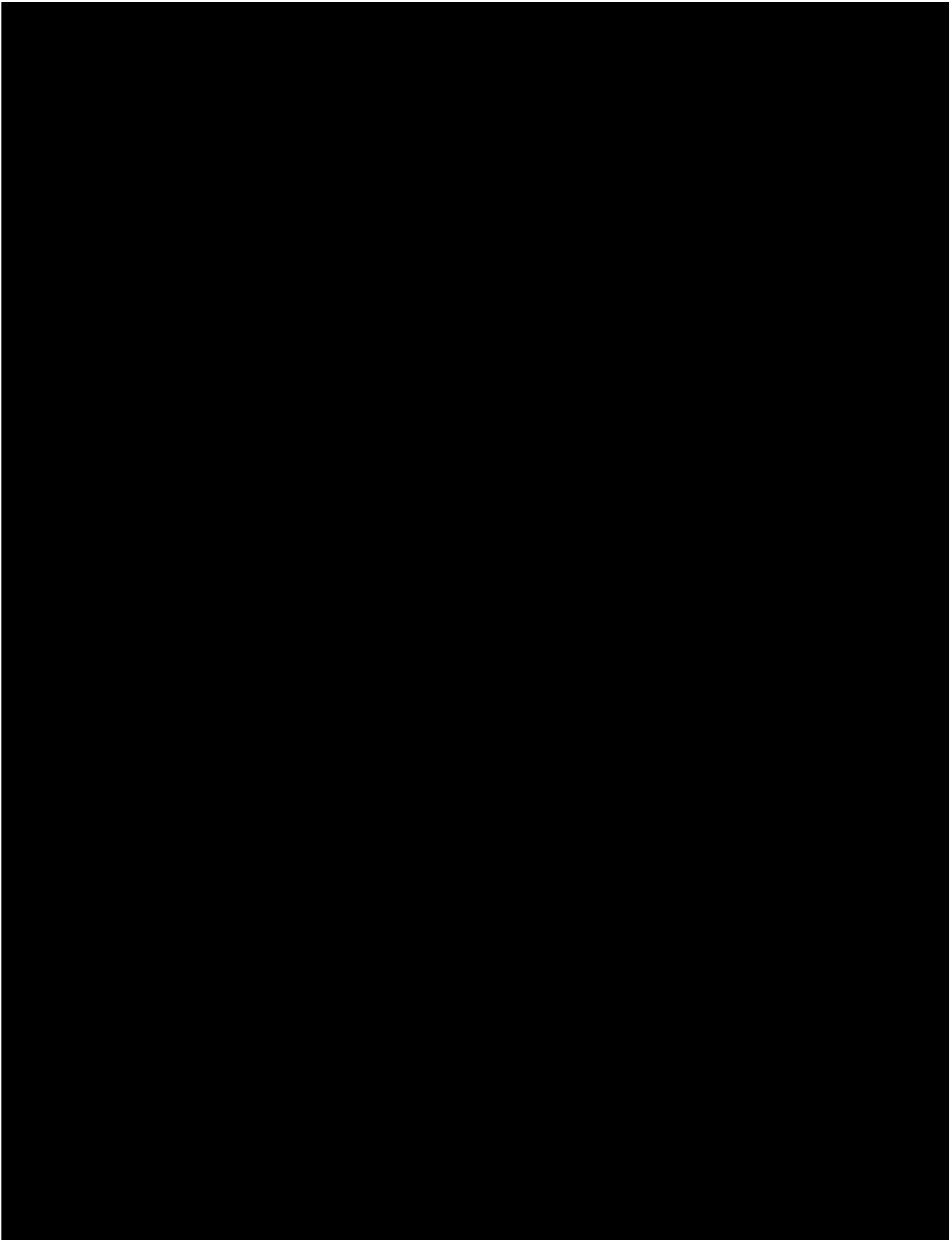


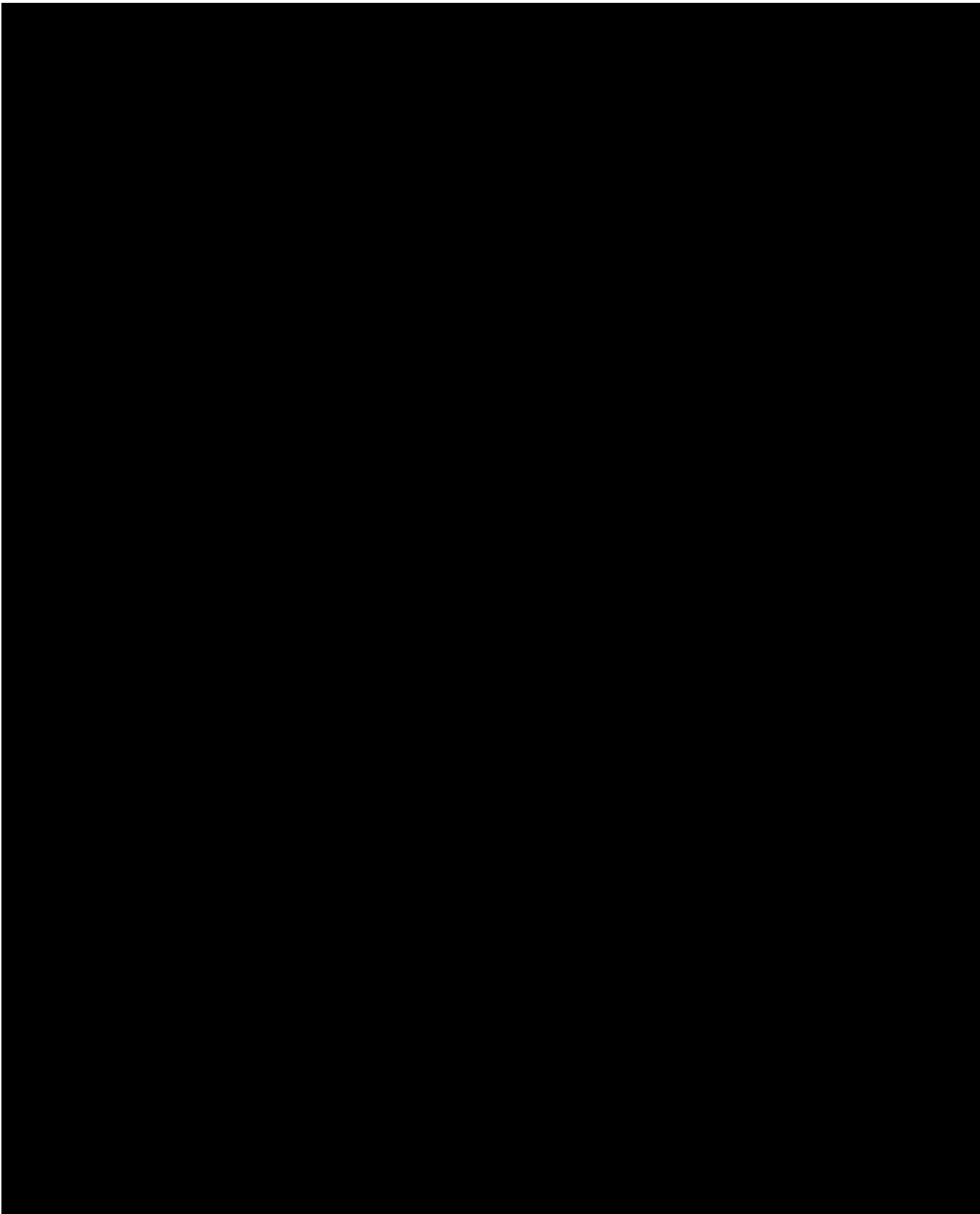


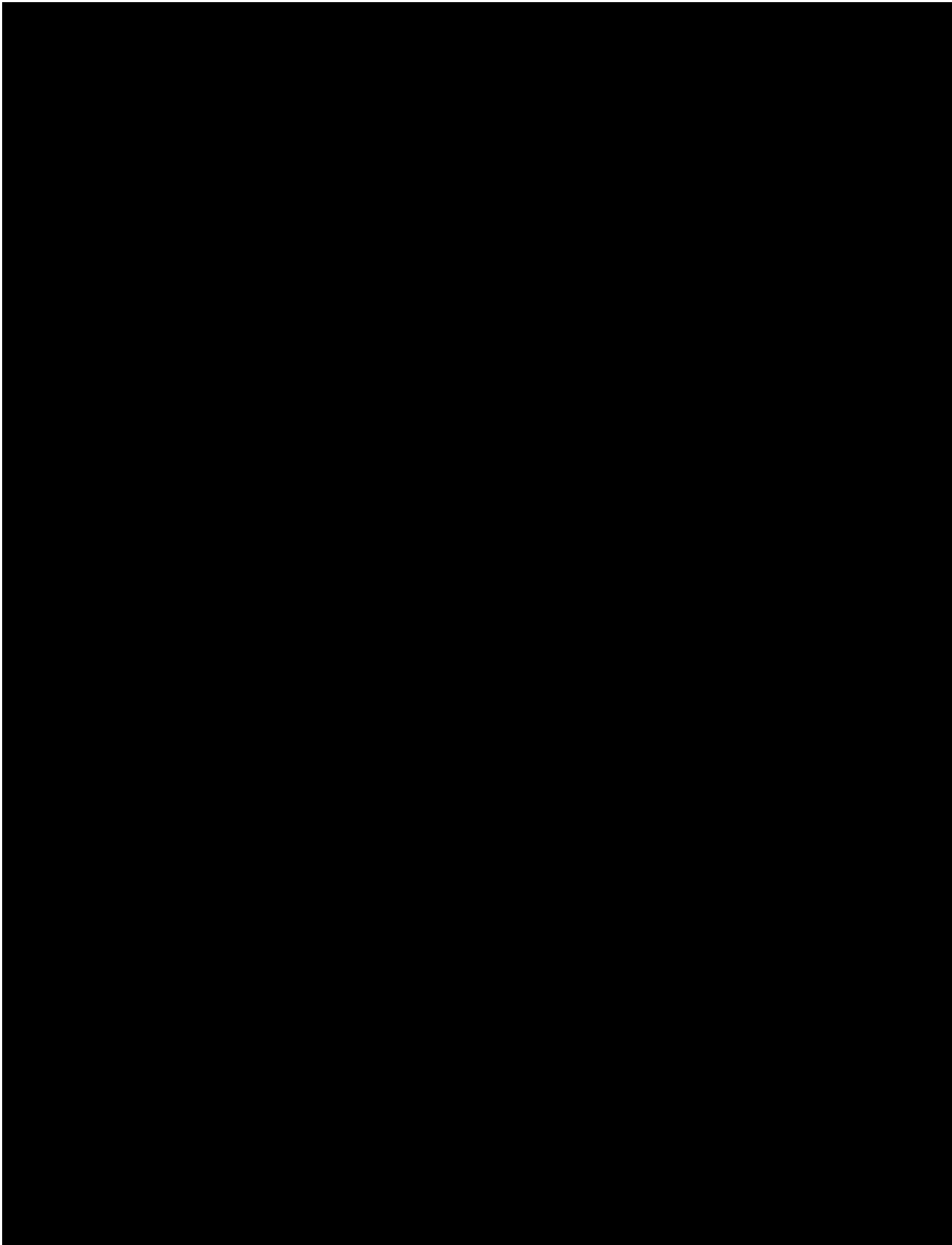




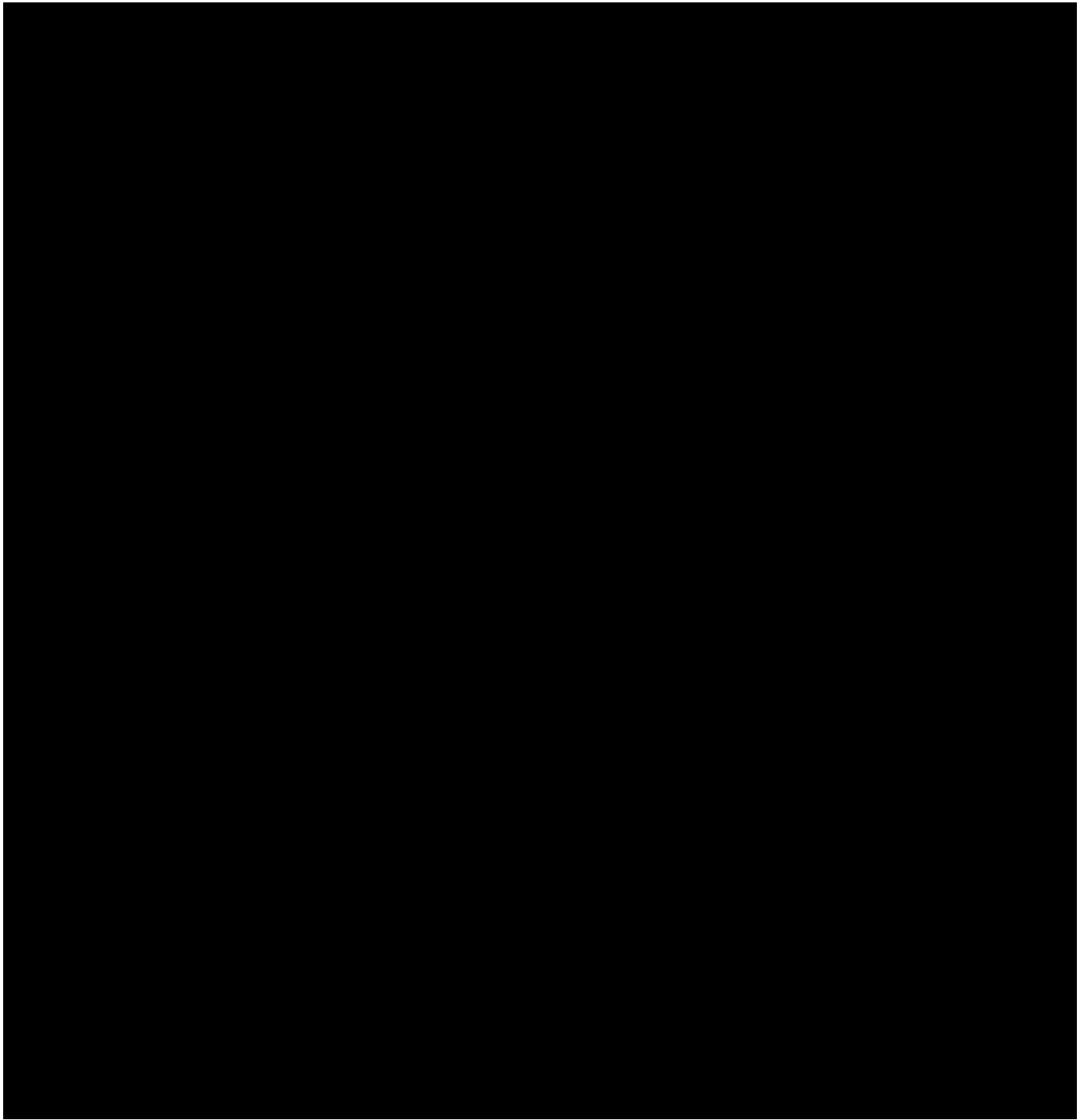


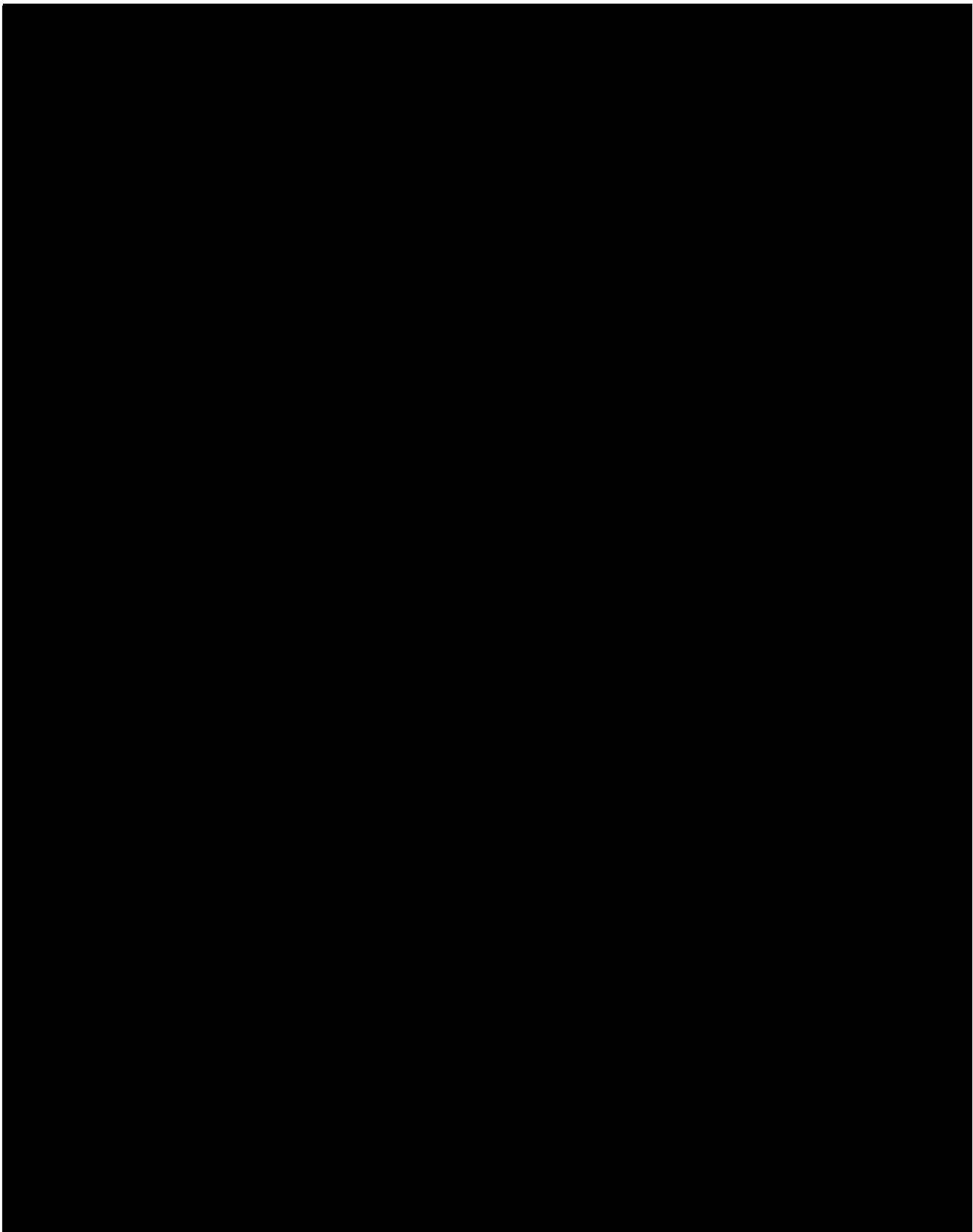


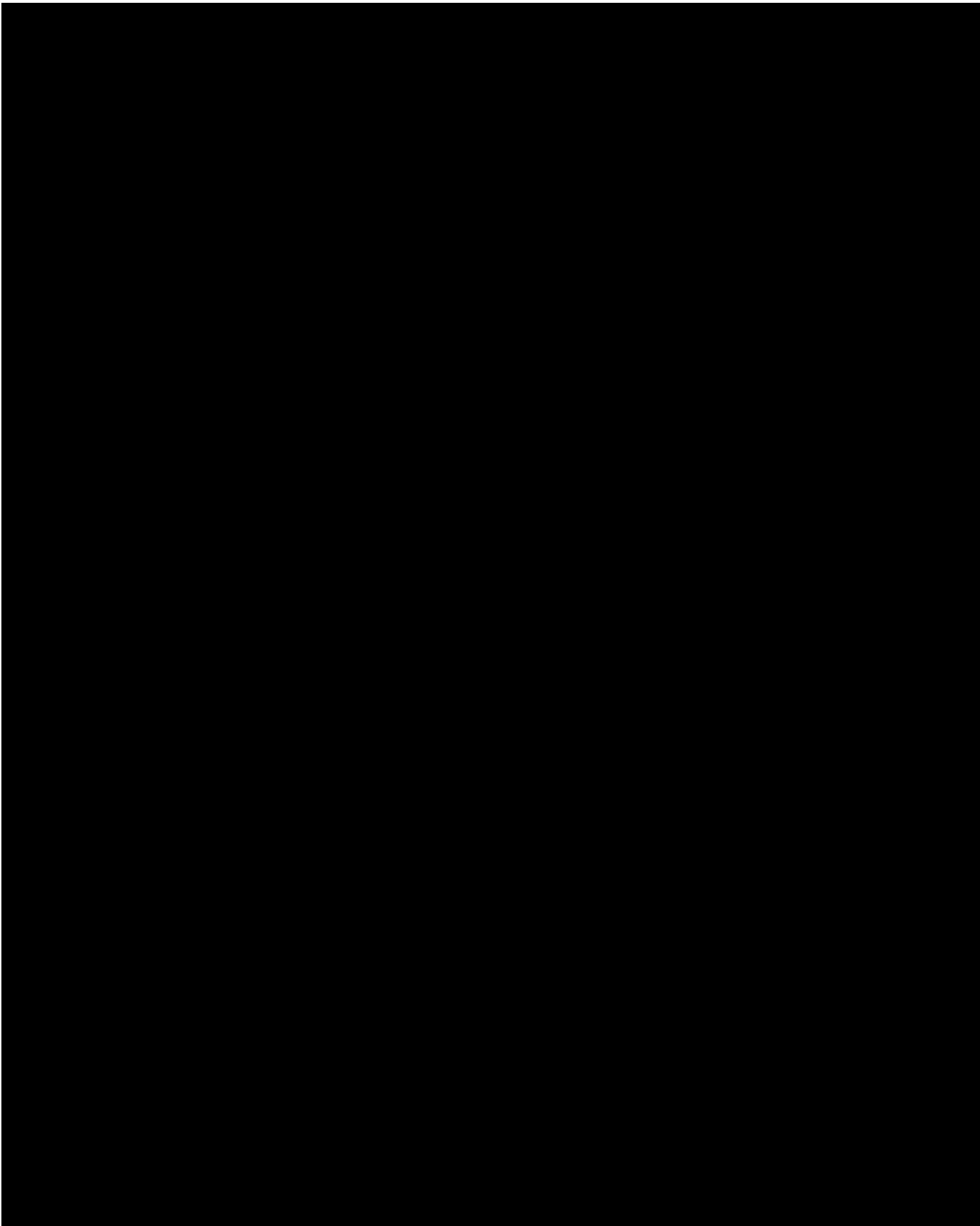


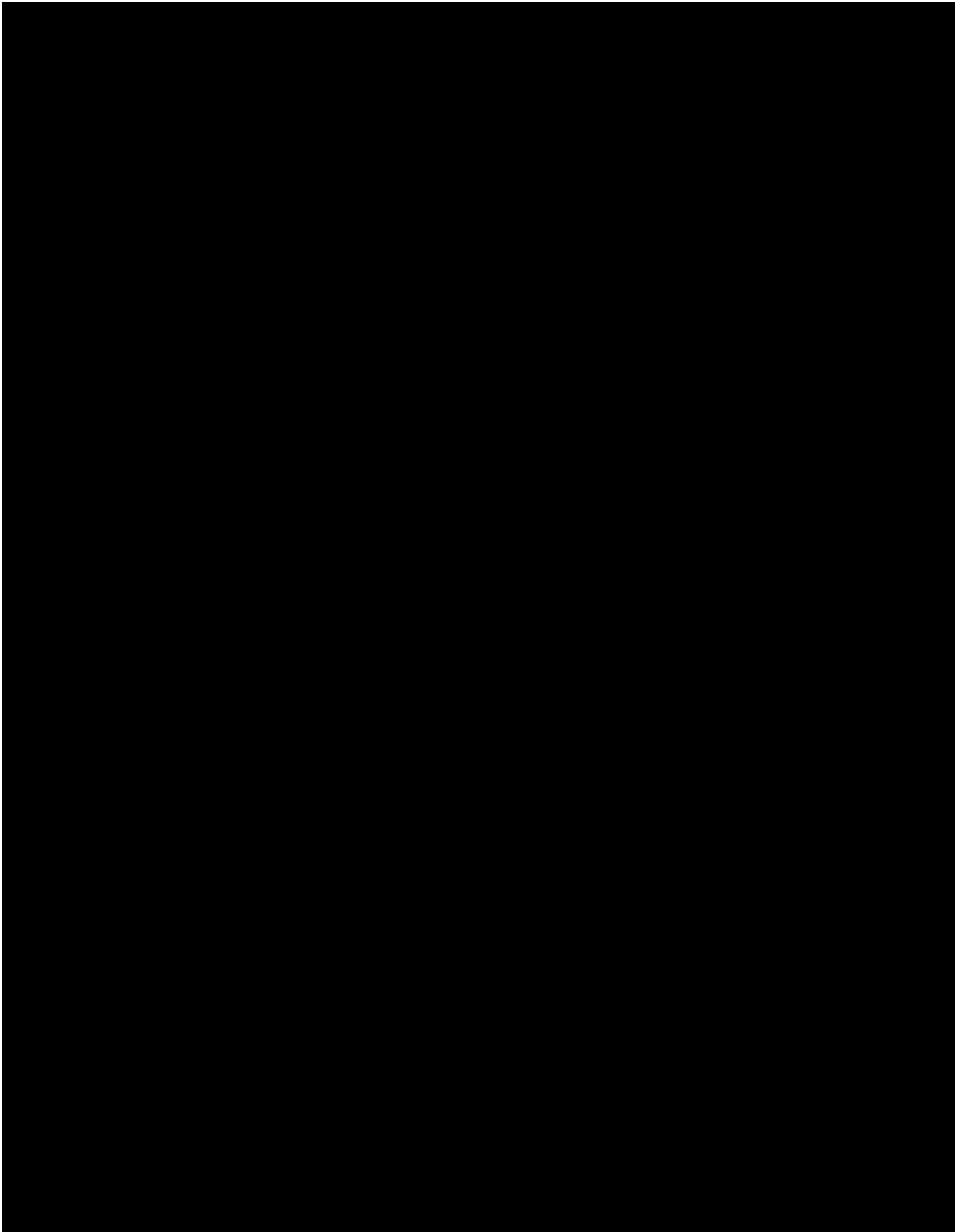


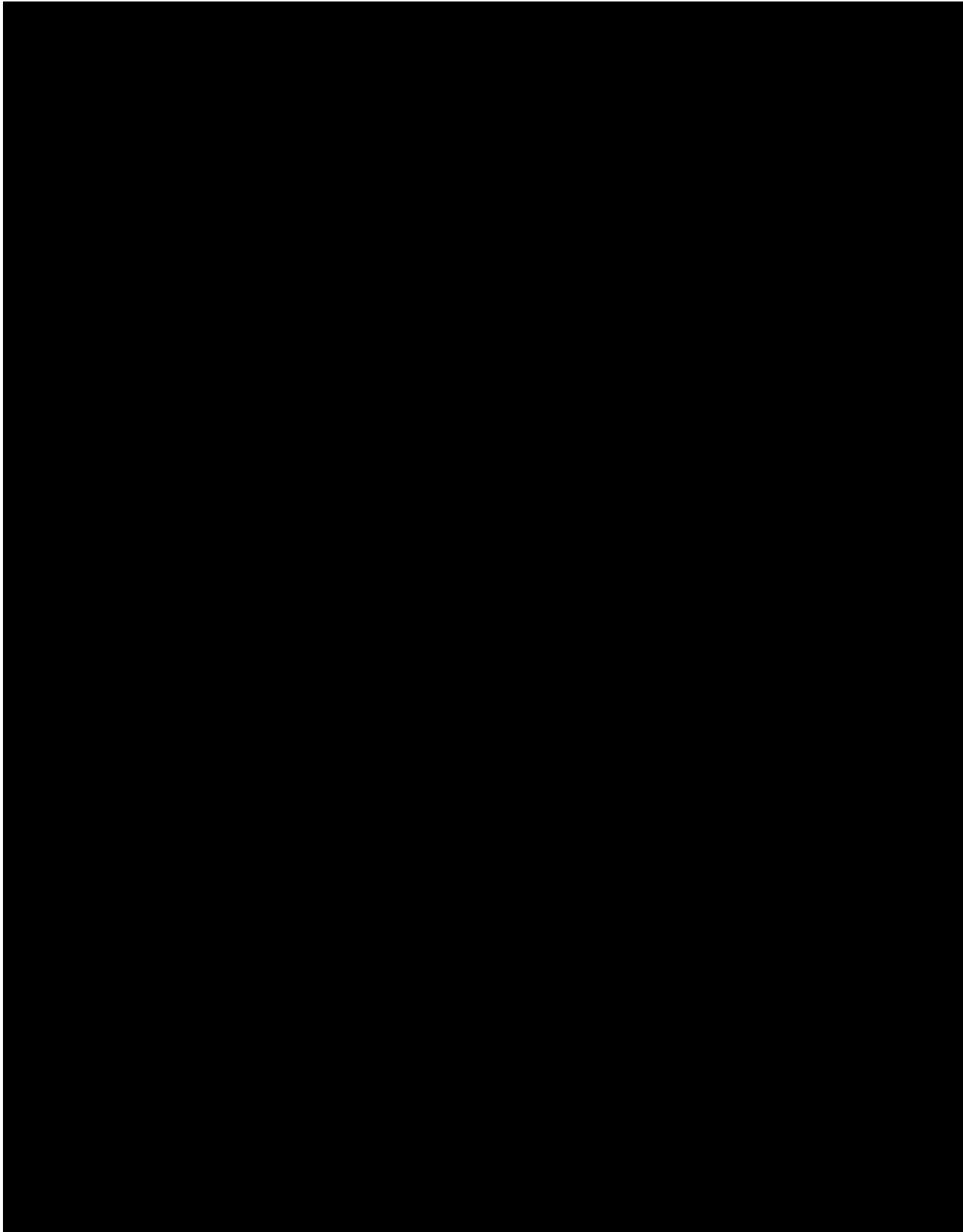




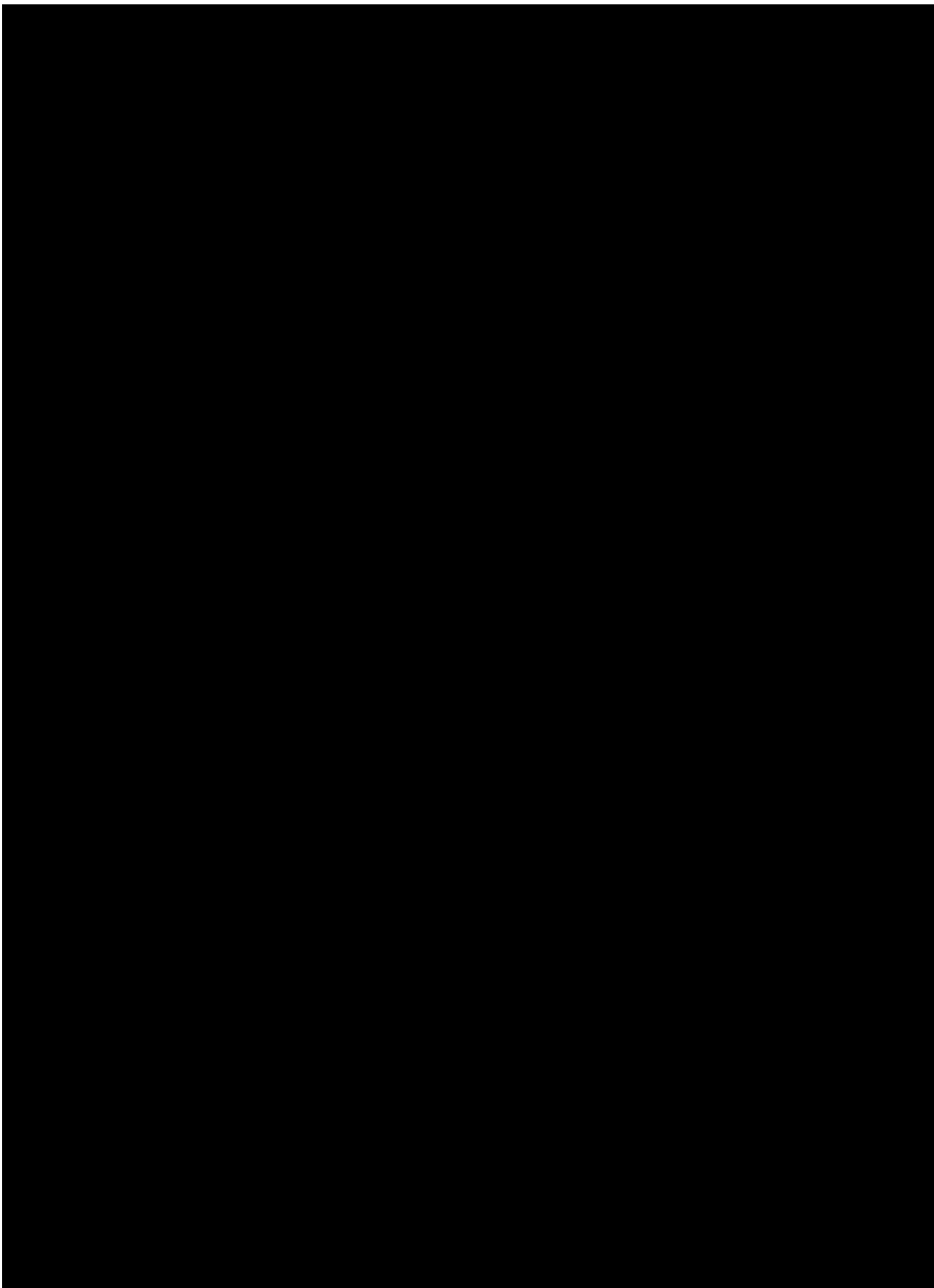


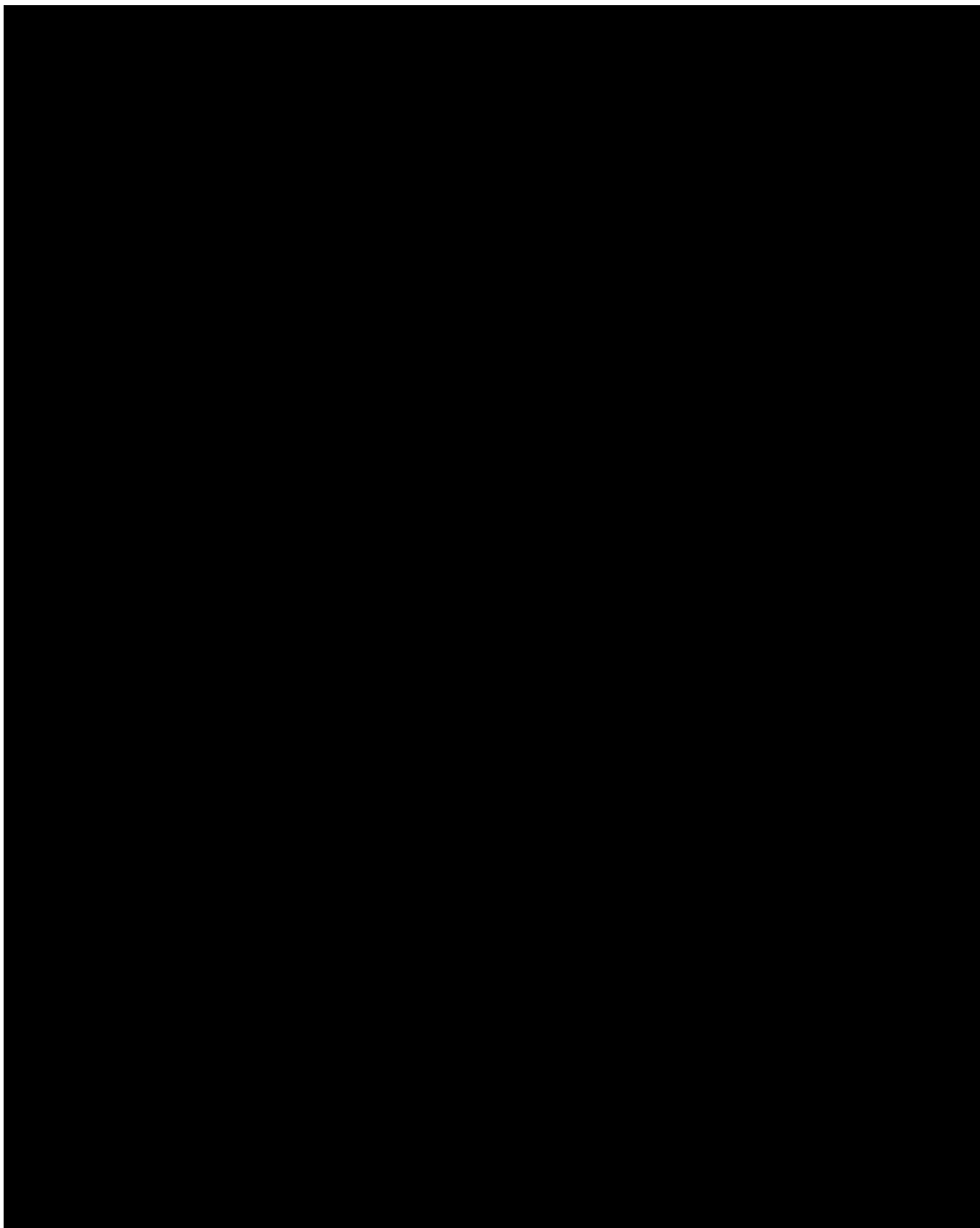




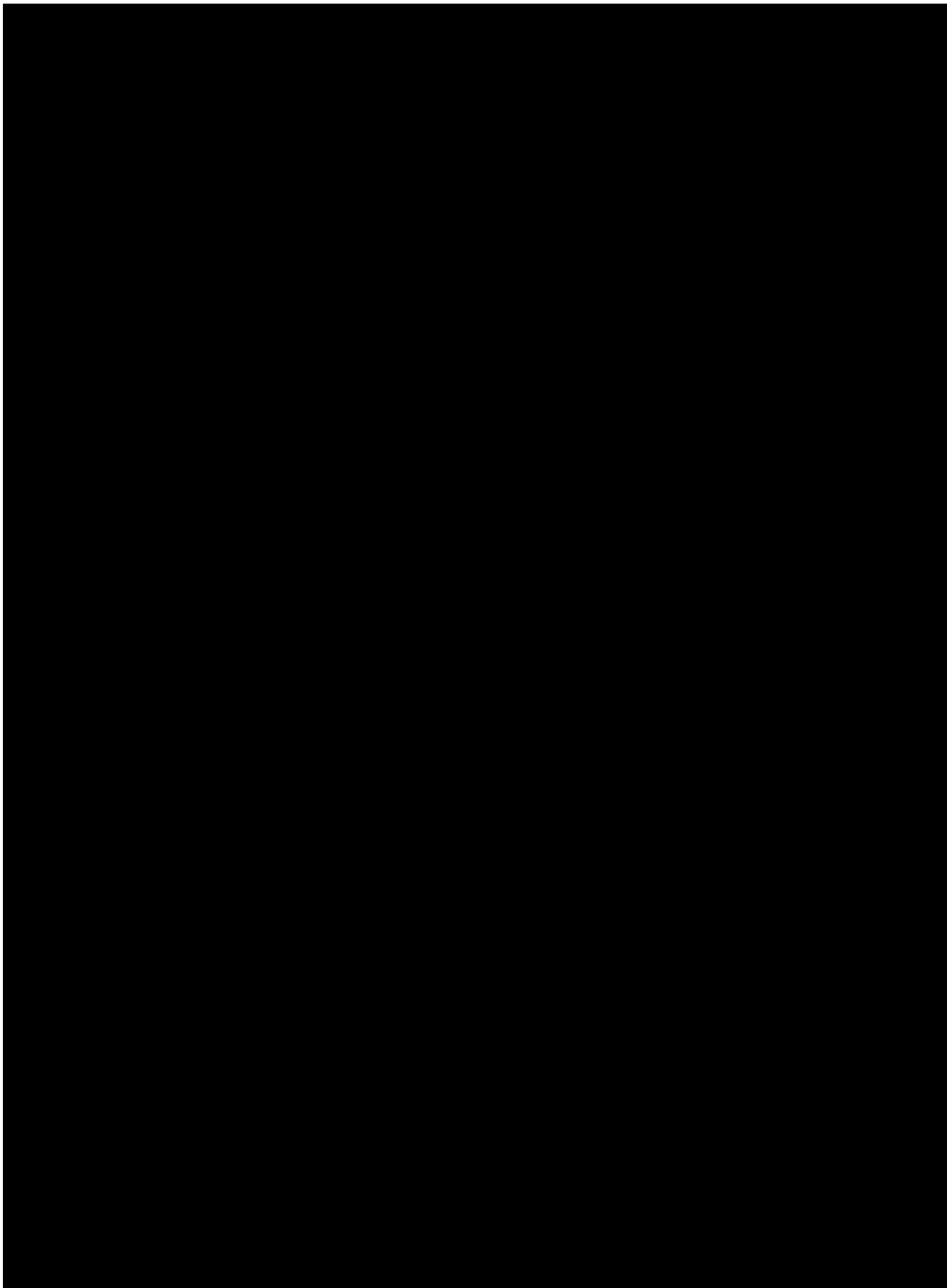


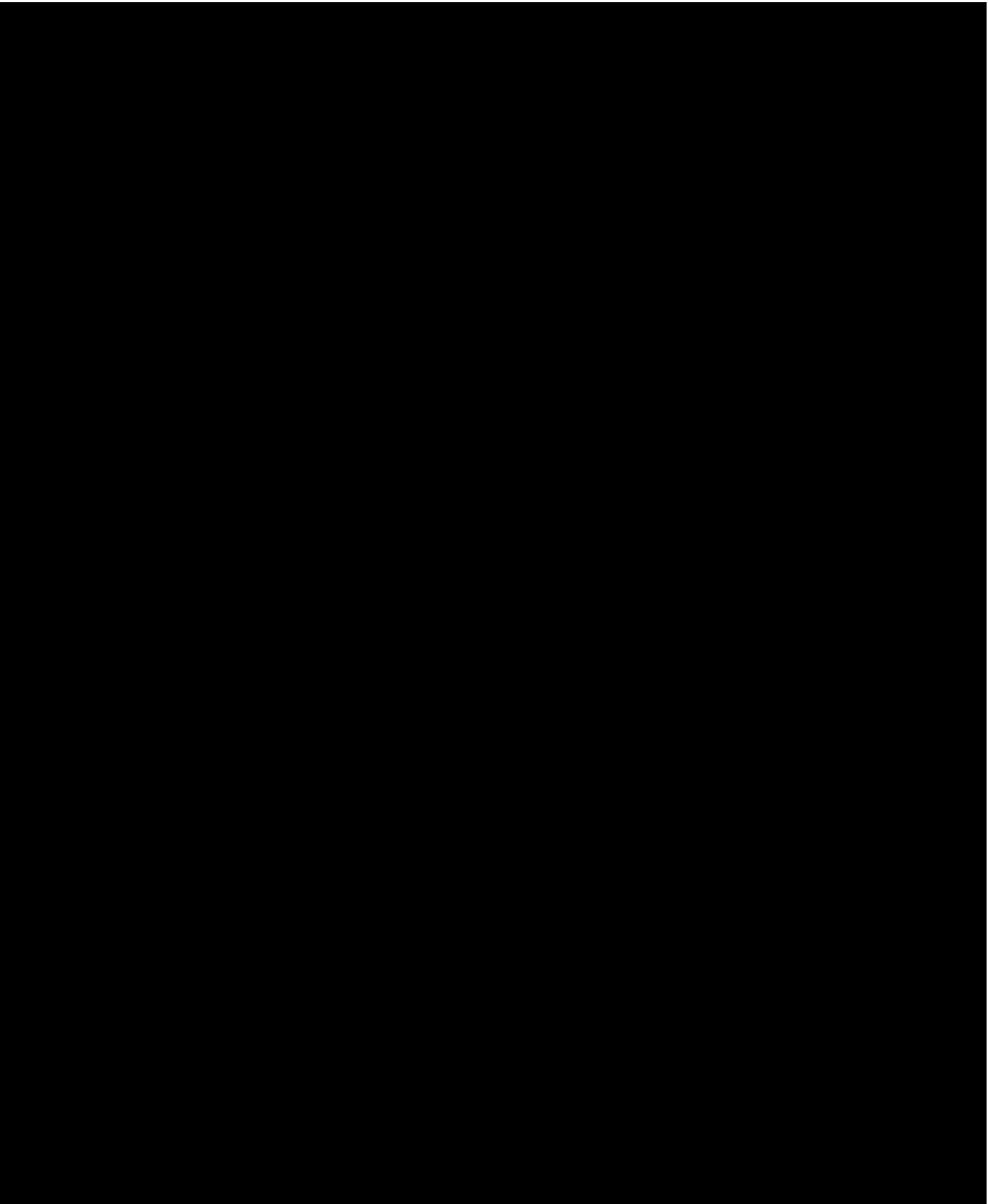
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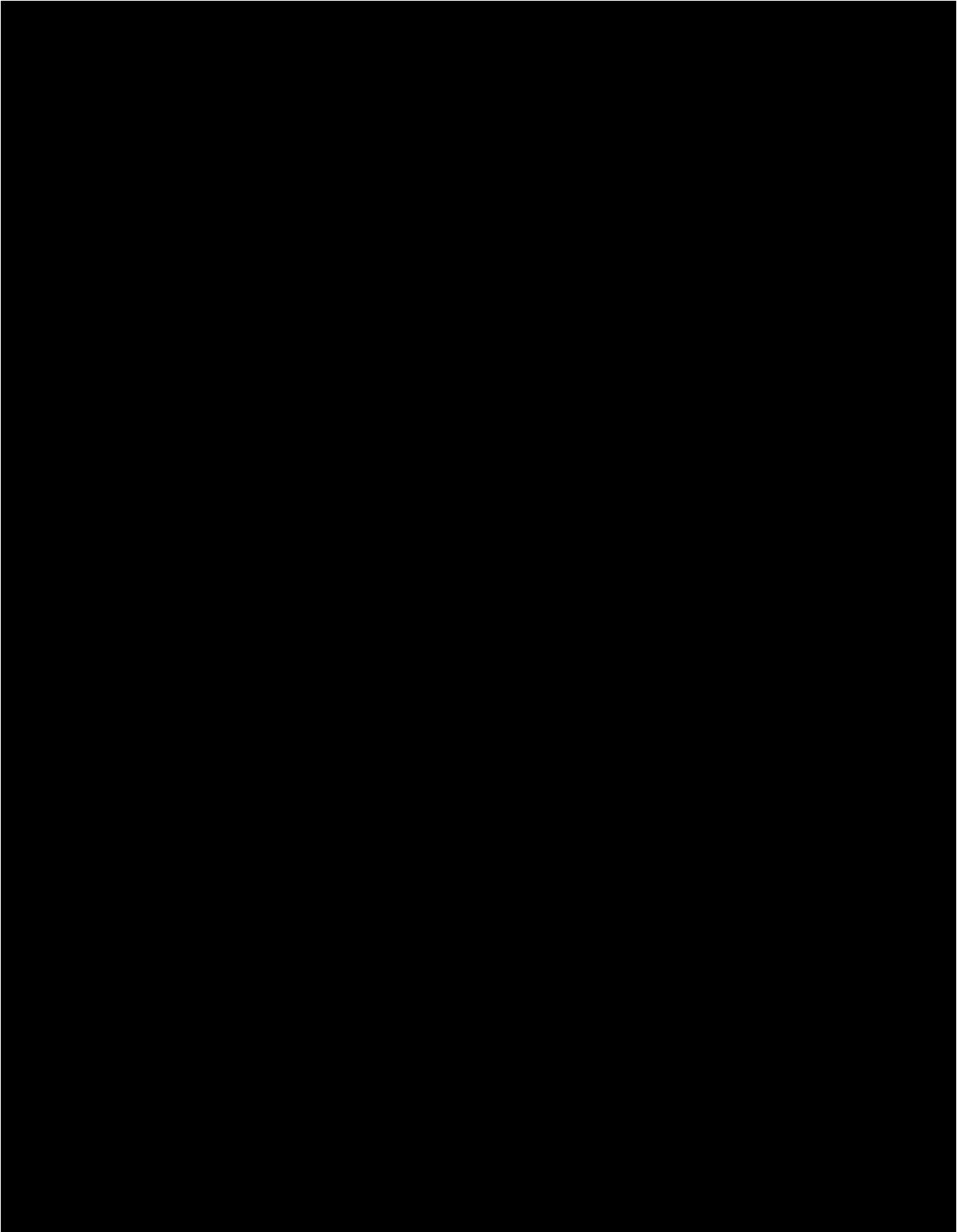


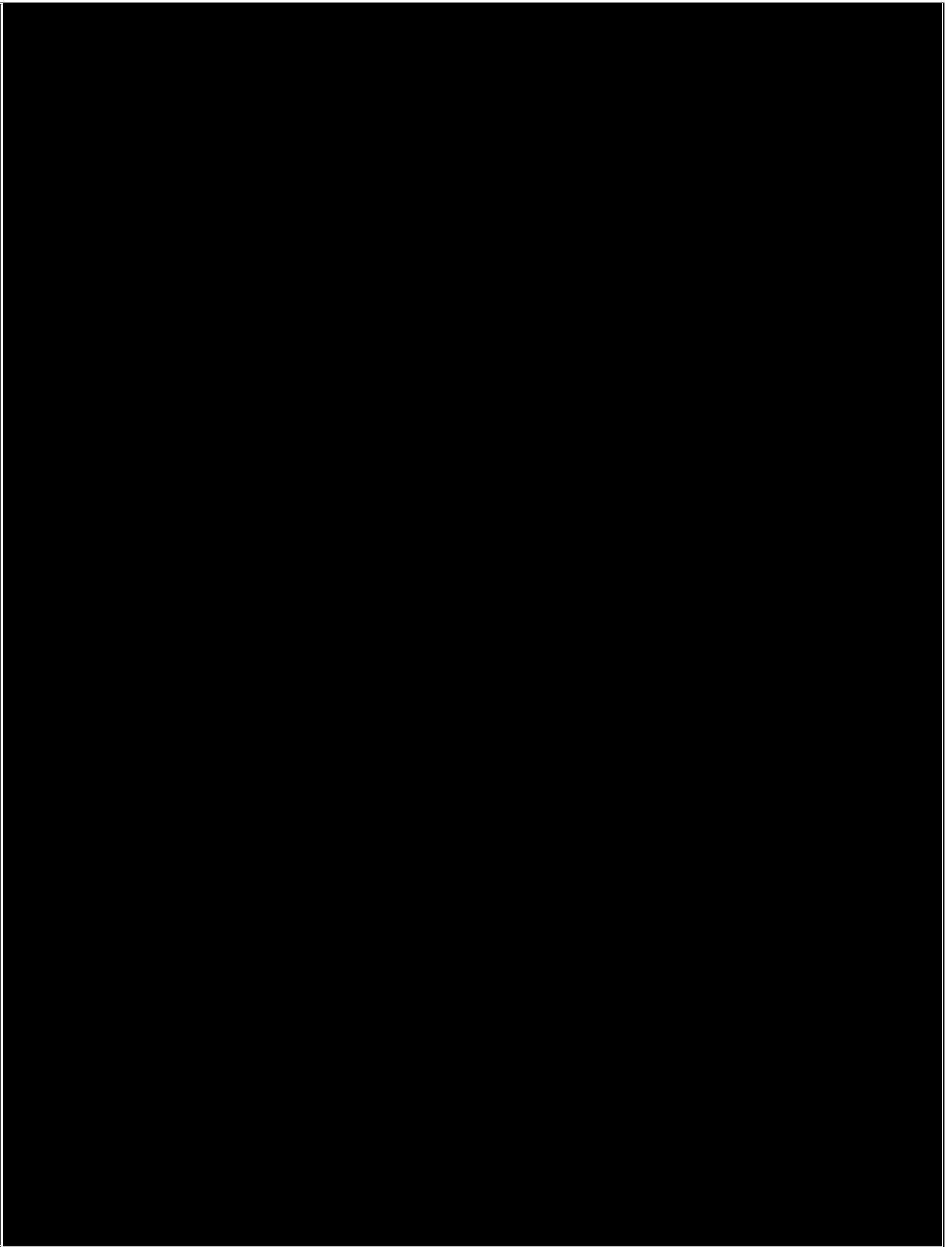


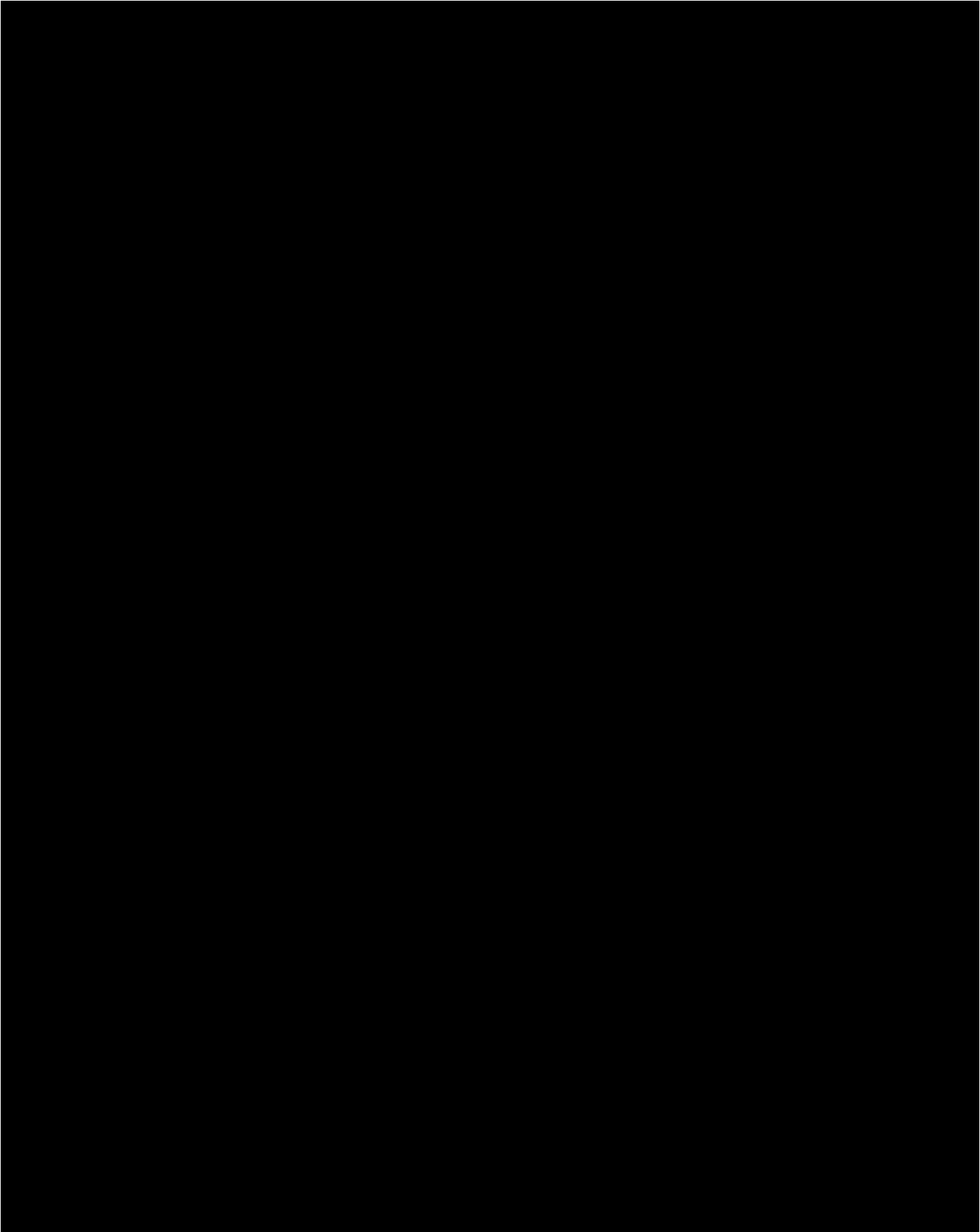


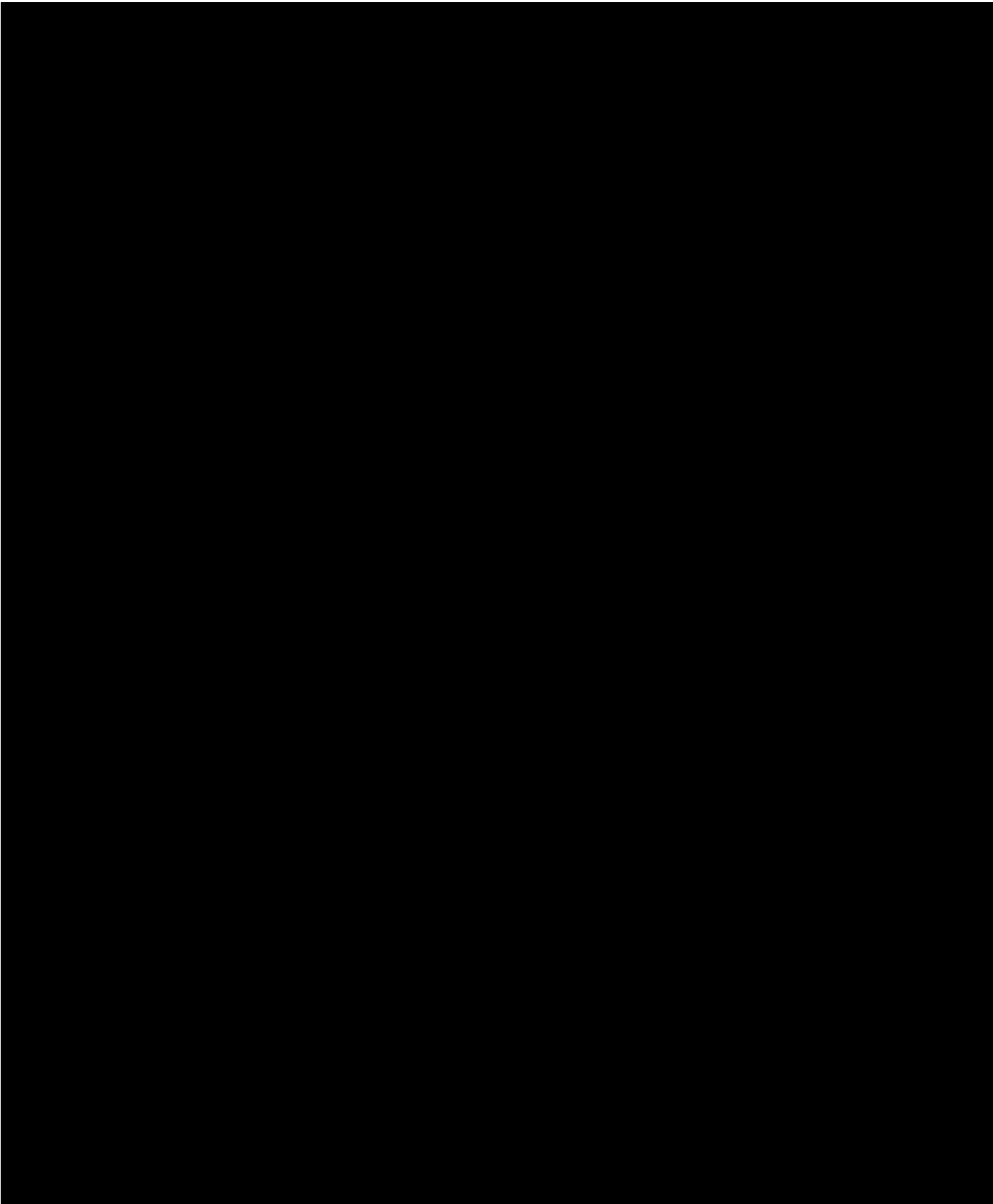


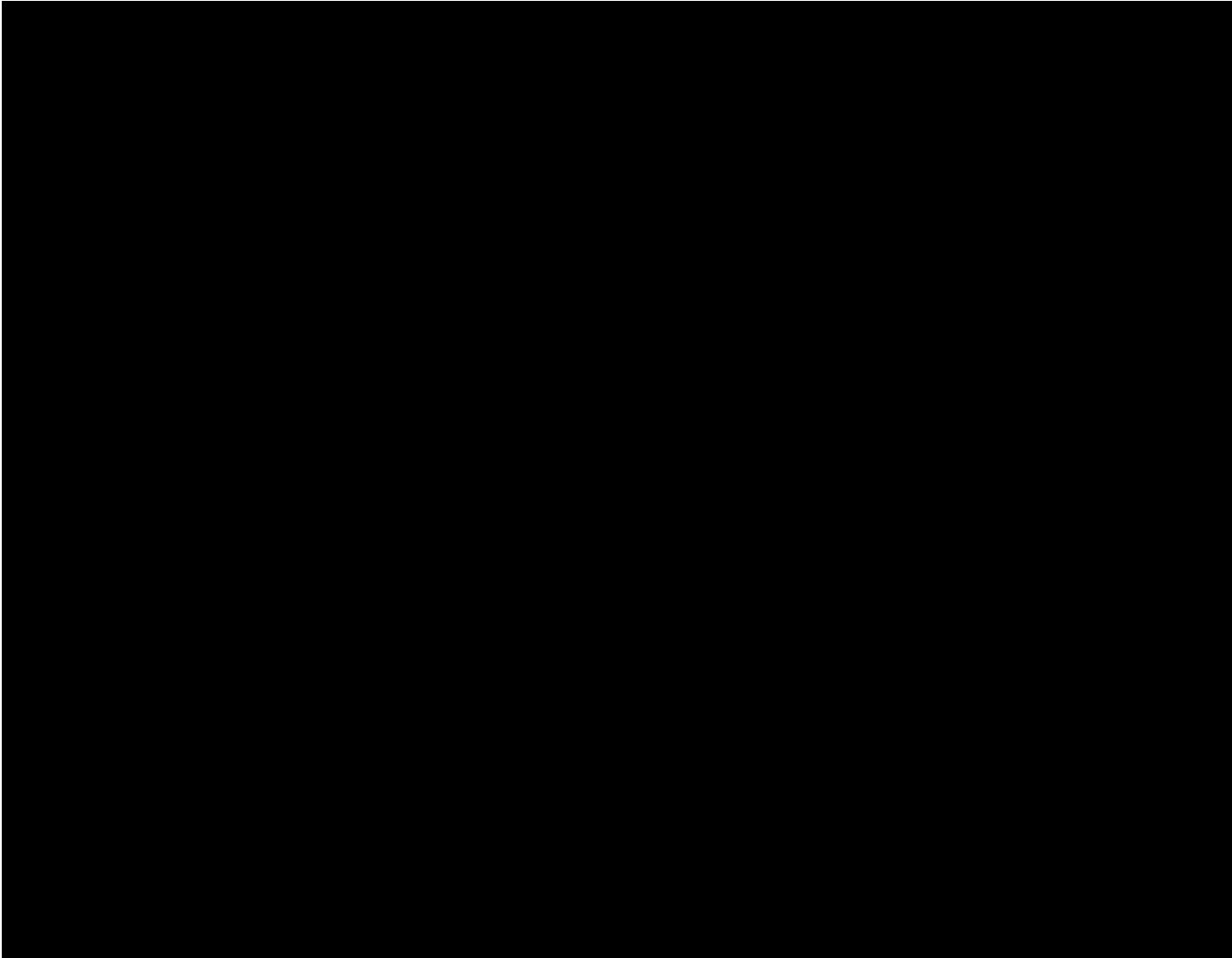


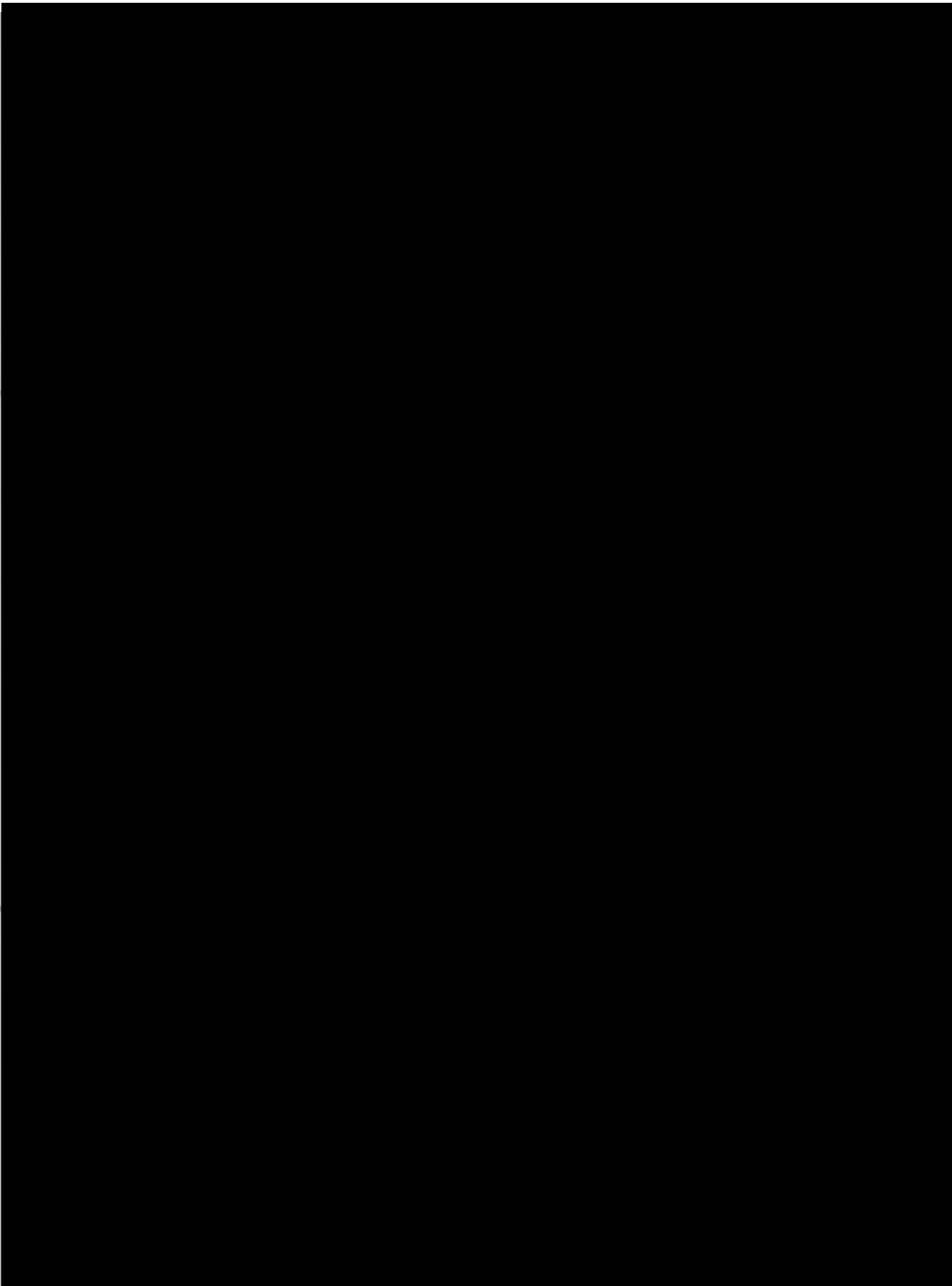




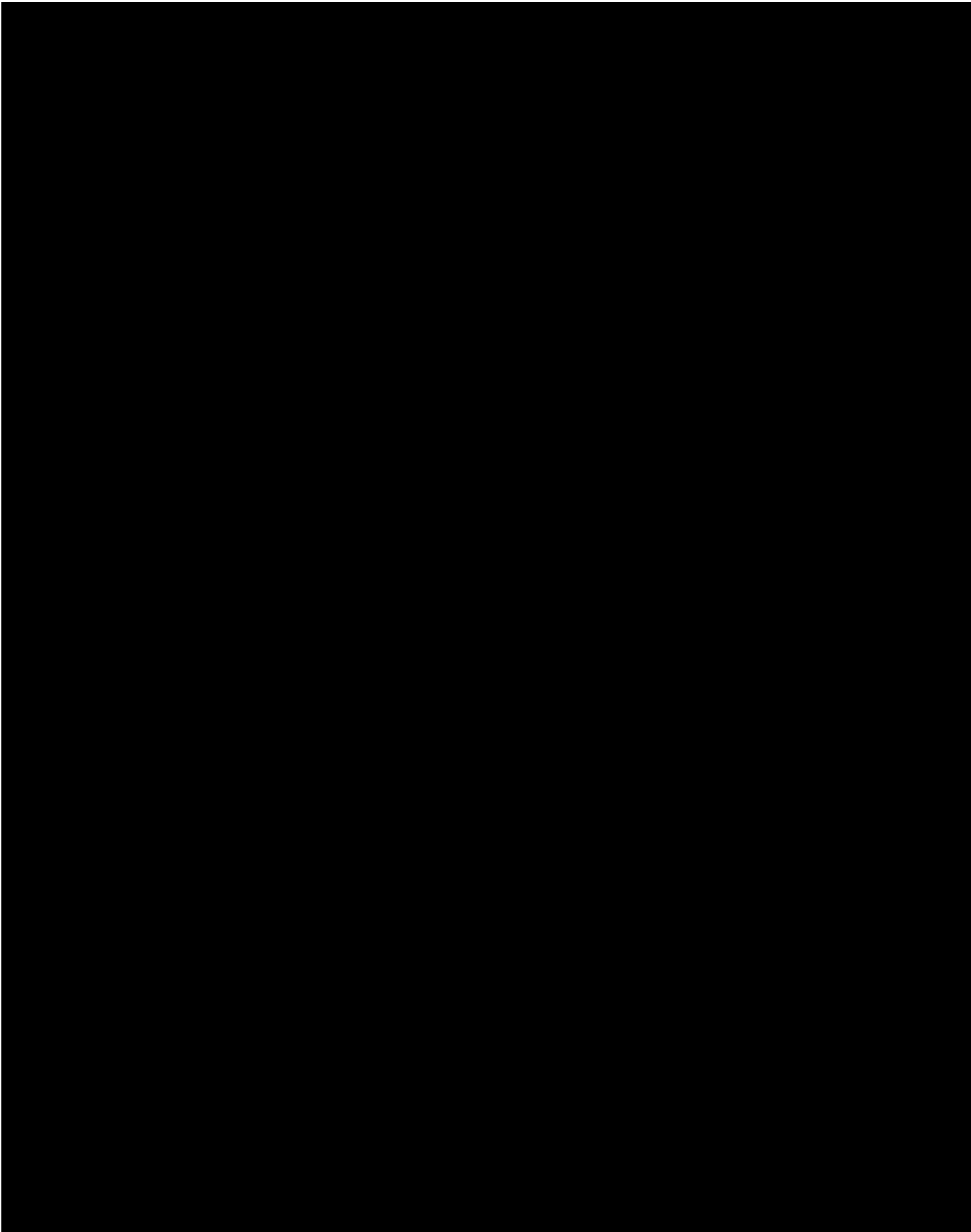


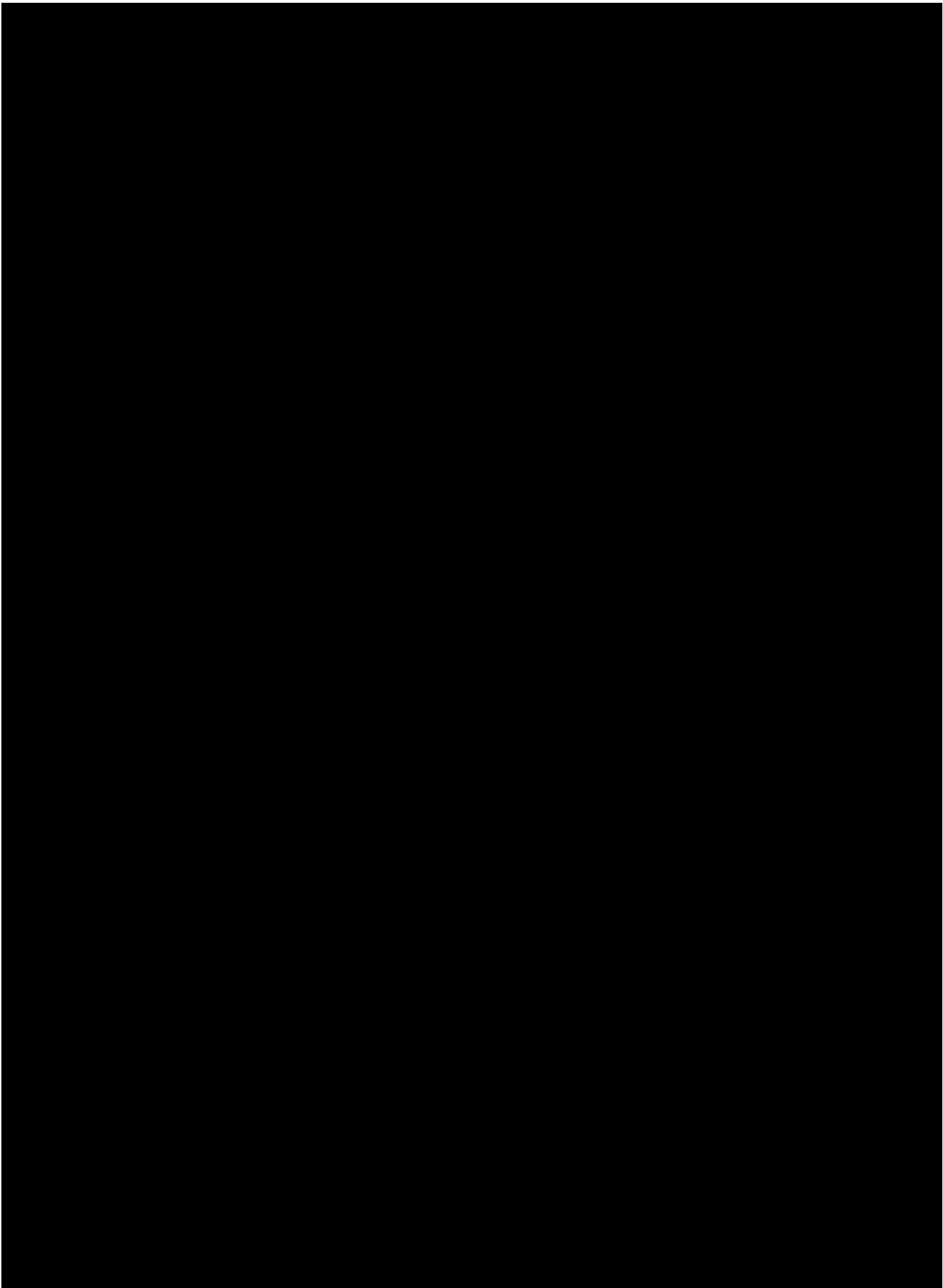


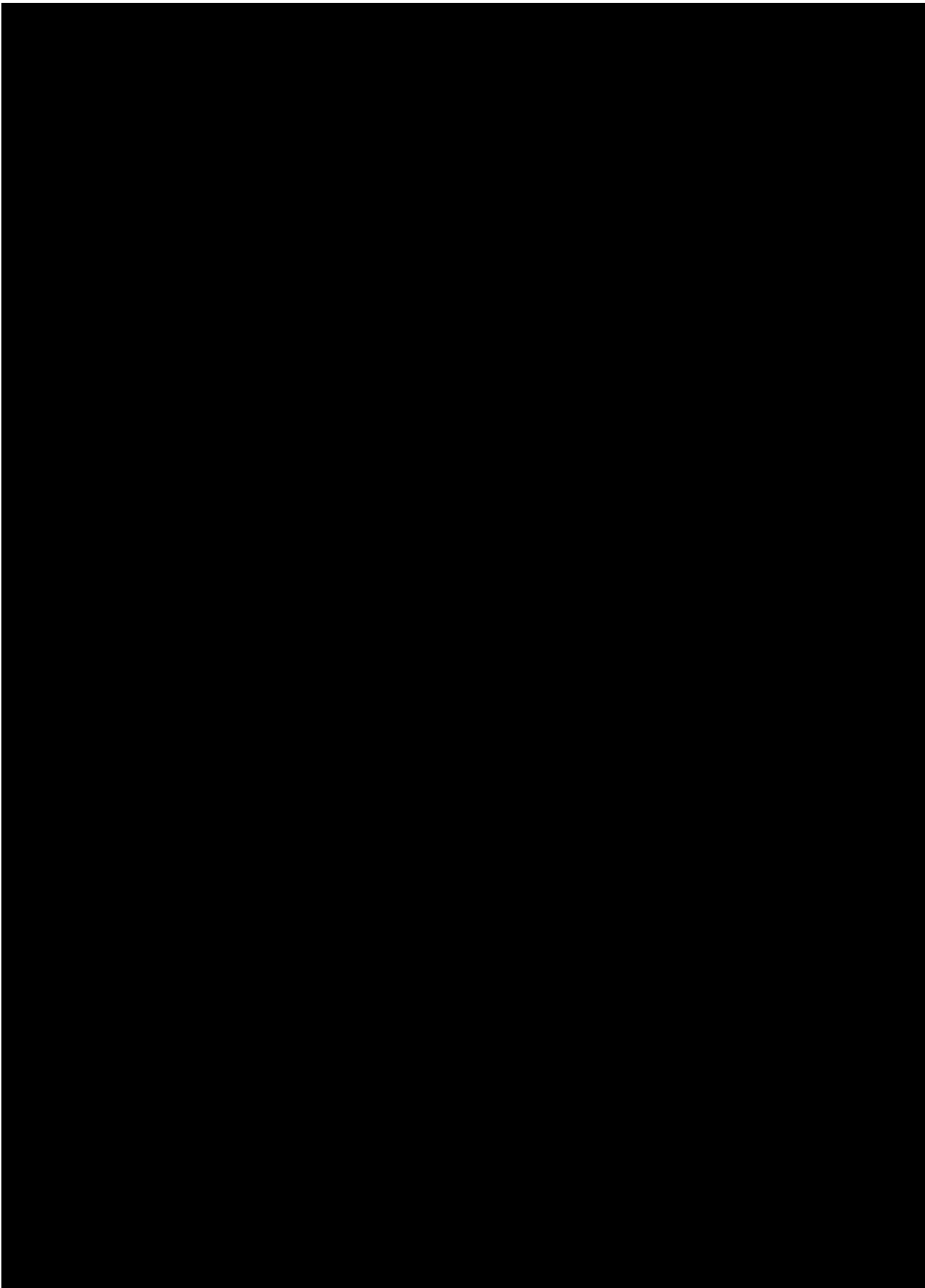


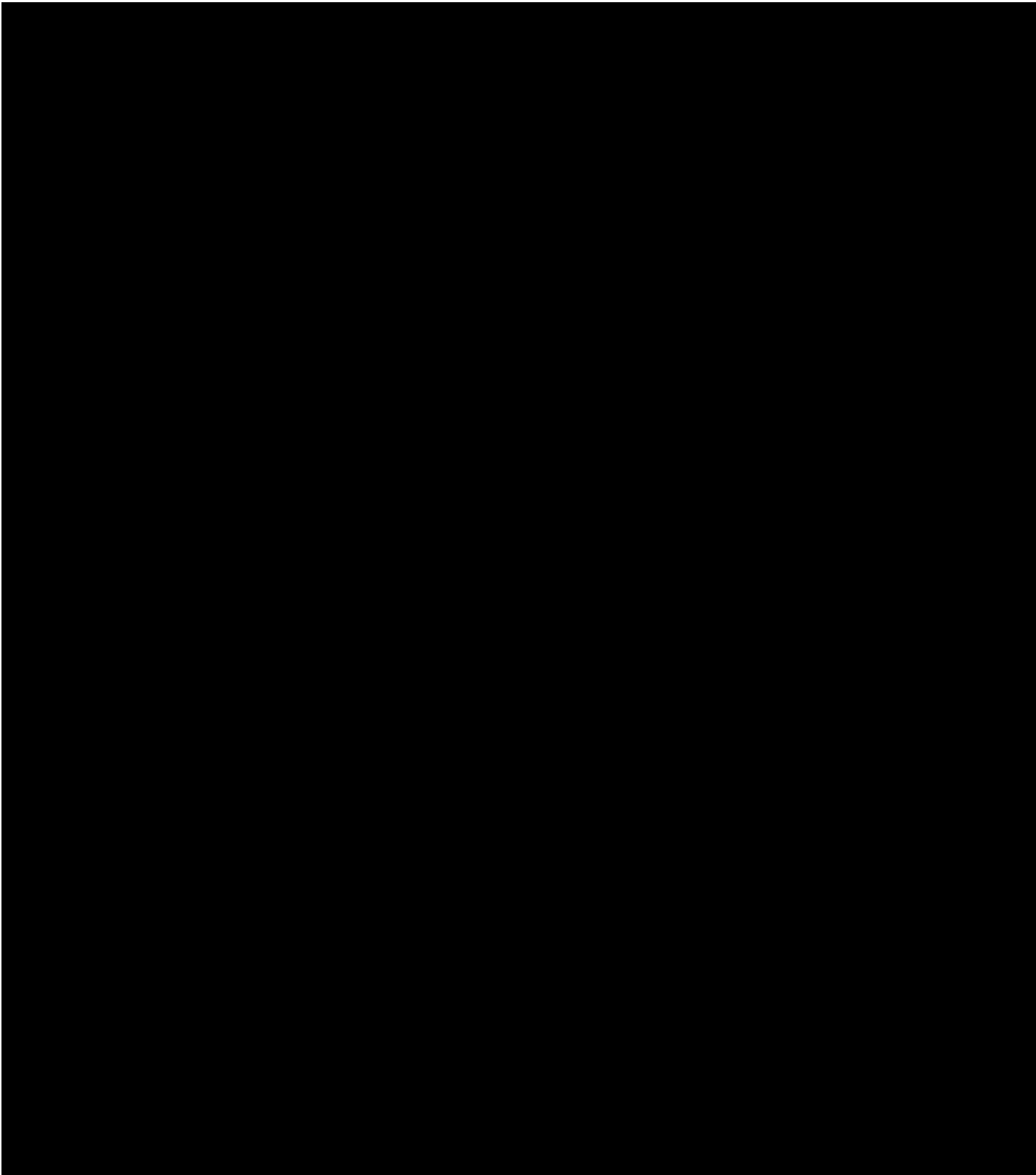


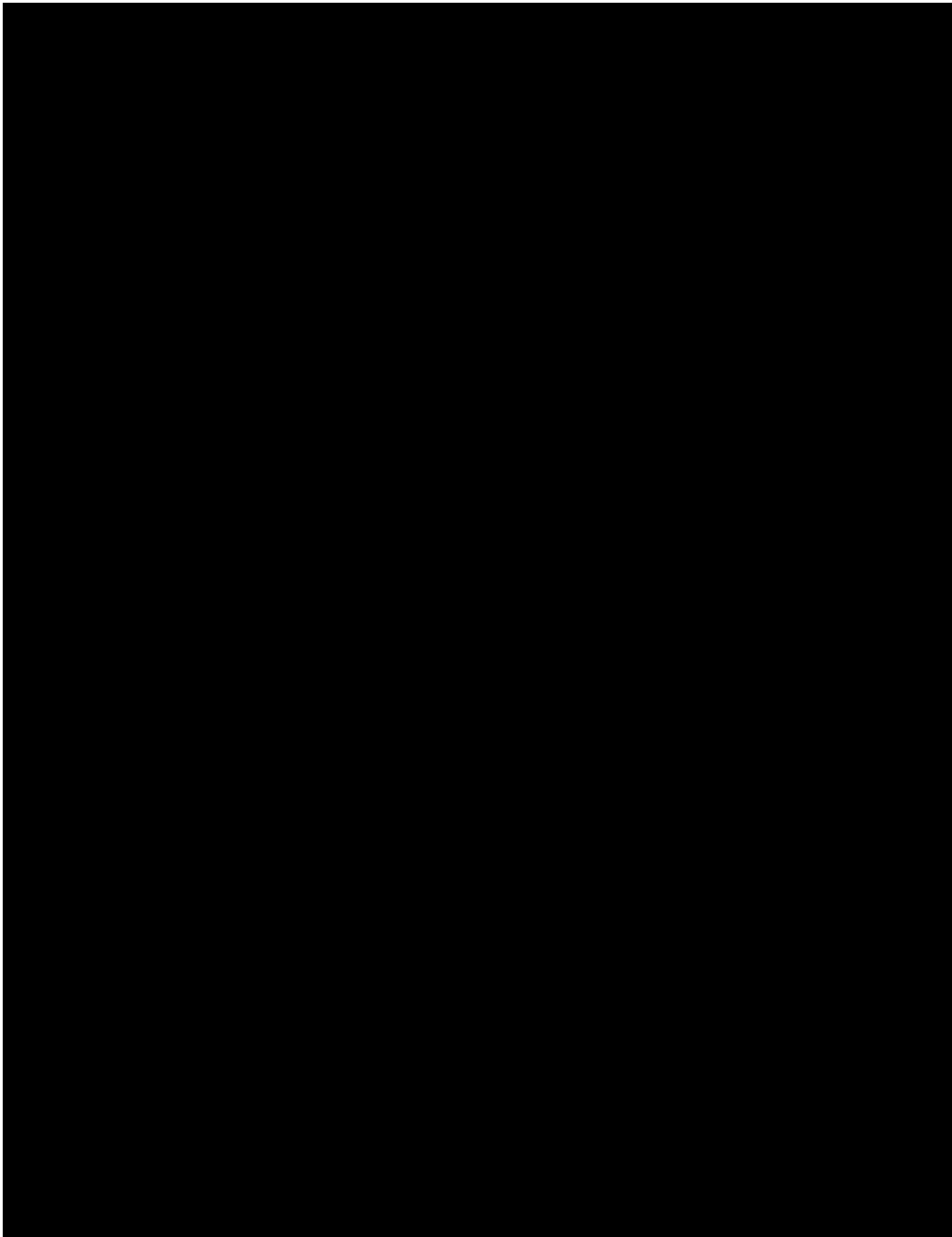


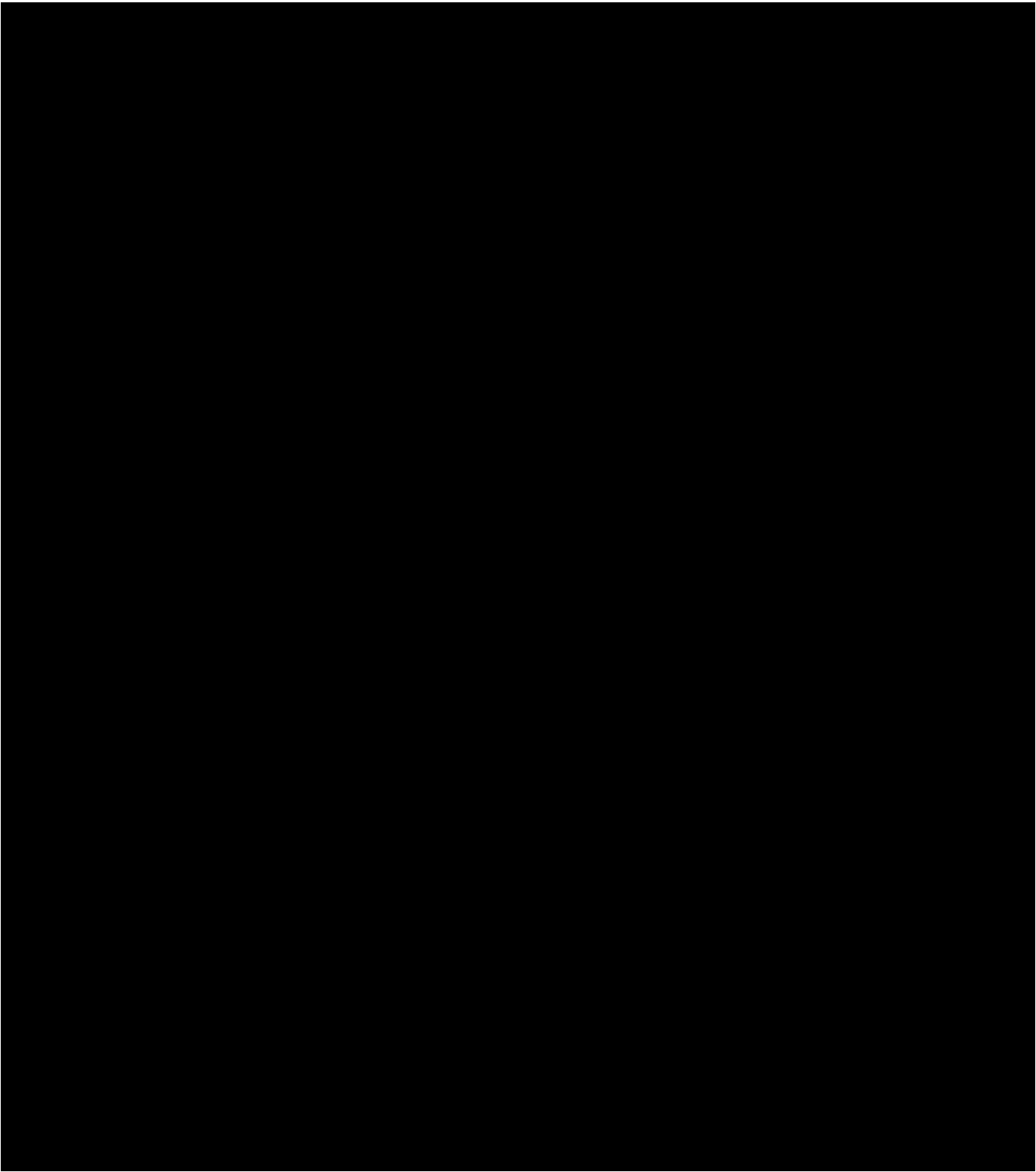


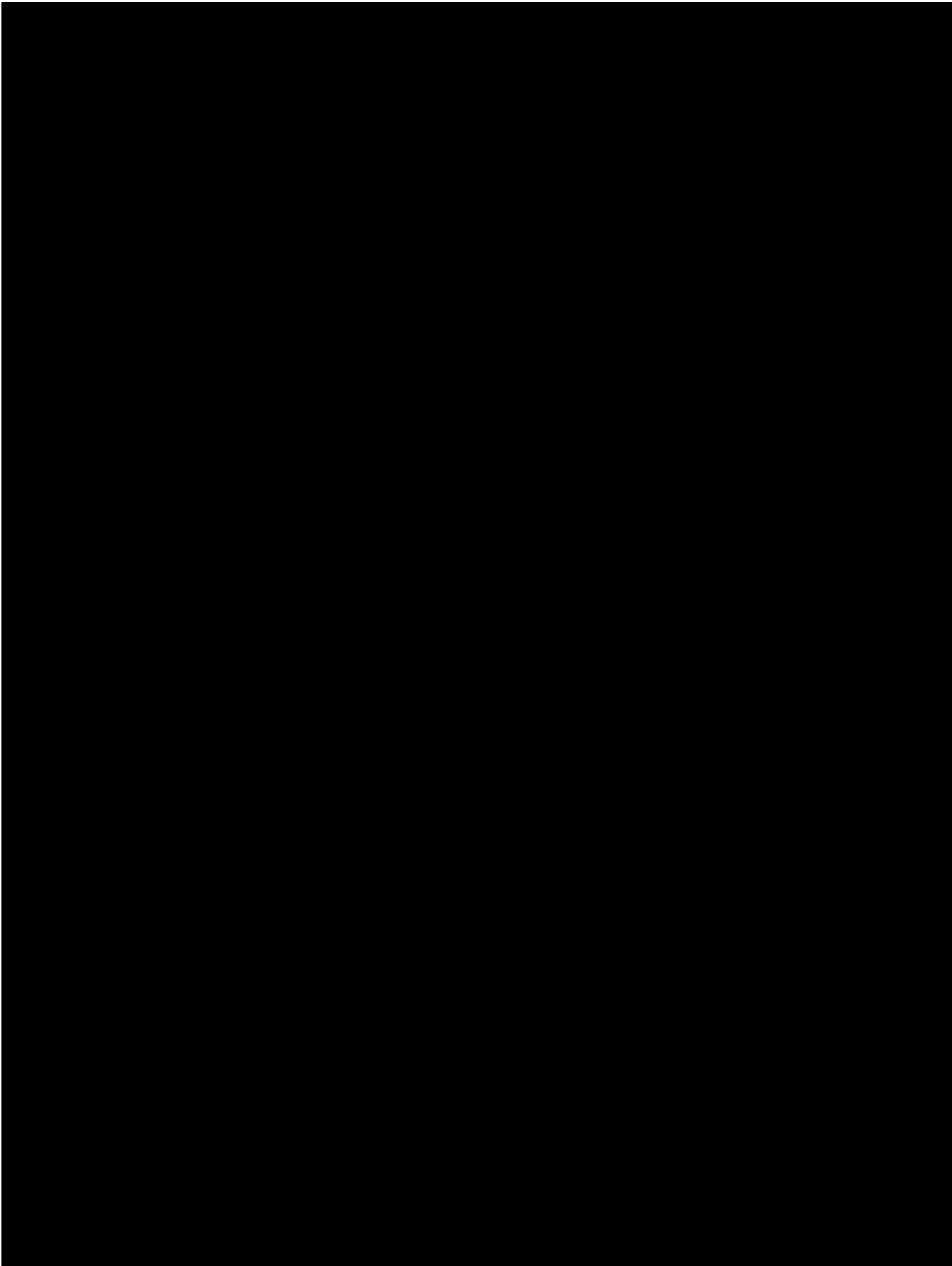


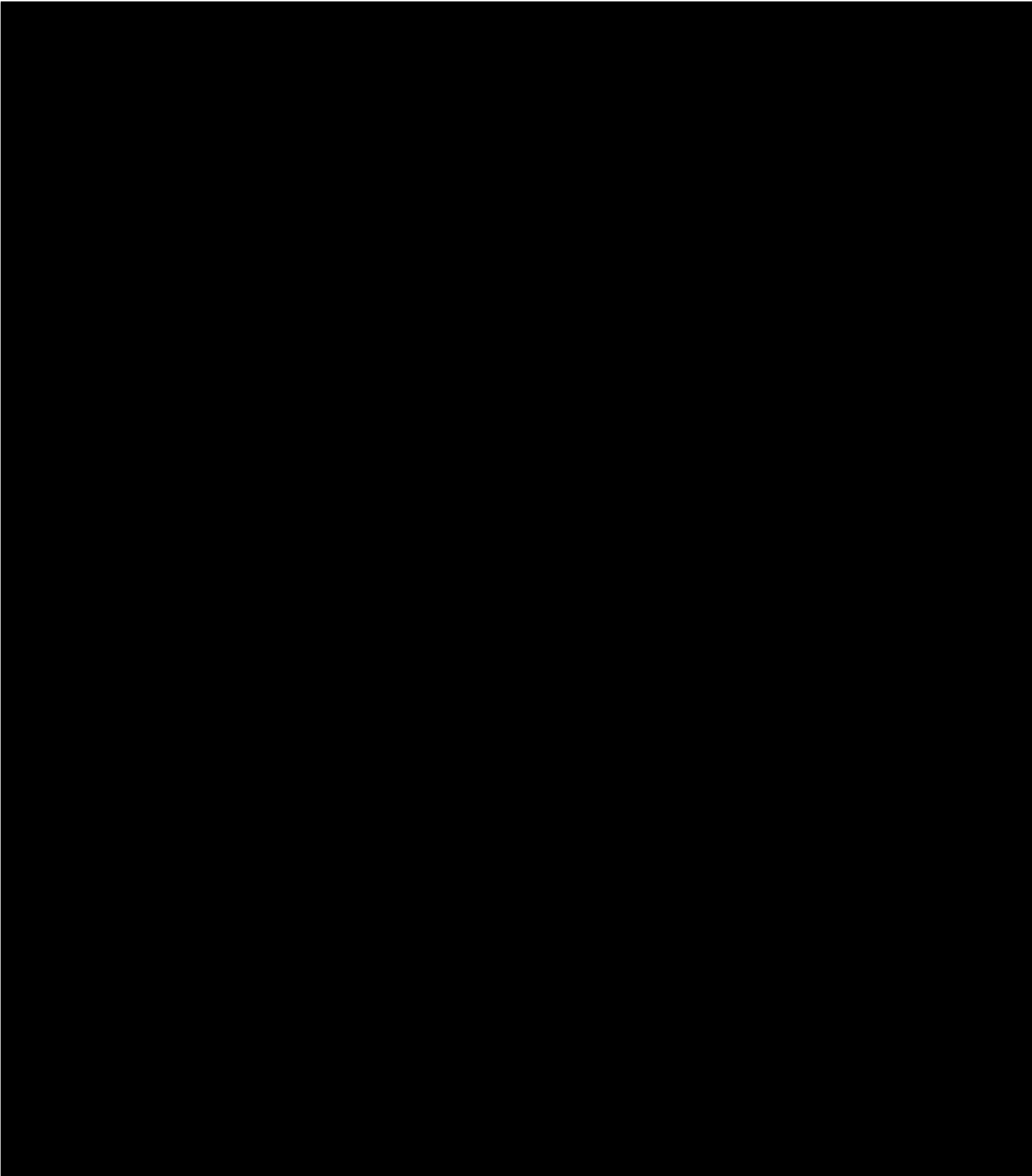




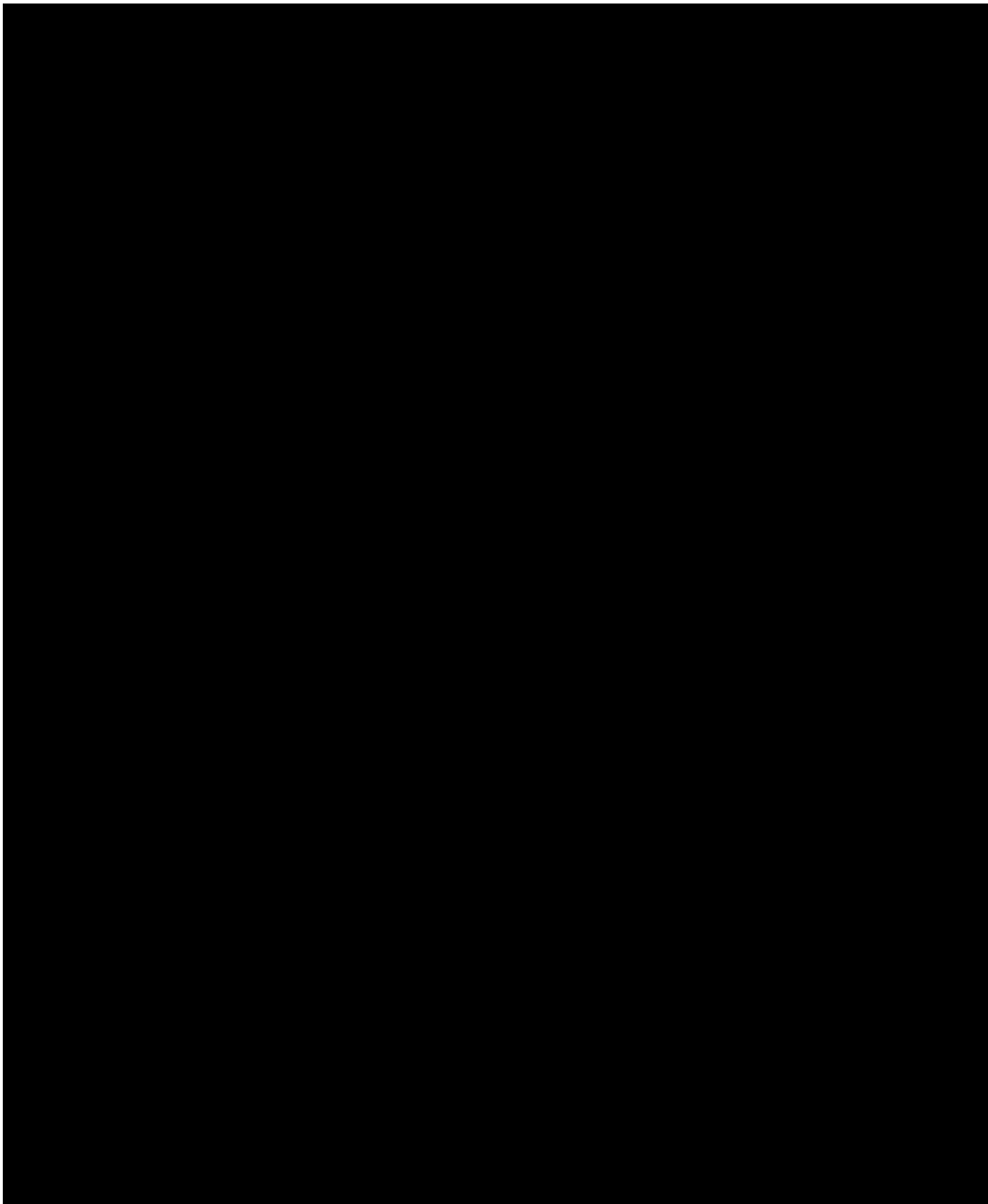


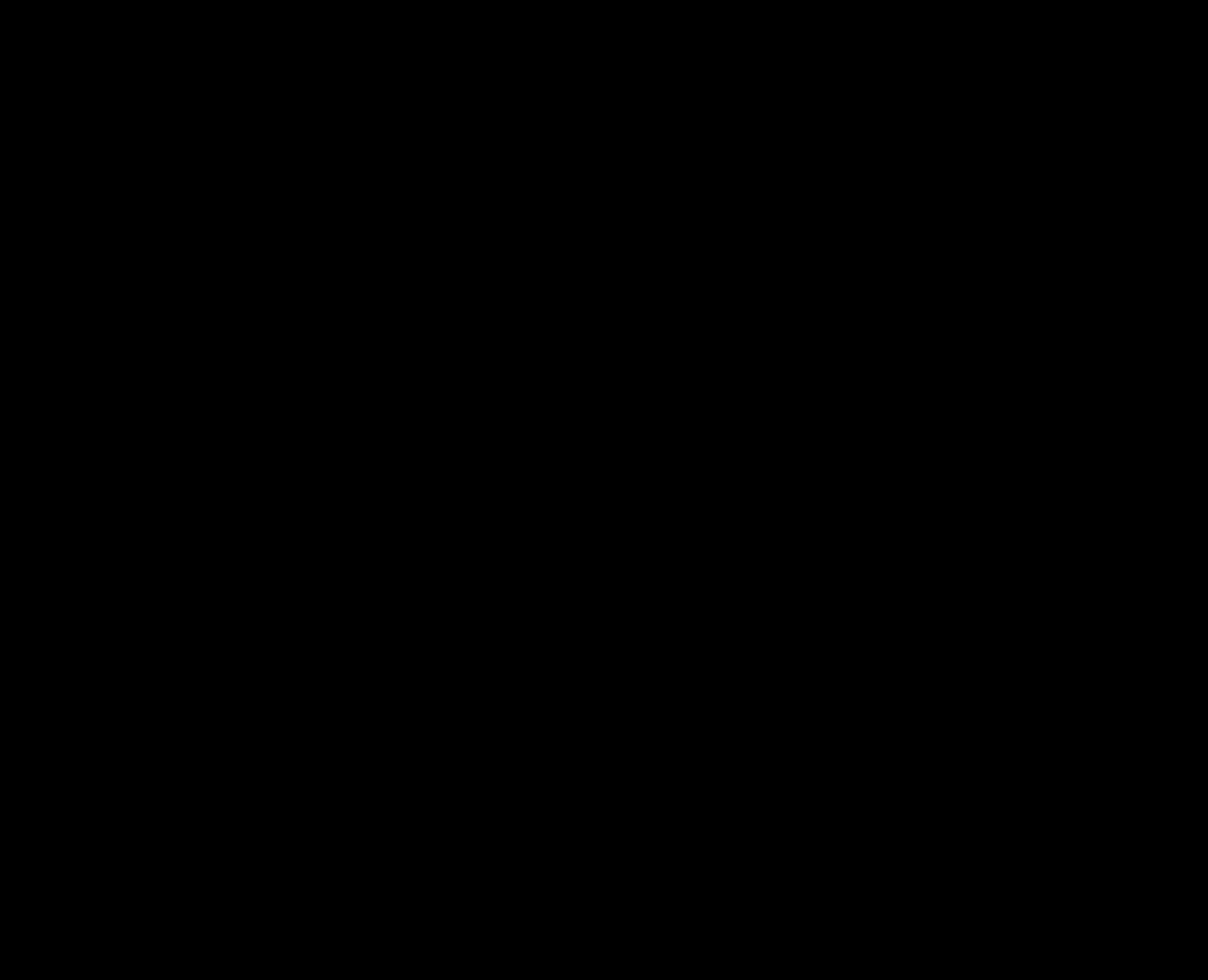


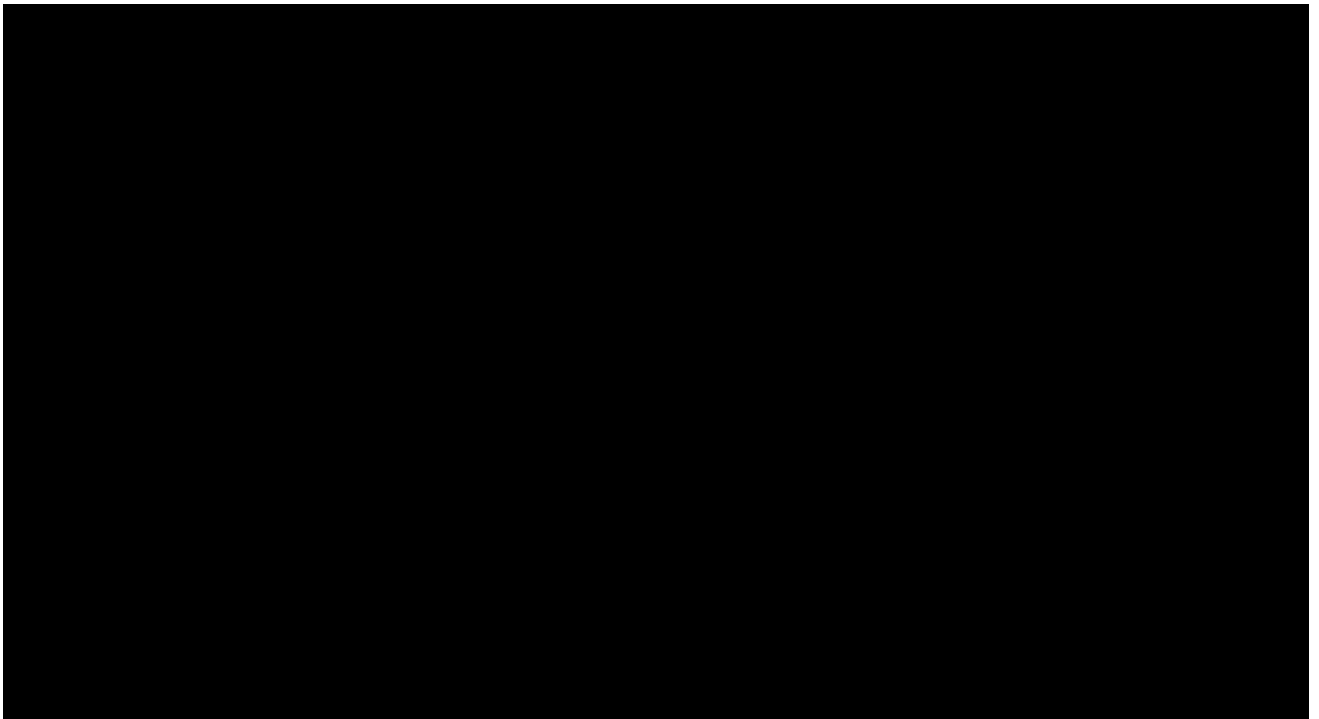
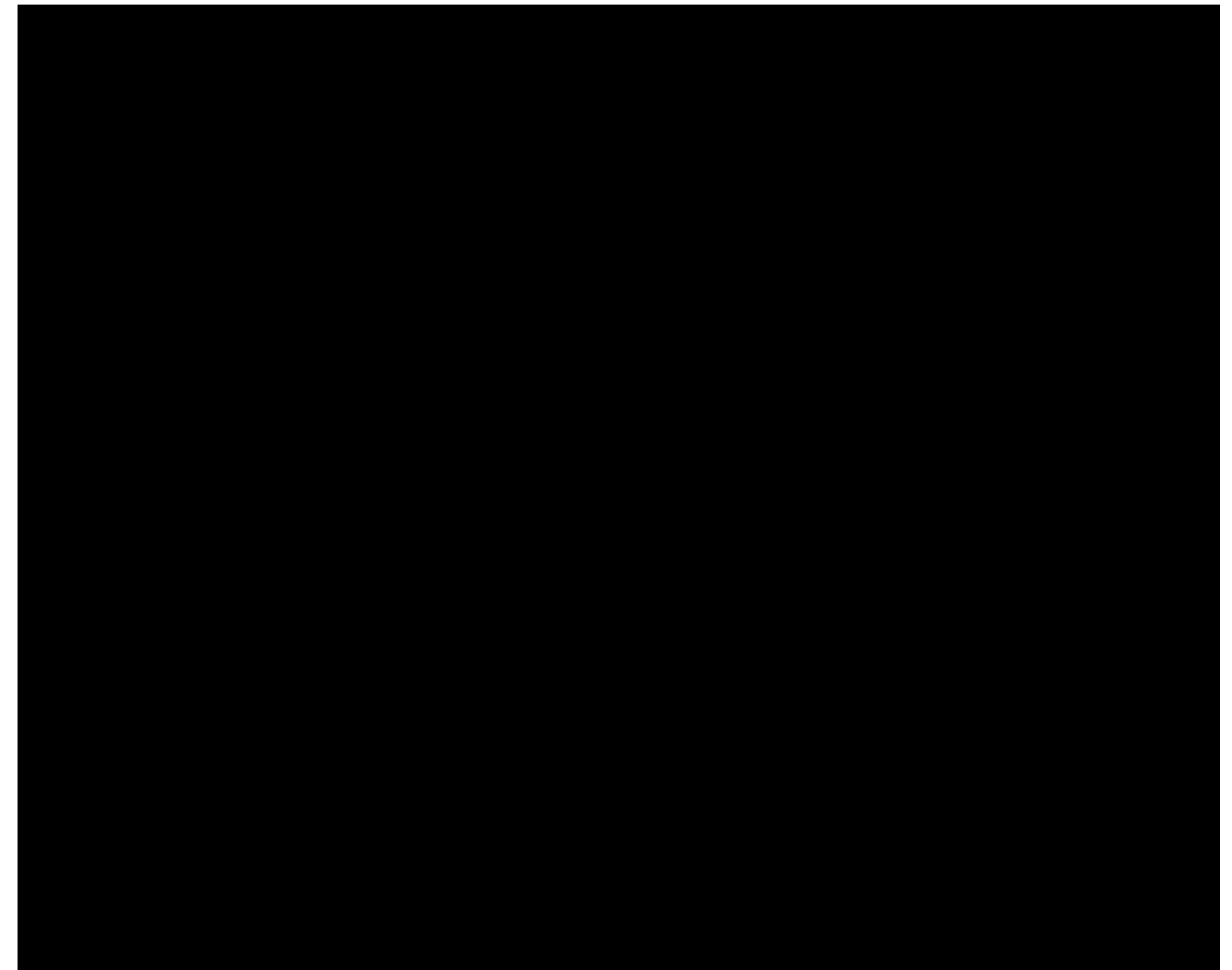


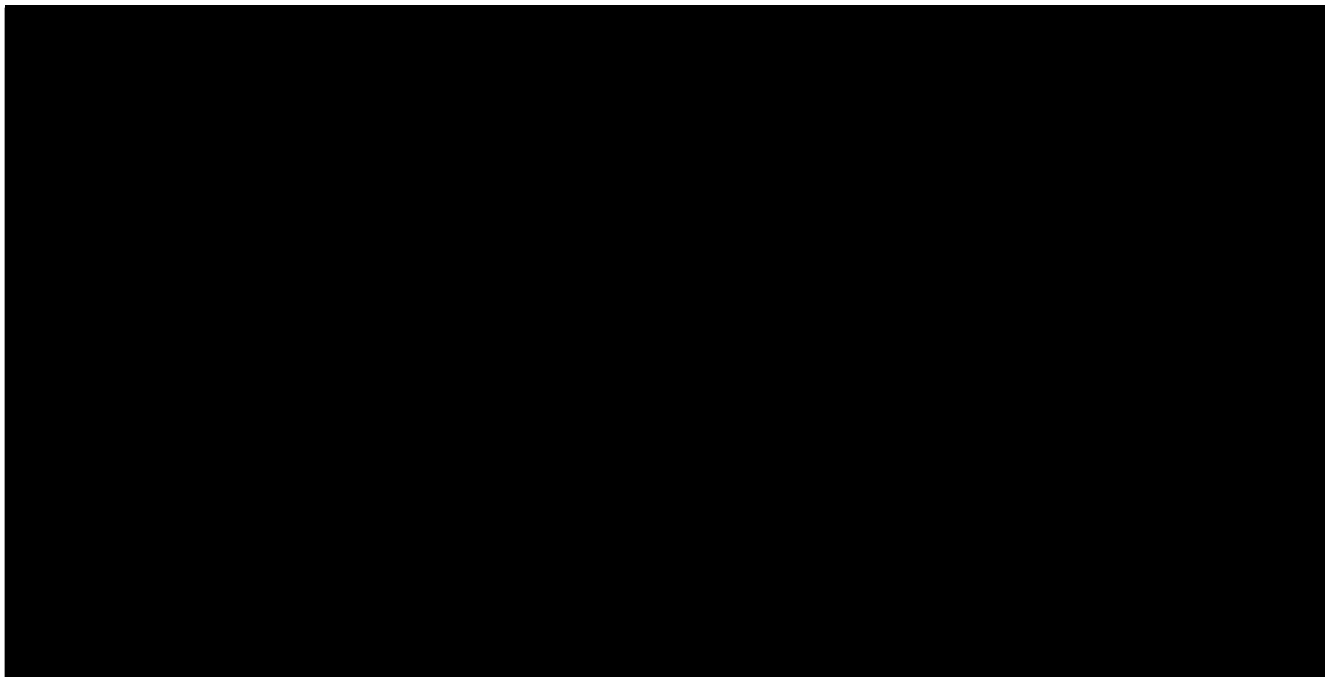


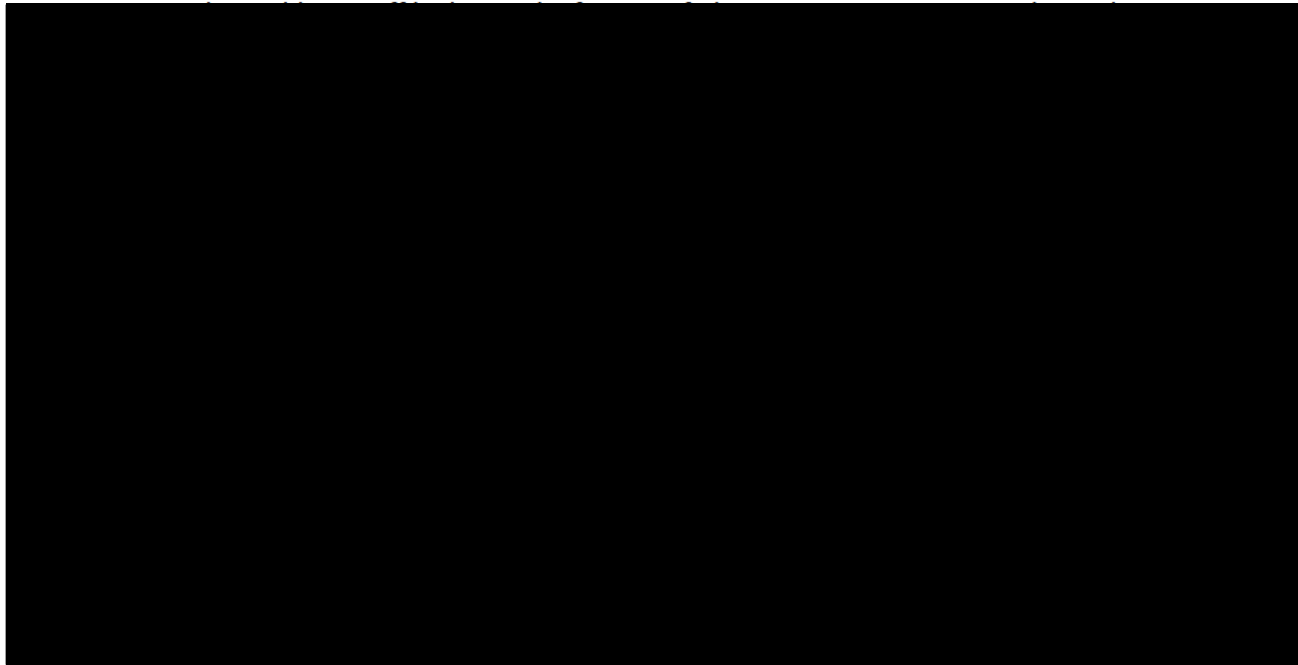
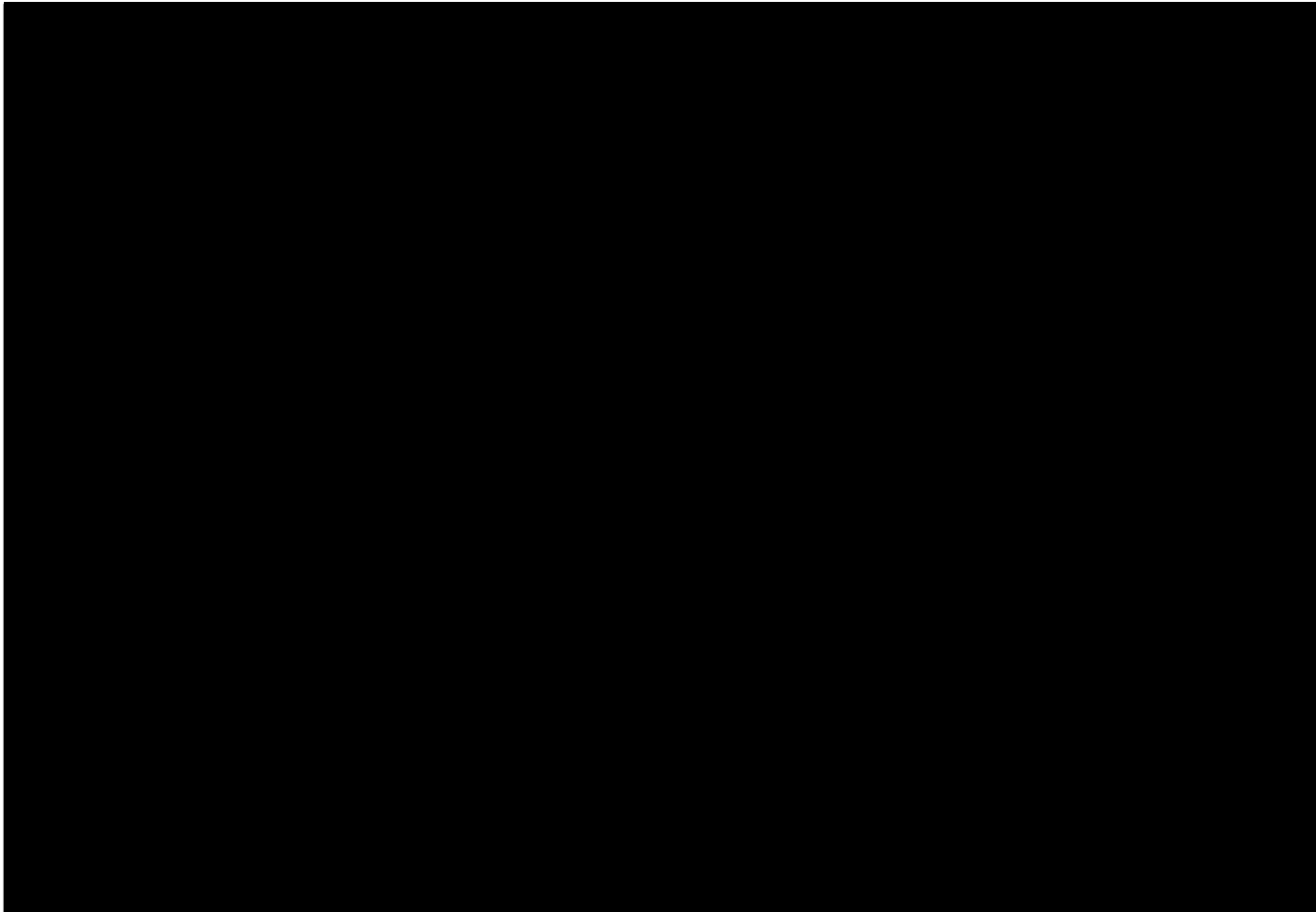


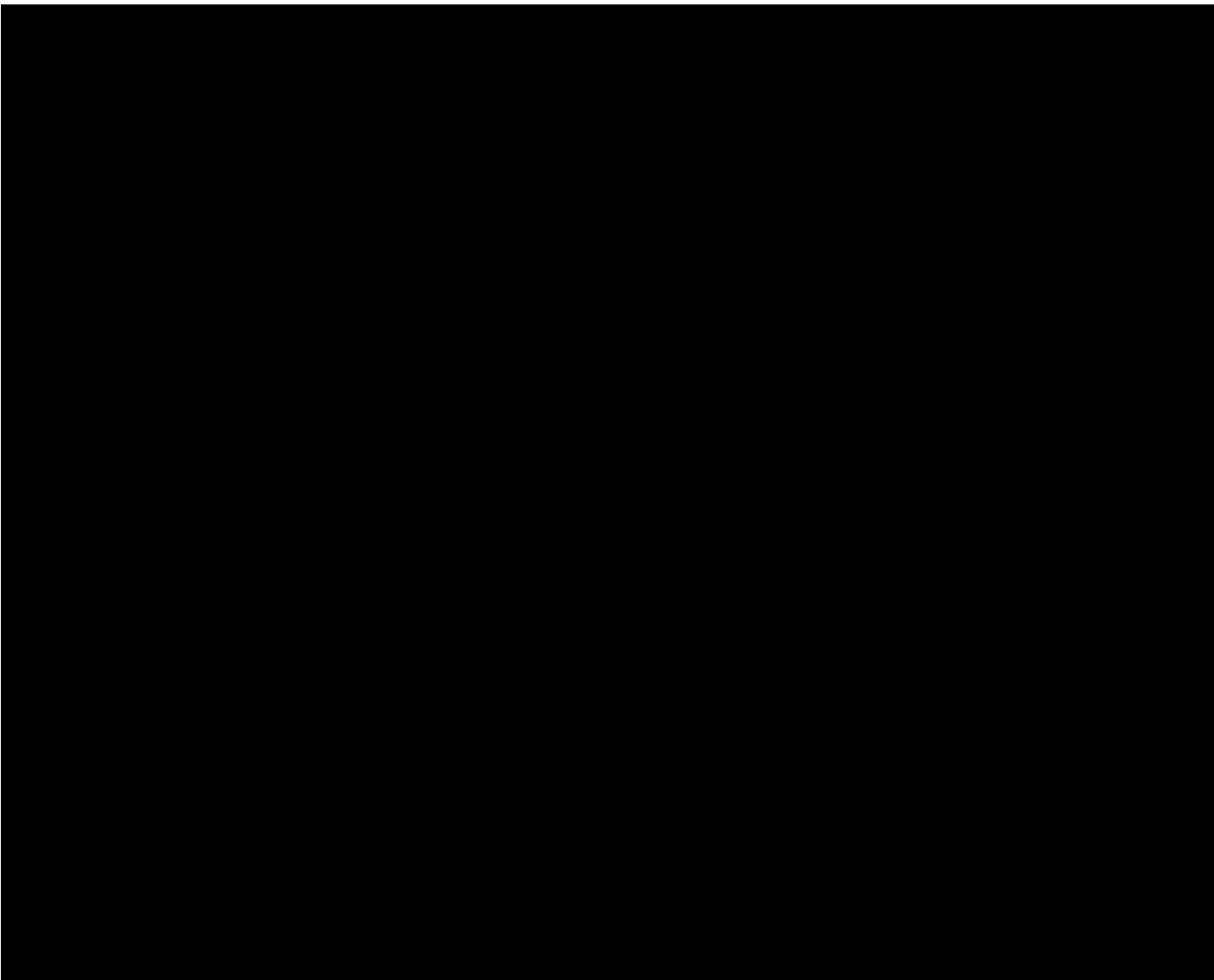


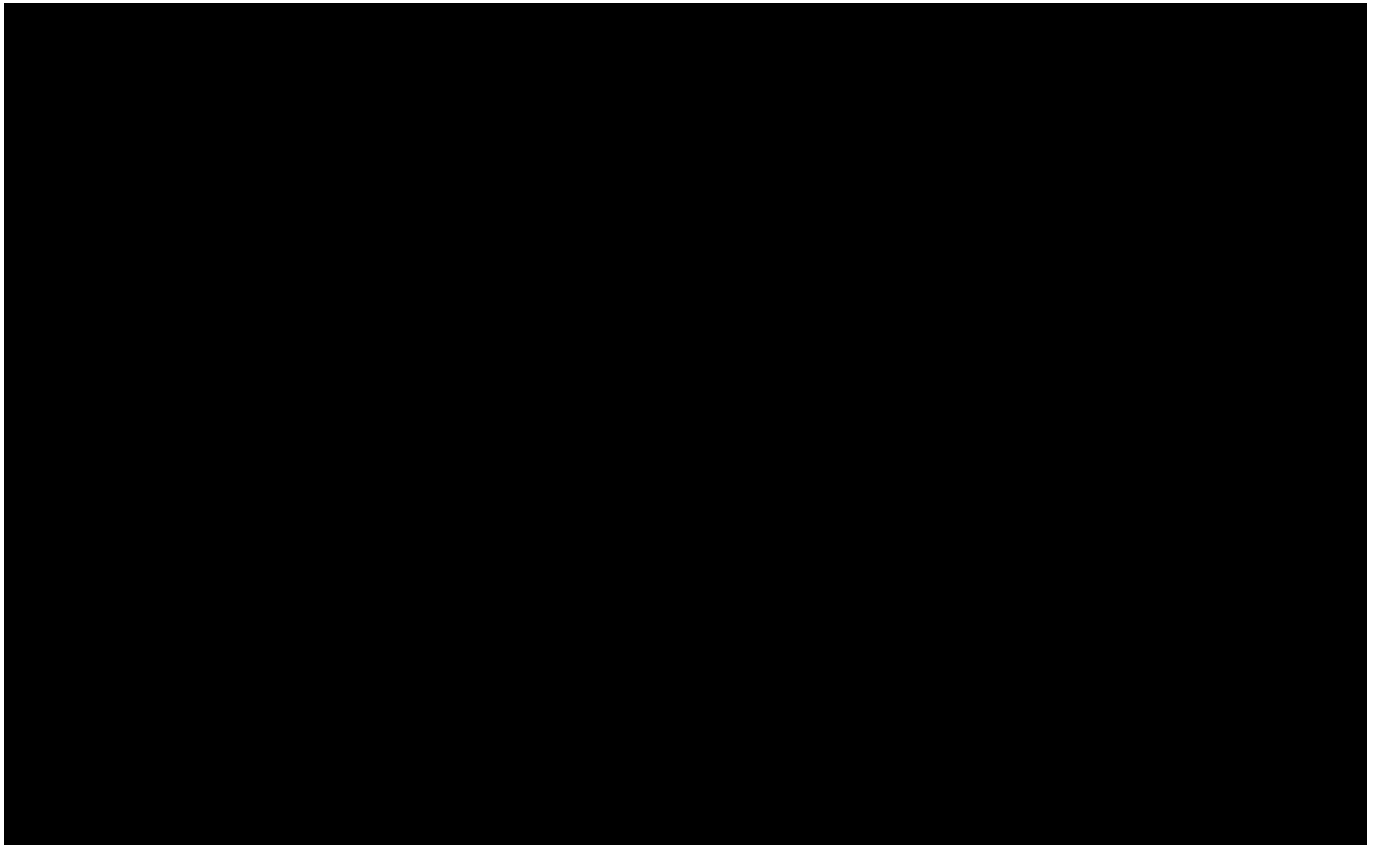
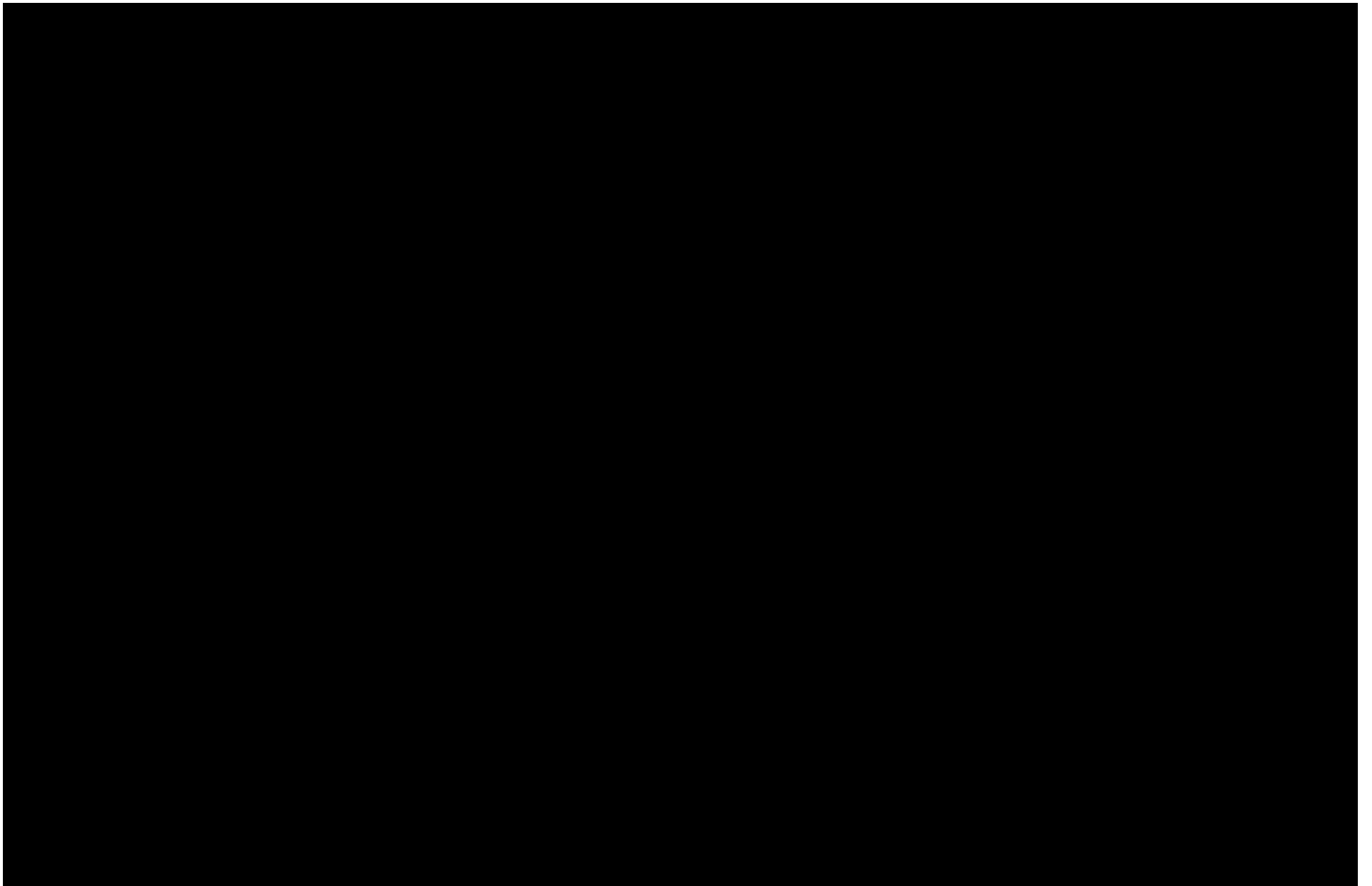


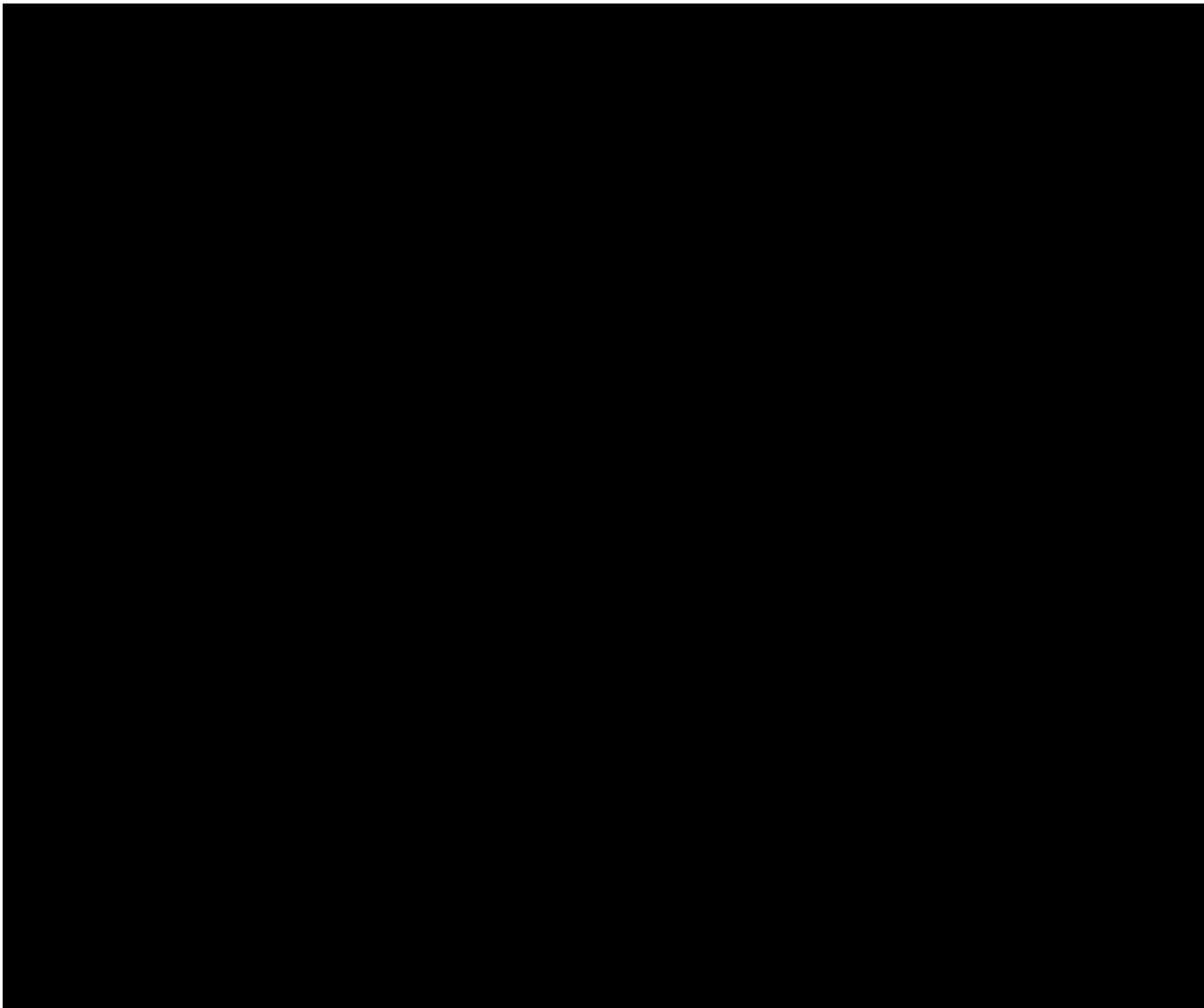










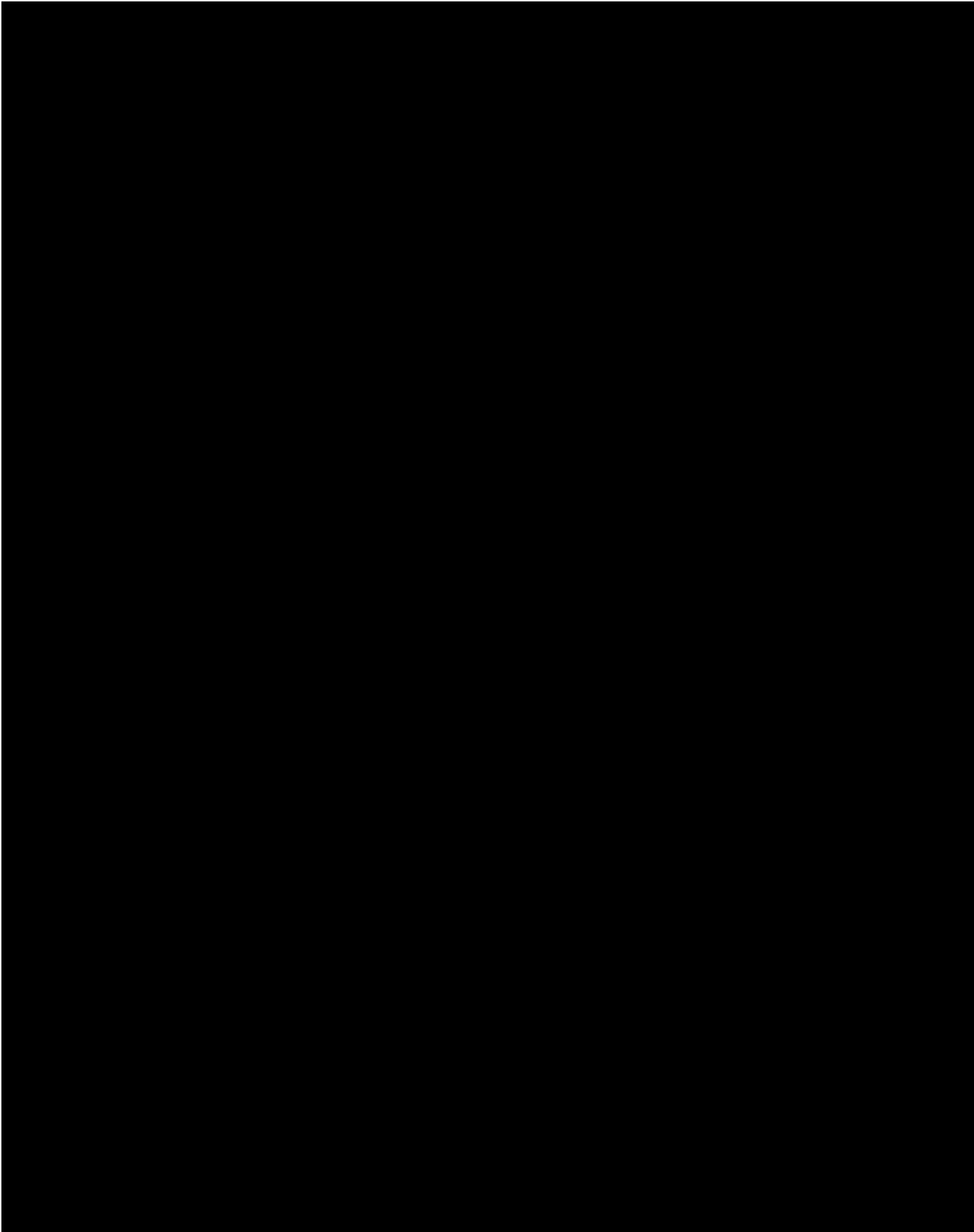


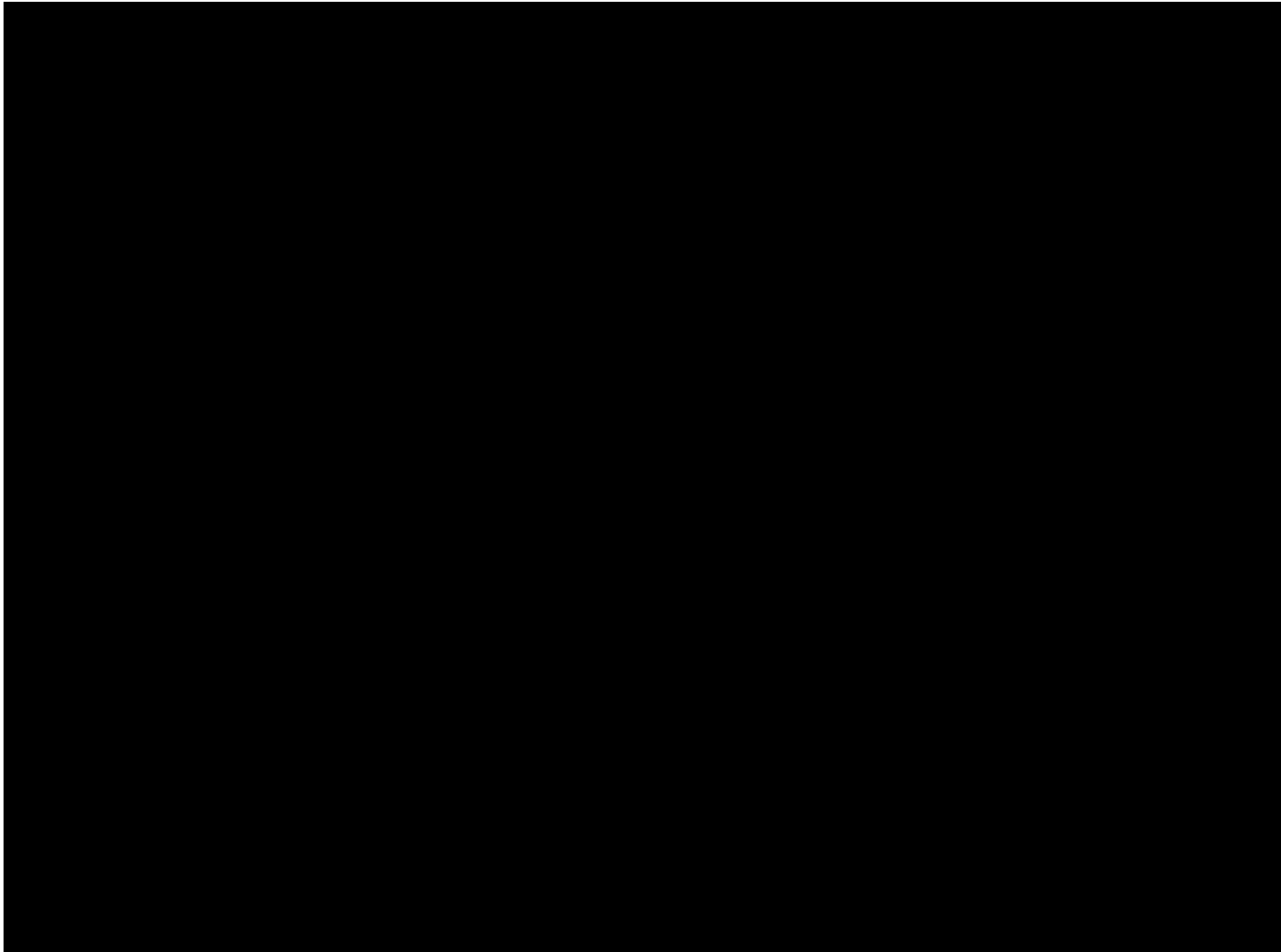
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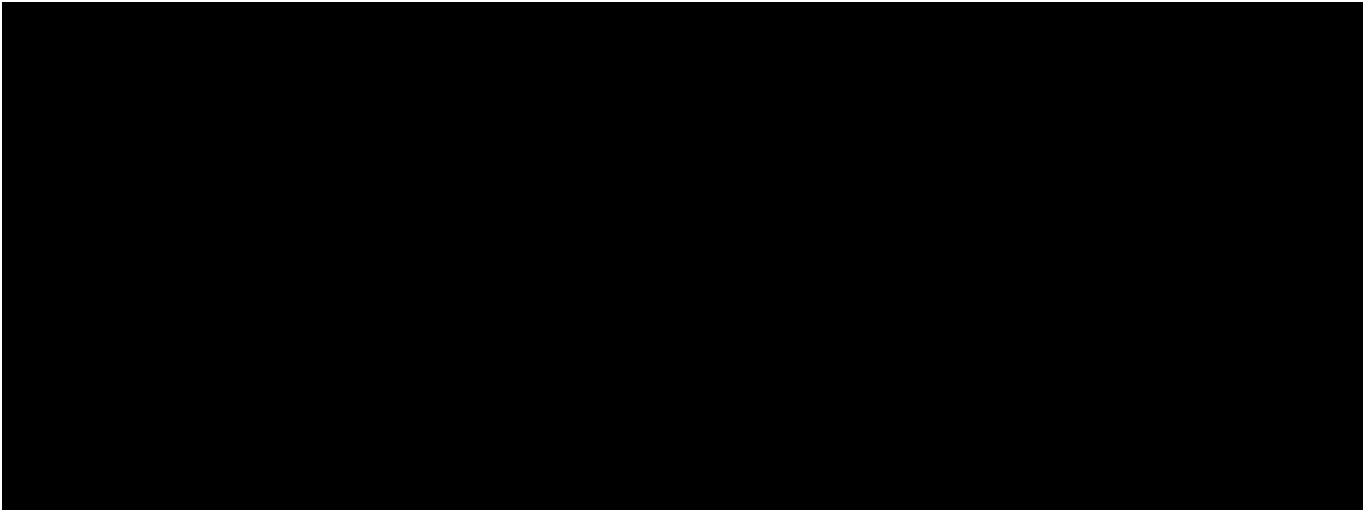
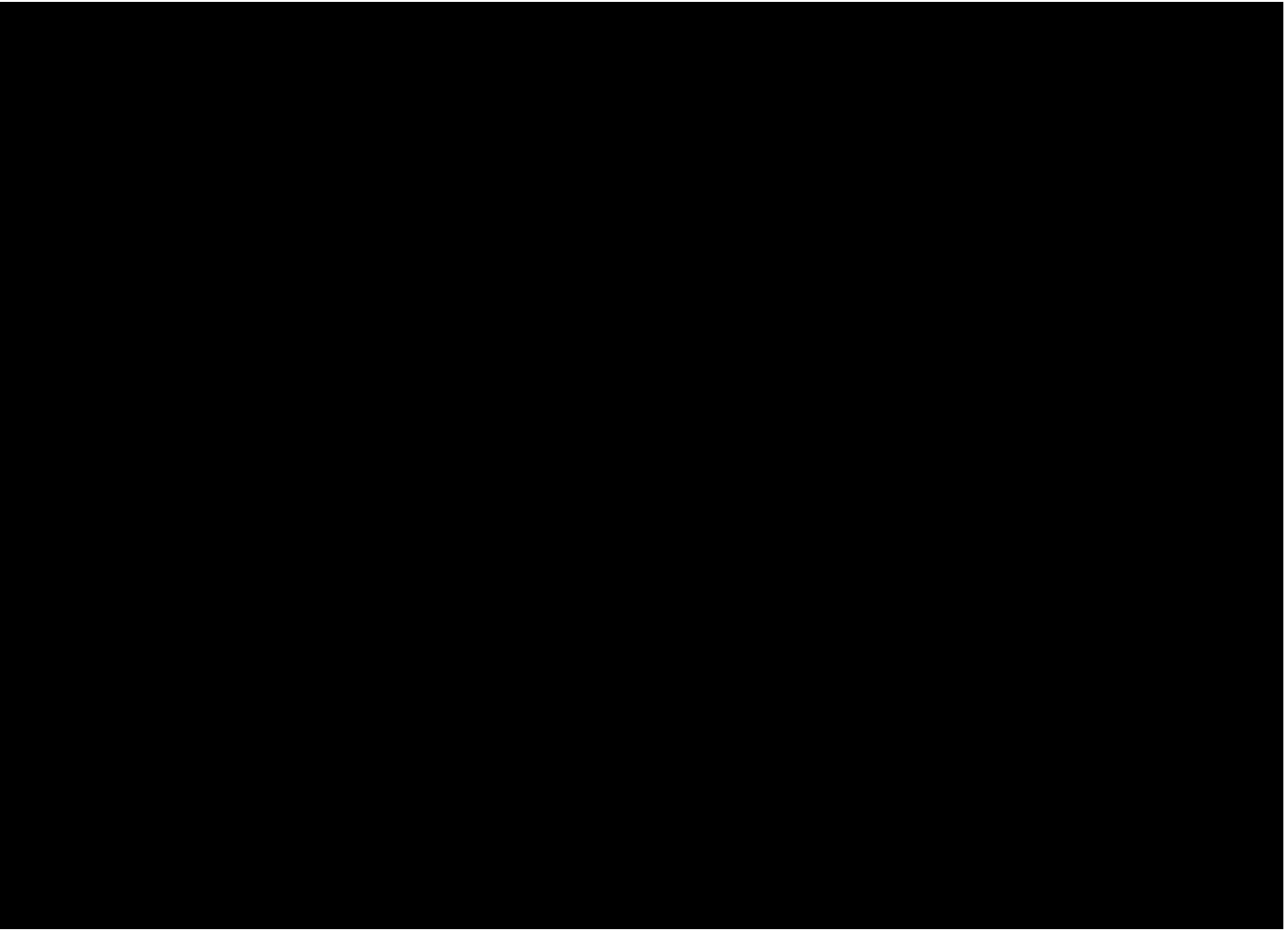
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