Testimony of John (Jack) R. Nicholas Before the Maine Land Use Planning Commission (MLUPC) and the Maine Department of Environmental Protection (DEP) About the Central Maine Power Company's proposal to build a 145-mile Quebec Hydro Transmission line, 53.8 Miles of which is Proposed to Pass Through Land Under the Jurisdiction of the MLUPC Represented by Three P-RR Subdistricts in the Unorganized Territory.

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Date: April 2, 2019

Case: Proposed hydro power transmission corridor – New England Clean Energy Connect, NECEC.

Subject: Testimony about the new 53.8 miles of proposed transmission corridor from the Central Maine Power Company (CMP).

Dear Chairman Worcester and members of the Maine Land Use Planning Commission (MLUPC):

Thank you for the opportunity to testify about the new 53.8 miles of proposed CMP transmission corridor. My wife Nancy and I own property in Upper Enchanted Township, Maine, approximately two miles from CMP's proposed 145-mile Hydro Quebec transmission corridor in the State of Maine.

My testimony will focus on all four of the public hearing topics as follows:

1. **Potential impacts to scenic character and existing uses.**

   Coburn Mountain is the highest mountain in the Jackman, West Forks and Forks area. At 3,717 feet it is a prominent feature of this beautiful landscape. The proposed transmission corridor is planned to traverse the north slope of the mountain and continue approximately 3 miles along the eastern slope. As a result, the proposed transmission corridor would be easily observed over approximately 20 miles of Route 201 (a Maine Scenic Byway,) significantly impairing the beauty of the area for visitors traveling Route 201. At the Capitol Road, scenic views would be marred by large transmission towers carrying power over Route 201, and from there ugly transmission towers would unprotect the scenic character of the Cold Stream Forest and the Cold Stream. The proposed transmission corridor and towers would also be visible from the Attean Overlook in Jackman as it meanders through the Western Maine Mountains from Route 201 to the

Canadian border. Visitors from away will stop at the Attean Overlook expecting to see a stunning forest landscape. Much to their chagrin, they will observe a fragmented forest with hundreds of electrical transmission towers.

Eight popular remote fly-fishing ponds, that support wild and native brook trout and are within the viewshed of the proposed transmission corridor, appear likely to have their scenic views negatively affected by the proposed transmission corridor and transmission towers including Grace Pond, Enchanted Pond, Little Enchanted Pond, Rock Pond, Iron Pond, Beattie Pond, Whipple Pond and Moore Pond. Two less accessible remote fly-fishing ponds, that support native brook trout and are within the viewshed of the proposed transmission corridor, also appear to have scenic views that would be vulnerable to the proposed transmission corridor and transmission towers including Tobey Pond and Hall Pond. Two ponds, that are popular fishing destinations and are stocked by the Maine Department of Inland Fisheries and Wildlife, are within the viewshed of the proposed transmission corridor and appear likely to have their scenic character disrupted by the transmission corridor and transmission towers including Fish Pond and Chub Pond. Spencer Lake and Parlin Pond are very popular fishing destinations. Both are stocked by the Maine Department of Inland Fisheries and Wildlife and are within the viewshed of the proposed transmission corridor and seem likely to have their scenic character negatively impacted by the proposed transmission corridor and transmission towers. I am not as familiar with the remote ponds containing wild and native brook trout east of Route 201. There is one I have fly fished on occasion and one I am familiar with by reputation. Both are popular fly-fishing destinations and are within the viewshed on the proposed transmission corridor and appear likely to have their scenic character negatively impacted by the proposed transmission corridor and transmission towers. These two remote ponds are Round Pond and Ellis Pond.

The proposed transmission corridor and transmission towers, with red aviation lights, would be prominently visible over the entire eastern slope of Coburn Mountain from the access road to the Cold Stream Forest. The Cold Stream Forest was recently purchased by the Land for Maine's Future and added to our public lands. One of the reasons for the purchase was to protect wild and native brook trout.

The area around the proposed transmission corridor is owned by the Nature Conservancy (16,500 acres), a single landowner (15,000 acres around Spencer Lake and Fish Pond), approximately 2,300 acres of public reserved land owned by the people of Maine, 8,159 acres of public lands known as the Cold Stream Forest, 5,000 acres owned by 151 families, two Sporting Lodges/Camps, the Passamaquoddy Nation and large landowners engaged in timber harvesting. Most of the scenic views from Public Reserved Land on Coburn Mountain would be impinged upon over the entire 53.8 miles of the proposed transmission corridor and transmission towers, some of which will have red aviation lights. From the top of Number 5 Mountain, owned by the Nature Conservancy, most of the spectacular, scenic views from Coburn Mountain to the

Canadian border would be impaired by the proposed transmission corridor and transmission towers, including red aviation lights.

The area around the proposed 53.8 miles of transmission corridor is used for hunting, remote open water fishing (especially fly fishing), ice fishing, hiking, remote camping, canoeing, kayaking, boating, snowshoeing, snowmobiling, ATVing, ecotourism, mountain climbing, related outdoor recreational pursuits and timber harvesting. Representatives from CMP describe the area as a ravaged, industrial forest wasteland in order to promote an alternate and inaccurate reality about the area. The area is unique in the continental United States and Maine as one of the largest and most intact contiguous temperate forests remaining in North America, perhaps in the entire world, and because of its breathtaking scenery of mountainous terrain containing approximately seven mountains exceeding 3,000 feet in height and another 14 mountains between 2,000 and 3,000 feet in height, picturesque forests and approximately 20 remote ponds and 100 or more streams that contain wild and native brook trout. The area can most accurately be described as multiple outdoor use/multiple ownership which would be incompatible with a large scale industrial infrastructure represented by a 150-foot-wide transmission corridor containing 100-foot-high, nonliving transmission towers that would look like ugly monster truck transformers, some with red aviation lights, standing starkly out of place in a living, breathing forest that abounds with wildlife such as deer, moose, black bear and lynx. I am not aware of any desire for visitors to observe 100-foot-high transmission towers. Comments submitted to the Maine Public Utilities Commission (MPUC) from out-of-state visitors and land owners have consistently stated that, “They do not need to come to Maine to hike, snowmobile and view electric transmission lines.” And, based upon a recent survey, they won’t come here, thus, detrimentally impacting the tourism economy of the area. There exists at least circumstantial evidence, therefore, that the 53.8 miles of proposed transmission corridor will alter the use of the area and negatively affect the tourism economy.

2. Potential impacts to wildlife habitat and fisheries.

Reports from the Maine Department of Inland Fisheries and Wildlife and the Maine Natural Areas Program identified potentially serious impacts on the wildlife, wild and native brook trout, endangered wildlife and rare ecosystems and plants around the 53.8 miles of proposed transmission corridor. Janet S. McMahon, Consulting Ecologist also testified before the MLUPC about the serious, damaging effects on cold water fisheries and wildlife habitats that would occur around the proposed transmission corridor. Most alarming is that the negative impact on habitat integrity would extend ½ kilometer up to one kilometer beyond the “high contrast edges” of the proposed 150-foot-wide transmission corridor into adjacent forest land.

The immensity of the possible damaging impact on cold water fisheries and wildlife is best appreciated by the fact that the first 53.8 miles of the proposed transmission corridor would cross 115 streams, 263 wetlands, vernal pools and several deer wintering areas. Maine contains 97 percent of the wild and native brook trout in the Eastern United States. The Maine Department of Inland Fisheries and Wildlife has established as a high priority the protection of wild and native brook trout in Maine. This project does the opposite.

CMP has proposed a 25-foot setback from streams in the area when a 100-foot setback is required. I have spent that past 20 years fly fishing the remote ponds around the 53.8 miles of proposed transmission corridor. Most of the streams in this area flow into and out of the remote ponds that support the spawning of wild and native brook trout. For example, two streams flow through our property and support the spawning of wild and native brook trout that access the two streams from Grace Pond. Survival of the wild and native brook trout in this area will be threatened by rising temperatures that brook trout cannot tolerate in the exposed streams within the 150-foot-wide corridor, and from herbicide that CMP will use to retard forest growth in the 150-foot-wide corridor.

3. Alternative analysis.

The most sensible alternative for the proposed CMP transmission corridor would be for the Commission to deny the necessary permits for this project. Such action would furnish the Massachusetts Department of Public Utilities a contractual basis on which to terminate its contract with CMP and contract with Vermont's New England Clean Energy Powerlink that proposes a 154-mile transmission corridor to carry DC power from Hydro Quebec to Massachusetts. The Vermont transmission corridor is fully permitted and ready to go and represents the most environmentally sound proposal. The entire 154 miles of proposed transmission corridor would be underwater and underground, avoiding damage to the environment, natural resources, scenic character and tourism economy of Vermont. Any scientifically determined reduction in carbon emissions and verifiable savings in Maine electric rates from the purchase by Massachusetts of power from Hydro Quebec would still occur without damaging Maine's environment, natural resources, scenic character and tourism economy.

If the Commission declines the above alternative, the second alternative would be for the Commission to require CMP to place the transmission cables underground and underwater, which has been the preferred approach for HVDC transmission lines (see the PRE-FILED TESTIMONY OF CHRISTOPHER RUSSO). Vermont, the City of New York and New Hampshire have planned to place their transmission lines underground and underwater, each of which would exceed the 53.8 miles of new transmission corridor. Undergrounding the transmission lines would allow this project to overcome many serious deficiencies by realizing advantages over aboveground lines including the following:

- Reduces significantly the negative environmental and natural resource impacts of overhead transmission lines by substantially narrowing the path of the proposed transmission corridor from 150-feet-wide to between one meter and 10 meters wide, also requiring less herbicide and deforestation;
- Avoids negative effects on important scenic views and scenic character;
- Eliminates probable reductions in property values for families near and around the new 53.8 miles of proposed transmission corridor;
- Minimizes effects on wildlife from electromagnetic fields;
- Eliminates threats to low flying aircraft;
- Minimizes damage from wind and severe weather conditions;
- Decreases the risk of wildfires;

- Increases the useful life of the transmission lines by twice that of overhead transmission lines (e.g., 25 v. 50 years or 20 v. 40 years); and,
- Reduces maintenance costs compared to overhead transmission lines.

If CMP rejects this transmission alternative, it would prove that this project was always about profit. If this alternative is evaluated, it must be undertaken independent of CMP.

The final alternative concerns the lease agreement executed in December 2014 between CMP and the Maine Department of Agriculture, Conservation and Forestry, Bureau of Parks and Public Lands that allows CMP to use Public Reserved Land located on the border between Johnson Mountain Township and the West Forks Plantation at T2 R6 BKP WKR for CMP's proposed transmission corridor that would be one-mile long and 300-feet-wide. This Public Reserved Land is owned by the people of Maine, including Maine residents who oppose CMP's proposed transmission corridor. The Commission should require CMP to use an acceptable, alternate path for this one mile of the proposed transmission corridor. According to Maine law, Public Reserved Land must be used for the benefit of Maine people. Such land should not be used primarily for the financial benefit of Massachusetts and two wealthy, foreign corporations over the concerns of Maine people who own this land.

4. Proposed compensation for impacts and mitigation of impacts.

There is no amount of compensation or mitigation that could offset the immense damage that this proposed 53.8 miles of new transmission corridor would cause. A recent Op Ed article stated that CMP had offered 2,800 acres of conservation land, although 1,997 scattered parcels, as far away as 110 miles, appear in the record. Regardless, that land would only offset the use of Public Reserved Land through lease agreement with the Maine Bureau of Parks and Public Lands. Even if there was a fair land offset, it would require CMP to contribute 40,000 acres (source: Janet S. McMahon testimony) of conservation land to offset the damage up to one kilometer beyond the edges of the proposed 150-foot-wide corridor. And, that would not cover the damage to scenic views and the tourism economy that add to the enormity of the threat.

The $254 million stipulation is an illusion of compensation, since the payout spans many years, up to 40 years, making it worth 35 cents a month for each CMP customer, on a net present value basis.

This concludes my testimony. Again, thank you for the opportunity to testify about this very concerning 53.8 miles of new transmission corridor proposed by CMP.

Sincerely,

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