

STATE OF MAINE

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CENTRAL MAINE POWER COMPANY
Application for Site Location of Development
Act permit and Natural Resources Protection
Act permit for the New England Clean
Energy Connect (“NECEC”) from Québec-
Maine Border to Lewiston and Related
Network Upgrades

L-27625-26-A-N
L-27625-TB-B-N
L-27625-2C-C-N
L-27625-VP-D-N
L-27625-IW-E-N

APPALACHIAN MOUNTAIN CLUB
RESPONSE TO FIRST PROCEDURAL
ORDER

August 27, 2018

In response to the requests made in DEP’s First Procedural order of August 8, 2018, the Appalachian Mountain Club submits the following information.

- 1) **Statement of Position.** The Appalachian Mountain Club states that it is opposed to the project as proposed.
- 2) **Request for Voluntary Consolidation.** The Appalachian Mountain Club requests to be voluntarily consolidated with intervenor the Natural Resources Council of Maine.
- 3) **Statement of Issues and Relevant Statutory Criteria.** The Appalachian Mountain Club sets forth the following statutory criteria and associated topics it intends to address.

Site Location of Development Law – 30 M.R.S. § 484. Applicable Licensing Criteria

- 30 M.R.S. § 484(3). No adverse effect on the natural environment.

The project, specifically the 53 miles of new corridor and the crossings of the Kennebec Gorge and the Appalachian Trail, will adversely affect existing uses, scenic character and other natural resources.

Chapter 375: NO ADVERSE ENVIRONMENTAL EFFECT STANDARDS OF THE SITE LOCATION OF DEVELOPMENT ACT

- 06-096 Ch. 375, § 12. Preservation of Unusual Natural Areas.

The project, specifically the 53 miles of new corridor and the Kennebec Gorge crossing, may adversely affect unusual natural areas. The lack of comprehensive natural resource surveys of the new corridor is a serious concern.

- 06-096 Ch. 375, § 14. No Unreasonable Effect on Scenic Character.

The project will have an unreasonable effect on the scenic character of the Kennebec Gorge and Appalachian Trail and has not been located, designed and landscaped to minimize its visual impact to the fullest extent possible.

- 06-096 Ch. 375, § 15. Protection of Wildlife and Fisheries.

The project, specifically the 53 miles of new corridor, will adversely affect wildlife and wildlife lifecycles, does not provide wildlife with travel lanes between areas of available habitat and does not adequately mitigate adverse effects on wildlife.

Natural Resources Protection Act – 38 M.R.S. § 480-D. Applicable Licensing Criteria.

- 38 M.R.S. § 480-D(1). Existing uses.

The project, specifically the crossing of the Kennebec Gorge and the Appalachian Trail, will unreasonably interfere with existing scenic, aesthetic, recreational and navigational uses.

- 38 M.R.S. § 480-D(3). Harm to habitats; fisheries.

The project, specifically the 53 miles of new corridor, will cause unreasonable harm to wildlife habitat and has not taken adequate steps to avoid, minimize or mitigate for this impact.

- 38 M.R.S. § 480-D(8). Outstanding river segments.

The applicant has not demonstrated that no reasonable alternative exists to crossing the outstanding river segment of the Kennebec Gorge which would have less adverse effect upon the natural and recreational features of the river segment.

Chapter 310: WETLANDS AND WATER BODIES PROTECTION

- 06-096 Ch. 310, § 5. General Standards

The applicant has not demonstrated that there is not a practicable alternative to the proposed project, specifically the 53 miles of new corridor, that would be less damaging to the environment.

Chapter 315: ASSESSING AND MITIGATING IMPACTS TO EXISTING SCENIC AND AESTHETIC USES

- 06-096 Ch. 315.

The project, specifically the crossings of the Kennebec Gorge and the Appalachian Trail, will have an unreasonable adverse effect on the scenic character of these resources, and that these impacts have not been mitigated to the extent practicable.

Chapter 335: SIGNIFICANT WILDLIFE HABITAT

- 06-096 Ch. 335, § 3(A). Avoidance.

The project, specifically the 53 miles of new corridor, may degrade significant wildlife habitat and the applicant has not demonstrated that there is not a practicable alternative to the project that would be less damaging to the environment.

- 06-096 Ch. 335, § 3(B). Minimal alteration.

The applicant has not demonstrated that alteration of habitat and disturbance of wildlife has been kept to the minimum amount necessary.

- 06-096 Ch. 335, § 3(C). No Unreasonable impact.

We believe that one or more of the standards of the NRPA at 38 M.R.S. § 480-D will not be met and that therefore the project will have an unreasonable impact on protected natural resources and wildlife.

- 06-096 Ch. 335, § 3(D). Compensation.

The applicant has not provided adequate compensation for impacts and the project will result in a net loss of habitat functions and values.

Sincerely,



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