

Minutes from Meeting with Senator David LaFountain 8.29.23

Attendees:

Senator LaFountain, (D-Kennebec)
Representative Scott Cyrway, (R-Albion)
Jamie Huntsberger, Unity
Holly Noyes, Albion
Tracy Tuttle, Albion
Kyle Frost, China
Eric Rolfson, Albion
Lincoln Sennett, Albion
John Shaw, Albion

Charlie Hall, Albion
Bonnie Shaw, Albion
Tanya Blanchard, Thorndike
Tom Blanchard, Thorndike
Gretchen Knowlton, Albion
Steven Knowlton, Albion
Joshua Kerksmar, Unity
Carrie Coombs, Albion

The meeting was called to order by Albion Transmission Line Committee member and moderator Jon Shaw at 6:35 PM.

Jon asked attendees to make brief introductory comments and to record their contact information for the record.

Attendees introduced themselves and expressed their concerns, frustrations, anger, and emotions surrounding the proposed LS Power project. Issues with the project included:

- Frustrations with the Benton corridor process and outcomes, and the similarities to this project;
- Albion dairy farmer challenges from a community that already has had a tough year due to poor weather and PFAS issues;
- Real estate, purchased and inherited, and the likelihood that properties would be devalued by 20-40% once the corridor is in place;
- The likelihood that this was only the beginning of transmission line sprawl, and that once the corridor was established, it would continue to grow;
- Intentionally misleading LS Power practices, including poor notifications, informational meetings designed to inhibit stakeholder communication, and renumbering lots on maps to make it more difficult to analyze;
- Future hopes and dreams for families that have lived and worked in Albion-- some for generations;
- Impact on other businesses such as honey production and maple sugaring, including the devastating impact of electro-magnetic fields and pesticides on insects and migratory birds and the destruction of decades-long sugar bush cultivation;

- The wish to be left in peace for retirement and not having to see towers from one's doorstep;
- The psychological and financial trauma that letter recipients and abutters have experienced since late June and that might continue for years to come;
- The long-term health, economic, and emotional impact on the town; and
- The fact that of the hundreds of residents and neighbors who have expressed their opinions, less than a handful are in favor of the project.

The moderator thanked the Senator for making the time to attend the meeting and said that while it is LS Power about whom we are talking, it was the State or Maine that invited them to present a proposal. Thus tonight is a question-and-answer opportunity for the Senator and attendees to better understand the process, stakeholder concerns, and what can be done about them.

Tanya Blanchard was asked to describe the Facebook group she formed to share stakeholder information. She stated that many people believed the initial LS Power letter, sent to 3,500 individuals whose property would be impacted, was "junk mail." However, they soon realized that it wasn't, and the Facebook group immediately grew to a couple hundred and now, two months later, to 834.

Following the frustrating Albion open house, the Blanchards attended one in Howland and felt, again, that people left that meeting with little additional information. So, she started a Facebook page: *Mainers for Landowners Rights*. She also started *Landowner's Voice* Substack newsletter. She has reached out to LS Power numerous times with questions and done a lot of research on the process. The more she dug into the way this was passed, the more it seemed that information was not forthcoming and there had been a lot of "sleight of hand" regarding communications. For example, she stated that Doug Mulvey, VP Product Development for LS Power, told Legislators that to see the route, they had to pass the bill. The consensus was that the bill was passed before the route was shared, and that some Legislators were under the impression that existing corridors would be used. She added that there still is misinformation about this project's benefits for Aroostook County.

Sen. LaFountain was asked whether, given what he knows now, he would he still vote "yes" for the project. He said he would not. When asked why he did vote yes, he stated that Senate President Troy Jackson used some of his power, and that this bill came out of the Energy committee and was presented to the Legislature as a project that was good for Aroostook County's infrastructure, would promote green energy, and would reduce costs for the consumer. He said he was not aware of the issues we are discussing until he saw media coverage of the Albion farmer protest.

Representative Cyrway stated that he voted against the project because of lack of details such as how the power was getting to Massachusetts. There were no answers to his questions, and he stated that they are doing the same thing as was done with the CMP corridor, i.e., they do not get back to you with answers to your questions; the monies towns receive are negated by the corresponding loss in Federal funds; and the resulting TIF funds have spending restrictions.

Moderator Shaw asked the Senator what he can do now, given how he feels about the project? The Senator replied that he and Senators Chip Curry (D-Waldo), Mike Tipping (D-Penobscot), and Troy Jackson (D-Aroostook) are having a 9:00 AM meeting on Thursday at the Statehouse to discuss it. He said that dealing with utilities is difficult, but not impossible. He stated that some Senators want to go after eminent domain and not allow it. He also wondered whether we could use the eminent domain issue for our purposes. He said we need to explore the legalities with the Legislature to see if there is something we can do. "Utility steamrolling is not favorable for anybody."

Additional topics of discussion and shared information included:

- LS Power timeline considerations: While submission of a final route to the PUC was required by the end of September, the company is still evaluating potential routes, considering feedback, and doesn't expect to submit a CPCN (Certificate of Public Convenience and Necessity) application for several months. Is this legal? Jon stated that LS Power was given a deadline of September of this year to file for the CPCN, and they are not meeting their deadline. They have now moved this, according to their website, to mid-2024. Are there repercussions? Is there an appeal process for this?
- Existing corridor: Holly stated that LS Power keeps talking about "constraints." They are avoiding lands that have easements and have purposely avoided state-owned land. Instead, they are targeting private landowners with new towers when there are ways to have this happen through existing corridors, and / or running lines underground. There also are emerging technologies such as converting existing corridors to DC power for greater efficiencies. When LS power is asked, they keep stating they would have to take out homes. However, that would be by expanding the corridor not if they use the existing corridor.
- Ownership and corridor creep: Lincoln shared LS Power's desire to own these powerlines outright, rather than local companies. Eventually, there will need to be substations, and LS Power will be able to sell the rights to their corridor to companies like natural gas. Senator LaFountain stated that he believes hydropower will eventually be closing, and that it will be very profitable for LS Power to be able to sell access to the corridor.

- Impact Studies: The Senator was asked whether, as chair of the Department of Inland Fisheries and Wildlife, he had been approached in advance, and whether he had seen any impact studies. He replied that he had not been approached in advance, and that LS Power had commissioned a private environmental impact study that they do not want to release until they have their CPCN certificate [i.e., until it is too late to shed light during the certification process]. The Senator was asked to push LS Power to release that study, but he was dubious that they would.

- Maine Utility Law: Tanya Blanchard stated that Maine Law must be amended on several fronts, including having the same 300' distance requirement from homes for 5,000 volts as it does for 345kv transmission lines. Iowa now has a law that a utility company must obtain 75% of easements within 2-3 years before they can use eminent domain, and Minnesota has passed laws giving landowners favorable options when confronted with eminent domain. Charlie shared NH and VT studies with the Senator. In short, there are two acceptable solutions for transmission lines: use existing corridors or bury the line.

- LS Power Competitors: METCO, which owns the corridor from Chester to Pittsfield was not awarded the project, even though they own easement rights. Why not? Can the PUC order companies to use existing corridors?

- How Albion can help the Senator help us: Charlie asked the Senator how we could help him prepare for Thursday's meeting with other Senators. He replied that receiving "personal impact stories" from constituents would be helpful to both him and Senator Curry. He also was pleased to hear that a six-month moratorium on the project was passed unanimously in Albion.

- Spreading the word: Eric stated that one of our biggest challenges is that only 3,500 people received a letter and that many, including abutters, are still unaware of these critical issues. He asked how do we make more people aware and, in the Senator's opinion, would a rally in Augusta be effective—possibly when the Legislature is back in session? The Senator replied that they don't go back in session until January, and that his feeling is that the timing is less important than ensuring media coverage.

- Next Steps: The Senator was asked which action steps could be taken if he finds that his colleagues are like-minded and want to change the course of this project. The Senator wondered if "we could make it unattractive to come through Albion."

--Jon asked if he would be willing to speak at a rally, and he replied, "I absolutely would." He also asked if the Senator would be willing to send a letter to the PUC and the Governor. He replied, "I would speak with the Governor" but hesitated to send her a letter, saying it would be more effective to speak with her in person. When asked whether he would commit to speaking with the Governor on our behalf, he replied, "Absolutely."

--The Senator also was asked if he would return to meet with Albion's committee this Thursday, as a follow up to his meeting with his colleagues. He replied, "I'm putting it in my calendar right now."

--Eric asked if he also would commit to a longer-term relationship with our committee, so that the lines of communication would remain open and that we could provide information and updates to help him help us. He said he would.

- Additional ammunition to help make the case:

--Tanya mentioned that the Aroostook wind-power development rights already had been sold several times and that the project still is not started. She asked LS Power what would happen if no one developed these wind towers? LS Power unhelpfully replied, "Well, you'll still have transmission lines."

--Tanya asked the Senator whether he supported the *Right to Food* Amendment, Maine being the only state to have passed one, and asked if the argument could be made that wiping out a sugar bush, for example, is violating Mainer's constitutional rights? The Senator replied, "It's an argument. It's the mentality we need to adopt."

Jon made a motion to adjourn; Eric seconded it, and the meeting was adjourned at 8:03 PM.