

Good morning Senator Dill; Representative O'Neil; and members of the Committee on Agriculture, Conservation, and Forestry. My name is Kate Weatherby, I live in New Sharon, and I represent myself. Thank you for providing me with this opportunity to speak before you about LD 471.

Last year I appeared before this committee to testify in support of LD 1893. While I remain absurdly proud of my compelling argument against CMP's lease to cross public lands with their proposed corridor by invoking the mighty powers of the Black-capped Chickadee, I recognize that the bill before us today is of a slightly different nature.

While still confronting the root issue of last year's bill, rather than asking the question of whether or not CMP's NECEC project could be construed as a 'significant alteration,' LD 471 simply mandates that the very infrastructure required to build the NECEC corridor would be considered such and would automatically be required to obtain approval from 2/3 of both the Maine House and Senate before a lease could be granted; as it should be and as it should have been in 2014, even without this additional language.

My understanding is that even since I appeared before some of you last year, CMP's lease to use these public lands in The Forks has been renegotiated yet again for terms which are purported to be even more favorable to the State of Maine. While that's nice, it most likely still does not represent the true cost of that land usage, and only serves to further distract from the core issue at stake. Even during last year's LD 1893 hearing, there were few to no employees of the state who were willing to go on the record defending the legality of the original lease.

Passage of LD 471 would resolve that issue and make it clear to large corporations that people of Maine are no longer willing to look the other way while back room deals are struck that undermine our rights to lands held in trust for our use, not held in order to maximize profits for foreign stakeholders.

CMP has known this public lands lease was problematic for well over a year and that resistance to their project is only growing with time. Yet, despite that and in the face of all reason that doesn't have dollar signs attached to it, CMP is attempting to forge ahead with this project in any way, shape, or form, hoping that the people of Maine won't have the courage to force them to backtrack and remove any infrastructure they've been able to establish. They absolutely do not have possession of all the permits required to complete the corridor, so it is still in question whether or not they'd even be able to do so.

CMP appears to think they are gambling on the chance that NECEC is too big to fail; they are actually gambling with the future of Maine and the constitutional rights of its residents. I appreciate the fact that I, as a simple resident of Maine, have been afforded this opportunity today to begin to address that inequity with consideration of LD 471. While it isn't directly relevant to today's bill, I feel that the testimony I offered last year only reinforces LD 471 with its designation of transmission lines and corridors as 'significant alterations,' so I have included a copy of that with my written testimony. As you may have already guessed, I am here today to encourage you to vote "Ought to Pass" on LD 471. Thank you.

Testimony in favor of LD 1893 from January 21, 2020:

Good afternoon. My name is Kate Weatherby, I live in New Sharon, and I represent myself. Thank you for providing this opportunity to speak on this matter before you, LD 1893.

I found it rather startling; disturbing; dare I say, telling; that, contrary to their claims otherwise, CMP doesn't actually own all the land the NECEC corridor would cross. I'm still not sure if what is even more disturbing is that the Bureau of Parks and Lands believes our lands are worth less than a mere \$40/acre or that they were willing to rubber stamp the lease agreement without going through the Legislature as required. I understand the Bureau has since raised that amount to \$100/acre, but that is still a far cry from the true value of the land in light of the impact the corridor would produce.

On December 30th, just a few weeks ago, I participated in the Misery Christmas Bird Count, which covers a fifteen mile circle that includes The Forks and the northern tip of Moxie Pond. In the morning, we drove up Indian Pond Rd with the windows down, looking and listening for any signs of birds, stopping whenever we heard a chip note.

As we drove along, I couldn't help but notice the transmission line that runs along the road. This section of corridor is not expected to be part of the NECEC project, but I saw it with new eyes. First I tried to imagine it being twice as wide as it is, which the NECEC Corridor would be near where I live. Then I tried to imagine it twice as high, as it would be as it cuts through the Maine woods from Canada. Neither image sat well in those surroundings.

As much of an environmentalist as I consider myself, I must confess that I hadn't given other people's concerns about habitat fragmentation as much credit as they actually deserve. Forests are constantly being logged and habitat changes. I downplayed the effects of a permanent corridor right up until I was able to witness it with my own eyes.

During our count, we would periodically come upon mixed flocks of chickadees and other birds, which we would stop and count after we called them in. A few times, it turned out the chickadees we heard were actually on the far side of the corridor. They proved to be much harder to count because very few of them were willing to cross the corridor. That vast, empty nothingness provided no cover and too much of an opportunity for predators, so those clever chickadees were content to scold us from 150' away.

In the afternoon, we covered the western part of the circle and drove up Hwy 201 to Parlin Pond. There is one stretch of 201 I vividly recall from my first year participating in the Count, where I came across a large flock of crossbills. The following year, I was eagerly anticipating another chance to see them, but I was dismayed to discover that area had been logged and my perfect crossbill habitat was now a dismal wasteland.

However, this year, after touring Indian Pond Road, I could see that the stark contrast between this heavily harvested land, despite the fact the vegetation hasn't recovered much since it was logged, and the transmission corridor was staggering. I was now able to understand that what I'd initially interpreted as a 'wasteland,' was nothing of the sort. While the mature forest might be gone for years, there was still abundant cover so birds could come and investigate us with relative impunity, and chickadees had no hesitation to do so, some close enough to almost (but not quite) take peanuts from my hand.

In my volunteer role as a Regional Coordinator for the Dover-Foxcroft and Carrabassett Valley Regions of the Maine Bird Atlas, which include West Forks and Caratunk, I have had cause to travel to that region to collect data. As I've made stops to survey birds, people are often curious about what I'm doing. Many have commented on how few birds have been showing up to their feeders, especially chickadees.

Clearly this population change pre-dates anything related to the NECEC Corridor, but I find it quite concerning that a significant, permanent change to a parcel Maine's Public Land would demonstrably hinder a population already at risk. A transmission corridor, a permanently cleared swathe lacking any cover for vulnerable birds, is quite clearly a substantial alteration and deserves a 2/3 vote by the Legislature.

I used my personal observation of chickadees as an example of the effect of transmission corridors on wildlife. The effect on other species would be harder to quantify because, unlike chickadees, many are more reluctant to be noticed. So if our ubiquitous, friendly chickadee is so impeded by a transmission corridor, it is safe to assume other animals must be impacted to an even higher degree.

I ask that you support LD1893 and place this matter before the entire Legislature before granting a lease that would permanently impact the nature of **our** public lands, which rightfully belong to you, me, and the chickadees. Thank you.

Kate Weatherby
New Sharon

I am submitting this amended testimony after I noticed I had referred to a different bill number throughout much of my original submission.