



STATE OF MAINE
 DEPARTMENT OF CONSERVATION
 MAINE LAND USE REGULATION COMMISSION
 22 STATE HOUSE STATION
 AUGUSTA, MAINE
 04333-0022

JOHN ELIAS BALDACCI
 GOVERNOR

PATRICK K. MCGOWAN
 COMMISSIONER

TO: Review Agencies and Interested Parties

FROM: Marcia Spencer Famous, LURC Senior Planner
 Planning Division
 (207) 287-4933

DATE: December 21, 2006

SUBJECT: May 11, 2006 pre-application conference, TransCanada Maine Wind Development Inc.;
 Proposed windfarm; Kibby, Skinner, Jim Pond, and Wyman Townships;
 Coplin Plantation; Eustis; and Carrabassett Valley; Franklin County

The following is a summary of the LURC pre-application conference held on May 11, 2006, at the first floor conference room #109, Harlow Building, Department of Conservation, Augusta. The meeting was held in accordance with the requirements for a pre-application conference under the Land Use Regulation Commission's (LURC) rules for (D-PD) Planned Development Subdistricts, Section 10.21,G of the Commission's Land Use Districts and Standards.

Attendees

TransCanada representatives

Juliet Browne, Verrill Dana
 Nick Didomenico, TransCanada
 Terry Bennett, TransCanada
 Chris Cinnamon, TransCanada
 Fred Sellars, AMEC
 Lynn Gresock, AMEC
 Dana Valleau, TRC/E-Pro

Agency representatives

Marcia Spencer Famous, LURC
 Catherine Carroll, LURC Director
 Lisa-Kay Keen, MDEP
 Bob Marvinney, MGS Director
 Raquel Goodrich [nee Ross], MNAP
 Steve Timpano, MDIFW
 Bob Cordes, MDIFW
 Mark McCollough, USFWS
 Jay Clement, ACOE



Stakeholders

Harley Lee, Endless Energy Corporation
Mike Sockalexis, Penobscot Nation
Bob Weingarten, Friends of the Boundary Mountains
Pete Didisheim, Natural Resources Council of Maine
Jody Jones, Maine Audubon
Rob Gardiner, Conservation Law Foundation

A. Project Overview: Presentation by TransCanada

Representatives of TransCanada Energy, Ltd. provided information about parent company TransCanada: TransCanada is a natural gas and power services company based in Canada that owns 25,600 miles of pipeline and 6,700 MW of electrical generation capacity. TransCanada Energy is an experienced windpower developer, having with 739.5 MW under construction in Quebec, Canada.

The proposed site for the Kibby Wind Power Project was previously rezoned to D-PD Subdistrict by LURC in 1994 as a part of the Kenetech Windpower project, but the wind farm was never constructed and the zoning lapsed (reference Zoning Petition ZP 536 and Utility Line Permit ULP 352). TransCanada acquired the wind power development rights to four of the ridgelines (series A to D) that Kenetech had planned to develop; Plum Creek is the current landowner. Development Permit DP 4728 was issued to TransCanada in 2005 to install meteorological towers on the Series A, B, and D ridgelines. The project focus is now on two of the ridgelines (Series A and B). The project would involve a rezoning from a (P-MA) Mountain Area Protection Subdistricts to a (D-PD) Planned Development Subdistrict.

This site has a strong wind resource, and technological improvements in wind turbine design would now allow a viable project using fewer turbines than were proposed by Kenetech. The proposed Kibby Wind Power Project would be 132 MW, with less than 90 turbines (44 3 MW turbines are proposed). The Kenetech project would have been 132 MW, with 400 or more turbines.

Proposed windfarm description.

- From 44-90 1.5 MW or 3.0 MW turbines
- Tower height - from 60-65 meters, and rotor diameter 70-90 meters
- 18 miles of new ridgeline access roads
- Electrical connections between turbines
- Substation
- Concrete batch plant, gravel excavation areas, work spaces
- 30.6 miles of new 115 kV line in LURC jurisdiction (20.5 miles), and in DEP (10.1 miles) jurisdiction (Note: A potential line from Bigelow to Wyman is not included here)
- 23.5 miles of upgrades to existing roads

Proposed schedule.

- Fall 2006: Submit application to LURC and DEP
- Spring, 2007: LURC and DEP decisions
- Fall 2007: Start construction
- December 2008: On-line

Avian studies undertaken by Kenetech in 1994 suggested an acceptable level of risk of impacts. TransCanada now has initiated an ecological analysis (avian and bat monitoring including Golden Eagles and Bicknell's Thrush; RTE species and natural plant community surveys; Canada Lynx surveys; and wetland/vernal pool delineation) of the site so that the project design and turbine placement can be developed to minimize the potential for adverse impacts. The site is a working forest, has a network of existing logging roads, low recreational use, and is well-screened or distant from visually sensitive areas.

Benefits of the project stated by TransCanada Energy include the production of 130 MW of power for Maine and New England, diversification of the Maine's energy supply using indigenous renewable resources, and reduction of greenhouse gases. The project would interconnect with the Central Maine Power (CMP) grid at the Bigelow substation via a new 115 kV transmission line that would follow the route previously permitted for the Kenetech project under Utility Line Permit ULP 356. An alternative extension to this line would be along a Bigelow-to-Wyman station corridor adjacent to the existing CMP line.

In addition to TransCanada Energy personnel, the project team includes: AMEC, TRC/E-Pro, AMEC Engineering, Verrill Dana, and Barton & Gingold.

The estimated cost of the project would be \$250 to \$300 million. The construction period for the project is estimated to be 16 months.

B. *Other aspects of the petition to rezone and the Preliminary Development Plan, and information to be submitted in addition to the required exhibits*

TRI and financial capacity

- The relationship between TransCanada Wind Energy and parent company TransCanada should be clearly explained.
- In addition to the pertinent documentation, provide a summary explanation of the title, right, or interest and financial capacity TransCanada has for this project.

Demonstration of need, community impacts, and alternative sites

- Provide background information for other sites that were considered, and why this site was chosen for development.
- Of those approved under DP 4728, how many met towers were installed, and when did data collection start?
- Provide the distances to recreational areas.
- Explain if the power would be sold to Maine users.

- Include CMP's System Impact Study – the full report is not needed, but provide a summary, schedule for completion of the studies (if not already complete), and conclusions.
- Provide an estimate of the state and local taxes that would be paid.
- Provide a description of potential direct local economic benefits.
- Provide a description of indirect local economic benefits, *e.g.* use of services.
- How will local use impacts be linked to local economic impacts?
- Provide a list of the Maine companies being employed for this project, if any.
- Will there be impacts to the existing forestry operations in the area, either during construction or during operation?

Natural resources assessments

- Explain how the turbine layout will be arranged to minimize or avoid impacts to natural resources
- Provide long-term and short-term potential for Bicknell's Thrush impacts, and how can the impacts be mitigated/avoided?
- Provide RTE species and natural communities reports
- Will an additional visual impact assessment be submitted over what was submitted for DP 4728? Will the visual study include road cuts and power lines?
- Provide a report showing impacts to jurisdictional wetlands and streams. Non-jurisdictional swales and seepage areas along roads and transmission lines, to the extent they have been identified, should also be shown.

Other project details

- Regarding the roads, show the maximum slope, widths, significant cut and fill areas, and any switchbacks.
- Indicate the water source to be used for the concrete batch plant and dust control, the amounts needed, and any monitoring proposed.
- Provide a phosphorus loading evaluation, as appropriate.
- Show the operations and maintenance building location, size, location, driveway, power source, and septic system design.
- Provide the turbine lighting plan to meet Federal Aeronautics Administration (FAA) requirements. If not already received, when is FAA's approval expected? Are there any other FAA considerations?
- Provide a list of agencies and stakeholders that have been consulted in preparation for the application; copies of relevant memos or other communications have been provided to LURC as meetings have been held.
- Provide updates, if available, on discussions with stakeholders

C. Comments by the U.S. Army Corps of Engineers

The ACOE noted that for large, complex projects treated as an individual permit, an EA or EIS could be required. Other reviewers under the Corps' process include MHPC/Section 106; USFWS and EPA; and the Tribes (under the federal Historic Preservation Act). In addition, a Section 7 consultation with USFWS may be required.

D. Administrative requirements

A brief discussion followed about LURC's rules, administrative requirements, and the projected timeline for submittal, with TransCanada stating that it is working toward submitting the application to LURC in the fall of 2006. A handout entitled "Procedures, schedules, and excerpts from Section 10.21,G of the Commission's Land Use Districts and Standards" was provided to meeting attendees.

E. Agency reviewers and interested parties list

Franklin County Commissioners
Town of Carrabassett Valley and Carrabassett Valley Planning Board
Town of Eustis
Greater Franklin County Development Corporation, Alison Hagerstrom
Maine Department of Environmental Protection, Jim Cassida and Becky Maddox
Maine Dept. of Environmental Protection /DMW, Art McGlaufflin & Jeff Dennis
Dave Rocque, State Soil Scientist
Maine Geologic Survey, Bob Marvinney
MDIFW, Steve Timpano (Tom Hodgman, Karen Morris, Bob Cordes, Charlie Todd, Doug Kane)
U.S. Army Corps of Engineers, Jay Clement
U.S. Fish and Wildlife Service, Mark McCollough
Maine Historic Preservation Society, Art Speiss
Maine Natural Areas Program, Don Cameron and Racquel Goodrich
Franklin County Soil and Water Conservation District
Appalachian Mountain Club, David Publicover
Appalachian Trail Conservancy, J.T. Horn
Maine Appalachian Trail Club, Donald Stack and Steve Clark
Natural Resources Council of Maine, Peter Didisheim
Maine Audubon Society, Jenn Burns and Jody Jones
Conservation Law Foundation, Steve Hinchman
Friends of the Western Mountains, Dain Trafton
Friends of the Boundary Mountains, Pam Prodan and Bob Weingarten
NPS, Don Owen and Pam Underhill
OEIS, Beth Nagusky
PUC, Kurt Adams and Mitch Tannenbaum
Harley Lee, Endless Energy Corporation
Mike Sockalexis, Penobscot Nation