



Jared Golden
Congress of the United States
2nd District of Maine

October 16, 2019

Colonel William Conde
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742

Dear Colonel Conde:

I write to express concern with the lack of transparency and opportunity for public input in the U.S. Army Corps of Engineers' (USACE) review and permitting process of Central Maine Power Company's (CMP) New England Clean Energy Connect (NECEC) project. Given the anticipated impacts this new transmission line will have on Maine's forest and wetland ecosystems, as well as on the communities along the route, I write with two requests: first, that the USACE provide the public with access to its communications with the Environmental Protection Agency (EPA) about the project, and second, that you organize a public hearing to provide impacted residents of my District with a formal opportunity to engage with your agency about the project.

As you are aware, in an April 25th letter submitted to the USACE by Beth Alafat, EPA's Region 1 Acting Chief of the Wetlands Protection Unit, EPA raised a number of concerns regarding your agency's failure to produce organized and transparent information in support of a Clean Water Act (CWA) Section 404 permit. In its letter, the EPA recommended that "the information necessary to support the USACE CWA Section 404 permitting decision be consolidated, organized, and provided by the USACE in a manner that affords local, state, and federal agencies and the public a reasonable opportunity to review and comment on the project."¹ The EPA also recommended that the USACE issue a new, updated public notice and "link to the draft Environmental Assessment the USACE is developing for the project."² Several of my constituents have asked your office to make public a copy of your agency's letter responding to EPA's concerns, and I have forwarded their correspondence to you. Nearly six months later, we are still waiting to see your agency's response. I strongly urge you to share your communication with the EPA with the public so that stakeholders can better understand how USACE plans to address EPA's concerns.

Second, as the lead federal agency with jurisdiction over the NECEC project, I am concerned that your agency has denied repeated requests from my constituents for a public hearing. It is critical that Mainers are able to provide input and voice their opinions about the permitting of a project that will have significant environmental and economic consequences for their communities. To move forward in this process without holding a public hearing undermines the federal government's responsibility to take part

¹ Letter from Acting Chief Beth Alafat, EPA Region 1 Wetlands Protection Unit to Regulatory Division Acting Chief Robert Desista, U.S. Army Corps of Engineers New England District, April 25, 2019, https://www.nrcm.org/wp-content/uploads/2019/05/USEPA_Comments_to_USACE.pdf.

² Ibid.

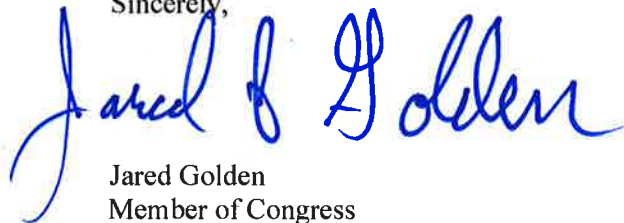
in a meaningful process with the citizens it serves. I urge you to reconsider your position and hold at least one public hearing in western Maine before any final agency action on this project.

It is important to note that the federal permitting process of similarly-scaled regional projects, such as the Northern Pass Transmission Line in New Hampshire and the New England Clean Power Link project in Vermont, afforded impacted communities several opportunities to participate in public hearings with the Department of Energy (DOE), the lead agency granting federal permits. As with the NECEC, both of these proposed projects involved cross-border transmission lines from Canada that extended over one hundred miles into their respective states. For the Northern Pass Transmission Line, DOE conducted four public hearings across New Hampshire.³ In Vermont, DOE organized two public hearings for the Clean Power Link project.⁴ As the lead federal agency for the NECEC, the USACE should take similar steps so that residents in Maine are given the same level of public engagement that was afforded to the proposed projects in our neighboring states.

In an effort to ensure a thorough analysis and transparent permitting process, I urge the USACE to provide the public with its response to EPA regarding their agency's concerns and to ensure all stakeholders have the opportunity to engage with your agency through public hearings in western Maine. My office stands ready to work with yours to ensure that the USACE can move forward with the timely, comprehensive, and transparent process that the NECEC deserves.

Thank you for your attention to this important matter.

Sincerely,



Jared Golden
Member of Congress

³ Notice of Public Hearings for the Draft Northern Pass Transmission Line Project Environmental Impact," U.S. Department of Energy, Federal Register, Vol. 81, No. 23, Thursday, February 4, 2016, https://www.energy.gov/sites/prod/files/2016/02/f29/EIS-0463_Notice_of_Public_Hearings_2016.pdf.

⁴ "Notice of Availability (NOA) for the Draft Environmental Impact Statement (EIS) and Announcement of Public Hearings for the Proposed New England Clean Power Link (NECPL) Transmission Line," U.S. Department of Energy, Federal Register Vol. 80, No. 113, Friday, June 12, 2015, <https://www.govinfo.gov/content/pkg/FR-2015-06-12/pdf/2015-14335.pdf>.