

Introduction

The Maine Power Reliability Program (MPRP) is a project by Central Maine Power Company (CMP) to upgrade Maine's bulk power transmission system. As described in more detail below, the proposed project consists of a network of 345 kV (kilovolt) and 115 kV transmission lines and associated substations to be constructed throughout CMP's service territory where particular needs have been identified. In Albion, the MPRP proposes to add a new 345 kV H-Frame line; rebuild portions of the existing 115 kV line (Section 67); and remove and replace the existing 115 kV line, Section 84 in the existing transmission line corridor.

The project described in the following application materials is located in the Town of Albion's Growth Area and Rural Area, as well as within the Shoreland Zone. The project activities within the Growth Area and Rural Area as defined in Section IV (2) (B) & (C) of the Albion Land Use Ordinance ("Ordinance") are classified as permitted low-impact business, which requires a Land Use Permit, but is not subject to Site Plan Review according to Ordinance Section II (E). Those portions of the project within the Shoreland Zone Overlay Districts require approval pursuant to Section X of the Ordinance. In addition, portions of the project area also fall within the Aquifer Protection District and the Lovejoy Pond Watershed District, triggering performance standards specified in Ordinance Section XI. These application materials are divided into the following parts:

- Part A: Project Overview and Description, beginning on page 1
- Part B: Land Use Permit Application, beginning in page 4
- Part C: Shoreland Zoning Permit Application, beginning on page 10
- Part D: Special Protection Overlay Districts, beginning on page 19
- Exhibits: Beginning on page 21

Part A: Project Overview and Description

Maine Power Reliability Program

The MPRP is being proposed to upgrade Maine's bulk power transmission system. A majority of this system was placed into service in the early 1970s and is now reaching the limits of its ability to reliably meet the growing electrical demand of Maine customers. Since the completion of the current system nearly forty years ago, changes in both the patterns of available generation and customer loads have occurred in Maine. For example, the population has become more concentrated in the southern part of the State, while the generation needed to serve that load is more distant and dispersed. When these pattern changes are combined with the increasing peak demand, the current transmission infrastructure in Maine will be inadequate within a few years to meet the needs of Maine customers. In addition, reliability and security standards mandated by law and administered by the North American Electric Reliability Corporation (NERC), the Northeast Power Coordinating Council, Inc. (NPCC), and ISO New England (ISO-NE) have changed significantly in recent years. CMP must upgrade its bulk power transmission system with this proposed project in order to meet the mandatory standards and to provide reliable electric service to Maine customers in the future.

In January of 2007, the MPRP began a comprehensive needs assessment of CMP's bulk power transmission system. The study included a 10-year forecast to evaluate the system in Maine, including a review of system reliability and performance under various system conditions and operating scenarios, as well as a needs assessment to ensure a reliable transmission system in the most cost-effective manner possible. The study identified a number of significant reliability issues with Maine's bulk transmission system, including insufficient 345 kV transmission capacity, insufficient 115/345 kV transformation capacity, and insufficient transmission support and/or infrastructure in all regions served by CMP. After completing the needs assessment, the MPRP studied potential solutions, including both transmission and non-transmission alternatives, before designating its preferred solution.

CMP ultimately selected a primarily transmission solution (a small geographic area known as the South Portland loop will be addressed through non-transmission alternatives) based on a number of factors, including electrical performance, cost effectiveness, and impacts to landowners and Maine's environment under various forecasts of future conditions. The proposed solution consists of a network of 345 kV and 115 kV transmission lines and associated substations throughout CMP's service territory where particular needs were identified. The proposed transmission solution ranges from Eliot in the south, Rumford in the west, Warren and Searsport in the east, and Orrington and Pittsfield in the north. In all, MPRP will encompass 80 Maine towns, and will require approvals from the Maine Public Utilities Commission, the Maine Department of Environmental Protection, the Army Corps of Engineers, and numerous municipalities. Currently, CMP has secured permits from multiple municipalities, as well the Maine Department of Environmental Protection.

Project Description in Albion

The proposed upgrades in Albion are an important part of the program to improve the reliability, safety, and security of the bulk power transmission system in Maine, while at the same time meeting the increasing demands for electrical power. In Albion, the MPRP proposes to add a new 345 kV H-frame line in the existing transmission line corridor that traverses the Town from the Albion-China border in a northwesterly direction towards the Albion-Winslow town boundary. In addition, the two existing 115 kV transmission lines will be altered and receive new Section numbers. The existing Section 84, 115 kV H-frame transmission line will be removed, and a new single-pole 115 kV line will be added. While most of the structures associated with the current Section 67 will remain, from the Albion-China town boundary to the vicinity of China Road, Section 67 will become Section 258, and from the vicinity of China Road to the Winslow-Albion town boundary, Section 67 will become Section 257. Some poles where this change occurs will also be removed. The newly constructed 115 kV line will similarly be designated either Section 257 or Section 258, depending on its location within the town. Finally, the corridor in Albion will also need to be widened in order to safely and reliably accommodate the necessary transmission line upgrades. (See Exhibit 2 for a project overview and Exhibit 3 for a view of the corridor cross sections).

In summary, the project involves:

- Installing a new 345 kV transmission line, Section 3024. The new Section 3024, 345 kV transmission line will run on H-frame structures on the western side of the corridor that runs through the Town of Albion from the Albion-China border in a northwesterly direction towards the Albion-Winslow town boundary. These H-frame structures have a typical above ground

height of 75 feet¹, not unlike the single-pole structures already found within the corridor.

- Remove the existing Section 84, 115 kV transmission line and add a new 115 kV line, utilizing single-pole construction. This new line will become Section 257 or Section 258 depending on the location within the corridor.
- Maintain most of Section 67, with the exception of a few poles in the vicinity of China Road. Rename Section 67 Section 257 or Section 258 depending on the location within the town of Albion.
- Widen the corridor in order to accommodate the MPRP proposed upgrades. From the Albion-China border to the vicinity of China Road, CMP will need to acquire approximately 50 additional feet on the eastern side of the corridor. From the vicinity of China Road to the Albion-Winslow town boundary, CMP will need to acquire approximately 40 additional feet on the western side of the corridor.

Additional clearing in some portions of the existing corridor is required, especially in those areas where the corridor is being expanded. Permanent clearing, as explained in more detail later in these application materials, is limited to the selective removal of so-called “capable species” that are capable of reaching unsafe heights within the transmission corridor. CMP will need to acquire additional lands in Albion. This will involve purchasing 40 to 50 feet of land from neighboring property owners. Currently, CMP has options to purchase all but two needed properties

¹ Please note that pole heights will vary due to topographic constraints and the need to achieve spans that will avoid or minimize impacts to natural resources. While typical above-ground heights have been provided above, some poles may exceed those heights due to terrain differences and the existence of sensitive natural resources. See the attached table (Exhibit 5) for specific information on the heights and types of each proposed pole.

Part B: Town of Albion Land Use Permit Application

Town of Albion
P.O. Box 287, 22 Main Street, Albion, ME 04910
(207) 437-2900 / (207) 437-2903 (fax)

<input type="checkbox"/>	Change of Use
<input type="checkbox"/>	Building Permit

LAND USE PERMIT APPLICATION
Mike Spaulding, Code Enforcement Officer
692-2297 or 692-3274

Instructions: Please complete all sections. It is important to include your telephone number(s) so that we may contact you should we have any questions.

1. Applicant Name: Central Maine Power Company c/o Mary Smith *

Address: 83 Edison Drive Telephone #(s): 207-626-4006
Augusta, Maine 04336

2. Property Owner: Central Maine Power Co.

Address: 83 Edison Drive Telephone #(s): 207-626-4006
Augusta, Maine 04336

* Please note that Deirdre Schneider of TRC, 14 Gabriel Drive, Augusta, ME 04330, 207-620-3851 is the agent for CMP for this permit application for the MPRP in Albion. Agent authorization is attached to these application materials.

3. Where is the site?

Address Existing transmission corridor Tax Map: See Exhibit 6 Lot: _____
Kennebec County Registry of Deeds
Book: See Exhibit 8 Page: _____

Land Use District (check one): Village Growth Rural

Overlay District(s) (check all that apply): Shoreland Aquifer Protection
 Lovejoy Pond Watershed Scenic Protection Unique Natural Areas

Is the proposed development in the FEMA Mapped Flood Plain? (check one) Yes No

4. Description of Site

Size of Lot: Current - 118 acres w/expansion 138
acres

Dimensions: See Exhibits

Road Frontage: See Chart to right

Public Road or Private Road? Public

Road Name	Approximate Crossing Length (feet)
Danforth Road	595 ft.
Noyes Road	305 ft.
Pond Road	380 ft.
China Road (202)	280 ft.
Clark Road	345 ft.
Clark Road	460 ft.

5. If lot is part of subdivision (if not, skip this question): N/A
Subdivision Name: _____ Subdivision Lot No: _____

Date approved by Planning Board: _____

6. Existing use of site (check all that apply):

- single family residence
- duplex
- multi-family
- mobile home
- agricultural
- commercial / industrial*
- undeveloped
- business

* Existing use meets the definition of "essential services," in Section XII of the Ordinance.

7. List all existing structures/uses on the site: (ex: 1 single-family home, 1 garage, 1 barn)

Transmission corridor which contains poles and wires for transmitting electricity.

8. Is the existing use of the site seasonal only? (check one) Yes No

9. Proposed activity (check one):

- new building
- moving building
- expanding building
- installing mobile home
- accessory building (such as garage)
- change of use

Describe building, use of building and dimensions. Also show on attached sketch form.

See Application Part A, Project Overview and Description and Exhibits.

10. Is the proposed use of the site seasonal only? Yes No

11. List proposed setbacks for new, moved or expanded building: **N/A – see note at end of application form.**

(All measurements to be taken from the edge of the right-of-way and abutting properties)

Front property line: _____ feet
 Side property line: _____ feet
 Rear property line: _____ feet

12. Screening / Landscaping: **N/A – see note at end of application form.**

In the opinion of the applicant, what percent of the buildings on the lot will be visible from the road in ten (10) years? _____ percent.

13. Wastewater: **N/A**

If the application is for a new or expanded dwelling or any other use that will increase the volume of wastewater, this section MUST be completed.

Site Evaluator Name: _____ License No: _____

Address: _____ Telephone No: _____

14. Deed Restrictions: **N/A**

Please list all deed restrictions, easements, covenants and/or licenses held on this parcel of land or answer N/A for Not Applicable _____ N/A _____.

A copy of a valid plumbing permit for the disposal system, as well as the site evaluation forms, must be attached for new systems. For expanded uses that will utilize existing septic systems, a statement signed by a licensed site evaluator stating that the existing system is adequate must be attached

SKETCH FORM (checklist format)

Complete this sketch form showing –

- existing buildings
- proposed building activity
- dimensions
- setbacks
- driveways
- lot lines
- abutting roads
- right of way
- Abutting land owners
- easements

Please see attached narrative and exhibits

The undersigned hereby applies for the afore-described permit, certifies that the information and statements on this application are complete, true and correct, and agrees to comply with all laws of the State of Maine and the Ordinances of the Town of Albion pertaining to the above-described activities. The undersigned agrees to comply with all conditions placed on the approved permit by the Board.

If the application is for a use on a private road, the undersigned understands that the Town of Albion supports the development of private roads that do not meet the Town’s standards, but shall not accept the responsibility for services normally made available to residents and structures accessed by public roads. Road maintenance and snow plowing shall be the responsibility of the persons who own the lots in accordance with an association agreement. The Town will not be responsible for entering upon the private road to provide school bus services, emergency services, garbage collection or any other type of municipal services.

Applicant Signature

Date

PLANNING BOARD USE ONLY

Permit Fees:

- | | | |
|--|--|---|
| <input type="checkbox"/> New building (\$100.00) | <input type="checkbox"/> Addition (\$50.00) | Business: <input type="checkbox"/> \$100.00 |
| <input type="checkbox"/> New Dwelling/Mobile Home (\$100.00) | <input type="checkbox"/> Storage Trailer (\$50.00) | <input type="checkbox"/> \$200.00 |
| <input type="checkbox"/> Change of Use (\$50.00) | <input type="checkbox"/> Other \$_____ | <input type="checkbox"/> \$400.00 |
| <input type="checkbox"/> Subdivision_____ | <input type="checkbox"/> Driveway (\$50.00) | |

Received by: _____ **Date:** _____

Dates of Notices to Applicants: _____ **Information Requested:** _____

Date Application Completed: _____

Other Permits Needed: _____

Conditions of Permit: _____

CEO/Planning Board Review By: _____ **Date:** _____

- Approved**
- Denied**
- Approved with Conditions**

Point System Explanation: See Page 19, Section 6 B & C & D of Land Use Ordinance.

MINIMUM DIMENSIONAL STANDARDS LOTS FOR SINGLE-FAMILY RESIDENTIAL AND NON-RESIDENTIAL STRUCTURES								
Performance Area		District						
		Village Area		Growth Area			Rural Area	
		Allowed	Allowed	Desired	Points	Allowed	Desired	Points
1	Lot size	.75 acre	.75 acre	1.5 acre		1 acre	3 acres	
Frontage:								
2A	Public Road	150'	150'	200'		200'	300'	
2B	Private Road	75'	75'	150'		150'	200'	
Building Setbacks from Edge of Right-of Way and Property Lines:								
3	Front	0'	30'	50'		50'	100'	
4	Side	15'	15'	30'		20'	50'	
5	Rear	15'	15'	30'		20'	50'	
Screening/Landscaping (% of Structure Visible from Road Within Ten (10) Years):								
6	Front	0	0	25%		10%	35%	
7	Side	0	0	25%		0	35%	
TOTAL POINTS AWARDED (minimum of 5 points needed for permit)		N/A						

MINIMUM DIMENSIONAL STANDARDS FOR SUBDIVISION LOTS					
Performance Area		District			
		Village Area and Growth Area		Rural Area	
		Traditional Design	Open Space Design	Traditional Design	Open Space Design
Maximum Project Density		1.5 acres/unit	1 acre/unit	3 acres/unit	2 acres/unit
Minimum Lot Size		1.5 acres	.75 acre	3 acres	1 acre
Minimum Frontage:					
Public Road		200'	150'	300'	200'
Private Road		150'	75'	200'	150'
Minimum Setback:					
Front		50'	30'	100'	50'
Side and Rear		30'	15'	50'	20'
Minimum Screening/Landscaping::					
Public Road		25%	0	35%	10%
Private Road		25%	0	35%	0

MINIMUM DIMENSIONAL STANDARDS LOTS FOR TWO-FAMILY (DUPLEX) RESIDENTIAL STRUCTURES								
Performance Area		District						
		Village Area		Growth Area			Rural Area	
		Allowed	Allowed	Desired	Points	Allowed	Desired	Points
1	Lot size	1 acre	1.5 acre	1.5 acre	N/A	2 acres	2 acres	N/A
Frontage:								
2A	Public Road	150'	150'	200'		200'	300'	
2B	Private Road	75'	75'	150'		150'	200'	
Building Setbacks from Edge of Right-of Way and Property Lines:								
3	Front	0'	30'	50'		50'	100'	
4	Side	15'	15'	30'		20'	50'	
5	Rear	15'	15'	30'		20'	50'	

Screening/Landscaping (% of Structure Visible from Road Within Ten (10) Years):									
6	Front	0	0	25%	10%	35%			
7	Side	0	0	25%	0	35%			
TOTAL POINTS AWARDED (minimum of 5 points needed for permit)		N/A							

Note: Dimensional Requirements (From Section V of Albion’s Land Use Ordinance)

The Maine Power Reliability Program project is exempt from the requirements of Section V. According to Section V (12)(A), “electrical power transmission or distribution lines and structures supporting said lines are exempt from the provisions of Section V of this ordinance.”

Part C: Town of Albion Shoreland Zone Overlay District Standards

Applicable Shoreland Zoning Districts

The proposed project will have very limited impacts within the Shoreland Zoning Districts. It will involve the addition of approximately 11 transmission structures in the shoreland zone, passing through three Stream Protection Districts (all on the same stream) and three Limited Residential Districts designated in the Town of Albion Shoreland Zone Overlay District as follows:

- **Stream Protection District – Johnson Brook: Tributary to Dutton Pond**
 - These Stream Protection Districts are all on the same tributary to Dutton Pond (Johnson Brook), which traverses the corridor in three locations as it meanders throughout the Town of Albion. Poles 257-57 and 257-62 are shown to be outside of these Stream Protection Districts, but due to their proximity they have been included as being within the shoreland zone for this application. Additionally, one structure 3024-142 will be placed in the Stream Protection District closest to the Albion-China town boundary. Construction vehicles will cross the stream at the segment closest to the Albion-China town boundary as depicted on Map 1 of Exhibit 4, and at the segment by Danforth Road as depicted on Map 2 of Exhibit 4. Capable species will be removed from approximately 0.50 acres of land within this district.
 - The placement of structures 3024-142 and 257-62 will occur within an area designated by the Maine Department of Inland Fisheries and Wildlife as moderate-value waterfowl and wading bird habitat. While, this habitat is 99.3 acres in size it only occurs on approximately 13 acres within the transmission corridor in the Town of Albion. Moreover, there will be no permanent habitat conversion within the corridor in the Town of Albion.
- **Limited Residential District – Albion-China town boundary (Wetland ID # 42)**
 - Three new transmission structures associated with the MPRP are proposed in this district (3024-138, 3024-139, and 257-68). Capable species will be removed from less than 0.50 acres of land within this district.
 - The placement of structures 3024-138 and 3024-139 will occur within an area designated by the Maine Department of Inland Fisheries and Wildlife as moderate-value waterfowl and wading bird habitat. A total of nine structures including those already referenced above will be added within this area. This is part of the same habitat referenced in the Stream Protection District portion of this application. Moreover, there will be no permanent habitat conversion within the corridor in the Town of Albion.
- **Limited Residential District – between Stream Protection District areas depicted on Map 2 of Exhibit 4 (Wetland ID # 41).**
 - Two new transmission structures associated with the MPRP are proposed in this district (3024-147 and 257-57). Capable species will be removed from less than 0.30 acres of land within this district.
- **Limited Residential District – in the vicinity of the Albion-Winslow town boundary (Wetland ID # 182).**

- Three new transmission structures associated with the MPRP are proposed in this district (3024-170; 258-36 and 258-37). Capable species will be removed from less than 0.75 acres of land within this district.
- The area of clearing within this zoning district is also within a mapped Deer Wintering Area (DWA). The Maine Department of Inland Fisheries and Wildlife (MDIF&W) classifies this DWA as being “indeterminate in value,” meaning its value has not yet been evaluated in the field. The deer yard is approximately 164 acres in size. The MPRP will not have a significant impact on the DWA within this district because the removal of vegetation will be minimal and limited to capable species. The remaining portion of the DWA associated with the transmission line corridor will continue to be characterized by scrub-shrub growth, thereby maintaining its current character.

Permitted Land Uses

The MPRP meets the definition of “essential services” as defined in Section XII of the Ordinance. According to Section X.E (8)(21) of the Ordinance, essential services projects are permitted in all Shoreland Zoning Districts with the approval of the Planning Board. Essential Services projects are also subject to the specific requirements of Section X.9 (L) (2) of the Ordinance, which is addressed below.

Land Use Standards (From Section 9 of the Shoreland Zoning Overlay District Ordinance)

A. Minimum Lot Standards

The new structures will be placed within an existing transmission corridor in Albion. Minimum lot standards are not applicable to the MPRP because the transmission structures associated with this project are not residential dwelling units, principle structures, nor public/private recreational facilities.

B. Principal and Accessory Structures

Not applicable

C. Piers, Docks, Wharfs, Bridges, and Other Structures and Uses Extending Over or Beyond the Normal High-Water Line of a Water Body or Within a Wetland

Not applicable

D. Campgrounds

Not applicable

E. Individual Private Campsites

Not applicable

F. Commercial and Industrial Uses

Not applicable

G. Parking Areas

Not applicable. There will be no parking areas associated with the MPRP.

H. Roads and Driveways

There will be no new permanent roads or driveways associated with the MPRP. Existing CMP-maintained access points and ways suitable for routine and urgent maintenance by its own vehicles will remain within the corridor. The MPRP will involve only the creation of temporary access ways for the purpose of constructing the new Section 3024 and removing and replacing the current 115 kV Sections 67 and 84.

Temporary access ways, which do not meet the definitions of roads or driveways pursuant to Section XII of the Town's ordinances, will not add any impervious surface area, and will be established only for use during the construction phase (see Exhibit 4). This will be an ongoing process as access will be established to areas undergoing immediate construction.

Determinations surrounding the exact nature of the construction of these temporary access ways will be made by the contractor in consultation with an environmental representative. These temporary access ways will be in place for no more than one growing season, and will be removed once all aspects of construction in that area are complete. Access to pole sites, either for removal or construction, also will be achieved by temporary access ways which will be in place for no more than one growing season. Areas where soils have been disturbed will then be mulched with hay. Vegetation will be allowed to reestablish itself once the temporary access ways have been removed.

Measures will be taken to avoid and minimize impacts to streams and wetlands through the use of crane mats, temporary bridges, geo-textiles fabrics, and culverts, when necessary. Appropriate erosion controls will be installed wherever necessary. If necessary, mats will be placed parallel to the upland edge as abutments to establish and further protect bank stability. No extensive grubbing (grading to remove root systems) within wetland crossing areas will be done prior to mat placement. However, some minor grading may be required to ensure mat stability and construction access safety. Streams that are too wide to cross with crane mats or temporary bridges will be avoided.

I. Signs

Not applicable. There will be no signage associated with the MPRP in Albion.

J. Storm Water Runoff

With the exception of the immediate area occupied by the support poles, there is no increase in impervious surface area associated with the transmission line; therefore, there will be no significant storm water run-off generated from the project. All new construction will be

designed to minimize storm water runoff from the site in excess of the natural predevelopment conditions. See also Section Q and Section R beginning on page 14.

K. Septic Waste Disposal

There will be no wastewater generated from the project site; therefore the requirements of this section are not applicable.

L. Essential Services

(1) Where feasible, the installation of essential services shall be limited to existing public ways and existing service corridors.

Within the Town of Albion, the construction of the new 345 kV transmission line and the removal and reconstruction of both 115 kV lines will occur entirely within or adjacent to the existing transmission line corridor. Some additional clearing of capable species within and adjacent to the existing corridor will be required.

A guiding principle on the design of the MPRP transmission line upgrades has been to utilize the existing transmission line corridors to the maximum extent possible. Only where existing corridors cannot accommodate the proposed upgrades while meeting safety and reliability standards is CMP seeking to widen the existing corridors. Creating an entirely new corridor is a last resort. As a result, a vast majority of the transmission line upgrades proposed as part of the MPRP are located within or immediately adjacent to existing corridors. Co-location of the transmission line upgrades, as opposed to the creation of new corridors, has multiple benefits, including the minimization of impacts to communities, individual property owners, and the environment. In Albion, additional lands will need to be acquired in order to expand the corridor. The expansion of the corridor in this area is necessary in order to safely and reliably configure the placement of the new structures proposed for this project.

(2) The installation of essential services other than road-side distribution lines is not permitted in a Resource Protection or Stream Protection District, except to provide services to a permitted use within said district, or except where the applicant demonstrated that no reasonable alternative exists. Where allowed, such structures and facilities shall be located so as to minimize any adverse impacts on surrounding uses and resources, including visual impacts.

The corridor along which the new transmission line will run crosses the Stream Protection District (SPD) in three locations, involving only three proposed transmission structures. Installation of essential services in these districts is allowed where no reasonable alternative exists.

Within the corridor, CMP has to the greatest extent practicable, sited each individual structure so as to avoid, and where unavoidable, to minimize adverse impacts on surrounding uses and resources. As part of this avoidance and minimization effort, CMP has attempted to site the structures so that none is located within the Stream Protection District. In Albion however, the existing corridor already crosses the SPD; therefore the structures associated with the MPRP

cannot be sited in a manner that allows the entire district to be spanned. This leaves CMP with no reasonable alternative, making the location of three structures within the Stream Protection District necessary.

There are no reasonable alternatives for locating these structures outside of this area. The amount of ground disturbance associated with the planned structures will be small, (*i.e.*, *limited* to the immediate vicinity of the pole placements), and since a majority of the project is co-located within the existing transmission line corridor, which already contains transmission poles, locating transmission structures within the previously impacted SPD causes the least overall impact when compared with the alternatives. Avoiding this district would require further alteration of the existing transmission line corridor or erecting much taller and much more substantial structures (e.g., steel lattice towers with concrete footings) to achieve the required spans. The overall environmental and visual impacts of these alternatives would be greater than the impacts associated with the project as planned. (See the sections related to specific Shoreland Zoning Districts starting on page 10 for more detailed information.)

M. Mineral Exploration and Extraction

Not applicable

N. Agriculture

Not applicable

O. Timber Harvesting

Not applicable. Clearing of vegetation will be limited to that which is necessary to construct the permitted project, as explained below.

P. Clearing of Vegetation for Development

Some clearing of vegetation will be required within the existing service corridor to accommodate the project and ensure that the project meets federal reliability and safety standards. The amount of clearing in all Shoreland Zoning Districts will be limited to that which is necessary for development of the project, and is generally limited to removal of species that are capable of growing tall enough to interfere with the transmission lines (so-called “capable species”). Non-capable species are allowed to remain to ensure that the corridor is vegetated, which prevents erosion and provides wildlife habitat. No grubbing (*i.e.*, stump removal) will take place.

Equipment typical of logging operations, such as cable and hook skidders, forwarders, tree movers, chain saws and logging trucks may be utilized to remove vegetation. In general, all trees, saplings of capable species, and sometimes tall shrubs are cut at ground level. All root systems are left intact, as the ground is not grubbed. All slash (such as limbs, tree trunks, wood chips, etc.) from the cutting operation is disposed of in accordance with the Maine Slash Law (12 M.R.S.A. § 9333). The vegetation that remains is typically a scattered growth of small shrubs and herbaceous plants. Initially, the condition of these newly cleared areas resembles that of a high quality forestry operation. While very little height structure to the

vegetation remains, great care is taken to prevent rutting and erosion. (See also Exhibit 9)

After construction is completed, non-capable species are allowed to grow to ensure that the corridor is vegetated to the greatest extent allowable, which helps prevent erosion and provides wildlife habitat. Over a relatively short period of time (generally within one year), the newly cleared portions of the corridors will exhibit the early-successional habitat type that is typical of existing transmission line corridors in Maine.

See attached maps (Exhibit 4), and the sections related to specific Shoreland Zone Districts, starting on page 10, for more detailed information.

Q. Erosion and Sedimentation Control

With the exception of the immediate area surrounding the base of the support poles, there will be no increase in the impervious surface area associated with the transmission line. The amount of ground disturbance associated with this project will be limited to the immediate vicinity of the pole placements and the impacts associated with temporary access roads. CMP has developed a standard manual, "Environmental Guidelines for Construction and Maintenance Activities on Transmission Line and Substation Projects" (2007), which it uses as a routine part of all transmission and substation projects. (A copy of this manual is attached as Exhibit 9). This manual contains erosion and sedimentation control requirements, standards, and methods that will be used to protect soil and water resources during construction of the various MPRP components. The manual was developed in consultation with the Maine Department of Environmental Protection (DEP) and is largely based on DEP's *Maine Erosion and Sediment Control BMP's*, dated March 2003, and DEP's Chapter 500, and contains specific Best Management Practices appropriate for electric transmission line and substation construction. These guidelines will be followed in the construction of transmission lines.

R. Soils

Based on the applicants' analysis of the Soil Survey Geographic Database compiled by the United States Department of Agriculture, Natural Resources Conservation Services, soils within the transmission line corridor will accommodate the proposed MPRP construction activities. Soil constraints with the transmission line corridor will be managed and mitigated through implementation of erosion and sediment control measures, proper site and project design, and special construction procedures. If concrete foundations for specific poles should be constructed, soil borings will be conducted and the foundation will be designed in accordance with soil characteristics.

S. Water quality

The proposed project will not pose a threat to water quality or impair the water classification of any water body. To minimize spill potential during construction, no fueling or maintenance of vehicles will be performed within 100 feet of wetlands, streams or other sensitive natural resources; or within 200 feet of a private water supply. After construction, the electrical transmission line corridor will be maintained to encourage the growth of scrub-

shrub vegetation. Trees within the corridor that are capable of growing up into the line and/or conductors (“capable species”) must be removed for safety and reliability reasons. CMP uses a selective herbicide program on all transmission corridors to treat an area once every four years to maintain an early successional stage of growth. Herbicide is selectively and individually applied (using a low-pressure backpack applicator) to capable species to prevent growth (or re-growth of a cut plant) of individual plants. CMP does not use herbicide within 25 feet of any waterbody or wetland with standing water at the time of application, or significant vernal pool depression. In addition, CMP will not use herbicides within 100 feet of a known well or spring. Furthermore, CMP will not store, mix or load any herbicide within 100 feet of any wetland or surface water. Only trained applicators working under the supervision of Maine Pesticide Control Board licensed supervisors will apply herbicides. Finally, herbicides will be applied only during periods when potential for rain wash off is minimal. The selective use of herbicides within the transmission line corridor does not pose a threat to surface water or groundwater quality, and will not impair designated uses or the water classification of any waterbody.

T. Archaeological Sites

During the past several years, CMP has engaged in extensive consultation with the Maine Historic Preservation Commission (MHPC) regarding the investigation of precontact archeological, postcontact archeological, and historic architectural resources within the MPRP area of potential effect (APE) that are listed on or eligible for listing on the National Register of Historic Places (NRHP). During the period 2008-2009, CMP’s consultants conducted reconnaissance level precontact and postcontact cultural resource surveys to identify resources that might be impacted by project related activities within the MPRP APE. After consultation with the MHPC regarding the results of the reconnaissance level surveys, CMP conducted more intensive level surveys to determine site significance (eligibility for listing in the National Register of Historic Places) on a number of potentially eligible archaeological sites within the APE. Similarly, during the period 2008-2009, CMP’s consultants conducted architectural surveys in accordance with MHPC guidelines to identify any potential historic above-ground structures that are listed on or eligible for listing on the NRHP that are located within the APE and to determine any adverse impacts on those properties from MPRP.

As a result of these surveys, the MHPC determined that MPRP would not have an adverse effect on any precontact or postcontact archaeological sites that are listed on or eligible for listing on the NRHP in Albion. The MHPC also determined that MPRP would not have an adverse effect on any historic architectural structures in Albion that is listed on or eligible for listing on the NRHP.

Approval Standards (From Section X (3)(A) of the Shoreland Zoning Overlay District Ordinance)

The proposed use will:

1. Maintain safe and healthful conditions.

The proposed project will maintain the same safe and healthful conditions that are already present in the transmission line corridor. The transmission line corridor and the poles within it are maintained to established industry standards so as to ensure the safety of utility workers

and the general public. Maintaining sufficient clearances around the conductors is paramount to the safe operation of the line. These clearances are achieved through appropriate siting of the poles themselves and through vegetation maintenance practices as described above. All construction will be in accordance with CMP's transmission standards, general industry standards, and "Good Utility Practice," including all necessary liveline working clearances, strength factors, and reliability factors as governed by the National Electrical Safety Code (NESC). In all instances, the line will be designed to meet or exceed the NESC and other standards, as applicable. The transmission line and all facilities will be operated in full compliance with CMP safety standards, which fully comply with Federal Occupational Safety & Health Administration requirements.

2. Not result in water pollution, erosion, or sedimentation to surface waters.

As described above with respect to Ordinance Sections 9 (J), (Q) and (S), the MPRP will not result in water pollution, erosion, or sedimentation to surface waters.

3. Adequately provide for the disposal of all wastewater.

There will be no wastewater disposal required for this project; therefore this standard is not applicable.

4. Not have an adverse impact on spawning grounds, fish, aquatic life, bird, or other wildlife habitat.

Impacts to spawning grounds, fish, aquatic life, or other wildlife habitat will be largely avoided through the use of the existing service corridor, which has been in place for several decades. In general, given the existing landscape characteristics of the site, construction and maintenance of the project is expected to result in conditions that are already common to the project area. It is fully anticipated that local wildlife populations will adapt and respond to any additional alterations much as they already do to ongoing land uses within the vicinity of the proposed project. Therefore, impacts to wildlife are expected to be minimal to non-existent.

Identified significant wildlife habitats and natural areas, such as vernal pools and rare plant locations, have been avoided and minimized to the extent practicable through careful siting and placement of poles.

In deer wintering areas (DWA), where clearing is required, the percentage of habitat removed will not be significant. There are two significant vernal pools between poles 258-38 and 258-39. No clearing is planned in this portion of the corridor. In addition, no new poles will be placed in any vernal pool in the Town of Albion. Transmission poles will be located within wetlands only when avoidance would cause a greater impact (such as taller structures impacting visual and aesthetic values, or the creation of a new corridor). Once installed the transmission line poles, due to the minimal amount of ground surface area they occupy, will have no significant impact on these critical natural areas.

Significant wildlife habitats and natural areas will be avoided to the greatest extent practicable during construction, including measures that are taken to ensure any impacts will be minimal and temporary. This includes the Waterfowl and Wading Bird Habitat area as designated by the MDIFW in the vicinity of Dutton Pond. This area as seen on Map 1, of Exhibit 4 is rated as moderate-value habitat for inland waterfowl and wading birds. In the area designated as

habitat there will be no clearing of vegetation, as this portion of the corridor is already cleared. All access ways will be temporary. Thus, this standard has been met. See attached maps, (Exhibit 4), and the sections related to specific Shoreland Zone Districts, beginning on Page 10, for more detailed information.

5. Conserve shore cover and visual, as well as actual, points of access to inland waters.

The proposed project will take place entirely within the existing corridor, and since the corridor already contains poles of a similar nature, the proposed project will not significantly affect visual points of access to inland waters, and will have no impact on actual points of access to inland waters. The corridor will continue to be maintained in a vegetated state with non-capable species, thereby preserving a similar degree of shore cover which currently exists.

6. Protect archaeological and historic resources as designated in the comprehensive plan.

The MPRP does not pose a threat to archaeological and historic resources as designated in the comprehensive plan. See also Section T above.

7. Will avoid problems associated with flood plain development and use.

As depicted in the attached maps, none of the proposed transmission poles are planned to be within the 100-year floodplain. Since the program will not affect runoff/infiltration relationships and no structures are within the floodplain, the project will avoid problems associated with floodplain development and use.

8. Be in conformance with the provisions of Section X.9

As discussed above with respect to Ordinance Sections 9 (A) through (T), this project complies with all of the provisions of Section 9 of the Ordinance.

Part D: Special Protection Overlay Districts

Aquifer Protection District

Portions of the MPRP are within the Aquifer Protection District as defined in Section XI(2), Special Protection Overlay Districts. Although, for the purpose of acquiring a Land Use Permit, the MPRP has been categorized as low-impact business, the project area after construction is completed will not be typical of a commercial enterprise. This is further evidenced by the fact that in the shoreland zone the MPRP is considered essential services, a permitted use in all districts. Once construction is completed there will be no storage of potential groundwater contaminants. There will not be vehicles accessing the property on a routine basis. In summary, the completed project does not pose a substantial risk of causing contamination to groundwater.

During the construction phase, CMP will require contractors and subcontractors working on building the MPRP to follow stringent Environmental Control Requirements. These written management standards, included at Exhibit 10, set forth the handling requirements for oil and hazardous materials. As part of CMP's Vegetation Management Plan, CMP also prohibits the storage of fuel, the parking of equipment, maintenance of equipment, or refueling activities within 100 feet of a protected wetland or other waterbody. Within 200 feet of a private water supply, storage of fuel, parking of vehicles or equipment, and refueling activities are similarly prohibited. (See also Section S on page 15 of this Application.)

After construction, the electrical transmission line corridor will be maintained to encourage the growth of scrub-shrub vegetation. Trees within the corridor that are capable of growing up into the line and/or conductors ("capable species") must be removed for safety and reliability reasons. CMP uses a selective herbicide program on all transmission corridors to treat an area once every four years to maintain an early successional stage of growth. Herbicide is selectively applied (using a low-pressure backpack applicator) to capable species to prevent growth (or re-growth of a cut plant) of individual plants. No broadcast application will be used; and CMP does not use herbicide within 25 feet of any waterbody or standing water. Additionally, CMP will not use herbicides within 100 feet of a known well or spring and CMP will not store, mix or load any herbicide within 100 feet of any wetland or surface water. Crew forepersons are certified by the Maine Pesticide Control Board, and all herbicides are EPA registered. The selective use of herbicides within the transmission line corridor does not pose a threat to water quality.

Lovejoy Pond Watershed District

Although portions of the MPRP are within the Lovejoy Pond Watershed District (see Exhibit 11), it is not necessary to meet the performance standard set forth in Section XI (3)(C) because the MPRP is not subject to either Site Plan or Subdivision review.

Conclusion

The MPRP represents an important investment in Maine's electrical infrastructure. In order to meet the local demands for electricity, as well as mandatory federal reliability standards, the MPRP is a necessary project. The construction proposed in Albion is an integral part of the MPRP as it serves as a vital link between two new proposed substations in Benton and Windsor.

The applicant appreciates the Planning Board taking the time to consider this application and believes all components of the applicable ordinance have been thoroughly addressed, and that the MPRP meets all standards found within the Zoning and Land Use Code of Albion. We will gladly answer any lingering questions you may have at subsequent Planning Board meetings regarding this project as it pertains to Land Use Permit requirements, the Shoreland Zone Overlay District and the Special Protection Overlay Districts.