

1 FEDERAL ENERGY REGULATORY COMMISSION

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5 Woodland Pulp LLC's Forest City Project

6 P-2660-030

7 Wednesday, August 28, 2019

8 3:30 p.m.

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10 TECHNICAL MEETING

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14 East Grand High School

15 31 Houlton Road

16 Danforth, ME 04424

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1 PANELISTS

2 U.S. Fish and Wildlife Service

3 Peter Lamothe, Manager, Maine Fish and Wildlife Service

4 Complex

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6 Maine Department of Inland Fisheries and Wildlife

7 Judith Camuso, Commissioner

8 Francis Brautigam, Director of Fisheries Division

9 Woodland Pulp, LLC

10 Marco L'Italien

11 Kevin Dean

12 Matthew Manahan, Pierce Atwood LLP

13

14 FERC

15 CarLisa Linton-Peters, Director, Division of Hydropower

16 Administration and Compliance (DHAC)

17 Michael Calloway, Fish Biologist, DHAC

18 Jeremy Jessup, Engineer, DHAC

19 Mark Ivy, Outdoor Recreation Planner, DHAC

20 Cleo Deschamps, Attorney, Office of General Counsel (OGC)

21 Thomas Blonkowski, Attorney, OGC

22 Mindi Sauter, Office of Chairman Chatterjee

23 Tegan Flynn, Office of Commissioner McNamee

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1 P R O C E E D I N G S

2 (3:30 p.m.)

3 MS. DESCHAMPS: Welcome everyone to the FERC  
4 Technical Conference on the Forest City Project. I know  
5 it's a little tight in here, so we're going to try to go as  
6 fast as possible, but we appreciate you all showing up.  
7 What you have to say is really important to us.

8 You can't hear? Can we turn it up? We'll try to  
9 turn the sound up a little bit. We do have a court reporter  
10 here who's going to be recording the meeting. So, anything  
11 that is said today will be recorded on the record. Is that  
12 okay? A little better? We'll try to speak loudly.

13 My name is Cleo Deschamps, and I'm an attorney  
14 with the Office of General Counsel at the Federal Energy  
15 Regulatory Commission, or FERC. And thank you to the  
16 school, and the local officials, and everyone here today.  
17 This is really a great turnout.

18 I have with me several of my colleagues that I'm  
19 going to let introduce themselves.

20 MS. FLYNN: I'm Tegan Flynn. I'm a legal and  
21 policy advisor to Commissioner Bernard McNamee of FERC.

22 MS. SAUTER: Mindi Sauter. I'm a legal advisor  
23 to Chairman Neil Chatterjee of FERC.

24 MS. LINTON: My name is CarLisa Linton. I am the  
25 Acting Director, Division of Compliance at FERC.

1           MR. IVY: My name is Mark Ivy. I work in the  
2 Land Resources Branch of DHAC, which is Division of  
3 Hydropower Administration and Compliance.

4           MR. JESSUP: I'm Jeremy Jessup. I'm a Civil  
5 Engineer in the Engineering Resources Branch with DHAC.

6           MR. CALLOWAY: I'm Mike Calloway. I'm a Fish  
7 Biologist with the Federal Energy Regulatory Commission, and  
8 I am the Project Coordinator on this.

9           MS. DESCHAMPS: We do have federal and state  
10 agencies with us here today, and also the licensee, and I  
11 will introduce them in just a minute. But first, I want to  
12 tell you about today's agenda. There are agendas in the  
13 back, so you have an outline of what the timing is. We are  
14 going to start. I'm going to provide a background of the  
15 project and why we're here today.

16           Then we'll have a panel discussion consisting of  
17 these folks up here. The public is invited to observe this  
18 part of the meeting but not invited to ask questions  
19 directly to the panelists. We will have a public comment  
20 session after the panel discussion.

21           Today the FERC staff who are here are not  
22 decision-makers. I just want to make that clear. We are  
23 really here to hear from all of you, to hear from the  
24 panelists, and to discuss the operational and technical  
25 issues facing the project.

1           Our role really is to gather this information and  
2 distill it and provide it to the Commissioners, who are the  
3 decision-makers. So, after the panel discussion, we will  
4 have the public comment session. If you haven't done so  
5 already, and you would like to speak during that session,  
6 please sign-up in the back of the room.

7           I will be calling individuals and you'll know  
8 when your turn is, and I will provide you with the  
9 microphone. That's how we're going to do it. If you'd  
10 rather, there are public comment forms in the back as well,  
11 so you could write down your comment. You don't have to  
12 speak in front of everyone.

13           You can also later, when you leave the meeting,  
14 you can e-file it on our electronic system. Regardless of  
15 how you comment -- whether you speak today, you provide us  
16 comments on the comment form, or later you electronically  
17 file them, we will consider all of them part of the record.  
18 We will read them all. What you have to say is really  
19 important to us, so please if you have some helpful  
20 information, please do find one way to comment that works  
21 for you.

22           And to record the discussion today, we have an  
23 independent court reporter and he is over here going to be  
24 recording everything that's said, so whether you're on the  
25 panel, or you're speaking at the public comment, please be

1 sure to speak clearly, speak loudly, and also say your name  
2 before you make a comment.

3           Also, as we have a packed house here, it's really  
4 helpful if everyone silences their cell phones, and keep  
5 sort of conversations to a minimum, just so the court  
6 reporter can accurately record what everyone is saying.

7           So, I'm going to start by providing just a brief  
8 background of the project. As you all know, the Forest City  
9 Project impounds two dams -- North Lake and East Grand Lake,  
10 from the Canadian border, with some parts of the project in  
11 each country.

12           The FERC license project, however, only includes  
13 those facilities that are in the United States. The project  
14 itself doesn't include any electric generating equipment  
15 itself, but water from Grand Lake flows from the east branch  
16 of the St. Croix River, and is used to generate power at  
17 Woodland Pulp's downstream generating facilities.

18           And because of this effect on the downstream  
19 generating facilities, the Federal Power Act requires that  
20 the Commission license this project. So, the project  
21 operates in a store and release mode where it stores water  
22 to reduce downstream flooding during periods of high flow,  
23 and releases water during periods of low flow.

24           Also, Woodland Pulp operates the project  
25 according to certain agreements with the state, also others,

1 including the International Joint Commission that is a U.S.  
2 Canada agency that can place conditions on the operation of  
3 the dam and reservoirs that are affecting boundary waters.

4           And Woodland Pulp maintains the reservoir at  
5 certain elevations to do things such as maximize habitat for  
6 fish, to facilitate recreation access, to protect shorelines  
7 from ice damage, and to avoid downstream flooding.

8           So, during its time as licensee, Woodland Pulp,  
9 or its predecessors, have asked the Commission to find that  
10 the Forest City Project is not jurisdictional, which  
11 basically means that the project shouldn't be regulated by  
12 the Commission.

13           The Commission has found that each of those  
14 proceedings, that the Forest City Project has a significant  
15 effect on the downstream generation, so that Woodland Pulp  
16 is required to obtain a license from the Commission.

17           And Woodland Pulp requested to relicense this  
18 project, and in 2015, after a participation from the  
19 licensee, from various agencies, Commission staff and the  
20 public, the Commission issued a new license to the project  
21 in 2015 for 30 years, so it will expire again in 2045.

22           And this license basically authorized Woodland  
23 Pulp to operate the project in the same way that it had been  
24 under the previous license. So, currently there are two  
25 pending proceedings before the Commission. The first is a

1 request for a hearing which is essentially an internal  
2 appeals process. The Commission, in 2017, decided that the  
3 project needed licensing, once again.

4 And Woodland Pulp petitioned the Commission to  
5 determine whether or not the project was jurisdictional if  
6 the project was owned by the state. So, Woodland Pulp had  
7 informed the Commission that it reached an agreement with  
8 the state, whereby the state would own the project, but  
9 Woodland Pulp would operate it on its behalf.

10 And Woodland Pulp asked the Commission to find  
11 that the project isn't required to be licensed if the state  
12 owns it. But the Commission found in December of 2017, that  
13 the state owning the hydro facilities is also required by  
14 the law, just like any other private company or person, and  
15 the Commission determined that Woodland Pulp had not shown  
16 that the impact on generation would decrease if the state  
17 owned the project.

18 And Woodland Pulp, like I said, request for a  
19 hearing is pending right now.

20 The second proceeding is an application by  
21 Woodland Pulp to surrender the project. And this means that  
22 Woodland Pulp wishes to no longer operate it under the  
23 requirements of the Commission.

24 The Commission has not acted on that application  
25 at this time. It's a pending application, and we're



1 considering all options. I also want to point out that a  
2 surrender of a project does not necessarily mean that all of  
3 the facilities have to be removed. Surrender of a project  
4 just means that the operation of a project can't contribute  
5 to the generation of electricity -- it doesn't mean that the  
6 facilities have to be removed.

7 But today's Conference is not specifically to  
8 address those two pending proceedings. It's really to  
9 discuss the technical issues and the operational issues that  
10 this project faces. And we understand that any changes to  
11 the operation could affect many interests here and we want  
12 to hear from the panelists and from all of you about what  
13 those changes mean for you.

14 Our goal today is really to gather the technical  
15 information and bring it back to the Commission, so we can  
16 provide the Commissioners with this information in order for  
17 them to make the decision.

18 So, really today is an investigation, and it's  
19 hopefully going to be a discussion with the panelists, and  
20 then hearing from you, but it's really investigating the  
21 options -- not making a decision.

22 So, a transcript of the meeting will be on the  
23 record. And anybody who has any information that they think  
24 is helpful, you please file or provide a comment today, but  
25 file any information so that we can supplement the record.

1           So, now we're going to start with the Technical  
2 Conference. So, I will introduce the panelists. First,  
3 from U.S. Fish and Wildlife Service we have Peter Lamothe.  
4 From the Maine Division of Fisheries and Wildlife, we have  
5 Commissioner Judy Camuso and we also have Francis Brautigam.

6

7           And from the licensee, Woodland Pulp, we have  
8 Kevin Dean, Marco L'Italien, and Matthew Manahan. And  
9 you've already met my FERC colleagues, and this panel is  
10 going to have a discussion, like I said. We're going to  
11 engage them with four topics that were listed in the notice.

12           We're going to have 30 minutes for each topic.  
13 If we don't need 30 minutes, we'll move on to the next  
14 topic, but I will be keeping time, and I will be showing you  
15 a 10 minute warning as we get to the time restriction. And  
16 as I mentioned, the purpose of this meeting is really to  
17 discuss the technical and operational issues, so I ask that  
18 you focus your comments on those issues specifically.

19           Again, you're all invited to observe this part,  
20 but we're not going to be asking the panelists questions  
21 directly. And we're going to keep this to two hours so that  
22 we can hear from all of you as well.

23           So, we're going to start with the first topic.  
24 The first topic is related to the modified operations and  
25 maintenance agreement that Woodland Pulp has entered into

1 with the State of Maine.

2 We would like to know whether the operation of  
3 the Forest City Project, as proposed under this agreement,  
4 would lower the project's impact on downstream power  
5 generation. So, I'm going to let the panelists -- whoever  
6 wants to start, please do.

7 MR. MANAHAN: Could everybody hear me? Good  
8 afternoon. My name is Matt Manahan. I represent Woodland  
9 Pulp. I've been involved in this for about 25 years now.  
10 And I just want to start with respect to this question that  
11 the Commission has asked by saying first off, that Woodland  
12 Pulp is extremely disappointed, has been disappointed over  
13 the years, in the Commission's unwillingness to recognize  
14 that the operation of the dam does not contribute to  
15 downstream power generation.

16 We have had -- this has been in dispute for as I  
17 say, 25 years. We've had analyses done by several different  
18 consultants who examine the headwater benefits and concluded  
19 that it does not contribute to downstream power generation.

20 And even using the Commission's model that we  
21 ultimately ended up doing in 2010, we concluded that the  
22 total contribution of the three projects -- that is, West  
23 Branch, Vanceboro and Forest City is about 1.1%. We don't  
24 even think it's that much, but the total contribution of all  
25 three is about 1.1% over what it would be in the natural

1 unregulated condition.

2           So, we strongly believe that the Forest City  
3 Project, which is a small part of that, because it's  
4 upstream of Vanceboro, contributes certainly not as Miss  
5 Deschamps said, a significant part -- contribution to  
6 downstream power generation. We don't believe it does  
7 contribute to downstream power generation, hence our request  
8 not to have to have a FERC license.

9           Having said that, we filed this -- what's it  
10 called here, the modified operations and maintenance  
11 agreement in the agenda. We filed the modified operations  
12 and maintenance agreement in January, I think, of 2018, with  
13 our rehearing request, asking the Commission to reconsider  
14 its December of 2017 decision, that if the state takes over  
15 and operates it and has Woodland Pulp operate it for the  
16 state, as it has always been operated, that it wouldn't need  
17 a FERC license, because the state would clearly not be  
18 operating it for power generation.

19           Because the Commission rejected that notion, we  
20 filed the modified operations agreement which instead of  
21 saying the project will be operated as it historically been  
22 operated essentially, it says that the project will be  
23 operated, however, IF&W wants to be operated -- the  
24 Department of Inland Fisheries and Wildlife.

25           And so, although IF&W presumably would want to

1 operate it as it has historically been operated, because  
2 it's been operated for fisheries and wildlife and  
3 recreational benefits, it wouldn't -- there would be no sort  
4 of baseline to say it has to be operated as it has  
5 historically been operated.

6           So, the takeaway here, for purposes of this  
7 question, is will the operation in the modified operations  
8 agreement be different? Will the contribution to downstream  
9 power generation be different? I don't think there's -- I  
10 think it probably won't be. I mean I think we can say with  
11 some assurance that because IF&W would operate the project  
12 in the same way essentially that it's historically been  
13 operated, even though it's no longer required to do so by  
14 the operating agreement.

15           The downstream power generation benefits to the  
16 extent there are any, which we disagree with, would be the  
17 same.

18           MS. CAMUSO: So, Judy Camuso, Commissioner of  
19 Fish and Wildlife. And I would say from our perspective, we  
20 too want to see the operations and the water levels  
21 maintained as they are. We want to see the management for  
22 fisheries and boating, recreation in that area. But we are  
23 not able to take ownership of the dam. The state already  
24 has 77 dams that are in disrepair and in need of  
25 significant investment.

1           We do not have the resources to take ownership of  
2 the dam. We are committed to working through this process,  
3 and try to come up with a solution, but at this point we,  
4 you know, we don't believe that that is a viable option  
5 right now.

6           MR. MANAHAN: And so, Commissioner Camuso, just  
7 to be clear for the record. If the modified operations  
8 maintenance agreement, which is referred to in this agenda  
9 item, would be in agreement for IF&W to operate the dam and  
10 for the state to take -- I'm sorry, to own the dam, Woodland  
11 Pulp to operate it on behalf of IF&W, but what you're saying  
12 is essentially that's not going to happen, which means that  
13 this agenda item is basically moot.

14           MS. CAMUSO: Right, yes.

15           MR. MANAHAN: Okay.

16           MR. CALLOWAY: So, just to clarify, the original  
17 operating plan that was provided to us will be moot because  
18 the State of Maine will not take over the dam.

19           MR. MANAHAN: Not just the original though, there  
20 is two --

21           MR. CALLOWAY: The revised and the original,  
22 correct.

23           MR. MANAHAN: Which effectively means Michael,  
24 that the rehearing request that's pending is, I mean, you  
25 know, effectively moot I think, if the state won't take it.

1           MS. CAMUSO: You know, the state is not prepared  
2 to take ownership of the dam. We are committed to working  
3 toward a solution to find an owner of the dam, but our  
4 understanding was that FERC rejected that offer anyway, and  
5 so at this point we didn't see that as a viable option for  
6 this project.

7           MR. MANAHAN: I would just say again, sir for the  
8 record, that although the Commission initially rejected it,  
9 we still believe that it's correct -- we believe that the  
10 Commission should grant rehearing because we do not believe  
11 that under the revised operations maintenance agreement,  
12 which is the subject of this agenda item, if the state were  
13 to own the dam, we do not believe that the dam would  
14 contribute significantly to downstream power generation and  
15 certainly would not be operated for the purposes of  
16 producing power downstream, so we do think that the  
17 Commission could -- because of the modified operations and  
18 maintenance agreement, and may well, if the state were  
19 willing to take ownership of the dam, grant the rehearing  
20 request.

21           MR. CALLOWAY: Well, to move on from that part of  
22 it, I would like to ask as far as the modeling, is there any  
23 way to demonstrate that the Forest City Project, how much it  
24 does or does not contribute to the remodeling?

25           And also, is there any possible changes in the

1 gates to create a more dynamic situation or physical changes  
2 to the project that would enable that modeling to occur?

3 MR. MANAHAN: So, I can address that initially,  
4 and then either Kevin Dean or Marco L'Italien could  
5 supplement the things necessary. But because you know, the  
6 technical folks, I sort of feel like a technical person --  
7 I've been at this for so long, but the short of it is that  
8 the -- we do not believe that any modeling is -- any further  
9 modeling.

10 We've done three rounds of modeling, spent a lot  
11 of -- modeling is expensive, and this dam is a net loss for  
12 the mill and so, we do not believe that any further modeling  
13 is warranted. The modeling that we did, most recently as of  
14 2010, shows that as I say, the three dams together  
15 contribute 1.1% downstream power generation.

16 We believe that's de minimis. We believe it's  
17 below what the threshold for FERC licensing be required, and  
18 the Commission has never been clear unfortunately, about  
19 what that threshold is. Having said that, we do believe  
20 that there would be a way, essentially, not to operate the  
21 gates which would deprive the Commission of jurisdiction if  
22 the project was not operated at all.

23 There are a couple scenarios that we could talk  
24 about, probably any of them would involve some sort of a  
25 third party operator and but certainly Woodland Pulp would



1 be willing to give the dam to a third party operator.

2 But the ways that might be considered if we're  
3 not producing power benefits, without modeling being  
4 required, hence not operating the DM gate, would be  
5 essentially either to not operate the American gates, that  
6 is -- the two gates on the U.S. side would be locked in  
7 place, and then the Canadian gate could be operated as the  
8 sole gate which would mean that the Commission wouldn't have  
9 jurisdiction because the operation would take place entirely  
10 in Canada, and so a license would not be required.

11 The problem with that as we've set forth in a  
12 response to a Commission additional information request, was  
13 -- is that during periods of high water flows, it is flood  
14 flows, I think over -- I think it's 680 CFS, that there  
15 would be flood control hazards if at least one of the gates  
16 on the U.S. side wasn't operated during those periods of  
17 high flows.

18 We think that that's about 3% of the time,  
19 according to the modeling that was done on an annual  
20 average, so in some years it might be more than 3%, some  
21 years it might be less than 3%, but we could operate just we  
22 or someone -- it could be Woodland Pulp or anybody, could  
23 operate just the Canadian gate, and then operate the U.S.  
24 gates 3% of the time for flood control.

25 That would preserve the lake levels on East Grand

1 Lake. It would preserve the flows downstream and it would  
2 mean that the Commission wouldn't have jurisdiction, if the  
3 Commission were willing to find that operation only in  
4 Canada, deprived of the Commission jurisdiction -- operation  
5 only in Canada with the exception of that 3% of the time  
6 operating for flood control.

7           The second of the three essential ways -- here's  
8 what I'm going to get at, that's the first possible way.  
9 The second way would be to operate -- to lock the gates in  
10 place, all three of them. Well, I guess the second one is  
11 to operate the Canadian gates, just like I talked about --  
12 the Canadian gate, it's a single gate.

13           But to lock the two American gates in place and  
14 shave off say the top foot of both of them. That would  
15 allow it -- the gates not to operated even during flood  
16 phase -- flood stage, because it would allow when the water  
17 is high enough, it could flow over the tops of the gates,  
18 yes, Commissioner Camuso, sorry?

19           MS. CAMUSO: Matt, in that scenario, would that  
20 change the water level of the lake at all?

21           MR. MANAHAN: Yes, it would. That's the problem  
22 with frankly both of these two scenarios -- the second and  
23 third that I'm going to get at is that the lake level would  
24 be affected. This second option -- which would shave off  
25 probably the top foot of the American gates, would result in

1 the lowering of the lake level, probably by about a foot on  
2 average.

3           So, but -- for the Commission's purposes, it  
4 would allow the gates on the U.S. side not to be operated at  
5 all, even during high flood flows. And then the third  
6 option is -- would even have more of an effect on the lake  
7 levels, and that would be not to operate any of the gates --  
8 the Canadian gate or the American gates, but to essentially  
9 shave off some portion of those tops of the -- to leave the  
10 bottom of one of the gates open by about 8 inches which  
11 would allow for a 75 CFS minimum flow, which is important  
12 for the International Joint Commission and just having a  
13 minimum flow in the downstream reach.

14           And then to shave off the tops of those gates by  
15 -- we don't know exactly. There'd have to be an analysis  
16 done, but it might be three feet say. And, if that were  
17 done, it would lower the lake levels by that -- but we don't  
18 know that number as Mark was saying.

19           We don't know, but it would presumably be less  
20 than -- you have to take off more than a foot, but we don't  
21 know what it would be. But it would lower the lake levels  
22 by an amount. So, we could do that and not operate those  
23 gates at all as well.

24           But the problem with, as Commissioner Camuso  
25 points out, the problem with either of those latter two

1 options, is they will have some effect on the lake level, so  
2 we haven't pursued those. I don't think anybody really  
3 wants those options to happen, but it would be a way to  
4 address your concern Michael, about ways to operate without  
5 producing downstream power benefits.

6 Well, not operate -- they would not actually be  
7 operated actually.

8 MS. CAMUSO: I'll just follow-up on that Matt.  
9 You know, we have significant concerns with altering the  
10 level of the lake in either of the -- the Department and the  
11 state has significant concerns with the two latter options,  
12 which would result in any change in the water level of that  
13 lake.

14 MR. MANAHAN: And we're sensitive to that and the  
15 mill has tried for 25 years to get out of FERC jurisdiction  
16 frankly, without having to change the operation of the lake,  
17 and that's why we reached the agreement with the state a  
18 couple of years ago, to have IF&W own the dam, but that's  
19 the only -- other than removing the dam gates, those are the  
20 only three options that we have.

21 And so, that Canadian gate option operating  
22 during flood flows would allow the operation to remain the  
23 same. But in any of these, you mentioned earlier,  
24 Commissioner Camuso, that would be -- it would be good to  
25 find a third party operator -- a third party owner, a third

1 party operator.

2 Woodland Pulp would be completely onboard with  
3 that if that could happen. The issue with that is that a  
4 third party operator is going to need to operate and may  
5 still produce downstream power benefits. And if the State  
6 of Maine can't operate it according to the December of 2017  
7 decision without having to have a license, then I'm  
8 struggling to figure out who can.

9 MS. CAMUSO: And I guess that would be our  
10 question to the regulators to FERC is that if, and I should  
11 say that my office has been working with the Premier's  
12 Office in New Brunswick, and we are committed to jointly  
13 trying to come up with a solution and a third party that  
14 would take ownership of this dam.

15 But we need to understand if that third party  
16 would still be required to have a FERC license, if we could  
17 operate it in such a way operate and own it if we would --  
18 if that third party would still be beholden to those license  
19 requirements.

20 MR. CALLOWAY: I have a follow-up question on  
21 your first option. And to clarify, I do not speak for the  
22 Commission. But my question is in the case of using the  
23 Canadian gate, if that were operated in that nature and you  
24 only used the American gates to pass flood flow, would that  
25 flood flow be above the levels to where it did not benefit

1 downstream generation to where it bypassed as just spilled  
2 downstream, or would it count towards generation?

3 MR. MANAHAN: Well, you know, again our view is  
4 -- maybe Kevin could answer that but let me just say -- hang  
5 on just a second. Commissioner Camuso wants to say  
6 something first, I'm going to hand you the microphone.

7 MS. CAMUSO: So, I'm just curious to, you know,  
8 not as a hydro person. Is the requirement that there's  
9 absolutely no -- I mean I don't understand how you can have  
10 that dam and have there -- is there, you referenced a  
11 significant energy source. So, what is FERC's definition of  
12 significant? It's less than 1%, I'm not sure how we can get  
13 much lower than that.

14 So, I guess I'm curious to know is like -- at  
15 what level would FERC determine that there is not enough  
16 energy to need a license?

17 MS. DESCHAMPS: To respond to that, I will just  
18 say it's a little difficult for us here to say that, because  
19 it really is the Commissioners who will make that decision.  
20 So, obviously, the past precedent says that it's impacting  
21 downstream generation, and we're looking to see if there are  
22 any operational methods that can reduce that downstream  
23 benefit.

24 MR. DEAN: Hello, yeah, typically we don't make a  
25 lot of gate changes on the lake. This time of year, things

1 are pretty flat. I think all of you that live on the lake  
2 will agree with that. Things have been pretty flat since  
3 spring. Flood conditions would probably prevail, like in  
4 the spring when the ice goes out, we might see some more of  
5 the December rains, such as we've seen in 2010.

6 But typically, we don't spend a whole lot of time  
7 on East Grand Lake. I think the dam tenders might go in  
8 once a week and take a look and see what's going on, so.

9 UNIDENTIFIED OFF MIC SPEAKER: His question was,  
10 when we're in a flood state, and we're opening up that other  
11 gate, we're spilling at the other.

12 MR. DEAN: That's correct.

13 UNIDENTIFIED OFF MIC SPEAKER: We're spilling  
14 everywhere.

15 MR. DEAN: When we're letting water go, water is  
16 going all the way to the Atlantic Ocean, so when we got  
17 gates open to let water go up there, we've got gates open  
18 all the way down through, so that's correct.

19 MS. CAMUSO: So, there's no additional  
20 generation?

21 MR. MANAHAN: So, in flood control, we would just  
22 want to say if we're spilling all that water, it's just  
23 going straight down to the ocean, and so it's not going to  
24 be contributing to downstream power generation because  
25 there's an excess of water.

1           But I just want to be clear, we're -- we are not  
2 going to do modeling on that. So, you know, you have to  
3 kind of take a common-sense approach to this and that if its  
4 in flood stage, it's just not going to contribute to  
5 downstream power generation.

6           And the operation during that 3% of the time is  
7 not going to be contributing to downstream power generation  
8 just as a practical matter.

9           MS. LINTON: Matt, this is CarLisa. Could you  
10 provide the Commission with some documentation you have  
11 referred to 3% of the time for flooding -- for flood  
12 control. Is that -- do we have numbers filed with the  
13 Commission so that that data could be available for us to  
14 provide the Commissioners?

15           MR. MANAHAN: Yes, that is filed with the FERC on  
16 October 13 of 2017, Woodland Pulp filed a response to the  
17 September 13, 2017 additional information request for Forest  
18 City. In that response for additional information request,  
19 question one talks about this issue of simply locking the  
20 gates in place, basically.

21           And our response was that there's flood control  
22 and safety issues with doing that, and so we provided this  
23 information that I had just referred to about the 680 CFS  
24 and 3% of the time, that's on the top of page 2.

25           MR. CALLOWAY: Any further comments from anybody



1 on the panel on this topic? Alright, let's move to the next  
2 topic.

3 MS. DESCHAMPS: So, the second topic is whether  
4 there are additional methods for complying with the  
5 licensee's -- sorry, excuse me, the license's existing  
6 operation of requirements that could improve project  
7 economic efficiency.

8 MR. CALLOWAY: So, I'll lead in with what are the  
9 largest expenses for the licensee? How much are these  
10 expenses and how much of these project expenses for the  
11 licensee? And are these costs significantly different from  
12 the cost in our EIS when we issued our license?

13 MR. MANAHAN: So, I think Kevin may be able to  
14 address the specific cost questions that you have, but I'll  
15 just start out by saying that the license -- the FERC  
16 analysis in the EIS is that the cost to operate the project  
17 over the term of the license is about 6 million-dollars more  
18 than the cost of purchasing that incremental increased  
19 energy on the grid.

20 That 6 million-dollar additional cost during the  
21 term of the license is obviously not -- it's a little bit  
22 apples and oranges, the questions you're asking. And the  
23 mill operates the dam as part of its regular mill  
24 operations. And so, it doesn't have a specific breakdown of  
25 all these numbers, but what in addition to the operational

1 cost -- that 6 million-dollars with the term of the license  
2 over the cost -- compared to the cost of alternative energy  
3 purchased, the mill is also extremely concerned about the  
4 other items that Woodland Pulp has noted in our rehearing  
5 question -- in our rehearing petition, which is the cost of  
6 the additional studies under the license.

7           For example, archeological studies and in all the  
8 work that needs to be done in order to conform to the  
9 requirements of the new license that are separate and apart  
10 from just operating the dam on a daily basis, changing the  
11 gates, you know, maintaining the infrastructure of the dam  
12 -- those types of issues, obviously are just regular costs  
13 that are separate from the increased costs under the  
14 license.

15           And in addition to the increased costs in the  
16 license like those studies, there's also the uncertainties  
17 that the mill's extremely concerned about like for example,  
18 there is an essentially a reopener -- U.S. Fish and Wildlife  
19 has a fishway prescription and under the fishway  
20 prescription, U.S. Fish and Wildlife can come in at any time  
21 during the term of the 30 year license and tell Woodland  
22 Pulp that it has to build a new fish ladder on the American  
23 side if it doesn't think that the fish ladder in Canada is  
24 good enough.

25           And Woodland Pulp is not willing to live with the

1 uncertainty of having the possibility that it might all of a  
2 sudden have to build a new fish ladder on the U.S. side,  
3 because that could be millions of dollars to do it according  
4 to FERC standards.

5           So, I guess that's a long-winded way Michael was  
6 saying there's a lot more to be considered here than just  
7 you know, what are the day to day operational costs of  
8 operating the dam, which is why Woodland Pulp can't live  
9 with the FERC license, given the economics of the project.

10           I know Kevin, do you have anything specific in  
11 terms of the operation?

12           MR. DEAN: As far as the day to day operations  
13 go. As far as us, and we've got gauging stations, we have  
14 to monitor the flow going down the stream. We have to  
15 monitor the flow on the lake and we probably got a \$7,000 a  
16 year figure there. We've got maintenance on the dam. We  
17 might spend another \$15,000 maintaining the dam.

18           We've got a dam tender that might be on the road  
19 like I said, maybe one day a week going up there, so  
20 operational costs are minimal, it's all the other costs such  
21 as Matt has mention, such as studies, and archeological  
22 studies, and fishway studies, and that's what's killing us.

23           Yeah and Marco just mentioned too, loom studies,  
24 we have to do loom studies, we have a bunch of them going.

25           MR. MANAHAN: I'll just add one point. The

1 agenda item says, "Whether there are methods for complying  
2 with the project's existing operational requirements that  
3 could improve project economic efficiency." The short  
4 answer from the Woodland Mills perspective is no. The dam  
5 is operated as efficiently as possible. It's a small --  
6 frankly it's a small part of the mill's operations, it's not  
7 very expensive as Kevin said.

8           The issue is these other license requirements as  
9 opposed to the sort of operational -- daily operational  
10 requirements. And in fact, just to be clear, Woodland Pulp  
11 has been clear that it's willing to continue to pay for  
12 those daily operational requirements that Kevin just  
13 referred to, as long as it doesn't have to do it under a  
14 FERC license.

15           MS. CAMUSO: Can I just follow-up on that Matt?  
16 So, if my office and the Premier's office were able to find  
17 a third party owner, you would -- Woodland Pulp would be  
18 willing to take on the annual maintenance costs that Kevin  
19 outlined if there were not the requirements of the FERC  
20 license?

21           MR. MANAHAN: The short answer to that is yes,  
22 but -- I mean, the mill would be willing to continue to  
23 assume the operational costs that it pays for today. We  
24 obviously, I think under the operations agreement with the  
25 state, there's a 15-year minimum. I think Woodland Pulp

1 would be willing to agree to 15-years, there'd have to be  
2 some end point.

3           And there would also have to be some  
4 understanding that, you know, the mill would not be  
5 responsible for other, for example, capital improvement  
6 costs, and things that would be beyond the nature of the  
7 regular operations, but the short answer, I think I can say  
8 Marco is yes.

9           MR. LAMOTHE: Yeah, I guess I have a follow-up  
10 for IF&W in that division for a third party agreement  
11 consistent with what was under the LePage administration.  
12 Can you hear me now? Can you hear me now? Hello?

13           So, my question for IF&W is you know, this  
14 potential new agreement with a third party. I assume that  
15 would also be protective of, you know, natural resource  
16 issues that you have jurisdiction over?

17           MS. CAMUSO: Yes, our hope is to find a third  
18 party that would take ownership and operation of the dam in  
19 conjunction with both the state and potential agencies and  
20 our goal would be to maintain the water levels as they are  
21 in -- for fishers and recreational activities as they are  
22 currently.

23           MS. DESCHAMPS: Thank you. And our third topic  
24 we would like to discuss is any strategies that would ensure  
25 the protection of fish passage, recreational interests,

1 public access, while maintaining compliance with the  
2 existing project license.

3 MR. MANAHAN: I'll just start by saying that the  
4 mill currently maintains compliance with the project license  
5 and insures protection of fish passage, recreational  
6 interest and public access. And would do so if it didn't  
7 have to comply with the FERC license and be subjected to  
8 additional costs.

9 I don't think that really any strategies are  
10 needed for that.

11 MR. BRAUTIGAM: Francis Brautigam. I guess I'll  
12 take this pause as an opportunity to weigh in a little bit  
13 about the resources that are in that lake. For most of you  
14 that live there, you know it's a large lake, it's over  
15 16,000 acres. It provides fisheries that I would say are on  
16 par of those that I would characterize as a state-wide  
17 significant.

18 Regionally, they're incredibly important for the  
19 rural recreation based economy that largely supports people  
20 that reside year-round in this area. Some of those  
21 fisheries that reside in the lake include wild populations  
22 of lake trout, both wild and stocked populations of salmon.

23 It's also rather unique in that it supports  
24 growing fisheries, the lake white fish, cusk, and much of  
25 the guiding that supports a lot of the local folks here in

1 the area focuses on small mouth bass, which is another  
2 fishery that East Grand is well noted for.

3           And again, I just wanted to go on record  
4 acknowledging how important this fishery resource is, and  
5 how important it will be to think about how we manage the  
6 water levels in this lake to ensure that those resources  
7 remain viable and sustainable in the future.

8           MR. LAMOTHE: I'll try this again. Peter  
9 Lamothe, Fish and Wildlife Service. Many of our  
10 recommendations in the license that were consistent with the  
11 species that Francis just mentioned, and so probably in  
12 addition we did have some recommendations for passage of  
13 American eel in that license as well, which is obviously a  
14 very important fishery here in the state, but I just want to  
15 express gratitude to Woodland to hear that they're  
16 implementing that license and being protective of those  
17 resources as we try to figure this out and hopefully pull it  
18 together.

19           MS. DESCHAMPS: We're getting through these  
20 questions pretty quickly. So, the last question we have is  
21 regarding the surrender. And we'd like to discuss any  
22 possible alternatives regarding the licensee's proposal to  
23 surrender the license while addressing dam safety,  
24 recreation, navigation and fish.

25           MR. MANAHAN: And I think it's fair to say at

1 this point that we pretty much have already covered this one  
2 because from Woodland Pulp's perspective, we believe that  
3 the three alternatives that I talked about, the Canadian  
4 gate operation with flood flows operating in the U.S. --  
5 that would protect these concerns, the dam safety,  
6 recreation, navigation, migratory fish.

7           We believe it would allow us -- allow or not  
8 allow FERC to have jurisdiction at that point. So, those  
9 items would be protected. The other two options I mentioned  
10 which is essentially not operating the U.S. gates, even  
11 during periods of flood stage, flood flows, but having to  
12 cut off basically the tops of the U.S. gates.

13           We also believe that would address dam safety,  
14 recreation, navigation and migratory fish. However, it  
15 would be a change in the lake levels by some degree, and so  
16 I don't think many people would find it acceptable.

17           And then the third option is not to operate any  
18 of the gates and cut down the gates a little bit more than  
19 that and that has that same issue. So, I think all of them  
20 you would address -- those are alternatives regarding our  
21 surrender of the license that would address dam safety,  
22 recreation, navigation and migratory fish.

23           But for those who want the same lake recreation  
24 opportunities as currently exist, they would not -- they  
25 would change that. And then I think Commissioner Camuso may



1 want to address the question of whether a third party  
2 operator could come in and whether it may be worth trying to  
3 find a third party operator who can operate the dam in the  
4 same way that it's operated currently, to preserve those  
5 benefits while at the same time satisfying the Commission  
6 that it doesn't need a license -- doesn't produce downstream  
7 power generation -- doesn't increase downstream power  
8 generation.

9 MS. CAMUSO: Yeah, thank you Matt. I think --  
10 and I realize you can't give us any feedback now, but we are  
11 looking for some guidance from FERC as to what the  
12 regulatory requirements would be, should we find a third  
13 party to take over the ownership and operation of the dam,  
14 and either operate it as it is now, or as Matt outlined in  
15 sort of option one, where we would just operate the Canadian  
16 gate and not operate the two American gates, except for  
17 flood control.

18 So, but you know, we need some feedback on, you  
19 know, how to move forward and understand what the  
20 requirements would be from FERC. But I will just say one  
21 more time that my agency, and the Governors' Office, and the  
22 Premier's Office, are all committed to working through this  
23 and to try and come up with a solution that will maintain  
24 the lake as it is now.

25 MR. JESSUP: Matt, this is Jeremy Jessup of

1 FERC. With the 3% under option one, I was just curious  
2 looking back through the record, did you file any data to  
3 support the 3%, or would that be something that you could  
4 provide on the record to the Commission to where you got the  
5 3% of the time?

6 MR. MANAHAN: It's -- we filed it with -- I'm  
7 just looking at the 2017, October 13th, 2017 filing, and I  
8 don't see that we filed the back-up with that. We may have.  
9 I know we filed as an attachment to that document, we filed  
10 the operation's report as Exhibit B, but that may not --  
11 probably doesn't, can't be broken down to support that 3%.

12 I think we could find it if we didn't already  
13 file it, so yeah.

14 MR. JESSUP: I think adding that data to the  
15 record would be helpful.

16 MR. MANAHAN: Okay, thanks.

17 MS. LINTON: Judy, I just wanted to say, to  
18 inform you that if we were talking about a transfer of the  
19 current FERC license as is, that person would accept the  
20 license as it is today and walk in the shoes as though they  
21 were the original licensee.

22 MS. CAMUSO: So, then would the process be that  
23 Woodland surrender the license and we have a third party? I  
24 mean, how do we move? I guess I'm not clear on how we move  
25 forward. I think it's pretty unlikely that we're going to

1 get a third party to take over our FERC license for a dam.

2 MS. LINTON: Yeah, we would -- everybody would  
3 still have to wait until the Commission makes a decision on  
4 the pending pre-hearing request to know about the pending  
5 surrender application.

6 MR. MANAHAN: I think what CarLisa, I think what  
7 you're saying is that it wouldn't -- I mean the Commission  
8 could deny the rehearing request or whatever -- I mean say  
9 it's not willing to take over the dam, so again, so it's  
10 sort of moot if the city's not willing to take over the dam.

11 But it would have to be something before the  
12 Commission acts on the surrender application, I think.  
13 Because we're -- the surrender application is saying we will  
14 remove the dam gates to prove it doesn't have any  
15 contribution to downstream power generation, that's what the  
16 application pending is.

17 And I think what Commissioner Camuso would be  
18 getting at if there's a third party operator is it would be  
19 a transfer application. We'd be submitting an application  
20 to transfer the FERC license to some other third party, and  
21 I think that's not in the cards of what Commissioner Camuso  
22 is saying is there's no one who would be willing to take  
23 over the dam and have to be subject to the FERC license.

24 So, to sort of bring that all back around, it  
25 sounds like we have -- we don't have a meeting of the minds

1 basically.

2 MS. CAMUSO: I guess just a follow-up idea is  
3 could you, will they submit a new request for a rehearing or  
4 no, I guess -- if we were to identify a third party that  
5 could take ownership, is there a way to do that so that we  
6 could have that third party not have to -- could FERC  
7 determine that there's not enough energy generation to  
8 warrant a license? So, how would that process work?

9 MR. MANAHAN: So, maybe one of you FERC people  
10 can weigh in on this because I'm going to put words in your  
11 mouth for just a minute, which is what I'm hearing you say  
12 is kind of consistent with what the orders have said, which  
13 is that it doesn't really matter who owns and operates the  
14 project.

15 We can give it to a third party, but that is  
16 unless that third party can prove that there is basically no  
17 increase in downstream power generation due to the operation  
18 of the Forest City Brook Dam, then a FERC license is  
19 required.

20 MR. CALLOWAY: This is Mike Calloway and yes.

21 MR. MANAHAN: So, it wouldn't matter, I guess  
22 just to be clear, it wouldn't matter whether Woodland Pulp  
23 -- if Woodland Pulp, if FERC were to accept the notion that  
24 operating only the Canadian gate except during times of  
25 flood flow, does not result in an increase in downstream

1 power generation, it wouldn't matter whether Woodland Pulp  
2 owns and operates this or whether a third party does is what  
3 I'm hearing.

4 MR. CALLOWAY: We can't give a decision on that  
5 at this point because the Commissioners would have to rule  
6 on that.

7 MR. MANAHAN: And so, conversely Michael, if the  
8 Commission were to rule on that and say that operation of  
9 the Canadian gate during -- except during periods of high  
10 flood waters does require a FERC license. What I'm also  
11 hearing you say is in that event it wouldn't matter whether  
12 a third party operates it, that basically you need to have a  
13 FERC license.

14 MR. CALLOWAY: If it is found jurisdictional you  
15 are correct it would need a license if it was operated, but  
16 the Commissioners would be the ultimate ones to decide on  
17 that jurisdictional issue, not this panel.

18 MR. MANAHAN: Right, thank you.

19 MR. CALLOWAY: I have a follow-up involving the  
20 discussion of flooding and the fact that the lake absorbs  
21 the flood flows currently in the spring runoff. Under your  
22 proposed surrender, if the dam -- if the gates were removed  
23 from the dam and removed that regulatory capacity, would  
24 there be adverse flooding effects downstream?

25 MR. MANAHAN: Kevin, do you want to answer that?

1 Basically, the gates would all be open, removed.

2 MR. DEAN: No, we're still going to have the same  
3 amount of water, so we're still going to have to let water  
4 go whether you got the run of the river or you do it through  
5 gates. So, all it would mean is the same way that we are  
6 now once we get into that stage, we've got waste gates open  
7 all the way down through the St. Croix River Basin, and most  
8 of it goes out to the east to the ocean.

9 MR. CALLOWAY: So, what I'm hearing is the  
10 removal of the gates would not affect the magnitude of  
11 floods downstream?

12 MR. DEAN: Once a lake elevation got to where it  
13 was going to be, it wouldn't be any different whether the  
14 lake was full or whether it was empty, so it's not going to  
15 matter. Once we get to that point, we're at that point, so  
16 it would just go back like it used to be, it will be what we  
17 consider a run of the river.

18 MR. CALLOWAY: Okay, thank you. Okay, moving on  
19 to additional questions regarding your surrender  
20 alternative. Given that the licensee owns all of the land  
21 below maximum full pond elevation, if the lake elevation is  
22 permanently lowered, would neighboring landowners -- sorry,  
23 neighboring landowners would then have to cross the  
24 licensee's land to access the water.

25 Will the neighboring landowners be allowed to

1 extend docks, piers, boat ramps, across the licensee's land  
2 to maintain their water access?

3 MR. MANAHAN: We have not thought about that  
4 because we don't -- well, I mean I think the -- I don't know  
5 the answer to that. I think the answer would be yes. I  
6 can't imagine the camp owners really want to hear that  
7 because the, you know, the lake level goes down six feet. I  
8 don't know how much laterally that means the docks have to  
9 go out -- it could be quite a bit more than six feet.

10 And so, but I suspect the answer again -- and I'm  
11 kind of speaking for Marco here a little bit because we  
12 haven't really thought this through, but I suspect since the  
13 mill doesn't need that land, that we'd probably let people  
14 use the land if they wanted to extend their docks.

15 Right, I hear you. We don't want to go there  
16 either if we can help it.

17 MS. CAMUSO: I just want to say that the lake  
18 level as it is, is essential to this community here and my  
19 agency is not willing to -- we're not willing to entertain  
20 people having to extend their dock by you know, that's not a  
21 reasonable option for this community.

22 MR. MANAHAN: So, Cleo, we just have a question  
23 for you which Marco has noted in your introduction you said  
24 that the facility would not need to be -- the dam doesn't  
25 need to be removed as part of a surrender application, and

1 we just want to be clear that what you're saying is that if  
2 we can't prove that it's not going to have -- if we can  
3 prove somehow, that it's not going to have any  
4 contributions downstream power generation, which we have not  
5 been able to do for the last 25 years, despite numerous  
6 attempts, that if we can't prove that, that the dam or the  
7 gates would need to be removed, or that there would need to  
8 be some proof to the Commission that the dam would not be  
9 operated in any way.

10 I guess what we're trying to figure out is on  
11 what do you base your statement that the dam does not need  
12 to be removed as part of the surrender application?

13 MS. DESCHAMPS: So, my remarks really were about  
14 generally how the Commission considers surrender  
15 application. You know, it's not specific to whatever  
16 proposal you provide to the Commission in an application.  
17 It is just to inform everyone that surrender applications  
18 really just mean that you won't be operating under  
19 Commission requirements.

20 We don't have a standard rule that says if you  
21 are surrendering, you have to remove anything. Often times  
22 that happens, but not always and that's really what my  
23 remarks were about.

24 MR. MANAHAN: Okay, thanks.

25 MS. LINTON: So, to piggyback on what Cleo said,



1 when licensees file a surrender application, they can  
2 propose anything from locking the door and walking away to  
3 complete dam removal. So, staff will look at the proposal  
4 that the licensees provide as well as look at maybe a staff  
5 alternative.

6           So, you know, the more alternatives that we --  
7 that are valid for staff to look at, the better.

8           So Matt, you say that you haven't been able to  
9 prove that there's not a benefit downstream. Is there --  
10 can you provide more insight on why? I mean I know that you  
11 guys did some modeling in 2010 -- that was filed with the  
12 Commission.

13           There've been several rounds of additional  
14 information over the years, but is there some other insight  
15 that you can provide us with why its -- why you're not able  
16 to prove it? Are you getting at the fact that you're not  
17 willing to invest the money in the modeling of it?

18           MR. MANAHAN: So yeah, so fair question. So, we  
19 in fact, we did three rounds of modeling over the years,  
20 2010 was just the most recent. And 2010 was designed to  
21 adapt to the Commission's modeling. In previous modeling --  
22 I think in 1997 and maybe 2000, or 2001, Kleinschmidt  
23 Associates, of Pittsfield did modeling that proved, in their  
24 view, their headwater benefits analysis was that it actually  
25 contributed a negative amount to downstream power

1 generation.

2           That is the operation of the dams meant that  
3 there was less power produced downstream. The Commission's  
4 headwater benefits folks at the time, I think, looked at it  
5 and obviously disagreed with it. And in 2010, Kleinschmidt  
6 did some additional modeling and as I say, those modeling  
7 results were based on the Commission's methodology and  
8 showed that I think all three dams contribute something like  
9 1.1% downstream power generation, which means Forest City is  
10 significantly less.

11           So, there's been a lot of modeling done and the  
12 Commission each time has basically said you need it to be  
13 zero. And the only way -- to suggest that Woodland Pulp can  
14 figure out some way to manipulate the gates so that, you  
15 know, you don't have to go up there maybe on a daily basis  
16 or something and figure out a way to manipulate them.

17           First off -- figure out a model that would  
18 somehow tell us how to manipulate the gates on a daily  
19 basis, so that it contributes zero downstream is simply not  
20 economically viable for a project of this nature.

21           This is a remote storage -- remote from the mill  
22 -- it's a long-ways from the mill, storage dam. And to  
23 expect us to figure out a way to operate the dam that is  
24 going to produce zero downstream power benefits, which is a  
25 change from the current operation and could affect water

1 levels and flows is just not reasonable, and the mill is  
2 just not willing to do it.

3           Even if it could be done, we've asked the  
4 Commission over the years, how can we operate the dam in a  
5 way that doesn't produce downstream power benefits, and  
6 we've gotten blank stares effectively. I mean we've gotten  
7 no direction on how to operate the dam in a way that doesn't  
8 produce downstream power benefits.

9           And so, that's why we filed the surrender  
10 application saying that look, if we -- if we can't be told  
11 how to operate the dam in a way that doesn't produce  
12 downstream power benefits, then our only choice is to remove  
13 the dam gates, and then it clearly won't contribute  
14 downstream power generation.

15           But again, we've talked today about whether there  
16 is an alternative to that, and Woodland Pulp would be  
17 willing to undertake that alternative.

18           MR. L'ITALIEN: The requirements that we have for  
19 lake levels January 1 to October 15, the level has to be a  
20 maximum of 100% in flood or 99.58% in from April 1st to  
21 October 15th of the prior year, from May 15th to July 16th,  
22 we can't increase the level more than six inches or decrease  
23 any more than one feet. These are all -- and then from June  
24 1st to September 15th, summer recreational cannot be more  
25 than 431.94 feet or 57%.

1           We have all these requirements that are all  
2           recreationally driven that supersede anything that we could  
3           do to manipulate gates to make power. It just can't happen.

4           MR. MANAHAN: And I guess the point being with  
5           all these constraints is that in order to protect these  
6           items in agenda number 4, which is dam safety, recreation,  
7           navigation, migratory fish, the mill needs to operate the  
8           dam as it's currently operated, otherwise those values would  
9           be compromised.

10          MR. DEAN: Yep, I'd like to add one more thing to  
11          that. Currently, under our current conditions, we could  
12          take the pond elevation down to 57%, so everybody's  
13          perfectly clear of that. And we haven't done that. We've  
14          never done it this year. We've never done it any other year.  
15          We're currently at 80%.

16          So, if all we were interested in is power, we'd  
17          be at the 57%.

18          MR. CALLOWAY: Alright, we have no further  
19          questions, but as far as the alternatives that you have  
20          brought forward, the Commission would like to receive any  
21          and all information you're available to provide as part of  
22          this record, so that the Commissioners can investigate those  
23          alternatives to the proposed surrender and the current  
24          rehearing request about jurisdiction.

25          MS. DESCHAMPS: And I'll open it up to the

1 panelists, if there's any last remarks that you'd like to  
2 make?

3 MS. CAMUSO: I would just like to thank everyone  
4 for being here and thank you all for coming and to listen to  
5 us, and I just want to reiterate that we are committed to  
6 trying to find a solution and I don't know if we just need  
7 more time or -- but my agency, and Governor Mill's Office  
8 and Premier Hays Office are committed to trying to come up  
9 with a solution so that we can maintain the water levels as  
10 they are for this community, for our recreational fishing  
11 and boating activities that are so vital to this economy and  
12 the people that live here.

13 And any feedback that we can get from FERC on  
14 alternatives that you have or ways that you could see a path  
15 forward, we would really appreciate that, thank you.

16 MS. DESCHAMPS: Well, thank you panelists, we  
17 really appreciate it. We are here really to get this  
18 information, and we would like to hear from you all as well.  
19 As I mentioned, we are going to do a public comment session  
20 now. If you would like to speak and specifically on the  
21 operational and technical issues, please, if you haven't  
22 done so already, there is a sign-up sheet in the back of the  
23 room.

24 If you do not want to speak, but you do have some  
25 valuable information you would like to provide to us, we

1 also have comment forms in the back of the room, and you're  
2 able to either write down your comment today, and leave the  
3 form with us, or you can take it home and think about it,  
4 and mail it to us, or file on our electronic system.

5           There are instructions for how to file  
6 electronically in the back as well. So, we're going to take  
7 a 10 minute break, and we will be back for the public  
8 comment session, thank you.

9           (Whereupon a brief recess was taken to reconvene  
10 this same day.)

11           MS. DESCHAMPS: So, as I mentioned, it is really  
12 important for us to hear from you all. This is your home  
13 and we want to understand how, you know, the operational  
14 changes will affect you. So, thank you to everyone who has  
15 signed up. I will again stress that we have forms in the  
16 back, so if you don't want to speak, you can please either  
17 write down your comment and provide it to us and we'll take  
18 it back and put it on the record, or you can electronically  
19 file your comment and any additional information that you  
20 think would be helpful to us.

21           So, the way this is going to work, I'm going to  
22 call names from people who had signed up. I will call your  
23 name and begin by stating your name, and if there's any  
24 organization you represent, the court reporter is going to  
25 be recording all of these comments, so it's really helpful

1 to speak clearly and loudly.

2           And in order to allow everyone to speak, we're  
3 asking if you could please limit your comments to just a  
4 couple of minutes -- that would be helpful, just to make  
5 sure, you know, we have a packed room, so just to make sure  
6 that everyone who wants to speak can speak. Just please  
7 limit your comments to just a couple of minutes.

8           So, my colleague Jeremy, is going to try to pass  
9 a mic around as I call people's names. If you want to come  
10 up to the front, you're welcome to, but we'll try to get a  
11 microphone to you if we can. So, the first name is Lance  
12 and Georgie Wheaton. Okay, you're done, that's fine. If  
13 you'd rather not comment if I call your name, that's fine  
14 too. Is that you?

15           MR. WHEATON: I feel like a duck out of water.  
16 But I'll tell you, I've lived on East Grand. I own the  
17 Village Camps in Forest City. I've been there 51 years from  
18 my business. I have got no problem with the mill running  
19 our dam. I built that dam with a crew in 1971, so I  
20 remember the old one too.

21           I believe that FERC is your person that's giving  
22 you the trouble. There's no need of them charging you so  
23 much money, but you can't also give canoers water when it's  
24 the back to back -- the lakes are so dry that there's  
25 nothing left in the dams, and they ask for a little water to

1 take canoes downstream. You just can't do it.

2           And I've sat in the mill and listened to that  
3 kind of stuff. Oh, they're not perfect, but I'm not either.  
4 Thank you. But I think a lot of this -- a lot of this is  
5 Alewives coming up the river. I think that they're telling  
6 two stories. I really do. I think the whole plan is to get  
7 the mill, or get a new fishway in Forest City, so that  
8 they're not going to pay for it.

9           You know, it's time they stood up to the reason.  
10 That's what I think, and I'm not too far wrong, am I Judy?  
11 What's my name? Oh, I know my name. Lance Wheaton's my  
12 name.

13           MS. DESCHAMPS: Thank you Mr. Wheaton. David  
14 Townsend?

15           MR. TOWNSEND: Hi everyone. I am the President  
16 of the Chiputneticook Lakes International Conservancy. I  
17 took the lead on filing the three submissions sent into  
18 FERC, and I foolishly spent quite a bit of time paying  
19 attention to the four questions assigned.

20           And so, none of the comments that I thought about  
21 don't apply anymore -- this is just like sort of shooting at  
22 clay pigeons, you don't like that one, we'll throw up  
23 another one. You know, I think that it's for FERC now to  
24 try and work out some kind of a process to break this down  
25 into discreet proposals that we can make sort of a sensible



1 contribution -- thoughtful contributions to.

2 I mean some of the thinks like were discussed  
3 here, you know -- everything sounds so good and people's  
4 sentiment sounds good, but we've heard good sentiment, you  
5 know, going around for almost three years now and it's time  
6 to sort of move to something concrete where we can look at  
7 what the actual content of one of these ideas would be.

8 So, I'd like to know things -- like the nature of  
9 this agreement between the Province of New Brunswick and the  
10 State of Maine. You know, the general reference sounds  
11 good, but I don't think they've gone much further than  
12 preliminary discussions.

13 What in the world would be the requirements of  
14 this third party? You know, what kind of obligations would  
15 they have? Would they be responsible for the upkeep of the  
16 dam, you know, the legal liability? Would it be transferred  
17 to them? Would they be owners in that sense? There's just  
18 so many questions to be answered before one can say gee,  
19 that sounds like a thoughtful answer for us.

20 The whole question of how would FERC be  
21 proceeding with this? Would this be by way of surrender?  
22 Or would it be by way of recognizing non-jurisdiction? I  
23 mean it's actually a pretty fundamental question to the  
24 exiting and the control that FERC would have over say, the  
25 creation of settlement agreements and things like that to

1 sort of structure whatever happens next for us out here on  
2 the lake.

3 So, that again, I don't know how you're going to  
4 break this down into manageable bites that we can make  
5 comfortable contributions to, but I really want to be able  
6 to do that for the best interest of everybody and the -- you  
7 know, the fish and the loons and the muskrat, and the beaver  
8 and all the rest of it. We care about it all, but we've got  
9 to have a clear path of what the best option is for us.

10 We've heard some pretty wide-ranging options here  
11 from sawing the dam almost in half to keeping it fairly  
12 intact. Thank you.

13 MS. DESCHAMPS: Kenneth Freditz? No. Okay, Mary  
14 McGinn? No. Pam Taylor, I'm sorry, I'm sorry yes. Sorry  
15 about that.

16 MS. MCGINN: Okay, M-c-G-i-n-n. I have a  
17 question for these three gentlemen. You don't want the dam  
18 for power, so what do you want the dam for? What did you --  
19 what do you really normally use the dam for?

20 MR. MANAHAN: So, the mill does not need the dam  
21 at all anymore. The dam is a historic artifact,  
22 essentially, something that the mill owned way back when,  
23 and frankly assumed back in when it first got a license for  
24 the dam, I don't remember when that was. It was like 1980,  
25 I think, when it first got a FERC license.

1           And assumed, because it was part of the water  
2 storage system, that it contributed to downstream power  
3 generation. It never actually did a headwater benefits  
4 analysis and didn't do one until the relicensing process was  
5 started for another project.

6           And so, then concluded and realized that it  
7 actually lost money on the dam, and that's why in 1995, I  
8 think it was, we submitted the first request to have FERC  
9 release us from the license requirements. So, that's a  
10 long-winded way of saying the mill does not need the dam,  
11 doesn't use the dam, so you can have it.

12           MS. MCGINN: Well, can I say something? Alright,  
13 the water goes through, you don't ever use the dam for  
14 affluent or anything, ever?

15           MR. MANAHAN: So, in terms of the mill's  
16 wastewater discharge flows, the system has -- there's 75 CFS  
17 minimum flow from the dam, the system at Vanceboro West  
18 Branch Grand Falls flowage has sufficient water storage  
19 capacity to meet the needs of the mill in terms of the flow  
20 past the mills waste discharge point, so, no, we don't need  
21 that -- never needed to use that from Forest City dam.

22           MS. MCGINN: Okay, just one more question, okay?  
23 Why did you sign that deal for 30 years when you signed it?  
24 Like, you know, like when you sign for 30 years, you must  
25 have known all this stuff?

1           MR. MANAHAN:   You're talking about accepting the  
2   FERC license that was issued in, I think, 2015, I don't  
3   remember when it was issued now.   The short answer is we  
4   were willing to accept the license if it didn't increase the  
5   costs on the mill.

6           We didn't -- the minute we got the license, we  
7   analyzed it and we said it's not economical, and hence we  
8   submitted the surrender application at that point when we  
9   realized the license was not economical.

10          We actually submitted the relicense application  
11   prior to that in the hope that FERC would issue a license  
12   that was not uneconomic, and unfortunately, the license is  
13   uneconomic, and so it doesn't make sense for the mill to  
14   continue to operate under that license.

15          MS. DECHAMPS:   Thank you.   And thank you for that  
16   helpful information.   I will just ask that commenters try to  
17   limit their comments to actual comments, because we want to  
18   hear from everyone here.   That's okay -- that was helpful  
19   information, but if possible, as opposed to answering --  
20   this is not meant to be a Q and A, this is really meant for  
21   us to hear from you all.

22          Yes, and our court reporter asks that you hold  
23   the mic a little lower, so that he can accurately record  
24   your comment.   Next is Pam Taylor.

25          MS. TAYLOR:   I thought I was just signing an

1 attendance sheet, but I was just scribbling my comments.  
2 Six generations of my family have now lived year-round, or  
3 seasonally in Forest City. Maintaining the dam and the  
4 waterway is essential to the economy of the Chiputneticook  
5 Lakes and the International St. Croix Waterway area.

6           It appears to me that FERC is putting  
7 unconscionable burdens in the way of resolving the issues of  
8 maintaining the dam in a reasonable way, and I would hope  
9 that FERC would try to pay attention to common sense.

10           MS. DESCHAMPS: Thank you, David Snow?

11           MR. SNOW: Hi, my name is Dave Snow. I'm wearing  
12 two hats today. Away from that -- I'm wearing two hats  
13 today. One is a landowner. My family has been on East  
14 Grand Lake since 1905. I personally now own 5,600 acres of  
15 lake front property, 8 miles of lake -- very, very invested  
16 in the East Grand Lake for many, many years, many  
17 generations.

18           I'm also President of an organization not for  
19 profit called "Keep it Grand". And together, we as a group,  
20 try to protect East Grand Lake as best we can from these  
21 kinds of threats to what is a very special place.

22           I am encouraged by what I heard the Commissioner  
23 say about her intent to protect that lake. What really  
24 frustrates the hell out of me is when I hear rhetoric around  
25 removing those gates. That infuriates me and it is

1 absolutely a disaster for the community, for the businesses  
2 in this community, for the people who invested in property  
3 on these lakes. You may say oh, it's going back to its  
4 natural state.

5           We don't know its natural state. Its natural  
6 state is now. It's been generationally this lake, and we  
7 made our investments around this lake, not a river that  
8 existed in the 1800's. This is the lake. This is its  
9 natural state. We've made investments in it, whether it be  
10 business or personal.

11           Never mind the fish that are now in this lake  
12 depend on the deeper waters. We do so much irreparable  
13 damage if we think that that's a solution. Other solutions  
14 are worth talking about -- that one is a disaster, and I  
15 just hope no one is taking it seriously sitting at this  
16 table.

17           The last thing I have a question -- and I don't  
18 expect answers, I'm just putting it out there. I don't  
19 understand how an energy regulatory Commission can take a  
20 private company and force it to put a fish ladder in. If  
21 the government wants a fish ladder in a dam, another  
22 organization should pay for it.

23           It shouldn't be the one who signed up to help for  
24 the energy side of this. I don't understand how you can go  
25 so beyond your scope and mandate loon studies, mandate fish

1 ladders. How can you do that under your auspices and  
2 destroy a community? Potentially, if you make the wrong  
3 decision.

4 This should be about energy only. That's your  
5 purview. I don't get it. Thank you.

6 MS. DESCHAMPS: Thank you, Mr. Snow. Aldridge  
7 Cleaves?

8 MR. CLEAVES: My name is Aldridge Cleaves and I'm  
9 here today. I don't really know -- I'm going to speak to  
10 you rather than the choir, okay. My comments really as part  
11 of a member of an economic -- Greater East Grand Economic  
12 Planning Region.

13 We started this effort back in March and we're  
14 making very good progress toward having some measurables and  
15 some things that come out of that planning effort. But I  
16 just went here today to say the obvious. Well, one other  
17 comment. It's interesting that the tax man and the cottage  
18 owner are on the same side.

19 Because the value, the tax value of the  
20 waterfront property on East Grand is substantial. Our  
21 planning effort is around 300,000 acres, but it includes  
22 approximately 1,000 camp lots on East Grand.

23 Interesting, in 2017 -- this is a quote from a  
24 FERC order, "The East Grand Lake shoreline is mostly timber  
25 forest." I don't know what lake they were flying over, but

1 it wasn't East Grand. We estimate that if it was 20 to 30%,  
2 whatever the tax value may diminish on shorefront property,  
3 has to be made up in mill rates for other taxpayers.

4 And because our mill rates now are almost at  
5 intolerable levels, it would put us out of business, and I'm  
6 talking really about the organized towns here of Orient,  
7 Weston and Danforth with substantial waterfront as part of  
8 their tax base.

9 So, essentially to make it quick and short, East  
10 Grand is our economic base. It's our future. It's our draw  
11 for the entire region, and so anything that would negatively  
12 affect the value and the desirability of East Grand affects  
13 our ability to be viable.

14 And we would anticipate this building you're in  
15 -- which we fought very hard to keep local education, and we  
16 tried a savings bank branch office, a health clinic, amongst  
17 other things, would be put at serious risk with that drop in  
18 value.

19 So, I appreciate you folks coming here today,  
20 excuse my back, and remember we're on the same side.

21 MS. DESCHAMPS: Thank you. I think the next one  
22 is Christine Connelly, or Christian Connelly? Christian,  
23 sorry.

24 MR. CONNELLY: That's quite alright, Christian  
25 Connelly. I've been up here, just like all of you for over



1 50 years, which for me is when I was a baby. Mr. Manahan,  
2 that dam, our dam -- when you're down in Portland at your  
3 law office, it's not a historic artifact for us.

4 For the 2,000 recreational camp owners here, that  
5 dam is the life blood, the lungs of this community. You  
6 guys keep throwing around 6 million dollars. That's 6  
7 million dollars over 30 years, isn't it? Isn't it? Yes, it  
8 is right, yeah. So, I wasn't very good at math -- that's  
9 \$200,000 a year.

10 Mr. Manahan, how much does Woodland Pulp make a  
11 month? How much? How much? Do you want to answer that? I  
12 think you know the answer to that, so when you saw that  
13 Woodland Pulp is a good corporate neighbor, the answer is  
14 no. They have it within their means to continue the  
15 operational -- the operation of this dam as we've enjoyed it  
16 for the past 39 years while it's been under FERC  
17 jurisdiction.

18 We've enjoyed it in that manner for recreational  
19 purposes for fishing. To simply say that the onus is on  
20 FERC is wrong. All of us are in a tough pickle. That  
21 includes the stakeholders, who have a lot to lose here.  
22 That includes FERC, who's in a tough position legally as you  
23 well know Mr. Manahan, because this is a precedent setting  
24 situation.

25 And also, for Woodland Pulp, because of the

1 expenses, the onerous expenses that you have to incur for  
2 some of the policies that FERC has put on you guys. But if  
3 you guys are really good, corporate neighbors, so the towns  
4 of Orient, Weston, Danforth, Forest City, the whole upper  
5 St. Croix, why don't you just do the right thing?

6 Have Mr. Manahan write a letter to FERC today  
7 withdrawing the surrender application.

8 MS. DESCHAMPS: Thank you, Patrick Patterson?

9 MR. PATTERSON: My name is Patrick Patterson. My  
10 wife and I bought Wheaton Lodge 8 years ago. That business  
11 has been in place for 68 years -- 68 years of providing  
12 businesses economic support, jobs throughout the area. We  
13 hired 24 people throughout the season, up to 15 guys a day  
14 running that lake, pulling the dam is going to ruin us, it's  
15 going to ruin the community. It's going to ruin the support  
16 and the system.

17 I do agree that Woodland, you've done a great job  
18 from what I've seen down there maintaining that dam, make  
19 sure everything is running right. The water levels have  
20 been down, I see your trucks down there.

21 I am the business next door to the dam. I don't  
22 want to see anything change. To me, I'm just a dirt farmer  
23 from northern Maine, FERC seems to be the issue. And I  
24 don't mean that in a bad way. I mean the fact that there  
25 needs to be the relinquishment.

1                   It's hard enough to keep a business going. I  
2 even agree with what you had to say Christian, but at the  
3 same time, they've got a lot of business, they've got a lot  
4 of people they employ, they have to maintain that. Not all  
5 of it is in profit at the same time, but they need to keep  
6 that going.

7                   I can understand them not having to want to pay  
8 for the fishways and everything else that's going along with  
9 that as well. I do believe that there's an underlying  
10 current here and I do believe that's the alewives. I do  
11 believe that's coming through. I think this is the reason  
12 for this. And that's really all that I've got to say.

13                   But you're going to drop a business that's been  
14 in there for 68 years providing plenty of jobs, support to  
15 the community, propane gas -- gone, gone. You guys have the  
16 say. You have something to say about it. You guys are  
17 going to walk out of here tonight, talk about it for a  
18 couple of day and be done with it. But we're going to live  
19 it. What are you going to do then?

20                   What are you going to do then, right? Real  
21 simple. And it's my -- dealing with Augusta the last 8  
22 years, you think they give two shits? Really. Honestly,  
23 you say what you want. You stand here, you smile, you shake  
24 our hand and you go right back and do what the heck it is  
25 whatever you want to do.

1           That's got to stop. It's gonna stop. You're got  
2 to start listening to what we're saying out here. You've  
3 got to hear it. You've got to feel it, you've got to show  
4 up. There ain't none of you, none of you -- and I live  
5 right next to the dam, ain't nobody showed up on my front  
6 door.

7           Nobody has asked me anything. Nobody has come to  
8 see me. I'd appreciate if that turned around.

9           MS. DESCHAMPS: Thank you. Anna Levitsky?

10          MS. LEVITSKY: Hi, my name is Anna Levitsky,  
11 and I want to read a statement on behalf of the Woody  
12 Wheaton Land Trust in Forest City, Maine.

13          The Woody Wheaton Land Trust, as a 501c3  
14 charitable organization with its primary mission to promote  
15 the protection, preservation and conservation of land and  
16 water in the Chiputneticook Lakes region of Eastern Maine  
17 and Western New Brunswick, shares deep concern for the  
18 potential removal of the Forest City dam.

19          The dam has been an important part of this  
20 community since the tannery days. It has not only been a  
21 constant regulator of water flow, whereby all cottage owners  
22 depend, but a fixture of the sport fishing economy. The  
23 loss of the dam would place significant hardship on folks  
24 who earn their living with sportsmen from away.

25          Additionally, the ecological impact caused by a

1 drop in water level on smelt spawning, trout brooks, and  
2 regularly navigable waters is significant. East Grand Lake,  
3 as we know it, one of the area's natural gems, and a source  
4 of pride and identity would be lost.

5 Collateral changes to other standing water bodies  
6 and stream flows would be negative, dramatic and publicly  
7 unacceptable. We cannot go back as 100 plus years of  
8 stability in water levels has surrounding towns and cottage  
9 owners heavily invested in private places, a tax revenue  
10 structure, and a dependency on the fishery as part of  
11 tourism, sport fishing, canoeists and event seekers is  
12 crucial.

13 WWLT lends its support for keeping the Forest  
14 City dam in place and offers our assistance to the various  
15 surrounding stakeholders. Thank you.

16 MS. DESCHAMPS: Thank you. Next is Arthur  
17 Wheaton, is that the last name? Did I get that correct?

18 MR. WHEATON: That's a bad name around here.

19 MS. DESCHAMPS: Yes, come over here.

20 MR. WHEATON: I'll try to be short. I appreciate  
21 the gentleman from Woodland Pulp giving us the kind of  
22 explanation that he did. I would tell you that we have a  
23 lot of friends and neighbors that work at Woodland Pulp and  
24 we appreciate their jobs.

25 We also have concern that government overreach is

1 sticking its hand too heavy into what Woodland Pulp is  
2 trying to do. Woodland Pulp seems, from what I heard this  
3 morning -- this afternoon, is they're very willing to  
4 operate the dam, but they're not willing to have the added  
5 costs loaded upon them at will and its time there's a pretty  
6 simple answer to this.

7           When you want to buy a car and somebody lowers  
8 the price, you will slowly get more attractive. So, I  
9 suggest that they can continue to run and operate the dam as  
10 they have and leave them alone with all the added costs.  
11 Somebody else pick those up if you want to study the eels,  
12 or you want to study the loons, and just leave them alone --  
13 let them run it.

14           Secondly, one of my concerns has not been brought  
15 up here this afternoon, is where is LERC (sic) on their  
16 position of trying to alter the course of water flow from  
17 Mud Lake into Spednic Lake? We know that LERC (sic) has  
18 gone up and looked at Mud Lake Falls.

19           And we know that LERC (sic) has a heavy hand in  
20 introducing alewives into our system. They are now in  
21 Spednic Lake significantly, and they're trying to figure a  
22 way to get them into East Grand Lake. And the only solution  
23 is to alter the flow -- either dynamite or otherwise, in Mud  
24 Lake Falls, and we know it.

25           So, we would prefer you leave us alone, leave the

1 alewives where they are and leave our fishery alone. Thank  
2 you.

3 MS. DESCHAMPS: Thank you. Bob Miller?

4 MR. MILLER: My name is -- do you hear me, am I  
5 coming through? My name is Bob Miller. I've been a  
6 property owner on East Grand Lake for 51 years. Now, when a  
7 moose urinates, it eventually runs into the river. That  
8 adds to the creation of hydropower.

9 I'm sorry? Oh, okay, and when a thunderstorm  
10 comes along, it adds a significant additional amount of  
11 liquid to the downstream creation of hydroelectric power.  
12 But these are both insignificant amounts. I think the  
13 lawyers call it de minimis. We heard earlier that three  
14 different dams, East Grand Lake being one of them,  
15 contribute a total of 1.1% to the creation of hydroelectric  
16 power.

17 And of three of these, East Grand Lake is the  
18 smallest. So, roughly I would say, East Grand Lake  
19 contributes around 0.3 to 0.4% of the creation of  
20 hydroelectric power. Is FERC saying that that figure is a  
21 lie? Or where do you draw the line -- and what is de  
22 minimis, and what is not?

23 If a drop of urine is de minimis, and a big  
24 thunderstorm is, it seems to me that 0.3% is pretty darn  
25 close to de minimis. Why you're so concerned with making

1 such an issue of such a small amount percent-wise of water  
2 is beyond what I can imagine.

3 In this listing here on the agenda, you talk  
4 about things like dam safety, recreation, navigation,  
5 migratory fish. My guess is that is only window dressing.  
6 You're only interested in this de minimis amount of water  
7 that's added to the system.

8 But perhaps I'm wrong. What percent of  
9 importance would you ascribe to navigation or recreation, in  
10 terms of making a decision about this whole situation?  
11 Would it be 1%, 3%, 0%? What about the businesses we just  
12 heard that are going to lose their livelihood?

13 What percent of importance do you put to that in  
14 the process of making a decision? I'd be interested to  
15 know, thank you.

16 MS. DESCHAMPS: Thank you. Lorraine Sheets?  
17 Lorraine? What is your last name? Sorry, what is your last  
18 name?

19 MS. OYEAH: Oyeah, like Oh yeah.

20 MS. DESCHAMPS: Okay, there's another Lorraine  
21 with the last name --

22 MS. OYEAH: Yeah, they left.

23 MS. DESCHAMPS: That's fine, go ahead.

24 MS. OYEAH: I would like to thank the State  
25 Representative for supporting us folks here. I appreciate



1 that. I would like to know out of the 6 people that LERC  
2 (sic) sent here, why they didn't send somebody to address  
3 these people who have spent their afternoon with you on  
4 solutions, not negativeness, not being quiet, but somebody  
5 that can actually make a decision.

6 Give us resolution. Give us ideas. Compromise  
7 with Woodland. The other thing is I'd like to ask how can  
8 FERC change the regulatory things that Woodland signed for  
9 in the contract? You signed the contract. In my day a  
10 contract is a contract, and FERC has changed the rules of  
11 that contract from what I'm understanding and has put the  
12 agenda way too high that you can't afford.

13 So, those are my questions and my statements.  
14 Thank you for listening.

15 MS. DESCHAMPS: Thank you. Is there a Rowan?  
16 Great, can you just spell your last name?

17 MR. MILLER: Hello everyone. My name is Rowan  
18 Miller. I am the Green Party candidate for  
19 Tobique-Mactaquac over on the Canadian side. I might be the  
20 first Canadian to speak so far, I'm not sure, okay, thank  
21 you.

22 First of all, I'd like to thank all the speakers.  
23 I have a much better understanding of the issues at play  
24 here and being someone who lives along a lake, not this  
25 lake, I'll remind you, the lake on the St. John River, I

1 understand how scary it would be.

2 I freak out when it lowers by about three inches  
3 let alone six feet. So, this to me is -- the idea of losing  
4 six feet on East Grand Lake is a profound tragedy, and  
5 massively destructive to New Brunswick, a part of the  
6 country that does not need any more marks against it.

7 It's tough to keep people in New Brunswick as it  
8 is. Losing the six feet would be a tragedy across the board  
9 -- an international tragedy. So, it seems to me that there  
10 are two issues here. There's the issue of what exactly is  
11 FERC doing with all the information coming from the  
12 monitoring that's required under its license and where will  
13 the capital come from to equip a third party to properly  
14 manage that if that license stays the same?

15 So, to me what's unclear still is -- is the  
16 information FERC's collecting, what's it used for? How  
17 necessary is it? What is the total cost? Because I've  
18 heard of the six million dollars over how many years,  
19 equating to \$200,000 a year. And what is that information  
20 being used for?

21 Why is it so essential and where is it coming  
22 from, and who's using it and who needs it? The second  
23 question is -- I understand the case of Woodland Pulp and  
24 Paper. Like all companies, they're seeking to -- you're  
25 seeking to try to clear off your balance sheet as much as

1 possible and to have ongoing obligations going into the  
2 future which potentially could have more obligations later  
3 on as a corporate liability.

4           To me it seems that to be a responsible corporate  
5 citizen in this situation, Woodland Pulp needs to take a  
6 much greater leadership role in looking for and establishing  
7 a third party that is capable of taking on the FERC license  
8 and is capable of looking after the obligations that come  
9 with the operation of that dam.

10           If the total price of operating the dam is that  
11 money over those years, why not put a portion of that money  
12 towards establishing a third party that would look after it?  
13 Why can't Woodland be a partner in establishing a third  
14 party that is capable of looking after it and has the  
15 financial ability to do so?

16           The lack of a third party -- and obviously, that  
17 third party would have to have quite a bit of money to look  
18 after that license. That to me seems to be the issue here.  
19 There is no one to take it on.

20           I think there needs to be a lot more effort from  
21 Woodland in helping establish that third party so they can  
22 move on with this obligation, because it is their obligation  
23 right now, they're looking to offload it. They should be  
24 more active in establishing a third party that's capable of  
25 looking after it to the continued prosperity of the

1 communities that are affected, because the idea of losing  
2 the lake is a tragedy beyond continents, and simply cannot  
3 be allowed to happen. Thank you.

4 MS. DECHAMPS: Thank you. Dave Scotten?

5 MR. SCOTTEN: Thank you. I'm Dave Scotten. I'm  
6 a landowner on the lake. I'd like to thank all the people  
7 at this table for being here. I don't agree with our  
8 Canadian politician that I've learned very much. I'm really  
9 very disappointed in this technical meeting, and I don't  
10 think I'm the only person in this room who feels that way.

11 I believe that the information has not been very  
12 complete. I think the basic nature of the questions that  
13 you guys have asked each other indicates to me that there's  
14 a fair amount of conversation that I think should have taken  
15 place before this meeting and it hasn't.

16 The young lady who represents the Fish and  
17 Wildlife organization -- I have a comment for you and it is  
18 concerning your information that the State of Maine has  
19 decided that they will not take ownership of the dam. What  
20 I would say is that neither you nor the Governor are the  
21 State of Maine.

22 We, in this room, as citizens are the State of  
23 Maine, and we're the ones who will not stand for having the  
24 level of the lake lowered. You said that same thing and I  
25 agree with you.

1           We are upset about this issue. As I said, I am  
2 disappointed in the representatives from FERC, because I  
3 believe that you will understand that I am not the only one  
4 in this room that feels that there may well be a lack of  
5 transparency in what's going on here, and I don't think that  
6 you have helped me feel any different than that.

7           I don't know that you will feel proud when you go  
8 home tonight even though I have welcomed your presence and I  
9 am grateful for it. I think Woodland Pulp and Paper has  
10 represented itself well, and I think that they've asked the  
11 appropriate questions and I would say that I have learned  
12 some things from what they have said.

13           Please rethink these issues and believe the  
14 comments that the people who have discussed this have made.  
15 We are very upset about this, thanks again.

16           MS. DESCHAMPS: Thank you very much. Bob McGinn?

17           MR. MCGINN: Yeah, my name is Bob McGinn, and I  
18 have a cottage down on Patterson Cove. It's a stone's throw  
19 from the dam, so I know that dam well. We've had it there  
20 for 28 years. I've been coming up here since I was a kid,  
21 and others from this area, from the New Brunswick side.

22           Anyway, my question was earlier, and my wife beat  
23 me to it, so I didn't know she was asking it, so I won't  
24 renew the question. But I did maybe want to comment, and  
25 it's actually a bit lighthearted because the lawyer for

1 Woodland commented about remotely manipulating the gate,  
2 which I found amusing.

3           Because when I was a kid here and my cousins in  
4 the back row, when we remotely manipulated the gates to put  
5 our inner tubes in to go down the stream -- we'd go over and  
6 crank up the lever and a few cogs. It's not a big deal.  
7 For those of you who haven't seen that dam, it's a pretty  
8 rudimentary dam, simple to operate. It's not a big deal.

9           And if I were Woodland, I wouldn't even bring it  
10 up as a cost. It's a joke. Anyway.

11           MS. DESCHAMPS: Thank you. Lyle Creighton?  
12 Could you spell your last name for us?

13           MR. CREIGHTON: C-r-e-i-g-h-t-o-n.

14           MS. DESCHAMPS: Thank you.

15           MR. CREIGHTON: Creighton, alright. My  
16 grandfather bought land in 1912 on North Lake. And by that  
17 time the infrastructure was in place that we see today. The  
18 water was as high and so on -- that's a long time ago.

19           Now, you mentioned 1905. This thing has been  
20 there for over 100 years. Now there's a little question  
21 here. The value of the land was created partially by the  
22 dam, was also created by the State of Maine and Canada, New  
23 Brunswick, in building roads and various facilities to find  
24 water that you can drink and not get you know what.

25           So, if the dam is taken out, I want you to talk

1 to your lawyers because it's a taking under the  
2 Constitution. And how much would that be -- both for the  
3 State of Maine, the United States, and presumably for  
4 Canada.

5 Now I think Woodland Pulp has been pretty  
6 reasonable in what they've said. I see no reason why if  
7 energy is not involved, that a separate organization of  
8 Canada and the United States being formed to be the owner  
9 and put a little bit of a tab on taxes of each of us who own  
10 land to help maintain the dam thing.

11 That would do quite well -- because if these  
12 folks continue to operate it, we're all home free. But if  
13 you take it out, or if you sign it to somebody like the Fish  
14 and Wildlife Service, with some of their regulatory studies  
15 and over-regulation and so on, that's not a good thing. We  
16 have a President who doesn't like regulation, in case you  
17 haven't known.

18 Now, one thing that I note you didn't follow the  
19 agenda and that's too bad. But there were some comments  
20 made and it reflects what I -- and I'm a resident of  
21 Annapolis. I've been involved in a lot of federal hearings.  
22 I've been involved in a lot of state hearings, and I've been  
23 involved in a lot of county hearings.

24 And whenever somebody has to give up power, they  
25 come with every excuse in the book not to do that. And

1 right now, it looks like FERC really doesn't have the  
2 authority to regulate this dam because there's no energy  
3 involved for their will.

4           So, who takes FERC's place? That's the issue.  
5 Now Maine Fish and Wildlife has interjected very -- right at  
6 the start, a political statement that you would not accept  
7 it, and that precluded conversation in the first agenda  
8 item. That killed it because it became political.

9           We've got to eliminate the politics. You've  
10 heard of the economic impact. It would be enormous. It  
11 would kill towns which are already on their last legs. It  
12 would also hurt people in Canada just as much. Don't forget  
13 East Grand is both countries. North Lake is both countries.  
14 So, why not have a Canadian/U.S. organization put together,  
15 either 501c3 in United States, or a 501c4, like Obama did,  
16 you know, a 501c4 would be fine, but somebody who could work  
17 with them and come up with a decent agreement to continue  
18 their operating the dam. Thank you.

19           MS. DESCHAMPS: Thank you. And I have one more  
20 name on my list. We do have some time, so after I call this  
21 last person, I'll allow anyone else who wants to speak that  
22 hasn't signed-up to do so. So, Scott Harrington?

23           MR. HANINGTON: It's Hanington,  
24 H-a-n-i-n-g-t-o-n. I own land here locally and it's our job  
25 to expand on what some of these folks have said here. And



1 I'll just say thank you to all, you've all been thanked.

2 I'm not big on government and I make that very  
3 clear. Every time that I'm involved in anything the  
4 government does, like this gentleman said, these folks are  
5 up here from the government and they have a job, whether  
6 they have any Ivy League education, or the common-sense  
7 education that I have.

8 It's irrelevant. But when I have a business and  
9 I have to make a decision, I don't send my supervisor in.  
10 This is what frustrates, I'm guessing, everybody in this  
11 room. And to expand a little more, just on what will  
12 happen.

13 I have no engineering degree. I think there was  
14 one gentleman here that was in engineering, okay. I do not  
15 have an engineering degree, but I've run about any kind of a  
16 piece of equipment you could imagine known to man.

17 You drop this lake six feet I'm hearing. I don't  
18 own any land on the lake, boy oh boy, that's going to give  
19 me a lot of work. I don't want that work. I have a little  
20 sawmill. I build decks. Imagine how many wharfs I could  
21 sell out through there. You know, that would really help  
22 one business and ruin the rest.

23 How about the impervious economic loss that's  
24 going to happen? How's LERC (sic) and DEP alone going to  
25 have the manpower to take care of them problems once we have

1 six feet of water gone?

2           You're going to have coves in that lake and  
3 surrounding lakes. They're going to be clam flats, and I  
4 don't believe you go clamming in freshwater lakes. So, if  
5 you want to take a look, and I'm going to put most of the  
6 onus back on FERC and I appreciate what the State of Maine's  
7 doing, saying that they support leaving it the way it is.  
8 That would be a great thing.

9           Leave these little communities alone. I grew up  
10 in one in Water Pit Lock. When I graduated from high school  
11 there was 480 people there, now there's 80. Small towns are  
12 diminishing. I know very few people in this room. These  
13 folks have taken their live savings to have a cottage on a  
14 lake that's pristine.

15           There will be a lot of benefits to some of the  
16 cottage owners because they're road front property is going  
17 to now be sand property. There's a lot of issues that need  
18 to be resolved here. I'm not the one that can resolve them.  
19 FERC has to resolve them, and I've heard these numbers 1%.

20           Well I can tell you right now, 1% isn't very big.  
21 If the government run 1% efficiency, maybe we'd get  
22 something done. And I don't mean that in a bad way because  
23 you -- I've been down to Augusta many times, years ago we  
24 spoke, and I've -- everybody looks -- they're talking about  
25 the water.

1           I just want to throw this out in closing. We've  
2 never had a problem with water in this country or the world.  
3 The problem we have now is plastic, once we bottled it. You  
4 know, I used to drink out of a dipper, or out of a garden  
5 hose. Now we bottled it, now we've got a plastic problem.

6           In the '70's and '80's we had a problem in this  
7 state with 1% of the environmental movement that comes to  
8 the table to negotiate all of their concerns, pretty near  
9 ruined -- pretty near ruined this state's forest product  
10 industry.

11           It's bouncing back now. But I can't understand  
12 why, as taxpaying citizens, even allow 1% to get to the  
13 table and make a big difference. With that, go back to your  
14 Commissioners, I urge you, go back to your Commissioners.

15           Before you leave take a picture of this audience  
16 and see how concerned they are. And show those pictures to  
17 your Commissioners and let them know what -- if you guys  
18 can't make a clear resolution of this issue, let them look  
19 at these people and see what they're ruining.

20           50 years ago, we had Hiroshima Nagasaki and they  
21 built up now beautiful places. Go to Detroit, Chicago, some  
22 of these other areas that our government is trying to take  
23 care of and they ruined them. So, with that try to leave  
24 the private landowner somewhat intact and don't continue to  
25 put burdens on them. Again, thank you for your comments,

1 all of you, thank you very much.

2 MS. DESCHAMPS: Thank you. So, that was the last  
3 name on our list. Do we have another person who would like  
4 to speak? Please say your name and spell it for the court  
5 reporter.

6 MR. WHEATON: My name is Dale Wheaton. I'm a  
7 local fishing guide. And virtually everyone in here today  
8 spoke the truth. I'd just like to draw attention to a  
9 couple of little things. You may have seen my sign, okay?  
10 We spent the first two hours today trying to overturn the  
11 law of gravity.

12 It doesn't matter whether it's 1%, six  
13 bucketful's and 8%, 900 cubic yards or whatever goes through  
14 that dam in Forest City. It doesn't matter whether I own  
15 it, Woodland Pulp owns it, you folks own it, the Canadians  
16 own it, it's all going to wind up in Woodland. You're not  
17 going to stop that. It all goes downhill.

18 So, we sit around the table over stupid stuff.  
19 Why do I say FERC go away? A -- I'm an American citizen.  
20 Most of the waterfront impacted by the Forest City dam is  
21 Canadian. It's in New Brunswick. What gives you folks the  
22 audacity, the authority, to regulate all those lives and all  
23 those wallets?

24 FERC is an American agency. We haven't given the  
25 Canadian folks any respect. We need to respect those folks.

1 They are bigger stakeholders than we are, yet they sit  
2 around on their high haunches in Washington and try and  
3 regulate something that we have no authority to regulate.  
4 It's not ours.

5 Finally, where FERC could vanish and disappear  
6 and go home and go away and go away, what would happen?  
7 What would happen is the Forest City dam, by default, would  
8 come back under the regulation of the International Joint  
9 Commission as it existed for years and years and years, who  
10 have their own set of protocols regarding stream flow,  
11 regarding lake level, regarding timing, regarding stream  
12 side entomology.

13 When you can control this, when the bass spawn,  
14 when the water is too high and it floods out your  
15 properties, the IJC, the International Joint Commission,  
16 would automatically control all those and we wouldn't have  
17 to pay these people to dream up decisions to make.

18 That's why I say FERC go away. We don't need  
19 you. Thank you.

20 MS. DESCHAMPS: Thank you. Do we have anyone  
21 else who would like to speak, sure? And please just begin  
22 by stating your name and spelling it for the court reporter.

23 MR. SAUNDERS: Hi, my name is Mike Saunders, and  
24 I'm a landowner on Grand Lake. And what I'd like to do is  
25 I'd like to congratulate all of you people that are here

1 tonight. I mean you people.

2 In the world there are three types of people.  
3 There are the people who make things happen. There are the  
4 people who watch things happen, and then there are the  
5 people who say what the hell happened?

6 You people are the people -- you're number one.  
7 You're the people who make things happen. So, I would like  
8 to encourage you when you go home, this is not the end of  
9 everything involved with the lake. But when you go home  
10 start writing letters.

11 It doesn't have to be a great novel, just say I'm  
12 not happy. But start writing letters. Start writing to  
13 FERC, start writing to Woodland, start writing to your  
14 politicians and tell them you're not happy because this is a  
15 great start here right now with this turnout of you people  
16 and let's keep the pressure on and let them know we're not  
17 happy, thank you.

18 MS. DESCHAMPS: Thank you. Anyone in the front?

19 MS. SIMON: My name is Susan Simon, how does this  
20 thing work? I own property on East Grand Lake in Patterson  
21 Cove also. I drove up from New York City to be at this  
22 meeting. I feel it is extremely important and I have one  
23 question for everyone at this table. Who has actually been  
24 to the Forest City dam to see it? Nobody from FERC, thanks  
25 very much.

1 MS. DESCHAMPS: A couple more comments, yep?

2 MS. LIPKIVICH: Hi, my name is Ann Lipkvich. I  
3 just would like to thank you all for coming. It gives us  
4 all an opportunity to tell you how concerned we are about  
5 this issue. And one of the things that I learned was that  
6 we all have a vested interest in it, and I'm just curious if  
7 any of you are property owners on a lake. How would you  
8 feel if all of a sudden, your waterfront is out five or six  
9 feet further?

10 And how would you be able to navigate the waters  
11 when you're used to them being a certain level, and now, all  
12 of a sudden we've traveled this lake for 20-some odd years  
13 and there are areas that we're still not familiar with and  
14 then you know, you look on your GPS or the depth-finder and  
15 find out that there is four or five feet of water -- now  
16 there would be no water.

17 And I would just like to follow-up and say that I  
18 think there are many people here that would be happy to show  
19 people around this area. I think it's very frustrating to  
20 learn that some of the guests are staying in Bangor where  
21 they really could have stayed locally. I'm sure there are  
22 many businesses, people that would have put you up in our  
23 homes to show you what this is all about.

24 And I think in a time where our children probably  
25 -- most of the people here are parents. I think here where

1 people are trying to get their children away from  
2 television, smart phones, video games and all of that, we  
3 have an opportunity to take people fishing, take people  
4 boating, see them waterskiing, see them watching the eagles  
5 soar.

6           And I think we're going to miss that if the water  
7 drops. And I am mad, so I'm hopeful that you will make the  
8 decision. Maybe give them a little break, so that they can  
9 continue to do the right thing and give us water. Thank  
10 you.

11           MS. DESCHAMPS: Thank you.

12           MS. WHEATON: Georgie Wheaton. I just want to  
13 ask the Commission how many of them have been to the million  
14 dollar view? Only one? Is it not a million dollar view?  
15 Enough said.

16           MS. DESCHAMPS: Thank you.

17           MR. LORIGAN: Hello, hi. Well folks, I just  
18 wanted to add a few words. I'm Bob Lorigan, the owner of  
19 Rideout's. Okay, and I want to emphasize to the folks here  
20 because it's not just the Wheaton's Lodge that has an issue  
21 with the loss of the waterfront.

22           Our business is waterfront restaurant, waterfront  
23 docking, waterfront boat rentals, waterfront recreation --  
24 it's all waterfront. If we don't have a waterfront, if we  
25 have a mud flat, as was mentioned by the gentleman over



1 here, what do we have?

2           The other thing I want to mention is you know,  
3 let's not forget the fact that we're employing a lot of  
4 people in the surrounding communities. There are businesses  
5 here, you know, not only buying propane like Pat mentioned,  
6 and every other service you could imagine, but we've got  
7 fairly big staffs and we would like to have this issue  
8 resolved.

9           This has to be -- it's dragged out forever.  
10 Everybody is in a complete state of uncertainty.  
11 Everybody's angry. We see a lack of ability of you guys --  
12 FERC and Woodland Pulp to compromise and just to come to  
13 some dam resolution and get this thing resolved.

14           You know, we're trying to carry on with our lives  
15 and it just you know, it just causes a huge amount of  
16 uncertainty, so I'd like to see some kind of resolution and  
17 don't forget the people that we're employing either.

18           It's a pretty big piece of the economy here. As  
19 Aldridge said, they have this huge tax base that's based on  
20 the fact that the, you know, the camps are worth a lot of  
21 money, you don't want the value to go away. You can't  
22 support the school. You can't support the grocery store.  
23 You can't support the hardware store, on and on and on.

24           It's just right downhill. Anyway, that's my two  
25 cents. Thank you.

1 MS. DESCHAMPS: Thank you. Do we have anyone  
2 else who wishes to speak?

3 MS. LIPKOVICH: So, someone mentioned about the  
4 million-dollar view. I just wanted to point out that the  
5 State of Maine, most of you probably know this, but the  
6 State of Maine has a map that they put out, and it is  
7 highlighted as yellow. We thought actually somebody took  
8 our map and highlighted it, but it's the State of Maine that  
9 highlights scenic highways. And you can see right -- I  
10 don't want to show you my 60th birthday card, but can you  
11 hold this thing?

12 You'll see here that this is the highlighted  
13 region, is our lakes region and I encourage you to go up  
14 there, and if you have a chance to explore, I think you'll  
15 be as happy with what you see once you take the time to do  
16 it. It's very difficult, I'm sure you're all very busy but  
17 if you go home and you have a chance to spend some time with  
18 your family and you want a place to go, I encourage you to  
19 come back and go look at the million-dollar view, because  
20 this scenic highway probably won't be a scenic highway if  
21 the water is dropped. Thank you.

22 MS. DESCHAMPS: Thank you. Did you want to say  
23 something else? Oh, okay.

24 MR. MILLER: Hi again, repeat time now, I guess.  
25 I would like to say to FERC, apparently there's a lot of

1 requirements that come from FERC that is requiring Woodland  
2 Pulp and Paper to run things like loon monitoring and a  
3 variety of monitoring that you mentioned earlier but did not  
4 go into detail.

5 I really wish you had gone into detail. And I  
6 really wish that had been discussed in more depth, because  
7 the costs associated with that seem to be very much at issue  
8 here.

9 I would like to say to FERC though, if the costs  
10 of that environmental monitoring ends up causing the  
11 destruction of the environments that are being monitored by  
12 virtue of -- by causing the dam to be removed, that would be  
13 a farcical miscarriage of justice.

14 I mean that would just be hilariously sad. I  
15 again really, sincerely hope that a third party can be  
16 formed with cooperation of all current parties involved, and  
17 indeed, both countries since as it was said by this  
18 gentleman earlier, the vast majority of affected  
19 stakeholders -- maybe not the vast majority, but a majority  
20 of those affected are indeed within Canada.

21 And I am quite surprised that there are not any  
22 representatives of Canadian governments or any Canadian  
23 organization here actually. That blows my mind, with the  
24 exception of the international conservancy, which is an  
25 international organization. Thank you.

1 MS. DESCHAMPS: And your name was Rowan Miller?

2 MR. MILLER: Rowan Miller, yes.

3 MS. DESCHAMPS: Yes.

4 MR. CREIGHTON: I'd just like to say something.

5 My brother, Charlie Creighton -- Lyle is my brother. And as  
6 he told you my grandfather bought land in North Lake back in  
7 the early 1900's where my mother and uncles learned to swim,  
8 or the children of my mother and uncle, which included me,  
9 myself, and two sisters, and the children of my brother and  
10 sister and my wife, all had a chance to spend time at North  
11 Lake.

12 They loved it to a tee and the kids got a chance  
13 to get together which they never had before. And now their  
14 children, and the next generation's children, have all had  
15 the chance to come there. To me, that is the important part  
16 of this whole thing. If those lakes go away, how are those  
17 kids going to get back together, having a lot of fun again?

18 And I think we need to look into our children and  
19 take care of them. I know this is a little bit off the dam  
20 site, but it all does have an effect. If it gets -- if the  
21 water goes down, those friendships of an awful lot of people  
22 are going to go away. Thank you.

23 MS. DESCHAMPS: Is there anyone else that would  
24 like to speak? No? We did get a comment from Kenneth  
25 Freditz which we will place in the record as well. And like

1 I've mentioned before, regardless of whether you spoke  
2 today, whether you fill out a comment form and either leave  
3 it with us, or mail it to the Commission, or you go on our  
4 electronic filing system, we will consider all comments.

5           And I just want to thank you all for coming  
6 today. We definitely understand the impact that this  
7 project has on your life and what a future Commission  
8 decision will do. We really, really appreciate those who  
9 spoke, the panelists who came here today and these -- all of  
10 this information will be taken back to the Commission.

11           The Commissioners will consider the information  
12 and ultimately make the decision. I also want to just point  
13 out again that on the back there is a pamphlet that is our  
14 FERC guide to electronic information where you can go, and  
15 you can see everything in the record.

16           That includes the license itself, any comments,  
17 today's transcript will be posted there, so it gives you  
18 directions on how to read the electronic record. All of  
19 that is public information. There is no decision that is  
20 made at FERC that is not on that record.

21           So, if you have any information that you think  
22 would be helpful, please file it or, like I said, fill out a  
23 comment form today. I think we have one more woman who'd  
24 like to speak, sorry, yep? Sorry, one second, we're going  
25 to get you a microphone. Please begin with your name.

1           MS. MCGLAUGHLIN: Okay, Linda McGlaughlin. I've  
2 been on this lake since I was 8 years old and I hate to see  
3 anything happen to it. But I'd just like to know what this  
4 group down back here feels right now after all these  
5 testimonies. Has it changed your opinions or anything? I  
6 hope it does because it's been a really good time here  
7 tonight, seeing everybody's feelings.

8           MS. DESCHAMPS: Thank you very much. I will just  
9 say personally, I have learned a lot from you all, and I  
10 know my FERC colleagues have as well. So, again, we urge  
11 you -- if there is any information that you think is  
12 helpful, we really do want to hear it, so please file it on  
13 the record.

14           So, thank you all and we'll adjourn tonight.

15           (Whereupon, the meeting adjourned at 6:02 p.m.)

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## 1 CERTIFICATE OF OFFICIAL REPORTER

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3 This is to certify that the attached proceeding

4 before the FEDERAL ENERGY REGULATORY COMMISSION in the

5 Matter of:

6 Name of Proceeding:

7 Forest City Project

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15 Docket No.: P-2660-030

16 Place: Danforth, ME

17 Date: Wednesday, August 28, 2019

18 were held as herein appears, and that this is the original

19 transcript thereof for the file of the Federal Energy

20 Regulatory Commission, and is a full correct transcription

21 of the proceedings.

22

23

24 Gaynell Catherine

25 Official Reporter