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State of Maine  
Department of Conservation

Maine Land Use Regulation Commission

Wednesday, May 12, 2010

Volume II of III

Fifth Pre-hearing Procedural Order Hearing

In the Matter of  
Development Permit DP 4860  
TransCanada Maine Wind Development, Inc.  
Kibby Expansion Project

Held at Sugarloaf Grand Summit Conference Center  
Carrabassett Valley, Maine

Don Thompson & Associates  
Court Reporters

1           (This hearing was taken before Angella D. Clukey,  
2           Notary Public, at the Sugarloaf Grand Summit Conference  
3           Center, Carrabassett Valley, Maine, on Wednesday, May 12,  
4           2010, beginning at 6:45 p.m.)

5                           \* \* \* \* \*

6           MS. HILTON: Good evening, everyone. My name is Gwen  
7           Hilton and I'm the Commission chair and presiding officer  
8           for this hearing. Members of the Commission present are --  
9           I'm going to have them introduce themselves starting to my  
10          right with Ed.

11          MR. LAVERTY: Ed Laverty, Medford, Maine.

12          MS. KURTZ: Rebecca Kurtz, Phillips.

13          MS. CARROLL: Good evening. I'm Catherine Carroll, I'm  
14          the Commission staff director.

15          MS. FARRAND: Sally Farrand from Beaver Cove.

16          MR. NADEAU: Jim Nadeau, Winterville Plantation.

17          MS. HILTON: We also have with us Angella Clukey who is  
18          our court reporter. And, let's see, Rebecca Renaud is  
19          administrative assistant, she operates the sound system  
20          there. Samantha Horn-Olsen is our manager of the planning  
21          division. And Marcia Spencer-Famous is our senior planner.

22          And -- let's see. This evening's hearing is being held  
23          pursuant to the provisions of 12 M.R.S. Section 685-B. The  
24          hearing will be conducted in accordance with Chapter 5 of  
25          the Commission's rules for the conduct of public hearings.

1 This evening's hearing is being held to receive public  
 2 testimony on the matter of Development Permit DP 4860,  
 3 submitted by TransCanada Maine Wind Development,  
 4 Incorporated to construct a 45-megawatt wind energy  
 5 development in Kibby Township and Chain of Ponds Township,  
 6 Franklin County. The proposed wind energy development  
 7 would consist of 15 3-megawatt wind turbines, an access  
 8 road, a 34.5 KV collector line, a substation and a short  
 9 segment of 115 kV transmission line to connect to the  
 10 existing Kibby Substation. The proposed project would use  
 11 the existing Kibby Operations and Maintenance building and  
 12 the existing 115 kV transmission line that connects to the  
 13 Bigelow Substation.

14 The purpose of this hearing is to allow the public to  
 15 present direct testimony in evidence as to whether the  
 16 development proposal meets the criteria for approval as  
 17 specified in 12 M.R.S. Section 685-B(4) and (4-B) of the  
 18 Commission's statutes and also the Commission's land use  
 19 districts and standards.

20 All of those who wish to testify need to sign up on the  
 21 sheets in the back. And don't forget, if you want to  
 22 testify, you know to check off in the right-hand column.  
 23 And I also will need to swear you in.

24 Why don't -- before we do that, how about if we --  
 25 TransCanada is going to do a short presentation and then

1 I'll swear everyone in and we'll call people up.  
 2 MR. WILLIAMSON: Good evening, everybody. My name is  
 3 Toby Williamson and TransCanada asked me to do this  
 4 presentation. I've been doing things like this, informing  
 5 the public about the original Kibby project and the Kibby  
 6 Expansion, for the last several years. So I'm just going  
 7 to briefly go through it. And let's get started.

8 I just wanted to start with a brief overview of the  
 9 original Kibby wind power project. It's a \$320 million  
 10 investment that's currently under construction. It's 44  
 11 3-megawatt turbines on two ridges. That -- this is Kibby  
 12 Mountain here and Kibby Range. Kibby Mountain has 22  
 13 turbines on it right now that are in operation. 22  
 14 turbines will be going on the Kibby Range later this year.

15 The Operation and Maintenance building that currently  
 16 services these two ridges is here. And the 27-mile  
 17 transmission line that connects these two ridges to the  
 18 New England grid is in this red line here connected to the  
 19 Bigelow Substation that is existing, but has been upgraded  
 20 as part of the original project.

21 The Kibby Expansion is on this ridge here, which is  
 22 roughly 2 -- 2 miles, 2 and a half miles from Kibby Range.  
 23 And, again, here's Kibby Mountain and Kibby Range here. 15  
 24 turbines on Sisk Mountain here. There will be a total of  
 25 45 megawatts. There will be three -- I'm sorry, 15

1 3-megawatt Vestas turbines.  
 2 It would be a roughly \$100 million plus investment. It  
 3 would support an additional year of construction benefits,  
 4 create at least one full-time additional job and utilize  
 5 all the existing infrastructure that I pointed out.

6 One other thing I wanted to point out is the road.  
 7 This is Gold Brook Road that currently accesses these two  
 8 ridges and will also access the Kibby Expansion.

9 The sort of significant visual areas that were studied  
 10 as part of Jean Vissering's study were Arnold Pond up in  
 11 this area, Crosby Pond here, the Chain of Ponds in this  
 12 area and Kibby Stream, which runs directly in that area  
 13 here.

14 This is sort of a closer-up view of the project  
 15 footprint. It utilizes 7.4 miles of existing road, 2.4 of  
 16 which would require upgrades and 5 miles that were upgraded  
 17 as part of the original Kibby project. That's 5 miles on  
 18 the Gold Brook Road. The 2.4 that require upgrades are  
 19 here on the Mile 5 Road. And then the project would  
 20 require an additional 4.7 miles of new roads. At the end  
 21 of the access road here, 1.1, roughly. And then roughly  
 22 3.6 miles of access along the top of the ridges for the  
 23 cranes.

24 It also -- the project would include a collector system  
 25 and a substation that would then connect into that 27-mile

1 transmission line.

2 There were several studies done to support this  
 3 application, visual studies, sound studies, a shadow  
 4 flicker study, plant communities, wetlands and vernal  
 5 pools, birds, bats and other wildlife and historical  
 6 resources.

7 Just briefly, I show you the sound contour map. The  
 8 nearest camp -- again, here's the 15 turbines along this  
 9 ridge. This is the substation that is right next to the  
 10 existing sub that was built for the Kibby project. The  
 11 lines that are around it, I'll show you the various decibel  
 12 levels. And the closest camp is in this area closer to the  
 13 Chain of Ponds, roughly 2.3 miles away.

14 And the predicted and review studies of sound show that  
 15 it's going to be -- the sound is going to be the closest at  
 16 that camp in this -- in the Chain of Ponds area is  
 17 equivalent to current conditions and substantially below  
 18 any regulatory limits.

19 The Maine Legislature recently passed a law that  
 20 requires all new wind power projects to provide a tangible  
 21 benefit package in the amount of \$4,000 per turbine. As  
 22 part of this project, TransCanada is going to continue the  
 23 -- what we offered to the Town of Eustis was \$1,000 per  
 24 megawatt per year. So for 15 3-megawatt turbines, that  
 25 adds up to \$45,000 per year. We're also providing \$150,000

1 to the Maine Department of Labor to do green jobs funds,  
2 which is very similar to the Kibby boot camp we ran this  
3 past year with the -- the career center. It helps to, you  
4 know, train young people in sustainable development  
5 opportunities.

6 The High Peaks Alliance will be receiving \$150,000 for  
7 Franklin County Trail Corridor Development. And as part of  
8 -- these are separate from the standard tangible package,  
9 but also benefits that the project will be providing to  
10 other people. The Arnold Expedition History Society will  
11 be receiving \$100,000 for trail conservation and,  
12 potentially, interpretation of the Arnold's march to  
13 Quebec. And, finally, \$100,000 for the Bicknell's Thrush  
14 Conservation funds to protect their overwintering habitat  
15 down in the Caribbean.

16 Our anticipated schedule, to date we've installed a met  
17 tower up on Sisk Mountain last summer, filed applications  
18 for the actual project in the fall of 2009, we're hopeful  
19 that we will receive permit decisions later this summer.  
20 And if we do have approvals for the project, we will start  
21 construction in the late summer of this year and complete  
22 the project by the fall of 2011.

23 And so with that, I just want to thank you for spending  
24 your time to come out tonight and glad to give your  
25 comments to the commissioners. And thank you again, have a

1 good night.

2 MS. HILTON: Thank you for that presentation.

3 All witnesses must be sworn, and it will be required  
4 before they give testimony to state for the record their  
5 name, residence, business or professional affiliation, the  
6 nature of their interest in the hearing and whether or not  
7 they represent another individual, firm or other legal  
8 entity for the purpose of the hearing.

9 In addition to being transcribed, we will be recording  
10 the proceedings. So I request that you speak clearly and  
11 also not too quickly for -- because it is being  
12 transcribed. All questions and testimony must be relevant  
13 to the Commission's criteria for approval for this  
14 proposal. Irrelevant or unduly repetitious materials or  
15 questions will be excluded.

16 The record of this hearing will remain open for ten  
17 days for written comments until Monday, May 24th and for an  
18 additional seven days until Tuesday, June 1st for rebuttal  
19 testimony or as determined by a presiding officer. No  
20 additional evidence or testimony will be allowed into the  
21 record after that date.

22 Persons attending this hearing who wish to be notified  
23 of the final action taken by the Commission as a result of  
24 this hearing may leave their name and address with our  
25 staff over here.

1 At this time I'd like to swear in any witnesses who  
2 plan to testify this evening. So if you could stand up and  
3 raise your right hand. Do you solemnly swear to tell the  
4 whole truth and nothing but the truth?

5 PARTICIPANTS: I do.

6 MS. HILTON: Good. All right. Thank you. If there  
7 are any legislators or town officials who -- I'm going to  
8 give you the courtesy of coming up first if you would like.

9 MR. CROCKETT: Hello, ladies and gentlemen. My name is  
10 Jarrod Crockett, I'm from Bethel. I have the distinct and  
11 great privilege of representing the people of District 91,  
12 which is northern Oxford, Northern Franklin County.

13 Let me begin by thanking you for your service to our  
14 state. I know it's not always easy. And I would also like  
15 to thank you for conducting this hearing in such a manner  
16 that it's created an open dialogue.

17 At this point I must disclose the fact that I am  
18 generally a conservationist who greatly values the pristine  
19 natural beauty of Maine's western mountains. So when I  
20 first evaluated the Sisk project last year when it was  
21 indirectly brought before the Legislature, I was naturally  
22 skeptical and used a personally developed balancing test to  
23 determine whether the benefit was indeed greater than the  
24 burden.

25 This test basically balances, one, the financial impact

1 on the local communities; two, the likely impact on scenic  
2 views or noise levels of the abutting landowners; three,  
3 any potential negative impact on local tourism or  
4 ecotourism, which is large in our part of the state; four,  
5 the large scale implications to the statewide energy  
6 situation; and then, finally, the implication of a denial  
7 on the long-term private property rights of individuals.

8 In regards to the Sisk Mountain project, the local  
9 community will gain \$45,000, which I'm sure you heard that  
10 earlier, on top of the benefits already received from the  
11 Kibby project, which is a significant contribution to the  
12 Eustis tax base. In particular, this most assuredly will  
13 help develop or perhaps help local people preserve their --  
14 the Stratton school, which has been in jeopardy, you may  
15 have read about that in the papers.

16 It will also provide a much needed boost to the local  
17 economy through people that will not only be working there,  
18 but staying in the local area over the course of the  
19 project. It is also my understanding that TransCanada  
20 agreed to give roughly \$400,000 to a number of different  
21 organizations and programs to include the Arnold Trail  
22 Society, High Peaks Alliance and a job shadow program  
23 through the Department of Labor, which will have long-term  
24 effects. The impact on the views of the abutters is  
25 minimum given the remote location of the project. I

1 believe it's 2.5 miles from the closest seasonal camp and 5  
2 miles from the closest year-round residence.

3 From a certain portion of the Chain of Ponds it is  
4 visible, but that's not the majority of the scenery from  
5 Chain of Ponds, it's pretty -- pretty isolated. This also  
6 means the local ecotourism won't be hindered to the extent  
7 -- or provide any great burden.

8 In regards to the impact on the statewide goal of  
9 generating 2,000 megawatts of green energy, this project is  
10 simply a step in that direction. Although it's a small  
11 step, it's still a step in the right direction. Bear in  
12 mind in the big picture energy prices must come down in  
13 order for our state to grow business. And as you can tell  
14 by our tough economic times, it's something we desperately  
15 need.

16 While wind is not the only answer, as biomass and hydro  
17 are still viable options, wind is before us now and is an  
18 option immediately in front of us. It's the right thing to  
19 do now.

20 The last column of my ad hoc test, which you're free to  
21 adopt if you want to, is what impact the denial of this  
22 project will mean to private property rights across the  
23 state. In the instance before you, we have a remote  
24 location which lies in an expedited area already  
25 established by the Legislature, it has positive impacts on

1 the local Eustis community, minimal effects on the scenic  
2 views of abutters or key tourist attractions and makes  
3 another stride towards achieving a statewide goal of  
4 cheaper energy.

5 If a project like this cannot get approval, then it is  
6 unlikely that any other project should ever receive  
7 approval. In short, it doesn't get any better than this as  
8 far as the situation. And if we don't go along with this  
9 approval, then the rights of other landowners are  
10 jeopardized.

11 I'll be -- I promised that I'd be brief. At least I  
12 promised Jay so he wouldn't tackle me in the hallway. So  
13 I'll just close with this. This project is the right  
14 thing, most importantly, at the right place. If it were on  
15 the beach the Rangeley lakes, my opinion would be  
16 undoubtedly different, but it's not, thank God.  
17 TransCanada chose the correct location and the benefits to  
18 local community as well as the state cannot be ignored in  
19 this instance.

20 So in closing, it is my sincere hope that this project  
21 meets with your approval. And I would like to thank you  
22 for your time and consideration. Thank you.

23 MS. HILTON: Thank you. Any other legislatures that  
24 want to speak now? Town officials?

25 PARTICIPANT: I'm a town official, but I am not here in

1 that capacity tonight, I'm going to --

2 MS. HILTON: Okay. All right. I guess what we'll do  
3 is call out some names. There's a time limit here because  
4 we have so many people that want to speak. And so I would  
5 like you to keep it as concise as you can and I'll probably  
6 be looking to you to finish up within five minutes. And  
7 remember that if you have any written testimony that is  
8 welcome and to leave that with the staff over here and that  
9 is very helpful as well. So if you aren't able to say  
10 everything, you know, leave your written testimony or  
11 submit testimony within the next week or ten days. All  
12 right. So let's get started.

13 MS. CARROLL: All right. I'm going to read off the  
14 first five names on Sheet 1 in which people indicated they  
15 wished to testify. If you don't think that you checked off  
16 that you wish to testify, just let me know and we can add  
17 you to the list. And I also noticed a few people stand up  
18 to be sworn in who are not on this list because I recognize  
19 you. So if you wish to sign up, there's a sheet right at  
20 the entrance and we want to make sure we get everybody.

21 I apologize if I do not pronounce your name correctly  
22 or I can't find your handwriting legible. The first five  
23 on this list include Robert from ATSC, Steve Perry, Walter  
24 Anderson, Duluth Wing and Alan Michka. So, Robert, you're  
25 first.

1 MR. CAMPBELL: I'm here in two capacities today. I'm  
2 Robert Campbell, better known as Cap, and I was the past  
3 chairman of the board of Unity College, past member of the  
4 SAM Board, president of the Arnold Trail Snowmobile Club,  
5 which is the largest club in the state of Maine in the  
6 Eustis/Stratton area, and vice president and executive vice  
7 president of the Maine Snowmobile Association. Also a  
8 Chewonki camper, which I'm kind of proud of after today.

9 I'm here to talk in favor of the project not from a  
10 club standpoint. I happen to be, I think, the nearest  
11 year-round neighbor to the project. I have a beautiful  
12 place up on Greenbush Pond and I look out over Kibby range  
13 over the pond and have enjoyed a wonderful relationship  
14 with TransCanada and have had no problems at all with them  
15 in any way, shape or form. So in that respect, I do want  
16 to say that I support them there.

17 And I want to give you some information. This is not  
18 -- I cannot say that the snowmobile club is in favor of  
19 this one way or the other because we have members,  
20 obviously, in both courts. But I do want to bring up the  
21 fact that we did, about seven or eight years ago, put  
22 122-foot bridge over the north branch of the Dead River  
23 down at the Gold Brook Road entrance. I was one of five  
24 people that did that. We have traffic all winter long up  
25 over Bag Mountain on the other side of Arnold Pond. All

1 winter long on a good Saturday between 150 to 200 sleds  
2 going back and forth to Canada and up to the border. So  
3 this is not pristine in that regard, we do have a lot of  
4 motorized activity going back and forth daily and  
5 especially heavy on the weekends.

6 TransCanada has been a member of our club for two  
7 years. They've been very cooperative and I'm just here to  
8 lend my support. Thank you.

9 MS. HILTON: Thank you.

10 MS. CARROLL: Steve.

11 MR. PERRY: Good evening. I'm Steve Perry, I'm a  
12 senior manager for Sargent Corporation. And I'm glad to  
13 say that I've worked for Sargent for 35 years and I'm still  
14 in a temporary capacity, so --.

15 One of the things we hear too often on these projects  
16 is that they only generate temporary jobs. And I'd like to  
17 just reinforce the fact that Sargent Corporation, along  
18 with a lot of other construction companies here in Maine,  
19 have been able to support hundreds of families with viable  
20 jobs for over the last 80 years on temporary job status and  
21 so it's good for us.

22 Sargent Corporation had the opportunity to work on the  
23 first Kibby wind project as a subcontractor. We did a lot  
24 of the earth moving that you saw out there yesterday.

25 And I'm here today simply to let you know that the

1 economic benefits of this project -- and not too often do  
2 we have an example where we can take one project right  
3 beside another one and actually give you real facts on what  
4 happens out there. You hear about statistics and  
5 estimates, but you don't hear the facts.

6 And what I'd like to do is explain to you that on the  
7 project that we just finished over there on the first Kibby  
8 we had the opportunity to employ 86 folks on this project.  
9 And that's 86 families that had salaries, that was going  
10 home to pay their mortgage, to pay their bills and to put  
11 their kids in school. And that means a lot to us. We  
12 employ close to 3 to 400 folks. These are all Maine folks,  
13 they live here in Maine. And some of them are as close as  
14 Solon, the Forks, Skowhegan and all over northern Maine.

15 Some of the other benefits that we've seen was some of  
16 the companies that we hired as subcontractors. And I would  
17 just like to name a few just to give you a flavor of who  
18 participated in this project. We hired Sackett & Brake out  
19 of Skowhegan, Jordan Excavation out of Kingfield, Absolute  
20 Services out of Stratton, Norpine Landscaping out of  
21 Kingfield, TTH Logging out of Eustis and GL Brochu out of  
22 Stratton.

23 In addition to those companies, we, basically, in the  
24 community bought over a million dollars worth of fuel out  
25 of the Stratton companies that provided fuel. And we

1 provided -- we spent over \$350,000 in lodging and expenses  
2 within the Stratton and integrated community areas. So  
3 from an economic standpoint, these are real numbers that  
4 really take place and they just trickle out throughout the  
5 community.

6 And we're thankful that TransCanada has come in and has  
7 made the investment and -- and is moving forward with this  
8 project and we support it 100 percent. Thank you.

9 MR. LAVERTY: Excuse me, Steve, are you here  
10 representing yourself or representing Sargent?

11 MR. PERRY: I'm here representing Sargent.

12 MR. LAVERTY: Okay.

13 MS. CARROLL: Walter.

14 MR. ANDERSON: Madam Director, members of the  
15 Commission, my name is Walter Anderson. I live in the town  
16 of Yarmouth. It gets -- I'll say that I was -- for 40  
17 years I have been a practicing professional geologist in  
18 the state of Maine, 27 of those years I was a Maine  
19 geological surveyor with the Department of Conservation and  
20 17 of those 27 I was director and state geologist for the  
21 Maine Geological Survey with the Department of  
22 Conservation. I retired in '95. And since then I have  
23 been involved in educational and -- educational entities.

24 Over those 40 years as -- involved in the state  
25 government -- I started about 1968, which is way back

1 there. And I recall through my tenure as state geologist  
2 we went through a whole series of issues having to do with  
3 oil or gas. It was the refinery up in Eastport, it was the  
4 liquid natural gas facility that was supposed to be put on  
5 East Machias Island, it was the storage facility that was  
6 supposed to be on Long Island Casco Bay for storing oil and  
7 gas, there was a proposal put forth to actually store  
8 underground petroleum products here in the state of Maine.

9 Prior to my tenure with the state of Maine I was a  
10 petroleum geologist, I worked on onshore and offshore rigs  
11 in the Gulf Coast. And over these years it's come to my --  
12 to me now that enough is enough on these hydrocarbon  
13 things. This is not a lecture, I'm just giving my  
14 viewpoint. Okay? And enough is enough on the  
15 hydrocarbons.

16 And so I would like to see this project -- I'm in favor  
17 of this project, I would encourage you to move with all due  
18 haste and speed and send it through. It's encouraging to  
19 me to see this kind of thing going because we get off that  
20 habit that we've been on for so long, the hydrocarbon  
21 habit. And this is one of the ways to do it. There are  
22 other mechanisms out there, but this is one that in the  
23 energy mix that we've got to really promote and -- and get  
24 it done. I've got to say that you folks are very thorough,  
25 very thorough.

1 Anyway, so I would -- I'm also a member of the  
 2 International -- well, I'm a board member of the  
 3 International Appalachian Trail, which starts from  
 4 Mt. Katahdin and ends -- goes up through New Brunswick,  
 5 Quebec, Prince Edward Island, Nova Scotia, Newfoundland,  
 6 just recently Ireland and Scotland are joining us, all on  
 7 the Appalachian terrains. And along those trails,  
 8 including the state of Maine, our trail goes through wind  
 9 farms. Here in Maine it's Mars Hill.

10 The first one has been very cooperative. They've  
 11 helped us in building and maintaining our trail. And we  
 12 have a nice lean-to up there and we've had many folks  
 13 hiking that trail right up the border to Fort Fairfield and  
 14 on into the barren towns. So I guess I'm a different  
 15 person, I am not offended by windmills.

16 As a geologist, when I see a windmill, I think of our  
 17 atmosphere, I think of energy. Instead of going out of a  
 18 smokestack or out a tailpipe, it's being generated in a  
 19 clean and nonpolluted way. That's what I see when I see  
 20 windmills. And I don't see them as being very offensive,  
 21 it's art in my opinion. And I think they're rather  
 22 graceful.

23 And so anyway, I just wanted to make a point that as a  
 24 citizen -- as a private citizen that's been around here for  
 25 a while, this is a resource that's the beginning of a new

1 era as far as the energy is concerned. And you folks are  
 2 part of that. And I'm sure there will be other energy  
 3 projects coming up, but this is one that I hope you will  
 4 support and in an expeditious way. Thanks.

5 I testified before the -- the LURC Commission when it  
 6 was first established under your first director, Jim  
 7 Haskell. And perhaps you don't remember him, but I  
 8 remember him. And I did testify before this Commission  
 9 many, many times in the past, but that was the first time.  
 10 Thank you very much.

11 MS. CARROLL: Okay. Duluth, you're next.

12 MR. WYMAN: Good evening. I was standing in the line  
 13 over here -- my name is Earl Wyman, Jr., I am a selectman  
 14 for the Town of Eustis. And I am not representing the Town  
 15 of Eustis tonight. My nickname is Jay Wyman. So you're  
 16 going to see a Jay Wyman for Duluth on there because I  
 17 didn't realize that Duluth had signed up.

18 Duluth wanted to make a statement this evening, but he  
 19 felt ill, so he asked if somebody could read for him. I  
 20 was standing in a line and somebody said, would you please  
 21 step forward if you'll read this? While I stood still,  
 22 everybody stepped forward for a second. I didn't hear the  
 23 chain coming, but I'm going to read his statement.

24 Duluth represents the Arnold Trail Historical Society.  
 25 And he has a statement here that I'll just hand out to you

1 that he wanted me to give to you, a statement of the Arnold  
 2 Expedition Historical Society in regard to the Kibby wind  
 3 power expansion. He also has several maps for you to look  
 4 at, too, that they did for this Arnold's Wilderness March  
 5 when Benedict Arnold came up through this area.

6 I also realized last night I made a comment to you and  
 7 I didn't finish it and I apologize. In my comment I said  
 8 that I had talked to some foresters and some game wardens  
 9 that -- that are now retired that lived and worked in this  
 10 area since 1950s. And my question to them was, are there  
 11 any of the species that have been mentioned on the ridges  
 12 that this project would cause them to become extinct or  
 13 more endangered? And they said, no.

14 But there is one species that I think really needs to  
 15 be considered alone, because the sustainability of species  
 16 is very important to all, and that's the species of the  
 17 human being. So we all have to get along, we all have to  
 18 sustain and we all have to survive. So having said that, I  
 19 would like to read a statement by Duluth Wing.

20 Our stand is neither for -- and I said he -- he  
 21 represents the Arnold Historical Society. Our stand is  
 22 neither for nor against the Sisk Mountain project.  
 23 Recognizing the great importance of the Arnold Expedition,  
 24 our society was formed some 40 years ago and our main  
 25 objective was to locate and preserve the Arnold Trail for

1 the benefit of future generations.

2 The state of Maine gave us a PUA zone along some of the  
 3 route, but our society was left with the responsibility of  
 4 purchasing some of the land, obtaining easements and  
 5 actually laying out, clearing and marking the footpaths  
 6 where possible.

7 The two areas left in a somewhat unspoiled state were  
 8 the Great Carrying Place west of Bingham and the Height of  
 9 Land Carrying Place north of Chain of Ponds. We now have  
 10 pretty much completed the 12-mile Carry West of Bingham.

11 We are a volunteer group with very limited funding and  
 12 tried unsuccessfully for years to make and publish a trail  
 13 guide and map to better acquaint the public with this --  
 14 with this historical military march. In 2008, as  
 15 TransCanada proceeded with their Kibby project, they  
 16 offered the society the funding necessary for a map and  
 17 guide, which has been completed and very well received.

18 A temporary footpath from Chain of Ponds to Coburn Gore  
 19 Township has been established by me with the grace of the  
 20 landowners. I have located many of Arnold's artifacts  
 21 along the trail which positively identifies where the  
 22 soldiers walked. But other than land now controlled by the  
 23 Bureau of Parks and Lands, our trail will have to cross  
 24 miles of private land, naturally beyond our means.  
 25 TransCanada has again offered as -- offered us money toward

1 the purchase of said land if the Sisk project materializes.  
2 So, perhaps, once again the public may be able to hike  
3 and enjoy a footpath following one of the major military  
4 marches of our time and in the most beautiful part of our  
5 state. Sincerely, Duluth Wing.

6 MS. CARROLL: Thank you. Alan. And before Alan offers  
7 his testimony, I wish to name off the next five who have  
8 indicated or wish to testify. That includes Richard  
9 Fecteau, Glenn Adams, Chris Beach, Milton McBreairty and  
10 Jeff Brickley, if he is still here. If Jeff is not here,  
11 then the fifth on the list is Kate Punderson. My apologies  
12 if I'm not pronouncing that correctly.

13 MR. MICHKA: Good evening, commissioners. My name is  
14 --

15 THE REPORTER: Can you speak up, please?

16 MR. MICHKA: Yes.

17 THE REPORTER: Thank you.

18 MR. MICHKA: My name is Alan Michka from Lexington  
19 Township. Good evening, commissioners. I appreciate the  
20 opportunity to speak with you again. As happens every time  
21 I get up here to speak, I bring my nice tidy printed  
22 testimony and then I -- I end up having to comment on other  
23 things I've heard. So I'm going to also add in with my  
24 written testimony -- my impromptu testimony as well.

25 First of all, to the gentleman, the geologist, that

1 spoke of wanting to get away from fossil fuels, I couldn't  
2 agree with him more. But I hope that you can consider that  
3 this company that's putting this -- or proposing this  
4 facility is also a company that's involved with extracting  
5 fossil fuels from the planet and by one of the most  
6 destructive means available to it.

7 The Tar Sands of Alberta are presently being exploited  
8 in a very environmentally damaging method and they're not  
9 giving this up to pursue wind energy.

10 As far as cheaper energy, a legislator was up here who  
11 discussed a cheaper energy that wind could potentially  
12 bring to us, which is contrary, really, to what we've seen  
13 in the state so far. And, yet, one of the developers in  
14 the state at the Record Hill Project delayed their project  
15 because they couldn't compete with natural gas. That was  
16 their stated purpose for delaying their project. So this  
17 seems to fly in the face of what he's saying about cheaper  
18 energy from wind turbines.

19 As an addendum, as I said, to my written statement, I  
20 would like to add comments regarding TransCanada's  
21 post-application buyouts to organizations and  
22 municipalities for their complicity as well as comment on  
23 comments that I've heard here today.

24 The financial packages offered to cement cooperation  
25 are at best wrong and at worst shameful. To view these as

1 tangible benefits would be a betrayal of the people of the  
2 state of Maine. The tangible benefits that will be a part  
3 of the applicant's permit application should be readily  
4 available for public scrutiny during the normal review  
5 process. By it's actions, TransCanada has moved to take  
6 control of the procedures that remain in this state through  
7 the Commission.

8 And generally to determine who might or might not be on  
9 board with one of these projects, one is well served to  
10 follow the money, a point well understood by TransCanada.  
11 I would suggest that we must reject the notion, perhaps,  
12 the culture that if enough money is channeled to the right  
13 places, a project becomes more palatable.

14 While much precedent exists for mitigation -- we've  
15 heard a lot of talk about mitigation today -- we must  
16 reject the idea that mitigation is the panacea that  
17 relieves us of making fickle decisions. We need to stop  
18 taking -- or trying to fulfill the agendas of special  
19 interests and industry interests as an alternative to  
20 simply adhering to the standards, values and goals that  
21 will ultimately assure that this jurisdiction's lands will  
22 be passed to many generations removed with some retained  
23 value rather than be picked apart by each decade's new  
24 economic development scheme.

25 Which brings me to the elephant in the room, the

1 continuous threat by which the dubious value of this or any  
2 other mountaintop wind -- wind project hangs. While much  
3 of the world is being awakened to the questionable efficacy  
4 of this type of electrical generation, we're not even  
5 allowed to consider this important aspect as a result of  
6 the work of the governor's task force, a task force with  
7 which TransCanada was fortunate enough to have at least  
8 three participants, their legal representation even being a  
9 sitting member of the task force.

10 I will move on to my prepared comments. I would like  
11 to open it with a passage that I'm sure all the  
12 commissioners are probably familiar with. It goes like  
13 this: More and more, as northeastern U.S. develops, the  
14 Maine woods are becoming an almost unparalleled resource,  
15 both for tree production and for recreation opportunity.  
16 But who is to come forward to say that this resource must  
17 not be squandered? Can we guarantee that the next  
18 generations will be able to set out in a canoe and know  
19 that adventure is just around the bend?

20 Commissioners and staff, I'm sure, recognize that this  
21 comes from the first paragraph of text that appears in the  
22 Commission's Comprehensive Land Use Plan. It almost has an  
23 innocence to it. It was written over 40 years ago by those  
24 contemplating who would look after this unique treasure,  
25 this land that would become the Commission's

1 responsibility.

2 I'm here today hoping that you believe this treasurer

3 is still worth protecting. Despite our present

4 administration's dedication to the exploitation of these

5 increasingly scarce places and despite those who are

6 prepared to carry it forward materially and in complicity,

7 there are those of us who believe there is no financial

8 scheme that warrants the degradation of Maine's resources

9 that this proposal promises.

10 Adding insult to injury is the project's ostensible

11 goal of environmental and clean energy benefits, neither of

12 which has ever been demonstrated anywhere other than on

13 paper.

14 There are myriad reasons for denying this permit: The

15 accumulating affects of habitat destruction or compromise

16 for rare of threatened species -- or any species for that

17 matter -- loss of rare forest community examples, wetland

18 loss or degradation, the devastation of extensive blasting

19 on high elevation slopes for road and pad construction and

20 a decommissioning plan that is vague and asks the state of

21 Maine to assume unnecessary risk.

22 I will address an additional reason for the denial of

23 this permit, that of visual impact. In the Commission's

24 CLUP, the following passages appear under the heading of

25 scenic resources: In general, the greater the contrast is

1 between structural development and the landscape, the

2 greater will be the visual impact of that development,

3 especially if the development is located on a hillside,

4 which increases its visibility across the landscape. And:

5 Night lighting is a particularly important element since

6 lights visible at night indicate the extensiveness of

7 development and can undermine enjoyment of the rural night

8 sky.

9 I feel as though there's little need to say much more

10 than that. It seems obviously apparent that 400-foot wind

11 turbines on a remote mountain are an undue and unreasonable

12 adverse visual impact. No viewer expects to see this and

13 few reasonable and uncompensated people believe this is

14 reasonable. I stood on Stewart Mountain over 25 miles away

15 -- 25 miles away from the Kibby project and unexpectedly

16 saw the turbines there. While I understand that the

17 governor and Legislature, in their infinite wisdom, have

18 declared that, beyond 8 miles, adverse impacts do not

19 occur, the reasonable person knows otherwise.

20 The Kibby facility, again visible from over 25 miles

21 away, means that almost 2,000 square miles of land is

22 potentially impacted visually. What then must be the

23 impact to the viewers on Long Pond just 3 miles away? How

24 can this be considered anything but unreasonable and

25 adverse? I'm a reasonable person and this is an

1 unreasonable -- this is unreasonable on a landscape such as

2 this.

3 It's my understanding that the Commission works under

4 no requirement to approve projects that are contrary to the

5 values and standards of the Commission's charge. It is not

6 the fault of the people of Maine or the Commission that the

7 administration and the Legislature in championing the rapid

8 transformation of Maine's beautiful lands with a policy

9 that is contrary to the responsibility and reasonable use

10 of the Commission's jurisdiction. Nor is it the

11 responsibility of the Commission to accommodate the

12 political bodies of Augusta or international corporations

13 by foregoing its obligations to its jurisdiction.

14 MS. HILTON: Alan, can you summarize or --?

15 MR. MICHKA: I just did. I'm done. Thank you.

16 MS. HILTON: Thank you. All right.

17 MR. FECTEAU: Good evening. My name is Richard

18 Fecteau, I'm from Farmington. I'm here representing

19 myself, but I would like to note that I'm a member of the

20 Friends of the Boundary Mountains, I'm a big overseer for

21 the Maine Appalachian Trail Club. I participated in the

22 Flagstaff region management planning process, and I was --

23 I was the person -- I was a board member of the Maine

24 Appalachian Trail Land Trust and came up with the project

25 idea for the High Peaks region conservation plan.

1 Tonight I wish to address the tangible benefits in the

2 sale of wind electricity on the open market. I will

3 request that the Commission require TransCanada to prove

4 that there is a real market for the energy that is to be

5 produced in the Boundary Mountains. Even though Maine's

6 expedited wind power law presumes that wind farms produce

7 enough electricity to qualify as tangible benefits under

8 the LURC rules, TransCanada is promising new payoffs to the

9 Town of Eustis and others that amount to \$545,000 over the

10 next 20 years if this project is approved and built.

11 TransCanada stated in their application for the Kibby

12 project that they would provide an average of 357 million

13 kilowatt hours of electricity per year.

14 I would like the Commission to consider that

15 TransCanada was not able to produce much power last winter

16 due to the harsh weather conditions present in the Boundary

17 Mountains. TransCanada has not responded to the Commission

18 about these issues that were raised during the expedited

19 expansion hearings for Sisk Mountain.

20 The Commission should consider that Kibby electricity

21 will not be sold for use in Maine. The market for

22 electricity in New England is large. This is not

23 electricity specifically and exclusively built to serve

24 Maine customers. TransCanada's website states that

25 electricity generated from the facility is to be sold to

1 customers through a combination of short and long-term  
 2 contracts. TransCanada has already sold a portion of the  
 3 power and renewable energy credits to buyers in the New  
 4 England market.  
 5 There is considerable competition in the New England  
 6 electricity delivered -- electric delivery market. Hydro  
 7 Quebec is seeking access to U.S. markets for exportation of  
 8 thousands of megawatts of hydro-based energy and capacity  
 9 at a much lower cost than wind. A 1,200 megawatt  
 10 transmission line for exports through New Hampshire to  
 11 southern New England is under consideration.  
 12 Vermont utilities are negotiating with Hydro Quebec for  
 13 a 225 megawatt supply. Wind industry advocates have  
 14 expressed concern that if the other New England states  
 15 follow Vermont's lead, the wind-based generation will not  
 16 be able to compete without additional taxpayer subsidies.  
 17 National grid in Massachusetts recently signed a 15  
 18 year deal to purchase half the output of the Cape Wind  
 19 project. The price per kilowatt hour starts at 20.7 cents  
 20 and escalates by 3.5 percent per year over the 15-year life  
 21 of the contract. Project critics estimate that this will  
 22 add \$442 million to the Massachusetts electric bills over  
 23 the contract life.  
 24 Both hydro generation and wind generation exploit the  
 25 weather to generate electricity. The Vermont state senate

1 recently voted to recognize this by voting 30 to nothing to  
 2 classify large -- large scale hydro electric supply such as  
 3 that represented by Hydro Quebec as a renewable source of  
 4 energy. By recognizing that hydro is a renewable energy,  
 5 hydro is placed on a more equal footing than other forms of  
 6 renewable energy. However, unlike wind energy, Canadian  
 7 hydro energy that may be available to U.S. markets is  
 8 without U.S. taxpayers subsidies.  
 9 TransCanada has asked Vermont towns to lower their  
 10 property tax appraisals on hydro electric dams TransCanada  
 11 owns on the Connecticut River. TransCanada is claiming in  
 12 a Vermont public radio story aired on March 11, 2010:  
 13 These plants are obviously worth less today than they were  
 14 pre-recession and pre-recurrent oversupply of electricity.  
 15 On April 16th, 2010 TransCanada filed suit in the U.S.  
 16 District Court for the Central District of Massachusetts  
 17 arguing that Massachusetts is unconstitutionally  
 18 discriminating against out-of-state renewable energy  
 19 producers. TransCanada's suit challenges two Massachusetts  
 20 programs that it claims benefits in-state economic  
 21 interests while burdening out-of-state interests. The two  
 22 Massachusetts programs at issue involve the Commonwealth's  
 23 attempt to spur in-state renewable energy resources.  
 24 According to TransCanada, these actions create  
 25 significant harms that prevent bids on long-term contracts

1 using renewable energy produced outside of Massachusetts,  
 2 such as the energy from TransCanada's Kibby project.  
 3 I fail to see why the Commission should seriously  
 4 consider this Sisk Mountain request. This project should  
 5 be denied and not reconsidered until TransCanada can  
 6 demonstrate an ability to provide tangible benefits and  
 7 long-term contracts for sale of the electricity from the  
 8 Kibby project.  
 9 MS. HILTON: Richard, can you summarize and give us  
 10 your testimony -- or, I mean, leave it with us.  
 11 MR. FECTEAU: Two more quick paragraphs and then I'll  
 12 be done. TransCanada should be required to deliver the  
 13 amount of electricity that was promised to this Commission.  
 14 TransCanada should be required to pay the taxes that they  
 15 promised to this Commission. TransCanada should be held  
 16 accountable to the promises it made to the people of Maine  
 17 before it is allowed to further develop wind power. Thank  
 18 you.  
 19 MS. HILTON: Thank you.  
 20 MS. CARROLL: Glenn, you're next.  
 21 MR. LAVERTY: Mr. Fecteau, do you intend to submit that  
 22 to record?  
 23 MR. FECTEAU: Yes, I do, but I scribbled all over it.  
 24 If I can submit it by e-mail, that would be better.  
 25 MR. ADAMS: All right. I'm going to make up some time.

1 My name is Glenn Adams, I'm a surveyor for Sargent  
 2 Corporation, I live in Oakland, Maine. And tonight I'm  
 3 going to be expressing the views of employees of Sargent  
 4 Corporation.  
 5 I'm a lifelong resident of Maine and an avid  
 6 outdoorsman. I have worked on many wind power projects in  
 7 the past. This evening I'm acting on behalf of the 300  
 8 plus Maine employees at Sargent Corporation. All are hard  
 9 working, tax paying, voting individuals. And due to the  
 10 project locations where they're at, they couldn't be here  
 11 tonight. They all support this project and I'm here to  
 12 reflect that.  
 13 Recently times have been tough and some employees have  
 14 only recently been called back from layoffs. This project  
 15 would aid 10 to 20 percent of our workforce by paying their  
 16 salaries for the duration of the project. Fortunately,  
 17 TransCanada has proven themselves as an owner who pays  
 18 their bills and approves of our safety commitment.  
 19 Personally I have spent nearly a year on Kibby Mountain  
 20 and Kibby Range and probably have walked more miles than  
 21 just about anyone on the mountain. I still believe it to  
 22 be a beautiful place. This spring I have spent more than  
 23 120 hours working on road redesigns and ways to lessen the  
 24 impact on this site. All these are possible by using  
 25 TransCanada's toolbox approach of field-based construction.

1 Thank you. And please -- you have 300 calls of support  
2 for this project as proposed.

3 MS. CARROLL: Chris.

4 MR. BEACH: My name is Chris Beach, I'm from Wilton,  
5 Maine. I'm here representing High Peaks Alliance. I'm one  
6 of the -- I'm one of seven directors. We are a nonprofit  
7 corporation. We've been serving as a grassroots  
8 organization in this area and have never been offered such  
9 a significant donation as we have more recently by  
10 TransCanada. And that's helped us understand that we need  
11 to communicate with the IRS and get our 501C3 in. And we  
12 will have that, I think, completed by the time your  
13 permitting process is determined.

14 I'm here to explain why the High Peaks Alliance is very  
15 appreciative of this contribution to us from TransCanada.  
16 We are not -- I'm not here -- my organization has not taken  
17 a position for or against this project. So we're in a  
18 similar situation as the Arnold Historical Organization was  
19 as well.

20 So the High Peaks Alliance is a grassroots organization  
21 dedicated to providing a local voice in land conservation,  
22 outdoor recreation and recreation trails decision-making in  
23 the high peaks region of Franklin County. We're in the  
24 high peaks region right here. Our areas we consider it to  
25 range from Eustis in the north to Phillips and Strong area

1 in the south and Rangeley to the west and Carrabassett and  
2 Kingfield to the east, that's the high peaks.

3 Our directors include landowners, hikers, snowmobile  
4 riders, hunters, registered guides, ATV riders, back  
5 country skiers and other local people who are working  
6 together for permanent conservation of working forest lands  
7 and continued public access to them for recreational  
8 purposes.

9 We are working especially hard to overcome past trail  
10 routes difficulties between motorized and nonmotorized  
11 routes. You heard Alan Stearns testify earlier to how our  
12 ideas are hopefully being well received in trying to  
13 address some of these, you know, very difficult issues that  
14 existed in the past. And that's the focus of this  
15 particular project that we would use this money for.

16 We are pleased that the significance of our work is now  
17 being recognized and supported by a wide variety of  
18 individuals and organizations including TransCanada.

19 TransCanada has pledged to contribute \$150,000 toward  
20 establishment of new regional connections for the  
21 recreation trail systems of the high peaks area. There are  
22 five organized trail systems in this area in the back  
23 country. I'm not talking about Saddleback or Sugarloaf,  
24 established resorts, but the back country systems that use  
25 both public and private land.

1 The High Peaks Alliance is working with private and  
2 public landowners and with all local trail groups to  
3 establish permanent trail routes connecting the towns of  
4 Phillips, Rangeley, Eustis, Carrabassett Valley and  
5 Kingfield via the near by plantations and unorganized  
6 townships. We're well aware of your zoning maps and your  
7 own regulations of where trails go and we use those as part  
8 of our planning process.

9 This generous contribution from TransCanada will be  
10 applied to land acquisitions facilitating permanent trail  
11 corridors for hikers, snowmobile riders, cross-country  
12 skiers, ATV riders, mountain bikers and other trail users.

13 And I have this in written form with all seven  
14 directors signing this, which I'll turn over right now.

15 Thank you.

16 MS. CARROLL: Milton, you're next.

17 MR. MCBREAIRTY: Good evening, Madam Chair,  
18 Commissioner Carroll, other members of the Land Use  
19 Regulatory Commission. My name is Milton McBreairty, I'm a  
20 resident of Bangor, Maine, and I am the director of  
21 renewable energies for Larkin Enterprises. I was also a  
22 member of the governor's wind power task force as several  
23 other people in this room that I recognize.

24 The members of the task force worked tirelessly to  
25 develop policies that were thoughtful, meaningful and

1 timely given the need and desire to develop additional wind  
2 power in the state of Maine. After recently attending  
3 TransCanada's celebration for the start-up of the Kibby  
4 project last fall and seeing how well it fits into the  
5 working forest landscape, I am enthusiastic about the  
6 potential for an expansion at Sisk.

7 The project at Sisk appears to be a perfect example of  
8 why we developed the expedited area process to begin with.  
9 Sisk is in very close proximity to the Kibby project, a  
10 permitted and successful project. Given that TransCanada  
11 will be completing the remainder of the Kibby Project this  
12 year, the expansion to Sisk makes all the sense in the  
13 world.

14 Workforce and construction efficiencies can be taken  
15 advantage of, those currently employed on Kibby will be  
16 able to stay in the area providing much needed revenue for  
17 both the workforce and the nearby community. Obviously,  
18 when the task force recommended an expedited zone and the  
19 Legislature enacted it in emergency fashion, the idea was  
20 to use the new law to create new wind power generation at  
21 an accelerated pace. I believe the Sisk project fits  
22 perfectly with the task force goals along with the  
23 legislative goal of 2,000 megawatts of wind power by 2015.

24 I hope the Commission will support this important and  
25 reasonable project. And in closing I would like to add

1 that Larkin Enterprises has an internship agreement with  
2 Northern Maine Community College and they have an associate  
3 degree for wind turbine technicians. We will be employing  
4 six of those technicians as interns on our project out here  
5 this summer.

6 And if you have any questions, I would be glad to  
7 answer them.

8 MS. HILTON: Thank you very much.

9 MS. CARROLL: Is Jeff Brickley still here?

10 MR. BRICKLEY: Yes, I am.

11 MS. CARROLL: You're next then. And then after Jeff is  
12 Kate. And then, if you don't mind, I'll rattle off the  
13 next five names. Seth Wescott, John Ritzo, Jeremy Jones,  
14 Larry Warren and Dick Smith.

15 MR. BRICKLEY: Good evening. My name is Jeff Brickley,  
16 I am the owner of the Stratton Plaza in Stratton. I am  
17 also a member of the Friends of People Who Like to Have  
18 Jobs. Just kidding about that. But, seriously, the Kibby  
19 project has been a tremendous help in our area. In an  
20 economic climate where so many businesses are closing doors  
21 or having trouble making ends meet, I know that personally  
22 I have been able to make some much-needed improvements,  
23 bring some things up to code, improve services to people of  
24 the town and visitors in the town. And a lot of that has  
25 solely to do with the Kibby project that was going on, the

1 amount of money that they were spending in the area, the  
2 different contractors that they are employing.

3 I know of several other markets and businesses in the  
4 area who have been able to make a lot of improvements also  
5 and they've told me due to the money that the Kibby project  
6 and construction workers are spending in the area.

7 Right now it seems like the economy is in bad shape.  
8 And some of these projects, I truly believe, are a matter  
9 of the difference between surviving and keeping businesses  
10 going, keeping families living in this area, keeping  
11 schools open and the difference between some of those  
12 things -- businesses closing and people maybe having to  
13 move out of the area.

14 So I think it's very -- very important that we approve  
15 -- that we -- the group approves projects like this and  
16 hopefully helps to keep stimulating the area with the money  
17 that they've been spending up here.

18 I have an e-mail prepared that I'm also going to mail  
19 in and follow-up with some of these comments here. I'm  
20 sure people want to get things moving along, so I'll be  
21 done taking up your time. And thank you very much for  
22 allowing me to make these comments. Any questions?

23 MS. HILTON: Thank you.

24 MS. CARROLL: Kate, you're next.

25 MS. PUNDERSON: Thank you. Good evening. My name is

1 Kate Punderson and I have a prepared statement to give.

2 I am a resident of Carrabassett Valley and I work at  
3 Carrabassett Valley Academy as director of development and  
4 finance. And tonight I'm here representing my personal  
5 views in support of the expansion of the Kibby project on  
6 Sisk Mountain.

7 I grew up on Sugarloaf, my husband and I are raising  
8 our son here and my roots are deep in the area. My parents  
9 were very involved in the development of the Sugarloaf ski  
10 resort and have owned and operated several local businesses  
11 over the years.

12 From an economic standpoint, the Kibby wind project has  
13 been instrumental in maintaining the local economy during  
14 these turbulent times. To date the Kibby project has  
15 contributed over \$6 million to Franklin County through  
16 lodging, restaurants, support for local educational and  
17 community projects and with temporary and permanent good  
18 paying jobs. This number will continue to grow as the  
19 Kibby project is hopefully expanded. The possibility of  
20 expanding that time of economic growth and support is  
21 exciting and necessary for the residents of Franklin  
22 County.

23 Environmentally, wind power makes sense. It is my  
24 understanding that the expansion of the Kibby project on  
25 Sisk will have minimal ecological effects on the area.

1 TransCanada has taken great care thus far in restoring all  
2 of the areas used in construction with indigenous material  
3 and follows the LURC and other state and federal  
4 environmental guidelines to the letter.

5 The key regulatory process for the original project was  
6 reviewed by you, state agencies that included the Maine  
7 Department of Inland Fisheries & Wildlife, the Maine  
8 Department of Environmental Protection, the Maine Historic  
9 Preservation Commission and the State soil scientists were  
10 all involved in this review process. Federal agencies,  
11 such as the U.S. Army Corps of Engineers and U.S. Fish &  
12 Wildlife Services and the Federal Aviation Administration  
13 have also been involved in reviewing the project thus far  
14 and will continue to be consulted with the expansion should  
15 it be approved.

16 The project continuously undergoes rigorous reviews  
17 that balances a broad range of issues to ensure that the  
18 Kibby wind project provides a clean renewable energy source  
19 with minimal impacts on the surrounding community and  
20 environment. TransCanada has done what they have promised  
21 to do. In fact, they have put aside more land for  
22 permanent conservation than they will use for the entire  
23 Kibby project.

24 I believe there is tremendous benefit of wind power.

25 It is sustainable and clean. Wind power generation

1 produces zero carbon dioxide emissions, which is important  
2 with our concern of global warming. The economy in western  
3 Maine is based on seasonal tourism and relies on a generous  
4 snowfall.

5 As responsible local citizens, we must support  
6 TransCanada as they continue to do business and support our  
7 local economy. They have proven to be honest business  
8 partners and neighbors with solid integrity. As  
9 responsible global citizens, we must support this form of  
10 environmentally clean renewable energy. We must support  
11 the expansion of the Kibby wind farm onto Sisk. And I  
12 thank you very much for the opportunity.

13 MS. HILTON: Thank you.

14 MS. CARROLL: Seth, you're next.

15 MR. WESCOTT: Hello. My name is Seth Wescott, I'm a  
16 resident of Carrabassett and business owner here in  
17 Carrabassett. I come before you tonight just kind of on  
18 two different platforms. One, as a business owner here  
19 locally having seen the influx of the financial help to  
20 this area that we experienced during the construction  
21 project of the first wave. I know for us personally it was  
22 a huge contribution and to many of the local businesses it  
23 was huge literally to keep the doors to some of them open.

24 As an individual, here I've -- I'm 33 years old, I've  
25 made my living since I was 17 off of the winter and off of

1 snow being on the ground. And global warming to me is a  
2 major concern.

3 Over the last eight years I've spent extensive time in  
4 the state of Alaska and have been impacted profoundly in  
5 two different ways. One, in seeing the dramatic recession  
6 of glaciers in the areas that I go back to year after year  
7 and how quickly that process of global warming is  
8 happening. And the other was shortly after the Olympics in  
9 2006 I was approached by a number of -- a number of  
10 members, tribal elders of the Iak Nation of Prince William  
11 Sound that were harshly affected by the Valdez oil spill  
12 and were preparing for a visit to congress in 2006 because  
13 Exxon, from the time that the oil spill in 1989 happened,  
14 had kept them from seeing -- sorry, a lack of term, but the  
15 process had not been rectified from 1989 to 2006.

16 And in getting to sit down and speak with these people  
17 whose entire way of life in the fishing industry in Prince  
18 William Sound had been completely wiped out. And seeing  
19 the devastation of them and then witnessing what we in the  
20 lower 48 are going to go through in that same fallout from  
21 the oil spill in the gulf right now, it's going to effect a  
22 lot more people in the gulf than it did in Alaska and it's  
23 going to be that much more devastating.

24 To me, being able to support something in our state  
25 that moves us a little closer to being environmentally

1 responsible in creating energy in ways that isn't going to  
2 destroy the planet, is something that I'm here to support.  
3 I know that a lot of people don't like to see things in  
4 their backyard. We do have a beautiful resource here in  
5 the western mountains of Maine. To me, it makes me feel  
6 good that we in our state are taking an environmental  
7 stance and moving towards renewable clean energy. And to  
8 me it's a beautiful thing to see those standing up there.  
9 So thank you.

10 MS. HILTON: Thank you.

11 MS. CARROLL: John, you're next.

12 MR. RITZO: Good evening. My name is John Ritzo and  
13 I'm a resident of Kingfield. I'm the headmaster at the  
14 Carrabassett Valley Academy. Tonight I represent my own  
15 personal views and speak to you as a private citizen. And  
16 I think as I sat here and listened I realized I'm probably  
17 a poorly informed and very confused private citizen, but I  
18 think that's more reason to speak in that I have lived in  
19 Kingfield for 25 years, I have had the very good fortune of  
20 having steady employment in Kingfield for 25 years.

21 And I can listen to people say that the wind project  
22 will produce power, maybe help reduce costs, maybe it  
23 won't. I'm going to leave that to smarter people that know  
24 more than I do. But I sit and watch television and I'm  
25 horrified by the oil spill in the gulf. I have no idea

1 what that's going to do. I also saw the panicked look on  
2 peoples' faces when prices were going up to 4 and \$5 a  
3 gallon for oil and electricity.

4 And if that had continued, I don't know what most of  
5 the people who lived up here would have done. So how we  
6 get cheaper energy, I don't know. I just think we have to  
7 really explore alternatives.

8 I think I've been up to the wind project twice. And  
9 I'm someone like Seth who has made a -- that's humbling,  
10 believe me, I'm not comparing myself to that -- but who  
11 really depends on the mountains for a living and the  
12 natural beauty is really important to me as well. But I  
13 also, like what Seth said, really believe someone has to  
14 have something in their backyard and what's going to be the  
15 safest thing that we can do that's going to produce energy.

16 And I think that -- from what I've seen, I think that  
17 this project really needs serious consideration. I can't  
18 say one way or the other whether it's the best or the worst  
19 thing to do. I think it's something that we can do, I  
20 think it's something that we can do in the state of Maine.  
21 I think it's something that we can do in our own backyard  
22 to help produce energy. And I just know that we have got  
23 to do something. So for that I just want to say that I  
24 think this project really deserves very serious  
25 consideration. Thank you very much.

1 MS. HILTON: Thank you.  
 2 MS. CARROLL: Jeremy, you're next.  
 3 MS. DARIENZZO: My name is Wendy Darienzzo and I'm a  
 4 resident of Stratton and an employee of Carrabassett Valley  
 5 Academy. And I have the privilege of saying a statement  
 6 for Jeremy Jones this evening on his behalf.  
 7 Jeremy Jones is a resident of Truckee, California where  
 8 he lives with his wife and his daughter. He was born in  
 9 Cape Cod, Massachusetts and grew up in Vermont,  
 10 Massachusetts and Maine. His credentials are he is a  
 11 graduate of Carrabassett Valley Academy class of 1993. He  
 12 is an eight-time Snowboarder Magazine Big Mountain Rider of  
 13 the Year. On January 27th, 2010, Jeremy, who is also the  
 14 founder of the environmental advocacy group Protect Our  
 15 Winters joined a coalition of scientists,  
 16 environmentalists, and activists in Washington D.C. to  
 17 present a film called Generations, which documents the  
 18 impact of climate change on resort economies.  
 19 Jeremy travels the globe from interior Alaska to  
 20 Antarctica, much like Seth, and in search of remote areas  
 21 to do his filming. He -- what Jeremy does now is he's made  
 22 a commitment to hike and camp and hike some more to reach  
 23 these remote areas rather than using fossil fuel to  
 24 transport him. He lives certainly what he teaches.  
 25 Jeremy has asked me to read the following statement on

1 his behalf. I've been a snowboarder for 25 years and  
 2 traveled around the world for 15 years and seen definitive  
 3 change in these mountains. For the first time we have the  
 4 ability to pass the Climate Bill which has regulated  
 5 definitive carbon reduction.  
 6 Beyond the athletes' stories and the gold medal glory  
 7 of the Olympics, a major story from Vancouver was the warm  
 8 weather and a lack of snow. Not just an ironically timed  
 9 anomaly, decreasing snowfall and above average temperatures  
 10 have, in recent years, been a plague on our winter resorts  
 11 and the \$6 million ski industry.  
 12 Climate change is a serious issue for all of us who are  
 13 passionate about our winter sports and in some cases it's  
 14 how we make our living. If we harness our collective  
 15 energy and put forth a focused effort, we can have a direct  
 16 influence on reversing the damage that has been done and  
 17 ensure that our winters are here for generations behind us.  
 18 First and foremost, wind is inherently one of the  
 19 cleanest resources of power available. It does not  
 20 contribute to global warming, nor does it produce any form  
 21 of harmful waste. This means if we use wind power for more  
 22 of our energy needs, we would be doing the earth a very big  
 23 favor.  
 24 This is through not only the reduction of the amount of  
 25 carbon dioxide produced, but also of sulfur dioxide, which

1 raises the acidity of the moisture of the air causing acid  
 2 rain. Wind turbines also do not require the use of  
 3 renewable energy fuels, such as coal, as wind energy is  
 4 generated by the earth's heating and cooling each day due  
 5 to the sun. Add to all of this the fact that wind farms  
 6 require very small amounts of land and can be integrated  
 7 into other uses, they are extremely environmentally  
 8 friendly energy sources.  
 9 TransCanada has been recognized for the fourth  
 10 consecutive year as one of the Global 100 Most Sustainable  
 11 Corporations. The program ranks companies from around the  
 12 world based on their environmental record, corporate  
 13 government practices, human resource management and their  
 14 other relationships with community and other stakeholders.  
 15 TransCanada is one of only nine Canadian companies named to  
 16 the global 100.  
 17 So far the Kibby wind project has undergone rigorous  
 18 reviews that balances a broad range of issues to ensure  
 19 that the Kibby wind power project provided clean renewable  
 20 energy resource with minimal impacts to the surrounding  
 21 communities and environment. No doubt that the environment  
 22 is temporarily disrupted. However, it is painstakingly  
 23 replaced under strict supervision and guidelines.  
 24 Economic benefits are extremely important to this area.  
 25 With over 6 million spent in Franklin County, the benefits,

1 long and short term, to the local economy are clear. In  
 2 the economical -- economic environment of today,  
 3 sustainable work with global beneficial energy producing  
 4 projects creates a win-win situation.  
 5 TransCanada has purchased and donated more lands from  
 6 conservation -- purchased and donated more land for  
 7 conservation than it will be using for the project as a  
 8 whole. This fact alone exemplifies their commitment to  
 9 clean sustainable energy and to the local environment and  
 10 the community that they develop in.  
 11 Protect Our Winters was formed in 2007 to unite winter  
 12 snow sport communities in the fight against climate change.  
 13 It is our collective responsibility to protect our  
 14 mountains from the effects of climate change, but also to  
 15 guard our mountain communities from an economic fallout of  
 16 a shortened winter. Winter fuels our passions, but it also  
 17 fuels the lives of thousands of individuals who depend on  
 18 the annual tourism and recreation for their livelihoods.  
 19 So while we see climate change as a scientific  
 20 phenomenon, when we look at the cost of inaction, it's  
 21 serious business. To us climate change is a threat to our  
 22 local economies, our jobs and the vitality of our unique  
 23 mountain communities that draw millions of tourists each  
 24 year who shop in our stores, ride our lifts, eat at our  
 25 restaurants and support thousands of small businesses.

1 Please support the Kibby wind farm in western Maine.  
 2 Thank you for your time.  
 3 MS. CARROLL: Wendy, would you spell your last name for  
 4 me slowly.  
 5 MS. DARIENZZO: D-a-r-i-e-n-z-z-o.  
 6 MS. CARROLL: Thank you. Okay. Larry, you're next.  
 7 MR. WARREN: Chairwoman Hilton, members of the  
 8 Commission, my name is Larry Warren, I live in New  
 9 Portland, Maine. I'm here representing myself. However,  
 10 I've been a founder of Maine Hudson Trails, which is  
 11 building a hunting trail system in western Maine. I'm a  
 12 partner -- I'm a partner in a wind farm development company  
 13 called Maine Wind, LLC. And I've been involved recently in  
 14 legislation initiatives on trying to recognize the  
 15 significant impact that these wind projects have,  
 16 particularly in the unorganized territories in western and  
 17 rural Maine.  
 18 I supported the Kibby project, I support the Sisk  
 19 project and I supported Kibby's application for a TIF in  
 20 Franklin County. The reason for my support for that TIF is  
 21 that the evaluation of the unorganized territories in  
 22 Franklin County prior to the development of the Kibby  
 23 project was \$180 million. After the development of the  
 24 Kibby Project, it's \$500 million. After -- if this project  
 25 is approved, the valuation of the unorganized territories

1 in Franklin County will be \$600 million.  
 2 The amount of revenue that's necessary to operate the  
 3 unorganized territories in Franklin County does not  
 4 significantly change. And as a consequence with this huge  
 5 increase and tax valuation, the consequent -- the  
 6 consequential results is that the Reeds, Teemos,  
 7 Marissa-based investment companies, foreign national  
 8 corporations and high net worth individuals who own the  
 9 kingdom lots in the unorganized territories become  
 10 significantly the major tangible benefit -- beneficiaries  
 11 of the wind.  
 12 To recognize that situation, I notified my senator  
 13 who's senator Peter Mills. And we investigated  
 14 opportunities to change the taxation policies in the state  
 15 from a property tax base to an energy sales tax base. It  
 16 didn't fly. We worked closely with a number of legislator  
 17 to see if we could move this forward. But as a consequence  
 18 LD1504 went through this last June, which basically  
 19 provides tangible benefit policies in recognition for the  
 20 contribution that wind energy can make and should make to  
 21 the residents in the communities in western and northern  
 22 Maine.  
 23 I'm particularly pleased to see that TransCanada has  
 24 continued its policy of endowing significant tangible  
 25 benefits to nonprofit corporations and municipalities in

1 this region that can support the organizations and the  
 2 people who make the unorganized territories a viable place.  
 3 I think there's been much discussion about gateway  
 4 communities, about the educational institutions that are  
 5 supported by organized towns for the most part.  
 6 The organized territories and the towns and plantations  
 7 in Franklin County pay a mill rate of somewhere between 18  
 8 and 25 mills. The TIF that was created by Franklin County  
 9 basically left the mill rate in the unorganized towns of  
 10 Franklin County at 8.  
 11 Given the government's objective of increasing wind to  
 12 3,000 megawatts by 2020, that can add over \$7 billion to  
 13 the valuations of the unorganized territories throughout  
 14 the state. And, again, if there is not -- if there is not  
 15 a significant change, what it does is it pollutes the mill  
 16 rate.  
 17 I -- I feel that the beneficiaries here and in the  
 18 communities and the residents here are well served by  
 19 TransCanada. I applaud TransCanada's actions and  
 20 activities, particularly with the lack of tangible benefits  
 21 policy up until very recently. They have stepped out of  
 22 the box and basically allocated approximately 1 percent of  
 23 the cost of these projects for local benefits. What will  
 24 follow, I think, will be even more significant.  
 25 And this particular company has been exemplary in terms

1 of taking a leadership role in Franklin County and in this  
 2 region.  
 3 For that region -- for that reason I urge that you  
 4 approve this project in addition with all the other  
 5 arguments that have been made in terms of the renewable  
 6 energy systems and the opportunities for Maine people to  
 7 grow and thrive and survive. Thank you.  
 8 MR. LAVERTY: Excuse me, Mr. Warren.  
 9 MR. WARREN: Yes.  
 10 MR. LAVERTY: Could you elaborate on the proposal that  
 11 you and Senator Mills advanced with regard to LD1504, I  
 12 think it was?  
 13 MR. WARREN: 1504 was presented by Pete Didisheim from  
 14 the Natural Resources Council of Maine. As a consequence  
 15 of reviewing the -- and being a participate in the TIF  
 16 application in Franklin County, it became obvious and  
 17 evident to me that this 3,000 megawatts of wind coming in  
 18 largely to remote regions of the state, to a large degree  
 19 in the unorganized territories, would have a significant  
 20 diluted effect of the mill rate in the unorganized  
 21 territory.  
 22 And I had suggested to Peter, Senator Mills, that we  
 23 investigate opportunities to eliminate wind farms from the  
 24 property tax and proposed that instead of a property tax  
 25 based tax that there be a -- an excise tax on the

1 electricity that was sold by wind farms into the market.  
 2 Right now one of the -- one of the problems that is  
 3 inherent in the unorganized territories, and it's been the  
 4 opinion of the Attorney General's office, is that revenues  
 5 that are created and are assessed by a taxation authority  
 6 can only be spent within that district. So what we  
 7 explored was the opportunity of creating wind farm tax  
 8 organizations that would include the unorganized territory  
 9 within a county and the adjacent and abutting organized  
 10 communities.

11 Those communities would basically create the  
 12 representation that would represent the TIF or the taxation  
 13 authority for the excise tax. And the benefits, basically,  
 14 could be accrued and distributed both to the organized and  
 15 the unorganized communities in that area.

16 I listened carefully to John Simco's pleas for a way to  
 17 assess new enterprise and new ways to keep the Greenville  
 18 school alive and also he made very strong arguments about  
 19 the problems of Greenville in supporting the unorganized  
 20 territories and not being recognized for it. I worked with  
 21 the town manager in Millinocket also and we introduced  
 22 legislation that would recognize that the regional trails  
 23 that contribute to economic development of statewide  
 24 significance should be eligible for TIF funds. That was  
 25 approved.

1 And so we were encouraged about the potential for this.

2 MR. LAVERTY: If I understand, the TIF funds from the  
 3 trails it would be shared with a municipality, right?

4 MR. WARREN: They can be. Prior to last year TIF funds  
 5 could not be used for recreational development, period.  
 6 That was the opinion of the DECD. So if, however, you had  
 7 a hotel project to come in or if Disney were to come in and  
 8 propose a recreational project, then it would be deemed  
 9 economically viable. But if a snowmobile club and ATV club  
 10 or nonprofit organizations in the state of Maine wanted to  
 11 develop the same types of projects, the DECD interpreted  
 12 that not to be eligible for TIFs.

13 We implored on the Department of Economic and Community  
 14 Development that that made no sense. They agreed, so they  
 15 changed that component of the law. Right now LD1504,  
 16 although it mandates that there be a certain -- a minimum  
 17 standard of contribution made, because it's not a tax, it  
 18 can be -- by my interpretation has been that it can be  
 19 distributed and used regionally and shared because it's not  
 20 a tax that's assessed, it's a tangible benefit contribution  
 21 that can be allocated to a region. The property tax still  
 22 has those restrictions.

23 So I think that, you know, as -- as the 3,000 -- if  
 24 there are 2 or 3,000 megawatts of wind, as that grows and  
 25 expands in particularly unorganized territories, the

1 problem -- or the disallocation will become obvious to the  
 2 taxation community. And I'm sure that they will be  
 3 revisiting this in future legislative sessions.

4 MR. LAVERTY: Well, I don't think this is the place to  
 5 be having a long discussion about this and I apologize.  
 6 But do you see any implications for the way in which LURC  
 7 might define tangible benefits that would have an impact on  
 8 the issue you present?

9 MR. WARREN: I think LD1504 has gone a long ways  
 10 towards helping to close that. Your jurisdiction, for the  
 11 most part, is in the unorganized territories. There are  
 12 some organized towns that you manage and oversee that are  
 13 planned for. The Forks -- the west Forks area, rather,  
 14 those types of communities are going to lie right in --  
 15 right in the center of both an area of opportunity and an  
 16 area of challenge.

17 And I think that the 1504 pretty much closes the last  
 18 open door into the expedited wind process that was  
 19 approved. And I applaud what Pete Didisheim was able to  
 20 accomplish this last session recognizing that there was a  
 21 big whole in that donut.

22 MS. HILTON: I hate to interrupt here, but our reporter  
 23 really needs a break.

24 MR. LAVERTY: And I apologize, but it's something that  
 25 I think will impact what we do in terms of approval of the

1 project.

2 MR. WARREN: I will be happy to work with you.

3 MR. LAVERTY: Thank you very much. I appreciate any  
 4 submission you might want to make. And this is just  
 5 general submission into the record. But I thank you for  
 6 that.

7 MR. WARREN: I will do that.

8 MS. HILTON: Thank you very much. We need to call a  
 9 break for our court reporter here.

10 (Whereupon a recess was held at 7:55 p.m., and the  
 11 hearing was resumed at 8:10 p.m. this date.)

12 MS. HILTON: Okay. Let's pick up where we left off. I  
 13 guess, Dick Smith.

14 MS. CARROLL: And then if you don't mind, I'm just  
 15 going to repeat what I said earlier, that the next -- after  
 16 Dick, the next five people who have indicated a wish to  
 17 testify, Vera Trafton, Adrienne Rollo, Dain Trafton -- and  
 18 I'm going to keep going, actually, Harriet Powers, Kay  
 19 Michka and Wendy Glenn. And I'll repeat that later on.  
 20 Thank you.

21 MR. SMITH: Good evening, ladies and gentlemen. I'm  
 22 Dick Smith, a resident of Eustis and member of the  
 23 Flagstaff ATV Club. While I do not profess to express the  
 24 view of our 300 members, we were all very pleased to work  
 25 with TransCanada on the Kibby project.

1 They were very cooperative and did what they said they  
 2 would do, signs and not interfering with our passage on our  
 3 trails and roads. They also left the trails better than  
 4 they were. They kept us informed of where they would be  
 5 working and if there were any problems. There never was  
 6 any. They were very pleasant to work with and we're very  
 7 happy with them. And I support the expansion of the Kibby  
 8 project.

9 MS. HILTON: Thank you.

10 MS. CARROLL: Vera, you're next.

11 MS. TRAFTON: Good evening. My name is Vera Trafton, I  
 12 live in Phillips and I'm speaking for myself. In 1999 we  
 13 were retired to this area because it promised to afford us  
 14 the peaceful unhurried life which visitors from  
 15 industrialized places seek out when they come to spend  
 16 their holidays.

17 But what we found in 1999 is in danger of being altered  
 18 forever. Industrial wind power is spreading like the  
 19 plague of locusts at an alarming rate. This plague doesn't  
 20 nibble here and there and make inconspicuous changes; it  
 21 sets itself onto the highest ridges and destroys the  
 22 delicate ecological balance established over millennia.  
 23 Overly confident technicians with their toolbox approach to  
 24 problems tackle the task of gouging out big roads onto  
 25 steep slopes and cutting wide swaths through forests as if

1 they were playing in the sandbox.

2 Visual analysts defy common sense when they want us to  
 3 believe that if we only see the monster's machines from  
 4 viewpoints here and there, our wilderness experience really  
 5 shouldn't be affected.

6 But jobs are being held out as bait and money is  
 7 flowing freely, so the temptation is great to push concerns  
 8 about the overall effect of industrial wind power on the  
 9 area into the background. If you examine the facts, you  
 10 will find that most of the jobs promised are short term and  
 11 profit only a few. Once the turbines dominate the  
 12 landscape, there won't be any more retirees looking here  
 13 for a place to settle. Will carpenters find clients who  
 14 need their houses renovated or new camps built? Will  
 15 guides find fewer spots -- sports coming to the area?  
 16 Hotels, B&Bs and fishing camps may well find that people  
 17 who loved this area are not returning.

18 Wind developers make grand promises. But what happens  
 19 when a plan changes hands? What will happen if wind power  
 20 is supplemented by another renewal which doesn't depend on  
 21 the fickle wind and there are no more generous subsidies  
 22 which make generous gifts to communities possible? A  
 23 bankrupt business can't be expected to live up to its  
 24 financial obligations.

25 There are places in Maine which are being protected and

1 that's where the economies will continue to bring steady  
 2 work and people will retain this good way of life. We have  
 3 been singled out as an area to be exploited.

4 I've studied wind power since 2002 when another huge  
 5 industrial wind plant threatened us. Our search for  
 6 information was much more laborious than it is now  
 7 because good sources like [www.windwatch.org](http://www.windwatch.org) have emerged  
 8 which give you the real facts about industrial wind power.  
 9 You'll learn it provides a puny amount of intermittent  
 10 power compared to serious sources, takes up huge areas per  
 11 unit of power produced and does nothing or nearly nothing  
 12 to deal with emissions.

13 You can read about Europe in these sites which has a  
 14 longer experience with wind power than the U.S. Subsidies  
 15 are handed out there, too, so wind power spreads, but there  
 16 are many groups opposed to it and coal-fired plants or  
 17 other reliable sources are needed as constant backup for  
 18 wind. Even Denmark hasn't lowered its emissions.

19 But I don't want to repeat all the false claims wind  
 20 power makes, you've heard them and the newspapers echo them  
 21 ad nauseam. There's a shamefully real -- there is  
 22 shamefully little real investigative journalism looking  
 23 into this industry; and especially into whether big wind  
 24 plants are appropriate for an area like this one.

25 People are urged to make huge decisions based on the

1 sort of flimsy information which they would never trust if  
 2 they were buying a car or a stove. It's a horrible fad,  
 3 this rush to cover our mountains with turbines.

4 I was going to treat you to a partial translation of  
 5 the Emperor's New Clothes. Do you remember that? It's a  
 6 Hans Christian Anderson fairytale. And the point of the  
 7 story, which I think I didn't get when I was small, but  
 8 which I got since reading it again, is that a couple of  
 9 swindlers come to the land that the emperor rules. And  
 10 they say they're weavers and that the clothe that they  
 11 weave is a very special one which can be seen by those who  
 12 are fit for their office and can't be seen by those who are  
 13 unfit or who are stupid.

14 So the emperor says, I've got to have this kind of  
 15 clothe because then I'll know who's good and who's not.  
 16 And the weavers set to work and they had their empty looms  
 17 producing fabulous clothe. And the emperor realizes that  
 18 he's not seeing it. And then finally the -- after a bunch  
 19 of ministers also don't see it, but don't dare say that  
 20 they don't see it -- and this is all about the virtues,  
 21 perhaps, of wind power or not being realized or not -- the  
 22 emperor parades before the town and it's a little child who  
 23 has common sense who says, he's not wearing anything. So  
 24 that story has popped up many times in the years that I've  
 25 thought about the claims of wind power.

1 I ask you, please don't allow Sisk Mountain to be  
2 developed. Please don't be fooled by the developers'  
3 claims or accept a compromise proposed by the environmental  
4 organizations which are pushing wind power rather than  
5 living up to their mission to protect this wild mountain  
6 habitat and the creatures and flora which flourish there.

7 I want to find very quickly what the Rooking's  
8 Institute says about Maine. Maine's quality of place is  
9 our majestic mountains, unbroken forests, wild rivers,  
10 pristine lakes. As the search for quality places grows in  
11 importance, Maine possesses a globally known brand, the  
12 image of livable communities, stunning scenery and a great  
13 recreational opportunity.

14 Please help us protect those opportunities. Thank you  
15 very much.

16 MS. HILTON: Thank you.

17 MS. CARROLL: Adrienne, you're next.

18 MS. ROLLO: My name is Adrienne Rollo and I'm a  
19 resident of New Vineyard. And I own a camp in Phillips.  
20 I've been visiting the Rangeley Lakes region of Maine since  
21 I was a child. It's that lifelong love of the mountains  
22 that has brought me here tonight. I grew up in  
23 Massachusetts, moved to nearby Rhode Island and made my  
24 living there for the next 30 years as a staff accountant.

25 My family and I witnessed uncontrolled development year

1 after year from developers who made promises to residents  
2 that their projects would have little impact on their  
3 day-to-day lives. And what we got was a quality of life  
4 that was so congested and so stressful, the only saving  
5 grace left was that we could periodically escape to Maine  
6 to enjoy its beauty. Not New Hampshire or Vermont,  
7 although beautiful, there was just something about Maine  
8 that the rest of New England could not match.

9 And please remember that, because people in southern  
10 New England know Maine is different, it's special. Rhode  
11 Island is only symbolic of all heavily populated areas  
12 whether it be Massachusetts, New York or Connecticut where  
13 day-to-day life is pressure packed. And I mean pressure  
14 packed. I can't tell you how many times I would get in my  
15 car and just -- it would take me a half an hour to go 1  
16 mile. And that was a common thing.

17 So for the last 40 years my family traveled to Maine at  
18 least five or six times a year to swim in her crystal clear  
19 lakes, hike her mountains and drink in her majestic  
20 scenery. And finally we realized our dream and moved to  
21 Maine in 2000 to live a rural, peaceful life in the  
22 mountains. The incredible beauty of the Chain of Ponds  
23 region stands shoulder-to-shoulder with the most scenic  
24 places on earth. It beckons to us to heal our souls, our  
25 spirits?

1 Sisk Mountain is one of the last wild places so remote  
2 and beautiful. What are we thinking as we destroy these  
3 last wild places? Of all the places wind farms can be  
4 built, why would any developer choose the choicest land,  
5 destroy the most stunning beauty of these mountains and  
6 leave the landscape scarred for eternity. There are so few  
7 quiet places left in New England. Please don't sacrifice  
8 what little is left.

9 And if anybody in the room has traveled across the  
10 country, especially in the Midwest coming down through  
11 Nebraska, western Kansas, Oklahoma right down into the  
12 Amarillo Basin where they put up these wind farms that are  
13 -- we're not talking 40 or 50 turbines, we're talking a  
14 couple thousand of them. They are just endless, endless  
15 miles of those things. And that's where they belong. You  
16 can drive 100 miles and not see anything in any direction.

17 So I'd like to close as I always do with a very famous  
18 quote by Maine's distinguished Senator George J. Mitchell  
19 who once wrote -- and please listen because this is so  
20 profound -- we have an obligation to leave for future  
21 generations the very basics of human life on earth, clean  
22 air, pure water unpoisoned land. Thank you.

23 MS. HILTON: Thank you.

24 MS. CARROLL: Dain, you're next.

25 MR. TRAFTON: Chairman Hilton, commissioners, my name

1 is Dain Trafton, I'm from Phillips. And I'm here to urge  
2 you to turn down this application for the Sisk wind project  
3 or as it's called the Kibby Expansion. But my theme  
4 tonight, which will be brief, is not just negative. In  
5 fact, it's positive because on two -- instead of approving  
6 this project, I want you to do something else. I recommend  
7 that you require TransCanada to conduct at their own  
8 expense a year-long study of the operation of the already  
9 existing turbines on Kibby.

10 And I intend that this should be a public study and  
11 results -- which I'm going to describe in a minute -- the  
12 results should be available to the public for its  
13 education. And I believe the study will balance your  
14 education, too. One of the things that has characterized  
15 the various debates in front of LURC up to this time is a  
16 sort of series of conflicting claims and there's never time  
17 to really find out which claims prevail.

18 But the study I'm recommending should document the  
19 following matters, which will be useful for all of us  
20 afterwards. First, the amount of electricity actually  
21 produced by the existing turbines and its effect on the  
22 grid. By which I mean such things as how many fossil fuel  
23 generators were actually forced to cut back as a result of  
24 the operation of the existing turbines. How much CO2 and  
25 other emissions were actually avoided? And these things

1 can be -- these things can be charted by studying the  
 2 operation of the grid. This is not an impossible request,  
 3 it would be expensive.  
 4 How many emissions -- no, sorry, missed one there. How  
 5 much fossil fuel backup generation was needed to supplement  
 6 the irregularities of the wind power? And how many  
 7 emissions were created by this backup? I want, also, the  
 8 study to -- to document how the wind power actually  
 9 generated affected the price of electricity in Maine,  
 10 something that can be done.  
 11 How many full-time post-construction jobs were created?  
 12 That is post-construction. After the construction is  
 13 completed, how many jobs remained in connection with the  
 14 wind plant?  
 15 This study would answer many, many important questions,  
 16 the kind of questions that have been the subject of mere  
 17 he-said, she-said sorts of exchanges in front of this  
 18 Commission, would clear a lot of things up. It's essential  
 19 that the study be made public. Thank you.  
 20 MS. HILTON: Thank you very much.  
 21 MS. CARROLL: Harriet.  
 22 MS. POWERS: I'm going to decline from testimony.  
 23 Richard Fecteau from Farmington said pretty much what I  
 24 wanted to say. I would just like to say I oppose the  
 25 project.

1 MS. HILTON: Thank you for coming.  
 2 MS. CARROLL: Kay, you're next and after Kay, Wendy.  
 3 MS. MICHKA: My name is Kay Michka. I have been  
 4 employed in the travel industry for 22 years. I have a  
 5 unique opportunity to be a positive ambassador for our  
 6 great state of Maine every time I go to work. I fly  
 7 thousands of miles a year. I have the opportunity to speak  
 8 with over 15,000 people from all over the world in a year's  
 9 time.  
 10 I have a keen grasp of what people want to experience  
 11 when they spend their hard-earned dollars on travel. I'm  
 12 very familiar with the sparks of excitement in people's  
 13 eyes when they hear the word Maine. Whether from India or  
 14 Tokyo or Wyoming, their eyes gloss over from a romanticized  
 15 idea of lobsters, pine trees, rocky shorelines, whisper  
 16 soft canoe strokes on reflection glass ponds and miles and  
 17 miles of snow covered mountains.  
 18 They eagerly ask me questions about the lifestyle here.  
 19 Why did I move here? The weather, the people, the most  
 20 memorable places to see, the best places to eat, the most  
 21 unique places to stay, the activities they hope to  
 22 experience, which they can treasure as memories for the  
 23 rest of their lives. I am happy to encourage their  
 24 excitement and tourism dollars. The people of our western  
 25 mountain region could most definitely benefit long-term

1 from the business and the influx of money.  
 2 For the most part, people are depending on Maine to  
 3 give them that fairy book adventure for which they have  
 4 saved so long and worked so hard. They want to step into  
 5 the pages of Arundel by Kenneth Roberts. It is not  
 6 uncommon for someone to be reading that notable literary  
 7 work as the plane is descending into Boston on their first  
 8 stop to visit our magnificent land of canoes, Abenakis, big  
 9 game animals, breathtaking vistas such as the historic  
 10 Chain of Ponds affords. Benedict Arnold's march is alive  
 11 and well in the pages of history and the hearts of the  
 12 young and old. People want to be enchanted by Maine.  
 13 In my travels I also have the opportunity to discuss  
 14 current affairs. As the topic is very near and dear to my  
 15 heart, I often have the occasion to discuss the rising  
 16 force of wind turbine projects all over this country and  
 17 other countries as well. People are astonished, some  
 18 speechless when I tell them of the 40-story turbines that  
 19 are being proposed or built on Maine's mountaintops.  
 20 They have heard the term wind turbines, but most  
 21 envision small little windmills, no more imposing than  
 22 those that dotted the prairie landscapes in a much simpler  
 23 time. I have made it a point to ask them if they would pay  
 24 money to travel to Maine's mountains to see the wind  
 25 turbines I described and I have yet to find someone who

1 says they would spend money in our region in order to see  
 2 them. They even admit they will spend their time and money  
 3 elsewhere in Maine and New England, somewhere that fits  
 4 their image of the grandeur they wish to experience,  
 5 somewhere not marred by big machines looming down over them  
 6 in the most unnatural way from an otherwise majestically  
 7 natural mountainside.  
 8 I'm opposed to the granting of Development Permit 4860  
 9 TransCanada Maine Wind Development, Incorporated because it  
 10 will destroy the scenic views included in the Chain of  
 11 Ponds, thus destroying far more revenues for the Mainers in  
 12 our region than the project will garner for those who live  
 13 in this treasured land of Arundel. Thank you.  
 14 MS. HILTON: Thank you for your testimony. Wendy,  
 15 you're next. And Wendy is the last name on this -- these  
 16 lists that have indicated that they wish to testify. So I  
 17 guess if anybody also wishes to testify who wrote their  
 18 name on this list, please let me know and I will announce  
 19 your name.  
 20 Otherwise, you may be the last one.  
 21 MS. GLENN: I know. I don't know if I like that or  
 22 not. My name is Wendy Glenn, I'm a resident of  
 23 Carrabassett Valley and I'm a property owner at Chain of  
 24 Ponds Township. One of the reasons I brought these  
 25 pictures with me here that TransCanada has had in the back

1 is to, one, show you that that's my camp right there and  
 2 these are the windmills behind it.  
 3 And the second reason is to show you the map here with  
 4 the little black spots on it that are the buildings and the  
 5 residences of the community of Chain of Ponds and the Camp  
 6 Owners Association. I hear people talk and talk and talk  
 7 about Eustis being the host community, but we are, in fact,  
 8 in Chain of Ponds and we are, in fact, the host community  
 9 for this development. And our buildings and -- despite the  
 10 fact that there are only a few year-round residences here,  
 11 we are still the host community and we are due tangible,  
 12 environmental and economic benefits from this project.  
 13 So having -- I'm going to have these up here for you to  
 14 look at them. So by speaking last, there are a lot of  
 15 points that I was going to make that have been made. So  
 16 I'm going to kind of go through this and paraphrase some  
 17 things, but hit the high points.  
 18 As I said, we are the host community and I'm afraid  
 19 there's been a lot of, I don't know, misconstruing. Eustis  
 20 and Stratton, who have been given lots of gifts and other  
 21 areas in the community or, at large, I will say, or the  
 22 state, have been funded in order to provide tangible  
 23 economic impacts for this project.  
 24 One thing I found interesting yesterday was that Sharon  
 25 at the Natanis Pond Campground was offered solar power,

1 which I haven't heard of anybody else in our community  
 2 being offered anything that's really a tangible benefit. I  
 3 have been told all along that it needs to be a benefit for  
 4 the greater community, the greater public and not a  
 5 personal benefit.  
 6 And so I did a little math on the solar she spoke  
 7 about, the necessity for refrigeration and the sale of ice.  
 8 I do realize that ice is a very hot commodity, pun  
 9 intended, in the area. And if they were to make a dollar a  
 10 bag on ice, after doing all the research today, they have  
 11 60 sites, 150 days open, that's the \$9,000 a year in their  
 12 pocket by putting solar power in. And I think that's a  
 13 direct benefit to an individual as opposed to the  
 14 community. So I don't know where that qualifies as a  
 15 community benefit other than maybe I would get some ice  
 16 there.  
 17 In looking at -- March 16th the Land Use Regulation  
 18 Commission wrote to the governor about accepting the new  
 19 CLUP. And there is -- there are a few things in here that  
 20 I found interesting. One is LURC's rulemaking regarding  
 21 economic activity in the jurisdiction -- and support  
 22 economic development in appropriate locations. There are a  
 23 number of people that have spoken that don't think Sisk  
 24 Mountain is an appropriate location for economic  
 25 development. I don't believe that it is either for the

1 reasons that have all been said, wildlife, noise pollution,  
 2 light pollution, ramped up development of our mountaintops.  
 3 In this letter the governor also says, you, meaning  
 4 LURC, have assured me that you will actively explore a  
 5 collaborative process as they may offer a path forward  
 6 which not only maintains but improves landowners value  
 7 while enhancing the protection of the public interest.  
 8 These assurances are integral to my approval of this  
 9 revised plan.  
 10 He says, improves landowners value while enhancing the  
 11 projection of public interest. As you know, I'm a real  
 12 estate agent, I have been for 23 years. You've asked me to  
 13 prove to you that windmills will decrease the value of  
 14 property. I think you've heard testimony here about people  
 15 wanting to come to Maine, about the wilderness experience  
 16 that they would like to have, about -- all the reasons  
 17 people don't want the windmills and some people do. And  
 18 those are mostly economic and not in the area.  
 19 In any case, this does not improve the landowners value  
 20 of anybody in this host community. And as far as  
 21 enhancement of the protection of public interest, these are  
 22 great ponds and they're surrounded by Maine public reserve  
 23 land. It's in our public interest to maintain them in  
 24 their natural character that you're charged with doing to  
 25 maintain these ponds in the natural character. So I find

1 that real interesting.  
 2 Yesterday Jane Wilkinson said, well, this is a good  
 3 spot for economic development because of the low population  
 4 density. Well, the reason there is low population density  
 5 here is because you've restricted new development on these  
 6 ponds to one camp per mile of shore frontage because in  
 7 four out of the seven categories they are outstanding as  
 8 far as your wild lakes assessments and the other three  
 9 categories they're significant.  
 10 Therefore, you deemed them a valuable statewide  
 11 resource and you restricted development. So I would hate  
 12 to see that used against us, that you restricted the  
 13 development and then say it's okay to development because  
 14 there's no one there.  
 15 As far as preserving the area, according to your  
 16 guidelines, LURC must ensure that the proposal will not  
 17 adversely effect natural and cultural resources, research  
 18 areas identified as significant or outstanding on the Wild  
 19 Lands Lake Assessment, which I just went over. Adequate  
 20 provision has been made -- you must make sure that the  
 21 adequate provision has been made pertaining to this  
 22 proposal harmoniously into the existing natural environment  
 23 and assure that there will be no undue adverse effects on  
 24 scenic character and natural and historic resources in the  
 25 area likely to be affected by the proposal.

1 In a letter dated May 6 our deputy state historic  
 2 preservation officer states: As noted in my letter of  
 3 February 2, 2010, the Chain of Ponds area of the Arnold  
 4 Trail is nearly pristine and unspoiled. That's a quote.  
 5 Only the presence of Route 27 and a few seasonal lakeshore  
 6 camps along the portion of the lake's shoreline provides a  
 7 visitor with a reminder that he or she is not in the late  
 8 19th century. We acknowledge that the presence of these  
 9 features in the landscape diminishes the integrity of the  
 10 setting, although, not to the extent that the Arnold Trail  
 11 has lost its ability to continue its historic significance.

12 However, when we apply the criteria of adverse effects  
 13 as set forth in (inaudible) 800.5A1, we conclude that the  
 14 location, number, operational characteristics and scale of  
 15 the proposed wind turbines will substantially change the  
 16 wilderness character of the Arnold Trail, physical features  
 17 within the property setting that contribute to its historic  
 18 significance and will introduce visual elements that  
 19 diminish the integrity of the property's significant  
 20 historic features. Based on the design and location of the  
 21 Kibby Expansion Project, the setting of the Arnold Trail to  
 22 Quebec and the criteria of the adverse effects, the  
 23 Commission reaffirms its conclusion that the proposed  
 24 undertaking will have an adverse effects upon this historic  
 25 property.

1 You must ensure that the proposal will not have an  
 2 undue adverse impact on traditional uses, including,  
 3 without limitation, nonintensive public recreation,  
 4 sporting camp operations, timber harvesting and agriculture  
 5 events. The buildings that were mentioned by the state  
 6 historic preservation officer were mostly built at the turn  
 7 the last century (inaudible) Fish & Game Corporation a set  
 8 of camps on Chain of Ponds existed precisely for these  
 9 nonintensive recreation activities.

10 Today traditional uses include fishing, hiking,  
 11 canoeing, kayaking, ice fishing and restored relaxation.  
 12 These activities have been enjoyed for centuries in the  
 13 pristine mountains and lakes that are the focus of Chain of  
 14 Ponds. Any development of Sisk Mountain or the surrounding  
 15 mountaintops would have an undue adverse impact on this  
 16 pristine area.

17 A number of people have spoken about what good stewards  
 18 TransCanada are. And while they might be good people, they  
 19 met with our Camp Owners Association and told us originally  
 20 that we should do this for the greater good. In the Pond's  
 21 further research of TransCanada and their practices, they  
 22 don't always believe in the greater good, I'm afraid. If  
 23 you research the keystone Tar Sands operation, you'll find  
 24 that they -- they have stated that some communities are  
 25 expendable and they should be able to use inferior

1 pipelines. The Tar Sands themselves emit much higher  
 2 carbon levels than other sources of oil and are not green  
 3 at all.

4 In any case, the gist of it is that TransCanada is  
 5 about profit and not about the environment. And that's  
 6 what we're seeing here today is that they're after  
 7 subsidies and it's not about green power. And in that  
 8 vain, people have touched on whether or not these windmills  
 9 are actually producing power, green power or otherwise.

10 I've spoken to a number of employees, as I stated  
 11 before, about the icing situation on the mountain. I know  
 12 they were having to redesign windmills because of the harsh  
 13 weather up there. And I'm not so sure it's a viable  
 14 option. And I think that that's -- the jury is still out  
 15 on that, whether or not the windmills should still be there  
 16 and whether or not they really are producing power,  
 17 especially in light of the documentation that's been  
 18 received that Richard Fecteau talked about about the green  
 19 power being available out of Canada, that it's a proven,  
 20 tried and true method, they have lots of it to export, it  
 21 will not cost us subsidies and market supply and demand may  
 22 just take this wind power with its subsidies that are  
 23 needed and its development costs are not an effective use  
 24 of our money of -- especially in these economic times.

25 So, again, I -- I reiterate what Dain said about

1 proving -- proving that they're actually producing power,  
 2 proving that they're going to provide some tangible  
 3 benefits to our host community other than giving money to a  
 4 variety of organizations in the greater area.

5 And, lastly, I wanted to read from our Natural  
 6 Resources Protection Act. It states: The Legislature  
 7 finds and declares that the state's great rivers and  
 8 streams, great ponds, fragile mountain areas, freshwater  
 9 wetlands, significant wild habitat, coastal wetlands and  
 10 coastal sand dune system are resources of state  
 11 significance. These resources have great scenic beauty and  
 12 unique characteristics, unsurpassed recreational cultural,  
 13 historical and environmental value of present and future  
 14 benefit to the citizens of the state and that uses are  
 15 causing the rapid degradation and, in some cases, the  
 16 destruction of these critical resources, producing  
 17 significant adverse economic and environmental impacts and  
 18 threatening the health, safety and general welfare of the  
 19 citizens of the state.

20 It concludes that the Legislature further finds and  
 21 declares that the cumulative effect of the frequent minor  
 22 alterations and occasional major alterations of these  
 23 resources possess a substantial threat to the environment  
 24 and economy of the state and its quality of life.

25 As we look at all of these windmills -- these proposals

1 for windmills across our state -- I have not been here all  
2 day, but I haven't heard much discussion on the cumulative  
3 effect. And that's what this addresses is the cumulative  
4 effect of all these changes of the development of our  
5 mountaintops.

6 So I ask you today, please, don't allow any more of our  
7 mountaintops in Maine to be decimated and certainly not  
8 before we know that it's for a good reason, that they are  
9 indeed producing any power at all.

10 So thank you for your time and consideration and thank  
11 you for being here on such a long day.

12 MS. HILTON: Thank you. I have a closing statement  
13 here. The second and final session to hear testimony from  
14 the public has now concluded. I wish to remind everyone  
15 that the record of this hearing will remain open until  
16 Monday, May 24th to receive written statements from the  
17 public and for an additional seven days until Tuesday, June  
18 1st to receive written statements by all the rebuttal to  
19 those filed during the previous ten days. No additional  
20 evidence or testimony will be allowed into the record after  
21 the closing of the record. And I now declare this hearing  
22 closed.

23 (Concluded this hearing at 8:46 p.m. this date.)  
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CERTIFICATE

I, Angella D. Clukey, a Notary Public in and for the State  
of Maine, hereby certify that on May 12, 2010, a hearing was  
held regarding Development Permit DP 4860 and that this hearing  
was stenographically reported by me and later reduced to  
typewritten form with the aid of computer-aided transcription;  
and the foregoing is a full and true record of the testimony  
given by the witnesses.

I further certify that I am a disinterested person in  
the event or outcome of the above-named cause of action.

IN WITNESS WHEREOF, I subscribe my hand and affix my  
seal this 20th day of May 2010.

\_\_\_\_\_  
ANGELLA D. CLUKEY, NOTARY PUBLIC  
Court Reporter

My commission expires: March 17, 2017

<b>\$</b>	<b>2</b>	<b>4-B</b> [1] - 3:17 <b>4.7</b> [1] - 5:20 <b>40</b> [6] - 17:16, 17:24, 21:24, 26:23, 64:17, 65:13 <b>40-story</b> [1] - 69:18 <b>400</b> [1] - 16:12 <b>400-foot</b> [1] - 28:10 <b>44</b> [1] - 4:10 <b>45</b> [1] - 4:25 <b>45-megawatt</b> [1] - 3:4 <b>48</b> [1] - 44:20 <b>4860</b> [4] - 1:14, 3:2, 70:8, 81:6	<b>above-named</b> [1] - 81:12 <b>Absolute</b> [1] - 16:19 <b>abutters</b> [2] - 10:24, 12:2 <b>abutting</b> [2] - 10:2, 55:9 <b>academy</b> [3] - 41:3, 45:14, 47:5 <b>Academy</b> [1] - 47:11 <b>accelerated</b> [1] - 38:21 <b>accept</b> [1] - 63:3 <b>accepting</b> [1] - 72:18 <b>access</b> [6] - 3:7, 5:8, 5:21, 5:22, 31:7, 36:7 <b>accesses</b> [1] - 5:7 <b>accommodate</b> [1] - 29:11 <b>accomplish</b> [1] - 57:20 <b>accordance</b> [1] - 2:24 <b>according</b> [2] - 32:24, 74:15 <b>accountable</b> [1] - 33:16 <b>accountant</b> [1] - 63:24 <b>accrued</b> [1] - 55:14 <b>accumulating</b> [1] - 27:15 <b>achieving</b> [1] - 12:3 <b>acid</b> [1] - 49:1 <b>acidity</b> [1] - 49:1 <b>acknowledge</b> [1] - 75:8 <b>acquaint</b> [1] - 22:13 <b>acquisitions</b> [1] - 37:10 <b>act</b> [1] - 78:6 <b>acting</b> [1] - 34:7 <b>action</b> [2] - 8:23, 81:12 <b>actions</b> [3] - 25:5, 32:24, 53:19 <b>actively</b> [1] - 73:4 <b>activists</b> [1] - 47:16 <b>activities</b> [4] - 53:20, 68:21, 76:9, 76:12 <b>activity</b> [2] - 15:4, 72:21 <b>actual</b> [1] - 7:18 <b>ad</b> [2] - 11:20, 61:21 <b>ADAMS</b> [1] - 33:25 <b>Adams</b> [2] - 23:9, 34:1 <b>add</b> [7] - 13:16, 23:23, 24:20, 31:22, 38:25, 49:5, 53:12 <b>addendum</b> [1] - 24:19 <b>adding</b> [1] - 27:10	<b>addition</b> [3] - 8:9, 16:23, 54:4 <b>additional</b> [10] - 5:3, 5:4, 5:20, 8:18, 8:20, 27:22, 31:16, 38:1, 79:17, 79:19 <b>address</b> [4] - 8:24, 27:22, 30:1, 36:13 <b>addresses</b> [1] - 79:3 <b>adds</b> [1] - 6:25 <b>adequate</b> [2] - 74:19, 74:21 <b>adhering</b> [1] - 25:20 <b>adjacent</b> [1] - 55:9 <b>administration</b> [2] - 29:7, 42:12 <b>administration's</b> [1] - 27:4 <b>administrative</b> [1] - 2:19 <b>admit</b> [1] - 70:2 <b>adopt</b> [1] - 11:21 <b>Adrienne</b> [3] - 58:17, 63:17, 63:18 <b>advanced</b> [1] - 54:11 <b>advantage</b> [1] - 38:15 <b>adventure</b> [2] - 26:19, 69:3 <b>adverse</b> [10] - 28:12, 28:18, 28:25, 74:23, 75:12, 75:22, 75:24, 76:2, 76:15, 78:17 <b>adversely</b> [1] - 74:17 <b>advocacy</b> [1] - 47:14 <b>advocates</b> [1] - 31:13 <b>affairs</b> [1] - 69:14 <b>affected</b> [4] - 44:11, 60:5, 67:9, 74:25 <b>affects</b> [1] - 27:15 <b>affiliation</b> [1] - 8:5 <b>affix</b> [1] - 81:13 <b>afford</b> [1] - 59:13 <b>affords</b> [1] - 69:10 <b>afraid</b> [2] - 71:18, 76:22 <b>afterwards</b> [1] - 66:20 <b>agencies</b> [2] - 42:6, 42:10 <b>agenda</b> [1] - 25:18 <b>agent</b> [1] - 73:12 <b>ago</b> [3] - 14:21, 21:24, 26:23 <b>agree</b> [1] - 24:2 <b>agreed</b> [2] - 10:20, 56:14 <b>agreement</b> [1] - 39:1 <b>agriculture</b> [1] - 76:4 <b>aid</b> [2] - 34:15, 81:8 <b>aided</b> [1] - 81:8
<b>1</b>	<b>2</b> [5] - 4:22, 56:24, 75:3 <b>2,000</b> [3] - 11:9, 28:21, 38:23 <b>2.3</b> [1] - 6:13 <b>2.4</b> [2] - 5:15, 5:18 <b>2.5</b> [1] - 11:1 <b>20</b> [2] - 30:10, 34:15 <b>20.7</b> [1] - 31:19 <b>200</b> [1] - 15:1 <b>2000</b> [1] - 64:21 <b>2002</b> [1] - 61:4 <b>2006</b> [3] - 44:9, 44:12, 44:15 <b>2007</b> [1] - 50:11 <b>2008</b> [1] - 22:14 <b>2009</b> [1] - 7:18 <b>2010</b> [8] - 1:7, 2:4, 32:12, 32:15, 47:13, 75:3, 81:5, 81:14 <b>2011</b> [1] - 7:22 <b>2015</b> [1] - 38:23 <b>2017</b> [1] - 81:20 <b>2020</b> [1] - 53:12 <b>20th</b> [1] - 81:14 <b>22</b> [3] - 4:12, 4:13, 68:4 <b>225</b> [1] - 31:13 <b>23</b> [1] - 73:12 <b>24th</b> [2] - 8:17, 79:16 <b>25</b> [7] - 28:14, 28:15, 28:20, 45:19, 45:20, 48:1, 53:8 <b>27</b> [3] - 17:18, 17:20, 75:5 <b>27-mile</b> [2] - 4:16, 5:25 <b>27th</b> [1] - 47:13	<b>5</b>	<b>5</b> [6] - 2:24, 5:16, 5:17, 5:19, 11:1, 46:2 <b>50</b> [1] - 65:13 <b>501C3</b> [1] - 35:11	<b>addition</b> [3] - 8:9, 16:23, 54:4 <b>additional</b> [10] - 5:3, 5:4, 5:20, 8:18, 8:20, 27:22, 31:16, 38:1, 79:17, 79:19 <b>address</b> [4] - 8:24, 27:22, 30:1, 36:13 <b>addresses</b> [1] - 79:3 <b>adds</b> [1] - 6:25 <b>adequate</b> [2] - 74:19, 74:21 <b>adhering</b> [1] - 25:20 <b>adjacent</b> [1] - 55:9 <b>administration</b> [2] - 29:7, 42:12 <b>administration's</b> [1] - 27:4 <b>administrative</b> [1] - 2:19 <b>admit</b> [1] - 70:2 <b>adopt</b> [1] - 11:21 <b>Adrienne</b> [3] - 58:17, 63:17, 63:18 <b>advanced</b> [1] - 54:11 <b>advantage</b> [1] - 38:15 <b>adventure</b> [2] - 26:19, 69:3 <b>adverse</b> [10] - 28:12, 28:18, 28:25, 74:23, 75:12, 75:22, 75:24, 76:2, 76:15, 78:17 <b>adversely</b> [1] - 74:17 <b>advocacy</b> [1] - 47:14 <b>advocates</b> [1] - 31:13 <b>affairs</b> [1] - 69:14 <b>affected</b> [4] - 44:11, 60:5, 67:9, 74:25 <b>affects</b> [1] - 27:15 <b>affiliation</b> [1] - 8:5 <b>affix</b> [1] - 81:13 <b>afford</b> [1] - 59:13 <b>affords</b> [1] - 69:10 <b>afraid</b> [2] - 71:18, 76:22 <b>afterwards</b> [1] - 66:20 <b>agencies</b> [2] - 42:6, 42:10 <b>agenda</b> [1] - 25:18 <b>agent</b> [1] - 73:12 <b>ago</b> [3] - 14:21, 21:24, 26:23 <b>agree</b> [1] - 24:2 <b>agreed</b> [2] - 10:20, 56:14 <b>agreement</b> [1] - 39:1 <b>agriculture</b> [1] - 76:4 <b>aid</b> [2] - 34:15, 81:8 <b>aided</b> [1] - 81:8
<b>1</b>	<b>3</b>	<b>6</b>	<b>6</b> [4] - 41:15, 48:11, 49:25, 75:1 <b>60</b> [1] - 72:11 <b>685-B</b> [1] - 2:23 <b>685-B(4)</b> [1] - 3:17 <b>6:45</b> [1] - 2:4	<b>addition</b> [3] - 8:9, 16:23, 54:4 <b>additional</b> [10] - 5:3, 5:4, 5:20, 8:18, 8:20, 27:22, 31:16, 38:1, 79:17, 79:19 <b>address</b> [4] - 8:24, 27:22, 30:1, 36:13 <b>addresses</b> [1] - 79:3 <b>adds</b> [1] - 6:25 <b>adequate</b> [2] - 74:19, 74:21 <b>adhering</b> [1] - 25:20 <b>adjacent</b> [1] - 55:9 <b>administration</b> [2] - 29:7, 42:12 <b>administration's</b> [1] - 27:4 <b>administrative</b> [1] - 2:19 <b>admit</b> [1] - 70:2 <b>adopt</b> [1] - 11:21 <b>Adrienne</b> [3] - 58:17, 63:17, 63:18 <b>advanced</b> [1] - 54:11 <b>advantage</b> [1] - 38:15 <b>adventure</b> [2] - 26:19, 69:3 <b>adverse</b> [10] - 28:12, 28:18, 28:25, 74:23, 75:12, 75:22, 75:24, 76:2, 76:15, 78:17 <b>adversely</b> [1] - 74:17 <b>advocacy</b> [1] - 47:14 <b>advocates</b> [1] - 31:13 <b>affairs</b> [1] - 69:14 <b>affected</b> [4] - 44:11, 60:5, 67:9, 74:25 <b>affects</b> [1] - 27:15 <b>affiliation</b> [1] - 8:5 <b>affix</b> [1] - 81:13 <b>afford</b> [1] - 59:13 <b>affords</b> [1] - 69:10 <b>afraid</b> [2] - 71:18, 76:22 <b>afterwards</b> [1] - 66:20 <b>agencies</b> [2] - 42:6, 42:10 <b>agenda</b> [1] - 25:18 <b>agent</b> [1] - 73:12 <b>ago</b> [3] - 14:21, 21:24, 26:23 <b>agree</b> [1] - 24:2 <b>agreed</b> [2] - 10:20, 56:14 <b>agreement</b> [1] - 39:1 <b>agriculture</b> [1] - 76:4 <b>aid</b> [2] - 34:15, 81:8 <b>aided</b> [1] - 81:8
<b>1</b>	<b>4</b>	<b>7</b>	<b>7</b> [1] - 53:12 <b>7.4</b> [1] - 5:15 <b>7:55</b> [1] - 58:10	<b>addition</b> [3] - 8:9, 16:23, 54:4 <b>additional</b> [10] - 5:3, 5:4, 5:20, 8:18, 8:20, 27:22, 31:16, 38:1, 79:17, 79:19 <b>address</b> [4] - 8:24, 27:22, 30:1, 36:13 <b>addresses</b> [1] - 79:3 <b>adds</b> [1] - 6:25 <b>adequate</b> [2] - 74:19, 74:21 <b>adhering</b> [1] - 25:20 <b>adjacent</b> [1] - 55:9 <b>administration</b> [2] - 29:7, 42:12 <b>administration's</b> [1] - 27:4 <b>administrative</b> [1] - 2:19 <b>admit</b> [1] - 70:2 <b>adopt</b> [1] - 11:21 <b>Adrienne</b> [3] - 58:17, 63:17, 63:18 <b>advanced</b> [1] - 54:11 <b>advantage</b> [1] - 38:15 <b>adventure</b> [2] - 26:19, 69:3 <b>adverse</b> [10] - 28:12, 28:18, 28:25, 74:23, 75:12, 75:22, 75:24, 76:2, 76:15, 78:17 <b>adversely</b> [1] - 74:17 <b>advocacy</b> [1] - 47:14 <b>advocates</b> [1] - 31:13 <b>affairs</b> [1] - 69:14 <b>affected</b> [4] - 44:11, 60:5, 67:9, 74:25 <b>affects</b> [1] - 27:15 <b>affiliation</b> [1] - 8:5 <b>affix</b> [1] - 81:13 <b>afford</b> [1] - 59:13 <b>affords</b> [1] - 69:10 <b>afraid</b> [2] - 71:18, 76:22 <b>afterwards</b> [1] - 66:20 <b>agencies</b> [2] - 42:6, 42:10 <b>agenda</b> [1] - 25:18 <b>agent</b> [1] - 73:12 <b>ago</b> [3] - 14:21, 21:24, 26:23 <b>agree</b> [1] - 24:2 <b>agreed</b> [2] - 10:20, 56:14 <b>agreement</b> [1] - 39:1 <b>agriculture</b> [1] - 76:4 <b>aid</b> [2] - 34:15, 81:8 <b>aided</b> [1] - 81:8
<b>1</b>	<b>4</b>	<b>8</b>	<b>8</b> [2] - 28:18, 53:10 <b>80</b> [1] - 15:20 <b>800.5A1</b> [1] - 75:13 <b>86</b> [2] - 16:8, 16:9 <b>8:10</b> [1] - 58:11 <b>8:46</b> [1] - 79:23	<b>addition</b> [3] - 8:9, 16:23, 54:4 <b>additional</b> [10] - 5:3, 5:4, 5:20, 8:18, 8:20, 27:22, 31:16, 38:1, 79:17, 79:19 <b>address</b> [4] - 8:24, 27:22, 30:1, 36:13 <b>addresses</b> [1] - 79:3 <b>adds</b> [1] - 6:25 <b>adequate</b> [2] - 74:19, 74:21 <b>adhering</b> [1] - 25:20 <b>adjacent</b> [1] - 55:9 <b>administration</b> [2] - 29:7, 42:12 <b>administration's</b> [1] - 27:4 <b>administrative</b> [1] - 2:19 <b>admit</b> [1] - 70:2 <b>adopt</b> [1] - 11:21 <b>Adrienne</b> [3] - 58:17, 63:17, 63:18 <b>advanced</b> [1] - 54:11 <b>advantage</b> [1] - 38:15 <b>adventure</b> [2] - 26:19, 69:3 <b>adverse</b> [10] - 28:12, 28:18, 28:25, 74:23, 75:12, 75:22, 75:24, 76:2, 76:15, 78:17 <b>adversely</b> [1] - 74:17 <b>advocacy</b> [1] - 47:14 <b>advocates</b> [1] - 31:13 <b>affairs</b> [1] - 69:14 <b>affected</b> [4] - 44:11, 60:5, 67:9, 74:25 <b>affects</b> [1] - 27:15 <b>affiliation</b> [1] - 8:5 <b>affix</b> [1] - 81:13 <b>afford</b> [1] - 59:13 <b>affords</b> [1] - 69:10 <b>afraid</b> [2] - 71:18, 76:22 <b>afterwards</b> [1] - 66:20 <b>agencies</b> [2] - 42:6, 42:10 <b>agenda</b> [1] - 25:18 <b>agent</b> [1] - 73:12 <b>ago</b> [3] - 14:21, 21:24, 26:23 <b>agree</b> [1] - 24:2 <b>agreed</b> [2] - 10:20, 56:14 <b>agreement</b> [1] - 39:1 <b>agriculture</b> [1] - 76:4 <b>aid</b> [2] - 34:15, 81:8 <b>aided</b> [1] - 81:8
<b>1</b>	<b>4</b>	<b>9</b>	<b>91</b> [1] - 9:11	<b>addition</b> [3] - 8:9, 16:23, 54:4 <b>additional</b> [10] - 5:3, 5:4, 5:20, 8:18, 8:20, 27:22, 31:16, 38:1, 79:17, 79:19 <b>address</b> [4] - 8:24, 27:22, 30:1, 36:13 <b>addresses</b> [1] - 79:3 <b>adds</b> [1] - 6:25 <b>adequate</b> [2] - 74:19, 74:21 <b>adhering</b> [1] - 25:20 <b>adjacent</b> [1] - 55:9 <b>administration</b> [2] - 29:7, 42:12 <b>administration's</b> [1] - 27:4 <b>administrative</b> [1] - 2:19 <b>admit</b> [1] - 70:2 <b>adopt</b> [1] - 11:21 <b>Adrienne</b> [3] - 58:17, 63:17, 63:18 <b>advanced</b> [1] - 54:11 <b>advantage</b> [1] - 38:15 <b>adventure</b> [2] - 26:19, 69:3 <b>adverse</b> [10] - 28:12, 28:18, 28:25, 74:23, 75:12, 75:22, 75:24, 76:2, 76:15, 78:17 <b>adversely</b> [1] - 74:17 <b>advocacy</b> [1] - 47:14 <b>advocates</b> [1] - 31:13 <b>affairs</b> [1] - 69:14 <b>affected</b> [4] - 44:11, 60:5, 67:9, 74:25 <b>affects</b> [1] - 27:15 <b>affiliation</b> [1] - 8:5 <b>affix</b> [1] - 81:13 <b>afford</b> [1] - 59:13 <b>affords</b> [1] - 69:10 <b>afraid</b> [2] - 71:18, 76:22 <b>afterwards</b> [1] - 66:20 <b>agencies</b> [2] - 42:6, 42:10 <b>agenda</b> [1] - 25:18 <b>agent</b> [1] - 73:12 <b>ago</b> [3] - 14:21, 21:24, 26:23 <b>agree</b> [1] - 24:2 <b>agreed</b> [2] - 10:20, 56:14 <b>agreement</b> [1] - 39:1 <b>agriculture</b> [1] - 76:4 <b>aid</b> [2] - 34:15, 81:8 <b>aided</b> [1] - 81:8
<b>1</b>	<b>4</b>	<b>A</b>	<b>Abenakis</b> [1] - 69:8 <b>ability</b> [3] - 33:6, 48:4, 75:11 <b>able</b> [12] - 13:9, 15:19, 23:2, 26:18, 30:15, 31:16, 38:16, 39:22, 40:4, 44:24, 57:19, 76:25	<b>addition</b> [3] - 8:9, 16:23, 54:4 <b>additional</b> [10] - 5:3, 5:4, 5:20, 8:18, 8:20, 27:22, 31:16, 38:1, 79:17, 79:19 <b>address</b> [4] - 8:24, 27:22, 30:1, 36:13 <b>addresses</b> [1] - 79:3 <b>adds</b> [1] - 6:25 <b>adequate</b> [2] - 74:19, 74:21 <b>adhering</b> [1] - 25:20 <b>adjacent</b> [1] - 55:9 <b>administration</b> [2] - 29:7, 42:12 <b>administration's</b> [1] - 27:4 <b>administrative</b> [1] - 2:19 <b>admit</b> [1] - 70:2 <b>adopt</b> [1] - 11:21 <b>Adrienne</b> [3] - 58:17, 63:17, 63:18 <b>advanced</b> [1] - 54:11 <b>advantage</b> [1] - 38:15 <b>adventure</b> [2] - 26:19, 69:3 <b>adverse</b> [10] - 28:12, 28:18, 28:25, 74:23, 75:12, 75:22, 75:24, 76:2, 76:15, 78:17 <b>adversely</b> [1] - 74:17 <b>advocacy</b> [1] - 47:14 <b>advocates</b> [1] - 31:13 <b>affairs</b> [1] - 69:14 <b>affected</b> [4] - 44:11, 60:5, 67:9, 74:25 <b>affects</b> [1] - 27:15 <b>affiliation</b> [1] - 8:5 <b>affix</b> [1] - 81:13 <b>afford</b> [1] - 59:13 <b>affords</b> [1] - 69:10 <b>afraid</b> [2] - 71:18, 76:22 <b>afterwards</b> [1] - 66:20 <b>agencies</b> [2] - 42:6, 42:10 <b>agenda</b> [1] - 25:18 <b>agent</b> [1] - 73:12 <b>ago</b> [3] - 14:21, 21:24, 26:23 <b>agree</b> [1] - 24:2 <b>agreed</b> [2] - 10:20, 56:14 <b>agreement</b> [1] - 39:1 <b>agriculture</b> [1] - 76:4 <b>aid</b> [2] - 34:15, 81:8 <b>aided</b> [1] - 81:8
<b>1</b>	<b>4</b>	<b>A</b>	<b>Abenakis</b> [1] - 69:8 <b>ability</b> [3] - 33:6, 48:4, 75:11 <b>able</b> [12] - 13:9, 15:19, 23:2, 26:18, 30:15, 31:16, 38:16, 39:22, 40:4, 44:24, 57:19, 76:25	<b>addition</b> [3] - 8:9, 16:23, 54:4 <b>additional</b> [10] - 5:3, 5:4, 5:20, 8:18, 8:20, 27:22, 31:16, 38:1, 79:17, 79:19 <b>address</b> [4] - 8:24, 27:22, 30:1, 36:13 <b>addresses</b> [1] - 79:3 <b>adds</b> [1] - 6:25 <b>adequate</b> [2] - 74:19, 74:21 <b>adhering</b> [1] - 25:20 <b>adjacent</b> [1] - 55:9 <b>administration</b> [2] - 29:7, 42:12 <b>administration's</b> [1] - 27:4 <b>administrative</b> [1] - 2:19 <b>admit</b> [1] - 70:2 <b>adopt</b> [1] - 11:21 <b>Adrienne</b> [3] - 58:17, 63:17, 63:18 <b>advanced</b> [1] - 54:11 <b>advantage</b> [1] - 38:15 <b>adventure</b> [2] - 26:19, 69:3 <b>adverse</b> [10] - 28:12, 28:18, 28:25, 74:23, 75:12, 75:22, 75:24, 76:2, 76:15, 78:17 <b>adversely</b> [1] - 74:17 <b>advocacy</b> [1] - 47:14 <b>advocates</b> [1] - 31:13 <b>affairs</b> [1] - 69:14 <b>affected</b> [4] - 44:11, 60:5, 67:9, 74:25 <b>affects</b> [1] - 27:15 <b>affiliation</b> [1] - 8:5 <b>affix</b> [1] - 81:13 <b>afford</b> [1] - 59:13 <b>affords</b> [1] - 69:10 <b>afraid</b> [2] - 71:18, 76:22 <b>afterwards</b> [1] - 66:20 <b>agencies</b> [2] - 42:6, 42:10 <b>agenda</b> [1] - 25:18 <b>agent</b> [1] - 73:12 <b>ago</b> [3] - 14:21, 21:24, 26:23 <b>agree</b> [1] - 24:2 <b>agreed</b> [2] - 10:20, 56:14 <b>agreement</b> [1] - 39:1 <b>agriculture</b> [1] - 76:4 <b>aid</b> [2] - 34:15, 81:8 <b>aided</b> [1] - 81:8
<b>1</b>	<b>4</b>	<b>A</b>	<b>Abenakis</b> [1] - 69:8 <b>ability</b> [3] - 33:6, 48:4, 75:11 <b>able</b> [12] - 13:9, 15:19, 23:2, 26:18, 30:15, 31:16, 38:16, 39:22, 40:4, 44:24, 57:19, 76:25	<b>addition</b> [3] - 8:9, 16:23, 54:4 <b>additional</b> [10] - 5:3, 5:4, 5:20, 8:18, 8:20, 27:22, 31:16, 38:1, 79:17, 79:19 <b>address</b> [4] - 8:24, 27:22, 30:1, 36:13 <b>addresses</b> [1] - 79:3 <b>adds</b> [1] - 6:25 <b>adequate</b> [2] - 74:19, 74:21 <b>adhering</b> [1] - 25:20 <b>adjacent</b> [1] - 55:9 <b>administration</b> [2] - 29:7, 42:12 <b>administration's</b> [1] - 27:4 <b>administrative</b> [1] - 2:19 <b>admit</b> [1] - 70:2 <b>adopt</b> [1] - 11:21 <b>Adrienne</b> [3] - 58:17, 63:17, 63:18 <b>advanced</b> [1] - 54:11 <b>advantage</b> [1] - 38:15 <b>adventure</b> [2] - 26:19, 69:3 <b>adverse</b> [10] - 28:12, 28:18, 28:25, 74:23, 75:12, 75:22, 75:24, 76:2, 76:15, 78:17 <b>adversely</b> [1] - 74:17 <b>advocacy</b> [1] - 47:14 <b>advocates</b> [1] - 31:13 <b>affairs</b> [1] - 69:14 <b>affected</b> [4] - 44:11, 60:5, 67:9, 74:25 <b>affects</b> [1] - 27:15 <b>affiliation</b> [1] - 8:5 <b>affix</b> [1] - 81:13 <b>afford</b> [1] - 59:13 <b>affords</b> [1] - 69:10 

<p><b>air</b> [2] - 49:1, 65:22  <b>aired</b> [1] - 32:12  <b>Alan</b> [6] - 13:24, 23:6, 23:18, 29:14, 36:11  <b>alarming</b> [1] - 59:19  <b>Alaska</b> [3] - 44:4, 44:22, 47:19  <b>Alberta</b> [1] - 24:7  <b>alive</b> [2] - 55:18, 69:10  <b>alliance</b> [3] - 7:6, 10:22, 35:5  <b>Alliance</b> [3] - 35:14, 35:20, 37:1  <b>allocated</b> [2] - 53:22, 56:21  <b>allow</b> [3] - 3:14, 63:1, 79:6  <b>allowed</b> [4] - 8:20, 26:5, 33:17, 79:20  <b>allowing</b> [1] - 40:22  <b>almost</b> [3] - 26:14, 26:22, 28:21  <b>alone</b> [2] - 21:15, 50:8  <b>alterations</b> [2] - 78:22  <b>altered</b> [1] - 59:17  <b>alternative</b> [1] - 25:19  <b>alternatives</b> [1] - 46:7  <b>Amarillo</b> [1] - 65:12  <b>amount</b> [8] - 6:21, 30:9, 33:13, 40:1, 48:24, 52:2, 61:9, 66:20  <b>amounts</b> [1] - 49:6  <b>analysts</b> [1] - 60:2  <b>Anderson</b> [3] - 13:24, 17:15, 62:6  <b>ANDERSON</b> [1] - 17:14  <b>Angella</b> [3] - 2:1, 2:17, 81:4  <b>ANGELLA</b> [1] - 81:17  <b>animals</b> [1] - 69:9  <b>announce</b> [1] - 70:18  <b>annual</b> [1] - 50:18  <b>anomaly</b> [1] - 48:9  <b>answer</b> [3] - 11:16, 39:7, 67:15  <b>antarctica</b> [1] - 47:20  <b>anticipated</b> [1] - 7:16  <b>anyway</b> [2] - 19:1, 19:23  <b>apart</b> [1] - 25:23  <b>apologies</b> [1] - 23:11  <b>apologize</b> [4] - 13:21, 21:7, 57:5, 57:24  <b>Appalachian</b> [4] - 19:3, 19:7, 29:21, 29:24  <b>apparent</b> [1] - 28:10</p>	<p><b>appear</b> [1] - 27:24  <b>applaud</b> [2] - 53:19, 57:19  <b>applicant's</b> [1] - 25:3  <b>application</b> [7] - 6:3, 24:21, 25:3, 30:11, 51:19, 54:16, 66:2  <b>applications</b> [1] - 7:17  <b>applied</b> [1] - 37:10  <b>apply</b> [1] - 75:12  <b>appraisals</b> [1] - 32:10  <b>appreciate</b> [2] - 23:19, 58:3  <b>appreciative</b> [1] - 35:15  <b>approach</b> [2] - 34:25, 59:23  <b>approached</b> [1] - 44:9  <b>appropriate</b> [3] - 61:24, 72:22, 72:24  <b>approval</b> [8] - 3:16, 8:13, 12:5, 12:7, 12:9, 12:21, 57:25, 73:8  <b>approvals</b> [1] - 7:20  <b>approve</b> [3] - 29:4, 40:14, 54:4  <b>approved</b> [5] - 30:10, 42:15, 51:25, 55:25, 57:19  <b>approves</b> [2] - 34:18, 40:15  <b>approving</b> [1] - 66:5  <b>April</b> [1] - 32:15  <b>area</b> [44] - 5:11, 5:12, 6:12, 6:16, 10:18, 11:24, 14:6, 21:5, 21:10, 35:8, 35:25, 36:21, 36:22, 38:8, 38:16, 39:19, 40:1, 40:4, 40:6, 40:10, 40:13, 40:16, 41:8, 41:25, 43:20, 49:24, 55:15, 57:13, 57:15, 57:16, 59:13, 60:9, 60:15, 60:17, 61:3, 61:24, 72:9, 73:18, 74:15, 74:25, 75:3, 76:16, 78:4  <b>areas</b> [13] - 5:9, 17:2, 22:7, 35:24, 42:2, 44:6, 47:20, 47:23, 61:10, 64:11, 71:21, 74:18, 78:8  <b>arguing</b> [1] - 32:17  <b>arguments</b> [2] - 54:5, 55:18  <b>Army</b> [1] - 42:11  <b>Arnold</b> [16] - 5:10, 7:10, 10:21, 14:4,</p>	<p>14:25, 20:24, 21:1, 21:5, 21:21, 21:23, 21:25, 35:18, 75:3, 75:10, 75:16, 75:21  <b>Arnold's</b> [4] - 7:12, 21:4, 22:20, 69:10  <b>art</b> [1] - 19:21  <b>artifacts</b> [1] - 22:20  <b>Arundel</b> [2] - 69:5, 70:13  <b>aside</b> [1] - 42:21  <b>aspect</b> [1] - 26:5  <b>assess</b> [1] - 55:17  <b>assessed</b> [2] - 55:5, 56:20  <b>assessment</b> [1] - 74:19  <b>assessments</b> [1] - 74:8  <b>assistant</b> [1] - 2:19  <b>associate</b> [1] - 39:2  <b>Associates</b> [1] - 1:24  <b>association</b> [3] - 14:7, 71:6, 76:19  <b>assume</b> [1] - 27:21  <b>assurances</b> [1] - 73:8  <b>assure</b> [2] - 25:21, 74:23  <b>assured</b> [1] - 73:4  <b>assuredly</b> [1] - 10:12  <b>astonished</b> [1] - 69:17  <b>athletes'</b> [1] - 48:6  <b>atmosphere</b> [1] - 19:17  <b>ATSC</b> [1] - 13:23  <b>attempt</b> [1] - 32:23  <b>attending</b> [2] - 8:22, 38:2  <b>attorney</b> [1] - 55:4  <b>attractions</b> [1] - 12:2  <b>ATV</b> [4] - 36:4, 37:12, 56:9, 58:23  <b>Augusta</b> [1] - 29:12  <b>authority</b> [2] - 55:5, 55:13  <b>available</b> [6] - 24:6, 25:4, 32:7, 48:19, 66:12, 77:19  <b>average</b> [2] - 30:12, 48:9  <b>aviation</b> [1] - 42:12  <b>avid</b> [1] - 34:5  <b>avoided</b> [1] - 66:25  <b>awakened</b> [1] - 26:3  <b>aware</b> [1] - 37:6</p>	<p><b>backup</b> [3] - 61:17, 67:5, 67:7  <b>backyard</b> [3] - 45:4, 46:14, 46:21  <b>bad</b> [1] - 40:7  <b>bag</b> [2] - 14:25, 72:10  <b>bait</b> [1] - 60:6  <b>balance</b> [2] - 59:22, 66:13  <b>balances</b> [3] - 9:25, 42:17, 49:18  <b>balancing</b> [1] - 9:22  <b>Bangor</b> [1] - 37:20  <b>bankrupt</b> [1] - 60:23  <b>barren</b> [1] - 19:14  <b>base</b> [3] - 10:12, 52:15  <b>based</b> [9] - 31:8, 31:15, 34:25, 43:3, 49:12, 52:7, 54:25, 61:25, 75:20  <b>basics</b> [1] - 65:21  <b>Basin</b> [1] - 65:12  <b>bats</b> [1] - 6:5  <b>Bay</b> [1] - 18:6  <b>beach</b> [3] - 12:15, 23:9, 35:4  <b>BEACH</b> [1] - 35:4  <b>bear</b> [1] - 11:11  <b>beautiful</b> [8] - 14:11, 23:4, 29:8, 34:22, 45:4, 45:8, 64:7, 65:2  <b>beauty</b> [6] - 9:19, 46:12, 64:6, 64:22, 65:5, 78:11  <b>beaver</b> [1] - 2:15  <b>became</b> [1] - 54:16  <b>beckons</b> [1] - 64:24  <b>become</b> [4] - 21:12, 26:25, 52:9, 57:1  <b>becomes</b> [1] - 25:13  <b>becoming</b> [1] - 26:14  <b>begin</b> [2] - 9:13, 38:8  <b>beginning</b> [2] - 2:4, 19:25  <b>behalf</b> [3] - 34:7, 47:6, 48:1  <b>behind</b> [2] - 48:17, 71:2  <b>belong</b> [1] - 65:15  <b>below</b> [1] - 6:17  <b>bend</b> [1] - 26:19  <b>Benedict</b> [2] - 21:5, 69:10  <b>beneficial</b> [1] - 50:3  <b>beneficiaries</b> [2] - 52:10, 53:17  <b>benefit</b> [14] - 6:21, 9:23, 22:1, 42:24, 52:10, 52:19, 56:20,</p>	<p>68:25, 72:2, 72:3, 72:5, 72:13, 72:15, 78:14  <b>benefits</b> [22] - 5:3, 7:9, 10:10, 12:17, 16:1, 16:15, 25:1, 25:2, 27:11, 30:1, 30:7, 32:20, 33:6, 49:24, 49:25, 52:25, 53:20, 53:23, 55:13, 57:7, 71:12, 78:3  <b>beside</b> [1] - 16:3  <b>best</b> [3] - 24:25, 46:18, 68:20  <b>Bethel</b> [1] - 9:10  <b>betrayal</b> [1] - 25:1  <b>better</b> [5] - 12:7, 14:2, 22:13, 33:24, 59:3  <b>between</b> [6] - 15:1, 28:1, 36:10, 40:9, 40:11, 53:7  <b>beyond</b> [3] - 22:24, 28:18, 48:6  <b>Bicknell's</b> [1] - 7:13  <b>bids</b> [1] - 32:25  <b>big</b> [9] - 11:12, 29:20, 47:12, 48:22, 57:21, 59:24, 61:23, 69:8, 70:5  <b>Bigelow</b> [2] - 3:13, 4:19  <b>bikers</b> [1] - 37:12  <b>bill</b> [1] - 48:4  <b>billion</b> [1] - 53:12  <b>bills</b> [3] - 16:10, 31:22, 34:18  <b>Bingham</b> [2] - 22:8, 22:10  <b>biomass</b> [1] - 11:16  <b>birds</b> [1] - 6:5  <b>black</b> [1] - 71:4  <b>blasting</b> [1] - 27:18  <b>board</b> [5] - 14:3, 14:4, 19:2, 25:9, 29:23  <b>bodies</b> [1] - 29:12  <b>book</b> [1] - 69:3  <b>boost</b> [1] - 10:16  <b>boot</b> [1] - 7:2  <b>border</b> [2] - 15:2, 19:13  <b>born</b> [1] - 47:8  <b>Boston</b> [1] - 69:7  <b>bought</b> [1] - 16:24  <b>boundary</b> [1] - 29:20  <b>Boundary</b> [2] - 30:5, 30:16  <b>box</b> [1] - 53:22  <b>brake</b> [1] - 16:18  <b>branch</b> [1] - 14:22  <b>brand</b> [1] - 63:11</p>
<b>B</b>				
			<p><b>B&amp;Bs</b> [1] - 60:16  <b>background</b> [1] - 60:9</p>	

<p><b>break</b> [2] - 57:23, 58:9  <b>breathtaking</b> [1] - 69:9  <b>BRICKLEY</b> [2] - 39:10, 39:15  <b>brickley</b> [2] - 23:10, 39:9  <b>Brickley</b> [1] - 39:15  <b>bridge</b> [1] - 14:22  <b>brief</b> [3] - 4:8, 12:11, 66:4  <b>briefly</b> [2] - 4:7, 6:7  <b>bring</b> [5] - 14:20, 23:21, 24:12, 39:23, 61:1  <b>brings</b> [1] - 25:25  <b>broad</b> [2] - 42:17, 49:18  <b>Brochu</b> [1] - 16:21  <b>Brook</b> [3] - 5:7, 5:18, 14:23  <b>brought</b> [3] - 9:21, 63:22, 70:24  <b>Brunswick</b> [1] - 19:4  <b>building</b> [4] - 3:11, 4:15, 19:11, 51:11  <b>buildings</b> [3] - 71:4, 71:9, 76:5  <b>built</b> [7] - 6:10, 30:10, 30:23, 60:14, 65:4, 69:19, 76:6  <b>bunch</b> [1] - 62:18  <b>burden</b> [2] - 9:24, 11:7  <b>burdening</b> [1] - 32:21  <b>bureau</b> [1] - 22:23  <b>business</b> [9] - 8:5, 11:13, 43:6, 43:7, 43:16, 43:18, 50:21, 60:23, 69:1  <b>businesses</b> [7] - 39:20, 40:3, 40:9, 40:12, 41:10, 43:22, 50:25  <b>buyers</b> [1] - 31:3  <b>buying</b> [1] - 62:2  <b>buyouts</b> [1] - 24:21</p>	<p><b>camp</b> [4] - 60:14, 60:16, 75:6, 76:8  <b>Canada</b> [2] - 15:2, 77:19  <b>Canadian</b> [2] - 32:6, 49:15  <b>cannot</b> [3] - 12:5, 12:18, 14:18  <b>canoe</b> [2] - 26:18, 68:16  <b>canoeing</b> [1] - 76:11  <b>canoes</b> [1] - 69:8  <b>cap</b> [1] - 14:2  <b>capacities</b> [1] - 14:1  <b>capacity</b> [3] - 13:1, 15:14, 31:8  <b>cape</b> [2] - 31:18, 47:9  <b>car</b> [2] - 62:2, 64:15  <b>carbon</b> [4] - 43:1, 48:5, 48:25, 77:2  <b>care</b> [1] - 42:1  <b>career</b> [1] - 7:3  <b>carefully</b> [1] - 55:16  <b>Caribbean</b> [1] - 7:15  <b>carpenters</b> [1] - 60:13  <b>Carrabassett</b> [12] - 1:21, 2:3, 36:1, 37:4, 41:2, 41:3, 43:16, 43:17, 45:14, 47:4, 47:11, 70:23  <b>CARROLL</b> [23] - 2:13, 13:13, 15:10, 17:13, 20:11, 23:6, 33:20, 35:3, 37:16, 39:9, 39:11, 40:24, 43:14, 45:11, 47:2, 51:3, 51:6, 58:14, 59:10, 63:17, 65:24, 67:21, 68:2  <b>Carroll</b> [2] - 2:13, 37:18  <b>carry</b> [2] - 22:10, 27:6  <b>carrying</b> [2] - 22:8, 22:9  <b>Casco</b> [1] - 18:6  <b>case</b> [2] - 73:19, 77:4  <b>cases</b> [2] - 48:13, 78:15  <b>categories</b> [2] - 74:7, 74:9  <b>Catherine</b> [1] - 2:13  <b>causing</b> [2] - 49:1, 78:15  <b>celebration</b> [1] - 38:3  <b>cement</b> [1] - 24:24  <b>center</b> [2] - 7:3, 57:15  <b>Center</b> [2] - 1:20, 2:3  <b>central</b> [1] - 32:16  <b>cents</b> [1] - 31:19  <b>centuries</b> [1] - 76:12</p>	<p><b>century</b> [2] - 75:8, 76:7  <b>certain</b> [2] - 11:3, 56:16  <b>certainly</b> [2] - 47:24, 79:7  <b>CERTIFICATE</b> [1] - 81:2  <b>certify</b> [2] - 81:5, 81:11  <b>Chain</b> [15] - 5:11, 6:13, 6:16, 11:3, 11:5, 22:9, 22:18, 64:22, 69:10, 70:10, 70:23, 71:5, 71:8, 75:3, 76:13  <b>chain</b> [3] - 3:5, 20:23, 76:8  <b>chair</b> [2] - 2:7, 37:17  <b>chairman</b> [2] - 14:3, 65:25  <b>Chairwoman</b> [1] - 51:7  <b>challenge</b> [1] - 57:16  <b>challenges</b> [1] - 32:19  <b>championing</b> [1] - 29:7  <b>change</b> [11] - 47:18, 48:3, 48:12, 50:12, 50:14, 50:19, 50:21, 52:4, 52:14, 53:15, 75:15  <b>changed</b> [1] - 56:15  <b>changes</b> [3] - 59:20, 60:19, 79:4  <b>channeled</b> [1] - 25:12  <b>chapter</b> [1] - 2:24  <b>character</b> [4] - 73:24, 73:25, 74:24, 75:16  <b>characteristics</b> [2] - 75:14, 78:12  <b>characterized</b> [1] - 66:14  <b>charge</b> [1] - 29:5  <b>charged</b> [1] - 73:24  <b>charted</b> [1] - 67:1  <b>cheaper</b> [5] - 12:4, 24:10, 24:11, 24:17, 46:6  <b>check</b> [1] - 3:22  <b>checked</b> [1] - 13:15  <b>Chewonki</b> [1] - 14:8  <b>child</b> [2] - 62:22, 63:21  <b>choicest</b> [1] - 65:4  <b>choose</b> [1] - 65:4  <b>chose</b> [1] - 12:17  <b>Chris</b> [3] - 23:9, 35:3, 35:4  <b>Christian</b> [1] - 62:6  <b>citizen</b> [4] - 19:24,</p>	<p>45:15, 45:17  <b>citizens</b> [4] - 43:5, 43:9, 78:14, 78:19  <b>claiming</b> [1] - 32:11  <b>claims</b> [6] - 32:20, 61:19, 62:25, 63:3, 66:16, 66:17  <b>class</b> [1] - 47:11  <b>classify</b> [1] - 32:2  <b>clean</b> [9] - 19:19, 27:11, 42:18, 42:25, 43:10, 45:7, 49:19, 50:9, 65:21  <b>cleanest</b> [1] - 48:19  <b>clear</b> [3] - 50:1, 64:18, 67:18  <b>clearing</b> [1] - 22:5  <b>clearly</b> [1] - 8:10  <b>clients</b> [1] - 60:13  <b>climate</b> [8] - 39:20, 47:18, 48:4, 48:12, 50:12, 50:14, 50:19, 50:21  <b>close</b> [6] - 12:13, 16:12, 16:13, 38:9, 57:10, 65:17  <b>closed</b> [1] - 79:22  <b>closely</b> [1] - 52:16  <b>closer</b> [3] - 5:14, 6:12, 44:25  <b>closer-up</b> [1] - 5:14  <b>closes</b> [1] - 57:17  <b>closest</b> [4] - 6:12, 6:15, 11:1, 11:2  <b>closing</b> [6] - 12:20, 38:25, 39:20, 40:12, 79:12, 79:21  <b>clothe</b> [3] - 62:10, 62:15, 62:17  <b>Clothes</b> [1] - 62:5  <b>club</b> [9] - 14:4, 14:5, 14:10, 14:18, 15:6, 29:21, 56:9, 58:23  <b>CLUKEY</b> [1] - 81:17  <b>Clukey</b> [3] - 2:1, 2:17, 81:4  <b>CLUP</b> [2] - 27:24, 72:19  <b>CO2</b> [1] - 66:24  <b>coal</b> [2] - 49:3, 61:16  <b>coal-fired</b> [1] - 61:16  <b>coalition</b> [1] - 47:15  <b>Coast</b> [1] - 18:11  <b>coastal</b> [2] - 78:9, 78:10  <b>Coburn</b> [1] - 22:18  <b>cod</b> [1] - 47:9  <b>code</b> [1] - 39:23  <b>collaborative</b> [1] - 73:5</p>	<p><b>collective</b> [2] - 48:14, 50:13  <b>collector</b> [2] - 3:8, 5:24  <b>College</b> [1] - 14:3  <b>college</b> [1] - 39:2  <b>column</b> [2] - 3:22, 11:20  <b>combination</b> [1] - 31:1  <b>coming</b> [7] - 9:8, 20:3, 20:23, 54:17, 60:15, 65:10, 68:1  <b>comment</b> [4] - 21:6, 21:7, 23:22, 24:22  <b>comments</b> [7] - 7:25, 8:17, 24:20, 24:23, 26:10, 40:19, 40:22  <b>commission</b> [2] - 72:18, 81:20  <b>Commission</b> [25] - 1:5, 2:7, 2:8, 2:14, 8:23, 17:15, 20:5, 20:8, 25:7, 29:3, 29:6, 29:11, 30:3, 30:14, 30:17, 30:20, 33:3, 33:13, 33:15, 37:19, 38:24, 42:9, 51:8, 67:18, 75:23  <b>Commission's</b> [7] - 2:25, 3:18, 8:13, 26:25, 27:23, 29:5, 29:10  <b>commission's</b> [2] - 3:18, 26:22  <b>commissioner</b> [1] - 37:18  <b>commissioners</b> [6] - 7:25, 23:13, 23:19, 26:12, 26:20, 65:25  <b>commitment</b> [3] - 34:18, 47:22, 50:8  <b>commodity</b> [1] - 72:8  <b>common</b> [3] - 60:2, 62:23, 64:16  <b>commonwealth's</b> [1] - 32:22  <b>communicate</b> [1] - 35:11  <b>communities</b> [16] - 6:4, 10:1, 49:21, 50:12, 50:15, 50:23, 52:21, 53:4, 53:18, 55:10, 55:11, 55:15, 57:14, 60:22, 63:12, 76:24  <b>community</b> [27] - 10:9, 12:1, 12:18, 16:24, 17:2, 17:5, 27:17, 38:17, 39:2, 41:17, 42:19, 49:14,</p>
<b>C</b>				
<p><b>California</b> [1] - 47:7  <b>camp</b> [12] - 6:8, 6:12, 6:16, 7:2, 11:1, 47:22, 63:19, 71:1, 71:5, 74:6, 76:4, 76:19  <b>CAMPBELL</b> [1] - 14:1  <b>Campbell</b> [1] - 14:2  <b>camper</b> [1] - 14:8  <b>campground</b> [1] - 71:25</p>				

50:10, 56:13, 57:2, 71:5, 71:7, 71:8, 71:11, 71:18, 71:21, 72:1, 72:4, 72:14, 72:15, 73:20, 78:3  
**companies** [7] - 15:18, 16:16, 16:23, 16:25, 49:11, 49:15, 52:7  
**company** [4] - 24:3, 24:4, 51:12, 53:25  
**compared** [1] - 61:10  
**comparing** [1] - 46:10  
**compete** [2] - 24:15, 31:16  
**competition** [1] - 31:5  
**complete** [1] - 7:21  
**completed** [4] - 22:10, 22:17, 35:12, 67:13  
**completely** [1] - 44:18  
**completing** [1] - 38:11  
**complicity** [2] - 24:22, 27:6  
**component** [1] - 56:15  
**comprehensive** [1] - 26:22  
**compromise** [2] - 27:15, 63:3  
**computer** [1] - 81:8  
**computer-aided** [1] - 81:8  
**concern** [3] - 31:14, 43:2, 44:2  
**concerned** [1] - 20:1  
**concerns** [1] - 60:7  
**concise** [1] - 13:5  
**conclude** [1] - 75:13  
**concluded** [2] - 79:14, 79:23  
**concludes** [1] - 78:20  
**conclusion** [1] - 75:23  
**conditions** [2] - 6:17, 30:16  
**conduct** [2] - 2:25, 66:7  
**conducted** [1] - 2:24  
**conducting** [1] - 9:15  
**Conference** [2] - 1:20, 2:2  
**confident** [1] - 59:23  
**conflicting** [1] - 66:16  
**confused** [1] - 45:17  
**congested** [1] - 64:4  
**Congress** [1] - 44:12  
**connect** [2] - 3:9, 5:25  
**connected** [1] - 4:18  
**Connecticut** [2] - 32:11, 64:12  
**connecting** [1] - 37:3  
**connection** [1] - 67:13

**connections** [1] - 36:20  
**connects** [2] - 3:12, 4:17  
**consecutive** [1] - 49:10  
**consequence** [3] - 52:4, 52:17, 54:14  
**consequential** [1] - 52:6  
**consequencing** [1] - 52:5  
**conservation** [9] - 7:11, 17:19, 17:22, 29:25, 35:21, 36:6, 42:22, 50:6, 50:7  
**Conservation** [2] - 1:3, 7:14  
**conservationist** [1] - 9:18  
**consider** [6] - 24:2, 26:5, 30:14, 30:20, 33:4, 35:24  
**considerable** [1] - 31:5  
**consideration** [5] - 12:22, 31:11, 46:17, 46:25, 79:10  
**considered** [2] - 21:15, 28:24  
**consist** [1] - 3:7  
**constant** [1] - 61:17  
**construct** [1] - 3:4  
**construction** [13] - 4:10, 5:3, 7:21, 15:18, 27:19, 34:25, 38:14, 40:6, 42:2, 43:20, 67:11, 67:12  
**consulted** [1] - 42:14  
**contemplating** [1] - 26:24  
**continue** [6] - 6:22, 41:18, 42:14, 43:6, 61:1, 75:11  
**continued** [3] - 36:7, 46:4, 52:24  
**continuous** [1] - 26:1  
**continuously** [1] - 42:16  
**contour** [1] - 6:7  
**contract** [2] - 31:21, 31:23  
**contractors** [1] - 40:2  
**contracts** [3] - 31:2, 32:25, 33:7  
**contrary** [3] - 24:12, 29:4, 29:9  
**contrast** [1] - 27:25  
**contribute** [4] - 36:19, 48:20, 55:23, 75:17

**contributed** [1] - 41:15  
**contribution** [7] - 10:11, 35:15, 37:9, 43:22, 52:20, 56:17, 56:20  
**control** [1] - 25:6  
**controlled** [1] - 22:22  
**cooling** [1] - 49:4  
**cooperation** [1] - 24:24  
**cooperative** [3] - 15:7, 19:10, 59:1  
**corporate** [1] - 49:12  
**Corporation** [3] - 34:2, 34:4, 34:8  
**corporation** [5] - 15:12, 15:17, 15:22, 35:7, 76:7  
**corporations** [4] - 29:12, 49:11, 52:8, 52:25  
**Corps** [1] - 42:11  
**correct** [1] - 12:17  
**correctly** [2] - 13:21, 23:12  
**corridor** [1] - 7:7  
**corridors** [1] - 37:11  
**cost** [4] - 31:9, 50:20, 53:23, 77:21  
**costs** [2] - 45:22, 77:23  
**council** [1] - 54:14  
**countries** [1] - 69:17  
**country** [6] - 36:5, 36:23, 36:24, 37:11, 65:10, 69:16  
**County** [15] - 3:6, 7:7, 9:12, 35:23, 41:15, 41:22, 49:25, 51:20, 51:22, 52:1, 53:7, 53:8, 53:10, 54:1, 54:16  
**county** [2] - 52:3, 55:9  
**couple** [2] - 62:8, 65:14  
**course** [1] - 10:18  
**court** [3] - 2:18, 32:16, 58:9  
**Court** [2] - 1:25, 81:18  
**courtesy** [1] - 9:8  
**courts** [1] - 14:20  
**cove** [1] - 2:15  
**cover** [1] - 62:3  
**covered** [1] - 68:17  
**cranes** [1] - 5:23  
**create** [4] - 5:4, 32:24, 38:20, 55:11  
**created** [5] - 9:16, 53:8, 55:5, 67:7,

67:11  
**creates** [1] - 50:4  
**creating** [2] - 45:1, 55:7  
**creatures** [1] - 63:6  
**credentials** [1] - 47:10  
**credits** [1] - 31:3  
**criteria** [4] - 3:16, 8:13, 75:12, 75:22  
**critical** [1] - 78:16  
**critics** [1] - 31:21  
**CROCKETT** [1] - 9:9  
**Crockett** [1] - 9:10  
**Crosby** [1] - 5:11  
**cross** [2] - 22:23, 37:11  
**cross-country** [1] - 37:11  
**crystal** [1] - 64:18  
**cultural** [2] - 74:17, 78:12  
**culture** [1] - 25:12  
**cumulative** [3] - 78:21, 79:2, 79:3  
**current** [2] - 6:17, 69:14  
**customers** [2] - 30:24, 31:1  
**cut** [1] - 66:23  
**cutting** [1] - 59:25

## D

**D-a-r-i-e-n-z-o** [1] - 51:5  
**D.C** [1] - 47:16  
**daily** [1] - 15:4  
**Dain** [4] - 58:17, 65:24, 66:1, 77:25  
**damage** [1] - 48:16  
**damaging** [1] - 24:8  
**dams** [1] - 32:10  
**danger** [1] - 59:17  
**dare** [1] - 62:19  
**DARIENZZO** [2] - 47:3, 51:5  
**Darienzo** [1] - 47:3  
**date** [5] - 7:16, 8:21, 41:14, 58:11, 79:23  
**dated** [1] - 75:1  
**daughter** [1] - 47:8  
**day-to-day** [2] - 64:3, 64:13  
**days** [6] - 8:17, 8:18, 13:11, 72:11, 79:17, 79:19  
**dead** [1] - 14:22  
**deal** [2] - 31:18, 61:12  
**dear** [1] - 69:14  
**debates** [1] - 66:15

**decade's** [1] - 25:23  
**DECD** [2] - 56:6, 56:11  
**decibel** [1] - 6:11  
**decimated** [1] - 79:7  
**decision** [1] - 35:22  
**decision-making** [1] - 35:22  
**decisions** [3] - 7:19, 25:17, 61:25  
**declare** [1] - 79:21  
**declared** [1] - 28:18  
**declares** [2] - 78:7, 78:21  
**decline** [1] - 67:22  
**decommissioning** [1] - 27:20  
**decrease** [1] - 73:13  
**decreasing** [1] - 48:9  
**dedicated** [1] - 35:21  
**dedication** [1] - 27:4  
**deemed** [2] - 56:8, 74:10  
**deep** [1] - 41:8  
**define** [1] - 57:7  
**definitely** [1] - 68:25  
**definitive** [2] - 48:2, 48:5  
**defy** [1] - 60:2  
**degradation** [3] - 27:8, 27:18, 78:15  
**degree** [2] - 39:3, 54:18  
**delayed** [1] - 24:14  
**delaying** [1] - 24:16  
**delicate** [1] - 59:22  
**deliver** [1] - 33:12  
**delivered** [1] - 31:6  
**delivery** [1] - 31:6  
**demand** [1] - 77:21  
**demonstrate** [1] - 33:6  
**demonstrated** [1] - 27:12  
**denial** [3] - 10:6, 11:21, 27:22  
**denied** [1] - 33:5  
**Denmark** [1] - 61:18  
**density** [2] - 74:4  
**denying** [1] - 27:14  
**Department** [1] - 1:3  
**department** [7] - 7:1, 10:23, 17:19, 17:21, 42:7, 42:8, 56:13  
**deputy** [1] - 75:1  
**descending** [1] - 69:7  
**describe** [1] - 66:11  
**described** [1] - 69:25  
**deserves** [1] - 46:24  
**design** [1] - 75:20  
**desire** [1] - 38:1

**desperately** [1] - 11:14  
**despite** [3] - 27:3, 27:5, 71:9  
**destroy** [4] - 45:2, 65:2, 65:5, 70:10  
**destroying** [1] - 70:11  
**destroys** [1] - 59:21  
**destruction** [2] - 27:15, 78:16  
**destructive** [1] - 24:6  
**determine** [2] - 9:23, 25:8  
**determined** [2] - 8:19, 35:13  
**devastating** [1] - 44:23  
**devastation** [2] - 27:18, 44:19  
**develop** [6] - 10:13, 33:17, 37:25, 38:1, 50:10, 56:11  
**developed** [3] - 9:22, 38:8, 63:2  
**developer** [1] - 65:4  
**developers** [3] - 24:13, 60:18, 64:1  
**developers'** [1] - 63:2  
**development** [34] - 3:2, 3:3, 3:5, 3:6, 3:16, 7:4, 7:7, 25:24, 28:1, 28:2, 28:3, 28:7, 41:3, 41:9, 51:12, 51:22, 51:23, 55:23, 56:5, 56:14, 63:25, 70:9, 71:9, 72:22, 72:25, 73:2, 74:3, 74:5, 74:11, 74:13, 76:14, 77:23, 79:4  
**Development** [4] - 1:14, 1:15, 70:8, 81:6  
**develops** [1] - 26:13  
**dialogue** [1] - 9:16  
**Dick** [4] - 39:14, 58:13, 58:16, 58:22  
**Didisheim** [2] - 54:13, 57:19  
**difference** [2] - 40:9, 40:11  
**different** [7] - 10:20, 12:16, 19:14, 40:2, 43:18, 44:5, 64:10  
**difficult** [1] - 36:13  
**difficulties** [1] - 36:10  
**diluted** [1] - 54:20  
**diminish** [1] - 75:19  
**diminishes** [1] - 75:9  
**dioxide** [3] - 43:1,

48:25  
**direct** [3] - 3:15, 48:15, 72:13  
**direction** [3] - 11:10, 11:11, 65:16  
**directly** [1] - 5:12  
**Director** [1] - 17:14  
**director** [5] - 2:14, 17:20, 20:6, 37:20, 41:3  
**directors** [3] - 35:6, 36:3, 37:14  
**disallocation** [1] - 57:1  
**disclose** [1] - 9:17  
**discriminating** [1] - 32:18  
**discuss** [2] - 69:13, 69:15  
**discussed** [1] - 24:11  
**discussion** [3] - 53:3, 57:5, 79:2  
**disinterested** [1] - 81:11  
**Disney** [1] - 56:7  
**disrupted** [1] - 49:22  
**distinct** [1] - 9:10  
**distinguished** [1] - 65:18  
**distributed** [2] - 55:14, 56:19  
**district** [4] - 9:11, 32:16, 55:6  
**districts** [1] - 3:19  
**division** [1] - 2:21  
**document** [2] - 66:18, 67:8  
**documentation** [1] - 77:17  
**documents** [1] - 47:17  
**dollar** [1] - 72:9  
**dollars** [3] - 16:24, 68:11, 68:24  
**dominate** [1] - 60:11  
**Don** [1] - 1:24  
**donated** [2] - 50:5, 50:6  
**donation** [1] - 35:9  
**done** [9] - 6:2, 18:24, 29:15, 33:12, 40:21, 42:20, 46:5, 48:16, 67:10  
**donut** [1] - 57:21  
**door** [1] - 57:18  
**doors** [2] - 39:20, 43:23  
**dotted** [1] - 69:22  
**doubt** [1] - 49:21  
**down** [8] - 7:15, 11:12, 14:23, 44:16, 65:10,

65:11, 66:2, 70:5  
**DP** [3] - 1:14, 3:2, 81:6  
**dramatic** [1] - 44:5  
**draw** [1] - 50:23  
**dream** [1] - 64:20  
**drink** [1] - 64:19  
**drive** [1] - 65:16  
**dubious** [1] - 26:1  
**due** [6] - 18:17, 30:16, 34:9, 40:5, 49:4, 71:11  
**duluth** [1] - 20:24  
**Duluth** [7] - 13:24, 20:11, 20:16, 20:17, 20:18, 21:19, 23:5  
**dune** [1] - 78:10  
**duration** [1] - 34:16  
**during** [5] - 25:4, 30:18, 41:13, 43:20, 79:19

## E

**e-mail** [2] - 33:24, 40:18  
**eagerly** [1] - 68:18  
**Earl** [1] - 20:13  
**earned** [1] - 68:11  
**earth** [4] - 15:24, 48:22, 64:24, 65:21  
**earth's** [1] - 49:4  
**easements** [1] - 22:4  
**east** [2] - 18:5, 36:2  
**Eastport** [1] - 18:3  
**easy** [1] - 9:14  
**eat** [2] - 50:24, 68:20  
**echo** [1] - 61:20  
**ecological** [2] - 41:25, 59:22  
**economic** [22] - 11:14, 16:1, 17:3, 25:24, 32:20, 39:20, 41:12, 41:20, 49:24, 50:2, 50:15, 55:23, 56:13, 71:12, 71:23, 72:21, 72:22, 72:24, 73:18, 74:3, 77:24, 78:17  
**economical** [1] - 50:2  
**economically** [1] - 56:9  
**economies** [3] - 47:18, 50:22, 61:1  
**economy** [7] - 10:17, 40:7, 41:13, 43:2, 43:7, 50:1, 78:24  
**ecotourism** [2] - 10:4, 11:6  
**Ed** [2] - 2:10, 2:11  
**education** [2] - 66:13, 66:14  
**educational** [4] - 17:23, 41:16, 53:4  
**Edward** [1] - 19:5  
**effect** [8] - 44:21, 54:20, 60:8, 66:21, 74:17, 78:21, 79:3, 79:4  
**effective** [1] - 77:23  
**effects** [8] - 10:24, 12:1, 41:25, 50:14, 74:23, 75:12, 75:22, 75:24  
**efficacy** [1] - 26:3  
**efficiencies** [1] - 38:14  
**effort** [1] - 48:15  
**eight** [3] - 14:21, 44:3, 47:12  
**eight-time** [1] - 47:12  
**either** [1] - 72:25  
**elaborate** [1] - 54:10  
**elders** [1] - 44:10  
**electric** [4] - 31:6, 31:22, 32:2, 32:10  
**electrical** [1] - 26:4  
**electricity** [16] - 30:2, 30:7, 30:13, 30:20, 30:22, 30:23, 30:25, 31:6, 31:25, 32:14, 33:7, 33:13, 46:3, 55:1, 66:20, 67:9  
**element** [1] - 28:5  
**elements** [1] - 75:18  
**elephant** [1] - 25:25  
**elevation** [1] - 27:19  
**eligible** [2] - 55:24, 56:12  
**eliminate** [1] - 54:23  
**elsewhere** [1] - 70:3  
**embassador** [1] - 68:5  
**emerged** [1] - 61:7  
**emergency** [1] - 38:19  
**emissions** [6] - 43:1, 61:12, 61:18, 66:25, 67:4, 67:7  
**emit** [1] - 77:1  
**emperor** [4] - 62:9, 62:14, 62:17, 62:22  
**Emperor's** [1] - 62:5  
**employ** [2] - 16:8, 16:12  
**employed** [2] - 38:15, 68:4  
**employee** [1] - 47:4  
**employees** [4] - 34:3, 34:8, 34:13, 77:10  
**employing** [2] - 39:3, 40:2  
**employment** [1] - 45:20

**empty** [1] - 62:16  
**enacted** [1] - 38:19  
**enchanted** [1] - 69:12  
**encourage** [2] - 18:17, 68:23  
**encouraged** [1] - 56:1  
**encouraging** [1] - 18:18  
**end** [2] - 5:20, 23:22  
**endangered** [1] - 21:13  
**endless** [2] - 65:14  
**endowing** [1] - 52:24  
**ends** [2] - 19:4, 39:21  
**energies** [1] - 37:21  
**energy** [45] - 3:4, 3:6, 10:5, 11:9, 11:12, 12:4, 18:23, 19:17, 20:1, 20:2, 24:9, 24:10, 24:11, 24:18, 27:11, 30:4, 31:3, 31:8, 32:4, 32:6, 32:7, 32:18, 32:23, 33:1, 33:2, 42:18, 43:10, 45:1, 45:7, 46:6, 46:15, 46:22, 48:15, 48:22, 49:3, 49:8, 49:20, 50:3, 50:9, 52:15, 52:20, 54:6  
**Engineers** [1] - 42:11  
**England** [10] - 4:18, 30:22, 31:4, 31:5, 31:11, 31:14, 64:8, 64:10, 65:7, 70:3  
**enhancement** [1] - 73:21  
**enhancing** [2] - 73:7, 73:10  
**enjoy** [2] - 23:3, 64:6  
**enjoyed** [2] - 14:13, 76:12  
**enjoyment** [1] - 28:7  
**ensure** [5] - 42:17, 48:17, 49:18, 74:16, 76:1  
**enterprise** [1] - 55:17  
**enterprises** [2] - 37:21, 39:1  
**enthusiastic** [1] - 38:5  
**entire** [2] - 42:22, 44:17  
**entities** [1] - 17:23  
**entity** [1] - 8:8  
**entrance** [2] - 13:20, 14:23  
**environment** [8] - 42:20, 49:21, 50:2, 50:9, 74:22, 77:5, 78:23

**environmental** [9] - 27:11, 42:4, 45:6, 47:14, 49:12, 63:3, 71:12, 78:13, 78:17  
**Environmental** [1] - 42:8  
**environmentalists** [1] - 47:16  
**environmentally** [5] - 24:8, 41:23, 43:10, 44:25, 49:7  
**envision** [1] - 69:21  
**equal** [1] - 32:5  
**equivalent** [1] - 6:17  
**era** [1] - 20:1  
**escalates** [1] - 31:20  
**escape** [1] - 64:5  
**especially** [7] - 15:5, 28:3, 36:9, 61:23, 65:10, 77:17, 77:24  
**essential** [1] - 67:18  
**establish** [1] - 37:3  
**established** [5] - 11:25, 20:6, 22:19, 36:24, 59:22  
**establishment** [1] - 36:20  
**estate** [1] - 73:12  
**estimate** [1] - 31:21  
**estimates** [1] - 16:5  
**eternity** [1] - 65:6  
**Europe** [1] - 61:13  
**Eustis** [12] - 6:23, 10:12, 12:1, 16:21, 20:14, 20:15, 30:9, 35:25, 37:4, 58:22, 71:7, 71:19  
**Eustis/Stratton** [1] - 14:6  
**evaluated** [1] - 9:20  
**evaluation** [1] - 51:21  
**evening** [18] - 2:6, 2:13, 4:2, 9:2, 15:11, 20:12, 20:18, 23:13, 23:19, 29:17, 34:7, 37:17, 39:15, 40:25, 45:12, 47:6, 58:21, 59:11  
**evening's** [2] - 2:22, 3:1  
**event** [1] - 81:12  
**events** [1] - 76:5  
**evidence** [3] - 3:15, 8:20, 79:20  
**evident** [1] - 54:17  
**examine** [1] - 60:9  
**example** [2] - 16:2, 38:7  
**examples** [1] - 27:17  
**excavation** [1] - 16:19

**exchanges** [1] - 67:17  
**excise** [2] - 54:25, 55:13  
**excitement** [2] - 68:12, 68:24  
**exciting** [1] - 41:21  
**excluded** [1] - 8:15  
**exclusively** [1] - 30:23  
**excuse** [2] - 17:9, 54:8  
**executive** [1] - 14:6  
**exemplary** [1] - 53:25  
**exemplifies** [1] - 50:8  
**existed** [2] - 36:14, 76:8  
**existing** [11] - 3:10, 3:11, 3:12, 4:19, 5:5, 5:15, 6:10, 66:9, 66:21, 66:24, 74:22  
**exists** [1] - 25:14  
**expanded** [1] - 41:19  
**expanding** [1] - 41:20  
**expands** [1] - 56:25  
**expansion** [9] - 21:3, 30:19, 38:6, 38:12, 41:5, 41:24, 42:14, 43:11, 59:7  
**Expansion** [6] - 1:16, 4:6, 4:21, 5:8, 66:3, 75:21  
**expected** [1] - 60:23  
**expects** [1] - 28:12  
**expedited** [6] - 11:24, 30:6, 30:18, 38:8, 38:18, 57:18  
**expedition** [1] - 21:23  
**Expedition** [2] - 7:10, 21:2  
**expeditious** [1] - 20:4  
**expendable** [1] - 76:25  
**expense** [1] - 66:8  
**expenses** [1] - 17:1  
**expensive** [1] - 67:3  
**experience** [6] - 60:4, 61:14, 68:10, 68:22, 70:4, 73:15  
**experienced** [1] - 43:20  
**expires** [1] - 81:20  
**explain** [2] - 16:6, 35:14  
**exploit** [1] - 31:24  
**exploitation** [1] - 27:4  
**exploited** [2] - 24:7, 61:3  
**explore** [2] - 46:7, 73:4  
**explored** [1] - 55:7  
**export** [1] - 77:20  
**exportation** [1] - 31:7

**exports** [1] - 31:10  
**express** [1] - 58:23  
**expressed** [1] - 31:14  
**expressing** [1] - 34:3  
**extensive** [2] - 27:18, 44:3  
**extensiveness** [1] - 28:6  
**extent** [2] - 11:6, 75:10  
**extinct** [1] - 21:12  
**extracting** [1] - 24:4  
**extremely** [2] - 49:7, 49:24  
**Exxon** [1] - 44:13  
**eyes** [2] - 68:13, 68:14

## F

**fabulous** [1] - 62:17  
**face** [1] - 24:17  
**faces** [1] - 46:2  
**facilitating** [1] - 37:10  
**facility** [5] - 18:4, 18:5, 24:4, 28:20, 30:25  
**fact** [10] - 9:17, 14:21, 15:17, 42:21, 49:5, 50:8, 66:5, 71:7, 71:8, 71:10  
**facts** [4] - 16:3, 16:5, 60:9, 61:8  
**fad** [1] - 62:2  
**fail** [1] - 33:3  
**fairfield** [1] - 19:13  
**fairly** [1] - 69:3  
**fairytale** [1] - 62:6  
**fall** [3] - 7:18, 7:22, 38:4  
**fallout** [2] - 44:20, 50:15  
**false** [1] - 61:19  
**familiar** [2] - 26:12, 68:12  
**families** [3] - 15:19, 16:9, 40:10  
**family** [2] - 63:25, 64:17  
**Famous** [1] - 2:21  
**famous** [1] - 65:17  
**far** [11] - 12:8, 20:1, 24:10, 24:13, 42:1, 42:13, 49:17, 70:11, 73:20, 74:8, 74:15  
**farm** [4] - 43:11, 51:1, 51:12, 55:7  
**Farmington** [2] - 29:18, 67:23  
**farms** [7] - 19:9, 30:6, 49:5, 54:23, 55:1, 65:3, 65:12

**FARRAND** [1] - 2:15  
**farrand** [1] - 2:15  
**fashion** [1] - 38:19  
**fault** [1] - 29:6  
**favor** [4] - 14:9, 14:18, 18:16, 48:23  
**features** [3] - 75:9, 75:16, 75:20  
**February** [1] - 75:3  
**Fecteau** [5] - 23:9, 29:18, 33:21, 67:23, 77:18  
**FECTEAU** [3] - 29:17, 33:11, 33:23  
**federal** [3] - 42:3, 42:10, 42:12  
**felt** [1] - 20:19  
**few** [8] - 13:17, 16:17, 28:13, 60:11, 65:6, 71:10, 72:19, 75:5  
**fewer** [1] - 60:15  
**fickle** [2] - 25:17, 60:21  
**field** [1] - 34:25  
**field-based** [1] - 34:25  
**Fifth** [1] - 1:11  
**fifth** [1] - 23:11  
**fight** [1] - 50:12  
**filed** [3] - 7:17, 32:15, 79:19  
**film** [1] - 47:17  
**filming** [1] - 47:21  
**final** [2] - 8:23, 79:13  
**finally** [4] - 7:13, 10:6, 62:18, 64:20  
**finance** [1] - 41:4  
**financial** [5] - 9:25, 24:24, 27:7, 43:19, 60:24  
**finish** [2] - 13:6, 21:7  
**finished** [1] - 16:7  
**fired** [1] - 61:16  
**firm** [1] - 8:7  
**first** [18] - 9:8, 9:20, 13:14, 13:22, 13:25, 15:23, 16:7, 19:10, 20:6, 20:9, 23:25, 26:21, 43:21, 48:3, 48:18, 66:20, 69:7  
**fish** [2] - 42:11, 76:7  
**fisheries** [1] - 42:7  
**fishing** [4] - 44:17, 60:16, 76:10, 76:11  
**fit** [1] - 62:12  
**fits** [3] - 38:4, 38:21, 70:3  
**five** [9] - 13:6, 13:14, 13:22, 14:23, 23:7, 36:22, 39:13, 58:16, 64:18

**Flagstaff** [2] - 29:22, 58:23  
**flavor** [1] - 16:17  
**flicker** [1] - 6:4  
**flimsy** [1] - 62:1  
**flora** [1] - 63:6  
**flourish** [1] - 63:6  
**flowing** [1] - 60:7  
**fly** [3] - 24:17, 52:16, 68:6  
**focus** [2] - 36:14, 76:13  
**focused** [1] - 48:15  
**folks** [6] - 16:8, 16:12, 18:24, 19:12, 20:1  
**follow** [4] - 25:10, 31:15, 40:19, 53:24  
**follow-up** [1] - 40:19  
**following** [4] - 23:3, 27:24, 47:25, 66:19  
**follows** [1] - 42:3  
**fooled** [1] - 63:2  
**footing** [1] - 32:5  
**footpath** [2] - 22:18, 23:3  
**footpaths** [1] - 22:5  
**footprint** [1] - 5:15  
**force** [8] - 26:6, 26:9, 37:22, 37:24, 38:18, 38:22, 69:16  
**forced** [1] - 66:23  
**foregoing** [2] - 29:13, 81:9  
**foreign** [1] - 52:7  
**foremost** [1] - 48:18  
**forest** [3] - 27:17, 36:6, 38:5  
**foresters** [1] - 21:8  
**forests** [2] - 59:25, 63:9  
**forever** [1] - 59:18  
**forget** [1] - 3:21  
**forks** [3] - 16:14, 57:13  
**form** [5] - 14:15, 37:13, 43:9, 48:20, 81:8  
**formed** [2] - 21:24, 50:11  
**forms** [1] - 32:5  
**fort** [1] - 19:13  
**forth** [5] - 15:2, 15:4, 18:7, 48:15, 75:13  
**fortunate** [1] - 26:7  
**fortunately** [1] - 34:16  
**fortune** [1] - 45:19  
**forward** [7] - 17:7, 20:21, 20:22, 26:16, 27:6, 52:17, 73:5

**fossil** [5] - 24:1, 24:5, 47:23, 66:22, 67:5  
**founder** [2] - 47:14, 51:10  
**four** [2] - 10:4, 74:7  
**fourth** [1] - 49:9  
**fragile** [1] - 78:8  
**Franklin** [16] - 3:6, 7:7, 9:12, 35:23, 41:15, 41:21, 49:25, 51:20, 51:22, 52:1, 52:3, 53:7, 53:8, 53:10, 54:1, 54:16  
**free** [1] - 11:20  
**freely** [1] - 60:7  
**frequent** [1] - 78:21  
**freshwater** [1] - 78:8  
**friendly** [1] - 49:8  
**friends** [2] - 29:20, 39:17  
**front** [3] - 11:18, 66:15, 67:17  
**frontage** [1] - 74:6  
**fuel** [5] - 16:24, 16:25, 47:23, 66:22, 67:5  
**fuels** [5] - 24:1, 24:5, 49:3, 50:16, 50:17  
**fulfill** [1] - 25:18  
**full** [3] - 5:4, 67:11, 81:9  
**full-time** [2] - 5:4, 67:11  
**funded** [1] - 71:22  
**funding** [2] - 22:11, 22:16  
**funds** [5] - 7:1, 7:14, 55:24, 56:2, 56:4  
**future** [4] - 22:1, 57:3, 65:20, 78:13

## G

**gain** [1] - 10:9  
**gallon** [1] - 46:3  
**Game** [1] - 76:7  
**game** [2] - 21:8, 69:9  
**garner** [1] - 70:12  
**gas** [4] - 18:3, 18:4, 18:7, 24:15  
**gateway** [1] - 53:3  
**general** [3] - 27:25, 58:5, 78:18  
**general's** [1] - 55:4  
**generally** [2] - 9:18, 25:8  
**generate** [2] - 15:16, 31:25  
**generated** [4] - 19:18, 30:25, 49:4, 67:9  
**generating** [1] - 11:9

**generation** [7] - 26:4, 31:15, 31:24, 38:20, 42:25, 67:5  
**generations** [6] - 22:1, 25:22, 26:18, 47:17, 48:17, 65:21  
**generators** [1] - 66:23  
**generous** [4] - 37:9, 43:3, 60:21, 60:22  
**gentleman** [1] - 23:25  
**gentlemen** [2] - 9:9, 58:21  
**geological** [1] - 17:19  
**Geological** [1] - 17:21  
**geologist** [6] - 17:17, 17:20, 18:1, 18:10, 19:16, 23:25  
**George** [1] - 65:18  
**gifts** [2] - 60:22, 71:20  
**gist** [1] - 77:4  
**given** [6] - 10:25, 38:1, 38:10, 53:11, 71:20, 81:10  
**GL** [1] - 16:21  
**glaciers** [1] - 44:6  
**glad** [3] - 7:24, 15:12, 39:6  
**glass** [1] - 68:16  
**GLENN** [1] - 70:21  
**Glenn** [5] - 23:9, 33:20, 34:1, 58:19, 70:22  
**global** [8] - 43:2, 43:9, 44:1, 44:7, 48:20, 49:10, 49:16, 50:3  
**globally** [1] - 63:11  
**globe** [1] - 47:19  
**glory** [1] - 48:6  
**gloss** [1] - 68:14  
**goal** [4] - 11:8, 12:3, 27:11, 38:23  
**goals** [2] - 25:20, 38:22  
**God** [1] - 12:16  
**gold** [2] - 14:23, 48:6  
**Gold** [2] - 5:7, 5:18  
**Gore** [1] - 22:18  
**gouging** [1] - 59:24  
**government** [2] - 17:25, 49:13  
**government's** [1] - 53:11  
**governor** [3] - 28:17, 72:18, 73:3  
**governor's** [2] - 26:6, 37:22  
**grace** [2] - 22:19, 64:5  
**graceful** [1] - 19:22  
**graduate** [1] - 47:11  
**grand** [1] - 60:18

**Grand** [2] - 1:20, 2:2  
**grandeur** [1] - 70:4  
**granting** [1] - 70:8  
**grasp** [1] - 68:10  
**grassroots** [2] - 35:7, 35:20  
**great** [12] - 9:11, 11:7, 21:23, 22:8, 42:1, 60:7, 63:12, 68:6, 73:22, 78:7, 78:8, 78:11  
**greater** [8] - 9:23, 27:25, 28:2, 72:4, 76:20, 76:22, 78:4  
**greatly** [1] - 9:18  
**green** [6] - 7:1, 11:9, 77:2, 77:7, 77:9, 77:18  
**Greenbush** [1] - 14:12  
**Greenville** [2] - 55:17, 55:19  
**grew** [3] - 41:7, 47:9, 63:22  
**grid** [4] - 4:18, 31:17, 66:22, 67:2  
**ground** [1] - 44:1  
**group** [3] - 22:11, 40:15, 47:14  
**groups** [2] - 37:2, 61:16  
**grow** [3] - 11:13, 41:18, 54:7  
**grows** [2] - 56:24, 63:10  
**growth** [1] - 41:20  
**guarantee** [1] - 26:17  
**guard** [1] - 50:15  
**guess** [4] - 13:2, 19:14, 58:13, 70:17  
**guide** [2] - 22:13, 22:17  
**guidelines** [3] - 42:4, 49:23, 74:16  
**guides** [2] - 36:4, 60:15  
**Gulf** [1] - 18:11  
**gulf** [3] - 44:21, 44:22, 45:25  
**Gwen** [1] - 2:6

## H

**habit** [2] - 18:20, 18:21  
**habitat** [4] - 7:14, 27:15, 63:6, 78:9  
**half** [3] - 4:22, 31:18, 64:15  
**hallway** [1] - 12:12  
**Hampshire** [2] -

31:10, 64:6  
**hand** [4] - 3:22, 9:3, 20:25, 81:13  
**handed** [1] - 61:15  
**hands** [1] - 60:19  
**handwriting** [1] - 13:22  
**hangs** [1] - 26:2  
**Hans** [1] - 62:6  
**happy** [3] - 58:2, 59:7, 68:23  
**hard** [4] - 34:8, 36:9, 68:11, 69:4  
**hard-earned** [1] - 68:11  
**harmful** [1] - 48:21  
**harmoniously** [1] - 74:22  
**harms** [1] - 32:25  
**harness** [1] - 48:14  
**Harriet** [2] - 58:18, 67:21  
**harsh** [2] - 30:16, 77:12  
**harshly** [1] - 44:11  
**harvesting** [1] - 76:4  
**Haskell** [1] - 20:7  
**haste** [1] - 18:18  
**hate** [2] - 57:22, 74:11  
**he-said** [1] - 67:17  
**heading** [1] - 27:24  
**headmaster** [1] - 45:13  
**heal** [1] - 64:24  
**health** [1] - 78:18  
**hear** [7] - 15:15, 16:4, 16:5, 20:22, 68:13, 71:6, 79:13  
**heard** [10] - 10:9, 23:23, 24:23, 25:15, 36:11, 61:20, 69:20, 72:1, 73:14, 79:2  
**hearing** [19] - 1:11, 2:1, 2:8, 2:22, 2:24, 3:1, 3:14, 8:6, 8:8, 8:16, 8:22, 8:24, 9:15, 58:11, 79:15, 79:21, 79:23, 81:5, 81:6  
**Hearing** [1] - 1:11  
**hearings** [2] - 2:25, 30:19  
**heart** [1] - 69:15  
**hearts** [1] - 69:11  
**heating** [1] - 49:4  
**heavily** [1] - 64:11  
**heavy** [1] - 15:5  
**height** [1] - 22:8  
**held** [7] - 1:20, 2:22, 3:1, 33:15, 58:10,

60:6, 81:6  
**hello** [2] - 9:9, 43:15  
**help** [7] - 10:13, 39:19, 43:19, 45:22, 46:22, 63:14  
**helped** [2] - 19:11, 35:10  
**helpful** [1] - 13:9  
**helping** [1] - 57:10  
**helps** [2] - 7:3, 40:16  
**hereby** [1] - 81:5  
**High** [3] - 35:14, 35:20, 37:1  
**high** [11] - 7:6, 10:22, 27:19, 29:25, 35:5, 35:23, 35:24, 36:2, 36:21, 52:8, 71:17  
**higher** [1] - 77:1  
**highest** [1] - 59:21  
**hike** [4] - 23:2, 47:22, 64:19  
**hikers** [2] - 36:3, 37:11  
**hiking** [2] - 19:13, 76:10  
**Hill** [2] - 19:9, 24:14  
**hillside** [1] - 28:3  
**HILTON** [26] - 2:6, 2:17, 8:2, 9:6, 12:23, 13:2, 15:9, 29:14, 29:16, 33:9, 33:19, 39:8, 40:23, 43:13, 45:10, 47:1, 57:22, 58:8, 58:12, 59:9, 63:16, 65:23, 67:20, 68:1, 70:14, 79:12  
**Hilton** [3] - 2:7, 51:7, 65:25  
**hindered** [1] - 11:6  
**hired** [2] - 16:16, 16:18  
**historic** [9] - 42:8, 69:9, 74:24, 75:1, 75:11, 75:17, 75:20, 75:24, 76:6  
**Historical** [2] - 20:24, 21:21  
**historical** [5] - 6:5, 21:2, 22:14, 35:18, 78:13  
**History** [1] - 7:10  
**history** [1] - 69:11  
**hit** [1] - 71:17  
**hoc** [1] - 11:20  
**holidays** [1] - 59:16  
**home** [1] - 16:10  
**honest** [1] - 43:7  
**hope** [5] - 12:20, 20:3, 24:2, 38:24, 68:21  
**hopeful** [1] - 7:18

<p><b>hopefully</b> [3] - 36:12, 40:16, 41:19</p> <p><b>hoping</b> [1] - 27:2</p> <p><b>Horn</b> [1] - 2:20</p> <p><b>Horn-Olsen</b> [1] - 2:20</p> <p><b>horrible</b> [1] - 62:2</p> <p><b>horrified</b> [1] - 45:25</p> <p><b>host</b> [6] - 71:7, 71:8, 71:11, 71:18, 73:20, 78:3</p> <p><b>hot</b> [1] - 72:8</p> <p><b>hotel</b> [1] - 56:7</p> <p><b>hotels</b> [1] - 60:16</p> <p><b>hour</b> [2] - 31:19, 64:15</p> <p><b>hours</b> [2] - 30:13, 34:23</p> <p><b>houses</b> [1] - 60:14</p> <p><b>Hudson</b> [1] - 51:10</p> <p><b>huge</b> [6] - 43:22, 43:23, 52:4, 61:4, 61:10, 61:25</p> <p><b>human</b> [3] - 21:17, 49:13, 65:21</p> <p><b>humbling</b> [1] - 46:9</p> <p><b>hundreds</b> [1] - 15:19</p> <p><b>hunters</b> [1] - 36:4</p> <p><b>hunting</b> [1] - 51:11</p> <p><b>husband</b> [1] - 41:7</p> <p><b>hydro</b> [11] - 11:16, 31:6, 31:8, 31:12, 31:24, 32:2, 32:3, 32:4, 32:5, 32:7, 32:10</p> <p><b>hydro-based</b> [1] - 31:8</p> <p><b>hydrocarbon</b> [2] - 18:12, 18:20</p> <p><b>hydrocarbons</b> [1] - 18:15</p>	<p>28:2, 28:12, 28:23, 34:24, 47:18, 51:15, 57:7, 57:25, 64:2, 76:2, 76:15</p> <p><b>impacted</b> [2] - 28:22, 44:4</p> <p><b>impacts</b> [6] - 11:25, 28:18, 42:19, 49:20, 71:23, 78:17</p> <p><b>implication</b> [1] - 10:6</p> <p><b>implications</b> [2] - 10:5, 57:6</p> <p><b>implored</b> [1] - 56:13</p> <p><b>importance</b> [2] - 21:23, 63:11</p> <p><b>important</b> [9] - 21:16, 26:5, 28:5, 38:24, 40:14, 43:1, 46:12, 49:24, 67:15</p> <p><b>importantly</b> [1] - 12:14</p> <p><b>imposing</b> [1] - 69:21</p> <p><b>impossible</b> [1] - 67:2</p> <p><b>impromptu</b> [1] - 23:24</p> <p><b>improve</b> [2] - 39:23, 73:19</p> <p><b>improvements</b> [2] - 39:22, 40:4</p> <p><b>improves</b> [2] - 73:6, 73:10</p> <p><b>IN</b> [1] - 81:13</p> <p><b>in-state</b> [2] - 32:20, 32:23</p> <p><b>inaction</b> [1] - 50:20</p> <p><b>inaudible</b> [2] - 75:13, 76:7</p> <p><b>Inc</b> [1] - 1:15</p> <p><b>include</b> [6] - 5:24, 10:21, 13:23, 36:3, 55:8, 76:10</p> <p><b>included</b> [2] - 42:6, 70:10</p> <p><b>includes</b> [1] - 23:8</p> <p><b>including</b> [3] - 19:8, 36:18, 76:2</p> <p><b>inconspicuous</b> [1] - 59:20</p> <p><b>incorporated</b> [2] - 3:4, 70:9</p> <p><b>increase</b> [1] - 52:5</p> <p><b>increases</b> [1] - 28:4</p> <p><b>increasing</b> [1] - 53:11</p> <p><b>increasingly</b> [1] - 27:5</p> <p><b>incredible</b> [1] - 64:22</p> <p><b>indeed</b> [2] - 9:23, 79:9</p> <p><b>India</b> [1] - 68:13</p> <p><b>indicate</b> [1] - 28:6</p> <p><b>indicated</b> [4] - 13:14, 23:8, 58:16, 70:16</p> <p><b>indigenous</b> [1] - 42:2</p> <p><b>indirectly</b> [1] - 9:21</p>	<p><b>individual</b> [3] - 8:7, 43:24, 72:13</p> <p><b>individuals</b> [5] - 10:7, 34:9, 36:18, 50:17, 52:8</p> <p><b>industrial</b> [4] - 59:18, 60:8, 61:5, 61:8</p> <p><b>industrialized</b> [1] - 59:15</p> <p><b>industry</b> [6] - 25:19, 31:13, 44:17, 48:11, 61:23, 68:4</p> <p><b>inferior</b> [1] - 76:25</p> <p><b>infinite</b> [1] - 28:17</p> <p><b>influence</b> [1] - 48:16</p> <p><b>influx</b> [2] - 43:19, 69:1</p> <p><b>information</b> [3] - 14:17, 61:6, 62:1</p> <p><b>informed</b> [2] - 45:17, 59:4</p> <p><b>informing</b> [1] - 4:4</p> <p><b>infrastructure</b> [1] - 5:5</p> <p><b>inherent</b> [1] - 55:3</p> <p><b>inherently</b> [1] - 48:18</p> <p><b>initiatives</b> [1] - 51:14</p> <p><b>injury</b> [1] - 27:10</p> <p><b>inland</b> [1] - 42:7</p> <p><b>innocence</b> [1] - 26:23</p> <p><b>installed</b> [1] - 7:16</p> <p><b>instance</b> [2] - 11:23, 12:19</p> <p><b>instead</b> [3] - 19:17, 54:24, 66:5</p> <p><b>institute</b> [1] - 63:8</p> <p><b>institutions</b> [1] - 53:4</p> <p><b>instrumental</b> [1] - 41:13</p> <p><b>insult</b> [1] - 27:10</p> <p><b>integral</b> [1] - 73:8</p> <p><b>integrated</b> [2] - 17:2, 49:6</p> <p><b>integrity</b> [3] - 43:8, 75:9, 75:19</p> <p><b>intend</b> [2] - 33:21, 66:10</p> <p><b>intended</b> [1] - 72:9</p> <p><b>interest</b> [5] - 8:6, 73:7, 73:11, 73:21, 73:23</p> <p><b>interesting</b> [3] - 71:24, 72:20, 74:1</p> <p><b>interests</b> [4] - 25:19, 32:21</p> <p><b>interfering</b> [1] - 59:2</p> <p><b>interior</b> [1] - 47:19</p> <p><b>intermittent</b> [1] - 61:9</p> <p><b>international</b> [3] - 19:2, 19:3, 29:12</p> <p><b>interns</b> [1] - 39:4</p> <p><b>internship</b> [1] - 39:1</p>	<p><b>interpretation</b> [2] - 7:12, 56:18</p> <p><b>interpreted</b> [1] - 56:11</p> <p><b>interrupt</b> [1] - 57:22</p> <p><b>introduce</b> [2] - 2:9, 75:18</p> <p><b>introduced</b> [1] - 55:21</p> <p><b>investigate</b> [1] - 54:23</p> <p><b>investigated</b> [1] - 52:13</p> <p><b>investigative</b> [1] - 61:22</p> <p><b>investment</b> [4] - 4:10, 5:2, 17:7, 52:7</p> <p><b>involve</b> [1] - 32:22</p> <p><b>involved</b> [7] - 17:23, 17:24, 24:4, 41:9, 42:10, 42:13, 51:13</p> <p><b>Ireland</b> [1] - 19:6</p> <p><b>ironically</b> [1] - 48:8</p> <p><b>irregularities</b> [1] - 67:6</p> <p><b>irrelevant</b> [1] - 8:14</p> <p><b>IRS</b> [1] - 35:11</p> <p><b>island</b> [2] - 18:5, 19:5</p> <p><b>Island</b> [3] - 18:6, 63:23, 64:11</p> <p><b>isolated</b> [1] - 11:5</p> <p><b>issue</b> [3] - 32:22, 48:12, 57:8</p> <p><b>issues</b> [5] - 18:2, 30:18, 36:13, 42:17, 49:18</p> <p><b>itself</b> [1] - 59:21</p>	<p>45:11, 45:12, 55:16</p> <p><b>joined</b> [1] - 47:15</p> <p><b>joining</b> [1] - 19:6</p> <p><b>Jones</b> [3] - 39:13, 47:6, 47:7</p> <p><b>Jordan</b> [1] - 16:19</p> <p><b>journalism</b> [1] - 61:22</p> <p><b>jr</b> [1] - 20:13</p> <p><b>June</b> [3] - 8:18, 52:18, 79:17</p> <p><b>jurisdiction</b> [4] - 29:10, 29:13, 57:10, 72:21</p> <p><b>jurisdiction's</b> [1] - 25:21</p> <p><b>jury</b> [1] - 77:14</p>
<b>K</b>				
<p><b>Kansas</b> [1] - 65:11</p> <p><b>Katahdin</b> [1] - 19:4</p> <p><b>Kate</b> [4] - 23:11, 39:12, 40:24, 41:1</p> <p><b>Kay</b> [4] - 58:18, 68:2, 68:3</p> <p><b>kayaking</b> [1] - 76:11</p> <p><b>keen</b> [1] - 68:10</p> <p><b>keep</b> [5] - 13:5, 40:16, 43:23, 55:17, 58:18</p> <p><b>keeping</b> [3] - 40:9, 40:10</p> <p><b>Kenneth</b> [1] - 69:5</p> <p><b>kept</b> [2] - 44:14, 59:4</p> <p><b>key</b> [2] - 12:2, 42:5</p> <p><b>keystone</b> [1] - 76:23</p> <p><b>Kibby</b> [60] - 1:16, 3:5, 3:10, 3:11, 4:5, 4:9, 4:11, 4:12, 4:14, 4:21, 4:22, 4:23, 5:8, 5:12, 5:17, 6:10, 7:2, 10:11, 14:12, 15:23, 16:7, 21:2, 22:15, 28:15, 28:20, 30:11, 30:20, 33:2, 33:8, 34:19, 34:20, 38:3, 38:9, 38:11, 38:15, 39:18, 39:25, 40:5, 41:5, 41:12, 41:14, 41:19, 41:24, 42:18, 42:23, 43:11, 49:17, 49:19, 51:1, 51:18, 51:22, 51:24, 58:25, 59:7, 66:3, 66:9, 75:21</p> <p><b>Kibby's</b> [1] - 51:19</p> <p><b>kidding</b> [1] - 39:18</p> <p><b>kids</b> [1] - 16:11</p> <p><b>kilowatt</b> [2] - 30:13, 31:19</p> <p><b>kind</b> [6] - 14:8, 18:19,</p>				
<b>J</b>				
<p><b>Jane</b> [1] - 74:2</p> <p><b>January</b> [1] - 47:13</p> <p><b>Jarrold</b> [1] - 9:10</p> <p><b>Jay</b> [3] - 12:12, 20:15, 20:16</p> <p><b>Jean</b> [1] - 5:10</p> <p><b>Jeff</b> [5] - 23:10, 39:9, 39:11, 39:15</p> <p><b>jeopardized</b> [1] - 12:10</p> <p><b>jeopardy</b> [1] - 10:14</p> <p><b>Jeremy</b> [8] - 39:13, 47:2, 47:6, 47:7, 47:13, 47:19, 47:21, 47:25</p> <p><b>Jim</b> [2] - 2:16, 20:6</p> <p><b>job</b> [3] - 5:4, 10:22, 15:20</p> <p><b>jobs</b> [10] - 7:1, 15:16, 15:20, 39:18, 41:18, 50:22, 60:6, 60:10, 67:11, 67:13</p> <p><b>John</b> [4] - 39:13,</p>				
<b>I</b>				
<p><b>lak</b> [1] - 44:10</p> <p><b>ice</b> [5] - 72:7, 72:8, 72:10, 72:15, 76:11</p> <p><b>icing</b> [1] - 77:11</p> <p><b>idea</b> [5] - 25:16, 29:25, 38:19, 45:25, 68:15</p> <p><b>ideas</b> [1] - 36:12</p> <p><b>identified</b> [1] - 74:18</p> <p><b>identifies</b> [1] - 22:21</p> <p><b>ignored</b> [1] - 12:18</p> <p><b>Il</b> [1] - 1:9</p> <p><b>Ill</b> [1] - 1:9</p> <p><b>ill</b> [1] - 20:19</p> <p><b>image</b> [2] - 63:12, 70:4</p> <p><b>immediately</b> [1] - 11:18</p> <p><b>impact</b> [18] - 9:25, 10:1, 10:3, 10:24, 11:8, 11:21, 27:23,</p>				

<p>43:17, 62:14, 67:16, 71:16  <b>kingdom</b> [1] - 52:9  <b>Kingfield</b> [4] - 37:5, 45:13, 45:19, 45:20  <b>kingfield</b> [3] - 16:19, 16:21, 36:2  <b>known</b> [2] - 14:2, 63:11  <b>knows</b> [1] - 28:19  <b>KURTZ</b> [1] - 2:12  <b>Kurtz</b> [1] - 2:12  <b>KV</b> [1] - 3:8  <b>kV</b> [2] - 3:9, 3:12</p>	<p>51:8  <b>last</b> [2] - 4:6, 7:17, 9:20, 11:20, 15:20, 21:6, 30:15, 38:4, 44:3, 51:3, 52:18, 56:4, 57:17, 57:20, 64:17, 65:1, 65:3, 70:15, 70:20, 71:14, 76:7  <b>lastly</b> [1] - 78:5  <b>late</b> [2] - 7:21, 75:7  <b>LAVERTY</b> [10] - 2:11, 17:9, 17:12, 33:21, 54:8, 54:10, 56:2, 57:4, 57:24, 58:3</p>	<p><b>lies</b> [1] - 11:24  <b>life</b> [10] - 31:20, 31:23, 44:17, 59:14, 61:2, 64:3, 64:13, 64:21, 65:21, 78:24  <b>lifelong</b> [2] - 34:5, 63:21  <b>lifestyle</b> [1] - 68:18  <b>lifts</b> [1] - 50:24  <b>light</b> [2] - 73:2, 77:17  <b>lighting</b> [1] - 28:5  <b>lights</b> [1] - 28:6  <b>likely</b> [2] - 10:1, 74:25  <b>limit</b> [1] - 13:3  <b>limitation</b> [1] - 76:3  <b>limited</b> [1] - 22:11  <b>limits</b> [1] - 6:18  <b>line</b> [9] - 3:8, 3:9, 3:12, 4:17, 4:18, 6:1, 20:12, 20:20, 31:10  <b>lines</b> [1] - 6:11  <b>liquid</b> [1] - 18:4  <b>list</b> [5] - 13:17, 13:18, 13:23, 23:11, 70:18  <b>listen</b> [2] - 45:21, 65:19  <b>listened</b> [2] - 45:16, 55:16  <b>lists</b> [1] - 70:16  <b>literally</b> [1] - 43:23  <b>literary</b> [1] - 69:6  <b>livable</b> [1] - 63:12  <b>live</b> [8] - 16:13, 17:15, 34:2, 51:8, 59:12, 60:23, 64:21, 70:12  <b>lived</b> [3] - 21:9, 45:18, 46:5  <b>livelihoods</b> [1] - 50:18  <b>lives</b> [5] - 47:8, 47:24, 50:17, 64:3, 68:23  <b>living</b> [6] - 40:10, 43:25, 46:11, 48:14, 63:5, 63:24  <b>LLC</b> [1] - 51:13  <b>lobsters</b> [1] - 68:15  <b>local</b> [22] - 10:1, 10:3, 10:8, 10:13, 10:16, 10:18, 11:6, 12:1, 12:18, 35:21, 36:5, 37:2, 41:10, 41:13, 41:16, 43:5, 43:7, 43:22, 50:1, 50:9, 50:22, 53:23  <b>locally</b> [1] - 43:19  <b>locate</b> [1] - 21:25  <b>located</b> [2] - 22:20, 28:3  <b>location</b> [6] - 10:25, 11:24, 12:17, 72:24, 75:14, 75:20</p>	<p><b>locations</b> [2] - 34:10, 72:22  <b>locusts</b> [1] - 59:19  <b>lodging</b> [2] - 17:1, 41:16  <b>logging</b> [1] - 16:21  <b>long-term</b> [6] - 10:7, 10:23, 31:1, 32:25, 33:7, 68:25  <b>look</b> [7] - 14:12, 21:3, 26:24, 46:1, 50:20, 71:14, 78:25  <b>looking</b> [4] - 13:6, 60:12, 61:22, 72:17  <b>looming</b> [1] - 70:5  <b>looms</b> [1] - 62:16  <b>loss</b> [2] - 27:17, 27:18  <b>lost</b> [1] - 75:11  <b>love</b> [1] - 63:21  <b>loved</b> [1] - 60:17  <b>low</b> [2] - 74:3, 74:4  <b>lower</b> [3] - 31:9, 32:9, 44:20  <b>lowered</b> [1] - 61:18  <b>LURC</b> [7] - 20:5, 30:8, 42:3, 57:6, 66:15, 73:4, 74:16  <b>LURC's</b> [1] - 72:20</p>	<p>63:20, 64:5, 64:7, 64:10, 64:17, 64:21, 67:9, 68:6, 68:13, 69:2, 69:12, 70:3, 70:9, 73:15, 73:22, 79:7, 81:5  <b>Maine's</b> [8] - 9:19, 27:8, 29:8, 30:5, 63:8, 65:18, 69:19, 69:24  <b>Mainers</b> [1] - 70:11  <b>maintain</b> [2] - 73:23, 73:25  <b>maintaining</b> [2] - 19:11, 41:13  <b>maintains</b> [1] - 73:6  <b>maintenance</b> [2] - 3:11, 4:15  <b>majestic</b> [2] - 63:9, 64:19  <b>majestically</b> [1] - 70:6  <b>major</b> [5] - 23:3, 44:2, 48:7, 52:10, 78:22  <b>majority</b> [1] - 11:4  <b>manage</b> [1] - 57:12  <b>management</b> [2] - 29:22, 49:13  <b>manager</b> [3] - 2:20, 15:12, 55:21  <b>mandates</b> [1] - 56:16  <b>manner</b> [1] - 9:15  <b>map</b> [4] - 6:7, 22:13, 22:16, 71:3  <b>maps</b> [2] - 21:3, 37:6  <b>march</b> [3] - 7:12, 22:14, 69:10  <b>March</b> [4] - 21:4, 32:12, 72:17, 81:20  <b>marches</b> [1] - 23:4  <b>Marcia</b> [1] - 2:21  <b>Marissa</b> [1] - 52:7  <b>Marissa-based</b> [1] - 52:7  <b>market</b> [7] - 30:2, 30:4, 30:21, 31:4, 31:6, 55:1, 77:21  <b>markets</b> [3] - 31:7, 32:7, 40:3  <b>marking</b> [1] - 22:5  <b>marred</b> [1] - 70:5  <b>Mars</b> [1] - 19:9  <b>Massachusetts</b> [11] - 31:17, 31:22, 32:16, 32:17, 32:19, 32:22, 33:1, 47:9, 47:10, 63:23, 64:12  <b>match</b> [1] - 64:8  <b>material</b> [1] - 42:2  <b>materializes</b> [1] - 23:1  <b>materially</b> [1] - 27:6</p>
<b>L</b>		<b>M</b>		
<p><b>labor</b> [2] - 7:1, 10:23  <b>laborious</b> [1] - 61:6  <b>lack</b> [3] - 44:14, 48:8, 53:20  <b>ladies</b> [2] - 9:9, 58:21  <b>lake</b> [1] - 74:19  <b>lake's</b> [1] - 75:6  <b>lakes</b> [6] - 12:15, 63:10, 63:20, 64:19, 74:8, 76:13  <b>lakeshore</b> [1] - 75:5  <b>Land</b> [1] - 1:5  <b>land</b> [24] - 3:18, 22:4, 22:9, 22:22, 22:24, 23:1, 26:22, 26:25, 28:21, 29:24, 35:21, 36:25, 37:10, 37:18, 42:21, 49:6, 50:6, 62:9, 65:4, 65:22, 69:8, 70:13, 72:17, 73:23  <b>landowners</b> [8] - 10:2, 12:9, 22:20, 36:3, 37:2, 73:6, 73:10, 73:19  <b>lands</b> [5] - 25:21, 29:8, 36:6, 50:5, 74:19  <b>Lands</b> [1] - 22:23  <b>landscape</b> [7] - 28:1, 28:4, 29:1, 38:5, 60:12, 65:6, 75:9  <b>landscapes</b> [1] - 69:22  <b>landscaping</b> [1] - 16:20  <b>large</b> [7] - 10:4, 10:5, 30:22, 32:2, 54:18, 71:21  <b>largely</b> [1] - 54:18  <b>largest</b> [1] - 14:5  <b>Larkin</b> [2] - 37:21, 39:1  <b>Larry</b> [3] - 39:14, 51:6,</p>	<p><b>Laverty</b> [1] - 2:11  <b>law</b> [4] - 6:19, 30:6, 38:20, 56:15  <b>laying</b> [1] - 22:5  <b>layoffs</b> [1] - 34:14  <b>LD1504</b> [4] - 52:18, 54:11, 56:15, 57:9  <b>lead</b> [1] - 31:15  <b>leadership</b> [1] - 54:1  <b>lean</b> [1] - 19:12  <b>lean-to</b> [1] - 19:12  <b>learn</b> [1] - 61:9  <b>least</b> [4] - 5:4, 12:11, 26:7, 64:18  <b>leave</b> [7] - 8:24, 13:8, 13:10, 33:10, 45:23, 65:6, 65:20  <b>lecture</b> [1] - 18:13  <b>left</b> [8] - 22:3, 22:7, 53:9, 58:12, 59:3, 64:5, 65:7, 65:8  <b>legal</b> [2] - 8:7, 26:8  <b>legible</b> [1] - 13:22  <b>legislation</b> [2] - 51:14, 55:22  <b>legislative</b> [2] - 38:23, 57:3  <b>legislator</b> [2] - 24:10, 52:16  <b>legislators</b> [1] - 9:7  <b>Legislature</b> [8] - 6:19, 9:21, 11:25, 28:17, 29:7, 38:19, 78:6, 78:20  <b>legislatures</b> [1] - 12:23  <b>lend</b> [1] - 15:8  <b>less</b> [1] - 32:13  <b>lessen</b> [1] - 34:23  <b>letter</b> [4] - 42:4, 73:3, 75:1, 75:2  <b>levels</b> [3] - 6:12, 10:2, 77:2  <b>Lexington</b> [1] - 23:18  <b>lie</b> [1] - 57:14</p>	<p><b>lines</b> [1] - 6:11  <b>liquid</b> [1] - 18:4  <b>list</b> [5] - 13:17, 13:18, 13:23, 23:11, 70:18  <b>listen</b> [2] - 45:21, 65:19  <b>listened</b> [2] - 45:16, 55:16  <b>lists</b> [1] - 70:16  <b>literally</b> [1] - 43:23  <b>literary</b> [1] - 69:6  <b>livable</b> [1] - 63:12  <b>live</b> [8] - 16:13, 17:15, 34:2, 51:8, 59:12, 60:23, 64:21, 70:12  <b>lived</b> [3] - 21:9, 45:18, 46:5  <b>livelihoods</b> [1] - 50:18  <b>lives</b> [5] - 47:8, 47:24, 50:17, 64:3, 68:23  <b>living</b> [6] - 40:10, 43:25, 46:11, 48:14, 63:5, 63:24  <b>LLC</b> [1] - 51:13  <b>lobsters</b> [1] - 68:15  <b>local</b> [22] - 10:1, 10:3, 10:8, 10:13, 10:16, 10:18, 11:6, 12:1, 12:18, 35:21, 36:5, 37:2, 41:10, 41:13, 41:16, 43:5, 43:7, 43:22, 50:1, 50:9, 50:22, 53:23  <b>locally</b> [1] - 43:19  <b>locate</b> [1] - 21:25  <b>located</b> [2] - 22:20, 28:3  <b>location</b> [6] - 10:25, 11:24, 12:17, 72:24, 75:14, 75:20</p>	<p><b>M.R.S</b> [2] - 2:23, 3:17  <b>Machias</b> [1] - 18:5  <b>machines</b> [2] - 60:3, 70:5  <b>madam</b> [1] - 37:17  <b>Madam</b> [1] - 17:14  <b>magazine</b> [1] - 47:12  <b>magnificent</b> [1] - 69:8  <b>mail</b> [3] - 33:24, 40:18  <b>main</b> [1] - 21:24  <b>Maine</b> [76] - 1:2, 1:5, 1:15, 1:21, 2:3, 2:11, 3:3, 6:19, 7:1, 14:5, 14:7, 15:18, 16:12, 16:13, 16:14, 17:18, 17:21, 18:8, 18:9, 19:8, 19:9, 22:2, 25:2, 26:14, 27:21, 29:6, 29:21, 29:23, 30:21, 30:24, 33:16, 34:2, 34:5, 34:8, 35:5, 37:20, 38:2, 39:2, 42:6, 42:7, 42:8, 43:3, 45:5, 46:20, 47:10, 51:1, 51:9, 51:10, 51:11, 51:13, 51:17, 52:22, 54:6, 54:14, 56:10, 60:25, 63:8, 63:11,</p>	<p><b>mandates</b> [1] - 56:16  <b>manner</b> [1] - 9:15  <b>map</b> [4] - 6:7, 22:13, 22:16, 71:3  <b>maps</b> [2] - 21:3, 37:6  <b>march</b> [3] - 7:12, 22:14, 69:10  <b>March</b> [4] - 21:4, 32:12, 72:17, 81:20  <b>marches</b> [1] - 23:4  <b>Marcia</b> [1] - 2:21  <b>Marissa</b> [1] - 52:7  <b>Marissa-based</b> [1] - 52:7  <b>market</b> [7] - 30:2, 30:4, 30:21, 31:4, 31:6, 55:1, 77:21  <b>markets</b> [3] - 31:7, 32:7, 40:3  <b>marking</b> [1] - 22:5  <b>marred</b> [1] - 70:5  <b>Mars</b> [1] - 19:9  <b>Massachusetts</b> [11] - 31:17, 31:22, 32:16, 32:17, 32:19, 32:22, 33:1, 47:9, 47:10, 63:23, 64:12  <b>match</b> [1] - 64:8  <b>material</b> [1] - 42:2  <b>materializes</b> [1] - 23:1  <b>materially</b> [1] - 27:6</p>

**materials** [1] - 8:14  
**math** [1] - 72:6  
**matter** [3] - 3:2, 27:17, 40:8  
**Matter** [1] - 1:13  
**matters** [1] - 66:19  
**McBreairty** [2] - 23:9, 37:19  
**MCBREAIRTY** [1] - 37:17  
**mean** [4] - 11:22, 33:10, 64:13, 66:22  
**meaning** [1] - 73:3  
**meaningful** [1] - 37:25  
**means** [6] - 11:6, 16:11, 22:24, 24:6, 28:21, 48:21  
**mechanisms** [1] - 18:22  
**medal** [1] - 48:6  
**medford** [1] - 2:11  
**meet** [1] - 39:21  
**meets** [2] - 3:16, 12:21  
**megawatt** [3] - 6:24, 31:9, 31:13  
**megawatts** [7] - 4:25, 11:9, 31:8, 38:23, 53:12, 54:17, 56:24  
**member** [10] - 14:3, 15:6, 19:1, 19:2, 26:9, 29:19, 29:23, 37:22, 39:17, 58:22  
**members** [8] - 2:8, 14:19, 17:14, 37:18, 37:24, 44:10, 51:7, 58:24  
**memorable** [1] - 68:20  
**memories** [1] - 68:22  
**mentioned** [2] - 21:11, 76:5  
**mere** [1] - 67:16  
**met** [2] - 7:16, 76:19  
**method** [2] - 24:8, 77:20  
**MICHKA** [5] - 23:13, 23:16, 23:18, 29:15, 68:3  
**Michka** [4] - 13:24, 23:18, 58:19, 68:3  
**Midwest** [1] - 65:10  
**might** [5] - 25:8, 57:7, 58:4, 76:18  
**mile** [2] - 64:16, 74:6  
**Mile** [1] - 5:19  
**miles** [23] - 4:22, 5:15, 5:16, 5:17, 5:20, 5:22, 6:13, 11:1, 11:2, 22:24, 28:14, 28:15, 28:18, 28:20, 28:21, 28:23, 34:20,

65:15, 65:16, 68:7, 68:16, 68:17  
**military** [2] - 22:14, 23:3  
**mill** [4] - 53:7, 53:9, 53:15, 54:20  
**millennia** [1] - 59:22  
**Millinocket** [1] - 55:21  
**million** [11] - 4:9, 5:2, 16:24, 30:12, 31:22, 41:15, 48:11, 49:25, 51:23, 51:24, 52:1  
**millions** [1] - 50:23  
**mills** [4] - 52:13, 53:8, 54:11, 54:22  
**Milton** [3] - 23:9, 37:16, 37:19  
**mind** [3] - 11:12, 39:12, 58:14  
**minimal** [4] - 12:1, 41:25, 42:19, 49:20  
**minimum** [2] - 10:25, 56:16  
**ministers** [1] - 62:19  
**minor** [1] - 78:21  
**minute** [1] - 66:11  
**minutes** [1] - 13:6  
**misconstruing** [1] - 71:19  
**missed** [1] - 67:4  
**mission** [1] - 63:5  
**Mitchell** [1] - 65:18  
**mitigation** [3] - 25:14, 25:15, 25:16  
**mix** [1] - 18:23  
**moisture** [1] - 49:1  
**Monday** [2] - 8:17, 79:16  
**money** [14] - 22:25, 25:10, 25:12, 36:15, 40:1, 40:5, 40:16, 60:6, 69:1, 69:24, 70:1, 70:2, 77:24, 78:3  
**monster's** [1] - 60:3  
**mortgage** [1] - 16:10  
**most** [17] - 10:12, 12:14, 23:4, 24:5, 46:4, 49:10, 53:5, 57:11, 60:10, 64:23, 65:5, 68:19, 68:20, 68:25, 69:2, 69:20, 70:6  
**mostly** [2] - 73:18, 76:6  
**motorized** [2] - 15:4, 36:10  
**Mountain** [12] - 4:12, 4:24, 7:17, 10:8, 21:22, 30:19, 33:4,

41:6, 63:1, 65:1, 72:24, 76:14  
**mountain** [15] - 4:12, 4:23, 14:25, 28:11, 28:14, 34:19, 34:21, 37:12, 47:12, 50:15, 50:23, 63:5, 68:25, 77:11, 78:8  
**Mountains** [2] - 30:5, 30:17  
**mountains** [15] - 9:19, 29:20, 45:5, 46:11, 48:3, 50:14, 62:3, 63:9, 63:21, 64:19, 64:22, 65:5, 68:17, 69:24, 76:13  
**mountainside** [1] - 70:7  
**mountaintop** [1] - 26:2  
**mountaintops** [5] - 69:19, 73:2, 76:15, 79:5, 79:7  
**move** [5] - 18:17, 26:10, 40:13, 52:17, 68:19  
**moved** [3] - 25:5, 63:23, 64:20  
**moves** [1] - 44:25  
**moving** [4] - 15:24, 17:7, 40:20, 45:7  
**MR** [41] - 2:11, 2:16, 4:2, 9:9, 14:1, 15:11, 17:9, 17:11, 17:12, 17:14, 20:12, 23:13, 23:16, 23:18, 29:15, 29:17, 33:11, 33:21, 33:23, 33:25, 35:4, 37:17, 39:10, 39:15, 43:15, 45:12, 51:7, 54:8, 54:9, 54:10, 54:13, 56:2, 56:4, 57:4, 57:9, 57:24, 58:2, 58:3, 58:7, 58:21, 65:25  
**MS** [57] - 2:12, 2:13, 2:15, 2:17, 8:2, 9:6, 12:23, 13:2, 13:13, 15:9, 15:10, 17:13, 20:11, 23:6, 29:14, 29:16, 33:9, 33:19, 33:20, 35:3, 37:16, 39:8, 39:9, 39:11, 40:23, 40:24, 40:25, 43:13, 43:14, 45:10, 45:11, 47:2, 47:3, 51:3, 51:5, 51:6, 57:22, 58:8, 58:12, 58:14, 59:9, 59:10, 59:11, 63:16, 63:17,

63:18, 65:23, 65:24, 67:20, 67:21, 67:22, 68:1, 68:2, 68:3, 70:14, 70:21, 79:12  
**Mt** [1] - 19:4  
**much-needed** [1] - 39:22  
**municipalities** [2] - 24:22, 52:25  
**municipality** [1] - 56:3  
**must** [14] - 8:3, 8:12, 9:17, 11:12, 25:11, 25:15, 26:16, 28:22, 43:5, 43:9, 43:10, 74:16, 74:20, 76:1  
**myriad** [1] - 27:14

## N

**NADEAU** [1] - 2:16  
**Nadeau** [1] - 2:16  
**name** [31] - 2:6, 4:2, 8:5, 8:24, 9:9, 13:21, 16:17, 17:15, 20:13, 23:7, 23:13, 23:18, 29:17, 34:1, 35:4, 37:19, 39:15, 40:25, 43:15, 45:12, 47:3, 51:3, 51:8, 59:11, 63:18, 65:25, 68:3, 70:15, 70:18, 70:19, 70:22  
**named** [2] - 49:15, 81:12  
**names** [3] - 13:3, 13:14, 39:13  
**Natanis** [1] - 71:25  
**nation** [1] - 44:10  
**national** [2] - 31:17, 52:7  
**natural** [12] - 9:19, 18:4, 24:15, 46:12, 54:14, 70:7, 73:24, 73:25, 74:17, 74:22, 74:24, 78:5  
**naturally** [2] - 9:21, 22:24  
**nature** [1] - 8:6  
**nauseam** [1] - 61:21  
**near** [2] - 37:5, 69:14  
**nearby** [2] - 38:17, 63:23  
**nearest** [2] - 6:8, 14:10  
**nearly** [3] - 34:19, 61:11, 75:4  
**Nebraska** [1] - 65:11  
**necessary** [3] - 22:16, 41:21, 52:2  
**necessity** [1] - 72:7

**need** [9] - 3:20, 3:23, 11:15, 25:17, 28:9, 35:10, 38:1, 58:8, 60:14  
**needed** [6] - 10:16, 38:16, 39:22, 61:17, 67:5, 77:23  
**needs** [5] - 21:14, 46:17, 48:22, 57:23, 72:3  
**negative** [2] - 10:3, 66:4  
**negotiating** [1] - 31:12  
**neighbor** [1] - 14:11  
**neighbors** [1] - 43:8  
**net** [1] - 52:8  
**never** [4] - 35:8, 59:5, 62:1, 66:16  
**new** [15] - 5:20, 6:20, 19:25, 25:23, 30:8, 36:20, 38:20, 55:17, 60:14, 63:19, 65:7, 72:18, 74:5  
**New** [15] - 4:18, 19:4, 30:22, 31:3, 31:5, 31:10, 31:11, 31:14, 51:8, 62:5, 64:6, 64:8, 64:10, 64:12, 70:3  
**Newfoundland** [1] - 19:5  
**newspapers** [1] - 61:20  
**next** [23] - 6:9, 13:11, 20:11, 23:7, 26:17, 30:10, 33:20, 37:16, 39:11, 39:13, 40:24, 43:14, 45:11, 47:2, 51:6, 58:15, 58:16, 59:10, 63:17, 63:24, 65:24, 68:2, 70:15  
**nibble** [1] - 59:20  
**nice** [2] - 19:12, 23:21  
**nickname** [1] - 20:15  
**night** [5] - 8:1, 21:6, 28:5, 28:6, 28:7  
**nine** [1] - 49:15  
**noise** [2] - 10:2, 73:1  
**nonintensive** [1] - 76:3  
**nonintentional** [1] - 76:9  
**nonmotorized** [1] - 36:10  
**nonpolluted** [1] - 19:19  
**nonprofit** [3] - 35:6, 52:25, 56:10  
**normal** [1] - 25:4  
**norpine** [1] - 16:20

<p><b>north</b> [3] - 14:22, 22:9, 35:25</p> <p><b>northeastern</b> [1] - 26:13</p> <p><b>northern</b> [5] - 9:12, 16:14, 39:2, 52:21</p> <p><b>notable</b> [1] - 69:6</p> <p><b>Notary</b> [2] - 2:2, 81:4</p> <p><b>NOTARY</b> [1] - 81:17</p> <p><b>note</b> [1] - 29:19</p> <p><b>noted</b> [1] - 75:2</p> <p><b>nothing</b> [4] - 9:4, 32:1, 61:11</p> <p><b>noticed</b> [1] - 13:17</p> <p><b>notified</b> [2] - 8:22, 52:12</p> <p><b>notion</b> [1] - 25:11</p> <p><b>Nova</b> [1] - 19:5</p> <p><b>number</b> [9] - 10:20, 41:18, 44:9, 52:16, 72:23, 75:14, 76:17, 77:10</p> <p><b>numbers</b> [1] - 17:3</p>	<p><b>old</b> [2] - 43:24, 69:12</p> <p><b>Olsen</b> [1] - 2:20</p> <p><b>Olympics</b> [2] - 44:8, 48:7</p> <p><b>once</b> [3] - 23:2, 60:11, 65:19</p> <p><b>one</b> [40] - 5:4, 5:6, 9:25, 14:19, 14:23, 15:15, 16:2, 16:3, 18:21, 18:22, 19:10, 20:3, 21:14, 23:3, 24:5, 24:13, 25:9, 35:5, 35:6, 43:18, 44:5, 46:18, 48:18, 49:10, 49:15, 55:2, 61:24, 62:11, 65:1, 66:14, 67:4, 70:20, 70:24, 71:1, 71:24, 72:20, 74:6, 74:14</p> <p><b>onshore</b> [1] - 18:10</p> <p><b>open</b> [9] - 8:16, 9:16, 26:11, 30:2, 40:11, 43:23, 57:18, 72:11, 79:15</p> <p><b>operate</b> [1] - 52:2</p> <p><b>operated</b> [1] - 41:10</p> <p><b>operates</b> [1] - 2:19</p> <p><b>operation</b> [6] - 4:13, 4:15, 66:8, 66:24, 67:2, 76:23</p> <p><b>operational</b> [1] - 75:14</p> <p><b>operations</b> [2] - 3:11, 76:4</p> <p><b>opinion</b> [4] - 12:15, 19:21, 55:4, 56:6</p> <p><b>opportunities</b> [5] - 7:5, 52:14, 54:6, 54:23, 63:14</p> <p><b>opportunity</b> [11] - 15:22, 16:8, 23:20, 26:15, 43:12, 55:7, 57:15, 63:13, 68:5, 68:7, 69:13</p> <p><b>oppose</b> [1] - 67:24</p> <p><b>opposed</b> [3] - 61:16, 70:8, 72:13</p> <p><b>option</b> [2] - 11:18, 77:14</p> <p><b>options</b> [1] - 11:17</p> <p><b>order</b> [3] - 11:13, 70:1, 71:22</p> <p><b>Order</b> [1] - 1:11</p> <p><b>organization</b> [4] - 35:8, 35:16, 35:18, 35:20</p> <p><b>organizations</b> [8] - 10:21, 24:21, 36:18, 53:1, 55:8, 56:10, 63:4, 78:4</p> <p><b>organized</b> [6] - 36:22,</p>	<p>53:5, 53:6, 55:9, 55:14, 57:12</p> <p><b>original</b> [5] - 4:5, 4:9, 4:20, 5:17, 42:5</p> <p><b>originally</b> [1] - 76:19</p> <p><b>ostensible</b> [1] - 27:10</p> <p><b>otherwise</b> [4] - 28:19, 70:6, 70:20, 77:9</p> <p><b>out-of-state</b> [2] - 32:18, 32:21</p> <p><b>outcome</b> [1] - 81:12</p> <p><b>outdoor</b> [1] - 35:22</p> <p><b>outdoorsman</b> [1] - 34:6</p> <p><b>output</b> [1] - 31:18</p> <p><b>outside</b> [1] - 33:1</p> <p><b>outstanding</b> [2] - 74:7, 74:18</p> <p><b>overall</b> [1] - 60:8</p> <p><b>overcome</b> [1] - 36:9</p> <p><b>overly</b> [1] - 59:23</p> <p><b>oversee</b> [1] - 57:12</p> <p><b>overseer</b> [1] - 29:20</p> <p><b>oversupply</b> [1] - 32:14</p> <p><b>overview</b> [1] - 4:8</p> <p><b>overwintering</b> [1] - 7:14</p> <p><b>own</b> [6] - 37:7, 45:14, 46:21, 52:8, 63:19, 66:7</p> <p><b>owned</b> [1] - 41:10</p> <p><b>owner</b> [5] - 34:17, 39:16, 43:16, 43:18, 70:23</p> <p><b>owners</b> [2] - 71:6, 76:19</p> <p><b>owns</b> [1] - 32:11</p> <p><b>Oxford</b> [1] - 9:12</p>	<p><b>paraphrase</b> [1] - 71:16</p> <p><b>parents</b> [1] - 41:8</p> <p><b>Parks</b> [1] - 22:23</p> <p><b>part</b> [13] - 4:20, 5:10, 5:17, 6:22, 7:7, 10:4, 20:2, 23:4, 25:2, 37:7, 53:5, 57:11, 69:2</p> <p><b>partial</b> [1] - 62:4</p> <p><b>PARTICIPANT</b> [1] - 12:25</p> <p><b>PARTICIPANTS</b> [1] - 9:5</p> <p><b>participants</b> [1] - 26:8</p> <p><b>participate</b> [1] - 54:15</p> <p><b>participated</b> [2] - 16:18, 29:21</p> <p><b>particular</b> [3] - 10:12, 36:15, 53:25</p> <p><b>particularly</b> [5] - 28:5, 51:16, 52:23, 53:20, 56:25</p> <p><b>partner</b> [2] - 51:12</p> <p><b>partners</b> [1] - 43:8</p> <p><b>pass</b> [1] - 48:4</p> <p><b>passage</b> [2] - 26:11, 59:2</p> <p><b>passages</b> [1] - 27:24</p> <p><b>passed</b> [2] - 6:19, 25:22</p> <p><b>passionate</b> [1] - 48:13</p> <p><b>passions</b> [1] - 50:16</p> <p><b>past</b> [7] - 7:3, 14:2, 14:3, 20:9, 34:7, 36:9, 36:14</p> <p><b>path</b> [1] - 73:5</p> <p><b>pay</b> [5] - 16:10, 33:14, 53:7, 69:23</p> <p><b>paying</b> [3] - 34:9, 34:15, 41:18</p> <p><b>payoffs</b> [1] - 30:8</p> <p><b>pays</b> [1] - 34:17</p> <p><b>peaceful</b> [2] - 59:14, 64:21</p> <p><b>peaks</b> [8] - 7:6, 10:22, 29:25, 35:5, 35:23, 35:24, 36:2, 36:21</p> <p><b>Peaks</b> [3] - 35:14, 35:20, 37:1</p> <p><b>people</b> [48] - 4:1, 7:4, 7:10, 9:11, 10:13, 10:17, 13:4, 13:14, 13:17, 14:24, 25:1, 28:13, 29:6, 33:16, 36:5, 37:23, 39:17, 39:23, 40:12, 40:20, 44:16, 44:22, 45:3, 45:21, 45:23, 46:5, 53:2, 54:6, 58:16, 60:16, 61:2, 61:25,</p>	<p>64:9, 68:8, 68:10, 68:19, 68:24, 69:2, 69:12, 69:17, 71:6, 72:23, 73:14, 73:17, 76:17, 76:18, 77:8</p> <p><b>people's</b> [1] - 68:12</p> <p><b>peoples'</b> [1] - 46:2</p> <p><b>per</b> [9] - 6:21, 6:23, 6:24, 6:25, 30:13, 31:19, 31:20, 61:10, 74:6</p> <p><b>percent</b> [4] - 17:8, 31:20, 34:15, 53:22</p> <p><b>perfect</b> [1] - 38:7</p> <p><b>perfectly</b> [1] - 38:22</p> <p><b>perhaps</b> [5] - 10:13, 20:7, 23:2, 25:11, 62:21</p> <p><b>period</b> [1] - 56:5</p> <p><b>periodically</b> [1] - 64:5</p> <p><b>permanent</b> [5] - 36:6, 37:3, 37:10, 41:17, 42:22</p> <p><b>Permit</b> [3] - 1:14, 70:8, 81:6</p> <p><b>permit</b> [5] - 3:2, 7:19, 25:3, 27:14, 27:23</p> <p><b>permitted</b> [1] - 38:10</p> <p><b>permitting</b> [1] - 35:13</p> <p><b>Perry</b> [2] - 13:23, 15:11</p> <p><b>PERRY</b> [2] - 15:11, 17:11</p> <p><b>person</b> [5] - 19:15, 28:19, 28:25, 29:23, 81:11</p> <p><b>personal</b> [3] - 41:4, 45:15, 72:5</p> <p><b>personally</b> [4] - 9:22, 34:19, 39:21, 43:21</p> <p><b>persons</b> [1] - 8:22</p> <p><b>pertaining</b> [1] - 74:21</p> <p><b>Pete</b> [2] - 54:13, 57:19</p> <p><b>Peter</b> [2] - 52:13, 54:22</p> <p><b>petroleum</b> [2] - 18:8, 18:10</p> <p><b>phenomenon</b> [1] - 50:20</p> <p><b>Phillips</b> [6] - 2:12, 35:25, 37:4, 59:12, 63:19, 66:1</p> <p><b>physical</b> [1] - 75:16</p> <p><b>pick</b> [1] - 58:12</p> <p><b>picked</b> [1] - 25:23</p> <p><b>picture</b> [1] - 11:12</p> <p><b>pictures</b> [1] - 70:25</p> <p><b>pine</b> [1] - 68:15</p> <p><b>pipelines</b> [1] - 77:1</p> <p><b>place</b> [10] - 12:14,</p>
<b>O</b>		<b>P</b>		
<p><b>Oakland</b> [1] - 34:2</p> <p><b>objective</b> [2] - 21:25, 53:11</p> <p><b>obligation</b> [1] - 65:20</p> <p><b>obligations</b> [2] - 29:13, 60:24</p> <p><b>obtaining</b> [1] - 22:4</p> <p><b>obvious</b> [2] - 54:16, 57:1</p> <p><b>obviously</b> [4] - 14:20, 28:10, 32:13, 38:17</p> <p><b>occasion</b> [1] - 69:15</p> <p><b>occasional</b> [1] - 78:22</p> <p><b>occur</b> [1] - 28:19</p> <p><b>offended</b> [1] - 19:15</p> <p><b>offensive</b> [1] - 19:20</p> <p><b>offer</b> [1] - 73:5</p> <p><b>offered</b> [8] - 6:23, 22:16, 22:25, 24:24, 35:8, 71:25, 72:2</p> <p><b>offers</b> [1] - 23:6</p> <p><b>office</b> [2] - 55:4, 62:12</p> <p><b>officer</b> [4] - 2:7, 8:19, 75:2, 76:6</p> <p><b>official</b> [1] - 12:25</p> <p><b>officials</b> [2] - 9:7, 12:24</p> <p><b>offshore</b> [1] - 18:10</p> <p><b>often</b> [3] - 15:15, 16:1, 69:15</p> <p><b>oil</b> [8] - 18:3, 18:6, 44:11, 44:13, 44:21, 45:25, 46:3, 77:2</p> <p><b>Oklahoma</b> [1] - 65:11</p>	<p><b>operate</b> [1] - 52:2</p> <p><b>operated</b> [1] - 41:10</p> <p><b>operates</b> [1] - 2:19</p> <p><b>operation</b> [6] - 4:13, 4:15, 66:8, 66:24, 67:2, 76:23</p> <p><b>operational</b> [1] - 75:14</p> <p><b>operations</b> [2] - 3:11, 76:4</p> <p><b>opinion</b> [4] - 12:15, 19:21, 55:4, 56:6</p> <p><b>opportunities</b> [5] - 7:5, 52:14, 54:6, 54:23, 63:14</p> <p><b>opportunity</b> [11] - 15:22, 16:8, 23:20, 26:15, 43:12, 55:7, 57:15, 63:13, 68:5, 68:7, 69:13</p> <p><b>oppose</b> [1] - 67:24</p> <p><b>opposed</b> [3] - 61:16, 70:8, 72:13</p> <p><b>option</b> [2] - 11:18, 77:14</p> <p><b>options</b> [1] - 11:17</p> <p><b>order</b> [3] - 11:13, 70:1, 71:22</p> <p><b>Order</b> [1] - 1:11</p> <p><b>organization</b> [4] - 35:8, 35:16, 35:18, 35:20</p> <p><b>organizations</b> [8] - 10:21, 24:21, 36:18, 53:1, 55:8, 56:10, 63:4, 78:4</p> <p><b>organized</b> [6] - 36:22,</p>	<p><b>p.m</b> [4] - 2:4, 58:10, 58:11, 79:23</p> <p><b>pace</b> [1] - 38:21</p> <p><b>package</b> [2] - 6:21, 7:8</p> <p><b>packages</b> [1] - 24:24</p> <p><b>packed</b> [2] - 64:13, 64:14</p> <p><b>pad</b> [1] - 27:19</p> <p><b>pages</b> [2] - 69:5, 69:11</p> <p><b>painstakingly</b> [1] - 49:22</p> <p><b>palletable</b> [1] - 25:13</p> <p><b>panacea</b> [1] - 25:16</p> <p><b>panicked</b> [1] - 46:1</p> <p><b>paper</b> [1] - 27:13</p> <p><b>papers</b> [1] - 10:15</p> <p><b>parades</b> [1] - 62:22</p> <p><b>paragraph</b> [1] - 26:21</p> <p><b>paragraphs</b> [1] - 33:11</p>	<p><b>paying</b> [3] - 34:9, 34:15, 41:18</p> <p><b>payoffs</b> [1] - 30:8</p> <p><b>pays</b> [1] - 34:17</p> <p><b>peaceful</b> [2] - 59:14, 64:21</p> <p><b>peaks</b> [8] - 7:6, 10:22, 29:25, 35:5, 35:23, 35:24, 36:2, 36:21</p> <p><b>Peaks</b> [3] - 35:14, 35:20, 37:1</p> <p><b>people</b> [48] - 4:1, 7:4, 7:10, 9:11, 10:13, 10:17, 13:4, 13:14, 13:17, 14:24, 25:1, 28:13, 29:6, 33:16, 36:5, 37:23, 39:17, 39:23, 40:12, 40:20, 44:16, 44:22, 45:3, 45:21, 45:23, 46:5, 53:2, 54:6, 58:16, 60:16, 61:2, 61:25,</p>	

<p>14:12, 17:4, 22:8, 22:9, 34:22, 53:2, 57:4, 60:13, 63:8</p> <p><b>placed</b> [1] - 32:5</p> <p><b>places</b> [13] - 25:13, 27:5, 59:15, 60:25, 63:10, 64:24, 65:1, 65:3, 65:7, 68:20, 68:21</p> <p><b>plague</b> [3] - 48:10, 59:19</p> <p><b>plan</b> [6] - 9:2, 26:22, 27:20, 29:25, 60:19, 73:9</p> <p><b>plane</b> [1] - 69:7</p> <p><b>planet</b> [2] - 24:5, 45:2</p> <p><b>planned</b> [1] - 57:13</p> <p><b>planner</b> [1] - 2:21</p> <p><b>planning</b> [3] - 2:20, 29:22, 37:8</p> <p><b>plant</b> [3] - 6:4, 61:5, 67:14</p> <p><b>plantation</b> [1] - 2:16</p> <p><b>plantations</b> [2] - 37:5, 53:6</p> <p><b>plants</b> [3] - 32:13, 61:16, 61:24</p> <p><b>platforms</b> [1] - 43:18</p> <p><b>playing</b> [1] - 60:1</p> <p><b>Plaza</b> [1] - 39:16</p> <p><b>pleas</b> [1] - 55:16</p> <p><b>pleasant</b> [1] - 59:6</p> <p><b>pleased</b> [3] - 36:16, 52:23, 58:24</p> <p><b>pledged</b> [1] - 36:19</p> <p><b>plus</b> [2] - 5:2, 34:8</p> <p><b>pocket</b> [1] - 72:12</p> <p><b>point</b> [6] - 5:6, 9:17, 19:23, 25:10, 62:6, 69:23</p> <p><b>pointed</b> [1] - 5:5</p> <p><b>points</b> [2] - 71:15, 71:17</p> <p><b>policies</b> [3] - 37:25, 52:14, 52:19</p> <p><b>policy</b> [3] - 29:8, 52:24, 53:21</p> <p><b>political</b> [1] - 29:12</p> <p><b>pollutes</b> [1] - 53:15</p> <p><b>pollution</b> [2] - 73:1, 73:2</p> <p><b>Pond</b> [4] - 5:10, 5:11, 14:25, 28:23</p> <p><b>pond</b> [3] - 14:12, 14:13, 71:25</p> <p><b>pond's</b> [1] - 76:20</p> <p><b>Ponds</b> [16] - 3:5, 5:11, 6:13, 6:16, 11:3, 11:5, 22:9, 22:18, 64:22, 69:10, 70:11,</p>	<p>70:24, 71:5, 71:8, 75:3, 76:14</p> <p><b>ponds</b> [6] - 68:16, 73:22, 73:25, 74:6, 76:8, 78:8</p> <p><b>pools</b> [1] - 6:5</p> <p><b>poorly</b> [1] - 45:17</p> <p><b>popped</b> [1] - 62:24</p> <p><b>populated</b> [1] - 64:11</p> <p><b>population</b> [2] - 74:3, 74:4</p> <p><b>portion</b> [3] - 11:3, 31:2, 75:6</p> <p><b>portland</b> [1] - 51:9</p> <p><b>position</b> [1] - 35:17</p> <p><b>positive</b> [3] - 11:25, 66:5, 68:5</p> <p><b>positively</b> [1] - 22:21</p> <p><b>possess</b> [1] - 78:23</p> <p><b>possesses</b> [1] - 63:11</p> <p><b>possibility</b> [1] - 41:19</p> <p><b>possible</b> [3] - 22:6, 34:24, 60:22</p> <p><b>post</b> [3] - 24:21, 67:11, 67:12</p> <p><b>post-application</b> [1] - 24:21</p> <p><b>post-construction</b> [2] - 67:11, 67:12</p> <p><b>potential</b> [3] - 10:3, 38:6, 56:1</p> <p><b>potentially</b> [3] - 7:12, 24:11, 28:22</p> <p><b>power</b> [44] - 4:9, 6:20, 21:3, 30:6, 30:15, 31:3, 33:17, 34:6, 37:22, 38:2, 38:20, 38:23, 41:23, 42:24, 42:25, 45:22, 48:19, 48:21, 49:19, 59:18, 60:8, 60:19, 61:4, 61:8, 61:10, 61:11, 61:14, 61:15, 61:20, 62:21, 62:25, 63:4, 67:6, 67:8, 71:25, 72:12, 77:7, 77:9, 77:16, 77:19, 77:22, 78:1, 79:9</p> <p><b>powers</b> [1] - 58:18</p> <p><b>POWERS</b> [1] - 67:22</p> <p><b>practices</b> [2] - 49:13, 76:21</p> <p><b>practicing</b> [1] - 17:17</p> <p><b>prairie</b> [1] - 69:22</p> <p><b>pre</b> [2] - 32:14</p> <p><b>Pre</b> [1] - 1:11</p> <p><b>Pre-hearing</b> [1] - 1:11</p> <p><b>pre-recession</b> [1] - 32:14</p> <p><b>pre-recurrent</b> [1] -</p>	<p>32:14</p> <p><b>precedent</b> [1] - 25:14</p> <p><b>precisely</b> [1] - 76:8</p> <p><b>predicted</b> [1] - 6:14</p> <p><b>prepared</b> [4] - 26:10, 27:6, 40:18, 41:1</p> <p><b>preparing</b> [1] - 44:12</p> <p><b>presence</b> [2] - 75:5, 75:8</p> <p><b>present</b> [7] - 2:8, 3:15, 27:3, 30:16, 47:17, 57:8, 78:13</p> <p><b>presentation</b> [3] - 3:25, 4:4, 8:2</p> <p><b>presented</b> [1] - 54:13</p> <p><b>presently</b> [1] - 24:7</p> <p><b>preservation</b> [3] - 42:9, 75:2, 76:6</p> <p><b>preserve</b> [2] - 10:13, 21:25</p> <p><b>preserving</b> [1] - 74:15</p> <p><b>president</b> [3] - 14:4, 14:6, 14:7</p> <p><b>presiding</b> [2] - 2:7, 8:19</p> <p><b>pressure</b> [2] - 64:13</p> <p><b>presumes</b> [1] - 30:6</p> <p><b>pretty</b> [5] - 11:5, 22:10, 57:17, 67:23</p> <p><b>prevail</b> [1] - 66:17</p> <p><b>prevent</b> [1] - 32:25</p> <p><b>previous</b> [1] - 79:19</p> <p><b>price</b> [2] - 31:19, 67:9</p> <p><b>prices</b> [2] - 11:12, 46:2</p> <p><b>prince</b> [3] - 19:5, 44:10, 44:17</p> <p><b>printed</b> [1] - 23:21</p> <p><b>pristine</b> [6] - 9:18, 15:3, 63:10, 75:4, 76:13, 76:16</p> <p><b>private</b> [8] - 10:7, 11:22, 19:24, 22:24, 36:25, 37:1, 45:15, 45:17</p> <p><b>privilege</b> [2] - 9:11, 47:5</p> <p><b>problem</b> [1] - 57:1</p> <p><b>problems</b> [5] - 14:14, 55:2, 55:19, 59:5, 59:24</p> <p><b>Procedural</b> [1] - 1:11</p> <p><b>procedures</b> [1] - 25:6</p> <p><b>proceeded</b> [1] - 22:15</p> <p><b>proceedings</b> [1] - 8:10</p> <p><b>process</b> [11] - 25:5, 29:22, 35:13, 37:8, 38:8, 42:5, 42:10, 44:7, 44:15, 57:18, 73:5</p>	<p><b>produce</b> [6] - 30:6, 30:15, 45:22, 46:15, 46:22, 48:20</p> <p><b>produced</b> [5] - 30:5, 33:1, 48:25, 61:11, 66:21</p> <p><b>producers</b> [1] - 32:19</p> <p><b>produces</b> [1] - 43:1</p> <p><b>producing</b> [7] - 50:3, 62:17, 77:9, 77:16, 78:1, 78:16, 79:9</p> <p><b>production</b> [1] - 26:15</p> <p><b>products</b> [1] - 18:8</p> <p><b>profess</b> [1] - 58:23</p> <p><b>professional</b> [2] - 8:5, 17:17</p> <p><b>profit</b> [2] - 60:11, 77:5</p> <p><b>profound</b> [1] - 65:20</p> <p><b>profoundly</b> [1] - 44:4</p> <p><b>program</b> [2] - 10:22, 49:11</p> <p><b>programs</b> [3] - 10:21, 32:20, 32:22</p> <p><b>Project</b> [4] - 1:16, 24:14, 38:11, 75:21</p> <p><b>project</b> [105] - 3:10, 4:5, 4:9, 4:20, 5:14, 5:17, 5:19, 5:24, 6:10, 6:22, 7:9, 7:18, 7:20, 7:22, 9:20, 10:8, 10:11, 10:19, 10:25, 11:9, 11:22, 12:5, 12:6, 12:13, 12:20, 14:9, 14:11, 15:23, 16:1, 16:2, 16:7, 16:8, 16:18, 17:8, 18:16, 18:17, 21:12, 21:22, 22:15, 23:1, 24:14, 24:16, 25:13, 26:2, 28:15, 29:24, 30:10, 30:12, 31:19, 31:21, 33:2, 33:4, 33:8, 34:10, 34:11, 34:14, 34:16, 35:2, 35:17, 36:15, 38:4, 38:7, 38:9, 38:10, 38:21, 38:25, 39:4, 39:19, 39:25, 40:5, 41:5, 41:12, 41:14, 41:19, 41:24, 42:5, 42:13, 42:16, 42:18, 42:23, 43:21, 45:21, 46:8, 46:17, 46:24, 49:17, 49:19, 50:7, 51:18, 51:19, 51:23, 51:24, 54:4, 56:7, 56:8, 58:1, 58:25, 59:8, 66:2, 66:6, 67:25, 70:12, 71:12, 71:23</p>	<p><b>project's</b> [1] - 27:10</p> <p><b>projection</b> [1] - 73:11</p> <p><b>projects</b> [15] - 6:20, 15:15, 20:3, 25:9, 29:4, 34:6, 40:8, 40:15, 41:17, 50:4, 51:15, 53:23, 56:11, 64:2, 69:16</p> <p><b>promised</b> [7] - 12:11, 12:12, 33:13, 33:15, 42:20, 59:13, 60:10</p> <p><b>promises</b> [4] - 27:9, 33:16, 60:18, 64:1</p> <p><b>promising</b> [1] - 30:8</p> <p><b>promote</b> [1] - 18:23</p> <p><b>pronounce</b> [1] - 13:21</p> <p><b>pronouncing</b> [1] - 23:12</p> <p><b>property</b> [11] - 10:7, 11:22, 32:10, 52:15, 54:24, 56:21, 70:23, 73:14, 75:17, 75:25</p> <p><b>property's</b> [1] - 75:19</p> <p><b>proposal</b> [9] - 3:16, 8:14, 18:7, 27:9, 54:10, 74:16, 74:22, 74:25, 76:1</p> <p><b>proposals</b> [1] - 78:25</p> <p><b>propose</b> [1] - 56:8</p> <p><b>proposed</b> [8] - 3:6, 3:10, 35:2, 54:24, 63:3, 69:19, 75:15, 75:23</p> <p><b>proposing</b> [1] - 24:3</p> <p><b>protect</b> [6] - 7:14, 47:14, 50:11, 50:13, 63:5, 63:14</p> <p><b>protected</b> [1] - 60:25</p> <p><b>protecting</b> [1] - 27:3</p> <p><b>protection</b> [3] - 73:7, 73:21, 78:6</p> <p><b>Protection</b> [1] - 42:8</p> <p><b>proud</b> [1] - 14:8</p> <p><b>prove</b> [2] - 30:3, 73:13</p> <p><b>proven</b> [3] - 34:17, 43:7, 77:19</p> <p><b>provide</b> [7] - 6:20, 10:16, 11:7, 30:12, 33:6, 71:22, 78:2</p> <p><b>provided</b> [3] - 16:25, 17:1, 49:19</p> <p><b>provides</b> [4] - 42:18, 52:19, 61:9, 75:6</p> <p><b>providing</b> [4] - 6:25, 7:9, 35:21, 38:16</p> <p><b>proving</b> [3] - 78:1, 78:2</p> <p><b>provision</b> [2] - 74:20, 74:21</p> <p><b>provisions</b> [1] - 2:23</p>
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<p><b>proximity</b> [1] - 38:9  <b>PUA</b> [1] - 22:2  <b>PUBLIC</b> [1] - 81:17  <b>public</b> [23] - 2:25, 3:1, 3:14, 4:5, 22:13, 23:2, 25:4, 32:12, 36:7, 36:25, 37:2, 66:10, 66:12, 67:19, 72:4, 73:7, 73:11, 73:21, 73:22, 73:23, 76:3, 79:14, 79:17  <b>Public</b> [2] - 2:2, 81:4  <b>publish</b> [1] - 22:12  <b>pun</b> [1] - 72:8  <b>PUNDERSON</b> [1] - 40:25  <b>punderson</b> [1] - 23:11  <b>Punderson</b> [1] - 41:1  <b>puny</b> [1] - 61:9  <b>purchase</b> [2] - 23:1, 31:18  <b>purchased</b> [2] - 50:5, 50:6  <b>purchasing</b> [1] - 22:4  <b>pure</b> [1] - 65:22  <b>purpose</b> [3] - 3:14, 8:8, 24:16  <b>purposes</b> [1] - 36:8  <b>pursuant</b> [1] - 2:23  <b>pursue</b> [1] - 24:9  <b>push</b> [1] - 60:7  <b>pushing</b> [1] - 63:4  <b>put</b> [7] - 14:21, 16:10, 18:4, 18:7, 42:21, 48:15, 65:12  <b>putting</b> [2] - 24:3, 72:12</p>	<p><b>R</b></p>	<p>79:18  <b>receive</b> [5] - 3:1, 7:19, 12:6, 79:16, 79:18  <b>received</b> [4] - 10:10, 22:17, 36:12, 77:18  <b>receiving</b> [2] - 7:6, 7:11  <b>recent</b> [1] - 48:10  <b>recently</b> [10] - 6:19, 19:6, 31:17, 32:1, 34:13, 34:14, 35:9, 38:2, 51:13, 53:21  <b>recess</b> [1] - 58:10  <b>recession</b> [2] - 32:14, 44:5  <b>recognition</b> [1] - 52:19  <b>recognize</b> [7] - 13:18, 26:20, 32:1, 37:23, 51:14, 52:12, 55:22  <b>recognized</b> [3] - 36:17, 49:9, 55:20  <b>recognizing</b> [3] - 21:23, 32:4, 57:20  <b>recommend</b> [1] - 66:6  <b>recommended</b> [1] - 38:18  <b>recommending</b> [1] - 66:18  <b>reconsidered</b> [1] - 33:5  <b>record</b> [10] - 8:4, 8:16, 8:21, 33:22, 49:12, 58:5, 79:15, 79:20, 79:21, 81:9  <b>Record</b> [1] - 24:14  <b>recording</b> [1] - 8:9  <b>recreation</b> [7] - 26:15, 35:22, 36:21, 50:18, 76:3, 76:9  <b>recreational</b> [5] - 36:7, 56:5, 56:8, 63:13, 78:12  <b>rectified</b> [1] - 44:15  <b>recurrent</b> [1] - 32:14  <b>red</b> [1] - 4:18  <b>redesign</b> [1] - 77:12  <b>redesigns</b> [1] - 34:23  <b>reduce</b> [1] - 45:22  <b>reduced</b> [1] - 81:7  <b>reduction</b> [2] - 48:5, 48:24  <b>reeds</b> [1] - 52:6  <b>refinery</b> [1] - 18:3  <b>reflect</b> [1] - 34:12  <b>reflection</b> [1] - 68:16  <b>refrigeration</b> [1] - 72:7  <b>regard</b> [3] - 15:3, 21:2, 54:11  <b>regarding</b> [3] - 24:20,</p>	<p>72:20, 81:6  <b>regards</b> [2] - 10:8, 11:8  <b>region</b> [13] - 29:22, 29:25, 35:23, 35:24, 53:1, 54:2, 54:3, 56:21, 63:20, 64:23, 68:25, 70:1, 70:12  <b>regional</b> [2] - 36:20, 55:22  <b>regionally</b> [1] - 56:19  <b>regions</b> [1] - 54:18  <b>registered</b> [1] - 36:4  <b>regulated</b> [1] - 48:4  <b>regulation</b> [1] - 72:17  <b>Regulation</b> [1] - 1:5  <b>regulations</b> [1] - 37:7  <b>regulatory</b> [3] - 6:18, 37:19, 42:5  <b>reinforce</b> [1] - 15:17  <b>reiterate</b> [1] - 77:25  <b>reject</b> [2] - 25:11, 25:16  <b>relationship</b> [1] - 14:13  <b>relationships</b> [1] - 49:14  <b>relaxation</b> [1] - 76:11  <b>relevant</b> [1] - 8:12  <b>reliable</b> [1] - 61:17  <b>relies</b> [1] - 43:3  <b>relieves</b> [1] - 25:17  <b>remain</b> [3] - 8:16, 25:6, 79:15  <b>remainder</b> [1] - 38:11  <b>remained</b> [1] - 67:13  <b>remember</b> [5] - 13:7, 20:7, 20:8, 62:5, 64:9  <b>remind</b> [1] - 79:14  <b>reminder</b> [1] - 75:7  <b>remote</b> [7] - 10:25, 11:23, 28:11, 47:20, 47:23, 54:18, 65:1  <b>removed</b> [1] - 25:22  <b>Renaud</b> [1] - 2:18  <b>renewable</b> [14] - 31:3, 32:3, 32:4, 32:6, 32:18, 32:23, 33:1, 37:21, 42:18, 43:10, 45:7, 49:3, 49:19, 54:5  <b>renewal</b> [1] - 60:20  <b>renovated</b> [1] - 60:14  <b>repeat</b> [3] - 58:15, 58:19, 61:19  <b>repetitious</b> [1] - 8:14  <b>replaced</b> [1] - 49:23  <b>reported</b> [1] - 81:7  <b>reporter</b> [3] - 2:18,</p>	<p>57:22, 58:9  <b>Reporter</b> [1] - 81:18  <b>REPORTER</b> [2] - 23:15, 23:17  <b>Reporters</b> [1] - 1:25  <b>represent</b> [3] - 8:7, 45:14, 55:12  <b>representation</b> [2] - 26:8, 55:12  <b>represented</b> [1] - 32:3  <b>representing</b> [9] - 9:11, 17:10, 17:11, 20:14, 29:18, 35:5, 41:4, 51:9  <b>represents</b> [2] - 20:24, 21:21  <b>request</b> [4] - 8:10, 30:3, 33:4, 67:2  <b>require</b> [7] - 5:16, 5:18, 5:20, 30:3, 49:2, 49:6, 66:7  <b>required</b> [3] - 8:3, 33:12, 33:14  <b>requirement</b> [1] - 29:4  <b>requires</b> [1] - 6:20  <b>research</b> [4] - 72:10, 74:17, 76:21, 76:23  <b>reserve</b> [1] - 73:22  <b>residence</b> [2] - 8:5, 11:2  <b>residences</b> [2] - 71:5, 71:10  <b>resident</b> [10] - 34:5, 37:20, 41:2, 43:16, 45:13, 47:4, 47:7, 58:22, 63:19, 70:22  <b>residents</b> [4] - 41:21, 52:21, 53:18, 64:1  <b>resort</b> [2] - 41:10, 47:18  <b>resorts</b> [2] - 36:24, 48:10  <b>resource</b> [7] - 19:25, 26:14, 26:16, 45:4, 49:13, 49:20, 74:11  <b>resources</b> [13] - 6:6, 27:8, 27:25, 32:23, 48:19, 54:14, 74:17, 74:24, 78:6, 78:10, 78:11, 78:16, 78:23  <b>respect</b> [1] - 14:15  <b>responded</b> [1] - 30:17  <b>responsibility</b> [5] - 22:3, 27:1, 29:9, 29:11, 50:13  <b>responsible</b> [3] - 43:5, 43:9, 45:1  <b>rest</b> [2] - 64:8, 68:23  <b>restaurants</b> [2] - 41:16, 50:25</p>
<p><b>Q</b></p>	<p><b>radio</b> [1] - 32:12  <b>rain</b> [1] - 49:2  <b>raise</b> [1] - 9:3  <b>raised</b> [1] - 30:18  <b>raises</b> [1] - 49:1  <b>raising</b> [1] - 41:7  <b>ramped</b> [1] - 73:2  <b>ran</b> [1] - 7:2  <b>Range</b> [4] - 4:12, 4:14, 4:23, 34:20  <b>range</b> [5] - 4:22, 14:12, 35:25, 42:17, 49:18  <b>Rangleley</b> [4] - 12:15, 36:1, 37:4, 63:20  <b>ranks</b> [1] - 49:11  <b>rapid</b> [2] - 29:7, 78:15  <b>rare</b> [2] - 27:16, 27:17  <b>rate</b> [5] - 53:7, 53:9, 53:16, 54:20, 59:19  <b>rather</b> [5] - 19:21, 25:23, 47:23, 57:13, 63:4  <b>rattle</b> [1] - 39:12  <b>reach</b> [1] - 47:22  <b>read</b> [9] - 10:15, 13:13, 20:19, 20:21, 20:23, 21:19, 47:25, 61:13, 78:5  <b>readily</b> [1] - 25:3  <b>reading</b> [2] - 62:8, 69:6  <b>reaffirms</b> [1] - 75:23  <b>real</b> [8] - 16:3, 17:3, 30:4, 61:8, 61:21, 61:22, 73:11, 74:1  <b>realize</b> [2] - 20:17, 72:8  <b>realized</b> [4] - 21:6, 45:16, 62:21, 64:20  <b>realizes</b> [1] - 62:17  <b>really</b> [15] - 17:4, 18:23, 21:14, 24:12, 46:7, 46:11, 46:12, 46:13, 46:17, 46:24, 57:23, 60:4, 66:17, 72:2, 77:16  <b>reason</b> [7] - 27:22, 45:18, 51:20, 54:3, 71:3, 74:4, 79:8  <b>reasonable</b> [6] - 28:13, 28:14, 28:19, 28:25, 29:9, 38:25  <b>reasons</b> [4] - 27:14, 70:24, 73:1, 73:16  <b>Rebecca</b> [2] - 2:12, 2:18  <b>rebuttal</b> [2] - 8:18,</p>			
<p><b>qualifies</b> [1] - 72:14  <b>qualify</b> [1] - 30:7  <b>quality</b> [4] - 63:8, 63:10, 64:3, 78:24  <b>Quebec</b> [6] - 7:13, 19:5, 31:7, 31:12, 32:3, 75:22  <b>questionable</b> [1] - 26:3  <b>questions</b> [7] - 8:12, 8:15, 39:6, 40:22, 67:15, 67:16, 68:18  <b>quick</b> [1] - 33:11  <b>quickly</b> [3] - 8:11, 44:7, 63:7  <b>quiet</b> [1] - 65:7  <b>quote</b> [2] - 65:18, 75:4</p>				

<p><b>restored</b> [1] - 76:11  <b>restoring</b> [1] - 42:1  <b>restricted</b> [3] - 74:5, 74:11, 74:12  <b>restrictions</b> [1] - 56:22  <b>result</b> [3] - 8:23, 26:5, 66:23  <b>results</b> [3] - 52:6, 66:11, 66:12  <b>resumed</b> [1] - 58:11  <b>retain</b> [1] - 61:2  <b>retained</b> [1] - 25:22  <b>retired</b> [3] - 17:22, 21:9, 59:13  <b>retirees</b> [1] - 60:12  <b>returning</b> [1] - 60:17  <b>revenue</b> [2] - 38:16, 52:2  <b>revenues</b> [2] - 55:4, 70:11  <b>reversing</b> [1] - 48:16  <b>review</b> [3] - 6:14, 25:4, 42:10  <b>reviewed</b> [1] - 42:6  <b>reviewing</b> [2] - 42:13, 54:15  <b>reviews</b> [2] - 42:16, 49:18  <b>revised</b> [1] - 73:9  <b>revisiting</b> [1] - 57:3  <b>Rhode</b> [2] - 63:23, 64:10  <b>Richard</b> [5] - 23:8, 29:17, 33:9, 67:23, 77:18  <b>ride</b> [1] - 50:24  <b>rider</b> [1] - 47:12  <b>riders</b> [4] - 36:4, 37:11, 37:12  <b>ridge</b> [2] - 4:21, 6:9  <b>ridges</b> [7] - 4:11, 4:16, 4:17, 5:8, 5:22, 21:11, 59:21  <b>right-hand</b> [1] - 3:22  <b>rights</b> [3] - 10:7, 11:22, 12:9  <b>rigorous</b> [2] - 42:16, 49:17  <b>rigs</b> [1] - 18:10  <b>rising</b> [1] - 69:15  <b>risk</b> [1] - 27:21  <b>RITZO</b> [1] - 45:12  <b>Ritzo</b> [2] - 39:13, 45:12  <b>river</b> [1] - 32:11  <b>River</b> [1] - 14:22  <b>rivers</b> [2] - 63:9, 78:7  <b>road</b> [7] - 3:8, 5:6, 5:15, 5:21, 14:23, 27:19, 34:23</p>	<p><b>Road</b> [3] - 5:7, 5:18, 5:19  <b>roads</b> [3] - 5:20, 59:3, 59:24  <b>Robert</b> [3] - 13:23, 13:24, 14:2  <b>Roberts</b> [1] - 69:5  <b>rocky</b> [1] - 68:15  <b>role</b> [1] - 54:1  <b>Rollo</b> [2] - 58:17, 63:18  <b>ROLLO</b> [1] - 63:18  <b>romanticized</b> [1] - 68:14  <b>Roooking's</b> [1] - 63:7  <b>room</b> [3] - 25:25, 37:23, 65:9  <b>roots</b> [1] - 41:8  <b>roughly</b> [6] - 4:22, 5:2, 5:21, 6:13, 10:20  <b>round</b> [3] - 11:2, 14:11, 71:10  <b>route</b> [1] - 22:3  <b>Route</b> [1] - 75:5  <b>routes</b> [3] - 36:10, 36:11, 37:3  <b>rulemaking</b> [1] - 72:20  <b>rules</b> [3] - 2:25, 30:8, 62:9  <b>runs</b> [1] - 5:12  <b>rural</b> [3] - 28:7, 51:17, 64:21  <b>rush</b> [1] - 62:3</p>	<p><b>Saturday</b> [1] - 15:1  <b>saved</b> [1] - 69:4  <b>saving</b> [1] - 64:4  <b>saw</b> [3] - 15:24, 28:16, 46:1  <b>scale</b> [3] - 10:5, 32:2, 75:14  <b>scarce</b> [1] - 27:5  <b>scarred</b> [1] - 65:6  <b>scenery</b> [3] - 11:4, 63:12, 64:20  <b>scenic</b> [7] - 10:1, 12:1, 27:25, 64:23, 70:10, 74:24, 78:11  <b>schedule</b> [1] - 7:16  <b>scheme</b> [2] - 25:24, 27:8  <b>school</b> [3] - 10:14, 16:11, 55:18  <b>schools</b> [1] - 40:11  <b>scientific</b> [1] - 50:19  <b>scientists</b> [2] - 42:9, 47:15  <b>Scotia</b> [1] - 19:5  <b>Scotland</b> [1] - 19:6  <b>scribbled</b> [1] - 33:23  <b>scrutiny</b> [1] - 25:4  <b>seal</b> [1] - 81:14  <b>search</b> [3] - 47:20, 61:5, 63:10  <b>seasonal</b> [3] - 11:1, 43:3, 75:5  <b>second</b> [3] - 20:22, 71:3, 79:13  <b>section</b> [2] - 2:23, 3:17  <b>see</b> [25] - 2:18, 2:22, 18:16, 18:19, 19:16, 19:19, 19:20, 20:16, 28:12, 33:3, 45:3, 45:8, 50:19, 52:17, 52:23, 57:6, 60:3, 62:19, 62:20, 65:16, 68:20, 69:24, 70:1, 74:12  <b>seeing</b> [6] - 38:4, 44:5, 44:14, 44:18, 62:18, 77:6  <b>seek</b> [1] - 59:15  <b>seeking</b> [1] - 31:7  <b>segment</b> [1] - 3:9  <b>selectman</b> [1] - 20:13  <b>senate</b> [1] - 31:25  <b>senator</b> [4] - 52:12, 52:13, 54:11, 54:22  <b>Senator</b> [1] - 65:18  <b>send</b> [1] - 18:18  <b>senior</b> [2] - 2:21, 15:12  <b>sense</b> [5] - 38:12,</p>	<p>41:23, 56:14, 60:2, 62:23  <b>separate</b> [1] - 7:8  <b>series</b> [2] - 18:2, 66:16  <b>serious</b> [5] - 46:17, 46:24, 48:12, 50:21, 61:10  <b>seriously</b> [2] - 33:3, 39:18  <b>serve</b> [1] - 30:23  <b>served</b> [2] - 25:9, 53:18  <b>service</b> [1] - 9:13  <b>services</b> [4] - 4:16, 16:20, 39:23, 42:12  <b>serving</b> [1] - 35:7  <b>session</b> [2] - 57:20, 79:13  <b>sessions</b> [1] - 57:3  <b>set</b> [4] - 26:18, 62:16, 75:13, 76:7  <b>Seth</b> [6] - 39:13, 43:14, 43:15, 46:9, 46:13, 47:20  <b>sets</b> [1] - 59:21  <b>setting</b> [3] - 75:10, 75:17, 75:21  <b>settle</b> [1] - 60:13  <b>seven</b> [6] - 8:18, 14:21, 35:6, 37:13, 74:7, 79:17  <b>several</b> [6] - 4:6, 6:2, 21:3, 37:22, 40:3, 41:10  <b>shadow</b> [2] - 6:3, 10:22  <b>shameful</b> [1] - 24:25  <b>shamefully</b> [2] - 61:21, 61:22  <b>shape</b> [2] - 14:15, 40:7  <b>shared</b> [2] - 56:3, 56:19  <b>Sharon</b> [1] - 71:24  <b>she-said</b> [1] - 67:17  <b>sheet</b> [2] - 13:14, 13:19  <b>sheets</b> [1] - 3:21  <b>shop</b> [1] - 50:24  <b>shore</b> [1] - 74:6  <b>shoreline</b> [1] - 75:6  <b>shorelines</b> [1] - 68:15  <b>short</b> [6] - 3:8, 3:25, 12:7, 31:1, 50:1, 60:10  <b>shortened</b> [1] - 50:16  <b>shortly</b> [1] - 44:8  <b>shoulder</b> [2] - 64:23  <b>shoulder-to-shoulder</b> [1] - 64:23  <b>show</b> [5] - 6:7, 6:11,</p>	<p>6:14, 71:1, 71:3  <b>side</b> [1] - 14:25  <b>sign</b> [2] - 3:20, 13:19  <b>signed</b> [2] - 20:17, 31:17  <b>significance</b> [5] - 36:16, 55:24, 75:11, 75:18, 78:11  <b>significant</b> [14] - 5:9, 10:11, 32:25, 35:9, 51:15, 52:24, 53:15, 53:24, 54:19, 74:9, 74:18, 75:19, 78:9, 78:17  <b>significantly</b> [2] - 52:4, 52:10  <b>signing</b> [1] - 37:14  <b>signs</b> [1] - 59:2  <b>Simco's</b> [1] - 55:16  <b>similar</b> [2] - 7:2, 35:18  <b>simpler</b> [1] - 69:22  <b>simply</b> [3] - 11:10, 15:25, 25:20  <b>sincere</b> [1] - 12:20  <b>sincerely</b> [1] - 23:5  <b>singled</b> [1] - 61:3  <b>Sisk</b> [22] - 4:24, 7:17, 9:20, 10:8, 21:22, 23:1, 30:19, 33:4, 38:6, 38:7, 38:9, 38:12, 38:21, 41:6, 41:25, 43:11, 51:18, 63:1, 65:1, 66:2, 72:23, 76:14  <b>sit</b> [2] - 44:16, 45:24  <b>site</b> [1] - 34:24  <b>sites</b> [2] - 61:13, 72:11  <b>sitting</b> [1] - 26:9  <b>situation</b> [6] - 10:6, 12:8, 35:18, 50:4, 52:12, 77:11  <b>six</b> [2] - 39:4, 64:18  <b>skeptical</b> [1] - 9:22  <b>ski</b> [2] - 41:9, 48:11  <b>skiers</b> [2] - 36:5, 37:12  <b>Skowhegan</b> [2] - 16:14, 16:19  <b>sky</b> [1] - 28:8  <b>sleds</b> [1] - 15:1  <b>slopes</b> [2] - 27:19, 59:25  <b>slowly</b> [1] - 51:4  <b>small</b> [5] - 11:10, 49:6, 50:25, 62:7, 69:21  <b>smarter</b> [1] - 45:23  <b>SMITH</b> [1] - 58:21  <b>Smith</b> [3] - 39:14, 58:13, 58:22  <b>smokestack</b> [1] - 19:18</p>
	<b>S</b>			
<p><b>sackett</b> [1] - 16:18  <b>sacrifice</b> [1] - 65:7  <b>saddleback</b> [1] - 36:23  <b>safest</b> [1] - 46:15  <b>safety</b> [2] - 34:18, 78:18  <b>salaries</b> [2] - 16:9, 34:16  <b>sale</b> [3] - 30:2, 33:7, 72:7  <b>sales</b> [1] - 52:15  <b>Sally</b> [1] - 2:15  <b>SAM</b> [1] - 14:4  <b>Samantha</b> [1] - 2:20  <b>sand</b> [1] - 78:10  <b>sandbox</b> [1] - 60:1  <b>sands</b> [3] - 24:7, 76:23, 77:1  <b>Sargent</b> [9] - 15:12, 15:13, 15:17, 15:22, 17:10, 17:11, 34:1, 34:3, 34:8  <b>sat</b> [1] - 45:16</p>				

**snow** [4] - 44:1, 48:8, 50:12, 68:17  
**snowboarder** [2] - 47:12, 48:1  
**snowfall** [2] - 43:4, 48:9  
**snowmobile** [6] - 14:4, 14:7, 14:18, 36:3, 37:11, 56:9  
**Society** [3] - 7:10, 10:22, 21:21  
**society** [5] - 20:24, 21:2, 21:24, 22:3, 22:16  
**soft** [1] - 68:16  
**soil** [1] - 42:9  
**solar** [3] - 71:25, 72:6, 72:12  
**sold** [4] - 30:21, 30:25, 31:2, 55:1  
**soldiers** [1] - 22:22  
**solely** [1] - 39:25  
**solemnly** [1] - 9:3  
**solid** [1] - 43:8  
**solon** [1] - 16:14  
**someone** [4] - 46:9, 46:13, 69:6, 69:25  
**somewhat** [1] - 22:7  
**somewhere** [3] - 53:7, 70:3, 70:5  
**son** [1] - 41:8  
**sorry** [3] - 4:25, 44:14, 67:4  
**sort** [4] - 5:9, 5:14, 62:1, 66:16  
**sorts** [1] - 67:17  
**souls** [1] - 64:24  
**sound** [5] - 2:19, 6:3, 6:7, 6:14, 6:15  
**Sound** [2] - 44:11, 44:18  
**source** [2] - 32:3, 42:18  
**sources** [5] - 49:8, 61:7, 61:10, 61:17, 77:2  
**south** [1] - 36:1  
**southern** [2] - 31:11, 64:9  
**sparks** [1] - 68:12  
**speaking** [2] - 59:12, 71:14  
**special** [3] - 25:18, 62:11, 64:10  
**species** [6] - 21:11, 21:14, 21:15, 21:16, 27:16  
**specifically** [1] - 30:23  
**specified** [1] - 3:17  
**speechless** [1] - 69:18

**speed** [1] - 18:18  
**spell** [1] - 51:3  
**Spencer** [1] - 2:21  
**Spencer-Famous** [1] - 2:21  
**spend** [4] - 59:15, 68:11, 70:1, 70:2  
**spending** [4] - 7:23, 40:1, 40:6, 40:17  
**spent** [6] - 17:1, 34:19, 34:22, 44:3, 49:25, 55:6  
**spill** [4] - 44:11, 44:13, 44:21, 45:25  
**spirits** [1] - 64:25  
**spoken** [3] - 72:23, 76:17, 77:10  
**sport** [1] - 50:12  
**sporting** [1] - 76:4  
**sports** [2] - 48:13, 60:15  
**spot** [1] - 74:3  
**spots** [2] - 60:15, 71:4  
**spreading** [1] - 59:18  
**spreads** [1] - 61:15  
**spring** [1] - 34:22  
**spur** [1] - 32:23  
**squandered** [1] - 26:17  
**square** [1] - 28:21  
**staff** [5] - 2:14, 8:25, 13:8, 26:20, 63:24  
**stakeholders** [1] - 49:14  
**stance** [1] - 45:7  
**stand** [4] - 9:2, 13:17, 21:20, 21:21  
**standard** [2] - 7:8, 56:17  
**standards** [3] - 3:19, 25:20, 29:5  
**standing** [3] - 20:12, 20:20, 45:8  
**standpoint** [3] - 14:10, 17:3, 41:12  
**stands** [1] - 64:23  
**start** [3] - 4:8, 7:20, 38:3  
**start-up** [1] - 38:3  
**started** [3] - 4:7, 13:12, 17:25  
**starting** [1] - 2:9  
**starts** [2] - 19:3, 31:19  
**State** [2] - 1:2, 81:4  
**state** [48] - 8:4, 9:14, 10:4, 11:13, 11:23, 12:18, 14:5, 17:18, 17:20, 17:24, 18:1, 18:8, 18:9, 19:8, 22:2, 22:7, 23:5,

24:13, 24:14, 25:2, 25:6, 27:20, 31:25, 32:18, 32:20, 32:21, 32:23, 38:2, 42:3, 42:6, 42:9, 44:4, 44:24, 45:6, 46:20, 52:14, 53:14, 54:18, 56:10, 68:6, 71:22, 75:1, 76:5, 78:10, 78:14, 78:19, 78:24, 79:1  
**state's** [1] - 78:7  
**statement** [10] - 20:18, 20:23, 20:25, 21:1, 21:19, 24:19, 41:1, 47:5, 47:25, 79:12  
**statements** [2] - 79:16, 79:18  
**states** [4] - 30:24, 31:14, 75:2, 78:6  
**statewide** [5] - 10:5, 11:8, 12:3, 55:23, 74:10  
**statistics** [1] - 16:4  
**status** [1] - 15:20  
**statutes** [1] - 3:18  
**stay** [2] - 38:16, 68:21  
**staying** [1] - 10:18  
**steady** [2] - 45:20, 61:1  
**Stearns** [1] - 36:11  
**steep** [1] - 59:25  
**stenographically** [1] - 81:7  
**step** [5] - 11:10, 11:11, 20:21, 69:4  
**stepped** [2] - 20:22, 53:21  
**Steve** [4] - 13:23, 15:10, 15:11, 17:9  
**stewards** [1] - 76:17  
**Stewart** [1] - 28:14  
**still** [12] - 11:11, 11:17, 15:13, 20:21, 23:10, 27:3, 34:21, 39:9, 56:21, 71:11, 77:14, 77:15  
**stimulating** [1] - 40:16  
**stood** [2] - 20:21, 28:14  
**stop** [2] - 25:17, 69:8  
**storage** [1] - 18:5  
**store** [1] - 18:7  
**stores** [1] - 50:24  
**stories** [1] - 48:6  
**storing** [1] - 18:6  
**story** [4] - 32:12, 48:7, 62:7, 62:24  
**stove** [1] - 62:2  
**Stratton** [9] - 10:14,

16:20, 16:22, 16:25, 17:2, 39:16, 47:4, 71:20  
**stream** [1] - 5:12  
**streams** [1] - 78:8  
**stressful** [1] - 64:4  
**strict** [1] - 49:23  
**stride** [1] - 12:3  
**strokes** [1] - 68:16  
**strong** [2] - 35:25, 55:18  
**structural** [1] - 28:1  
**studied** [2] - 5:9, 61:4  
**studies** [4] - 6:2, 6:3, 6:14  
**study** [9] - 5:10, 6:4, 66:8, 66:10, 66:13, 66:18, 67:8, 67:15, 67:19  
**studying** [1] - 67:1  
**stunning** [2] - 63:12, 65:5  
**stupid** [1] - 62:13  
**sub** [1] - 6:10  
**subcontractor** [1] - 15:23  
**subcontractors** [1] - 16:16  
**subject** [1] - 67:16  
**submission** [2] - 58:4, 58:5  
**submit** [3] - 13:11, 33:21, 33:24  
**submitted** [1] - 3:3  
**subscribe** [1] - 81:13  
**subsidies** [7] - 31:16, 32:8, 60:21, 61:14, 77:7, 77:21, 77:22  
**substantial** [1] - 78:23  
**substantially** [2] - 6:17, 75:15  
**substation** [6] - 3:8, 3:10, 3:13, 4:19, 5:25, 6:9  
**successful** [1] - 38:10  
**Sugarloaf** [5] - 1:20, 2:2, 36:23, 41:7, 41:9  
**suggest** [1] - 25:11  
**suggested** [1] - 54:22  
**suit** [2] - 32:15, 32:19  
**sulfur** [1] - 48:25  
**summarize** [2] - 29:14, 33:9  
**summer** [4] - 7:17, 7:19, 7:21, 39:5  
**Summit** [2] - 1:20, 2:2  
**sun** [1] - 49:5  
**supervision** [1] - 49:23

**supplement** [1] - 67:5  
**supplemented** [1] - 60:20  
**supply** [3] - 31:13, 32:2, 77:21  
**support** [26] - 5:3, 6:2, 14:16, 15:8, 15:19, 17:8, 20:4, 34:11, 35:1, 38:24, 41:5, 41:16, 41:20, 43:5, 43:6, 43:9, 43:10, 44:24, 45:2, 50:25, 51:1, 51:18, 51:20, 53:1, 59:7, 72:21  
**supported** [4] - 36:17, 51:18, 51:19, 53:5  
**supporting** [1] - 55:19  
**supposed** [2] - 18:4, 18:6  
**surrounded** [1] - 73:22  
**surrounding** [3] - 42:19, 49:20, 76:14  
**survey** [1] - 17:21  
**surveyor** [2] - 17:19, 34:1  
**survive** [2] - 21:18, 54:7  
**surviving** [1] - 40:9  
**sustain** [1] - 21:18  
**sustainability** [1] - 21:15  
**sustainable** [5] - 7:4, 42:25, 49:10, 50:3, 50:9  
**swaths** [1] - 59:25  
**swear** [4] - 3:23, 4:1, 9:1, 9:3  
**swim** [1] - 64:18  
**swindlers** [1] - 62:9  
**sworn** [2] - 8:3, 13:18  
**symbolic** [1] - 64:11  
**system** [4] - 2:19, 5:24, 51:11, 78:10  
**systems** [4] - 36:21, 36:22, 36:24, 54:6

## T

**tackle** [2] - 12:12, 59:24  
**tailpipe** [1] - 19:18  
**tangible** [17] - 6:20, 7:8, 25:1, 25:2, 30:1, 30:7, 33:6, 52:10, 52:19, 52:24, 53:20, 56:20, 57:7, 71:11, 71:22, 72:2, 78:2  
**tar** [3] - 24:7, 76:23, 77:1

<p><b>task</b> [8] - 26:6, 26:9, 37:22, 37:24, 38:18, 38:22, 59:24</p> <p><b>tax</b> [15] - 10:12, 32:10, 34:9, 52:5, 52:15, 54:24, 54:25, 55:7, 55:13, 56:17, 56:20, 56:21</p> <p><b>taxation</b> [4] - 52:14, 55:5, 55:12, 57:2</p> <p><b>taxes</b> [1] - 33:14</p> <p><b>taxpayer</b> [1] - 31:16</p> <p><b>taxpayers</b> [1] - 32:8</p> <p><b>teaches</b> [1] - 47:24</p> <p><b>technicians</b> [3] - 39:3, 39:4, 59:23</p> <p><b>teemos</b> [1] - 52:6</p> <p><b>television</b> [1] - 45:24</p> <p><b>temperatures</b> [1] - 48:9</p> <p><b>temporarily</b> [1] - 49:22</p> <p><b>temporary</b> [5] - 15:14, 15:16, 15:20, 22:18, 41:17</p> <p><b>temptation</b> [1] - 60:7</p> <p><b>ten</b> [3] - 8:16, 13:11, 79:19</p> <p><b>tenure</b> [2] - 18:1, 18:9</p> <p><b>term</b> [10] - 10:7, 10:23, 31:1, 32:25, 33:7, 44:14, 50:1, 60:10, 68:25, 69:20</p> <p><b>terms</b> [3] - 53:25, 54:5, 57:25</p> <p><b>terrains</b> [1] - 19:7</p> <p><b>territories</b> [13] - 51:16, 51:21, 51:25, 52:3, 52:9, 53:2, 53:6, 53:13, 54:19, 55:3, 55:20, 56:25, 57:11</p> <p><b>territory</b> [2] - 54:21, 55:8</p> <p><b>test</b> [3] - 9:22, 9:25, 11:20</p> <p><b>testified</b> [1] - 20:5</p> <p><b>testify</b> [11] - 3:20, 3:22, 9:2, 13:15, 13:16, 20:8, 23:8, 36:11, 58:17, 70:16, 70:17</p> <p><b>testimony</b> [20] - 3:2, 3:15, 8:4, 8:12, 8:19, 8:20, 13:7, 13:10, 13:11, 23:7, 23:22, 23:24, 33:10, 67:22, 70:14, 73:14, 79:13, 79:20, 81:9</p> <p><b>text</b> [1] - 26:21</p> <p><b>thankful</b> [1] - 17:6</p> <p><b>thanking</b> [1] - 9:13</p>	<p><b>THE</b> [2] - 23:15, 23:17</p> <p><b>theme</b> [1] - 66:3</p> <p><b>themselves</b> [3] - 2:9, 34:17, 77:1</p> <p><b>therefore</b> [1] - 74:10</p> <p><b>they've</b> [4] - 15:7, 19:10, 40:5, 40:17</p> <p><b>thinking</b> [1] - 65:2</p> <p><b>Thompson</b> [1] - 1:24</p> <p><b>thorough</b> [2] - 18:24, 18:25</p> <p><b>thoughtful</b> [1] - 37:25</p> <p><b>thousand</b> [1] - 65:14</p> <p><b>thousands</b> [4] - 31:8, 50:17, 50:25, 68:7</p> <p><b>threat</b> [3] - 26:1, 50:21, 78:23</p> <p><b>threatened</b> [2] - 27:16, 61:5</p> <p><b>threatening</b> [1] - 78:18</p> <p><b>three</b> [4] - 4:25, 10:2, 26:8, 74:8</p> <p><b>thrive</b> [1] - 54:7</p> <p><b>throughout</b> [2] - 17:4, 53:13</p> <p><b>Thrush</b> [1] - 7:13</p> <p><b>tidy</b> [1] - 23:21</p> <p><b>TIF</b> [8] - 51:19, 51:20, 53:8, 54:15, 55:12, 55:24, 56:2, 56:4</p> <p><b>TIFs</b> [1] - 56:12</p> <p><b>timber</b> [1] - 76:4</p> <p><b>timed</b> [1] - 48:8</p> <p><b>timely</b> [1] - 38:1</p> <p><b>tirelessly</b> [1] - 37:24</p> <p><b>Toby</b> [1] - 4:3</p> <p><b>today</b> [12] - 14:1, 14:8, 15:25, 24:23, 25:15, 27:2, 32:13, 50:2, 72:10, 76:10, 77:6, 79:6</p> <p><b>together</b> [1] - 36:6</p> <p><b>Tokyo</b> [1] - 68:14</p> <p><b>tonight</b> [11] - 7:24, 13:1, 20:15, 30:1, 34:2, 34:11, 41:4, 43:17, 45:14, 63:22, 66:4</p> <p><b>toolbox</b> [2] - 34:25, 59:23</p> <p><b>top</b> [2] - 5:22, 10:10</p> <p><b>topic</b> [1] - 69:14</p> <p><b>total</b> [1] - 4:24</p> <p><b>touched</b> [1] - 77:8</p> <p><b>tough</b> [2] - 11:14, 34:13</p> <p><b>tourism</b> [4] - 10:3, 43:3, 50:18, 68:24</p> <p><b>tourist</b> [1] - 12:2</p>	<p><b>tourists</b> [1] - 50:23</p> <p><b>toward</b> [2] - 22:25, 36:19</p> <p><b>towards</b> [3] - 12:3, 45:7, 57:10</p> <p><b>tower</b> [1] - 7:17</p> <p><b>town</b> [12] - 6:23, 9:7, 12:24, 12:25, 17:15, 20:14, 30:9, 39:24, 55:21, 62:22</p> <p><b>towns</b> [7] - 19:14, 32:9, 37:3, 53:5, 53:6, 53:9, 57:12</p> <p><b>Township</b> [1] - 3:5</p> <p><b>township</b> [4] - 3:5, 22:19, 23:19, 70:24</p> <p><b>townships</b> [1] - 37:6</p> <p><b>traditional</b> [2] - 76:2, 76:10</p> <p><b>traffic</b> [1] - 14:24</p> <p><b>Trafton</b> [4] - 58:17, 59:11, 66:1</p> <p><b>TRAFTON</b> [2] - 59:11, 65:25</p> <p><b>trail</b> [19] - 7:7, 7:11, 19:3, 19:8, 19:11, 19:13, 22:12, 22:21, 22:23, 29:21, 29:24, 36:9, 36:21, 36:22, 37:2, 37:3, 37:10, 37:12, 51:11</p> <p><b>Trail</b> [8] - 10:21, 14:4, 20:24, 21:25, 75:4, 75:10, 75:16, 75:21</p> <p><b>trails</b> [8] - 19:7, 35:22, 37:7, 51:10, 55:22, 56:3, 59:3</p> <p><b>train</b> [1] - 7:4</p> <p><b>TransCanada</b> [52] - 1:15, 3:3, 3:25, 4:3, 6:22, 10:19, 12:17, 14:14, 15:6, 17:6, 22:15, 22:25, 25:5, 25:10, 26:7, 30:3, 30:8, 30:11, 30:15, 30:17, 31:2, 32:9, 32:10, 32:11, 32:15, 32:24, 33:5, 33:12, 33:14, 33:15, 34:17, 35:10, 35:15, 36:18, 36:19, 37:9, 38:10, 42:1, 42:20, 43:6, 49:9, 49:15, 50:5, 52:23, 53:19, 58:25, 66:7, 70:9, 70:25, 76:18, 76:21, 77:4</p> <p><b>TransCanada's</b> [7] - 24:20, 30:24, 32:19, 33:2, 34:25, 38:3, 53:19</p>	<p><b>transcribed</b> [2] - 8:9, 8:12</p> <p><b>transcription</b> [1] - 81:8</p> <p><b>transformation</b> [1] - 29:8</p> <p><b>translation</b> [1] - 62:4</p> <p><b>transmission</b> [5] - 3:9, 3:12, 4:17, 6:1, 31:10</p> <p><b>transport</b> [1] - 47:24</p> <p><b>travel</b> [3] - 68:4, 68:11, 69:24</p> <p><b>traveled</b> [3] - 48:2, 64:17, 65:9</p> <p><b>travels</b> [2] - 47:19, 69:13</p> <p><b>treasure</b> [2] - 26:24, 68:22</p> <p><b>treasured</b> [1] - 70:13</p> <p><b>treasurer</b> [1] - 27:2</p> <p><b>treat</b> [1] - 62:4</p> <p><b>tree</b> [1] - 26:15</p> <p><b>trees</b> [1] - 68:15</p> <p><b>tremendous</b> [2] - 39:19, 42:24</p> <p><b>tribal</b> [1] - 44:10</p> <p><b>trickle</b> [1] - 17:4</p> <p><b>tried</b> [2] - 22:12, 77:20</p> <p><b>trouble</b> [1] - 39:21</p> <p><b>Truckee</b> [1] - 47:7</p> <p><b>true</b> [2] - 77:20, 81:9</p> <p><b>truth</b> [1] - 40:8</p> <p><b>trust</b> [2] - 29:24, 62:1</p> <p><b>truth</b> [2] - 9:4</p> <p><b>trying</b> [3] - 25:18, 36:12, 51:14</p> <p><b>TTH</b> [1] - 16:21</p> <p><b>Tuesday</b> [2] - 8:18, 79:17</p> <p><b>turbine</b> [3] - 6:21, 39:3, 69:16</p> <p><b>turbines</b> [22] - 3:7, 4:11, 4:13, 4:14, 4:24, 5:1, 6:8, 6:24, 24:18, 28:11, 28:16, 49:2, 60:11, 62:3, 65:13, 66:9, 66:21, 66:24, 69:18, 69:20, 69:25, 75:15</p> <p><b>turbulent</b> [1] - 41:14</p> <p><b>turn</b> [3] - 37:14, 66:2, 76:6</p> <p><b>twice</b> [1] - 46:8</p> <p><b>two</b> [14] - 4:11, 4:16, 4:17, 5:7, 10:1, 14:1, 15:6, 22:7, 32:19, 32:21, 33:11, 43:18, 44:5, 66:5</p> <p><b>type</b> [1] - 26:4</p>	<p><b>types</b> [2] - 56:11, 57:14</p> <p><b>typewritten</b> [1] - 81:8</p>
<b>U</b>				
			<p><b>U.S</b> [8] - 26:13, 31:7, 32:7, 32:8, 32:15, 42:11, 61:14</p> <p><b>ultimately</b> [1] - 25:21</p> <p><b>unbroken</b> [1] - 63:9</p> <p><b>uncommon</b> [1] - 69:6</p> <p><b>uncompensated</b> [1] - 28:13</p> <p><b>unconstitutionally</b> [1] - 32:17</p> <p><b>uncontrolled</b> [1] - 63:25</p> <p><b>under</b> [7] - 4:10, 20:6, 27:24, 29:3, 30:7, 31:11, 49:23</p> <p><b>undergoes</b> [1] - 42:16</p> <p><b>undergone</b> [1] - 49:17</p> <p><b>underground</b> [1] - 18:8</p> <p><b>undermine</b> [1] - 28:7</p> <p><b>understood</b> [1] - 25:10</p> <p><b>undertaking</b> [1] - 75:24</p> <p><b>undoubtedly</b> [1] - 12:16</p> <p><b>undue</b> [4] - 28:11, 74:23, 76:2, 76:15</p> <p><b>unduly</b> [1] - 8:14</p> <p><b>unexpectedly</b> [1] - 28:15</p> <p><b>unfit</b> [1] - 62:13</p> <p><b>unhurried</b> [1] - 59:14</p> <p><b>unique</b> [5] - 26:24, 50:22, 68:5, 68:21, 78:12</p> <p><b>unit</b> [1] - 61:11</p> <p><b>unite</b> [1] - 50:11</p> <p><b>Unity</b> [1] - 14:3</p> <p><b>unlikely</b> [1] - 32:6</p> <p><b>unlikely</b> [1] - 12:6</p> <p><b>unnatural</b> [1] - 70:6</p> <p><b>unnecessary</b> [1] - 27:21</p> <p><b>unorganized</b> [17] - 37:5, 51:16, 51:21, 51:25, 52:3, 52:9, 53:2, 53:9, 53:13, 54:19, 54:20, 55:3, 55:8, 55:15, 55:19, 56:25, 57:11</p> <p><b>unparalleled</b> [1] - 26:14</p> <p><b>unpoisoned</b> [1] -</p>	

65:22  
**unreasonable** [4] - 28:11, 28:24, 29:1  
**unspoiled** [2] - 22:7, 75:4  
**unsuccessfully** [1] - 22:12  
**unsurpassed** [1] - 78:12  
**up** [53] - 3:20, 4:1, 5:10, 5:14, 6:25, 7:17, 9:2, 9:8, 13:6, 13:17, 13:19, 14:12, 14:20, 14:24, 15:2, 18:3, 19:4, 19:12, 19:13, 20:3, 20:17, 21:5, 23:15, 23:21, 23:22, 24:9, 24:10, 29:24, 33:25, 38:3, 39:23, 40:17, 40:19, 40:21, 41:7, 45:8, 46:2, 46:5, 46:8, 47:9, 53:21, 58:12, 60:23, 61:10, 62:24, 63:5, 63:22, 65:12, 66:15, 67:18, 71:13, 73:2, 77:13  
**upgraded** [2] - 4:19, 5:16  
**upgrades** [2] - 5:16, 5:18  
**urge** [2] - 54:3, 66:1  
**urged** [1] - 61:25  
**useful** [1] - 66:19  
**users** [1] - 37:12  
**uses** [4] - 49:7, 76:2, 76:10, 78:14  
**utilities** [1] - 31:12  
**utilize** [1] - 5:4  
**utilizes** [1] - 5:15

## V

**vague** [1] - 27:20  
**vain** [1] - 77:8  
**Valdez** [1] - 44:11  
**Valley** [2] - 1:21, 2:3  
**valley** [7] - 37:4, 41:2, 41:3, 45:14, 47:4, 47:11, 70:23  
**valuable** [1] - 74:10  
**valuation** [2] - 51:25, 52:5  
**valuations** [1] - 53:13  
**value** [7] - 25:23, 26:1, 73:6, 73:10, 73:13, 73:19, 78:13  
**values** [3] - 9:18, 25:20, 29:5  
**Vancouver** [1] - 48:7

**variety** [2] - 36:17, 78:4  
**various** [2] - 6:11, 66:15  
**Vera** [3] - 58:17, 59:10, 59:11  
**Vermont** [6] - 31:12, 31:25, 32:9, 32:12, 47:9, 64:6  
**Vermont's** [1] - 31:15  
**vernal** [1] - 6:4  
**Vestas** [1] - 5:1  
**via** [1] - 37:5  
**viable** [5] - 11:17, 15:19, 53:2, 56:9, 77:13  
**vice** [2] - 14:6  
**view** [3] - 5:14, 24:25, 58:24  
**viewer** [1] - 28:12  
**viewers** [1] - 28:23  
**viewpoint** [1] - 18:14  
**viewpoints** [1] - 60:4  
**views** [7] - 10:2, 10:24, 12:2, 34:3, 41:5, 45:15, 70:10  
**Vineyard** [1] - 63:19  
**virtues** [1] - 62:20  
**visibility** [1] - 28:4  
**visible** [3] - 11:4, 28:6, 28:20  
**visit** [2] - 44:12, 69:8  
**visiting** [1] - 63:20  
**visitor** [1] - 75:7  
**visitors** [2] - 39:24, 59:14  
**Vissering's** [1] - 5:10  
**vistas** [1] - 69:9  
**visual** [7] - 5:9, 6:3, 27:23, 28:2, 28:12, 60:2, 75:18  
**visually** [1] - 28:22  
**vitality** [1] - 50:22  
**voice** [1] - 35:21  
**Volume** [1] - 1:9  
**volunteer** [1] - 22:11  
**voted** [1] - 32:1  
**voting** [2] - 32:1, 34:9

## W

**walked** [2] - 22:22, 34:20  
**Walter** [3] - 13:23, 17:13, 17:15  
**wardens** [1] - 21:8  
**warm** [1] - 48:7  
**warming** [4] - 43:2, 44:1, 44:7, 48:20  
**warrants** [1] - 27:8

**Warren** [3] - 39:14, 51:8, 54:8  
**WARREN** [7] - 51:7, 54:9, 54:13, 56:4, 57:9, 58:2, 58:7  
**Washington** [1] - 47:16  
**waste** [1] - 48:21  
**watch** [1] - 45:24  
**water** [1] - 65:22  
**wave** [1] - 43:21  
**ways** [6] - 18:21, 34:23, 44:5, 45:1, 55:17, 57:9  
**wearing** [1] - 62:23  
**weather** [5] - 30:16, 31:25, 48:8, 68:19, 77:13  
**weave** [1] - 62:11  
**weavers** [2] - 62:10, 62:16  
**website** [1] - 30:24  
**Wednesday** [2] - 1:7, 2:3  
**week** [1] - 13:11  
**weekends** [1] - 15:5  
**welcome** [1] - 13:8  
**welfare** [1] - 78:18  
**Wendy** [7] - 47:3, 51:3, 58:19, 68:2, 70:14, 70:15, 70:22  
**WESCOTT** [1] - 43:15  
**Wescott** [2] - 39:13, 43:15  
**west** [4] - 22:8, 22:10, 36:1, 57:13  
**western** [9] - 9:19, 43:2, 45:5, 51:1, 51:11, 51:16, 52:21, 65:11, 68:24  
**wetland** [1] - 27:17  
**wetlands** [3] - 6:4, 78:9  
**WHEREOF** [1] - 81:13  
**whisper** [1] - 68:15  
**whole** [4] - 9:4, 18:2, 50:8, 57:21  
**wide** [2] - 36:17, 59:25  
**wife** [1] - 47:8  
**wild** [7] - 63:5, 63:9, 65:1, 65:3, 74:8, 74:18, 78:9  
**wilderness** [4] - 21:4, 60:4, 73:15, 75:16  
**wildlife** [4] - 6:5, 42:7, 42:12, 73:1  
**Wilkinson** [1] - 74:2  
**william** [1] - 44:10  
**William** [1] - 44:18  
**WILLIAMSON** [1] - 4:2

**Williamson** [1] - 4:3  
**Wilton** [1] - 35:4  
**win** [2] - 50:4  
**win-win** [1] - 50:4  
**Wind** [1] - 1:15  
**wind** [89] - 3:3, 3:4, 3:6, 3:7, 4:9, 6:20, 11:16, 11:17, 15:23, 19:8, 21:2, 24:9, 24:11, 24:18, 26:2, 28:10, 30:2, 30:6, 31:9, 31:13, 31:15, 31:18, 31:24, 32:6, 33:17, 34:6, 37:22, 38:1, 38:20, 38:23, 39:3, 41:12, 41:23, 42:18, 42:24, 42:25, 43:11, 45:21, 46:8, 48:18, 48:21, 49:2, 49:3, 49:5, 49:17, 49:19, 51:1, 51:12, 51:13, 51:15, 52:11, 52:20, 53:11, 54:17, 54:23, 55:1, 55:7, 56:24, 57:18, 59:18, 60:8, 60:18, 60:19, 60:21, 61:4, 61:5, 61:8, 61:14, 61:15, 61:18, 61:19, 61:23, 62:21, 62:25, 63:4, 65:3, 65:12, 66:2, 67:6, 67:8, 67:14, 69:16, 69:20, 69:24, 70:9, 75:15, 77:22  
**wind-based** [1] - 31:15  
**windmill** [1] - 19:16  
**windmills** [11] - 19:15, 19:20, 69:21, 71:2, 73:13, 73:17, 77:8, 77:12, 77:15, 78:25, 79:1  
**wing** [1] - 13:24  
**Wing** [2] - 21:19, 23:5  
**winter** [9] - 14:24, 15:1, 30:15, 43:25, 48:10, 48:13, 50:11, 50:16  
**winters** [3] - 47:15, 48:17, 50:11  
**winterville** [1] - 2:16  
**wiped** [1] - 44:18  
**wisdom** [1] - 28:17  
**wish** [11] - 3:20, 8:22, 13:16, 13:19, 23:7, 23:8, 30:1, 58:16, 70:4, 70:16, 79:14  
**wished** [1] - 13:15  
**wishes** [1] - 70:17  
**WITNESS** [1] - 81:13

**witnessed** [1] - 63:25  
**witnesses** [3] - 8:3, 9:1, 81:10  
**witnessing** [1] - 44:19  
**wonderful** [1] - 14:13  
**woods** [1] - 26:14  
**word** [1] - 68:13  
**workers** [1] - 40:6  
**workforce** [3] - 34:15, 38:14, 38:17  
**works** [1] - 29:3  
**world** [5] - 26:3, 38:13, 48:2, 49:12, 68:8  
**worst** [2] - 24:25, 46:18  
**worth** [4] - 16:24, 27:3, 32:13, 52:8  
**written** [9] - 8:17, 13:7, 13:10, 23:24, 24:19, 26:23, 37:13, 79:16, 79:18  
**wrote** [3] - 65:19, 70:17, 72:18  
**www.windwatch.org** [1] - 61:7  
**WYMAN** [1] - 20:12  
**Wyman** [3] - 20:13, 20:15, 20:16  
**Wyoming** [1] - 68:14

## Y

**Yarmouth** [1] - 17:16  
**year** [27] - 4:14, 5:3, 6:24, 6:25, 7:3, 7:21, 9:20, 11:2, 14:11, 30:13, 31:18, 31:20, 34:19, 38:12, 44:6, 47:13, 49:10, 50:24, 56:4, 63:25, 64:1, 64:18, 66:8, 68:7, 71:10, 72:11  
**year's** [1] - 68:8  
**year-long** [1] - 66:8  
**year-round** [3] - 11:2, 14:11, 71:10  
**years** [26] - 4:6, 14:21, 15:7, 15:13, 15:20, 17:17, 17:18, 17:24, 18:11, 21:24, 22:12, 26:23, 30:10, 41:11, 43:24, 44:3, 45:19, 45:20, 48:1, 48:2, 48:10, 62:24, 63:24, 64:17, 68:4, 73:12  
**yesterday** [3] - 15:24, 71:24, 74:2  
**York** [1] - 64:12  
**young** [2] - 7:4, 69:12

**yourself** [1] - 17:10

**Z**

**zero** [1] - 43:1

**zone** [2] - 22:2, 38:18

**zoning** [1] - 37:6