

## **129th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2019

**Legislative Document** 

No. 640

S.P. 202

In Senate, February 7, 2019

Resolve, To Require a Study of Greenhouse Gas Emissions Reductions from the Proposed Central Maine Power Company Transmission Corridor

(EMERGENCY)

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

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DAREK M. GRANT Secretary of the Senate

Presented by Senator CARSON of Cumberland. Cosponsored by Representative RYKERSON of Kittery and Senators: BELLOWS of Kennebec, BLACK of Franklin, CLAXTON of Androscoggin, FARRIN of Somerset, FOLEY of York, Representatives: DODGE of Belfast, FAY of Raymond, TUCKER of Brunswick.

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- 3 Whereas, Central Maine Power Company has promoted its proposed western Maine 4 transmission corridor, the New England Clean Energy Connect project, or NECEC, as a 5 means of reducing greenhouse gas emissions but has not provided adequate evidence to 6 the public and decision makers; and
- Whereas, Department of Environmental Protection rule Chapter 375: No Adverse
  Environmental Effect Standards of the Site Location of Development Act requires that
  projects cause no unreasonable alteration of climate, but the department has not
  performed an independent analysis of the greenhouse gas effects of the NECEC and has
  no plans to do so; and
- 12 **Whereas,** the Maine Revised Statutes, Title 35-A, section 3132 requires the Public 13 Utilities Commission to consider the environmental effects of proposed transmission line 14 projects, but the commission has not performed an independent analysis of greenhouse 15 gas effects of the NECEC and has no plans to do so; and
- Whereas, climate change poses a substantial threat to Maine's economy, natural
   resources and public health, including from increased spread of insect-borne diseases,
   more frequent damaging storms, elevated sea levels and warming oceans; and
- Whereas, 53 miles of new, 150-foot-wide transmission corridor through western
   Maine would fragment the largest expanse of intact temperate hardwood and mixed forest
   in the world; and
- Whereas, Maine's natural resources agencies have expressed serious concern about the transmission corridor's harm to brook trout, deer and other species; and
- Whereas, the New Hampshire Site Evaluation Committee concluded that there would be no reduction in greenhouse gases from Northern Pass, a similar project to the NECEC, unless Hydro-Quebec builds new facilities to increase generating capacity to supply electricity to Massachusetts; and
- Whereas, Hydro-Quebec's application to Massachusetts to supply energy via the NECEC specifically states that the NECEC will not result in any new construction of facilities to increase generating capacity; and
- Whereas, Maine people and decision makers need concrete, verifiable, publicly available information about the greenhouse gas reductions or lack of reductions associated with the NECEC in order to make an informed decision on whether to support the project; and
- Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

1 Sec. 1. NECEC review. Resolved: That the Department of Environmental Protection shall review all relevant, verifiable evidence and issue a report on the total net 2 effect on greenhouse gas emissions from the New England Clean Energy Connect project 3 as proposed by Central Maine Power Company. The department shall submit the report 4 5 to the Legislature, make the report available to the public and provide a copy of the report to the Massachusetts Department of Public Utilities by June 1, 2019. The department 6 shall consider all relevant, verifiable evidence from New England, the Province of 7 Quebec, Canada and any other area as needed to determine the total net effect of the 8 project on greenhouse gases. The department may conduct the analysis of greenhouse gas 9 effects itself within existing resources or hire an independent consultant to conduct it. The 10 department may not issue a permit for the project without taking into account the results 11 of the department's review. 12

Emergency clause. In view of the emergency cited in the preamble, this
 legislation takes effect when approved.

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## SUMMARY

16 This resolve requires the Department of Environmental Protection to review all 17 relevant, verifiable evidence on the total net effect on greenhouse gas emissions from 18 Central Maine Power Company's New England Clean Energy Connect project and submit 19 a report to the Legislature, make the report available to the public and provide a copy of 20 the report to the Massachusetts Department of Public Utilities by June 1, 2019. The 21 resolve prohibits the department from issuing a permit for the project without taking into 22 account the results of the department's review.