

To: Members of the Joint Committee on Environment and Natural Resources
From: Joan B. Saxe
Date: March 4, 2025
Re: **LD 226: "An Act to Protect the Cultural Resources and Historical Heritage of Sears Island in Searsport by Extending Conservation Easement Protections"**

Senator Senator Tepler, Representative Doudera and Members of the Environment and Natural Resources Committee:

I'm here today, not as a member of the Sierra Club but as a person who for 38 years was involved with the Sierra Club in protecting Sears Is.: first as a SC Maine group member, then as Chair of the New England Chapter before Maine became a Sierra Club Chapter.

In that role, I trooped through wetlands and observed the eel grass with scientist and lead EPA staff. The revelation of the ecology of the island, the grassroots support from residents of Penobscot Bay, the previous history along with a more recent opinion from PEER (Public Employees for Environmental Protection) brought me to encourage the committee to support LD support LD266.

"PEER understands the need to pivot from fossil fuels; however, we cannot sacrifice intact ecosystems for this effort. Indeed, the 2023 Intergovernmental Panel on Climate Change (IPCC) report shows that retaining intact ecosystems is more useful in combating climate change than wind projects. Because Mack Point is – once again – an available and less environmentally damaging alternative, PEER urges MEDOT to strongly consider Mack Point as the location for this facility. "

And I believe it is in the "spirit" of NEPA similar to that of 1st. Cir. 1985 Sierra Club v Marsh quoted below.

1985 [Sierra Club v. Marsh, 769 F.2d 868 \(1st Cir. 1985\)](#)

"In sum, given the likely secondary effects of the Sears Island project and the other effects previously described, the record in this case cannot support a FONSI, and therefore an EIS must be prepared. We reach this conclusion not because preparation of an EIS is merely a technical requirement which, under NEPA and its implementing regulations, we must here enforce. Rather, this requirement reflects NEPA's underlying purpose in requiring agencies to determine and assess environmental effects in a systematic way--namely, having decision makers focus on these effects when they make major decisions. That is to say, the requirement flows not only from the letter, but also from the spirit, of NEPA."

It is time to overcome the long history of industrial development proposals, for a oil refinery, a cargo port and LNG terminals and allow for this 330 acres to become a conservation easement, making the entire island a nature preserve for Searsport and all of the people of Maine.

I urge the Environment and Natural Resources committee to vote LD226 ought to pass.

Thank you,
Joan B. Saxe