

April 7, 2025

Joint Committee on Environment and Natural Resources
Cross Building, Room 216
Augusta, ME 04333
ENR@legislature.maine.gov

Public Testimony of Brookfield Renewable on LD 1210
An Act to Regarding Renewable Electricity Generation by Hydropower Projects

Chair Tepler, Chair Doudera and Members of the Joint Committee on Environment and Natural Resources:

Brookfield Renewable¹ submits these comments in **support of LD 1210**, which would add important criteria for Maine DEP's consideration of determining Water Quality Certification of hydropower projects in the State. Specifically, LD 1210 would require consideration of the impact on decarbonization efforts and economic impacts associated with issuance or denial of certification. As projects throughout Maine currently undergo efforts for re-certification, and in anticipation of many other projects that will require re-certification over the remainder of the decade, these considerations are necessary additions to Maine DEP's review.

Maine has long recognized the many important uses of our rivers, having specifically cited hydropower as one of those vital uses.² Despite this, and although Maine DEP has historically taken a very expansive view of the scope of certification under section 401 of the Clean Water Act, the Department currently has no explicit balancing requirement when making certification decisions. LD 1210 adds a welcome new requirement for the Department to give due consideration to new elements that better reflect the potentially wide-ranging interests impacted by a certification decision.

As Maine considers its path to achieving 100% clean energy by 2040, reliance on existing hydropower is more critical than ever. This is especially significant given the varying barriers to develop and deliver new and affordable renewable energy, including transmission constraints, siting challenges and supply chain disruptions. Loss of hydropower resources that provide a unique reliability backstop to support a zero-carbon grid would be detrimental to clean energy goals and economy-wide decarbonization efforts, more broadly. The Department's process must consider this for Maine to achieve its goals and to do so at lowest costs and without compromising system reliability.

¹ Throughout Maine Brookfield Renewable owns and operates 46 hydropower facilities totaling 622 megawatts of installed capacity. Brookfield Renewable has over 100 employees in Maine and supports 275 indirect jobs across the State. Brookfield Renewable's operations contribute more than \$20 million in property taxes in Maine annually, which provides critical funds for local schools, fire departments and public services.

² MSRA Title 12 Section 401.

In addition, hydropower throughout Maine provides important infrastructure necessary to support climate resiliency, including flood control. Maine's largest rivers are insulated from some of the worst impacts from both short and long-term extreme weather events by vast network of storage dams that in times of large precipitation or snowmelt events can help hold back water, mitigating downstream flooding risks. These same projects also hedge against droughts by regulating flows, protecting downstream aquatic resources from extreme low flow events. However, because these benefits are not included in the Department's process, decisions will result in losses to storage capabilities that support energy and resilience needs absent process enhancements.

Finally, hydropower's role in supporting ongoing economic activity in far-reaching supply chains and prospective localized economic development is a critical consideration that LD 1210 would ensure is in view. This includes instances of hydropower output and hydropower infrastructure supporting neighboring industrial operations as well as the envisioned role of hydropower facilities as part of efforts to redevelop former industrial sites throughout Maine to support new job-intensive investments.

LD 1210 would appropriately ensure Water Quality Certification decision better balance competing needs and resources and we urge the Committee to support its passage.

Thank you for your consideration of our comments. Please don't hesitate to contact me directly to discuss these issues further.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Zuretti". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Steve Zuretti
Senior Director, Origination and Policy
Brookfield Renewable
steven.zuretti@brookfieldrenewable.com
323-400-9715