



# SIERRA CLUB

## MAINE CHAPTER

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To: Joint Committee on Energy, Utilities and Technology  
From: Andrew Blunt, Sierra Club Maine  
Date: May 6, 2025  
Re: **Testimony in Neither for nor Against to L.D. 1868: An Act to Advance a Clean Energy Economy by Updating Renewable and Clean Resource Procurement Laws**

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Dear Senator Lawrence, Representative Sachs, and Members of the Joint Committee on Energy, Utilities, and Technology,

I write on behalf of the Sierra Club Maine Chapter, representing over 22,000 supporters and members statewide. Founded in 1892, Sierra Club is one of our nation's oldest and largest environmental organizations. We work diligently to amplify the power of our 3.8 million members nationwide as we work towards combating climate change and promoting a just and sustainable future for all people. To that end, we present this testimony Neither for nor Against L.D. 1868.

The Sierra Club fully supports the widespread adoption of renewable energy sources that seek to drive down net greenhouse gas emissions. Doing so protects both human and environmental health by reducing overall pollution, promotes clean energy jobs, and improves our energy security.

Maine's dependence on fossil fuels for heating, transportation, and electricity generation is the primary driver of the high energy prices facing Maine families and businesses. Maine sends more than \$4 billion out of state every year to pay for oil and gas -- money that could be spent creating homegrown clean energy jobs instead. We must stop wasting money on expensive fossil fuels and invest in homegrown clean energy instead.

The Sierra Club Maine Chapter supports much of what this bill intends to accomplish, primarily:

1. Competitive Procurements of Renewable Energy - Competitive procurements are essential for advancing the state's energy goals, ensuring cost-effectiveness, and maintaining transparency in the development of Maine's renewable energy mix.
2. Establishment of an Ambitious Statutory Renewable Energy Goal - Climate change is at our doorstep. Maine must be a leader in quickly moving from expensive fossil fuels to renewable energy sources. 2040 seeks a reasonable balance as an ambitious, but achievable goal.

However, we have concerns with the establishment of a Class III resource category. Section A-4.2 of this bill includes the process of determining which energy resources will be classified as Class III. It states that they must be “certified by the Governor's Energy Office in accordance with an emissions-based definition adopted by rule or order by the Department of Environmental Protection.” We encourage the Committee to ensure that any new class of resources developed under Title 35-A include more stringent guidelines concerning which specific types of energy may or may not be included in the definition of Class III energy resources.

To make a comparison, under current statute, existing energy classes are defined as follows:

1. Class I: Defined as a new “Renewable capacity resource,” which includes small fuel cells; tidal power; geothermal installations; Hydroelectric generators under certain circumstances; biomass generators that are fueled by wood, wood waste or landfill gas; or anaerobic digestors; or any wind or solar generation.<sup>1</sup>
2. Class IA: Defined as “Renewable capacity resources” as well.
3. Class II: Defined as a “Renewable capacity resource” or an “Efficient resource” as defined by federal rules.

It follows that any additional classes established under this Title ought to be more clearly-defined before they are established. Creating a new class of energy resources based on rule-making that has yet to occur is not specific, and creates the possibility of potentially including energy resources that should not be defined as “clean.”

The creation of this class leaves one major question: What will the “emissions-based approach” mean, and what standards will it create for this new class of energy resources?

We strongly recommend that in order to effectively achieve the intended purposes of this bill, to advance a clean energy economy, the bill be amended to:

1. Specifically preclude the inclusion of specific energy resources in the Class III definition: It is critical that this new class does not accidentally erode Maine’s otherwise strong renewable energy standards. As such, this new class should specifically exclude certain types of energy, specifically nuclear, large hydro-electric facilities, or any fossil fuel derived energy source;
2. Adopt the 90% by 2040 goal, but maintain the 100% renewable by 2050 goal;
3. Direct the Office of Energy and PUC to prioritize the adoption of policies and practices that enhance investment in energy efficiency;

We provide more details on our energy policy positions, and how they intersect with L.D. 1868, below in Appendix 1.

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<sup>1</sup> Biomass, like fossil fuels, produces greenhouse gas emissions, and we encourage this Committee to consider proposals to limit Maine’s production of electricity from biomass and favor responsibly sourced biomass that presents demonstrable net environmental benefit.

We encourage your consideration of our position, amendments, and encourage you to adopt the strictest, most pro-renewable version of L.D. 1868. It is that way that we will move forward to a clean energy future together.

Thank you for your consideration.

Andrew Blunt  
Sierra Club Maine Chapter  
Legislative and Political Strategist

### **Appendix 1:**

**Efficiency First:** We want to highlight the importance of the cheapest and cleanest energy resource: conservation and efficiency. Instead of seeking alternative energy sources, the state can implement demand-side measures to reduce our overall electricity usage. Maine's homes, businesses and vehicles are very energy wasteful, and there is tremendous potential for reducing our energy consumption, while making our buildings healthier and more comfortable. Efficiency and conservation should be prioritized in our transition to replacing non-renewable with renewable energy generation.

**True Renewable Energy is the Way Forward:** Wind, solar and geothermal power have always been safer, cleaner, and more sustainable than other forms of energy and in recent years have become more affordable than other sources as well. When used together and in conjunction with diverse power storage systems, time-of-use pricing and modern grids, these renewable resources can provide the power we need.

We note that the Sierra Club is opposed to certain energy resources that have, unfortunately, been labeled as "clean" without diligent investigation into the nature of these resources. We are concerned that this bill will allow for certain resources, identified below, to be considered "clean" in the rule-making process, and we would rather see specific language to exclude these resources in legislation, in line with our club's policy.

**Nuclear:** We recommend that no new nuclear power plants should be constructed in the US and that no relicensing of current nuclear power plants should be approved when their licenses are up for reissuing. Maine statute MRSA 35-A §4302 already subjects the construction of any nuclear plant in Maine to a voter referendum. Therefore, rulemaking could not, by itself, allow for reintroduction of nuclear power to Maine. However, we think that L.D. 1868 should specifically recognize this and preclude nuclear power from fulfilling any part of the 2040 or 2050 electricity portfolio.

**Hydropower:** Sierra Club policy states that we strongly oppose new large hydroelectric dams over 10 MW capacity and that we oppose most smaller hydropower projects, especially if they require

new dams and impoundments.<sup>2</sup> The Maine Chapter has also supported the removal of older dams to restore ecosystems that they have degraded. Hydropower dams are also implicated in greenhouse gas (GHG) emissions. The more we understand the vast amounts of carbon dioxide, methane and unnatural warm water vapor pouring out of impoundments behind dams and the damage to ecosystems above and below dams, the more we accept the need to reduce or eliminate those GHG emission sources. Again, we prefer that the legislation make a prohibition on new hydropower for fulfilling the 2040 or 2050 electricity portfolio.

**Biomass:** Maine has a natural biomass resource in its extensive forests which cover approximately 90% of the state.<sup>3</sup> This resource is a critical factor in Maine's carbon sequestration that certain forms of biomass energy may threaten. We cannot both sequester carbon in our forests and cut them down to burn them for energy. Whether this vast resource is suitable for energy production depends on the scale and methods of sourcing and use. We must be diligent in our energy policies to ensure that biomass sources that are included in any renewable energy policy moving forward are sustainably harvested and avoid large-scale biomass harvesting when possible.

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<sup>2</sup> <https://www.sierraclub.org/policy/energy>, in particular p. 15 of the section on hydroelectric dams for details in re small and run of the river generation.)

<sup>3</sup> US Department of Agriculture, Forests of Maine, 2017, [https://www.fs.usda.gov/nrs/pubs/ru/ru\\_fs160.pdf](https://www.fs.usda.gov/nrs/pubs/ru/ru_fs160.pdf)