

Amanda Gavin
South Portland
LD 2174

Greetings Senator Tepler, Representative Doudera and Members of the ENR Committee:

My Name is Amanda Gavin. I live in South Portland and for over ten years, my professional work has focused on protecting Maine's freshwater resources. I am testifying in strong opposition to LD 2174, as amended, titled "An Act to Increase Predictability in the Permitting of Renewable Energy Development."

As an environmental scientist, I understand that rapid development of renewable energy in Maine is critical for environmental and human health. However, recent changes to this bill give me strong concerns about how it will interface with community-driven land use governance and municipal home rule authority. Article VIII, Part Second of the Maine Constitution affirms that municipalities have the authority to regulate local land use, including the power to adopt standards more stringent than state minimums to protect public health, safety, and welfare. LD 2174 explicitly overrides this constitutional guarantee for renewable energy project siting.

I believe, alongside other environmental scientists and Indigenous land stewards, that this change in language is a constitutional power grab. Renewable energy deployment is most successful when it is locally informed, predictable, and legally sustainable. Empirical data clearly shows that local opposition affects project outcomes: A 2024 study by the University of Maine Renewable Energy Policy Lab found that 42% of utility-scale solar and wind projects underwent substantial revisions due to local siting concerns (setbacks, visual buffers, soil protection).

As an environmental consultant, I worked extensively on Natural Resources Protection Act compliance for solar panel projects and mitigating risk to natural resources, and this statistic matches my experience. Beyond environmental science and natural resources, community support is vital to successful projects. Stripping local authority often increases resistance, increases litigation, and slows deployment the exact opposite of the bill's stated intent. The "deemed approved" mechanism rewards bureaucratic inaction. This bill mandates that any application not decided within a statutory time limit is automatically approved. This creates a perverse incentive: Agency understaffing or backlog becomes a licensing advantage for developers. Environmental review is bypassed without substantive evaluation. Public input becomes irrelevant once a clock expires. This is not the path to sustainable, renewable energy in Maine.

This bill infringes on the right for municipalities to establish stricter setbacks, protect valuable soil, regulate surface water, and mitigate wildlife disturbance. With over 10 years of experience as an environmental scientist in Maine, this infringement gives me strong concerns. The people of Maine are invested in protecting our natural resources. We are informed, and we understand the urgency for renewable energy. This bill puts our water quality, our soil, our wildlife on the line, while putting big money in the pockets of developers. It takes decades or centuries to repair soil and water, and we cannot afford to pass a bill such as this that does not include meaningful environmental review.

I strongly urge the Committee to oppose LD 2174 as drafted and to work instead on a balanced alternative that respects both state policy goals and municipal authority.

Sincerely,
Amanda Gavin