

Rachel Rumson
New Gloucester Resident
LD 2174

In Opposition to LD 2174 — To the Environment & Natural Resources Committee

Senator Tepler, Representative Doudera, and members of the ENR Committee:

Thank you for the work you do. You sit at the intersection of environmental protection, land use governance, and energy policy — and LD 2174 hits all three. I'm here to urge you to reject LD 2174 as drafted, because it undermines the foundation you rely on to make sound, community grounded environmental decisions.

1. LD 2174 Overrides Municipal Home Rule — Undermining Environmental Safeguards You Depend On

Maine's Constitution affirms that municipalities have authority over local affairs, including land use. This isn't aspirational; it's a structural guarantee. The amendment to LD 2174 explicitly voids local ordinances that are more stringent than state law and mandates automatic permit approvals when deadlines lapse.

For ENR, this should raise alarms:

If municipalities lose the ability to set tailored environmental protections — setbacks, aquifer safeguards, wildlife buffers, erosion controls — then those responsibilities fall back on you, without the benefit of local precision, knowledge, and oversight.

This bill would eliminate thousands of hours of environmental due diligence performed every year by municipal boards, volunteers, and staff.

2. You've Seen How Federal Overreach Plays Out — The Boundary Waters Case Is a Cautionary Tale

Federal policy whiplash is currently destabilizing one of the most iconic protected ecosystems in the nation: Minnesota's Boundary Waters Canoe Area Wilderness.

- The U.S. House voted in January to overturn the 20 year mining ban protecting lands that drain into the Boundary Waters.
- This opens the door for proposals by developers for sulfide mining in the watershed.
- Officials and outfitters warn that once the watershed is contaminated, the damage is irreversible.

Why does this matter for ENR?

Because LD 2174, as written, asks you to create a structure where Maine communities have less voice when high impact energy projects come into their watershed. Maine people are the sovereign in this State, and home rule exists to ensure that developers must secure our consent before intervening in our environment and local economies. Don't reverse that.

3. The AI Driven Surge in Energy Demand Changes Everything — And State Projections Are Already Outdated

The U.S. Energy Information Administration reports that the rise of large computing facilities — especially AI data centers — is now driving the strongest multi year growth in electricity demand since 2000.

Further analyses show:

- Data center electricity use could climb to 8–12% of all U.S. demand this decade.
- Utilities nationwide are revising their load forecasts upward because of AI driven commercial sector demand.

ENR members must ask:

Why should municipalities lose their authority just as Maine is entering an era of unprecedented, uncertain energy demand growth?

Local planning — especially around shorelands, aquifers, and sensitive ecosystems — becomes more important under rising demand, not less.

4. Maine Communities Already Perform Critical Environmental Functions — Shoreland & Aquifer Protection Is Core Local Work

Under the Mandatory Shoreland Zoning Act, municipalities are required to adopt and enforce shoreland protections to safeguard water quality, habitat, historic resources, and natural beauty.

These ordinances are intentionally locally administered and may be more stringent than state minimums to reflect on-the-ground conditions. Municipalities also have the authority to protect additional water bodies, wetlands, and recharge zones when necessary for public health and welfare.

ENR's climate and environmental agenda relies on these protections. LD 2174 would strip municipalities of the very tools that protect:

- drinking water aquifers
- shorelands vital to Maine's tourism economy
- historic landscapes and scenic corridors
- local wildlife and fisheries habitat
- erosion prone areas and flood sensitive parcels

By voiding municipal standards, LD 2174 doesn't streamline permitting — it removes environmental capacity from Maine's regulatory system.

5. National Siting Data Shows That Preemption Backfires

A national siting report from DOE, Lawrence Berkely National Laboratory and, Regulatory Assistance Project, and Clean Air Task Force documents that the majority of states (37) empower local governments to set siting standards.

And the Sabin Center reports that community opposition and litigation spike when local authority is weakened — with nearly 500 contested projects and growing trends in litigation and local restrictions.

Countries and states that succeed in renewable deployment do so by co designing with communities — not overriding them.

What ENR Can Do Instead

1. Remove “deemed approved.”

Environmental review is not optional, and permit clocks should not replace due diligence.

2. Preserve municipal authority for stricter environmental standards.

Especially where aquifers, shorelands, historic landscapes, soils, and wildlife are concerned — the very areas ENR is tasked to safeguard.

3. Create a State–Local Renewable Siting Board.

Use the DOE/LBNL model: clear timelines, coordinated review, mandatory public involvement, and dispute resolution.

4. Update state energy demand modeling to reflect the AI data center surge.

Your permitting system should be based on current realities, not pre AI assumptions.

Conclusion

Members of the ENR Committee:

You have the responsibility to protect Maine's environment while guiding the state toward a clean energy future. LD 2174 as drafted would concentrate power, weaken environmental oversight, and silence the communities that ensure the success and legitimacy of renewable deployment.

We can — and must — build renewable energy with Maine's towns, not at their expense.

I urge you to oppose LD 2174 and advance a model that respects municipal authority, strengthens environmental review, and prepares Maine for the real energy challenges ahead.

Thank you for your consideration.

Rachel Lyn Rumson