



Town of Harpswell

P.O. Box 39

Harpswell, ME 04079

February 25, 2026

Re: *LD 2174, An Act to Replace the Maine Waterway Development and Conservation Act with the Maine Renewable Energy and Associated Transmission Development and Conservation Act*

Dear Senator Tepler, Representative Schmersal and members of the Joint Standing Committee on Environment and Natural Resources:

My name is Matt Gilley and I serve as a member of the Select Board in Harpswell. I live in Harpswell and make my living on the water as a commercial lobsterman. I'm here, on behalf of the Harpswell Select Board, to testify in opposition to L.D. 2174.

We want to be clear at the outset that we are not opposed to renewable energy. Maine should pursue clean energy, strengthen grid reliability, and reduce long-term costs for ratepayers. But this bill does not simply modernize permitting. It fundamentally shifts land use authority away from local communities and concentrates it at the state level in a way that is deeply concerning.

1. It Undermines Local Control and Home Rule

Zoning and land use planning have long been core municipal responsibilities. Towns like Harpswell have adopted land use ordinances after years of public process, hearings, and compromise. Those ordinances reflect local geography, environmental constraints, working waterfront needs, and community character.

This bill explicitly prevents municipalities from:

Enacting or enforcing ordinances that prohibit siting of large renewable projects,

- Adopting standards stricter than state law,
- Using moratoria to pause and study impacts.

That is not coordination — that is preemption.

Communities most affected by these projects would be reduced to submitting comments while the Department of Environmental Protection becomes the sole permitting authority. For towns with fragile coastlines, fisheries, tourism economies, and limited infrastructure, that loss of meaningful local authority is significant.

2. It Creates an Automatic Approval Mechanism

The bill requires DEP to issue a decision within 105 working days, and if it fails to do so, the permit is deemed approved automatically.

That is a major policy shift.

Large-scale renewable projects and transmission corridors can have complex impacts — environmental, economic, and community-wide. Automatic approval if an agency misses a deadline prioritizes speed over scrutiny. That may reduce delay, but it also increases the risk of inadequate review.

In a state where natural resources are the backbone of our economy — fisheries, tourism, forestry — that tradeoff deserves careful reconsideration.

3. It Restricts Appeals

Under this bill, only abutters or formal intervenors may appeal an approved permit. That narrows standing and could exclude community members who are meaningfully impacted but do not fit those categories.

When a project may permanently alter a landscape, a transmission corridor, or a working waterfront region, access to judicial review is not obstruction — it is a safeguard.

4. It Limits Municipal Standards Regardless of Local Conditions

Maine is geographically diverse. What works in an industrialized corridor may not work in a rural coastal town, inland lake region, or historic village.

By prohibiting municipalities from adopting standards stricter than state law, the bill assumes that a single statewide regulatory framework is sufficient for all regions. That ignores the reality that some communities face unique environmental and economic vulnerabilities.

In Harpswell, for example, our economy depends heavily on fishing, aquaculture, tourism, and the preservation of coastal character. Large infrastructure projects can affect viewsheds, access routes, and working waterfront viability. Local ordinances exist to balance development with long-term sustainability.

5. It Favors Large-Scale Projects Over Thoughtful Siting

The bill applies to projects 5 megawatts and larger. That threshold captures utility-scale developments, not small distributed generation.

If the goal is clean energy expansion, Maine should prioritize:

Rooftop and distributed solar,

- Brownfield development,
- Previously disturbed lands,
- Incentives for local generation tied to local benefit.

Instead, this bill streamlines approval of large-scale projects while limiting local oversight — a structure that may favor out-of-state developers over Maine communities.

6. Economic Benefits Are Assumed, Not Guaranteed

The bill requires DEP to consider economic benefits and renewable energy output, but there is no requirement that:

- Electricity remain in Maine,
- Host communities receive meaningful long-term compensation,
- Ratepayers see guaranteed cost reductions.

Local impacts are certain. Projected statewide benefits are not.

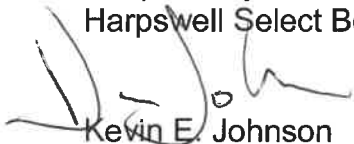
Conclusion

Maine can lead on renewable energy without sidelining its municipalities. We can modernize permitting without stripping communities of authority. We can accelerate development while maintaining rigorous review and meaningful local input.

This bill goes too far in concentrating power at the state level, limiting local standards, narrowing appeals, and creating automatic approvals.

The Harpswell Select Board respectfully urges the Committee to vote "Ought Not to Pass" or substantially amend this bill to restore meaningful municipal authority and remove the automatic approval provision.

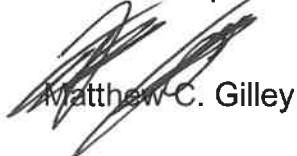
Respectfully,
Harpswell Select Board



Kevin E. Johnson



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