



# Maine Conservation Voters

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## **Testimony in opposition to LD735, *An Act to Protect Sand Dunes on Sears Island and to Establish Criteria for Legislation Regarding Land Development***

**March 12, 2025**

Senator Tepler, Representative Doudera and distinguished member of the Joint Standing Committee on Environment and Natural Resources, my name is Cathy Breen. I am the Director of Government Affairs at Maine Conservation Voters (MCV), a statewide non-profit organization with 13,000 members and supporters that is building a just, thriving future for all by acting on the climate crisis, protecting the environment, and safeguarding our democracy. I'm speaking in opposition to LD735, *An Act to Protect Sand Dunes on Sears Island and to Establish Criteria for Legislation Regarding Land Development*. MCV's opposition to this bill rests on three foundational and long-standing priorities:

1. Our commitment to targeted land conservation efforts that protect public health, natural habitats, and the clean water, air and land that support our natural resource-based economy;
2. Our commitment to tackling the climate crisis by supporting a just transition to renewable energy in Maine; and
3. Our membership in the Wabanaki Alliance Coalition, a group of over 300 businesses and organizations formed to educate the people of Maine and to advocate for recognition of the inherent sovereignty of the Wabanaki nations: the Houlton Band of Maliseet Indians, Mi'kmaq Nation, Passamaquoddy Tribe (at Motahkomikuk and Sipayik), and Penobscot Nation.

First, MCV has long championed the conservation and protection of Maine's land, water and air. MCV has worked with partners for many years in the Land for Maine's Future Coalition, a group of partners who work to protect and maintain funding in Maine's signature conservation program that began in 1987. In addition, MCV issues an annual Scorecard that reports on how Maine legislators voted on our most pressing legislative priorities. In short, MCV is unequivocally committed to conservation in Maine, and we applaud the foresight of the parties who placed  $\frac{2}{3}$  of Sears Island - 600 acres - in a conservation easement held by the Maine Coast Heritage Trust in 2009.

Second, MCV works to meet the current climate crisis in various ways, including work on the Maine Climate Council and endorsement of the state's goal of 100% renewable energy by

2040<sup>1</sup>. MCV also supports the Maine Off-Shore Wind Roadmap,<sup>2</sup> a project led by the Governor's Energy Office and informed by a 24-member advisory committee and over 80 public meetings in 2022-24. In February, 2024, the Mills administration announced its preference to use Sears Island as a base for the future development of floating off-shore wind, and MCV publicly supported that preference (I remind you that the land that was excluded from the 2009 conservation easement - 336 acres - remains in state ownership and is suitable for development of marine industries). While the Trump administration has promised no new federal support for off-shore wind in the next four years, MCV knows that developing new energy infrastructure is a long-term endeavor, and we continue to support the State of Maine's goal to grow the good jobs and clean energy that this industry promises, despite the pause in federal grants.

Turning to Sears Island, MCV was satisfied with the outcome of last session's LD2266, which included \$1 million for sand dune restoration/protection all over Maine in compensation for the loss of one out of three sand dunes on Sears Island. MCV sees this as a reasonable compromise that accounts for the loss of an otherwise protected asset for the larger good of increasing capacity for renewable energy and decreasing greenhouse gas emissions. LD735 would repeal that compromise and I urge you to keep it in place.

Third, I would ask the bill sponsors how they arrived at "an indigenous lands protection committee" that would have authority to confer "certification that any area to be developed on Sears Island does not contain a site sacred to indigenous people in Maine." And whether that idea was developed in consultation and partnership with the Wabanaki Alliance. MCV stands in solidarity with the Wabanaki Alliance and its position on this bill.

Last, MCV respects the Maine Constitution, and parts of LD735 are likely inconsistent with Article IV, Part 3, Section 9, which reads in part, "Bills, orders or resolutions, may originate in either House, and may be altered, amended or rejected in the other..." Restricting the authority of a Representative or Senator on the basis of location is an unprecedented and drastic departure from the intent of the Constitution and from over 200 years of lawmaking in Maine. It's hard even to imagine how to manage such a provision were it adopted and applied.

For these reasons, MCV urges a vote of Ought Not to Pass on LD735. Thank you for your consideration.

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<sup>1</sup> [https://www.maine.gov/climateplan/sites/maine.gov.climateplan/files/2024-11/MWW\\_2024\\_Book\\_112124.pdf](https://www.maine.gov/climateplan/sites/maine.gov.climateplan/files/2024-11/MWW_2024_Book_112124.pdf), pp. 76-90

<sup>2</sup> <https://www.maine.gov/energy/initiatives/offshorewind/roadmap>