

April 7, 2025

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Maine Trout Unlimited Council

Committee of Environment and Natural Resources

**LD 430 An Act to Impose Moratoria on Hydropower Dam Removal and on Water Release from Nonhydropower Dams and to Make Other Changes to the Laws Regulating Such Dams (EMERGENCY)**

Senator Tepler, Representative Doudera, and members of the Environment and Natural Resources Committee, my name is Greg Ponte, and I am representing the Maine Council of Trout Unlimited which is made up of six local chapters and 1600+ members in Maine. The Maine Council of Trout Unlimited is a nonprofit conservation organization. Our mission is *"to bring together diverse interests to care for and recover rivers and streams, so our children can experience the joy of wild and native trout and salmon."*

We oppose LD 430 which will prohibit the Department of Environmental Protection from approving an application for a permit to remove a dam that is part of a hydropower project and also proposes to amend the laws governing release from ownership and water level maintenance for non-hydropower dams to prohibit the department from issuing an order to a dam owner to release water from the dam or, at the request of the dam owner, otherwise authorize or approve the removal of a non-hydropower dam. This prohibition is repealed January 1, 2027.

This proposed LD 430 will affect every dam in the State of Maine and I suspect the sponsors are proposing this legislation for specific dams and they have chosen not to mention that fact.

This is also a safety issue which potentially will not allow a dam owner to release an impoundment of a high hazard dam due to potential dam failure or a flood with safety concerns downstream

This is also a property rights issue and an attempt to burden property owners with requirements that other businesses in the State of Maine are not required to meet with the operation or sale of their real estate. The Maine eminent domain laws could be the solution to the problem that LD 430 is trying to address.

Thank you for the opportunity to testify today and I am happy to answer questions that relate to this LD or my testimony. in opposition to it.

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