



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM  
COMMISSIONER

**TESTIMONY OF**

**LAURA PAYE, HYDROPOWER COORDINATOR**

**MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**SPEAKING NEITHER FOR NOR AGAINST L.D. 1848**

**AN ACT TO IMPLEMENT RECOMMENDATIONS FOR IMPROVED DAM SAFETY**

**PRESENTED BY REP. MILLIKEN**

**BEFORE THE JOINT STANDING COMMITTEE**

**ON**

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

**DATE OF HEARING:**

**MAY 7, 2025**

Senator Beebe-Center, Representative Hasenfus, and members of the Committee, I am Laura Paye, the Hydropower Coordinator for the Bureau of Land Resources in the Maine Department of Environmental Protection, speaking neither for nor against L.D. 1848.

Section 11 of L.D. 1848 proposes to amend the Natural Resources Protection Act, at Title 38 Section 480-D, to require that, if a proposed activity involves the construction or reconstruction of a nonhydropower dam, prior to granting a permit, the Department of

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Environmental Protection (Department) shall notify the director of the Maine Emergency Management Agency (MEMA) within the Department of Defense, Veterans and Emergency Management regarding the application. MEMA is required to provide the department with an assessment of the design and construction or reconstruction of the proposed dam and any recommendations regarding terms or conditions necessary to minimize the risk of dam failure and to protect public safety and property downstream from the dam that may result from the failure or operation of the dam.

The Department does not oppose Section 11 but recommends that the required notification to MEMA for construction or reconstruction of a nonhydropower dam be placed in Title 38 Section 480-E, permit processing requirements, rather than Section 480-D as proposed. The Department believes Section 480-E is the appropriate location for this additional procedural step during the processing of an application under the Natural Resources Protection Act.

Section 12 of L.D. 1848 proposes to amend Title 38 Section 480-D(2-E) to require that a long-term maintenance and repair plan submitted to the Department for maintenance and repair activities on an existing dam for which a permit is not required must also be submitted to the Maine Emergency Management Agency. The Department is neither for nor against Section 12.

Thank you for the opportunity to provide testimony on this bill. I would be happy to provide information in response to questions you've already raised today, or to answer any other questions you may have for the Department.