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Kaitlyn Nuzzo, Government Relations Director
The Nature Conservancy in Maine
kaitlyn.nuzzo@tnc.org



Joint Standing Committee on Criminal Justice and Public Safety

RE: LD 1848 – An Act to Implement Recommendations for Improved Dam Safety

Senator Beebe-Center, Representative Hasenfus, and members of the Criminal Justice and Public Safety Committee, my name is Kaitlyn Nuzzo and I am the Government Relations Director for The Nature Conservancy in Maine. **I appreciate this opportunity to testify in support of LD 1848, An Act to Implement Recommendations for Improved Dam Safety.** We want to specifically thank Representative Milliken for working with us on this issue.

The Nature Conservancy (TNC) is a nonprofit conservation organization dedicated to conserving the lands and waters on which all life depends. Guided by science, we create innovative, on-the-ground solutions to our world's toughest challenges so that nature and people can thrive together. Working in more than 70 countries, we use a collaborative approach that engages local communities, governments, the private sector, and other partners. We work across Maine to restore rivers and streams, partner with fishermen in the Gulf of Maine to rebuild groundfish populations, and develop innovative solutions to address our changing climate.

LD 1848 builds on several years of collaborative work to strengthen and support the Maine Dam Safety Program (MDSP). In the 130th Legislature, The Nature Conservancy and many others worked closely with the MDSP and the Maine Emergency Management Agency (MEMA) on LD 1488 – Resolve, To Study and Recommend Improvements to Maine's Dam Safety. Our goal was to compile critical data and add the necessary support to conduct a peer review and report from the Association of State Dam Safety Officials (ASDSO). Shortly after LD 1488 passed, the ASDSO peer review process began and an official report with recommendations was released in November 2023. LD 1848 aims to implement many of the most urgent recommendations from the peer review report and add critical capacity to the Maine Dam Safety Program. The elements included in LD 1848 have been vetted and supported by MEMA and MDSP staff.

It is important to note that while this bill seeks to address challenges with the current program and add capacity, the existing staff team must be commended for their exemplary work and dedication. In the executive summary of the ASDSO peer review report, the authors note that "All MEMA staff working in dam safety related areas demonstrate dedication to the program's purpose, technical competence, and a desire to improve the program."

MEMA and the program staff have repeatedly identified the need for additional staff and specifically noted the challenges in hiring and retaining the State Dam Inspector

position. **Filling the currently vacant State Dam Inspector position is the number one priority recommendation highlighted in the peer review report. This is the first step and number one priority for any improvements to the DSP.** This role carries an enormous amount of responsibility, requires a professional engineering license, and demands a high level of skills and experience. Without adequate resources to fairly compensate this critical role, the program will continue to struggle to cover their existing workload and will not be able to take on any of these important recommendations.

According to a 2021 Maine Dam Safety White Paper from MEMA, the MDSP is responsible for 907 dams, and 79% of them are more than 50 years old. The 2024 Maine Infrastructure Report Card from the American Society of Civil Engineers ranks Maine's dam infrastructure with a D+. The report card indicates that "159 Maine dams are classified as significant- and high-hazard potential dams, meaning failure would result in considerable damage and/or loss of life."

In the face of a changing climate that brings with it more frequent and more intense storms, Mainers need proactive and creative policies that bolster resiliency for communities across the state. Maine has already seen several dam failures in the past 15 years that caused more than \$1.3M worth of downstream damage. LD 1848 is a chance to proactively support efforts to mitigate risk. This bill will allow the state to evaluate our dam infrastructure and implement forward-looking changes before it is too late.

Thank you for the opportunity to comment and please reach out to me if you have any questions.