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**Testimony in Support of LD 1979,
*An Act To Sustain Good-paying Jobs in the Forest Products Industry by Ensuring Consistency
between Comprehensive River Resource Management Plans & State Water Quality Standards***

**Presented to the Joint Standing Committee on Environment and Natural Resources
Monday, February 28, 2022**

Senator Brenner, Representative Tucker and esteemed members of the Joint Standing Committee on Environment and Natural Resources, thank you for the opportunity to appear before you today. My name is Troy Jackson. I represent the good people of northern Aroostook County in the Maine Legislature and serve as President of the Maine Senate. More importantly, I'm a fifth-generation logger, whose family and community has long relied on Maine's natural resources to make a living for themselves in rural Maine. I'm also a lawmaker with a strong voting record when it comes to protecting Maine's environment and preserving our natural resources.

I'm here today to introduce LD 1979, "An Act to Sustain Good-paying jobs in the Forest Products Industry by Ensuring Consistency between Comprehensive River Resource Management Plans and State Water Quality Standards." The title of the bill is long and complex but its objective is simple — to provide proper transparency, oversight and accountability regarding decisions that affect Maine's environment, the surrounding communities and Mainer's livelihoods. It's clear that these types of consequential decisions should not be made in a silo, but rather consider all relevant factors ranging from environment and health to community and economic. This is true whether we are talking about the NECEC transmission line or any other critical projects. Recent events regarding the permitting process for the Shawmut Dam highlight the need for changing the way we approach these issues.

Most permitting decisions are considered mundane and routine and do not attract public interest. In this case, it only makes sense that the rulemaking process — the process that lays out how the permitting process operates — is "routine-technical" and managed entirely by state agencies. However, some permitting decisions have much more far-reaching impacts on our natural resources, communities, economy and livelihood. This is true when it comes to the permitting of hydropower projects that rely on our states' rivers.

There are a number of key factors that must be considered when an agency determines whether or not to authorize a permit. If a decision is made without considering the wide range of complex factors, it could result in severe and unintended consequences that affect the lives of Mainers. This

includes the closure of businesses, and loss of good-paying jobs, that rely on mills powered by the watersheds created by those dams. The ripple effect this would have on the surrounding community and the entire state would be devastating. It's why it only makes sense for the state to develop a coordinated plan that simply requires state decision-makers to consider all relevant factors when making these permitting decisions.

In the case of the Shawmut, the Maine Department of Marine Resources changed the permitting requirements and approval process in response to an escalating disagreement between the owners of the dam and environmental advocates concerned with the preservation of the Atlantic Salmon. It seems like it was an attempt to influence negotiations. However, the decision from the Department affects more than the folks caught up in the disagreement. It also adversely affects Sappi Mill, its 775 workers, and the families and communities these jobs support. To me, it seems like bad public policy to move forward on a decision without considering how it might affect the lives of the workers and communities in this part of the state.

LD 1979 would simply require the Department of Agriculture, Conservation and Forestry to develop a comprehensive river resource management plan for each watershed with a hydropower project, where a state agency provides comments or recommendations that affect licenses under the Federal Power Act. It also establishes minimum consideration for plans and requires increased transparency and public input. It also classifies the rule-making process as "major substantive," which requires legislative approval before taking effect.

With LD 1979, Maine can ensure that the state and its agencies account for all relevant factors on these types of permitting decisions. This increased transparency and public participation can only be good for democracy. It will ensure that everyone has an opportunity to raise concerns about potential consequences when it comes to big decisions affecting our rivers regardless of which party is in power.

Before I close, I wanted to take a moment to clear up some confusion and correct misinformation that has been circulating about this bill. Although this legislation is intended to lay out standard operating procedures for permitting around hydropower projects, there has been a lot of confusion regarding the Shawmut Dam, the significance of Sappi in Skowhegan, and the ability of the mill to operate without the dam.

First, this bill does not take away Maine's ability to protect its resources. All this legislation does is require the state to develop a resource management plan for river resources.

Second, the Sappi Mill in Skowhegan is one of the only handful of pulp and paper mills that accept hardwood pulp. If you are familiar with the forest products industry, that is a big deal. Due to the overcutting of softwood, much of the available pulp is hardwood. This has depressed the market. The ability to bring hardwood to Sappi has kept many loggers and wood-haulers employed, making it possible to make ends meet and feed their families.

Third, I've heard some folks point to other dam removals as proof that pulp and paper mills can remain operational without a dam. The truth is much more complicated — not every dam is the same and not every paper mill is the same, and no entity has agreed to do this so long as the businesses that currently rely on the dams that exist in the state. For example, the Sappi Mill in Skowhegan requires a large amount of water for their process — an estimated 35 million gallons of water per day. All the other mills in the state pale in terms of size in complexity.

Currently, the Shawmut Dam helps get the river up to the 20-25 foot level in front of the in-take pump house. The pump house needs the river to reach at least 10 feet to cover the pumps but at lower levels, debris can become a real problem. If the dam were to be removed, there is no question that the river would constrict and become much narrower. This would mean the water level could drop to 5 feet on average, and the distance to the pump house could go dry due to no backflow. The options that have been floated by some to remedy water-level should the dam be removed have not been proven to work besides having the additional cost and environmental impact issues.

Finally, some folks have said this bill would make dam removal impossible. That is not the case nor is it the goal of this legislation. LD 1979 simply requires the Department to develop a plan for removal that considers all relevant factors for the good of this state.

The best decisions are made when we get stakeholders around the table, make sure everyone has a chance to be heard and work together to come up with a solution. That's exactly what this bill seeks to do. It's not about pitting workers against environmental advocates, rather it's about giving everyone a seat at the table.

Thank you for your time this morning. I'm happy to answer any questions you may have.