

February 26,2022

Dear ENR Committee Members,

I am writing to express my opposition to 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."

As written, LD 1979 would make it impossible for Maine resource agencies to advocate for more protective fish-passage standards and water quality standards than those that the Federal Energy Regulatory Commission (FERC) proposes. This would take away the ability of our resource agencies to protect Maine's clean water and fishery resources.

The bill threatens the ability of Maine's Department of Environmental Protection (DEP) to independently enforce the Clean Water Act. DEP needs this ability to maintain the authority that the U.S. Environmental Protection Agency (EPA) delegated to the state. Passage of LD 1979 risks EPA revoking Maine's delegated Clean Water Act authority and taking over enforcement from DEP.

Dam removals and strict fish passage requirements have resulted in highly successful river and fishery restorations throughout Maine. The language in LD 1979 would make globally significant projects like the Edwards Dam removal in 1999 and the Penobscot River Restoration Project, completed in 2017, impossible. Projects like these that have delivered significant economic, recreation, and environmental benefits that might never be possible in the future if LD 1979 were enacted.

LD 1979 requires the Department of Agriculture, Conservation, and Forestry (DACF) to develop river management plans for every major river in the state with a focus on protecting hydropower interests. DACF lacks expertise and resources to develop such management plans and requiring it to do so would mean a large fiscal note for LD 1979.

Proponents of this bill claim that it would protect jobs in pulp and paper mills, but dam removals have never been a threat to jobs in mills. In fact, in the Edwards and Penobscot dam removal projects, mills that need to move their infrastructure did not have to pay to do so. The funds for new infrastructure came from the entities that bought and removed the dams.

Brookfield Renewable, the owner of the most dams in Maine, is a primary supporter of LD 1979. This international conglomerate worth about \$60 billion is pushing the bill to avoid making investments in fish passage that are necessary to protect critically endangered Atlantic salmon and the many other species of sea-run fish that are so important to Maine's marine economy and its commercial and sporting fisheries.

Thank you for considering my testimony.

Stephen S Martin