

**Testimony of Garrett Murch on LD 1979 to the Committee on Environment and Natural  
Resources  
February 28, 2022**

Chair Brenner, Chair Tucker, distinguished members of the joint committee, thank you for your diligent consideration of all testimony provided today on LD 1979. My name is Garrett Murch and I reside in Mount Vernon. I am a member of the Kennebec Valley chapter of Trout Unlimited, the Sportsman's Alliance of Maine, and other conservation-minded organizations. This testimony, however, represents my view as a private citizen.

My view is that LD 1979 is not necessary to properly balance the legitimate concerns of Maine workers and local economies with conservation goals both desired and required by law.

In the late 1990's as a senior at Cony High School in Augusta, I took an interest in the debate over the fate of Edwards Dam, which was preventing upstream passage of anadromous fish including sturgeon, river herring, shad, and Atlantic Salmon. I wrote a paper about it for school. At the time, doomsday predictions were made by some who wanted to keep the dam in place. More than 20 years after Edwards Dam's removal, those predictions have not come to pass. Rather, we have seen the Kennebec River from Augusta to Waterville flourish with increased fish, wildlife (particularly birds that like to eat fish!), and new recreational opportunities in a river allowed to flow freely again.

After college, I worked in Washington, D.C. as an aide to then-Senator Olympia Snowe, focusing on environmental and energy policy. This was during the early stages of the Penobscot River Restoration Project proposal. Advocates for removal of the dams on the Penobscot exhibited genuine desire for the project to have limited to no negative economic impact, but at the end of the day, words are just words. Far more importantly, this project's advocates backed their words up by finding practical solutions with the dam owners and other interested parties. They reached a consensus solution in which the dams were removed and additional power generation was permitted on upriver dams.

Advocates for the removal of dams on the Kennebec from Waterville to Skowhegan have the same commitment to practical solutions that similar advocates had on the Edwards and Penobscot projects. Suggestions that advocates are pushing for—or would even accept—an outcome that harms workers at Somerset Mill, are both unfounded and unfair. Governor Mills was correct to warn against dishonest 'fear-mongering' intended to frighten local communities. Advocates for removing these dams are Mainers who care about everyone in our state, not faceless financial interests far removed from the people that decisions affect.

The prioritization of Somerset mill workers is of paramount concern to advocates for removal of the Shawmut Dam. Leaders of the Kennebec Coalition, which supports these dams' removal, wrote in a recent letter to the managing director at Sappi's Somerset Mill, that if it is found there is "no way for the Sappi mill to function without the impoundment created by the

Shawmut Dam, the Kennebec Coalition and CLF would work with all parties to come up with a fish passage solution that maintains the water levels needed to operate the mill, including retaining the dam if necessary.”

The Kennebec Coalition could not have been more clear. The aforementioned letter was also shared with staff of Maine’s congressional delegation, which met with the coalition. I participated in two of those meetings and there is no doubt that all who participated in them prioritize workers at Somerset Mill. Furthermore, there is a credible belief (based on historical precedent) that a new water intake and discharge system can be implemented for the mill with federal and private assistance—one that might even make it easier for the mill’s discharge to meet water quality standards.

No matter what, the fact will remain that the Endangered Species Act (ESA) requires action to protect Atlantic Salmon in the Kennebec River. Brookfield, owner of the dams in question, has been found in violation of the ESA. For decades, dam owners have made promises about fishways that cannot be—or were not—kept. They have fooled people more than twice. The false and broken promises of the past should be weighed heavily when determining the proper path forward in restoring the Kennebec River ecosystem. And as others will surely testify, the evidence shows that a ‘fishways only’ solution would be an Atlantic Salmon extirpation solution for the Kennebec River.

My parents, themselves graduates of Cony High School, used to talk about how when they were kids, no one in their right mind would swim in the Kennebec River. It was that polluted. Yet earlier times—during industrialization—required activities to create jobs and grow our nation that, however necessary then, carried extreme environmental costs.

Fortunately, we live in a post-industrial economy today. We should not live as if we don’t, and we should work to restore what we wish we had not lost. In earlier times, fish on subsequently impounded rivers were abundant. Photos and journals from those times make that clear and provide a vision for the future that, while not completely attainable, would lead to vast improvements in Maine’s fisheries and wildlife health through its responsible pursuit.

2022 marking the 50<sup>th</sup> anniversary of the Clean Water Act, anyone visiting the Kennebec River today can see the positive benefit from that landmark legislation, passed in no small part due to the vision and effort of Maine’s (and Rumford’s) Senator Edmund Muskie. The Kennebec River has come a long way—but not all the way. Legislation like LD 1979, which is not needed to protect Maine workers, risks stopping decades of conservation and restoration dead in its tracks.

As a private citizen and believer in a thriving and beautiful future for Maine, I urge your opposition to LD 1979. Thank you.

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