

From: Greg Robie robie@hvc.rr.com

Subject: Fwd: LD 2266 (Governors Bill) Sears Island, etc. & ...Re: Is there an awareness among the LD 1775 sponsors that hydrogen of any color is a "blacker than black" thing?



Date: March 18, 2024 at 10:18 AM

To:

Bcc: Greg Robie robie@hvc.rr.com

Please consider this an addenda to my other filing and LD 2233. It is my attempt to communicate what is pattern-like. Thx! – Greg Robie, Winslow/China Maine; Highland Mills, NY

Begin of hydrogen message that relates to LD 2266 in terms of how policy is being affected in various ways by the Office of Governor/Governor's Office:

From: Greg Robie <robie@hvc.rr.com>

Subject: LD 2266 (Governors Bill) Sears Island, etc. & ...Re: Is there an awareness among the LD 1775 sponsors that hydrogen of any color is a "blacker than black" thing?

Date: March 18, 2024 at 7:29:10 AM EDT

To: "Doudera, Vicki" <Vicki.Doudera@legislature.maine.gov>

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Good Morning Vicki, et. al of our LD 1775,

Last Thursday, LD 2266, sponsored by Rep. Runte (Wells), was submitted and sent to our ENR Committee. It will have its public hearing today at 11 AM. I have submitted the following as testimony.

LD 2266 Testimony.pdf



As further background, former Senator, now Selectman Foley, petitioned our BEP for an emergency rule to use dredged material for dune restoration in Wells. Senator Foley was the sponsoring Legislator for the Governor's Bill in 2019 that allegedly reauthorized the BEP. Whether there is any relationship or not, the emergency rule was effected at that BEP Meeting ([2/1/24 via a 1/31/24 agenda amendment](#)). Whatever has sedimented out and is in that dredged material may now get permitted to become what is integral to a dune system subject to wind erosion and distribution into the beachfront environment. The exceptional use of metal anchors and cable were also permitted as an emergency thing.

The purpose of the above background is to alert you to how LD 2266 can affect District 41 and our Penobscot Bay. Like LD 1775 and hydrogen, stuff is happening in ways that appear to be not well considered, and consideration happening before such is too late. [What is in progress with hydrogen](#) is akin to a modern day version of [the State Steal of the mid-1800s](#).

of timberlands of which 9,100,000 comprise the so-called "wild lands" which are situated in unorganized townships and in plantations. The greater part of these lands was once the property of the people of this State, and, had our forefathers handed down to us this great domain, what a transformation would have been wrought in the life and institutions of our State!

In the early years these lands were sold for trifling sums per acre to pay current expenses of the State Government, to build roads, to pay ministers of the gospel, and in 1828, twelve townships were sold in order to raise funds with which to build the State House. From 1836 to 1839 these lands were sold by the State so freely that no taxes were levied, because a sufficient number of townships were disposed of to provide the revenue necessary for State purposes. In 1793 the State sold the so-called Bingham lands, comprising 2,100,000 acres,

means for the defense of the Northeastern frontier. In this deed it is recited that about 1,000,000 acres of land "more or less" are conveyed to the railway "for the purpose named in the act." A careful estimate shows that about 2,700,000 acres were given away by that deed, which the Governor of the State signed. The railroad, as a matter of fact, was constructed for a distance of about twelve miles, but the deed had been signed, sealed and delivered, and thus ended the rights of the people in all that was left to them of a great inheritance.

These facts are of the past; they are incidents of a by-gone day, and regrets are fruitless. Today it is necessary for us to face the situation as it now exists, so that we may plan to build for future generations better than our ancestors built for us. Today the State of Maine, out of this vast area of millions of acres of timberland, is owner of but the paltry amount of 330,837 acres. This land is sit-

and the price paid for them was twelve and one-half cents per acre. As late as the year 1818 the people of the State of Maine owned more than 11,000,000 acres of the finest timberland. The final act in this tragedy occurred in 1868, only 53 years ago, and this was the crowning calamity of all. This transaction has been known as the "State Steal." The Legislature of that year passed an act to "aid in the construction of the European and North American Railway" and for the munificent consideration of "one dollar paid by said Railway Company," granted to that Company "all the timber and lands belonging to the State and situated upon the waters of the Penobscot and St. John rivers to be used by said Company to aid in the construction of its contemplated line of railway," which was to provide

uated in what is called the "Public Lots" scattered all over the forest area.

The timberlands of Maine are fast passing into the control of a few large corporations and individual holdings. One company today owns more than 1,000,000 acres of land, and as there are about 19,000,000 acres in the entire State, this great company owns one-nineteenth of the whole State of Maine. Thirty-one timberland ownerships own 5,800,000 acres in Maine, which comprise 30% of the entire acreage of the State, or 64% of all the wild lands of the State. This concentration of ownership prevails in other New England States, for the United States authorities show that fifteen ownerships in Maine, New Hampshire and Vermont own more than 15,500,000 acres of timberlands, or

Related to what this modern day snookering by offshore financial behemoths constitutes, such seems to include obfuscation by DEP staff under the cover of our Commissioner regarding requested information. Our Commissioner is likely getting similar cover by our BEP (an appeal* of this obfuscation (as an alleged "review" by our Commissioner) has yet to be acknowledged by, nor placed on a BEP agenda). This may be because what is before Winslow's Planning Board is, and undeclared, integral to ongoing planning and a possible siting of that LD 1775 20 MW electrolyzer plant in Winslow. This morning's research into footprint matters indicates such would be a fit. The following screenshot is the most direct way to link an 20 MW electrolysis plant on a 36 acre site in Winslow's industrial zone with a CMP grid backbone transformer station:



If so, this is an undeclared part of a conditional use permit for a new "mineral extraction" rock quarry and a three lot subdivision of an Industrial Zone. By statute such a subdivision requires DEP involvement. FWIW, one of the three lots is landlocked. The DEP is also required by statute to be involved in any development greater than 20 acres, and any new quarry that is greater than a single acre (according to DEP staff, grubbing stumps qualify as the initiation of the development of a quarry). This is rock quarry law and since 1970. In the substantially greater than 30 acre clearing in the right of the above satellite image's screenshot, significant acreage of that clearing has been grubbed. Therefore, there appears to be secreted municipal collaboration with the Governor and that Office's covert-like efforts to find ways to chase the goal of 300 MW of energy storage, which is in our 2019 law relative to 2025.

Allowing the creation of a landlocked lot (Winslow's Code does not allow this) only makes any plausible legal sense if there is an undeclared contract to include the 41.2 acre lot with a solar development to its east. If undeclared contracts exist for this, Winslow is slated to become the host of Maine's 1st hydrogen electrolysis/fuel cell battery (HEFC) as is now allowed by law due to Rep. Boyles' LD

496. That bill is now Title 35-A., Chapter 34-E as law. But that law exempts any such chemical battery with a nameplate capacity under 2 MW from any DEP involvement. Like our State, our regulatory structure for assuring public safety is not ready for hydrogen, and this means that Winslow, with nothing in its Zoning Ordinance that can vet an application concerning public safety matters and hydrogen, could, as early as this Thursday, be presented with an application for a HEFC battery. The Code as it exists on Thursday is what would apply to such an application.

It is due to this that I filed last Thursday a petition for an emergency ordinance and establish a date a week ahead of this in the record ... & it is possibly why, on Friday (Town Offices are closed, BTW) I learned a Councilor's request to place an emergency ordinance was finally allowed to be a "discussion item" on April's agenda. LD 2266 has the feel of being filed for comparable reasons and strategic purposes.

BTW, Rockland's WRRF's Penobscot Bay Report show discussed this Governor's bill, the DEP's Repeal and Replace of its Administrative Rule Chapter, and the BEP's emergency rule for Wells. I was a guest co-host.

If any of this needs further information I am happy to offer what I can. AND this could include the unacknowledged communication with our BEP that includes the noted *appeal.

=)
Greg

(845) 534-7291

On Apr 27, 2023, at 2:38 PM, Doudera, Vicki <Vicki.Doudera@legislature.maine.gov> wrote:

Hi Greg - thanks for your comments. Look forward to your thoughts on making LD 1775 better and greener. Have a few ideas already and welcome yours.

Vicki

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From: Greg Robie <robie@hvc.rr.com>
Sent: Thursday, April 27, 2023 12:48:07 PM
To: Doudera, Vicki <Vicki.Doudera@legislature.maine.gov>; Lawrence, Mark <Mark.Lawrence@legislature.maine.gov>; Harrington, Matthew <Matthew.Harrington@legislature.maine.gov>; Brenner, Stacy <Stacy.Brenner@legislature.maine.gov>; Geiger, Valli <Valli.Geiger@legislature.maine.gov>; Runte, Gerry <Gerry.Runte@legislature.maine.gov>; Woodsome, David <David.Woodsome@legislature.maine.gov>; Boyle, Jim <Jim.Boyle@legislature.maine.gov>
Cc: LaFountain, David <David.LaFountain@legislature.maine.gov>; Scott CYRWAY <scyrway@gmail.com>; StevenFoster@legislature.maine.gov <StevenFoster@legislature.maine.gov>; Grohoski, Nicole <Nicole.Grohoski@legislature.maine.gov>; Perry, Joe <Joe.Perry@legislature.maine.gov>
Subject: Is there an awareness among the LD 1775 sponsors that hydrogen of any color is a "blacker than black" thing?

This message originates from outside the Maine Legislature.

Greeting LD 1775 Sponsors [of various colors], ;)

What is attached** is evolving toward becoming testimony for LD 1775 regarding next Tuesday's public hearing on the bill. The subject of this email is a serious and significant question. The timing of the filing of LD 1775, as well as its substance, AND its strategic relevance for the interests of Wall Street, suggest the answer is more yes, than no.

I am happy to expand on any of "the colors of euphemism" referenced; the Wall Street hubris that vainly is attempting to snooker physics with the six pages of the IRA that define 'clean'NOT! hydrogen – which LD 1775 enables – & is, thereby, a snookering of Mainers; a crushing of the "Maine Won't Wait" aspirational goals regarding our abruptly changing climate system.

This Mainer-from-away feels we can do better – significantly better – or at least stop exasperating the harm of Wall Street's snookering to our children and grandchildren.

=)
Greg

**Actual Testimony/#ProposedSpeech submitted:

<https://legislature.maine.gov/backend/app/services/getDocument.aspx?doctype=test&documentId=10019696>

“(i) \$1.25, plus

“(ii) the applicable supplementary amount with respect to such sustainable aviation fuel.

“(2) DEFINITIONS.—Any term used in this subsection which is also used in section 40B shall have the meaning given such term by section 40B.

“(3) REGISTRATION REQUIREMENT.—For purposes of this subsection, rules similar to the rules of section 40B(f) shall apply.”

(2) CONFORMING AMENDMENTS.—

(A) Section 6426 is amended—

(i) in subsection (a)(1), by striking “and (e)” and inserting “(e), and (k)”, and

(ii) in subsection (h), by striking “under section 40 or 40A” and inserting “under section 40, 40A, or 40B”.

(B) Section 6427(e) is amended—

(i) in the heading, by striking “OR ALTERNATIVE FUEL” and inserting, “ALTERNATIVE FUEL, OR SUSTAINABLE AVIATION FUEL”,

(ii) in paragraph (1), by inserting “or the sustainable aviation fuel mixture credit” after “alternative fuel mixture credit”, and

(iii) in paragraph (6)—

(I) in subparagraph (C), by striking “and” at the end,

(II) in subparagraph (D), by striking the period at the end and inserting “, and”, and

(III) by adding at the end the following new subparagraph:

“(E) any qualified mixture of sustainable aviation fuel (as defined in section 6426(k)(3)) sold or used after December 31, 2024.”

(C) Section 4101(a)(1) is amended by inserting “every person producing or importing sustainable aviation fuel (as defined in section 40B),” before “and every person producing second generation biofuel”.

(D) The table of sections for subpart D of subchapter A of chapter 1 is amended by inserting after the item relating to section 40A the following new item:

“Sec. 40B. Sustainable aviation fuel credit.”

(e) AMOUNT OF CREDIT INCLUDED IN GROSS INCOME.—Section 87 is amended by striking “and” in paragraph (1), by striking the period at the end of paragraph (2) and inserting “, and”, and by adding at the end the following new paragraph:

“(3) the sustainable aviation fuel credit determined with respect to the taxpayer for the taxable year under section 40B(a).”

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2022.

SEC. 13204. CLEAN HYDROGEN.

(a) CREDIT FOR PRODUCTION OF CLEAN HYDROGEN.—

(1) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1, as amended by the preceding provisions of this Act, is amended by adding at the end the following new section:

<https://legislature.maine.gov/backend/app/services/getDocument.aspx?doctype=test&documentId=10020807>