



May 16, 2023

Committee On Energy, Utilities and Technology

RE: LD1895 – An Act Regarding the Procurement of Energy from Offshore Wind Resources

Co-Chairs Senator Lawrence and Representative Zeigler, and members of the Committee On Energy, Utilities and Technology, Islesboro Islands Trust (IIT) appreciates this opportunity to submit oral and written comments in support of LD1895 – An Act Regarding the Procurement of Energy from Offshore Wind Resources. However, with all due respect, we urge amending the bill to explicitly recognize siting and development of offshore wind manufacturing, assembling and launching facilities as integral to procurement of energy from offshore wind resources and therefore subject to the beneficial workforce and environmental standards of LD1985.

IIT advances land conservation, ecosystem education and environmental advocacy in the Penobscot Watershed. For nearly 40 years, IIT's conservation, education, advocacy, and research demonstrate a commitment to protect the quality and integrity of the watershed, including a commitment to sweeping response to climate change. I am IIT's Executive Director, a life-long Mainer and graduate of the University of Maine. I also serve on Maine's Offshore Wind Port Advisory Group.

IIT applauds our State Government's vigorous response to climate change and offshore wind research. LD1895 recognizes that responsible offshore wind projects should proceed without further ecological harm that would exacerbate climate change (and thereby undermine the central offshore wind goals of reducing carbon emissions, producing affordable electrical energy and providing workforce benefits). For example, LD1895 would amend Sec. 7, 35-A MRSA §3406, sub-§1, as enacted by PL 2021, c. 407, §3, to read: "C. Develop recommendations, using the best available science, for **avoiding, minimizing or mitigating impacts to wildlife and the marine environment in the development and construction of offshore wind power projects**, including appropriate preconstruction and postconstruction monitoring." [Emphasis added.]

However, unless explicitly captured by simple but appropriate new language, the bill as presented may not be clear that siting and development of manufacturing, assembling and launching facilities are or should be subject to LD1895 provisions.

Title 35-A, Part 3, Chapter 34-A defines an offshore wind project as, "an offshore project that uses a windmill or wind turbine to convert wind energy to electrical energy. 'Offshore wind power project' includes both generating facilities as defined by section 3451, subsection 5 **and associated facilities**, without regard to whether the electrical energy is for sale or use by a person other than the generator. [Emphasis added.]

That statute then defines "associated facilities" as "elements of a wind energy development other than its generating facilities that are necessary to the proper operation and maintenance of the wind energy development, including but not limited to buildings, access roads, generator lead lines and substations."



Facilities sited and constructed to manufacture, assemble and launch offshore wind turbines constitute critical, essential elements in any offshore wind project and fall within the meaning of “associated facilities” as defined in Title 35-A: PUBLIC UTILITIES, Part 3: ELECTRIC POWER, Chapter 34-A.

Because offshore wind manufacturing, assembling and launching facilities are clearly "necessary to the proper operation and maintenance of the energy wind development" and function much like buildings and roads associated with upland wind development, we believe that the legislative intent of Title 35A would embrace an amendment to LD1895 that broadens its protection of workers and the environment to siting and construction of the manufacturing, assembling and launching facility or facilities, whether undertaken by private or state developers.

Therefore, we strongly urge amending “An Act Regarding the Procurement of Energy from Offshore Wind Resource” to specifically require developers of any offshore wind manufacturing, assembling and/or launching facility, including the State of Maine, to (1) ensure that the least environmentally damaging plan is pursued, (2) favor repurposing outdated energy locations, (3) avoid damaging intact, undeveloped and ecologically significant locations, and (4) consider wildlife, fisheries, and environmental mitigation plans in costs projections.

Thank you.

Stephen Miller
Islesboro Islands Trust
LD 1895

May 16, 2023

Committee On Energy, Utilities and Technology

RE: LD1895 – An Act Regarding the Procurement of Energy from Offshore Wind Resources

Co-Chairs Senator Lawrence and Representative Zeigler, and members of the Committee On Energy, Utilities and Technology, Islesboro Islands Trust (IIT) appreciates this opportunity to submit oral and written comments in support of LD1895 – An Act Regarding the Procurement of Energy from Offshore Wind Resources. However, with all due respect, we urge amending the bill to explicitly recognize siting and development of offshore wind manufacturing, assembling and launching facilities as integral to procurement of energy from offshore wind resources and therefore subject to the beneficial workforce and environmental standards of LD1985.

IIT advances land conservation, ecosystem education and environmental advocacy in the Penobscot Watershed. For nearly 40 years, IIT's conservation, education, advocacy, and research demonstrate a commitment to protect the quality and integrity of the watershed, including a commitment to sweeping response to climate change. I am IIT's Executive Director, a life-long Mainer and graduate of the University of Maine. I also serve on Maine's Offshore Wind Port Advisory Group.

IIT applauds our State Government's vigorous response to climate change and offshore wind research. LD1895 recognizes that responsible offshore wind projects should proceed without further ecological harm that would exacerbate climate change (and thereby undermine the central offshore wind goals of reducing carbon emissions, producing affordable electrical energy and providing workforce benefits). For example, LD1895 would amend Sec. 7, 35-A MRSA §3406, sub-§1, as enacted by PL 2021, c. 407, §3, to read: "C. Develop recommendations, using the best available science, for avoiding, minimizing or mitigating impacts to wildlife and the marine environment in the development and construction of offshore wind power projects, including appropriate preconstruction and postconstruction monitoring." [Emphasis added.]

However, unless explicitly captured by simple but appropriate new language, the bill as presented may not be clear that siting and development of manufacturing, assembling and launching facilities are or should be subject to LD1895 provisions.

Title 35-A, Part 3, Chapter 34-A defines an offshore wind project as, "an offshore project that uses a windmill or wind turbine to convert wind energy to electrical energy. 'Offshore wind power project' includes both generating facilities as defined by section 3451, subsection 5 and associated facilities, without regard to whether the electrical energy is for sale or use by a person other than the generator. [Emphasis added.]

That statute then defines "associated facilities" as "elements of a wind energy development other than its generating facilities that are necessary to the proper operation and maintenance of the wind energy development, including but not limited to buildings, access roads, generator lead lines and substations."

Facilities sited and constructed to manufacture, assemble and launch offshore wind turbines constitute critical, essential elements in any offshore wind project and fall within the meaning of "associated facilities" as defined in Title 35-A: PUBLIC UTILITIES, Part 3: ELECTRIC POWER, Chapter 34-A.

Because offshore wind manufacturing, assembling and launching facilities are clearly

"necessary to the proper operation and maintenance of the energy wind development" and function much like buildings and roads associated with upland wind development, we believe that the legislative intent of Title 35A would embrace an amendment to LD1895 that broadens its protection of workers and the environment to siting and construction of the manufacturing, assembling and launching facility or facilities, whether undertaken by private or state developers.

Therefore, we strongly urge amending "An Act Regarding the Procurement of Energy from Offshore Wind Resource" to specifically require developers of any offshore wind manufacturing, assembling and/or launching facility, including the State of Maine, to (1) ensure that the least environmentally damaging plan is pursued, (2) favor repurposing outdated energy locations, (3) avoid damaging intact, undeveloped and ecologically significant locations, and (4) consider wildlife, fisheries, and environmental mitigation plans in costs projections.

Thank you.