

**TESTIMONY BEFORE THE JOINT COMMITTEE ON
AGRICULTURE, CONSERVATION, AND FORESTRY
IN OPPOSITION TO LD 1262**

“AN ACT TO PROTECT MONHEGAN ISLAND BY LIMITING WIND TURBINES”

Sen. Woodsome, Rep. Berry and members of the Committee, I am Dr. Tom Desjardin and I am the Director of the Bureau of Parks and Lands at the Department of Agriculture, Conservation and Forestry and I appear before you today in opposition to LD 1262.

This bill would essentially interrupt and dispose of a process that began with a unanimous vote of the legislature in 2009. It would prohibit the Bureau of Parks and Lands from issuing a submerged lands lease for a project even though no application for that lease has yet been submitted to us for review.

Much like rulemaking and permitting in state government, the process for issuing submerged lands leases is governed in detail by state statutes. These statutes were written specifically to remove these leases from any political influence and to assure that they are considered through a fair, thorough, and objective process.

This process has been followed in detail since this proposal first came before the legislature eight years ago and has so far led to the identification of several sites on the Maine coast that meet the criteria of the proposed project. Attached is a brief explanation of the process to date.

At some point later this year, we anticipate that Maine Aqua Ventis will submit an application for a submerged land lease to place a turbine at their chosen location about three miles south of Monhegan Island including a cable to the mainland.

The Submerged Lands staff in the Bureau of Parks and Lands will review the lease application in an objective and professional manner, using the process laid out in state statutes. This process will include input from other state departments such as the Department of Marine Resources and the Department of Environmental Protection and further public hearings. Other entities such as the U.S. Army Corps of Engineers will be involved as well.

We ask that the legislature, including this committee, not interrupt or interfere with this statutory process, passed unanimously by the legislature, and allow it to run its proper course. To do otherwise would essentially throw out the agreed to process and set a dangerous precedent wherein the legislature interjects its opinion into a single, individual lease application. This would ignore all of the public input required by that process and lead to an arbitrary decision by which no other application has been judged.

Please allow the staff in our submerged lands division to handle this application in the same professional, objective manner they handle all such lease applications and in accordance with long-standing state statutes.

Thank you for this opportunity to speak with you and I will be happy to answer any questions at the work session.