

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 640

S.P. 202

In Senate, February 7, 2019

**Resolve, To Require a Study of Greenhouse Gas Emissions
Reductions from the Proposed Central Maine Power Company
Transmission Corridor**

(EMERGENCY)

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CARSON of Cumberland.
Cosponsored by Representative RYKERSON of Kittery and
Senators: BELLOWS of Kennebec, BLACK of Franklin, CLAXTON of Androscoggin,
FARRIN of Somerset, FOLEY of York, Representatives: DODGE of Belfast, FAY of
Raymond, TUCKER of Brunswick.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** Central Maine Power Company has promoted its proposed western Maine
4 transmission corridor, the New England Clean Energy Connect project, or NECEC, as a
5 means of reducing greenhouse gas emissions but has not provided adequate evidence to
6 the public and decision makers; and

7 **Whereas,** Department of Environmental Protection rule Chapter 375: No Adverse
8 Environmental Effect Standards of the Site Location of Development Act requires that
9 projects cause no unreasonable alteration of climate, but the department has not
10 performed an independent analysis of the greenhouse gas effects of the NECEC and has
11 no plans to do so; and

12 **Whereas,** the Maine Revised Statutes, Title 35-A, section 3132 requires the Public
13 Utilities Commission to consider the environmental effects of proposed transmission line
14 projects, but the commission has not performed an independent analysis of greenhouse
15 gas effects of the NECEC and has no plans to do so; and

16 **Whereas,** climate change poses a substantial threat to Maine's economy, natural
17 resources and public health, including from increased spread of insect-borne diseases,
18 more frequent damaging storms, elevated sea levels and warming oceans; and

19 **Whereas,** 53 miles of new, 150-foot-wide transmission corridor through western
20 Maine would fragment the largest expanse of intact temperate hardwood and mixed forest
21 in the world; and

22 **Whereas,** Maine's natural resources agencies have expressed serious concern about
23 the transmission corridor's harm to brook trout, deer and other species; and

24 **Whereas,** the New Hampshire Site Evaluation Committee concluded that there
25 would be no reduction in greenhouse gases from Northern Pass, a similar project to the
26 NECEC, unless Hydro-Quebec builds new facilities to increase generating capacity to
27 supply electricity to Massachusetts; and

28 **Whereas,** Hydro-Quebec's application to Massachusetts to supply energy via the
29 NECEC specifically states that the NECEC will not result in any new construction of
30 facilities to increase generating capacity; and

31 **Whereas,** Maine people and decision makers need concrete, verifiable, publicly
32 available information about the greenhouse gas reductions or lack of reductions
33 associated with the NECEC in order to make an informed decision on whether to support
34 the project; and

35 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
36 the meaning of the Constitution of Maine and require the following legislation as
37 immediately necessary for the preservation of the public peace, health and safety; now,
38 therefore, be it

Sec. 1. NECEC review. Resolved: That the Department of Environmental Protection shall review all relevant, verifiable evidence and issue a report on the total net effect on greenhouse gas emissions from the New England Clean Energy Connect project as proposed by Central Maine Power Company. The department shall submit the report to the Legislature, make the report available to the public and provide a copy of the report to the Massachusetts Department of Public Utilities by June 1, 2019. The department shall consider all relevant, verifiable evidence from New England, the Province of Quebec, Canada and any other area as needed to determine the total net effect of the project on greenhouse gases. The department may conduct the analysis of greenhouse gas effects itself within existing resources or hire an independent consultant to conduct it. The department may not issue a permit for the project without taking into account the results of the department's review.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This resolve requires the Department of Environmental Protection to review all relevant, verifiable evidence on the total net effect on greenhouse gas emissions from Central Maine Power Company's New England Clean Energy Connect project and submit a report to the Legislature, make the report available to the public and provide a copy of the report to the Massachusetts Department of Public Utilities by June 1, 2019. The resolve prohibits the department from issuing a permit for the project without taking into account the results of the department's review.