

Arleigh Kraus  
Warren  
LD 1696

In Support of LD 1696  
Arleigh A. Kraus  
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Senator Tepler, Representative Doudera, and Members of the Joint Standing Committee on Environment and Natural Resources Committee, My name is Arleigh Kraus, I am a scientist, an organic farmer, and business owner in Warren. I am a board member of CARMA, Citizens Against Residential Mining Activities. I am writing in strong support of the proposed resolve to establish the Commission to Study Maine's Absolute Dominion and Beneficial Use Laws Relating to Water Rights.

Water is one of Maine's most critical and vulnerable natural resources. As climate change intensifies and pressures on groundwater increase—whether from agricultural, commercial, residential, or industrial use—Maine must ensure that its legal frameworks reflect both ecological realities and the rights and needs of its people. Currently, Maine operates under the doctrine of absolute dominion, a legal approach that may no longer serve the long-term health, equity, or sustainability of our water systems.

Maine is currently experiencing drought conditions for much of the state. Approximately 13% of Maine is under moderate drought conditions, including the southern coast and Down East regions. The majority of the state is considered to be abnormally dry.

In Maine, the bottled water industry is among the most significant commercial users of groundwater. Companies such as Poland Spring, owned by BlueTriton Brands, extract substantial volumes of groundwater for bottling and sale. In 2006, at least a billion gallons were extracted, with double-digit annual increases reported at the time. LD 1696 takes a vital step toward modernizing our understanding of groundwater ownership and use. By assembling a diverse and well-rounded commission—including legislators from both chambers and parties, tribal representatives, legal experts, hydrogeologists, environmental advocates, and industry stakeholders—the resolve ensures a balanced, informed, and inclusive study process. In particular, I commend the resolve's commitment to:

Reviewing other states' legal frameworks and considering alternatives to absolute dominion, such as reasonable use and correlative rights;

Incorporating tribal voices and legal perspectives;

Prioritizing environmental, economic, and social sustainability in the commission's analysis.

Water does not respect property boundaries, and unregulated extraction can lead to irreversible damage to aquifers and ecosystems. Maine must proactively assess whether its current legal doctrine still aligns with contemporary science, public interest, and environmental stewardship.

This resolve does not predetermine policy outcomes—it instead creates the space for thoughtful, evidence-based examination and collaboration, both prudent and necessary.

I urge the Committee to support this resolve and help position Maine as a leader in sustainable and equitable water governance.

Thank you for your time and consideration.

Respectfully submitted,  
Arleigh A. Kraus

References:

<https://droughtmonitor.unl.edu/CurrentMap/StateDroughtMonitor.aspx?ME>

<https://www.nytimes.com/interactive/2023/10/24/climate/maine-water-laws-blue-triton-poland-spring.html>