

Testimony of the Maine Municipal Association

Neither For Nor Against

***LD 1914, An Act to Address Housing Density Requirements in Sole Source Aquifer Island
and Peninsular Communities***

May 12, 2025

Sen. Curry, Rep. Gere and distinguished members of the Housing and Economic Development Committee, my name is Rebecca Graham, and I am submitting placeholder testimony in neither for nor against LD 1914 as MMA's Legislative Policy Committee (LPC) has not yet had the ability to review this bill and take a formal position. If the committee has not vote out the bill prior to Wednesday, May 14, when our LPC will review this bill, I will update our position at that time.

More generally, communities are deeply concerned about existing hydrology to support growth and capacity to prevent adverse impacts on adjacent well water proposed by a one size fits all approach to housing density. They are equally concerned about the burden development is posing on part-time communities with limited planning and review resources as well. However, this bill places the burden to determine hydrogeological resources on the community and does not allow the state to take the lead on determining regionally specific resources, while it uses regionally specific housing guesstimates to determine and drive other housing policies that create the need for the hydrological assessment posed in the bill.

Additionally, the rule-making authority in the bill provides joint authority between the Department of Environmental and bestows the Department of Economic and Community Development to establish a timeline for the local community to meet a geologic assessment with no requirement to support the activity or nexus to DECD. It would be helpful for the legislature to consider way that encourage a partnership between government entities instead of a gatekeeper relationship and support the need for a statewide geological and soil study to help guide appropriate development to the appropriate location.

I will submit additional testimony on the official position of the Association after our LPC takes an official position on Wednesday.