



**AGC MAINE**  
THE CONSTRUCTION ASSOCIATION

**Testimony of Matthew Marks in Support of LD 212**

**“An Act to Authorize a General Fund Bond Issue to Upgrade Municipal Culverts at Stream Crossings”  
Joint Standing Committee on Appropriations and Financial Affairs  
April 27, 2023**

Senator Rotundo, Representative Sachs, and distinguished members of the Joint Standing Committee Appropriations and Financial Affairs my name is Matthew Marks, I am a Principal at Cornerstone Government Affairs, and here today to speak on behalf of my client The Associated General Contractors of Maine. AGC Maine is a statewide commercial construction trade association and a Chapter of AGC America.

In 2014 the construction, outdoor sports, and environmental community met to discuss the growing issues with Maine’s culverts. High rain events created culvert failures washing out roads and other access points as culvert infrastructure continued to age. Today’s installation guidelines, culvert dimensions, and specifications provide a better long-term solution for Maine’s investment. From an ecological perspective, most culverts in Maine are barriers to fish and species passage. While some of that can be attributed to the size of the culverts, it was also the design.

Prior to the passage of the bipartisan funding that created the DEP Program in 2015 the same stakeholders convened meetings with additional input from regulators. The work resulted in culvert installation guidelines and education for municipalities, contractors, and engineers involved in the process. The Maine Stream Smart Road Crossing Pocket Guide<sup>1</sup> was developed by Maine DOT that contains the basic principles and installation guidance for culvert replacement and repair. In addition, Maine Audubon led the charge with many partners to develop a Stream Smart education program including a physical example of water flow in a stream and methods to allow that to occur with human-created structures.

During the funding discussions, stakeholders created a plan that included scoring criteria for evaluating applicants for the culvert grant program which included matching contributions. To date, the state has awarded \$15.7M, which leveraged \$18.3M in match funding. This model of education, funding, and design recommendations received substantial national attention from AGC America, TNC, and others and earned a national award for its innovation by AGC America in 2016.

While we’ve had tremendous success and strong support from the legislature, funding requests continue to outpace resources 2:1. The investment in this program will reduce the impact on our road infrastructure and increase wildlife passage benefiting all Mainers. While not certain, recent discussions have developed that may transfer oversight from Maine DEP to Maine DOT, a move that aligns well with the integration with other infrastructure, specifications, and procurement and should only make the program stronger overall. AGC Maine appreciates the work of our partners, and state agencies Maine DEP and Maine DOT, in addressing culvert replacements. I especially want to thank the many members of the legislature over the years who came together to make this happen and provide the many jobs associated with the initiative. I am happy to answer any questions.

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<sup>1</sup> [https://www.maine.gov/mdot/publications/docs/brochures/pocket\\_guide\\_stream\\_smart\\_web.pdf](https://www.maine.gov/mdot/publications/docs/brochures/pocket_guide_stream_smart_web.pdf)