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May 1, 2023

Honorable Stacy Brenner, Senate Chair  
Honorable Lori Gramlich, House Chair  
Joint Standing Committee on Environment and Natural Resources  
100 State House Station  
Augusta, ME 04333-100

**Re: *Testimony Neither For Nor Against LD 1473, An Act to Protect Certain Unfiltered Drinking Water Sources***

Dear Senator Brenner, Representative Gramlich, and Members of the Committee on Environment and Natural Resources:

The Maine Water Utilities Association (MWUA) appreciates the opportunity to provide testimony for your consideration on this proposed legislation. While our testimony is neither for, nor against, this legislation we feel it warrants careful thought and deliberation.

**About MWUA.** The Maine Water Utilities Association is a nonprofit association based in Augusta that provides support for water works professionals throughout the State of Maine in advocating for safe drinking water through educational and technical programming as well as advocacy on the local, state, and national level. The Association was formed in 1925 and counts approximately 109 water utilities in Maine as members.

**Discussion.** MWUA has long advocated for and supported public policies that protect sources of drinking water and the environment and provide for sustainable utilization of the State's natural resources. Maine is fortunate to have many high quality sources of drinking water. However, proper management of water resources and the surrounding lands is key to protecting and maintaining water quality.

Each community's water supply, local geography, population, and development needs and pressures are unique. Water utility managers and governance boards understand the unique water quality parameters of their supplies and how best to manage them to provide a high quality, affordable supply of water for their customers. Science and technology can provide the solutions for many water quality issues, but almost always at an increased cost and effort.

We urge a conservative approach for protection of sources of drinking water, and we recognize that the local stewards of the resources are almost always the best judges of the level of protection needed.

It appears LD 1473 is designed to target challenges associated with development pressures in the Lake Auburn watershed. LD 1473 is drafted to enable certain municipalities in areas whose water source has

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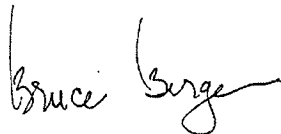
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a federally-granted waiver from filtration to have greater opportunities to manage development within their communities, notwithstanding certain housing and land use standards adopted a year ago as part of LD 2003. As drafted, LD 1473 would broadly exempt from the housing development goals of LD 2003 developments within the "watershed" of any such drinking water source subject to a filtration waiver. Broadly, we appreciate the efforts to protect sources of public drinking water, as well as the additional protections needed for water sources where filtration requirements have been waived. Were such systems to lose their waivers, the cost to the communities served by such water systems would be tens of millions of dollars to construct and operate a new filtration system.

At the same time, our Association did not oppose LD 2003 a year ago as it included a number of important protections related to public water systems and drinking water, including requirements that any new development be served by public water and wastewater systems and comply with shoreland zoning requirements. Alternatively, the development standards instituted under LD 2003 must be limited to designated "growth" areas within a municipality, which areas under other provisions of law must be approved by the Maine Department of Economic and Community Development following notice and comment from adjacent municipalities, growth councils, and other state agencies. Given the foregoing standards included in last year's LD 2003, we take no position that LD 1473 is required in order to protect drinking water resources, whether filtered or subject to a filtration waiver

**Conclusion.** For the reasons noted above, our Association does not take a position on this legislation. If, however, you have questions or need additional information, please do not hesitate to let us know.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Bruce Berger". The signature is written in black ink and is positioned above the typed name and title.

Bruce Berger, Executive Director  
Maine Water Utilities Association

Ec: Roger Crouse, Chair, MWUA Legislative and Regulatory Committee  
James I. Cohen, Verrill Law, LLP, Legislative Counsel