Testimony in SUPPORT of:

LD 2101, An Act to Strengthen Shoreland Zoning Enforcement

Submitted to the State and Local Government, February 6, 2024

Good afternoon, Chair Nangle, Chair Stover, and Distinguished Members of the State and Local Government Committee.

Thank you for the opportunity to appear before you today in support of LD 2101. My name is Susan Gallo, and I am the ExecutiveDirector of Maine Lakes. Our membership organization includes more than 6,000 supporters and volunteers as well as over 80 Lake Associations. We are dedicated to our mission of promoting, protecting, and enhancing lake water quality and habitat, and of preserving the ecological, economic, recreational, and aesthetic benefits of Maine's lakes for everyone.

I encourage you to review the over 40 pieces of testimony these folks have submitted online as of this writing.

Our members work hard to protect the quality of Maine's lakes for their many ecological and aesthetic values, including their scenic beauty, the habitat they provide for wildlife, and the opportunities they provide us to rest, relax, and recreate.

While often not the reason driving our members to take action, the economic value of clean, healthy lakes I imagine is of utmost interest to this committee. According to a recent study at the University of Maine:

- Maine's 6,000 lakes and ponds are valued at $14 BILLION per year in terms of the economic activity they generate.
- Maine's lakes support 52,000 jobs.
- Maine's lakes provide $105 MILLION in public drinking water value for about half of our population.

- Good water quality and safety from bacterial contamination are listed as the most important considerations for visitors when choosing a Maine lake to visit.
- **Maine's lakefront homes have a cumulative value of more than $11.8 BILLION**

Not only are lakefront properties an incredibly important piece of Maine's local economies (sometimes providing over half the property tax revenue for a community), they are the last line of defense protecting lakes from nutrient pollution.

Nutrient pollution, primarily too much phosphorus in lake water, feeds excess algae growth, which in terms creates a "bloom". You might have seen (or smelled) the results of an algae bloom. Stagnant, green water that is not pleasant (or safe) for humans of wildlife.

Our shoreland zoning laws were created to protect the health of our lakes. One of the ways they do that is by ensuring that there is only minimal disturbance to natural vegetation along the shoreline. That natural vegetation ensures that rain is both intercepted and absorbed into the ground and significantly reduces nutrient pollution.

Even though some may complain, the vast majority of landowners comply with our shoreland zoning laws, and the result is that Maine boasts some of the cleanest, healthiest lakes of any state in the nation.

Violating shoreland zoning laws by smoothing large areas to plant lawns along the shore, cutting legacy trees and shrubs that provide shade and erosion benefits, and removing ground cover ensures that more rain, and more nutrient pollution, will flow from a property into the water.

And what happens when a wealthy landowner decides to ignore the laws that apply to everyone else? What happens when fines are inconsequential? And what happens when the lake, a public resource that belongs to all of us, is harmed by egregious violations that puts long-term water quality at risk? Economists have documented that property values go down when water quality decreases. Why should other property owners, as well as town budgets, lake users, and wildlife, experience a loss because of outlandish violations of clear, common sense shoreland zoning laws?

LD 2101 gives municipalities and the Land Use Planning Commission the tools they need to more effectively stop egregious shoreland zoning violations and protect our lake water quality and wildlife habitat.

Please vote OUT TO PASS on this important bill to ensure the future health of both Maine's lakes and the huge economic engine they help power.

Thank you for the opportunity to testify.

YOU CAN MAKE A DIFFERENCE!

LakeSmart is about taking simple actions to protect your lake. There are many Best Management Practices (BMPs) you can put in place that will "slow the flow" and give rainwater a chance to soak into the ground (infiltrate) before reaching the lake. Some BMPs can be done in an afternoon, some might take years, but all are investments in long-term lake health.

BEEFY BUFFERS

While there are many BMPs that will help reduce your property's contributions of phosphorus into the lake, planting deep swaths of native vegetation along the shoreline, beside paths and on the downhill side of driveways and parking areas is one of the easiest ways to infiltrate runoff and "slow the flow."

Buffers with many tiers of vegetation (duff (needles and leaves), ground cover, shrubs, mid-story trees and canopy trees) provide the most protection, and a buffer can beautifully frame your lake view. The multiple tiers of vegetation intercept more rain, and the deep roots of native plants help absorb rainwater and extract phosphorus.

BECOME LAKESMART

Check out *LakeSmart Start* at lakesmart.org to get started on your own, or contact your local lake association to schedule a LakeSmart visit by a volunteer evaluator.

If your property is protecting water quality, it might merit LakeSmart award signs for display, helping spread the word to neighbors and friends that you are committed to keeping your lake healthy.

Whether or not your property merits a LakeSmart award yet, you'll get written recommendations about what Best Management Practices (BMPs) you may consider to increase your property's ability to protect lake water quality.

LakeSmart evaluations are free, voluntary, non-regulatory and confidential. You are under no obligation to undertake LakeSmart suggestions. However, we hope you'll decide to find ways to capture the rain, "slow the flow", and reduce lake pollutants. You'll protect water quality, property value and wildlife habitat for many generations to come.

FMI:
Contact Maine Lakes today!
207-495-2301 or info@lakes.me
Learn more at www.lakesmart.org

Be LakeSmart

FOR THE SAKE OF YOUR LAKE

Do you appreciate Maine's clear, clean lakes? What does the beautiful panorama of your lake, the song of a loon calling in the evening, or a boundless summer day spent swimming, fishing, or boating mean to you? Will you help protect your lake so your children and grandchildren will experience the clean, clear water you enjoy today?

If you will, then LakeSmart is for you!

Look inside for tips and the LakeSmart poster.

Being LakeSmart preserves water quality and property values while protecting wildlife habitat and the recreational values of Maine lakes.

WHY IS YOUR LAKE AT RISK?

Phosphorus is a naturally occurring element that feeds lake algae, a healthy part of any lake ecosystem. But too much phosphorus can put a lake out of balance, feeding massive algae blooms that smell terrible, turn water green, degrade wildlife habitat, and potentially harm human and pet health.

You can find phosphorus in lots of places, including pet waste, fertilizers, household cleaners and motor oil, none of which should ever find their way into a lake. But the biggest source of phosphorus is sand and soil that is washed into a lake after a rain event.

Signs of erosion on your property show you that phosphorus has a direct path to your lake. Look around for channels left by rain after a storm, especially near buildings and parking areas.

Small sources of pollution - a little stormwater runoff, a little pet waste on the lawn, a minor application of fertilizer – added together are a big problem. A little pollution from you, your neighbor and others around the lake, year after year, put your lake at big risk!

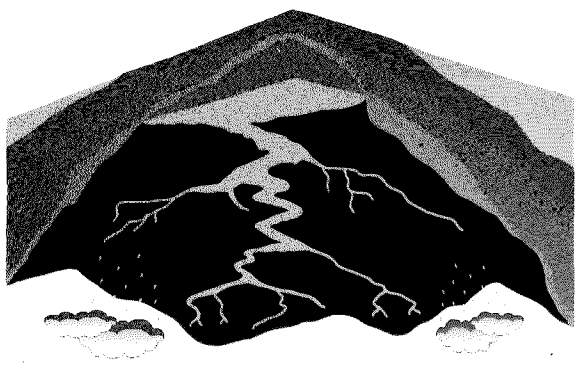
MORE BUFFER, LESS LAWN

An expansive lawn does not offer the same benefit for infiltrating stormwater as other types of native, deep-rooted vegetation.

Reduce your lawn to the parts you use for recreation, and let the rest go wild. You can supplement the no-mow areas with beautiful native shrubs and flowering plants that are visually appealing, attract pollinators and enhance property value. You can also leave twigs, leaves and pine needles (collectively called "duff") on the ground to enhance the capacity of your buffer to "slow the flow."

BIGGER BUFFERS ARE BETTER

Deeper and wider buffers, with more layers of native vegetation, are always better. LakeSmart standards require a minimum of 10' of buffer depth across a property. Properties with steeper slopes require a deeper buffer to get the same protective benefit, since water flows faster on a slope compared to flatter ground. It takes a deeper buffer to make sure that water has time to slow down and absorb into the ground.



Water flows downhill so land-use practices throughout the watershed will affect water quality in a lake.

MORE BMPs

Although vegetative buffers are a requirement for the LakeSmart program, there are many other Best Management Practices (BMPs) landowners can implement on their property to "slow the flow" during a rain event, including:

- **Rain Gardens:** Designed to collect and hold water so that it soaks into the ground.
- **Erosion-control Mulch**: Special mulch to cover bare soil that stays in place during a rain event.
- **Infiltration Trenches:** Built along house drplines to absorb water off the roof.
- **Infiltration Steps:** Steps built with gravel fill so that water soaks into the ground.
- **Rubber Razors**: Strips of rubber that go across paths or roads to divert rain into rain gardens or other vegetated areas.

FMI on BMPs, visit lakesmart.org/BMPs

BEYOND SHOREFRONTS

Actions far beyond shoreline properties affect lake water quality. Lakes drain the watersheds around them, and the health of a lake is directly tied to its watershed. Forest and farm management practices that reduce phosphorus and erosion, and development that minimizes impervious surfaces and maximizes vegetation, will have far-reaching benefits for lakes at the bottom of the watershed.

Maintain roads so they are crowned and stable, with no erosion on the shoulders.

Maintain a healthy septic with regular pumping and with use matched to capacity.

Define parking areas and reduce size to what you use on a regular basis.

Keep leach field free of woody plant growth.

Cover outside heating oil tanks to protect from falling ice and snow

Keep ditches functional by regularly removing vegetation and debris.

Direct roof runoff to a rain garden, infiltration trench or vegetated area.

Spread erosion-control mulch on areas of bare soil.

Consider eliminating lawn altogether, and let your yard go wild!

Plant vegetative buffers along paths and driveway areas to reduce runoff.

Define paths to the lake, making them winding and stable.

Pick up pet waste and place in trash.

Retain canopy trees, especially those that drop leaves into the lake in the fall.

Leave layers of needles and fallen leaves (duff) as natural mulch.

Leave lakeside vegetation and rocks in place to stabilize the shoreline.

Maintain a deep multi-tiered shoreline buffer of native vegetation.

WWW.LAKES.ME

MAINE Lakes

PROTECTING OUR LAKES & PONDS

YOU CAN CREATE A LakeSmart PROPERTY!

This typical older camp, sited closer to the lake than current regulations allow, protects the lake when all the standards listed above are met.

Need more information? Visit www.lakesmart.org to learn more about the standards described above, and how you can be part of the LakeSmart solution.