



Saco River Corridor Commission

"Communities Working Together To Protect Our Rivers"

Joint Standing Committee on Appropriations and Financial Affairs
Senate Chair, Margaret Rotundo
House Chair, Drew Gattine

Committee on Environment and Natural Resources
Senate Chair, Denise Tepler
House Chair, Victoria Doudera

RE: LD 210 – An Act Making Unified Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2025, June 30, 2026 and June 30, 2027

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Testimony Presented by:

Cheri Dunning, Executive Director of the Saco River Corridor Commission
February 6, 2025

Appropriation Committee Chairs, Senator Rotundo and Representative Gattine, and Environment and Natural Resource Committee Chairs, Senator Tepler and Representative Doudera, and members of the Joint Committees, thank you for your time.

About 54 years ago, a group of citizens concerned about the impact of development on the Saco River's water quality approached the State Legislature for help creating a local solution. The Legislature concluded that the Saco River and its major tributaries, the Ossipee and Little Ossipee Rivers, are waterways of outstanding scenic value with abundant recreation opportunities, and that they constitute an important source of current and future drinking water. They also noted that the extensive wetlands and floodplains of the rivers help moderate flood-flow and damages from flooding, and especially the unspoiled areas of these rivers support abundant fish and wildlife populations. The Saco River Corridor Act was passed by the Legislature in 1973 to preserve these values, establishing one of the strongest protections on any river in Maine, but one that is overseen and administered by Commissioners from the communities these rivers directly affect.

Today, the Saco River is the primary source of municipal drinking water for Biddeford, Saco, Old Orchard Beach, and the Pine Point area of Scarborough, and that distribution system is interconnected with the water utility in Wells, Kennebunk, and Kennebunkport to provide water to those communities if demand exceeds capacity. Along the Little Ossipee, thousands of households around Lake Arrowhead are supplied by community groundwater wells influenced by the river. Uncounted private wells also tap the groundwaters around the Saco, Ossipee, and Little Ossipee, which remain healthy in part due to the Act's prudent standards. Because of their scenic character and proximity to population centers, these three rivers are key attractors for recreational activity and scenic enjoyment, helping local economies and maintaining property values. Recreation seekers can expect reasonably safe and scenic waters for swimming, boating,

and tubing, thanks to robust vegetative buffers and judicious setbacks for impactful activities. To maintain the security of drinking water supplies and the health, safety, and attractiveness of river recreation, the Commission enforces standards from the Act that reduce or avoid negative impacts from development. The SRCC's work seeks to ensure appropriate and balanced land use, offering enhanced protection over the Mandatory Shoreland Zoning Act.

Twenty municipalities have land within the Saco River Corridor, from Fryeburg south to Acton and Shapleigh, and following the rivers over to Biddeford and Saco. Each municipality may appoint a Commission member and an alternate to serve 3-year terms. The Commission meets monthly to review development applications within 500 feet of the Saco, Ossipee, and Little Ossipee Rivers – that jurisdiction extending up to 1,000 feet in the 100-year floodplain. Committees of the Commission also assist staff with application review, administrative matters, and rulemaking. The SRCC's two full time staff handle the bulk of office communications and research related to administering the Act, and the part-time Compliance Evaluator visits sites to confirm the dimensions, setbacks, potential concerns, and outcomes of proposed activities. Each new application is digitized for ease of recordkeeping, and work continues to scan the older records running back to 1974, as resources allow. In FY24, the Commission reviewed 116 applications for development in the Corridor, representing a still-elevated rate compared to the pre-pandemic period (60-70 applications/year was common in 2010-2018). The post-pandemic boom in construction and renovation has stretched the capabilities of the SRCC office, but the same period has also seen improvements in technological approaches that increase efficiency and effectiveness.

The Commission also monitors violations of the Act and seeks remediation. Addressing a violation can involve extensive communications with potential or known violators, consent and enforcement agreements, revegetation plans, removal of unpermitted structures, and/or fines that are sent to the State General Fund. Pursuing violations of the Act is an extremely important but also time-consuming process heavily dependent on our staff capacity.

To help understand how well the protections of the Saco River Corridor Act are working to maintain the rivers' health, the SRCC initiated our water quality monitoring program in 2001, in collaboration with the Green Mountain Conservation Group. This program encompasses one watershed, two states, and twenty-six towns, utilizing trained volunteers to help collect data and collaborating with landowners and municipalities for access. The Green Mountain Conservation Group monitors the water that enters Maine by testing 28 sites in the Ossipee Lake watershed, while the SRCC samples 43 sites along the three Corridor rivers, assessing on-site quality parameters, nitrogen and phosphorous loads, and potentially harmful bacteria including *E. coli* and Enterococcus. Each year as a subset of our total sampling, we conduct more frequent sampling for bacterial levels for 10 weeks at the height of the swimming season. Although the primary goal of the program is to maintain a baseline of water quality data and to monitor declines or improvements over time, the *E. coli* testing component has become an essential resource to our municipalities. If bacterial levels are detected above the state-defined thresholds for Class B waters, our staff sends alerts to municipal offices so that notice can be posted and steps taken to prevent reoccurrence.

Our staffed office plays an important role in disseminating information about both the water quality and regulatory programs of the Commission, helping landowners to understand the importance of the Corridor's health and abide by the Saco River Corridor Act. We often serve as a resource to applicants seeking best practices for projects within the Corridor, from erosion control and buffers to invasive plant removal and revegetation. The availability of our data for use by water utilities, dam operators, the EPA, and municipalities fosters a greater understanding of our rivers and how to protect them.

The SRCC's total budget for FY25 is \$241,686, and the General Fund appropriation represents 19.4% of that amount. The General Fund appropriation is divided between the water quality program (26.9%) and operational staff salaries (73.1%) for our two full-time and three part-time or seasonal staff members. *Other funding sources include municipal contributions (12.3% of total revenue), application fees (12.3%) and the Saco River Corridor Fund (60%).*

The Saco River Corridor Fund was created in 1997 to provide much-needed additional funding, and has grown over time with the increased sale of water from the Saco River. The Fund, described in Title 38, §969, established a 1% fee on the sale of water and fire protection services by a water utility drawing water from the Saco River or its groundwater.

The Commission oversees approximately 130 river miles. For the annual General Fund appropriation of \$46,960, equating to about \$361 dollars for each mile of river protected, the State of Maine receives the benefit of thousands of hours of work administering the Act to protect a crucial resource, a water quality dataset not available from any other agency, and hundreds of coordinated volunteer hours from over 40 individuals each year.

I continue to be amazed at the long-term effect of the Act on these waterways and their surrounding communities. Reading the original 1973 comprehensive plan for the Saco River Corridor known as “View from the Valley”, I am struck by how close to the original vision for the Commission this organization remains. Those crafting the Act wanted locally-controlled, consistent oversight and protection for the rivers and the lands around them, such that degradation of the waters, loss of scenic values, and intensive overcrowding did not have to be the inevitable future. Fifty-two years later, we remain committed to the same goals, and the SRCC is still relevant, necessary, and remarkably effective for the resources it has. Over this time the Corridor has seen water quality improve or maintain its classification status. There is so much interest in recreation on this still-scenic river that overuse is more of an issue than attracting tourism. Although successful management of the Corridor to date is not a reason to be complacent and many problems still exist, significant credit can be given to the efforts of the Legislature, the Commissioners, and the SRCC staff and volunteers over time to see the outcome that we are grateful to have – beautiful waterways that children can play in, wildlife can live along, and yet cities and towns can also thrive beside; a balance of uses that we hope will continue long into the future.

In conclusion, the SRCC works within a tight budget to enforce the Saco River Corridor Act, engage meaningfully with the community, and monitor water quality in one of Maine’s most important waterways. The General Fund contribution has been essential to maintaining effective administration of the Act and the additional services provided to our 20 municipalities.

Thank you very much for your continued support, time, and dedication to our State.

Sincerely,



Cheri Dunning

Executive Director