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THE MAINE SENATE
132nd Legislature

**Testimony of Senator Nicole Grohoski
In Support of LD 465, "An Act to Update Waste Discharge License Fees"**

**Before the Committee on Environment and Natural Resources
25 February 2025**

Senator Tepler, Representative Doudera, and Esteemed Members of the Joint Standing Committee on Environment and Natural Resources, my name is Nicole Grohoski, and I proudly represent Senate District 7, which includes 22 coastal communities in Downeast Maine. Today, I am pleased to introduce a bill from the Department of Environmental Protection, LD 465, "An Act to Update Waste Discharge License Fees."

Maine has 3,500 miles of coastline and our waters are an integral part of our cultural heritage and economy. These are waters that lobstermen, clammers, shellfish and seaweed aquaculturists, and other harvesters rely on for their livelihoods. They are waters that boaters of all types enjoy. We must be good stewards of our common waters and ensure that we minimize pollution into these waters. This bill aims to increase our ability to do that by ensuring the Department can effectively regulate sources of waste discharge.

Specifically, this bill proposes to increase the annual waste discharge license fees for two categories of discharges to waters of the state. These two categories are municipal separate storm sewer systems (or MS4s) and marine finfish aquaculture facilities, such as the salmon net pens in Downeast Maine.

I have introduced this bill because the current permit fees for entities in these two categories are inadequate to cover the Department's staff time to process the licenses. The fees are low compared to other discharge types of similar complexity. To protect our clean water and the heritage industries and ecosystems that depend on it, the Department must have adequate financial resources.

Municipal separate storm sewer systems (MS4s). This is a category of stormwater discharges under the Clean Water Act, and there are 40 MS4s in Maine. They are all licensed under a General Permit from the Department. The current category is "General permit coverage (other),"

which you'll find on page 4, line 33 of the bill. The current annual fee is \$362 (\$283 in statute, adjusted by the CPI). This bill proposes to increase the permit fee to \$1,306.

Marine finfish aquaculture facilities. These are facilities that raise finfish in the ocean. The marine finfish facilities currently permitted in Maine are all Cooke Aquaculture facilities. In the current statute, all these facilities are billed under the category of "General permit coverage for marine aquaculture facility," which you'll find on page 4, line 21 of the bill. The current annual fee for a marine finish aquaculture facility is \$295 (\$230 in statute, adjusted by the CPI). This bill proposes to increase the permit fee to \$1,682.

The new "marine finfish aquaculture facility" category (page 2, line 43) would be used should Cooke (or some other company) or the Department choose to license a net pen facility individually rather than under the general permit described above. Thus, the proposed fee is the same -- \$1,682. This new fee would not be added to any other fees and it would replace the current annual fee of \$295.

The bill also adds language to clarify that the current "fish-rearing facility" category applies to land-based (terrestrial) fish-rearing facilities.

Since the MS4 and marine finfish aquaculture license groups would be newly added categories in statute, the Department would also add new, corresponding categories to its fee schedule if the bill passes. Please note, all the fees in this section of statute are adjusted annually by the Consumer Price Index.

I understand the Department has reached out to the 40 MS4 facilities in the state and to the one salmon net pen aquaculture company that is subject to this bill, to inform them of this bill. Perhaps some of them are here today to testify.

Brian Kavanah, Director of the Bureau of Water Quality, will follow me to testify for the Department, and he can provide additional information to the Committee.

Thank you for your time and consideration of my testimony. I would be happy to answer any questions.