

March 29th, 2025

Senator Denise Tepler

Representative Victoria Doudera

Members of the Committee on Environment and Natural Resources

RE: Testifying Neither For Nor Against, LD 757, Resolve, To Study And Oversee Water In The State Of Maine

The Wild Blueberry Commission (WBCM) works on behalf of Maine's 512¹ farms who grow wild blueberries on 47,600¹ acres across the State. In 2024, Maine produced approximately 85 million pounds of wild blueberries representing nearly 100% of all *wild* blueberries and approximately 10% of all *blueberries* grown in the US. Our industry contributes \$361 million dollars to the state's economy annually² and is the only state with significant commercial production of wild blueberries.

The development and use of sustainable water sources mitigate the devastating effects of drought and are a critical tool for our producers. We support continued sustainable use of Maine's water resources and recognize that sustainable use requires oversight. Our interest and commitment to sustainable water resources is demonstrated by the practices put in place by our producers at great expense to protect wildlife, a recent USDA award to the WBCM of \$15.5M award to develop sustainable water sources and irrigation for wild blueberry producers, and our industry's ongoing engagement with the Agricultural Water Management Board.

The scope of the Commission overlaps with work already being done by the Agricultural Water Management Board. The Board plans for the sustainable agricultural use of water resources, and:

...works in conjunction with the Department of Environmental Protection to oversee and coordinate environmentally sound and affordable development of water sources for agricultural use. The board can make recommendations for improvements to federal and state permitting processes for the development of farm ponds and other water sources for agricultural use; work to secure funding for the construction of environmentally sound; efficient and affordable water sources for agricultural use; and facilitate the implementation of sustainable agricultural water source programs.³

¹ USDA National Agricultural Statistics Service, 2022. Berries: 2022. United States Census of Agriculture.

² Camoine Associates. Unpublished Data. Economic and Fiscal Impacts of the Maine Wild Blueberry Industry. Wild Blueberry Association of North America – US, October 2023.

³ Maine Department of Agriculture, Conservation and Forestry. Agricultural Resource Development Division, Agricultural Water Management Board. https://www.maine.gov/dacf/ard/water_management/ag-water-board.shtml.



The role and goals of the Agricultural Water Management Board focus exclusively on agriculture, and duplicate some of the work outlined in LD 757. The overlap in the roles and goals of these two entities are outlined in Table 1 below.

Table 1: Comparison of scope between the existing Water Resources Planning Committee and the proposed Commission to be established under LD 757

Existing WRPC	LD 757 Proposed Commission
<i>Coordinating state water resources information.</i> <i>Providing guidance to municipalities and water districts and developing and disseminating educational materials on water resources and the regulatory regime.</i> <i>Collecting and reviewing information regarding to water withdrawal activities.</i>	<i>Promoting public access to information about the State's water resources, consolidating and centralizing access to existing water use and water resource data and enhancing or supplementing water use and water resource monitoring and data collection and the analysis of that data;</i>
<i>WRPC developed recommendations in a letter to the Governor to enhance drought preparedness and drought resilience by agricultural producers and others.⁴</i>	<i>Enhancing drought preparedness and drought resilience by agricultural producers and others</i>
<i>Reviewing state policy with regard to conservation of water resources, development of regional sources and solutions to water use issues.</i>	<i>Reviewing the legal status of groundwater rights and ownership in Maine, including, but not limited to, further review of the Supreme Judicial Court's opinion in Maddocks v. Giles, 1999 ME, and the approaches to this issue taken by other states;</i> <i>Identifying any changes to state laws or rules regulating the large-scale extraction of groundwater for public or private use that may be necessary to ensure adequate supply for all users;</i>
<i>Identifying watersheds at risk by refining the most recent analysis of watersheds at risk.</i>	
<i>Incentives for stewardship of water resources.</i>	
<i>Effects of surface water quality improvements on water withdrawal opportunities.</i>	

Information without a footnote in first row sources from a presentation made at the Water Resources Planning Committee by the Maine Dept. of Agriculture, Conservation, and Forestry on April 7th, 2022. All information in second column comes from LD 757.

Maine water withdrawals are a fraction of withdrawals in other states and rank in the lowest 6 water users nationally by state (Figure 1). Within Maine, agricultural use comprises only 5% of total water use (Figure 2). Further, agricultural water use, drought resiliency efforts, oversight, and coordination of usage information, and much more, is already in place and effectively carried out by the Water

⁴ Agricultural Water Management Board in February of 2022 submitted a letter to Governor Mills asking her to engage with our Congressional Delegation to help secure sources of Federal funds to help Maine farmers increase drought resilience.



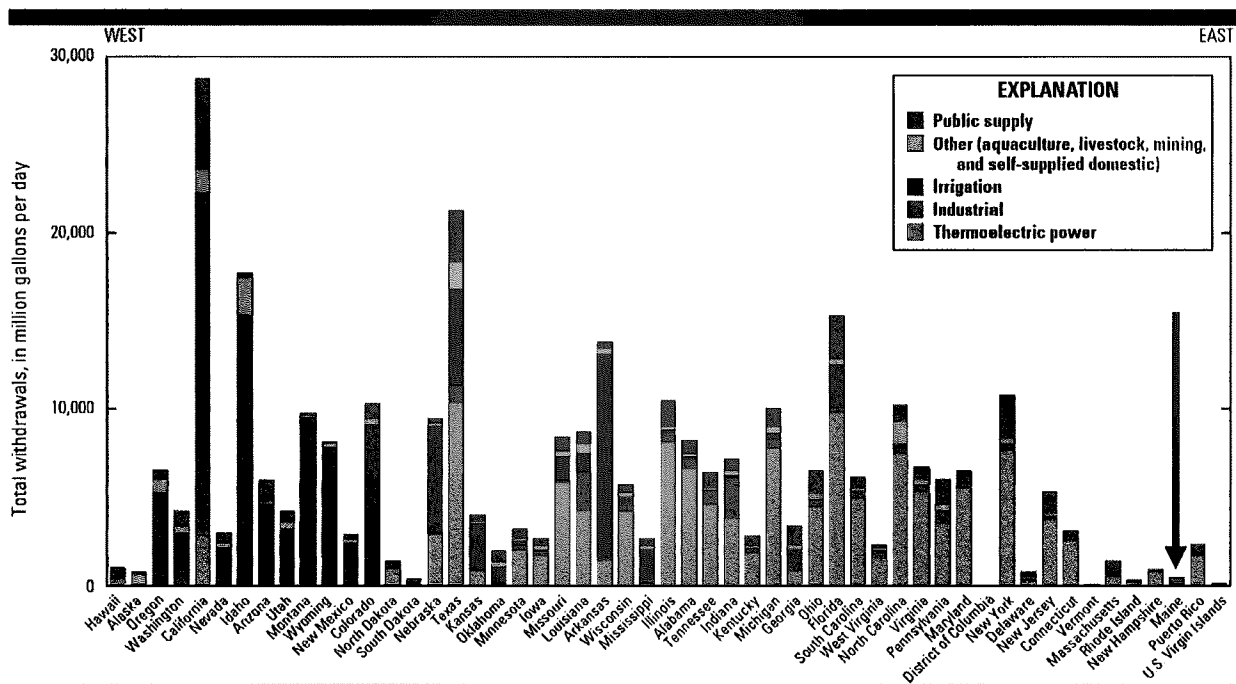
Resources Planning Committee.

To summarize, while the wild blueberry industry nominally supports the objectives as described in LD 1441, an effective structure is already in place, in the form of the Agricultural Water Management Board, to protect, oversee and coordinate environmentally sound and affordable development of water sources as it applies to agricultural use. I ask that the Committee consider either:

1. Exempting agricultural use from the scope of the Commission proposed by LD 757; or
2. Significantly strengthening agricultural representation on the Commission, including a cross-over appointment from the Agricultural Water Management Board, to ensure that the voices of agricultural users are represented.

Thank you for your time. I would be happy to try and answer any questions that you may have.

Figure 1: Relative Water Withdrawals by State⁵. Maine indicated by red arrow



⁵ Gordon, R. 2021. Maine Geological Survey: Water Use, Supply and Demand. ME Dept. of Agriculture, Conservation and Forestry, Geology. Presentation by Ryan Gordon to the Agricultural Water Management Committee on April 26th, 2021.



Figure 2: Maine’s Annual Water Use in 2015⁵

