



MAINE RURAL WATER ASSOCIATION

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To: Senator Brenner, Representative Tucker, and Members of the Joint Committee for Environment and Natural Resources

From: Bradley Sawyer, Director of Government Affairs

Date: March 8, 2021

Re: Testimony in Opposition to LD 489, RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Right to a Healthy Environment

Senator Brenner, Representative Tucker, and Members of the Joint Committee for Environment and Natural Resources, thank you for the opportunity to speak with you today. My name is Brad Sawyer, and I am the Director of Government Affairs for the Maine Rural Water Association.

L.D. 489 is well intentioned and Rural Water fully supports the goal of preserving and maintaining clean, safe water for the people of Maine, but feel this bill creates a litany of unanswered questions and unforeseen consequences. Water is a very special and unique compound. Often referred to as the "universal solvent", it is an oxygen atom attached to two hydrogen atoms at a bond angle that creates a molecule that has one end with a net positive charge and one end with a net negative charge. It essentially has poles - like a magnet. This polarity allows water to pick up impurities very easily as it travels through the environment. Because water is such a good solvent it is impossible for "pure" water to exist naturally.

For example, a solution that is nothing but pure water molecules will have a pH of 7 – it is totally neutral. Once water is exposed to the atmosphere, Henry's Law dictates that gasses will dissolve into the water. By that very fact, water exposed to the atmosphere is "impure". Furthermore, once dissolved, carbon dioxide enters an equilibrium reaction that forms carbonic acid, bi-carbonate, and carbonate. Because carbonic acid is formed, the pH of water is reduced, and therefore all-natural water is slightly acidic. This is mechanism behind ocean acidification. By definition, "pure" water cannot exist naturally.

Oddly enough, eliminating all impurities from water is unhealthy. Trace minerals essential for human health are obtained through natural water sources. For example, humans need trace amounts of the element manganese for healthy immune system functioning and bones, however too much of it can cause neurological problems. Manganese is frequently found with iron in Maine's geology and therefore in our groundwater and is most commonly thought of as a nuisance because of fixture staining. But it is an essential element carried by "impure" water.

This bill contains language that the "The State, including each branch, agency and political subdivision, shall serve as trustee of the natural resources of the State" and that "the State shall conserve, protect and maintain these resources." Should this pass, is the state responsible for funding water utilities in their charge of providing pure water? Water treatment can be incredibly expensive, especially when seeking to have no contaminants whatsoever in that water. It also begs the questions that if all elected trustees of a small water utility, say one that

was set up by the Department of Environmental Protection due to groundwater contamination, were to walk away would the State be responsible for the continued operation of that system? If the state were responsible to continued operation of these utilities it would significantly increase the time that would need to be committed to ensure clean public drinking water. Maine has a long and proud tradition of local control regarding water. This has served communities well for over 100 years and this bill would end that framework.

This legislation, while well intentioned, creates more problems than currently exist and we respectfully ask members of this committee to vote Ought Not to Pass. If you have any questions or concerns, please do not hesitate to reach out to me at Bradley.Sawyer@MaineRWA.org or 207-737-9014.