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**Introducing LD 676, “An Act To Reclassify Part of the Androscoggin River to Class B”  
Joint Standing Committee on Environment and Natural Resources  
May 3, 2021**

Senator Brenner, Representative Tucker and distinguished members of the Environment and Natural Resources Committee, I am Senator Ned Claxton and I represent Senate District 20, which includes Auburn, Poland, Minot, New Gloucester and Mechanic Falls. Thank you for the opportunity to introduce LD 676, “An Act To Reclassify Part of the Androscoggin River to Class B.”

To begin with, I am not a water quality expert and have learned a lot in the process of bringing this bill to this committee.

This started out as a simple bill. The original intent was recognition of the region’s accomplishments in cleaning up the Androscoggin River. The hope was that an improvement in the classification would attract more recreational use to the river, boating and fishing in particular, and improve its appeal to tourists. It was never the intent of the bill to direct the Dept. to reclassify a river that didn’t meet the requirements of Class B.

It seemed important to recognize the work of the citizen scientists who have documented the improvement in the river water quality. We have years of very good evidence now that the river meets the testing standards of a Class B river. The bills intent is not to further improve the water quality but to recognize what has happened over the years.

It also seemed important to recognize the ongoing improvements in river quality because of the efforts of businesses along the river and towns, working on runoff control and enhancing water treatment facilities in order to decrease contaminated effluent. With successes in runoff control and sewer outflow abatement, the Lisbon Sewer Department and Lewiston Auburn Pollution Control Authority, for instance, have made significant contributions to this river. That should be appreciated. I am grateful to them for raising concerns on our Zoom call about what is in the best interest of the river.

In 2019, the DEP said that “there is no feasible approach to ensure attainment of Class B dissolved oxygen criteria in the lower Androscoggin River.” But, to my understanding, we have evidence that the river has met that oxygen standard for 99% of the past 10 years. During that

time the upstream mills and communities have been operating in compliance with their permits while the health of the river has continued to improve, so I admit to not understanding the concern that this reclassification will create the need for additional restrictions in the permits.

This is not a bill about pushing to improve water quality, although that work should continue. It is about recognizing what has been demonstrated. The intent was never to negatively impact upstream businesses; it was about promoting the Lower Androscoggin. There are definitely aspects of re-classification that I do not understand. I am now aware of how complicated a process this is. Given that and some of the concerns you will hear, maybe the best course is to post signs saying 'Meets Class B standards' and not to depend on a process that uses the current model. It is only a tool, an important one, but not the source of 'truth.'

With discharge permits being renegotiated and unknown amounts of Federal infrastructure money becoming available on an unknown timeline, it might be best to let the dust settle a bit and reconsider this bill in the short session. I defer to the committee and your expertise as to how best to proceed. Those who testify after this will have more specific information and concerns. I will work with anyone if there is a chance we can move this legislation forward.

Thank you for your time and attention. I will be happy to try and answer any questions.