



Maine Water Environment Association

Protecting Maine's Water Resources

April 30, 2021

Honorable Stacy Brenner, Senate Chair
Honorable Ralph Tucker, House Chair
Joint Legislative Committee on Environment & Natural Resources
100 State House Station
Augusta, ME 04333

Re: *LD 676, An Act to Reclassify Part of the Androscoggin River to Class B*

Senator Brenner, Representative Tucker, and members of the ENR Committee:

The Maine Water Environment Association (MeWEA) appreciates the opportunity to provide the following testimony neither for nor against LD 676.

About MeWEA. The Maine Water Environment Association is a non-profit, all volunteer association of over 650 members. MEWEA represents a diverse group of water quality professionals throughout Maine including wastewater treatment plant operators, sewer collection system operators, utility system administrators, consulting engineers, suppliers, contractors, public works officials, stormwater system operators, and regulatory officials. The mission of MeWEA is to support and enhance Maine's water environment community through promoting training opportunities; supporting balanced environmental policy and practice; promoting education and collaboration with the public to protect and enhance Maine's water resources.

Discussion. The Androscoggin River acts as the ultimate discharge point for several of our members. The current healthy status of the river is a success story that preaches the benefits of our profession; developing treatment facilities has allowed people to live and work on a river, while ensuring clean water is discharged downstream. As a result of our profession's history cleaning the Androscoggin and Maine's many other rivers, there are few people who are prouder stewards of the improved water quality in our many waterways in Maine than our membership.

As professional workers in clean water quality, we appreciate the opportunity to assist government entities in identifying pollutants of concern, developing reasonable and attainable limits for potential contaminants, and providing specific limits to water quality based on specific waterway characteristics. LD 676 shortcuts this process, removing the technical review of environmental professionals and politicizing the biological, chemical, and physical parameters that define the health of the river. These issues and standards are normally channeled through a regulatory agency, in this case the Department of Environmental Protection (DEP). The DEP follows standards and science-based approaches to regulations and are not basing their decisions on politics. The fact is that over multiple studies, scientific, non-partisan information shows the lower Androscoggin's water quality does not justify a change in the classification of that section of the river.

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River classification is based on attainable river parameters. Instead of reclassifying the river and providing an unfunded mandate to already underfunded critical infrastructure, MeWEA would instead be in favor of additional support from the State to clean water facilities, programs, education, and investment. The past 50 years has shown that this level of support results in cleaner water. Changing the Lower Androscoggin classification prior to additional assistance to those of us making the waterways clean will likely result in drastic impacts to already strained municipal budgets for these Publicly Owned Treatment Works (POTWs) throughout the entire watershed of the Androscoggin. These impacts include additional treatment costs as well as potential caps on future community growth. The POTWs are heavily regulated and work diligently to meet our current discharge criteria as outlined in each system's discharge permits (MEPDES). Larger water quality concerns are not addressed in this proposed re-classification, including the non-point source contributions to the river.

Conclusion. The Department of Environmental Protection is currently involved in rule making to set new Nutrient Criteria limits for receiving water bodies in Maine. MeWEA supports this process and encourages the ENR Committee to rely on the regulatory agency charged with protecting these rivers to do their job and accept their recommendations on classifications. We support river reclassifications as supported by a scientific method; and are neither for nor against reclassification, but note that reclassification must be supported through nonpartisan regulatory review.

Sincerely,



Tim Wade
Chair, MeWEA Government Affairs Committee
Operations Manager Greater Augusta Utilities District

cc: Phil Tucker, President MeWEA
James I. Cohen, Verrill Dana, LLP, Legislative Counsel