

To: Maine State Legislature, Environment and Natural Resources Committee

From: Susan P. Davies, 21 Boynton Rd Liberty ME 04949

Testifying in Opposition to: [LD 1979](#), “An Act To Sustain Good-paying Jobs in the Forest Products Industry by Ensuring Consistency between Comprehensive River Resource Management Plans and State Water Quality Standards”

Date: February 28, 2022

Maine has earned its “Vacationland” moniker through intelligent and balanced management of its enviable wealth of natural resources. Maine scientists, regulators and legislators over decades have understood that to protect the flora, fauna, and water quality of Maine it is sometimes necessary to apply controls on human activities that exceed the minimum protections required by federal law. For example, it can be argued that without the Maine Water Quality Classification Law- designed by Maine regulators, for Maine waters- many of Maine’s rivers and streams might be only managed to maintain the minimum standard corresponding to our Class C conditions. Maine’s law codifies water quality standards and criteria for Maine high water quality classes AA, A, and B, along with C conditions, yet the federal Clean Water Act does not require states to manage for such a range of high quality waters. It only insists on “fishable/swimmable” water quality, comparable to Maine Class C, with more stringent standards only applying to specially designated “Outstanding National Resource Waters”. (See: Davies et al 2016. Biological Water Quality Standards to Achieve Biological Condition Goals in Maine Rivers and Streams: Science and Policy https://digitalcommons.library.umaine.edu/cgi/viewcontent.cgi?article=1205&context=aes_techbulletin)

LD 1979 proposes to restrict Maine resource agencies and regulators and, by extension, the Legislature, from advocating for fish-passage and water quality standards more restrictive than the Federal Energy Regulatory Commission and the federal Clean Water Act. This is a bad idea that Maine has been wise and far-sighted enough to avoid in the past. Maine resource managers and regulators know Maine waters better than the federal government does. Let them do their jobs. Keep Maine “Vacationland” by rejecting this ill-advised law.

Susan Davies: MS aquatic biology, former (retired) Maine Dept. of Environmental Protection head of the Biological Monitoring Program; former Water Quality Standards Coordinator.

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LD 1979

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