

Laurie LaMountain
Denmark
LD 1111

Greetings Senator Lawrence, Representative Ziegler and EUT Committee Members, My name is Laurie LaMountain. I live in Denmark, Maine, and am testifying in support of LD 1111 “An Act Concerning Contracts and Agreement for Large-Scale Water Extraction.”

Whenever my brothers and I would push my mother for more of something when we were kids, she would respond in her best Worcester accent, “Give you and inch and you want to take a yard.”

When the world’s largest food and beverage corporation purchased land in Denmark, Maine, in 2005, the Town scrambled to create a large-scale groundwater extraction ordinance that would limit them to the proverbial inch. On December 6, 2011, the Town approved the corporation’s third application of renewal for a three-year permit that allowed them to pump 105,100,000 gallons of water per year, or a daily total of 442,000 gallons. On February 10, 2012, the corporation submitted a permit modification request to the Town. In it they asked for the elimination of eight monitoring points with standby alert and action levels assigned to them; the lowering of alert and action level groundwater elevations that define an alert or action level; and a less reactive drought condition trigger index. On March 13, 2012, the Select Board granted the applicant a hearing and subsequently approved their request for modifications to the permit. There were no members of the public in attendance at that meeting. Three months later, the corporation asked the Select Board to extend the requisite permit renewal period from three years to five. The Select Board granted the corporation’s request and amended the Town’s ordinance.

The Select Board approved the most recent 5-year permit renewal in December of 2020. Two months later, the press announced the sale of the corporation to a pair of private equity firms, one of which has a reputation for flipping classic American brands, for \$4.2 billion. Because Denmark’s extraction ordinance failed to include an article addressing the terms of transfer of ownership, the permit basically shifted to the new owner, without the usual applicant requirement of establishing/demonstrating financial and performance standards to the reviewing authority, i.e. the Town.

In 2022, at the urging of concerned citizens, the Town approved the formation of a committee to review and propose amendments to the existing large-scale water extraction ordinance. Several years of pumping data, the sudden change of ownership, and the urgency of a rapidly changing climate, support this opportunity to revisit our ordinance. While our intent is to craft an ordinance that is more protective of the watershed, our aquifer within it, and all the people, animal and plant life that depend on them, we are aware that we are limited in what we can actually achieve. The ruler was overextended to begin with.

Unless there is a sea change in our state laws governing large-scale groundwater extraction, we can expect that corporations and private equity firms, who are making huge profits pumping and exporting our most precious resource, will continue to find ways to extend the ruler even more. I urge you to support the passage of LD 1111.