



February 2, 2024

Senator Tim Nangle, Chair
Representative Holly Stover, Chair
Members of the State and Local Government Committee

Subject: Support for LD 2101 - An Act to Strengthen Shoreland Zoning Enforcement

Dear Senator Nangle, Representative Stover, and Members of the State and Local Government Committee:

Portland Water District (PWD or the "District") is a consumer-owned utility created by private and special law of the State Legislature in 1908 to provide water to the people of greater Portland. Today, PWD provides drinking water to over 200,000 people in 11 Cumberland County communities, and wastewater treatment services to six of those communities. The affairs of PWD are managed by a Board of Trustees composed of 11 members, all popularly elected by a plurality of the voters from the communities they represent. We do not have shareholders that profit from our activities and therefore our sole interest is meeting the needs of our customers.

In order to protect the safety and water quality of the Sebago Lake water supply, PWD maintains a comprehensive Watershed Control Program. This is a legal requirement of the federal Safe Drinking Water Act (40 CFR 141.71) and is audited annually by the Maine Drinking Water Program. Many aspects of PWD's Watershed Control Program are based in municipal partnerships and collaborative relationships with the 23 towns that make up the Sebago Lake watershed. For the seven towns that immediately surround the lake, PWD staff work closely with the towns' code enforcement officers to provide technical assistance and support for environmental and public health regulations including Maine Shoreland Zoning. Shoreland zoning laws have been an effective and crucial part of protecting the water quality of Sebago Lake.

Over the many years working with municipal and State environmental regulators, and other lake and watershed protection groups, PWD has witnessed instances in which enforcement of these laws fail. Activities sometimes occur in the shoreland zone which are not protective of water and/or land, and in some cases can actively impair water quality. It's been our experience that both the Maine DEP and municipal staff want to enforce the shoreland zoning rules but sometimes lack the capacity and resources to do so effectively. In some cases, it appears that an individual does not see violating laws and facing enforcement actions as a deterrent, but rather as a "cost of doing business."

LD 2101 will directly support municipalities when they need to hold an individual or company accountable for violating the shoreland zoning laws. It will allow towns to engage in enforcement actions with assurances that violations will be addressed in a timely manner, and the cost of which, borne by the responsible party.

As one of many entities that depends on the integrity of responsible land use around our lakes, rivers and streams, and the water quality of Sebago Lake in particular, the Portland Water District supports LD 2101.

A handwritten signature in blue ink that reads "Seth Garrison". The signature is written in a cursive style with a prominent initial "S" and a long horizontal stroke at the end.

Sincerely,

Seth Garrison
General Manager