

Testimony in **SUPPORT** of:

**LD 164, Act to Fund the Lake Restoration and Protection Fund**

*Submitted to the Environment and Natural Resources Committee  
January 30, 2023*



Good afternoon, Chair Brenner, Chair Gramlich, and Distinguished Members of the Environment and Natural Resources Committee. Thank you for the opportunity to appear before you today in support of LD 164.

My name is Susan Gallo, and I am the Executive Director of Maine Lakes. Our membership organization includes more than 6,000 supporters and volunteers, including individual members as well as members from over 90 Lake Associations. We are dedicated to our mission of promoting, protecting, and enhancing lake water quality, and of preserving the ecological, economic, recreational, and aesthetic benefits of Maine's lakes for all Maine people.

**We enthusiastically support funding the Lake Restoration and Protection Fund at DEP at the proposed level of \$9 million dollars for the next two years. Needs for projects that improve or maintain the quality of lake waters in Maine are great, and are growing with the impacts of climate change.**

**Protecting and restoring clean lakes provide immense public benefit.**

**Matching 50% of funds for costs incurred in lake restoration and protection projects as currently described in the fund language ([38 §480-N. Lake Restoration and Protection Fund](#)) is a smart investment of public money.** Matching ensures that cash and in-kind support from local lake communities amplify the public funding and make it go further. It also ensures community investment in lake protection, an investment that protects and restores valuable public resources that have many benefits for all Mainers.

Lakes are a complicated public resource. Any lake over 10 acres is owned by the people of Maine, for our use and for our benefit. Lakes provide endless recreational opportunities for the public, from boating to wildlife watching to fishing to swimming. They provide scenic views, great picnic spots, and a booming real estate and rental market that can greatly benefit local lake economies and municipal budgets.

Yet this public resource, especially in central and southern Maine, is surrounded by highly-developed privately-owned land. **Lakeside landowners end up bearing much of the responsibility for keeping our public waters clean.**

Stormwater runoff over lakeside properties is one of the primary sources of excess phosphorus in many of Maine's lakes and ponds. Excess phosphorus reduces water quality by feeding algae blooms that turn lake waters green, smelly and unsuitable for use for people and for wildlife.

Climate change impacts are rapidly putting lakes at greater risk. Warmer waters grow algae more quickly. More intense storms bring a larger volume of water flowing across the landscape and into Maine's lakes. As these impacts grow in the coming decades, the risks to lakes will grow exponentially. **The clean lakes we enjoy today will need active protection to stay that way in the future.**

**The timing is right to fund lake restoration and protection, to avoid catastrophic impacts in the future.**

We are lucky to have many responsible lakeside landowners who take action on their properties to protect our lakes by implementing **Best Management Practices** (BMPs) that reduce runoff, monitoring water quality throughout the summer, maintaining their septic systems to reduce risk of malfunction, and keeping a lookout for new invasive plant infestations.

**But more funding to improve or maintain the quality of lake waters in the state of Maine is needed.** A few examples of where money from this fund could be invested in healthy lakes:

**Alum Treatments:** As others will mention in today's hearing, when lakes go way beyond the "tipping point", where phosphorus pollution has reached such high levels that reducing external sources of phosphorus (for example, by implementing BMPs that reduce runoff along shorelines) cannot keep up with internal sources of phosphorus in the water, then an alum treatment is warranted. Alum treatments are expensive and can run more than a million dollars, depending on the area being treated. Using funds in the Lake Restoration and Protection Fund to match private and other money that communities must raise for alum treatments would greatly benefit those lakes where alum treatments are warranted.

**Pollution Prevention Programs:** Ideally, we want to keep lakes from reaching that "tipping point" where phosphorus loading has become too great and alum treatments are needed. To do that, DEP supports a number of pollution prevention programs that could benefit from this fund.

**LakeSmart:** Maine Lakes supports one such program, LakeSmart, which works with homeowners to implement BMPs on their property that reduce stormwater runoff into the lake, thus reducing external sources of phosphorus. While each homeowner's contribution of phosphorous may be small, many phosphorus reduction efforts over many properties add up to make a big difference. The LakeSmat program has built up a database of over 1,000 homeowners who need BMPs implemented on their property to reduce erosion and runoff. **A small grants program from the Lake Restoration and Protection Fund to provide matching funds for supplies, technical assistance or contractors to install BMPs would be an effective investment in reducing the likelihood of needing an alum treatment in the future.**

**Watershed Surveys:** DEP supports watershed surveys on threatened and impaired lakes, an essential step to documenting non-point source pollution and qualifying for federal EPA funds to support BMPs and other efforts to reduce lake pollution. But lake associations and other community groups who are able to provide the volunteer people-power for these surveys often need small amounts of funding to get the watershed survey process going, whether for mailings or for technical mapping expertise or other needs where volunteer teams lack technical skills or experience. While some Maine nonprofits have been able to supply these small grants in the past, their ability to do so changes with their ability to get funding. As far as we know, there are no small matching grants from nonprofits available for jump starting watershed surveys in 2022. **A small matching grant program from this fund would help secure that much-needed funding for communities across Maine.**

**Septic System Replacements:** Septic systems at older Maine camps are failing and that problem will only grow with time. Older camps may have rudimentary systems, built well before the 1974 standards were put in place, that are close to the lake and not adequately treating sewage before it reaches both ground water and the lake. Systems on poor soil and close to the water are jeopardizing lake water quality and human health. **Another use of funds that proactively protects lake health for the public could be a matching program to fund the highest priority, worst-performing septic system on impaired and threatened lakes.**

**Invasive Species Risk Reduction:** There are other very worthy ways to spend money to protect Maine's lakes. We know our risks for new invasive invaders is high, being surrounded on all sides by invaders that have not yet made it into our waters. We know that costs to control aquatic invasives once they've arrived is extremely high, and that the negative ecological impacts for our native species

(dense mats of vegetation that shade and choke out other species, lower quality fish spawning and feeding habitat, etc.) can be dire, harming sport fisheries and reducing recreational opportunities. **More proactive invasive species monitoring, more work to remove recent invaders, and more tools for boaters to learn about and comply with existing laws are all worthy ways to spend lake protection funding.**

While we support all of the work mentioned above, and more that you will hear about during today's testimony, we also realize that needs must be prioritized. We urge the committee to discuss the highest priorities for lake protection with DEP staff and bill sponsors. We understand that focusing lake protection efforts on lakes on either the impaired or threatened lists that DEP maintains may be essential to prioritizing the spending of limited funds. But we urge the committee to remember that keeping lakes clean is a much less costly option than managing lakes with excess algae, polluted water, and invasive plant and animal infestations.

We also urge the committee to consider what funding today could do for lakes in the coming decades. Finding additional sources for the fund outside of general surplus funds is a real possibility, especially if federal 314 funds are reinstated for lake protection work. Efforts to reinstate those funds are underway by several national non-profit organizations.

Finally, in terms of capacity at DEP to manage this program, there are several statewide nonprofits who could contract with DEP to assist with administering these funds. I believe there are other models in state government that go this route when internal capacity is a challenge, and Maine Lakes would be happy to look for some examples of public/private collaborations for this purpose.

In closing, I thank you for your time and attention today, and urge you to support LD 164 as a smart investment in the future of clean lakes in Maine and all who use them.

Please feel free to email me any time with questions at [sgallo@lakes.me](mailto:sgallo@lakes.me).