

MAINE STATE LEGISLATURE

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(Governor's Bill)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1671

S.P. 559

In Senate, May 26, 1987

Reference to the Committee on State and Local Government suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator COLLINS of Aroostook.

Cosponsored by Speaker MARTIN of Eagle Lake,
Representative LISNIK of Presque Isle, Representative PINES of
Limestone.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Establish the Aroostook Water and
Soil Management Board.

Be it enacted by the People of the State of Maine as
follows:

Sec. 1. 5 MRSA §12004, sub-§8, ¶A, sub-¶(1-A1)
is enacted to read:

| | | | | |
|--------|--------------------|------------------------|-----------------|---------------|
| (1-A1) | <u>Agriculture</u> | <u>Aroostook Water</u> | <u>Expenses</u> | <u>7 MRSA</u> |
| | | <u>and Soil</u> | <u>Only</u> | <u>§332</u> |
| | | <u>Management</u> | | |
| | | <u>Board</u> | | |

Sec. 2. 7 MRSA Pt. 1-B, c. 11 is enacted to
read:

1 PART 1-B

2 AROOSTOOK COUNTY WATER AND SOIL MANAGEMENT PROGRAM

3 CHAPTER 11

4 AROOSTOOK COUNTY WATER AND SOIL MANAGEMENT PROGRAM

5 §331. Legislative findings

6 The Legislature finds that:

7 1. Agriculture; unique component of economy.
8 Agriculture, and particularly the production and mar-
9 keting of potatoes, is a significant and unique com-
10 ponent of the economy of the State as a whole and
11 particularly the economy of northern Maine. A
12 strengthened Aroostook agriculture benefits the en-
13 tire State by enhancing the State's economy and en-
14 couraging improvement and stabilization of our land
15 and water resources for the benefit of the people of
16 this State.

17 2. Decline of potato production. Maine led the
18 nation in potato production until 1957. The loss of
19 traditional markets due to changing consumer demands
20 and increased competition from other areas, including
21 the irrigated western United States, has resulted in
22 a steady decline of potato production. Expanding
23 marketing opportunities exist for both fresh and pro-
24 cessed potatoes, but entry into these markets depends
25 on production of a consistently high quality product
26 at a competitive price. Improvements in quality and
27 yields require improved conservation practices and
28 management of water resources.

29 3. Absence of appropriate conservation prac-
30 tices. Of the 240,000 acres of cropland in Aroostook
31 County, 194,000 acres are considered highly erodible.
32 The absence of appropriate conservation practices on
33 this highly erodible land results in polluted rivers,
34 streams and lakes and potentially endangered water
35 supplies, fish and wildlife. Poor conservation prac-
36 tices also lead to decreasing soil productivity.

37 4. Technology of supplemental water application.
38 There are many unanswered questions about the tech-

1 nology of supplemental water application to row crops
2 in the northeastern United States, including crop re-
3 sponse to irrigation, economic returns from irriga-
4 tion and the availability of and impact on ground and
5 surface waters as a result of irrigation.

6 5. Possible improvements. The United States Ar-
7 my Corps of Engineers completed a study of the St.
8 John River Basin, including most of Aroostook County,
9 which suggests that it is possible to improve both
10 the agricultural industry and environmental quality
11 through cropland irrigation and improved agricultural
12 conservation practices.

13 6. Federal funds. The United States Congress
14 has authorized the expenditure of \$3,400,000 in fed-
15 eral funds to implement a program of research and ed-
16 ucation in order to demonstrate the cropland irriga-
17 tion and conservation techniques described in the Ar-
18 my Corps of Engineers' "Feasibility Report for
19 Cropland Irrigation and Conservation Re-
20 search/Demonstration Program." The United States
21 Congress has required that an amount equal to 35% of
22 available federal funds be provided from other
23 sources to match any federal appropriation.

24 7. Coordinated approach. Maine will benefit
25 from a coordinated approach to securing the funds
26 necessary to match the Army Corps of Engineers' au-
27 thorization and from working with the Army Corps of
28 Engineers to implement this water and soil management
29 program.

30 §332. Aroostook Water and Soil Management Board

31 1. Membership. The Aroostook Water and Soil
32 Management Board, as established by Title 5, section
33 12004, subsection 8, shall consist of the following:
34 The Chairman of the Maine Potato Board; one person
35 designated by the Maine Potato Board who has experi-
36 ence with irrigation; a representative of the 3
37 Aroostook County Soil and Water Conservation Dis-
38 tricts chosen jointly by the boards of supervisors of
39 the 3 districts; the Director of the Maine Agricul-
40 tural Experiment Station; the Director of the Univer-
41 sity of Maine Cooperative Extension Service; the
42 State Conservationist of the United States Department

1 of Agriculture Soil Conservation Service; the Direc-
2 tor of the Maine Geological Survey; the Director of
3 the Northern Maine Regional Planning Commission; and
4 the Commissioner of Agriculture, Food and Rural Re-
5 sources.

6 2. Terms. The member appointed by the Maine Po-
7 tato Board and the member appointed to represent the
8 Aroostook Soil and Water Conservation Districts shall
9 each serve for 4-year terms. All other members shall
10 serve ex officio.

11 3. Chairman. The board shall annually select
12 one of its members to serve as chairman.

13 4. Compensation. Board members shall be compen-
14 sated in accordance with Title 5, chapter 379.

15 5. Responsibilities. The board shall coordinate
16 all state and local efforts with respect to implemen-
17 tation of the United States Army Corps of Engineers
18 Conservation Research/Demonstration Program. Coordi-
19 nation includes, but is not limited to:

20 A. Determining research priorities and informa-
21 tional needs relative to improved water and soil
22 management practices;

23 B. Entering into agreements with the United
24 States Army Corps of Engineers, the University of
25 Maine System, the United States Department of Ag-
26 riculture Soil Conservation Service, the United
27 States Department of Agriculture Agricultural Re-
28 search Service, local soil and water conservation
29 districts, state agencies, private organizations
30 and individuals to carry out research, demonstra-
31 tion and informational activities related to the
32 program;

33 C. Assuring that new information developed by
34 the program is effectively disseminated; and

35 D. Evaluating progress of the program and making
36 recommendations regarding its future direction.

37 6. Staff. Staff to the board shall be provided
38 by the Department of Agriculture, Food and Rural Re-
39 sources.

1 §333. Aroostook Water and Soil Management Fund

2 There is established a nonlapsing Aroostook Water
3 and Soil Management Fund. The Commissioner of Agri-
4 culture, Food and Rural Resources may accept money
5 for this fund from the Federal Government or any pub-
6 lic or private source and make expenditures from this
7 fund in order to carry out activities related to the
8 program.

9 **Sec. 3. Appropriation.** The following funds are
10 appropriated from the General Fund to carry out the
11 purposes of this Act. These funds may be expended
12 only after the United States Congress appropriates
13 money to implement a program of research and educa-
14 tion with regard to water management practices in
15 Aroostook County.

| 16 | | <u>1987-88</u> | <u>1988-89</u> |
|----|---------------------------------|-----------------|-----------------|
| 17 | <u>AGRICULTURAL, FOOD AND</u> | | |
| 18 | <u>RURAL RESOURCES, DEPART-</u> | | |
| 19 | <u>MENT OF</u> | | |
| 20 | Bureau of Agricultural | | |
| 21 | Production | | |
| 22 | Positions | (2) | (2) |
| 23 | Personal Services | \$44,694 | \$49,029 |
| 24 | All Other | 32,706 | 42,971 |
| 25 | Capital Expenditures | 14,600 | |
| 26 | | | |
| 27 | Total | <u>\$92,000</u> | <u>\$92,000</u> |

1 STATEMENT OF FACT

2 The United States Army Corps of Engineers recently
3 published a major study evaluating the feasibility
4 of combining water management practices with soil
5 conservation measures in Aroostook County and con-
6 cluded that adoption of water management practices in
7 conjunction with soil conservation measures would en-
8 hance the yield and quality of potatoes, benefit al-
9 ternative crop production and reduce water pollution.
10 Water management is the controlled addition of sup-
11 plemental water and the provision of proper drainage
12 within the framework of sound soil-conserving agri-
13 cultural practices. The Corps' report holds promise
14 for stabilizing and enhancing the future agricultural
15 viability of Aroostook County. Clearly defining and
16 establishing improved water management practices
17 will, however, require a coordinated research, demon-
18 stration and education effort involving agricultural
19 producers; many state and federal agencies and the
20 University of Maine System.

21 The United States Congress has authorized
22 \$3,400,000 to implement such a research and demon-
23 stration program in Aroostook County, although feder-
24 al funds have not yet been appropriated for the pro-
25 gram. This bill establishes an Aroostook Water and
26 Soil Management Board to be responsible for coordi-
27 nating state and federal efforts to implement the re-
28 search and demonstration program proposed in the Army
29 Corps' report.

30 The board is composed of 2 representatives of the
31 Maine Potato Board, one representative of the 3
32 Aroostook County Soil and Water Conservation Dis-
33 tricts, the Northern Maine Regional Planning Commis-
34 sion, the University of Maine Cooperative Extension
35 Service, the Maine Agricultural Experiment Station,
36 the Maine Geological Survey, the Department of Agri-
37 culture, Food and Rural Resources and United States
38 Department of Agriculture's Soil Conservation Ser-
39 vice. The board will be responsible for determining
40 research priorities, entering into memoranda of
41 agreements with the relevant agencies, coordinating
42 agency work plans and assuring that the information
43 developed is effectively disseminated. It is

1 envisioned that much of the actual work authorized by
2 this program will be carried out by the University of
3 Maine System.

4 The federal enabling legislation requires match-
5 ing funds from the State to support 35% of the total
6 cost of the project. This bill appropriates money
7 from the General Fund to provide part of this match.
8 These state funds may be expended only after Congres-
9 sional approval of a federal appropriation to support
10 this program. In addition to this proposed state ap-
11 propriation, both cash and in-kind expenditures by
12 the Maine Geological Survey, the Maine Potato Board,
13 the University of Maine System and other federal and
14 state agencies will be used to meet the federal
15 matching requirements.

16 Irrigation is a standard practice in the western
17 United States, where rainfall is predictably absent
18 during much of the growing season. Relatively little
19 is known about the ramifications of extensive supple-
20 mental irrigation in a region of the country in which
21 rain generally falls during the growing season, but
22 unpredictably. In addition, the western states have
23 well-established water allocation systems, while no
24 comparable systems are available in much of the east-
25 ern United States. The research and demonstration
26 projects encompassed in this proposed program will
27 address availability and access to water sources, ec-
28 onomic feasibility of water management technology,
29 management strategies to maximize crop quality and
30 yield and conservation measures to compliment the use
31 of water management. The scope of this work will be
32 of benefit throughout Maine and can establish the
33 University of Maine System as a leader in the field
34 of water management in the Northeast.

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