



**Testimony of Shelley Megquier, Policy & Research Director, Maine Farmland Trust, to the
131st Legislature's Joint Standing Committee on Environment and Natural Resources
May 3, 2023**

Good morning Senator Brenner, Representative Gramlich, and members of the Joint Standing Committee on Environment and Natural Resources. My name is Shelley Megquier and I am the Policy & Research Director at Maine Farmland Trust (MFT). I am providing testimony on behalf of MFT in support of LD 1537 – *An Act to Amend the Laws Relating to the Prevention of Perfluoroalkyl and Polyfluoroalkyl Substances Pollution and to Provide Additional Funding*.

MFT is a member-powered statewide organization that works to protect farmland, support farmers, and advance the future of farming. Since our founding in 1999, MFT has helped to permanently protect more than 330 farms and keep nearly 60,000 acres of farmland in farming. Our Farm Network includes over 500 farms and, in 2022, 2,250+ individuals demonstrated their commitment to the future of Maine agriculture through an MFT membership. In 2022, MFT supported 48 farm businesses with workshops, technical assistance, and grants – delivering over 680 hours of technical assistance and \$309,000 in business and seed grants to help businesses grow their profitability. Our main program areas are Farmland Protection, Farmland Access, Stewardship, Farm Business Planning, PFAS Support, Climate Resilience, and Policy and Research.

For the past several years, MFT has been deeply engaged in the strong and collaborative response to the challenge of PFAS (per- and polyfluoroalkyl substances) contamination on Maine farms and farmland. The presence of PFAS in soil, water, crops and livestock is an emerging national issue, and PFAS contamination in Maine is alarming, especially for farmers whose livelihoods are connected to the land. The application of PFAS-contaminated sludge or residuals decades ago by farmers who were unaware of the presence and health risks of these chemicals can still impact PFAS levels in the soil and water today – with such high levels of contamination in some cases that agricultural production is simply no longer possible, at least in the near future until research is advanced on remediation methods. MFT staff have witnessed firsthand the significant impacts farm businesses and families have experienced from the contamination. These impacts include losing the financial value of products that can no longer be sold; making the investments to change farm management practices and adopt new infrastructure; and even having to purchase or lease additional land to use for their farming operations. These farmers have also had their wells contaminated, and live with ongoing concerns about the health effects of the PFAS contamination for themselves and their families. Finally, these farmers worry about the value of their land – their largest investment – and what their options might be if they are no longer able to farm there.

We advocate in partnership with impacted farmers and other organizations for state and federal policies that stop the ongoing contamination of agricultural land, ensure that impacted farmers receive the support they need, and advance PFAS research, including on critical topics such as soil remediation. **To comprehensively support Maine's farmers and protect our agricultural land, we must slow the rate at which PFAS are entering the environment – eventually stopping it**

altogether. We appreciated the PFAS source reduction measures and goals included under LD 1503 in the 130th Legislature and also appreciate efforts this session to ensure that the Maine law is realistic, focused, and fair. Ultimately, while we work together to mitigate the existing problem of PFAS contamination, we need to identify and implement solutions to turn off the PFAS tap all the way upstream before the chemicals enter our state.

MFT supports LD 1537 which modifies existing law to improve focus and ease of implementation. LD 1537 adds an important exemption to the reporting requirement for manufacturers who intentionally added PFAS to their products, whereby manufacturers with less than \$20 million in national annual sales are not required to report. This exemption allows Maine law to target larger manufacturers, who are more likely to be able to identify product composition and the presence of added PFAS, and protects smaller manufacturers from undue burden. The bill also extends the reporting deadline from January 2023 to October 2023 to allow the Department of Environmental Protection time to complete the rulemaking that will describe reporting guidelines. MFT believes this extension is warranted to avoid confusion and anticipates that a date of October 1, 2023 should be manageable for large manufacturers, who, by that time, will have been aware of Maine's new laws for over two years and who have the resources to respond in a timely manner once rulemaking is complete. MFT also supports the added language in page 1, lines 11-17 of LD 1537 that provide additional clarity for manufacturers on how to fulfil reporting requirements if the specific amount of each PFAS compound is not known to them, which may be the case for some products or manufacturers. Last but not least, we support the allocations proposed in LD 1537 for two staff positions within the Department of Environmental Protection as well as the allocations for expenditures related to the implementation of PFAS source reduction measures. It's important that implementing agencies have the resources they need to provide adequate oversight and support.

In summary, we are testifying in support of LD 1537 due to the focus it adds to previously passed legislation, its inclusion of an added exemption for small businesses, and the inclusion of funding to support its implementation. To fully support Maine's agricultural community and Maine farmers who have been impacted by PFAS contamination, we must significantly slow the flow of PFAS into our environment and LD 1537 makes practical changes to advance efforts to do so.

Thank you for the opportunity to provide testimony and I'm happy to answer any questions you may have.