



Testimony before the Joint Standing Committee on Agriculture, Conservation, and Forestry  
By Chelsea Gazillo, American Farmland Trust, New England Policy Manager  
February 13, 2023

*RE: LD 289 - An Act Requiring the State to Purchase Farms Contaminated Perfluoroalkyl and Polyfluoroalkyl Substances*

Senator Ingwersen, Representative Pluecker, and members of the Joint Standing Committee on Agriculture, Conservation, and Forestry,

My name is Chelsea Gazillo, and I am American Farmland Trust's New England Policy Manager. I appreciate this opportunity to testify on behalf of AFT regarding *LD 289*.

AFT is the nation's leading conservation organization dedicated to protecting farmland, promoting sound farming practices, and keeping farmers on the land. Since its founding in 1980 by farmers and citizens concerned about the rapid loss of farmland to development, AFT has helped protect over 6.5 million acres of farmland and led the way for the adoption of conservation practices on millions more. Established in 1985, AFT's New England office works to save the land that sustains us across the region.

Maine's farmland is vital to our regional economy and food security. Maine has the most agricultural land of any of the six New England states by far and the largest amount of prime and important farmland in New England. According to American Farmland Trust's *Farms Under Threat: The State of the States*, 1.4% of ME's agricultural land was converted to urban development or low-density residential land use between 2001 and 2016.<sup>1</sup> These 17,700 acres of land converted is enough to generate \$10 million in annual revenue.<sup>2</sup>

Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) are a group of chemicals that are extremely persistent in the environment, including our agricultural soils, and the human body. PFAS has been used in many common household products since the 1950s ranging from food packaging to firefighting foam. And while the presence and persistence of PFAS contamination is an emerging national issue, the unfolding information we currently know about PFAS contamination in Maine is alarming, especially for farmers whose livelihoods are connected to the land.

AFT applauds the Maine General Assembly for passing legislation that created the PFAS Fund at the Maine Department of Agriculture, Conservation, and Forestry (ME DACF) supported by an initial \$60 million dollar investment. The fund will be administered by the ME DACF that is currently working with a stakeholder advisory board to create a plan.

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<sup>1</sup> Freedgood, J., M. Hunter, J. Dempsey, A. Sorensen. 2020. *Farms Under Threat: The State of the States*. Washington, DC: American Farmland Trust.

<sup>2</sup> [https://storage.googleapis.com/csp-fut.appspot.com/reports/spatial/Maine\\_spatial.pdf](https://storage.googleapis.com/csp-fut.appspot.com/reports/spatial/Maine_spatial.pdf)

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PFAS enters agricultural soils through a variety of means, and Maine farmers will need an unprecedented level of support to address the health and financial impacts of PFAS contamination. Maine’s producers need robust investments in research and remediation so that the state will not lose more farmland that is necessary for a viable agriculture sector.

If passed, LD 289 will set the standard that the state pays a minimum of \$20,000 per farmland acre when purchasing potentially contaminated farmland. The PFAS Fund Advisory Committee’s draft report outlines that does the following:

“The advisory committee is presently developing an initial plan to implement programs consistent with [7 MRSA § 320-K](#), i.e., programs to pay for blood testing and medical monitoring; buy and sell land with known PFAS contamination; purchase equipment, facilities, and infrastructure; develop enterprise budgets; replace income; evaluate PFAS testing and data management capacity; fund research that supports decision making; support long-term monitoring; develop and implement educational programs; assist with marketing; and engage in regional planning.”<sup>3</sup>

While AFT appreciates the intent of LD 289, we recommend the legislature delay passing additional legislation to strengthen the program until DACF releases its first annual report to address PFAS contamination (per [7 MRSA § 320-K](#)). In short, responding to the needs of farmers with farmland contaminated by PFAS will take a deliberate strategy by the PFAS Fund Advisory Committee as the subject matter is complex.

Please feel free to reach out to me at [cgazillo@farmland.org](mailto:cgazillo@farmland.org) or my colleagues at American Farmland Trust if you have any questions about this testimony on LD 289. Thank you for the opportunity to submit testimony on this vital legislation.

*American Farmland Trust is an agricultural non-profit organization with a mission to save the land that sustains us by protecting farmland, promoting sound farming practices, and keeping farmers on the land. AFT is the only national agricultural organization that approaches its work in this comprehensive, holistic manner. We recognize the connection between the land, forward-looking farming practices, and the farmers who do the work.*

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<sup>3</sup> Department of Agriculture, Conservation, and Forestry. 2023. DRAFT Annual Report of the PFAS Advisory Committee