



MOFGA Testimony In Support Of
LD 1591 - *An Act to Promote Economic Reuse of Contaminated Land
Through Clean Energy Development*

April 20, 2023

Good afternoon Senator Lawrence, Representative Zeigler and members of the Joint Standing Committee on Energy, Utilities and Technology. My name is Heather Spalding and I am deputy director of the Maine Organic Farmers and Gardeners Association (MOFGA). I'm speaking in support of LD 1591 - *An Act to Promote Economic Reuse of Contaminated Land Through Clean Energy Development*.

A broad-based community, MOFGA is creating a food system that is healthy and fair for all of us. Through education, training and advocacy, we are helping farmers thrive, making more local, organic food available and building sustainable communities. MOFGA certifies 535 organic farms and processing operations representing roughly \$90 million in sales and we are working hard to create opportunities for Maine's next generation of farmers. Each of these farmers is a Maine businessperson for whom economic health and environmental health are interdependent.

As you are well-aware, the PFAS contamination of farmland is a crisis in Maine. Our Department of Agriculture, Conservation and Forestry (DACF) reports that the spreading of sewage sludge on farms for the purpose of fertilizing crops and hayfields has resulted in at least 56 Maine farms being heavily contaminated with PFAS. Several of these farms are MOFGA-certified operations that are dealing with the legacy effect of PFAS contamination from sludge spreading that happened long-before the farmers purchased the land. Hundreds of other Maine farms await assessment by the DACF and Maine's Department of Environmental Protection. Hundreds of neighboring residential wells are contaminated beyond Maine's threshold for safe drinking water. Some farmers have lost their livelihood and struggle with health problems possibly linked to a PFAS body burden.

Though many other states don't realize it yet, PFAS contamination of farmland is a national problem that threatens the health of our farm families, the natural resources that serve as the foundation of our food and agriculture system, and our farm economy. We are proud that the Maine Legislature and Governor Mills have taken such bold action to address the problem in Maine and we believe that we will come through this painful process stronger and able to continue providing healthy, fresh, local food to people in Maine and beyond.

Maine's collective policy initiative is serving as a model for other states and our federal government, which is considering the *Relief For Farmers Hit With PFAS Act* as a marker bill in the 2023 Farm Bill. LD 1591 is another important piece of legislation that will help mitigate the



financial impact of PFAS contamination on farmers' businesses, by encouraging the placement of renewable energy arrays on irreparably contaminated land and acting as an incentive to steer clear of healthy agricultural soils. In addition to PFAS contamination, Maine's precious and finite farmland is threatened by commercial and residential developments and dramatically changing weather patterns. The most recent USDA Census of Agriculture indicated that between 2012 and 2017 Maine lost 10% of its farmland – representing more than 145,000 acres of pastureland, cropland, and woodland. The placement of any solar energy array should carefully consider the threat to our finite resource of healthy, agricultural land. LD 1591 does this.

MOFGA maintains that our society must shift away from our reliance on PFAS and other synthetic chemicals that are toxic, persistent and bioaccumulative. We, of course, remain hopeful that research will provide solutions to the damage done, but there is no viable solution now for cleaning up the vast acreage of severely contaminated farmland. As we work to meet the many important goals of Maine's Climate Action Plan – including reducing greenhouse gas emissions by 45% by 2030, and 80% by 2050, achieving carbon-neutrality by 2045, and increasing the amount of food that is both produced and consumed in Maine from less than 10% now to 30% by 2030 – we see the terms of LD 1591 as a silver lining to a horrible situation that farmers find themselves in through no fault of their own.

Thank you very much for your consideration of this important bill. I would be happy to answer question if you have any.

The Maine Organic Farmers and Gardeners Association (MOFGA) started in 1971 and is the oldest and largest state organic organization in the country. We're a broad-based community that educates about and advocates for organic agriculture, illuminating its interdependence with a healthy environment, local food production, and thriving communities. We have 15,000 members, we certify more than 500 organic farms and processing facilities representing \$90 million in sales, and we are working hard to provide training and create opportunities for Maine's next generation of farmers. Each of these farmers is a Maine businessperson for whom economic health and environmental health are interdependent. While MOFGA envisions a future of healthy ecosystems, communities, people and economies sustained by the practices of organic agriculture, we attribute our success to collaboration and outreach to growers across the management spectrum.