



**Testimony of Shelley Megquier, Policy & Research Director, Maine Farmland Trust, to the 132<sup>nd</sup>  
Legislature's Joint Standing Committee on Environmental and Natural Resources  
May 19, 2025**

Good morning Senator Tepler, Representative Doudera, 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 1976 – *Resolve, Regarding Legislative Review of Chapter 379: Compensation for Impacts to High-Value Agricultural Land from Solar Energy Development, a Late-filed Major Substantive Rule of the Department of Environmental Protection.*

MFT is a member-powered statewide organization that works to protect farmland, support farmers, and advance the future of farming. Our goals are to keep agricultural lands working and help farmers and their communities thrive. Since our founding in 1999, MFT has helped to permanently protect farmland in every county in Maine, amounting to nearly 57,000 acres across 345 farms. Our Farm Network includes more than 550 farms that have participated in MFT's programming either through an agricultural easement or through one of our programs. Our main program areas are Farmland Protection, Farmland Access, Stewardship, Farm Business Planning, PFAS Support, Climate Resilience, and Policy and Research.

As a bit of background, beginning in 2022, MFT participated in an extended stakeholder process and engagements between environmental, conservation and agriculture groups, renewable energy developers, and state agencies that developed the content that led to LD 1881 in the 131st Maine Legislature, *An Act Regarding Compensation Fees and Related Conservation Efforts to Protect Soils and Wildlife and Fisheries Habitat from Solar and Wind Energy Development and High-impact Electric Transmission Lines Under the Site Location of Development Laws*. LD 1881 required developers of solar energy projects to pay a compensation fee or pay for conservation efforts to mitigate adverse effects on high-value agriculture land AND directed the establishment of a compensation fee program as an alternative means for developers of solar energy developments, wind energy developments or high-impact electric transmission lines to compensate for adverse effects on wildlife and fisheries habitats. Prior to LD 1881 becoming law, the Department of Agriculture, Conservation, and Forestry (DACF) had not had a role in permitting renewable energy projects and agricultural land has not been included in the list of natural resources protected under existing Maine environmental law (e.g. site law). Thus, the implementation of LD 1881 and the subsequent rules before the Committee today present an important opportunity to advance balanced solar siting that avoids, minimizes, and/or mitigates the impact of development on our state's most valued agricultural lands. MFT urges your support.

LD 1976 brings Major Substantive Rules back to the Legislature for a review of changes made to Chapter 379. After the passage of (LD 1881 in the 131st Maine State Legislature) P.L. 2023 ch. 448 directed the Department of Agriculture, Conservation, and Forestry to do routine technical rulemaking to establish procedures for administering the agricultural focused components of the law (e.g. defining "high value agricultural land" and compensation tiers for that land). MFT provided detailed input to that process and is pleased with the outcome. DACF has fulfilled the rulemaking responsibilities that the Maine Legislature tasked them with in a thorough, reasonable, and conscientious manner. The changes to Chapter 379 that are major substantive rules before you today allow the Department of Environmental

Protection to ensure the required compensation for impacts to high-value agriculture land are fulfilled. The rule regulates compensation requirements and establishes an in-lieu fee compensation program for impacts to high-value agriculture land. MFT appreciates the careful attention that has been paid in these rules to ensure that developers don't have to pay twice for any impacts. Compensation fees levels and the process of collecting fees have been established so that no category of natural resource are given preference over another.

Thank you for the opportunity to provide testimony in support of LD 1976. We urge you to support this Resolve and would be glad to try to answer any questions you may have either now or during the work session.