

**Testimony In Support**  
**LD 2070 An Act to Prohibit Landfill Expansion into Wetlands**  
(EMERGENCY)

Jacquelyn Elliott | February 11, 2026

Joint Committee on Environment and Natural Resources

Chair Senator Tepler, Chair Representative Doudera, Honorable Committee Members:

Thank you for the opportunity to provide testimony **IN SUPPORT OF LD 2070 An Act to Prohibit Landfill Expansion into Wetlands**. My name is Jackie Elliott and I live in North Waterboro, Maine. Waterboro has been my home since retiring here in 2010. For three decades I have advocated for public and environmental health particularly as they relate to licensing and operations of waste facilities. For several years I have worked with Don't Waste Maine (DWME) and those most harmfully impacted by the state-owned Juniper Ridge Landfill.

*DWME is a citizens' group working together with legislators and regulators to establish resource management practices that reduce the volume and toxicity of waste generated; conserve and reuse resources beneficially; share benefits and burdens of outcomes equitably; promote environmental justice and the right to live safely in our communities; and provide fulsome and transparent public participation in policy and licensing decisions.* My efforts are in the context that every citizen has the right to live in a safe community and enjoy a quality of life protected by decision makers from undue harm from siting and licensing waste disposal and processing operations. Moreover, citizens have the essential right and expectation to meaningfully participate in a fulsome and transparent process around those decisions.

It could be interpreted that LD 2070 is primarily the emergency response to the proposed expansion of the Juniper Ridge Landfill which in that instance **would protect additional destruction of vulnerable wetlands**. By implication, it would also protect an unjustly overburdened population and sector of public health inhabiting a fragile environment from continued violence and cumulative impairment. Appreciation goes to Representative Dill for introducing this legislation.

Maine's wetlands are regulated under Section 404 of the Clean Water Act (33 U.S.C. §1344) and Maine Title 38: Chapter 3: §1: ENVIRONMENTAL PROTECTION BOARD Article 5-A: NATURAL RESOURCES PROTECTION ACT

<https://www.epa.gov/laws-regulations/summary-clean-water-act>

<https://www.mainelegislature.org/legis/statutes/38/title38sec480-X.html>

***“Wetlands are among the most productive ecosystems on Earth, serving as crucial interfaces between terrestrial and aquatic environments . . . Wetlands play a vital role in improving water quality through natural filtration processes. They trap sediments, nutrients, and pollutants, preventing these substances from entering larger water bodies. This function helps to maintain the health of downstream ecosystems and provides cleaner water for human consumption and agricultural use. . . Wetlands are essential ecosystems that provide critical services for biodiversity and human well-being. Their capacity to support diverse species, improve water quality, and mitigate floods underscores their ecological importance.”*<sup>1</sup>**

### **Benefits of Freshwater Wetlands**

Freshwater wetlands are vital ecosystems that support both environmental health and human activities and their protection is crucial for maintaining biodiversity. They provide essential habitat for diverse species of one-third of all threatened and endangered species of wildlife in the U.S., including amphibians, reptiles, birds, and mammals.

They store carbon in plant communities and soil, helping to mitigate climate disruption; and absorb millions of tons of carbon dioxide annually, improving air quality. Wetlands contribute significantly to the economy through fisheries, recreation, and tourism. Coastal wetlands support a large portion of the commercial seafood harvest. Wetlands provide recreational opportunities offering spaces for activities like hiking, fishing, bird watching, and kayaking and enhance community well-being by providing beautiful natural landscapes.<sup>2</sup>

Freshwater wetlands improve water quality and act as natural water purifiers. They enhance groundwater quality by filtering sediment and absorbing pollutants. They stabilize streambanks with vegetation and prevent erosion. They aid in flood control as they absorb storm water and reduce flooding and downstream damage.

Maine is taking bold steps to address pollution from forever toxic chemicals classified as per- and polyfluoroalkyl substances (PFAS).<sup>3</sup> Landfills are major contributors to air, soil, and water contamination from these toxics.<sup>4</sup> Maine has also taken forward-thinking actions to build resiliency against climate disruption impacts into policy decisions. Preserving and restoring

---

<sup>1</sup> **The Ecological Importance of Wetlands and Their Role in Biodiversity Conservation**, Anuradha Velasquez Department of Botany, Delhi, India International Journal of Pure and Applied Zoology, Volume 12, Issue 6, pp: 268, 2024: <http://www.alliedacademies.org/international-journal-of-pure-and-applied-zoology/>

<sup>2</sup> <https://www.epa.gov/wetlands/why-are-wetlands-important>

<sup>3</sup> <https://www.maine.gov/dep/spills/topics/pfas/index.html>

<sup>4</sup> November 25, 2025, Lim, Xiaozhi. Us landfills emit nearly a ton of airborne PFAS a year, study finds: <https://www.thenewlede.org/2025/11/landfill-pfas-air-emissions/>

wetlands is an important piece to improving resiliency.<sup>5</sup> It would be prudent to preserve our wetlands as those essential climate buffers and reduce the pathways for PFAS exposure with sustainable management of resources. Expanding a landfill into wetlands would be counter to those goals.

### **Impacts Specific with JRL Expansion to Endangered Species**

The Army Corps of Engineers (Corps) performed an initial review of the application for JRL's expansion, and made a preliminary **determination that the proposed project may affect species and critical habitat** for Atlantic Salmon (*Sa/mo salar* ) and its endangered critical habitat; the endangered Northern long-eared bat (*Myotis septentrionalis*); the Tricolored Bat (*Perimyotis subf/avus*) as Proposed Endangered; and the Monarch butterfly (*Danaus Plexippus*) as Proposed Threatened.

### **JRL Expansion Threatens Essential Fish Habitat**

Referring to the **Magnuson-Stevens Fishery Conservation and Management Act 1996**,<sup>6</sup> the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information. The data established that the **existing landfill is approximately 3.5 miles from the Penobscot River which is Atlantic Salmon essential fish habitat.**

---

Maine law says: "that the Penobscot River is a unique and valuable natural resource. **38 M.R.S. § 418-A(1). "[T]he preservation and restoration of the Penobscot River is of the highest priority."**"<sup>7</sup>

---

### **Cumulative Impacts of the Phase II JRL Expansion**

The existing Juniper Ridge Landfill envelops a **780-acre parcel**, owned by the State of Maine. The Phase II Expansion will involve approximately **57 acres of additional landfill footprint adjacent to the existing permitted 122-acre landfill footprint, and will include approximately 13 acres of infrastructure**, for access roads, electrical lines, and stormwater detention ponds.

The expansion will **affect waters of the United States (WOTUS) associated with Judkins Brook and Pushaw Stream tributaries of the Penobscot River.** In **1993** the site was **originally permitted to fill 8.84-acres of wetlands** with construction of the 68-acre Juniper Ridge Landfill. In **2017**, the site was **permitted to fill another 2.04-acres of wetlands and clear 0.10 forested**

<sup>5</sup> <https://www.maine.gov/climateplan/>

<sup>6</sup> Magnuson-Stevens Fishery Conservation and Management Act 1996: <https://www.fisheries.noaa.gov/topic/laws-policies/magnuson-stevens-act>

<sup>7</sup> <https://legislature.maine.gov/statutes/38/title38sec418-A.html>

wetlands for the 54-acre expansion.<sup>8</sup> A total of **10.8 acres of freshwater and forested wetlands have already been destroyed by construction of the landfill**. This proposed **expansion** will result in **filling another 3.75 acres of emergent and forested wetlands**. **One of the impacted wetlands is designated as a Wetland of Special Significance (WOSS)<sup>9</sup>**.

A total of **nine potential vernal pools** were identified in wetland areas in the vicinity of the proposed expansion area. **One is a significant vernal pool (SVP)** that was previously mapped and is included in Maine Department of Inland Fisheries and Wildlife (MDIF&W) mapping. Of the eight new potential vernal pool areas identified, **six met the definition of a vernal pool as provided by the Programmatic General Permit of the U.S. Army Corp of Engineers for Maine**. **One of the new vernal pools met the criteria of an SVP**. **Two wetlands have been classified as WOSS because they contain SVPs**.

### **Dollars for Destruction of Vital Wetlands**

The State of Maine, acting through the Department of Administrative and Financial Services, Bureau of General Services owns Juniper Ridge Landfill operated under contract by Casella Waste Systems d.b.a. NEWSME Landfill Operations, LLC. They have put forward a **plan for payment of an in-lieu fee of \$763,103 to destroy wetlands**. After evaluating options, they **determined that the proposed footprint is the least environmentally damaging practicable alternative to provide the capacity required by the State's landfill needs**. The question must be asked: what considerations and values factored into that decision and how were they weighted? **And most importantly, how were environmental justice requirements, now required by law, included and valued in the decision?**

### **An Ironic Note and Context**

Maine Department of Environmental Protection (DEP) issued an enforcement report<sup>10</sup> February 6, 2026 referencing a **penalty in the amount of \$284,250 with an additional \$100 for each day of non-compliance with the order and requires a detailed restoration plan drafted by a qualified professional be submitted to DEP within 30 days of the January 21, 2026 order**. The costly infraction is a **gravel driveway constructed within a wetland of special significance (WOSS)**, that is considered a **high-value inland waterfowl and wading bird habitat**. **DEP determined the area was a protected and high-value resource**. It begs the question: **the additional 3.75 acres of wetlands (resulting in a total of 14.55 acres of wetlands destroyed)**

---

<sup>8</sup> New England District Permit Application NO. NAE-1991-01909, Army Corps of Engineers Public Notice Published January 22, 2026/Expires February 20, 2026.

<sup>9</sup> November 2025 Expansion Application Volume III Design Report, Sevee & Maher Engineers, Inc. (see Attachment 9, Natural Resources Report)

<sup>10</sup> Department of Environmental Protection Monthly Enforcement Report for Actions During January 2026, Issued February 6, 2026: <https://www.maine.gov/tools/whatsnew/attach.php?id=13342628&an=1>

that JRL's expansion will devastate are of less value and less deserving of protection? In the context, the in-lieu fee of \$763,103 being offered for JRL expansion could be interpreted as a bargain.

### **Framing the Future**

I would ask that the Committee vote **OUGHT TO PASS on LD 2070**. To do so would establish an important ground rule about what we value and how that is assessed in decisions around expanding landfills, and hopefully even siting landfills. Passing this legislation could provide a basis for in-depth deliberation about how we manage resources and waste to preserve what is precious about Maine's environment and people. Thank you for considering my comments.

Jackie Elliott

North Waterboro, ME

[j.c.elliott123@outlook.com](mailto:j.c.elliott123@outlook.com)