



MOFGA Testimony In Support Of
LD 54 - *An Act to Require Compliance with Natural or Agricultural Resource Protection Ordinances*
May 15, 2023

Good afternoon Senator Brenner, Representative Gramlich and members of the Joint Standing Committee on Environment and Natural Resources. My name is Heather Spalding and I am deputy director of the Maine Organic Farmers and Gardeners Association (MOFGA). MOFGA is working to build a food system that is healthy and fair for all of us. I am speaking today in support of LD 54 - *An Act to Require Compliance with Natural or Agricultural Resource Protection Ordinances*.

This bill requires that a housing structure required to be allowed under municipal zoning ordinances and built after October 1, 2023 comply with municipal ordinances designed to protect natural and agricultural resources adopted before April 27, 2022. One such ordinance is the City of Auburn's Agricultural and Resource Protection District, which limits development and promotes food, agricultural, timber and natural resource production and associated uses. We believe that municipalities' efforts to protect the health of their air, land, water and natural resources can be supported while creating thoughtful and effective opportunities to increase housing.

MOFGA supports the recommendations that came from the two housing commissions that took shape in the last two years: in 2021, the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions, and in 2022, the Commission to Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals. I was honored to participate in both of the commissions and my role was to advocate for the interests of the agricultural sector. LD 54 relates to recommendations from both of the commissions and aligns with the concerns that I raised about the urgent need to protect Maine farmland, which is a finite resource and is diminishing at an alarming rate in Maine.

A favorite comment of late in Maine's agricultural community is, "*The last crop that any farmland grows is housing*." Maine's agricultural community faces enormous challenges with an aging population, the imminent transition of roughly 400,000 acres of farmland, dramatically shifting weather patterns, a dire shortage of farm labor, a loss of farm businesses, increasing energy, infrastructure and supply chain costs, contamination of soil and water from PFAS, and skyrocketing real estate prices which make it hard for farmers to justify keeping their land in agricultural production.

The last agricultural census indicated that in five short years, Maine had lost 10% of its farmland, dropping from 1,454,104 acres in 2012 to 1,307,566 acres in 2017. Maine was one of the top five states in the country to lose farmland during that period according to American Farmland Trust. Maine also said goodbye to 573 farms during that period. Maine's dairy sector, which lives at the heart of our agricultural community, is in crisis, having lost 122 dairy farms since 2017, with many more perilously close to going out of business.

With 7,600 farms representing 1.3 million acres (~473k in cropland), there are bright spots in the demographic reports. The number of young and beginning farmers is increasing in Maine. The value of food sold directly to consumers is increasing along with food sold locally via retail markets, institutions, and local food hubs.



Organic food sales too are increasing significantly Maine can be the breadbasket of New England, and Governor Mills' Climate Action Plan lays out important goals for getting us there in with resilience and respect for natural world in mind Specifically, Maine needs to shift its dependence on imported food and increase the amount of food consumed in Maine from state food producers from 10% to 20% by 2025 and 30% by 2030 through local food system development Maine can create a food system that is healthy and fair for all of us To become truly self-sufficient with our food system, we need to ensure that we have productive farmland and the people to work the land The plan that Maine adopts to address our housing crisis could be a catalyst for Maine's food self-sufficiency, but it also could permanently damage our agricultural future

Attached to my testimony is a list of additional policy suggestions that MOFGA believes will increase housing options while supporting protection of farmland and natural resources, as well as social and environmental justice for Maine's agricultural community

Thank you and I would be happy to answer questions 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

With Maine's agricultural future in mind, here are some actions and policies that could increase housing options, support protection of natural resources and farmland, and ensure social justice

- Launch a public education effort to remind communities that we, as U S citizens, are party to the Universal Declaration of Human Rights (UDHR), recognizing adequate housing as a component of the human right to an adequate standard of living. Emphasize how housing is an essential component for an individual's progress toward self-sufficiency and away from dependency.
- Engage the State Housing Authority, Department of Agriculture, Conservation and Forestry (DACF) and county Cooperative Extension offices in comprehensive assessment of farmworker housing needs and subsequent plan to improve existing farm housing stock and create new affordable housing for farm workers.
- Put special emphasis on providing housing for seasonal and migrant laborers who are essential for the success of Maine farm businesses at specific times of year in specific sectors. One option would be providing mobile housing units that could be moved along with the communities of farmworkers serving different sectors around the state. Units meeting basic needs (bedrooms and bathrooms) could plug into modules with communal utilities and amenities (kitchens, dining areas, dining areas etc.) Seasonal and migrant labor needs in agriculture could be considered in relation to other sectors or the economy that also have peaks and valleys in labor needs, e.g. tourism.
- Ensure that housing initiatives for farmworkers take into consideration the needs of migrant farmworker families with children. Provide daycare opportunities.
- Provide transportation systems for farmworkers to help them get to work, to commerce centers for food and personal provisions, and participate in social activities.
- Similarly engage Maine's regional planning offices (ensuring coverage of counties without a Council of Governments) in discussions about farm worker housing needs.
- Engage the DACF to use its assessment of prime farmland soils and soils of statewide importance to inform decisions about ongoing and future siting of housing developments. This is not to suggest a strict separation of open space and farmland from farm housing. We obviously need housing in rural areas to support the farm economy. Incentives should be provided to builders that commit to providing housing for farmworkers while planning carefully on siting to preserve our agricultural soils.
- Establish a fund to provide grants to Maine farmers to make environmental and energy improvements to their homes and to build environmentally friendly, climate-smart housing for farm workers.
- Fund development of multi-family housing units in areas with greatest need for agricultural workers. Coordinated support could come from USDA and HUD to establish these complexes. A success story along these lines is in Milbridge, where Mano en Mano worked to establish Hand in Hand Apartments to help migrant farm workers settle in Downeast Maine.
- Ensure racial equity is elevated and honored in all projects to increase affordable housing for farm workers.
- Restore the Home Energy Assistance Program (HEAP) formula to the iteration when it allowed farms and home-based businesses to claim property depreciation and increase eligibility for heating assistance.
- Provide incentives for builders to use Maine-produced, environmentally friendly, climate-smart materials in construction of affordable housing to ensure that low-income citizens are not subject to toxic materials commonly used in development projects. New science is showing that chemicals commonly used in homes are resulting in billions of dollars of medical bills, millions of IQ points, and disproportionately impacting the health of children, communities of color, low-income families, and other vulnerable populations.
- Assess the formulas for determining the costs of affordable housing. Funding must keep pace with the cost of labor and appropriate (healthy, safe, locally derived, environmentally friendly, climate-smart) building materials.
- Take stock of rural motels that have gone out of business and refurbish them or rebuild on their footprints with green design standards. Provide incentives for communities/builders to refurbish these facilities with the goal of providing housing for farmworkers.