



Testimony before the Joint Standing Committee on Housing  
By Chelsea Gazillo, American Farmland Trust, New England Policy Manager  
November 14, 2023

Re: Support for LD 1976 - An Act to Update the Growth Management Program Laws

Dear Senator Pierce, Representative Gere, and members of the Joint Standing Committee on Housing:

My name is Chelsea Gazillo, and I am American Farmland Trust's New England Policy Manager. American Farmland Trust (AFT) is the only national 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 has a long history of working in Maine, tracing back to our role in supporting the first farmland protection projects undertaken through the Land for Maine's Future (LMF) program.

As an organization that cares deeply about planning for a resilient future, we are pleased to submit testimony **in support of LD 1976**. This comprehensive update to Title 30-A, Chapter 187, the current Growth Management Law, will modernize Maine's municipal planning efforts to combat climate change and promote smart growth while incorporating more equitable community input into the planning process. Smart Growth America says, "Smart growth looks different from place to place—it's an overall approach to development that encourages a mix of building types and uses, diverse housing and transportation options, development within existing neighborhoods, and robust community engagement." There are ten smart growth principles, including one that outlines the importance of preserving open space, farmland, natural beauty, and critical environmental areas.<sup>1</sup>

Maine's farmland plays a vital role in our regional economy and food security. Maine has the most agricultural land of any of the six New England states by far, as well as the largest amount of prime and important farmland. According to American Farmland Trust's Farms Under Threat: The State of the States, roughly 18,000 acres of Maine's agricultural land were converted to urban development or low-density residential land use between 2001 and 2016.<sup>2</sup> The nearly 18,000 acres of farmland converted is enough to generate \$10 million in annual revenue.<sup>3</sup> Simultaneously as of 2021, the State's LMF program has worked, since 1987, to permanently protected 41 farms or 9,755 acres of farmland with agricultural conservation easements.<sup>4</sup> To date, Maine has protected less than one percent of the state's farmland. More must be done to address the growing threats to Maine's farmland, including real estate development pressures,

<sup>1</sup> <https://smartgrowthamerica.org/what-is-smart-growth/>

<sup>2</sup> Freedgood, J., M. Hunter, J. Dempsey, A. Sorensen. 2020. Farms Under Threat: The State of the States. Washington, DC: American Farmland Trust

<sup>3</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)

<sup>4</sup> <https://www.maine.gov/dacf/lmf/>

land loss because of a changing climate, and high land prices. Empowering communities to plan for these external threats is one way to further the state's farmland protection efforts.

In 2022, AFT released Farms Under Threat 2040: Choosing an Abundant Future. This critical report demonstrates that poorly planned development is far from the only threat to the future of farming in the United States. American agriculture now faces concurrent threats from climate change and energy production. On the current climate trajectory, average crop yields will decline and extreme events like droughts, floods, and heatwaves will wipe out the harvest with increasing frequency, undermining food security and farmer livelihoods. Just as sprawling subdivisions and large lot rural housing eat up farmland, climate change is accelerating sea-level rise, inundating coastal farms. As such, municipalities will need the ability to draft and implement climate action plans that meet the needs of their geographic location.

As part of AFT's Farms Under Threat 2040, we released state-specific future scenarios. We estimated that if current development trends in Maine continue, Mainers will pave over, fragment, or compromise 53,400 acres of farmland. This is the equivalent of losing 400 farms, \$32 million in farm output, and 1,400 jobs based on county averages.<sup>5</sup> One of AFT's primary policy recommendations made in this report is for policymakers to "embrace smart-growth principles to improve land-use planning." If passed, LD 1976 will enable the state and municipalities to plan for a future that includes a vibrant local food system.

AFT is a proud supporter and partner of GrowSmart Maine. This critical provision is very much in alignment with GrowSmart Maine's Building Community Strength Program. The program has identified ten communities in the state to offer a training program to support more comprehensive planning efforts. The program will also offer municipalities best practices on to consider many new and emerging trends impacting communities' ability to plan for agriculture. These trends include but are not limited to:

- how affordable housing will be built in balance with farmland protection efforts;
- how we will expand our capacity for solar without compromising prime soils and local food production;
- how will communities attract young families and provide affordable housing for seasonal workers including farm workers;
- how short term rental and accessory dwelling units fit into economic development and housing plans;
- how cities and towns can prepare for weather disasters related to climate change including flooding, drought, and more extreme heat; and
- how to mitigate losses that come with traditional economic swings.

We also support Maine Farmland Trust's soon-to-be-released Cultivating Maine's Agricultural Future: A Policy and Planning Guide for Towns (Second Edition). Both of these initiatives will advise municipalities on proactively sustaining and growing local agriculture and food systems. Furthermore, LD 1976 will encourage municipalities to use these resources and include farmers in public planning and implementation processes.

AFT and other Maine-based planning and conservation groups recognize that thinking critically about what belongs in statutes, regulations, or guidance documents is essential. We encourage Legislature and State Agencies to continue this discussion while working towards advancing the goals outlined in LD 1976. As an organization that hosts the Farmland

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<sup>5</sup> [https://storage.googleapis.com/csp-fut2040.appspot.com/state-reports/FUT2040\\_ME.pdf](https://storage.googleapis.com/csp-fut2040.appspot.com/state-reports/FUT2040_ME.pdf)

Information Center and has staff with expertise in planning for agriculture, we would welcome the opportunity to join these critical discussions.

It is important to note that not all farmland soils are created equal. AFT would recommend that the legislature include “prime and important agricultural soils and soils of statewide and local importance as identified and mapped by the Department of Agriculture, Conservation, and Forestry or the United States Department of Agriculture’s Natural Resources Conservation Service or municipality” as a “critical natural resource” listed in subsection 4-D.

USDA prime farmland is defined as land that contains an optimal combination of physical and chemical characteristics for producing various crops. It can be cultivated land, forestland, or pastureland, but is not urban or “built-up” land or water areas.<sup>6</sup> Prime farmland and soils of statewide and local importance have a dependable supply of adequate-quality water resources, either from precipitation or irrigation, favorable climate conditions and growing seasons, optimum soil chemical balances, such as acidity/alkalinity and sodium content, have few to no rocks, are permeable to water and air, are not excessively erodible or saturated (or frequently flooded), and have a low slope.<sup>7</sup>

To conclude, LD 1976 will allow municipalities to adopt a comprehensive planning approach that uplifts all voices, is place-based, promotes smart growth principles, and strives to create a quality of life that will work for all Mainers. Thank you for the opportunity to submit testimony. Please feel free to contact me, Chelsea Gazillo, at [cgazillo@farmland.org](mailto:cgazillo@farmland.org) if you have any questions about this testimony or any of the comments mentioned.

With sincerity,



Chelsea Gazillo  
New England Policy Manager  
American Farmland Trust

*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>6</sup> NRCS Prime and other Important Farmlands ([usda.gov](http://usda.gov))

<sup>7</sup> NRCS Prime and other Important Farmlands ([usda.gov](http://usda.gov))