



Solutions for a
Toxic-Free Tomorrow

Testimony of Sarah Woodbury, Vice President of Policy and Advocacy
In SUPPORT of LD 1870 "An Act to Establish a Climate Superfund Cost Recovery Program to
Impose Penalties on Climate Polluters."
May 5th, 2025

Senator Tepler, Representative Doudera and members of the Environment and Natural Resources Committee: My name is Sarah Woodbury, and I am the Vice President of Policy and Advocacy at Defend Our Health. Please accept this testimony in support of LD 1870 "An Act to Establish a Climate Superfund Cost Recovery Program to Impose Penalties on Climate Polluters," which would require climate polluters to cover the cost of climate change linked natural disasters.

These are some of the externalized costs of the fossil fuel industry that currently born by Maine tax payers. The Gulf of Maine is warming at a much faster rate than the already concerning increase in ocean temperatures worldwide, threatening our flagship lobstering industry and fueling increasingly violent and unpredictable weather. More and more often windstorms, and alternating instances of flooding and drought pose severe financial risks to our agriculture and forestry industries. The Canadian Maritime and Quebec forests have experienced huge drought-fueled forest fires in recent years, raising serious concerns about what we might see in Maine's own woodlands. Flooding linked over-flows in our low-lying wastewater treatment plants have sent unfiltered, pathogen and PFAS laden sewage cascading into our rivers and bays¹. In the winter of 2023/24 alone, Maine experienced more than \$90 million in infrastructure damage as huge rain events coupled with coastal storm surges undercut residential foundations and roadbeds, washing away houses and whole sections of coastal state highways. At times it feels like we're living in a terrible B movie from the 1990s, but its real and we're paying for it.

We're long past the point where anyone could claim that all of this property and infrastructure damage could be attributed to random natural disasters. The corporations producing and marketing fossil fuels have been aware of the impacts of unmitigated carbon emissions for many decades. All the while they have knowingly suppressed the science and poured their resources into steering our policies towards a fossil fuel drenched future, forcing us all into the current high frequency of climate disasters. Even as there is less demand for things like gas and oil for cars, the fossil fuel industry is still making record profits as they shift their focus to increasing production for plastics to bridge the gap. Last year alone, these corporations raked in

¹ Naishadham, S., Peterson, B., & Fassett, C. (2023, August 10). *Rising flood risks threaten many water and sewage treatment plants across the US*. AP News. <https://apnews.com/article/climate-change-flood-risks-infrastructure-vermont-7bd953f513035468ee74f8f7c619bb8e>



an astounding \$102 billion dollars in profits. They are getting grotesquely wealthy while forcing regular people to cover the central costs of their business model. You and I can't afford these costs. Increasingly, we can't afford it at the municipal or state level. Meanwhile the responsible parties have money coming out of their ears.

LD 1870 is a common-sense bill that builds on the successful model of the Federal Comprehensive Environmental Response, Compensation, and Liability Act, also known as CERCLA or the Superfund Law, which has been requiring polluters to pay for the impacts of their pollution since 1980. Maine is in good company with this bill. LD 1870 follows existing laws Vermont and New York, and similar bills are being considered in additional state legislatures including California, Massachusetts, and Maryland.

This bill would help cover the impacts of climate pollution by focusing on large fossil fuel corporations that emitted over a billion metric tons of carbon between 1995 and 2024, and thus would exclude locally owned and operated businesses. Payments from these corporations calculated by the state Treasurer's Office would go to a newly created Climate Superfund. The Climate Superfund would allow the state of Maine to provide disaster relief and invest in mitigation and adaptation efforts to make our state more resilient in this wildly unpredictable time. The fund would earmark 35% of the Climate Superfund for low income, environmental justice communities, for example Maine's tribal communities. These Maine communities that are too often both worst impact by climate disasters and least well positioned to recover from their impacts.

If life in an era of climate chaos feels at times like a bad movie, we know we're not going to be saved by a few photogenic heroes. We're going to get through this challenging time by working together to write, pass and enact nuts-and-bolts, commonsense solutions like those described in this bill, which will provide taxpayers much needed relief from the enormous subsidies that we're currently paying for and require polluters to start covering their own costs. We certainly know they can afford it. We urge you to vote "ought to pass" on LD 1870.