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TESTIMONY BEFORE THE JOINT STANDING COMMITTEE ON THE  
ENVIRONMENT AND NATURAL RESOURCES

NEITHER FOR NOR AGAINST LD 2141

*An Act to Direct a Portion of Unclaimed Beverage Container Deposits to the Lake Water Quality Restoration and Protection Fund, the Maine Working Farmland Access and Protection Program, and Public Defender Office Staffing*

February 4, 2026

Senator Tepler, Representative Doudera, and members of the Joint Standing Committee on the Environment and Natural Resources. My name is Craig Lapine. I am the Director of the Bureau of Agriculture, Food, and Rural Resources. I am testifying on behalf of the Department of Agriculture, Conservation and Forestry (DACF), neither for nor against LD 2141, *An Act to Direct a Portion of Unclaimed Beverage Container Deposits to the Lake Water Quality Restoration and Protection Fund, the Maine Working Farmland Access and Protection Program, and Public Defender Office Staffing*.

Our more than 7,000 farms—almost all of which are small businesses—are a \$1 billion industry and so much more. They feed us and our neighbors, preserve the open spaces highly valued by Maine residents and visitors, employ over 20,000 people, and are the economic engines of our rural communities.

To have farms, we need farmland. But both the economics of agriculture and forces like development pressure that are, strictly speaking, outside the sphere of agriculture, have put significant swaths of Maine farmland at risk. That has made farmland *protection* an important correlate to Maine's farm goals. Agricultural conservation easements are one tool the state has to directly protect farmland from conversion to other uses. Maine has set a goal to double the acreage of permanently protected farmland by 2030 (from 3.5% to 7%), but even as we have set that goal, the State has spent less than any other New England state on farmland protection. In order to reach that goal, we need more tools and targeted public investment in this critically important work.

In 2021, to help protect farmland, the Legislature created the Working Farmland Access and Protection Program (WFAPP) to "provide protection to strategically significant working farmland properties...whose continued availability to commercial agricultural businesses is essential to the long-term future of the economic sector" (7 MRS § 162(1)). Then in 2025, the

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Legislature established a separate account within the Bureau of Agriculture (7 MRS § 162(5)) that was envisioned to provide rapid delivery of resources to protect farmland that is under imminent threat. This can come about for a number of different reasons (e.g., farmer illness or injury or other unforeseen financial circumstances). We have seen this happen where a farmer may not have time on their side to navigate the federal ACEP-ALE funding program, or even to wait for a call for funding to be announced from the Land for Maine's Future program and work through its approval process.

As Maine faces continued attrition of farm businesses and farmland, it is essential that the state have every available tool to ensure that our best farmland soils, which is a finite resource, are not converted to non-agricultural use.

DACF recognizes that LD 2141 leverages a program and funding within the Department of Environmental Protection's statutes. We take no position on that specific mechanism. We do note, however, the importance of funding all available farmland protection tools, including those related to our Working Farmland Access and Protection Program. Thank you for your time. I'm happy to answer questions today and at the work session.