



Committee on Environment and Natural Resources
% Legislative Information Office
100 State House Station
Augusta, ME 04333

February 11, 2026

RE: LD 2070, An Act to Prohibit Landfill Expansion into Wetlands

Dear Sen. Tepler, Rep. Doudera, and Members of the Committee:

My name is Francesca “Ches” Gundrum and I am Maine Audubon’s Director of Advocacy. Maine Audubon is a wildlife conservation nonprofit – we fulfill our mission to “conserve Maine wildlife and wildlife habitat” by engaging people of all ages in nature through a science-based approach to education, conservation, and advocacy. On behalf of Maine Audubon and our 30,000 members, supporters, and volunteers, thank you for the opportunity to submit testimony in support of LD 2070, *An Act to Prohibit Landfill Expansion into Wetlands*.

Established in 1987, the Natural Resources Protection Act (NRPA) is one of Maine’s most important environmental protection laws. Rivers, streams, brooks, great ponds, freshwater wetlands, coastal wetlands, coastal sand dune systems, fragile mountain areas, and significant wildlife habitat have exceptional environmental, recreational, scenic, cultural, and economic value to the public and thus are all natural resources that are protected under NRPA. The law’s main goals are to prevent unreasonable impact, degradation, or destruction of these protected resources; encourage protection and enhancement of their natural functions; and manage human activities that could harm them.

With a long list of exemptions in place, whenever an “activity” (e.g., bulldozing, filling, construction of or alteration to a permanent structure, etc.) is proposed in, on, or over a protected natural resource, a NRPA permit from the DEP is required. As a reminder, there are permit-by-rule (PBR) options under NRPA that specifically apply to certain activities taking place in or adjacent to protected natural resources too. Instead of preparing an individual permit application, those activities that should not significantly affect the environment if carried out according to the standards contained in the regulations are accepted via PBRs, where a person is just required to file notice with the DEP.

This bill prohibits DEP from issuing a permit under NRPA or a license under the solid waste management laws for the altering of freshwater wetlands in connection with the expansion of a solid waste landfill. **For several reasons, Maine Audubon supports this proposal.**

Wetlands help filter pollutants, slow flooding, store water and carbon, replenish groundwater, and provide high-value habitats for a myriad of wildlife. They vary in type, size, and configuration, and

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many are quite complex, forming interconnected wetlands across the landscape. But wetlands are disappearing around the world and even here in Maine. According to the DEP's website, "*Since colonial times, over half of the wetlands in the lower 48 states have been lost due to development, agriculture and silviculture, including 20% of Maine's wetlands.*" Loss of wetlands can increase risk of water pollution, wet basements and excessive flooding, and reduce the diversity of unusual plants and animals. In the face of biodiversity loss and climate change, these habitats are more at risk and more important than ever. Wetlands also harbor incredible plant diversity and offer critical refuges for migratory birds, amphibians, fish, and other wildlife. The DEP's website also notes that "*[i]n Maine, some of the threatened species found in wetlands include, the Blanding's Turtle, the Ringed Boghaunter Dragonfly, the Sedge Wren, the Black Tern and the English Sundew.*" Wetlands are often large, interconnected systems that can be affected throughout the system, even when only a portion of the system is directly impacted. Furthermore, cumulative impacts of many small intrusions can easily degrade the entire wetland over time.

Researchers continue to demonstrate that we still do not fully understand the complex hydrology of wetlands and how wetlands intersect with surrounding uplands and other wetlands via groundwater and rainfall/snowmelt. Even under careful NRPA review, allowing a solid waste landfill to expand despite impacts to freshwater wetlands is a risk to the resource and the people around it. Landfills are well-known water contaminators as they can leak toxic leachate filled with heavy metals and other pollutants into nearby soils and groundwater, creating problems for plants, animals, and humans alike. Limiting their proximity to water – *especially systems as dynamic as wetlands* – is key to containing their environmental impacts.

For these reasons and more, prohibiting landfill expansion that could alter freshwater wetlands is a sound decision for both wildlife and human communities. **We strongly encourage the Committee to support this bill.** Thank you for your consideration.

Sincerely,



Francesca "Ches" Gundrum
Director of Advocacy