

**Testimony of Donald E. Flannery, Executive Director, Maine Potato Board to the
Agriculture, Conservation and Forestry Committee**

March 4, 2021

LD 437 – An Act To Establish the Maine Healthy Soils Program

Senator Dill, Representative O’Neil and members of the Joint Standing Committee on Agriculture, Conservation and Forestry; I am Donald Flannery, Executive Director of the Maine Potato Board (MPB) and am here today to speak in opposition to LD 437: An Act to Establish the Maine Healthy Soils Program.

We are not opposed to healthy soils, the development of a State program or having the Maine Department of Agriculture, Conservation and Forestry (MDACF) work with others to provide farmers and landowners the necessary support and technical assistance to promote healthy soils in Maine. Healthy soils are a major focus of the overall sustainability activities of our industry; we realize that healthy soils are what will allow us to remain on the farm. Our opposition is that we don’t believe this program and activities need to be put in place with legislation.

We understand that the intent of the sponsor and supporters of LD 437 is to make this a voluntary program within the MDACF; we are concerned that future Legislatures and/or administrations may make changes to the legislation and it will become regulatory. We are also concerned that once this legislation is in place the MDACF will use it as a matrix to directing current and future resources and funding to farms that “score” well in the matrix. Not all farms or farmland is the same so therefore some farmers could be excluded from the needed assistance because they don’t meet the necessary requirements of matrix. This could put a hardship on farmers needing assistance that are in the most need of that assistance.

If LD 437 becomes law as written, yes, the MDACF will be required to develop and implement a healthy soils program, but as we all know, human and financial resources within the MDACF are limited now so adding additional work without the necessary support resources to complete such work is a plan for failure. We would support LD 437 becoming a Resolve directing the MDACF to work with interested parties (UMCE, farmers, farm organizations and others) to develop a well thought out soil health program; a program that would include a plan for how technical assistance, outreach and the resources necessary would be delivered to successfully implement a healthy soil program. The MDACF would report back to this committee in January of 2022 with the completed plan, if then there are particular items that would require legislative action to implement the program, the ACF Committee could develop such legislation.

There is likely to be federal funding in the future to assist farmers to improve soil health, and we are sure that funding will require Maine to have a plan, as they do now with other federal programs, such as the Specialty Crop Block Grants. But we don’t believe that the federal government will require such a plan to be in legislation; the

Specialty Crop Block Grant plan wasn't required to be in legislation.

There has been a lot of discussion about how LD 437 ties into Maine's Climate Act Plan, and how important this work is to agriculture and all of Maine. We believe that all of the work today around Maine's Climate Act Plan has been done without any the implementation of legislation, so why is the work proposed in LD 437 any different? If the legislature, agriculture and Maine people feel the importance for the need of healthy soils, and we believe they do, they will support this effort without the need for legislation.

Again, our opposition to LD 437 isn't that healthy soils aren't important or that resources aren't needed to help farmers in Maine, we don't believe a healthy soils plan requires legislation. I will be glad to answer any questions and be part of a work session.