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TESTIMONY BEFORE THE JOINT STANDING COMMITTEE ON  
AGRICULTURE, CONSERVATION AND FORESTRY

IN SUPPORT OF LD 2013

*An Act Relating to Perfluoroalkyl and Polyfluoroalkyl Substances Contamination in the State*

March 15, 2022

Senator Dill, Representative O'Neil, and members of the Joint Standing Committee on Agriculture, Conservation and Forestry, my name is Amanda Beal. I am the Commissioner of the Department of Agriculture, Conservation and Forestry (DACF), and I am speaking in support of LD 2013, "*An Act Relating to Perfluoroalkyl and Polyfluoroalkyl Substances Contamination in the State.*"

Since 2019, the Mills' administration has been deeply involved in PFAS response within Maine's agricultural community. Through the experiences we've had to date in working with impacted farms, the Department understands first-hand that these families face an enormous burden. Urgent and difficult questions immediately arise for farmers when they learn that their farm has been contaminated by PFAS. They must navigate concerns regarding their personal health and that of their family, the health of their workers and customers, and the future of their farm businesses - and there are no easy or readily available answers.

Meanwhile, DACF, along with our colleagues in the Department of Environmental Protection and Maine CDC, as well as other organizations whose collaboration and support have been critical, are working to respond, albeit without the needed robust and coordinated leadership from federal agencies at this time. Despite these challenges, we are dedicated to trying to assist these farms and farm families to the best of our abilities. Addressing their needs continues to be one of the highest priorities within the Department's Bureau of Agriculture, Food and Rural Resources.

DACF's current efforts to assist farms include on-the-ground testing and consultation, and limited financial support. We pay for farm sampling, farm water filtration systems, the value of depopulated animals, and can reimburse some self-testing costs. We are also in the process of finalizing our efforts to create an income replacement program to support farm businesses as they undergo the process of testing and determining the scope of contamination, which can take a number of months. These efforts to date have given us insight into the complexities and nuances

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of crafting support programs, which we believe will be useful in the design of the fund envisioned by LD 2013.

In addition, we have recommended the creation of a new fund and advisory panel in our report back to the Legislature pursuant to LD 558, to enable priority PFAS research. Funding from the biennial budget and the additional funds, along with staff positions that we are requesting in the supplemental budget, allows us to offer this and other support mentioned previously. However, to be clear, it is not enough to resolve all of the challenges these farmers face now and in the future.

We believe the work to address the impacts of PFAS contamination will require robust and continuing financial support. The Department supports LD 2013's intent to create a large-scale fund to provide lasting and significant support to impacted producers and their families. We concur that financial assistance, health monitoring, research, education, data collection, and enhanced testing capacity are all critical in that effort.

The enormous scope of the fund and the complexities posed in administering it also leads us to recommend that careful consideration be given to where this fund is ultimately seated and how the administration of the fund is structured. We recognize that the fund's broad parameters go beyond agriculture and include public health, real estate, financial, legal, and scientific components that exceed our current departmental expertise and capacity. Additionally, we anticipate that the work of the Advisory Committee in assisting with the design of the administrative framework of this fund will be key to ensuring that it works well for farmers, while meeting all of the rigorous standards that must be in place to guide the distribution of public funding. Furthermore, we encourage the Legislature to appropriate resources for adequate staffing and to enable some flexibility in the design of this administrative framework, as there may be a need to involve multiple agencies and/or third-party contractors to ensure that the appropriate expertise is engaged in ongoing oversight and management of the fund.

The Department is working on crafting technical framework recommendations for the design and administration of the fund, which we will provide to the Committee for consideration prior to the work session. The framework will delineate important criteria and potential structural constructs necessary for this fund to be successfully implemented.

Thank you for the opportunity to provide testimony today. Please be assured that wherever this fund is ultimately seated, we are ready and willing to help to make it a success in any way that we can. I am happy to answer any questions now or during the work session, which Director McBrady and I both plan to attend.