



MOFGA Testimony In Support Of

LD 2013 - *An Act Relating to Perfluoroalkyl and Polyfluoroalkyl Substances Contamination in the State*

March 15, 2022

Hello Senator Dill, Representative O'Neil and members of the Joint Standing Committee on Agriculture, Conservation and Forestry. My name is Heather Spalding and I am deputy director of the Maine Organic Farmers and Gardeners Association (MOFGA). MOFGA is creating a food system that is healthy and fair for all of us. Through education, training and advocacy, we are helping farmers thrive, making more local, organic food available and building sustainable communities.

I am speaking today in support of LD 2013 - *An Act Relating to Perfluoroalkyl and Polyfluoroalkyl Substances Contamination in the State*. PFAS contamination is a threat to the health of the farmers, a threat to the businesses they have built, and a threat to our food safety.

The Legislature's ongoing work to address PFAS contamination in Maine has been formidable. You have worked hard to turn off PFAS taps, encourage research on PFAS mitigation, empower affected parties to litigate against polluters, establish maximum exposure levels in water, and more. Now LD 2013 presents an opportunity to provide direct support to farmers who are bearing the worst of the PFAS problem. This bill also will boost capacity for the state to provide technical support and research for farms so they can make informed decisions about how to adjust their business plans.

The future of Maine agriculture demands passage of LD 2013.

While the Governor's budget includes funding to address PFAS contamination, it's not nearly enough. Financial support for the initial nine farms that have reported serious PFAS contamination of water, soil and crops could easily surpass \$10 million. If the state faces the prospect of having to buy out farms in the 35 tier one areas, the cost could be at least \$50 million. All indications point to a dramatic increase in demand for financial, technical, environmental and health support for Maine's farm families who are affected by PFAS contamination. It is difficult to pinpoint the financial needs now but we anticipate that the picture will become more clear as results from state agency testing start coming back in the next month or two. LD 2013 will provide a much-needed safety net for impacted farmers. It would establish an advisory committee to oversee allocation of funding for:

- Health monitoring
- Environmental testing and monitoring
- Installing mitigation infrastructure
- Buying and selling contaminated agricultural land
- Providing technical assistance and education
- Replacing lost income



The fund also would ensure that state agencies, the University system and other stakeholders identify research projects that directly support long-term farm viability.

As you will hear today, many farmers are facing the loss of their businesses and terrifying uncertainty about the PFAS effects on their health. These farmers are heroes in their willingness to speak publicly about the PFAS levels on their farms and to proactively pull their products from the market. MOFGA is working hard to provide direct technical, emotional and financial support to these farmers and others who are learning of PFAS contamination on their farms. In collaboration with Maine Farmland Trust, we have created an emergency relief fund that will provide funding for testing, emotional support, and replacement of income loss. This issue has the public's attention and, while we are welcoming contributions from the public, we know that the funds will be gone quickly without significant support from the state of Maine.

We are encouraged by the progress that Maine has made in addressing the PFAS problem. The Department of Agriculture, Conservation and Forestry has been working tirelessly with the Department of Environmental Protection and the Center for Disease Control and Prevention. We recognize that we will only solve the PFAS problem and deliver appropriate support and justice for farmers if we work together in a coordinated and aggressive manner. We have said in many forums recently that the state must step up and take responsibility for the legacy that state-sanctioned sludge spreading has created. We have inherited a horrible situation and, though we didn't create it, we need to solve it. This Committee has the opportunity to lead and set the tone of discussion for the movement to support farmers.

We appreciate that LD 2013 establishes a plan to set priorities for allocating \$100 million in support for farmers. We have been working in collaboration with Maine Farmland Trust, Defend our Health and the Institute for Agricultural Trade Policy. You will see proposed amendments to LD 2013 in IATP's testimony, which will strengthen the bill. The funding that we would like to see prioritized in LD 2013 supports:

- Twelve-month income replacement for farmers who have had to cease production and distribution.
- Long-term health monitoring for farmers and farm workers. We recognize that many other communities will need health monitoring over time and we urge the Legislature to start working on efforts to appropriate health monitoring funds to support the broader population of Maine. Ultimately, the manufacturers of PFAS must pick up the tab but that will likely take years.
- Infrastructure to mitigate PFAS contamination on farms.
- Land replacement when land is irreparably contaminated from PFAS so that farmers can get back to farming and feeding the people of Maine.
- Research for PFAS mitigation, assessment of water contamination, food safety thresholds. Short-term research should prioritize PFAS screening thresholds in order to make informed food safety decisions. This is critical to help farmers make market decisions and sort out pivot

plans for success. Research is needed to understand how PFAS is taken up in various crops, again to help farmers plan. We also would like to see funding allocated for testing of agricultural inputs (compost, fertility amendments, etc.) and all sources of irrigation water.

- Representation of farmers, farm organizations, public health professionals and legislative expertise on the advisory committee.

MOFGA has a well-established program that has attracted young, dynamic, innovative and hard-working new farmers to start farm businesses and build a vibrant Maine agriculture. This community is extremely concerned about PFAS contamination of farmland. Our technical services staff are fielding many calls every day from farmers dealing with stress and uncertainty about whether they should test and what information they should share with their markets and suppliers. The funding of LD 2013 would provide assurance for these farmers because they would recognize that there's a safety net for them and that the state of Maine has their backs.

Thank you for your consideration of LD 2013 and I hope you will cast your vote in support.

The Maine Organic Farmers and Gardeners Association (MOFGA) started in 1971 and is the oldest and largest state organic organization in the country. We're a broad-based community that educates about and advocates for organic agriculture, illuminating its interdependence with a healthy environment, local food production, and thriving communities. We have 11,000 members, we certify more than 500 organic farms and processing facilities representing \$90 million in sales, and we are working hard to provide training and create opportunities for Maine's next generation of farmers. Each of these farmers is a Maine businessperson for whom economic health and environmental health are interdependent. While MOFGA envisions a future of healthy ecosystems, communities, people and economies sustained by the practices of organic agriculture, we attribute our success to collaboration and outreach to growers across the management spectrum.