



Wild Blueberry Commission OF MAINE

5784 York Complex, Suite 52, Orono, Maine 04469-5784

TEL: 207-581-1475
FAX: 207-581-3499

Eric Venturini, Executive Director

Testimony Neither For Nor Against LD 226

An Act To Limit the Use of Hydrofluorocarbons To Fight Climate Change

Senator Brenner, Representative Tucker, and esteemed members of the Committee on Environment and Natural Resources, my name is Eric Venturini and I am the Executive Director of the Wild Blueberry Commission of Maine, the voice of Maine's wild blueberry farms and businesses.

Our industry produces approximately 10% of all blueberries grown in the US, and near 100% of *wild* blueberries grown in the US. The Commission represents every farm that grows, and every business that processes wild blueberries in Maine.

The wild blueberry industry takes climate change seriously. We lost about half of our crop last year, primarily due to climate change-induced drought. Last year was also one where we witnessed the reality of the increasing trend in highly variable spring weather – we experienced three separate late frosts, killing flowers that should have become fruit. We live climate change. Over the past decade we have transitioned, with much help from the USDA-NRCS, from a traditional practice of burning fields to mowing instead, drastically reducing our carbon emissions. This is a crop that is never tilled, never even planted, and the management and harvest of it has been a sustainable part of the region's economy since before Maine was a state. We recognize the importance of fighting climate change and thank the Mill's administration, Representative Tucker, and others on their efforts both last year and again this year to develop this bill and others to help address climate change challenges.

We are concerned, however, about several aspects of LD 226. I hope that through this testimony and that of other farmers, if passed, the final legislation will not raise barriers to the growth and prosperity of Maine's wild blueberry farms, many of which are struggling to be profitable.

I talked to the owner of a medium sized farm last week. This farm harvests about a hundred acres each year. They recently were able to source a used freezer from a school that was undergoing renovations. This small commercial freezer doubled their ability to meet the growing demand for direct sales and allowed them to go from a break-even model of business to one of profitability. The freezer cost them \$4,000 installed, because it was used. If they had purchased a new unit, they would have paid \$16,000 to \$18,000 to purchase and install, a cost they could not have born. I thank Senator Tucker for adding under Exemption, Section B, allowances for the sale, import, export, installation, and use of products and equipment manufactured before the prohibition effective dates. However, hearing this producer's story and that of many others like them, please consider the following questions:



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Question 1. If the producer requires maintenance on their freezer at some point in the future, and that maintenance fee is \$2,001, will they be required to bring the entire unit into compliance, effectively totaling the unit and requiring complete replacement?

Under "Definitions," "R" part (2) the bill defines "New" as

Equipment that is substantially expanded or modified after the date of an applicable prohibition under subsection 2 such that the capital cost of the expansion or modification exceeds 50% of the cost of replacing the entire system of which that equipment is a part.

In the context of this bill, this language *could* be interpreted to mean that if the cost of a repair (modification) to an existing unit exceeds 50% of the cost of replacing it, then the entire system would need to come into compliance with the new standards. It also means that equipment is essentially totaled if a repair costs more than 50% of the cost of replacement. We suggest striking or clarifying the word, "modification," in the quoted text above so that this rule would not apply to expensive maintenance, but only to actual expansions. Alternatively, I suggest adding language specifically excepting maintenance of existing units.

Question 2. If instead, this producer was considering a new freezer, and planning to purchase and install at some point after this bill takes effect, how much more expensive will the fully compliant new unit be? Will they still be able to make that leap and bring their business from break even to profitability? Will the state offer funding to assist producers with any difference in cost?

California passed similar legislation in 2019, but along with the passage of the legislation created a \$1 million incentive program that provided funds to users of cooling systems to help cover the costs of coming into compliance with the new rules. We ask that Maine consider a similar fund pool to help Maine's struggling agricultural economy come into compliance with these new rules.

Last year when this bill was brought forth, the Committee was asked to delay the effective date of restrictions to 2022. The year 2020 was challenging to Maine's wild blueberry industry, as well as most other businesses across the state. Considering the challenges and the time that it will take industry to come up with greener alternatives for their insulation, coolant, and refrigerant products, we ask that this committee consider delaying the earliest effective date of restrictions to no earlier than January 1, 2023.

Senator Brenner, Representative Tucker, and esteemed members of the Committee on Environment and Natural Resources, thank you for your attention. I would be happy to answer any questions that you may have.