



Maine Legislative Updates for 2021 Session

Special thanks to Maine Farmland Trust and Ellen Griswold

The Land for Maine Future (LMF) Program

LMF is Maine's primary source for state farmland protection funding. LMF is usually funded through bonds that are allocated by the Governor. Governor Mills did include funding for LMF in her initial bond package earlier in the session. However, the state of Maine voted to include \$40 million for LMF as part of the state's FY 2022 budget. This is a huge win for farmland protection funding in Maine since the last time the state voted to fund LMF was in 2012 when voters authorized bond funding for the program. This is the first time LMF has been funded as part of Maine's State Budget. The amount of funds that will be allocated towards ME's Farmland Protection Program is still to be determined.

American Rescue Plan Funds

Maine Farmland Trust and other agriculture organizations supported the passage of [LD 1733 -- An Act to Provide Allocations for the Distribution of State Fiscal Recovery Funds](#). This bill implements the Maine Jobs and Recovery Plan, Governor Mills' plan for distributing incoming American Rescue Act funds. Within the Plan, the Mills' administration called to provide \$20 million to support agricultural infrastructure and processing projects. The Legislature passed LD 1733 and Governor Mills signed the bill into law on July 19, 2021.

Farmland Protection Legislation

This year was a historic year for farmland protection in Maine. The Maine State Legislature passed [LD 568 – An Act to Establish a Working Farmland Access and Protection Program](#) within the ME Department of Agriculture, Conservation, and Forestry (DACF).

The establishment of a Working Farmland Access and Protection Fund will designate specific funding for farmland protection projects. It also allowed the state to leverage additional federal resources through the USDA – Natural Resource Conservation Service's (NRCS) Agricultural Conservation Easement Program – Agricultural Land Easements (ACEP-ALE). The important part of LD 568 that is significant in that it establishes a Working Farmland Access and Protection Program within the Maine Department of Agriculture that will allow for a specific portion of funding to be allocated towards farmland protection projects. In addition, the establishment of this program will include more farmland protection-specific expertise in the review process for applicants that apply to the State's land conservation program – Land for Maine's Future Program.

As of the end of 2020, Maine protected 10 farms using USDA-ACEP-ALE funding and leveraged around \$1.7 million in federal funds to do so.⁵ The State also has 10 additional projects that are pending to be funded with ACEP-ALE dollars. The establishment of a Working Farmland Access and Protection Fund creates an opportunity for the state to accelerate farmland protection projects. The new Working Farmland Access and Protection program will allow the state to set aside funding that will be allocated towards LFM and earmarked for farmland protection. Additionally, this will allow the state the opportunity to leverage more of these funds through the ACEP-ALE program.

Soil Health Legislation

As Maine strives to increase local food production, increasing the adoption of healthy soil practices is of paramount importance. Farm producers that implement these climate change adaptation practices increase productivity, mitigate greenhouse gas emissions, sequester carbon, and improve the overall agricultural viability for the state's food producers and Maine's food economy. In December 2020, Governor Mills announced the completion of the state's Climate Action Plan, [Maine Won't Wait](#). This comprehensive plan provides recommendations as to how Maine can reduce GHG by 2050. Incentivizing the adoption of climate-friendly agricultural practices focusing on soil health, specifically increasing planting of cover crops and use of rotational grazing and reducing intensive tillage practices, are cited in this report as key and impactful actions the state can take to meet Maine's climate change goals.

Maine passed legislation that establishes a Healthy Soils Program at DACF. This program will aid farmers in implementing better soil health practices; provide technical assistance from both government and non-government officials; provide and facilitate farmer to farmer education on successfully implementing soil health practices; and provide funding information to where farmers can apply for grants to help support these practices. The program did not receive state funding this year; however, the program is eligible to receive private philanthropic dollars and/or federal government support as it becomes available.

Solar Siting on Farmland Legislation

As demand for renewable energy increases in Maine, solar siting on farmland has become a key way to meet the state's energy goals as outlined in the *Maine Won't Wait* plan. AFT supports accelerated solar development to reach Maine's alternative energy goals while simultaneously promoting farmland conservation. We know that with proper solar siting guidelines, our agricultural lands can play a meaningful role in hosting solar energy while maintaining active and productive farmlands. When planned properly, clean renewable energy can co-exist with Maine's agricultural sector, not displace it.

Competition between two beneficial land uses, agriculture, and solar development, delays the siting of renewable energy resources and threatens prime farmland and food systems when we take an either/or perspective. Without land-use protections built into state permitting and approval processes, rapid solar development is likely to occur. Agricultural land generally provides easy conditions for constructing and operating a solar array: flat, sunny, large parcels. We know that the first step in identifying how to protect farmland while continuing to reach our alternative energy goals is proper planning, starting with convening a robust stakeholder process.

Convened by the Governor's Energy Office and the Maine Department of Agriculture, Conservation, and Forestry, the state is convening Agricultural Solar Stakeholders to make policy recommendations that will promote renewable energy while simultaneously conserving Maine's Working Lands. American Farmland Trust's New England Deputy Director – Emily Cole was appointed to Stakeholder Group earlier this year.

The Maine State Legislature introduced [LD 856](#) a concept draft that will be carried over to the 2022 legislative session to allow for the consideration by the Legislature of some of the policy recommendations developed by the Governor's [Agricultural Solar Stakeholder Group](#).

Diversity, Equity, and Inclusion Update

As part of the state's efforts to understand and address agricultural policies that have inflicted harm on Black, Indigenous, and other farmers of color in Maine, the State Legislature and Governor Mills signed [LD 870](#) into law in early June. This important piece of legislation creates a permanent commission that will study the impacts and come up with policies recommendations that aim to “create equity in representation and access to agricultural programs, land, grants, and financing in the State to the Joint Standing Committee on Agriculture, Conservation and Forestry”

To read more about the 2021 Legislative Updates for Maine, check out:

<https://www.maineFarmlandTrust.org/2021-maine-farm-policy/>