

Maine Environment

PROTECTING THE NATURE OF MAINE



2006 Legislative Report Card for Maine's Environment

The Legislature earned mixed grades this year on actions it took to protect Maine's environment. Legislators demonstrated excellent effort and achievement in curbing mercury pollution, protecting vernal pools, and ensuring permanent conservation of Katahdin Lake. Energy legislation saw notable progress, but performance was poor when it came to boosting funds for the Land for Maine's Future program and ensuring protection of the Allagash Wilderness Waterway. These are key missed opportunities, as both go far in helping ensure our children will one day inherit the kind of Maine we know and love today.

To that end, NRCM followed all of these issues closely. We organized and delivered testimony, worked with coalition partners, lobbied legislators, and worked hard to make sure the media and public knew what all of the issues were around each of the bills.

In addition to our key issues were dozens of smaller pieces of legislation, from funding for toxic cleanup to safe cell phone recycling programs, each important to our work helping to keep Maine Maine. Our staff tracked these bills throughout the session and provided support whenever possible.

NRCM staff extend our appreciation to Maine's lawmakers and numerous agency staff who have once again put in countless hours in service to the people of Maine. We appreciate your dedication.



We especially wish to thank you, our members and activists. NRCM strongly believes in the democratic process, and we know that it only works well when people invest the time and energy necessary to learn about and take action on important issues facing our society. This sentiment is echoed, time and again, at the State House. We often hear from legislators that there is no substitute for the voices of their constituents. Your letters, phone calls, emails, and meetings with your elected officials can sometimes make all the difference.

We hope you will be as pleased as we are by the victories highlighted in this Legislative Report Card for Maine's Environment. Enjoy the beautiful Maine summer, and rest up, as there will surely be more work ahead for us next fall!

—Pete Didisheim, Advocacy Director

At a glance...

SUBJECT	GRADE
Energy Efficiency	B-
Katahdin Lake Protection	A
Allagash Wilderness Waterway	F
Land for Maine's Future	F
Mercury Thermostat Recycling	A
Banning Button Cell Batteries	A-
Protecting Vernal Pools	A



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Highlights from the 2006 Session.....

Clean Air & Energy

Mixed Record on Energy

B-



At a time when energy prices are a big concern for Maine people, the Legislature should have enacted a proposed bill that would have doubled funding for the state's highly successful Efficiency Maine program. Farmers, businessmen, school administrators, and citizens testified about the savings they have achieved through Efficiency Maine. A study sponsored by NRCM showed that Maine electricity customers would have kept \$180 million more in their pockets through 2012 with passage of the bill, but election-year politics led some lawmakers to reflexively vote against the slight increase in the existing fee that funds the program. As a result, Maine will continue to have the lowest level of energy-efficiency funding in the region. The Public Utilities Commission (PUC) was directed to come back

next year with a proposal for a possible funding increase.

In separate action, the Legislature adopted an energy bill introduced by the Governor that allows energy efficiency services to be included as part of our electricity supply mix. The Governor's bill also sets a goal of increasing renewable energy in Maine by 10 percent by 2017.

Preventing Toxic Pollution

Recycling Mercury Thermostats

A

Maine legislators, with strong support from NRCM, took another big step forward in addressing mercury pollution by enacting a law to establish a recycling program for the mercury-containing thermostats still hanging on the walls of Maine homes and businesses, putting our families at risk. In Maine, these thermostats contain 5,600 pounds of toxic mercury. Under the measure, manufacturers of mercury-containing thermostats will establish a collection and recycling program for these products with an incentive worth a minimum cash value of \$5 for each mercury thermostat brought to a state-approved collection site. NRCM was instrumental in helping this law get passed. As a result, Maine will now have the most effective mercury thermostat collection system in the country!

Banning Mercury Button Cell Batteries

A-



NRCM first brought public attention to the issue of mercury in button cell batteries in response to a telephone call from a concerned Maine grandmother. She called our office to alert us to Spiderman toys containing mercury batteries that were enclosed in boxes of children's breakfast cereal. Mercury is needlessly released into Maine's environment from the disposal and incineration of these mini-batteries, which are also commonly used in watches, games, cameras, and other small electronic devices. The law ensures that, after June 30, 2011, mercury-added button cell batteries and products containing such batteries can no longer be sold in Maine. These batteries will soon be replaced with effective and affordable mercury-free alternatives.

Make Your Voice Heard!

Join our Action Network today!

Woods, Wildlife, & Wilderness

A Legacy at Katahdin Lake

A

This bill was designed to complete Governor Baxter's vision for the "forever wild" park, which he bought and donated to the State, by adding Katahdin Lake, whose quiet reflection captures the peaks of Mount Katahdin. What should have been an easy vote became a hard-won fight. It required a two-thirds vote from the Legislature and became the target of motorized use and hunting advocates unwilling to compromise. The new law will transfer 4,000 acres, including Katahdin Lake, to Baxter State Park and will move management of 2,000 acres along Wassataquoik Stream, which will be open to hunting, to the Bureau of Parks and Lands. In addition, under the law, the State received an option to purchase another 8,000 acres east of Katahdin Lake, which will also be open for hunting. These acquisitions will be paid for through the sale of a number of scattered public lots. Forty-three acres of one of the sale lots—an area with old growth trees that abuts the Appalachian Trail and Bigelow Preserve—will be retained by the State.

Bad Waves Rock the Allagash

F

The Allagash Wilderness Waterway took a beating this session as the Legislature enacted a bill that sanctions 11 motor vehicle access points along the Waterway,



A law passed this session violates past agreements protecting the Allagash.

which is supposed to be "generally inaccessible except by trail." This new law violates both the 2002 Memorandum of Agreement and 2003 River Drivers consensus Agreement, which included provisions designed to enhance the "maximum wilderness character" of the Waterway, as required by the original 1966 Allagash Wilderness Waterway Act. The new law also changes the original Act by authorizing permanent bridges where previously only temporary bridges were permitted. Although this was the 40th anniversary year of the creation of the Allagash, it became clear that this special resource needs protection now more than ever.

Zero Funds for Land for Maine's Future

F

More and more land in Maine is being developed, closed to the public, and chopped into smaller and smaller parcels. At the same time, funding for buying public lands has dried up and was not renewed this year. In 2005, what began as a pledge for a \$50 million land bond ended in a \$12 million bond, with \$8 million designated for conservation and recreation lands. Although last year's bond passed at the ballot box with overwhelming support, partisan election year politics this year killed funding for this much-needed program. NRCM will continue to work in cooperation with other conservation groups to renew funding for land conservation.

Big Splash for Vernal Pools

A

With strong encouragement from NRCM and other conservation groups, the Legislature took an important stand this year in ratifying a set of new regulations that will protect important habitat for amphibians and birds, including waterfowl and nesting shorebirds. Most notably, the new law protects vernal pools, which are under significant threat from development, especially in southern Maine. Vernal pools are semi-permanent water bodies that are generally located in wooded areas. They are often teeming with life in the spring and fall, but may be dry during the summer. The new regulations will help ensure protection of these important habitats.



A new law protects habitats for amphibians and waterbirds, like this Mallard.

Other Bills of Interest

In addition to our highest priority bills, NRCM staff frequently testify and otherwise support bills that would protect the places, people, and wildlife of Maine. Below are the bills we supported, along with the legislative outcomes.



Adequate Funding for Toxic Cleanups

A crisis in administering the state's cleanup program for hazardous waste, biomedical waste, and waste oil was averted through passage of a bill that increased fees paid to the Hazardous Waste Fund by those entities that transport and dispose of hazardous wastes.



Clean Cars

Despite Maine's high asthma rates, increasing environmental problems resulting from automobile emissions, and soaring gas prices, the Legislature failed to providing funding to extend state tax incentives to encourage the purchase of hybrid vehicles.



The Legislature failed to provide the incentives for purchase of energy-efficient hybrid cars.



Other Toxic Compounds

The Legislature failed to take any action to phase out a flame retardant (Deca-BDE) of greatest concern to scientists. Deca levels in breast milk, blood, wildlife, and the environment continue to rise to worrisome levels. Deca has a similar chemical structure to polychlorinated biphenols (PCBs), a chemical banned decades ago due to its implication in birth defects and certain types of cancer.



Water Withdrawal

Bills that would have exempted agricultural producers and water utilities from standards to prevent excessive removal of water from Maine's streams and ponds were weakened. However, the fact that they passed at all indicates that it will be a very difficult fight to get standards in place to protect our waterbodies from the impacts of too much water withdrawal.



Cell Phone Recycling

The Department of Environmental Protection was directed to report back to the Legislature by January 15, 2007, about the effectiveness of existing cell phone recycling programs in Maine. Given the prolific use of cell phones, this action is a very important one.



Katahdin Lake



JYM ST. PIERRE

Protect Maine's Environment Become a Member of NRCM Today!

The 2006 legislative session is over, but you can still take action to protect Maine's environment by becoming a member of NRCM! With your gift of \$28 or more, you will receive:

- A one-year subscription to *Maine Environment*, our quarterly newsletter that keeps you up-to-date on our work and the challenges facing Maine's environment.
- Invitations to special events and conferences.
- A colorful NRCM decal to show your love for Maine.

But most of all, you'll have the satisfaction of knowing that you're helping to ensure that Maine's air, water, forests, and wildlife are protected, now and for generations to come.

YES, I want to help keep Maine Maine. Sign me up as a member of NRCM.

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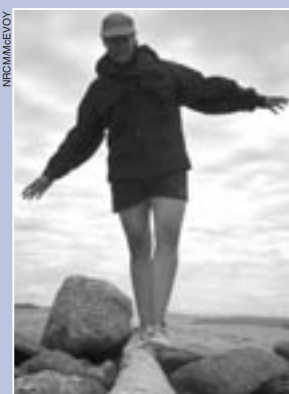
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NRCM Helps Ensure Acquisition of Katahdin Lake and Land

One of the resounding successes from this legislative session was lawmakers' vote to protect 6,000 acres of land around Katahdin Lake. The deal follows three years of careful planning, including considerable effort by NRCM staff, and will add about 4,000 acres surrounding Katahdin Lake to Baxter State Park.

Baxter State Park, encompassing 202,064 acres of wilderness that is nationally known and loved, is home to Mount Katahdin—Maine's highest mountain—and the northern terminus of the Appalachian Trail. The acquisition extends seven miles along the eastern boundary of the park and ensures that views of the Katahdin massif are accessible to all Mainers, rather than locked behind the gates of trophy homes.

The purchase cost \$14 million but involves no public money. Instead, the deal means the transfer of state-managed lots to the logging company selling the Katahdin Lake land. For this reason, the deal required legislation. Discussions among landowners, wilderness advocates, hunters, snowmobilers, and state officials were lengthy, and at times, difficult. NRCM staff were an integral part of these discussions, advocating for this deal to help complete Governor Baxter's "wilderness vision."

In addition to the 4,000 acres surrounding Katahdin Lake, another 2,000 acres will allow hunting and snowmobiling. The transaction could eventually lead to conservation of another 8,000 acres east of Katahdin Lake. This area includes more than six miles of frontage on the west bank of Wassataquoik Stream and Barnard Mountain.

Baxter served as governor from 1921 to 1924 and bought the land for Baxter State Park over a 30-year period. He donated parcels to the state from the 1930s to the 1960s. The park features 46 mountain peaks and ridges, 18 of which are above 3,000 feet, and some 175 miles of trails. "Katahdin Lake will be one of Baxter State Park's most visited spots," Governor John Baldacci predicted at a press conference in April at the State House Hall of Flags, where he signed legislation for the new acquisition.



On April 14, 2006, Governor Baldacci signed into law two bills protecting families from the dangers of mercury, with full support from the Natural Resources Committee.

Two New Bills Protect Maine Families from Harmful Mercury

At a press conference on April 14, 2006, Governor John Baldacci signed into law a bill requiring that thermostats containing mercury be recycled, the result of much hard work by NRCM staff. This is a first-in-the-nation law both because it requires manufacturers to provide a financial incentive for collected thermostats and because it requires everyone to take responsibility for safe collection of mercury thermostats.

A law passed earlier in Maine banned the sale of new mercury thermostats effective January 2006, and required wholesalers to recycle mercury thermostats taken out of service. The new law requires that all mercury thermostats be recycled. Manufacturers of mercury-containing thermostats will provide an incentive worth at least \$5.00 for each mercury thermostat turned in.

Currently, 5,600 pounds of toxic mercury is contained in old thermostats hanging on the walls of Maine homes and businesses, putting our families at risk. When removed, about 90 percent of mercury thermostats are now tossed in the trash, releasing mercury to the environment.

Mercury is a dangerous toxic metal and a potent neurotoxin. It attacks the developing brains of infants and children, causing brain damage and developmental problems, and has also been linked to health problems in adults. Maine's rivers, lakes, and streams are so contaminated by mercury that the Department of Health has issued fish consumption warnings. According to the Environmental Protection Agency, one in six women of childbearing age in the United States is at risk of having newborns with neurological problems from mercury exposure in the womb.

At the same April 14 press conference, the Governor also signed Maine's new law banning in Maine after June 30, 2011, the sale of button cell batteries containing mercury. These batteries are often used in toys, watches, games, and other small electronic devices. They are discarded when the battery dies, causing the mercury to be released into the environment from their disposal and incineration.

Within two weeks of Maine's mercury-battery bill winning unanimous approval from the Legislature's Natural Resources Committee, the industry announced that it would voluntarily eliminate mercury-added button cell batteries by the same date as the proposed Maine law. These batteries will be replaced with effective and affordable mercury-free alternatives. Maine's legislative example will help reduce mercury exposure to people across the nation by the time the law takes effect.

"With the two bills, Maine has effectively eliminated all household products that contain mercury from store shelves and the wastestream," says NRCM executive director Brownie Carson. "Maine's 'can-do' common sense approach is leading the nation in reducing the toxic mercury in our environment."

These two laws are the latest in a long series of mercury-reduction accomplishments in Maine. The Natural Resources Council of Maine has been a driving force behind much of the state's progress in reducing mercury over the last several years.



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A Call for Nominations

for the Natural Resources Council of Maine's first-ever

PEOPLE'S CHOICE AWARDS



You know him or her. That person who has worked tirelessly to protect land in your community. Or to pass legislation safeguarding Maine's environment. Or to stop polluting companies from contaminating our state. Someone who selflessly goes above and beyond to make sure future generations will enjoy the kind of Maine we all know and love.

Show them your care! Now through July 31, the Natural Resources Council of Maine (NRCM) is inviting nominations for our first-ever People's Choice Award. NRCM staff will compile the list of nominees and post it on our website, where you, your friends, and your family can vote for the person you think most deserves to be our 2006 People's Choice Award winner.

The award nominee should be an individual or group of people who has demonstrated a dedication to and passion for Maine's environment and whose actions have made a real difference by setting an example at the local or regional level or by helping protect the Maine we know and love. (Please note that we do not consider people who currently sit on a regulatory board or are in the Legislature.)

The winner will be announced in our newsletter and on our website, and will be presented with an award at our Annual Meeting on October 14, 2006. Make your nomination today, and watch for more details!

Candidate's Name

Address

Address

Telephone

Please describe below the reasons for this nomination and include the nominee's organizational affiliations. Please be as specific as possible about the nominee's accomplishments for Maine's environment.

Your name

Date submitted

Address

Telephone number

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THANK YOU!

We will notify you and your nominee, if that person is selected as the winner of the Natural Resources Council of Maine's People's Choice Award.

Please return this form to:

Allison Wells at NRCM

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