



State House from Capitol Park by Beth Comeau

MAINE Environment

2022 Report Card for Maine's Environment

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The Legislature has once again delivered big wins for Maine's environment. During the 2022 legislative session, lawmakers passed more than two dozen positive bills and spending initiatives that will help protect Maine's woods, waters, wildlife, and people, and contribute to the state's vibrant nature-based economy.

When this year's victories are added to the long list of wins during the 2019 and 2021 legislative sessions, it becomes clear that this has been the most successful period of lawmaking for Maine's environment in more than 30 years.

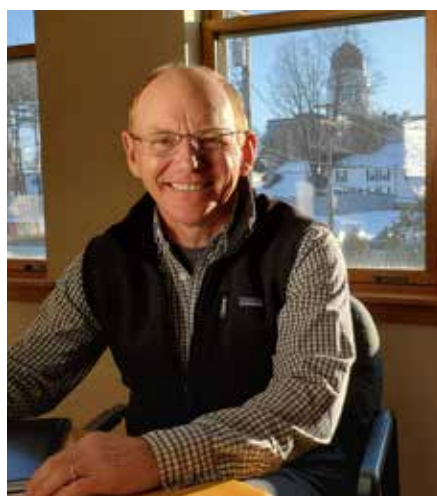
NRCM is particularly pleased with several unanimous, bipartisan votes on some of our top-priority bills. One such vote occurred when the entire Senate voted to close a loophole in Maine law that has allowed our state to become a dumping ground for out-of-state construction and demolition waste.

We also were pleased with the unanimous votes in the Maine House and Senate to increase protections for more than 800 miles of rivers and streams located in 9 Maine counties. Both chambers also provided unanimous support for a bill to expand Maine's ecological reserve system—a big win for protecting wild places.

When the legislative session began in January, we had modest expectations because so many important bills had been enacted during the previous few years. But as the session progressed, we took advantage of opportunities to work with coalition partners, the Mills Administration, and legislative allies to add significant new laws and funding to the books. For example, late in the session, our Climate & Clean Energy advocates devoted countless hours to helping turn a utility accountability bill introduced by Governor Mills into a significantly stronger and better piece of legislation. The version signed into law includes a new, landmark section requiring the Public Utilities Commission (PUC) to lead a grid planning process tied to Maine's Climate Action Plan and greenhouse gas reduction requirements. This planning process will kick off in the fall.

We're pleased that a new law will provide the Passamaquoddy at Sipayik with improved access to clean drinking water, though we share the disappointment of so many that a larger tribal sovereignty bill that garnered overwhelming public support statewide was not enacted into law.

This was another big year for legislative action to address the burgeoning problem of PFAS ("forever chemical") contamination of Maine farmlands, farmers, cattle, and drinking water. Legislators enacted a \$60 million PFAS Mitigation Fund and provided funding for testing and remediation.



Maine school districts will have access to \$2 million in grant funding to support interdisciplinary climate education programming. An additional \$3.5 million has been provided to Maine's incentive program for electric vehicle purchases.

These and other accomplishments are even more notable because it was another physically difficult session, with lawmakers having to hold public hearings via Zoom and unable to meet in person at the State House for the first few months.

As in the past, NRCM worked closely this year with our colleagues in the Environmental Priorities Coalition, comprised of 34 environmental, conservation, and public health organizations.

Thank you for your support and engagement throughout the session. Your letters, emails, and testimony on priority bills were invaluable and helped deliver another very successful year at the State House. Together, we helped protect the Maine we all love.

—Pete Didisheim, NRCM Senior Director, Advocacy

Policy Goal	Outcome
Expand Ecological Reserves	++
Close Solid Waste Loophole	++
Protect Maine Rivers	++
Grid Planning for Clean Energy	++
Climate Education	++
PFAS Action for Maine Farmers	++
Improve Tribal Drinking Water	++
Support Electric Vehicles	+
Defeat Rollbacks	+
Tribal Sovereignty	--
Solar Procurement	-

2022 Accomplishments for Maine's Environment

Protecting Wild Places



Bigelow Public Reserved Land and Ecological Reserve, by Linda Woods

The governor signed into law a bill to expand Maine's system of ecological reserves, home to some of Maine's wildest places. The original law, which NRCM helped pass more than 20 years ago, included a cap on how much land the Bureau of Parks and Lands (BPL) could designate as ecological reserves. With this update, BPL can designate more than 11,000 acres of additional ecological reserves to protect representative examples of Maine's biodiversity and habitat types. A new provision will also allow Wabanaki tribal members to gather materials on reserve lands. This new law will help ensure further progress for the state in "protecting all the pieces" of habitat types that literally define Maine.

Key Fact: Ecological reserves store roughly 30 percent more above-ground carbon than other lands in Maine on a per-acre basis.

Closing the Out-of-State Waste Loophole



Juniper Ridge Landfill in Old Town

In a victory that was more than a decade in the making, lawmakers closed a loophole in Maine law that has allowed waste haulers to dump hundreds of thousands of tons of construction and demolition debris (CDD) every year in Maine's Juniper Ridge Landfill, located in Old Town. Over the past 15 years, deliveries of CDD from out of state more than tripled, from 60,000 tons in 2008 to more than 200,000 tons annually today. This transfer of waste to Maine, mostly from Massachusetts, is equivalent to about 16 big rig trucks per day crossing into Maine. The signed bill requires increased recycling as part of the processing of in-state-generated CDD and also requires that any future expansion of a solid waste facility in Maine is not inconsistent with ensuring environmental justice for the community in which the facility or expansion is proposed.

Key Fact: In 2020, some 203,000 tons of out-of-state waste were dumped at the Juniper Ridge Landfill—the equivalent weight of two aircraft carriers.

Protecting Rivers and Streams



West Branch of the Penobscot River, by Pam Wells

In a fitting action for the 50th anniversary of the federal Clean Water Act, the Maine Legislature approved a package of water classification upgrades that will increase protection for more than 800 miles of rivers and streams. The 22 river and stream segments across 9 counties host some of the state's top freshwater habitat for native brook trout, endangered Atlantic salmon, and other species. Many of the segments will now be designated as Class AA, the most protective level of water classification available in Maine law, prohibiting dams and discharges in these waters. All the streams within Katahdin Woods & Waters National Monument will now be recognized as outstanding national resource waters with upgrades to Class AA.

Key Fact: Maine is the last stronghold for wild brook trout, with the most extensive and abundant populations in the U.S. still found in their native range.

Modernizing the Electric Grid to Support Clean Energy



Governor Mills signing the new grid planning bill into law, with several NRCM staff members present.

The governor signed into law a grid planning and utility accountability bill that requires the Public Utilities Commission (PUC) to lead a new grid planning process to modernize Maine's electrical grid for clean energy, energy storage, sophisticated energy efficiency measures, and electrification of transportation and heating. For the first time, planning for our utilities must be tied to Maine's greenhouse gas reduction requirements and Climate Action Plan. We are not aware of any other state that has this important requirement. The law also requires the PUC to establish a scorecard with metrics for evaluating performance of Maine's electric utilities, with mandatory penalties for poor performance and divestiture if a utility consistently fails to perform.

Key Fact: Central Maine Power has ranked dead last for four years running in a residential customer satisfaction survey by J.D. Power.

Investing Big in Climate Education



Maine lawmakers funded grants to school districts for climate education.

Lawmakers allocated \$2.09 million in funding for grants to school districts to boost interdisciplinary climate education through teacher training, professional development, and pilot programs. The bill also allows the Department of Education to receive funds for these purposes from other public and private sources. This bill was a big win for a broad-based coalition involving the Environmental Priorities Coalition, Maine Science Teachers Association, Maine Environmental Education Association, Nature Based Education Consortium, Maine Youth for Climate Justice, and more.

Key Fact: If 16 percent of high school students in high- and middle-income countries received climate change education, the result would be a nearly 19 gigaton reduction of carbon dioxide by 2050, according to a February 2020 research paper published in the journal *PLOS ONE*.

Multi-Prong Response to PFAS "Forever Chemicals"



The Legislature took strong action to protect farmers and their lands from "forever chemical" contamination.

Lawmakers took a broad range of actions this year to address the growing threat caused by PFAS chemicals, including creating a \$60 million fund to address public health and economic impacts caused by the spreading of PFAS-contaminated sludge on agricultural lands. The Legislature banned the spreading of sludge or compost material from any municipal, commercial, or industrial wastewater treatment plant or septicage system, and banned the sale or distribution of pesticides to which PFAS chemicals were intentionally added. The supplemental budget also included more than \$6 million to state agencies for testing, analysis, and mitigation of PFAS.

Key Fact: Maine state agencies have identified 700 sites across the state that may have been contaminated with PFAS when sludge, septic tank sewage, and industrial wastes were spread as fertilizer.

2022 Accomplishments for Maine's Environment

Improving Drinking Water for Passamaquoddy Tribe



Passamaquoddy clean water rally at the State House, by M.Sturm/NRCM

The governor signed into law a bill that will provide the Passamaquoddy Tribe at Sipayik with more control over drinking water supplies, which for years have been contaminated. The new law enables the Tribe to seek alternative, clean water sources on tribal land without State approval and gives the federal government primary regulatory authority over water for the Tribe. New water sources, and a new filtration system scheduled to come online this summer, should improve water quality for the Tribe.

Key Fact: More than 200 people delivered or submitted testimony in support of this bill to improve access to clean drinking water for the Passamaquoddy Tribe at Sipayik.

Boosting Electric Vehicles



An infusion of new funding will help boost EV ownership in Maine.

The Legislature allocated \$3.5 million to the Efficiency Maine Trust for the state's electric vehicle (EV) incentive program. This is an important infusion of new funding that will help boost EV ownership in Maine, which is more important now than ever given the high cost of gasoline. Lawmakers also enacted a bill establishing a goal that 50 percent of new light-duty vehicle purchases for the state government fleet be plug-in hybrid or zero-emission by 2025, and 100 percent by 2030. The measure set a goal for county and municipal governments of having 100 percent of their light-duty vehicle acquisitions be plug-in hybrid or zero-emission vehicles by 2035.

Key Fact: Global sales of electric vehicles rose by 160 percent in 2021, with more than 10 million electric cars now in use globally.

2022 Legislative Setbacks

- Tribal Sovereignty Bill Stalled

Although a historic bill to recognize the sovereignty of the Wabanaki received overwhelming support during public hearings, the legislative session ended without the bill being enacted into law. While we are heartened by progress on other bills supported by Wabanaki Tribes, we share the disappointment of so many that the sovereignty bill was not enacted. We remain committed to working with the Wabanaki Alliance and other allies to advance this goal in future legislative sessions.

Key Fact: Close to 1,700 people submitted testimony and more than 100 people delivered testimony to the Judiciary Committee in support of the tribal sovereignty bill.

- Missed Opportunity for Solar Energy

During the final day of the session, lawmakers fumbled a bill that could have provided hundreds of megawatts of low-cost, grid-scale solar energy to Maine. The bill would have resulted in hundreds of millions of dollars of additional investment in renewable energy, at a cost per kilowatt that would have been well below other sources of power. The bill also called on the PUC to give extra consideration to projects that would be sited on lands contaminated by PFAS. The Senate adopted one version, while the House split its votes across multiple versions, causing the bill to "die in non-concurrence" between the chambers. As a result, Maine will not receive the investment, construction jobs, or pollution reductions that this solar procurement bill promised to deliver.

Key Fact: The cost of utility-scale solar energy systems has dropped 82 percent since 2010.

Additional Legislative Victories



Acadia National Park by Erin Walter

+ Launching the Maine Climate Corps

The governor signed into law a bill to create and provide initial funding (\$231,310) for a Maine Climate Corps Program to address climate challenges at the local level through community service. The law builds on recommendations of the Maine Climate Corps Report, submitted to the Legislature in January.

Key Fact: The Civilian Conservation Corps (CCC), established by the U.S. Congress in 1933, employed three million people during the Great Depression, supporting conservation projects nationwide that included construction of trails and the Blackwoods and Seawall campgrounds in Acadia National Park.

+ Plastic Bottle Recycled Content Standards

Maine has adopted new requirements for recycled content that must be included in plastic beverage containers. Starting in 2026, plastic beverage containers sold in the state must include at least 25 percent post-consumer recycled content; starting in 2031, such containers must have at least 30 percent recycled content. These requirements will help support Maine's bottle bill and other recycling programs by guaranteeing demand for recycled plastic, while also reducing demand for new plastic.

Key Fact: Only about 9 percent of plastic waste worldwide is recycled, while 19 percent is incinerated and almost 50 percent ends up in landfills. The remaining 22 percent ends up in uncontrolled dumpsites, burned in open pits, or tossed into the environment.



Alewives are one of many fish species that benefit from dam removal. Photo by David Wilkins

+ Effort to Block Dam Removals Defeated

A bill that would have blocked science-based river restoration projects, including through selective removal of obsolete and harmful dams, was amended into a relatively innocuous study bill. This change in the bill was critically important, since selective removal of obsolete and harmful dams have resulted in some of Maine's most important environmental success stories as millions of sea-run fish have returned to freshwater spawning habitat, in some cases for the first time in more than 200 years.

Key Fact: As of February 2022, an estimated 1,957 dams had been removed in the United States since 1912.

+ Equity in Regulatory Decision-Making

In response to a report by the Equity Subcommittee of the Maine Climate Council, the Legislature passed a bill that will increase the diversity of those who participate in PUC proceedings. This goal will be achieved through a change in intervenor funding provisions. The bill also requires the DEP to develop rules to ensure that individuals in "environmental justice populations" and "frontline communities" are provided with fair and equitable access to DEP decision-making. In drafting these rules, the DEP must take into consideration median household income, race, ethnicity, and English language proficiency.

Key Fact: The following eight states now require or explicitly authorize utility regulators to consider equity as part of their energy-related decision-making: California, Colorado, Illinois, Maine, Massachusetts, New York, Oregon, and Washington.



Cobbesseecontee Lake in Monmouth, by Allison Wells

+ Sharpened Focus on Threats to Maine Lakes

The Legislature enacted a bill to expand the membership of an existing Interagency Task Force on Invasive Aquatic Plants and Nuisance Species. The group is charged with additional responsibilities as well, including identification of possible legislation to address the threat to Maine lakes from invasive species. The Task Force is required to involve stakeholders in its work and produce a biennial report, with the first report due by January 15, 2023.

Key Fact: A small fragment of an invasive water plant such as Eurasian milfoil can form roots, grow into a new plant, and expand rapidly to infest a lake.

2022 Report Card for Maine's Environment



Now Accepting Nominations for NRCM's 17th Annual People's Choice Award

Help us honor someone (or a group) who has volunteered their time to protect Maine's environment. Someone who has gone above and beyond to protect a special place, or helped pass an environmental safeguard, or worked to stop polluting companies from contaminating our state. Someone who has devoted their time and effort to making sure future generations will be able to enjoy the kind of Maine we know and love today.

We're accepting nominations for our People's Choice Award through **Friday, August 19**, so get your nomination in today! NRCM will compile the nominees and post finalists on our website, where, from **Monday, August 29** through noon on **Monday, September 19**, you, your friends, and your family can vote for the person you think most deserves this year's People's Choice Award. (**Please note:** We cannot consider someone who currently sits on a regulatory board or is in the Legislature, or who is or was serving in a paid position while carrying out the work for which you feel they should be nominated. The People's Choice Award honors volunteers.)

Please fill out this form or visit our website (www.nrcm.org) to nominate someone today. The winner will be presented with the award at NRCM's Conservation Leadership Awards special event this fall. If you have questions or would like more information, please contact Beth Comeau at beth@nrcm.org or (207) 430-0106.

Candidate's Name _____

Address _____

Telephone _____

Please describe below why you believe this person deserves the 2022 People's Choice Award (include any of the nominee's organizational affiliations). Be as specific as possible about this person's accomplishments for Maine's environment. Use a separate sheet if you need more space.

Your name _____

Address _____

Telephone _____

Email _____

Thank you! We will notify you and your nominee if that person is selected as a finalist for NRCM's People's Choice Award. Please return this form to Beth Comeau, NRCM, 3 Wade Street, Augusta, ME 04330-6317. You can also nominate online at www.nrcm.org.

New in the NRCM Blogosphere

- ➔ **Deciphering the Mystery of Two Look-Alike Flycatchers** In their latest "Birding with Jeff and Allison" blog, NRCM's bird experts provide insight into how to tell the subtly beautiful Willow Flycatcher from the look-alike Alder.
- ➔ **What I Learned from Installing Wood Heat** Forests & Wildlife Director Melanie Sturm describes the reasons why the move to wood heat was right for her family.
- ➔ **My EV Roadtrip from Los Angeles to Maine** NRCM member Peter LaFond shares his adventure driving across the country in his Kia EV6—and reminds us all that it's just a car, not a spaceship!
- ➔ **Building Enduring Power to Strengthen Maine's Environment** Regional Outreach Coordinator Marc Edwards and Outreach Director Emmie Theberge talk with CEO Lisa Pohlmann about NRCM's commitment to invest resources, including additional staff capacity, to expand on our long history of partnering with people across Maine.
- ➔ **Sure Signs of Spring at Big Eddy Campground** NRCM Rising Leadership Team member Sarah Sindo shares insights and beautiful photos from Big Eddy Campground near Baxter State Park.



Peter LaFond



Pam Wells

➔ **Vicious Vermin or Rodent Regulator?** In this month's "Critter Chatter" blog, NRCM member Jayne Winters writes about Don Cote's rehab of a weasel at his Duck Pond Wildlife Rehab Center in Vassalboro.

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we need to do our work every day and keep you informed. If you are not yet a member, please consider joining us. We invite you to check our website for a giving level that is right for you at nrcm.org. Thank you!

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