City of Biddeford
Conservation Commission

June 26, 2024 at 6:00 PM
City Hall Council Chambers & Zoom

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Meeting ID:
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1. Adjustment(s) to Agenda
2. Secretary Report
3. Presentations/Discussions
   - 3.a Budget Stautus (post data logger purchase)
   - 3.b Water Quality Update
   - 3.c Capstone Recording Update
   - 3.d Map 1, Lot 9
   - 3.e Recommendations to the Policy Committee Regarding Clifford Park Easement
   - 3.f Climate Cluster
4. New Business
5. Other Business
6. Adjourn

NBA CHAMPION CELTICS already looking ahead to another title next year / **D1**

$3.00
Wednesday, June 19, 2024

Portland Press Herald

pressherald.com

WEATHER: **Hazy, hot and humid High near 95** Details, B6

Climate council says latest projections call for urgency

As global temperatures warm, weather patterns shift and sea level rises, a Maine Climate Council study considers the current and future toll on the state's public health, natural resources and economy.

By PENELOPE OVERTON
Staff Writer

Maine must pick up the pace of climate preparations by redoubling its efforts and opening up its wallet to prepare for the warmer, wetter, stormier future that scientists say, in many cases, is already here, according to the Maine Climate Council.

One council member after another emphasized the urgency of the climate crisis at its Tuesday meeting, where the council received a 268-page climate science report and proposals on how to cut emissions to soften the blow and prepare the people, economy and natural places for what is coming.

THE HOT TAKE: The past four years in Maine have ranked among the 10 warmest on record. Temperatures will rise 2–4°F by 2050 and up to 10°F by 2100.

"We are in a fight against the climate," said Linda Nelson, a council member and the economic development director in Stonington. "We have blown past mitigation where I live. All we can focus on is adaptation. Pick yourself up, dust yourself off. It's nice to say that, but that adaptation, well, that is really difficult."

Council members heard that Maine has met some of the goals in the state's 2020 climate action plan, such as installing 100,000 heat pumps by 2025, and is well on its way to meeting others, like carbon neutrality by 2045. But it has fallen behind on others, like conserving 30% of its lands by 2030.

"This is a really big goal," said Amanda Beal, the commissioner of the Maine Department of Agriculture, Conservation and Forestry. "When we

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Gregory Rec/Staff Photographer

A wave breaks against a sea wall in front of homes along Wells Beach in January. This week, a heat wave has swept into Maine and **Portland won't be spared, B1**

SEA DOGS TIP CAPS TO DEAF COMMUNITY

Wearing special American Sign Language jerseys, the Portland minor league baseball team will pay tribute Wednesday to a tight-knit Maine group devastated by the Lewiston mass shooting.

Photos by Shawn Patrick Ouellette/Staff Photographer

Chris Cameron, VP of communications and fan experience, shows off the American Sign Language-designed jersey that spells out Sea Dogs. The jerseys will be auctioned off.

By ELLA SPITZ
Staff Writer

The Sea Dogs will be back playing home games in Portland this week, but they won't be wearing their usual jerseys when they take the field Wednesday.

The name "Sea Dogs" that stretches across the players' chests will be spelled out in red hand icons of the American Sign Language alphabet rather than in the team's standard red bubble letters.

The jerseys were specially made for the Sea Dogs' Deaf and Hard of Hearing Awareness Night Wednesday.

Sea Dogs Vice President Chris Cameron said the team has been planning this night since the day after the mass shooting in Lewiston October. Four deaf people were among the 18 people who were killed and five deaf people were among the 13 who were injured.

■ Lack of ASL interpreters at Portland Pride festival angers some in Deaf community / ***B1***

The immediate aftermath of the shooting also revealed major problems and gaps in communication with the Deaf community. Sign language interpreters were kept out of hospitals and not present at news conferences for the first few hours after the shooting, making it almost impossible to get accurate information out to family and friends of victims.

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Liz Seal, the widow of mass shooting victim Josh Seal, sits with her children at their Lisbon Falls home. From left, they are Jayson, 13; Jaxton, 4; Sephine, 10; and Jarrod, 6. Seal and her family plan to attend the Sea Dogs' Deaf and Hard of Hearing Awareness Night on Wednesday. Proceeds of an auction will go to the Dirigo Experience, the camp for Deaf children that Josh Seal founded.

Yet another $5 a month hike OK'd on average CMP bill

Regulators approve a nearly 50% increase in the amount Central Maine Power is paying for solar subsidies mandated by the state.

By STEPHEN SINGER
Staff Writer

Monthly bills for Central Maine Power Co. customers will go up by another $5 after state regulators on Tuesday approved the utility's second rate increase in a week.

The rate hike is to cover a nearly 50% increase in the amount the utility pays solar developers. State law incentivizes utilities to subsidize certain solar projects to further Maine's climate goals and reduce greenhouse gas emissions.

THE HIGHER RATES, which take effect July 1 and extend through June of next year, follow a roughly $10-a-month increase the Maine Public Utilities Commission authorized last Tuesday.

The higher rates, which take effect July 1 and extend through June of next year, follow a roughly $10-a-month increase that the Maine Public Utilities Commission authorized last Tuesday. That rate hike was to reimburse CMP for $220 million it spent to restore power after destructive storms last year and in 2022.

More increases could be authorized later this month, though they would have a much smaller impact on ratepayers' monthly bills if approved.

This week's rate increase allows CMP to bring in $179.3 million over the next year to pay solar developers. That is a 47% increase from the $91.1 million the utility now collects from ratepayers.

The difference this time is the

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Report backs more state funding for health support workers

The Maine Center for Economic Policy recommends that home health aides and long-term care staff be paid at least 140% of minimum wage, or $19.80 per hour.

By JOE LAWLOR
Staff Writer

Emily Curry worked for 28 years providing care to people who needed it. She said she would still be in the field now – working jobs like caring for people with intellectual disabilities – if wages, benefits and working conditions were better.

But she said low pay and concerns about her own health – trying to work a physically demanding job while having multiple sclerosis – forced her to switch careers.

Similar decisions are being made by many members of what's known as the direct care

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Gregory Rec/Staff Photographer

Emily Curry had been employed in direct care but left the field because of low pay and benefits. She now works for Intermed in Portland as a medical records professional.

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CLIMATE

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first set this the first time around, we didn't really have time to dig down into finding out what it would take to get there, what it would take to do that."

CONSERVATION EFFORTS

Maine currently has conserved about 22% of its 21.3 million acres. Since adopting a climate action plan, Maine has increased conservation efforts to protect habitat, and increase carbon storage and recreation. But at 50,000 acres a year, the state won't achieve its 30% goal until 2047.

The Natural Lands Committee urged Maine to downsize its goal and commit instead to 1.5 million more acres by 2030. The new goal still requires Maine to step up its game – at current rates, it may take Maine 11 years to hit it – but is much more feasible.

To do that, the committee recommended creating a permanent conservation fund to generate about $50 million a year through mitigation funds; real estate transfer taxes; outdoor goods, room or meal taxes; and resource conservation funds.

A look "under the hood" shows that Maine is even worse at protecting agricultural lands, Beal said. Only 3.5% are protected. The committee wants to double the undeveloped farmland protected by 2030, which it estimates would cost about $20 million annually. It has not yet come up with a funding mechanism.

Some committees want to expand on goals Maine already has met to extend their benefits to new groups.

The buildings committee, for example, wants to create heat pump installation and weatherization goals for low-income households. By 2030, Maine should have 32,000 heat pumps in low-income homes and have 10,000 low-income homes weatherized.

Heat pumps and weatherization are two of the council's most popular energy savings programs.

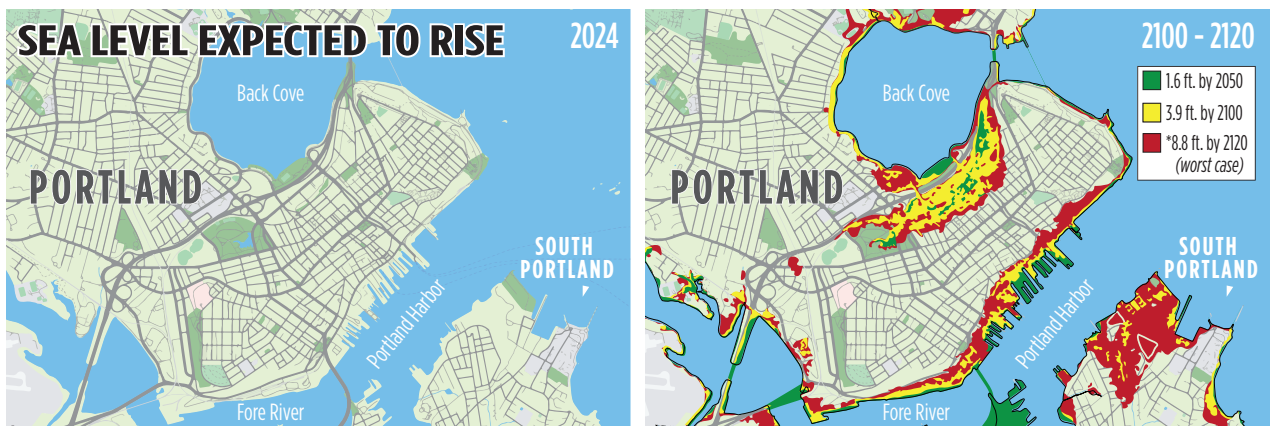
Some groups recommended new goals in light of new evidence of the damage a changing climate can do.

The coastal and marine working group called for the creation of a $100 million fund from bonds, budget surpluses or federal funding to prepare the coast for the devastating one-two punch of extreme weather and sea level rise. That power was on display in back-to-back winter storms in January.

"We all have very vivid memories," said Curt Brown, a lobsterman and biologist with Ready Seafood in Saco. "For me, it was the first time I've ever seen water come up over Deake's Wharf where I keep my boat, and the flood of images from around the coast of docks literally getting washed away."

Maine scientists delivered their latest temperature, precipitation, sea level rise and storm predictions to the council, offering a broad assessment of changing conditions in Maine and what the state can expect as global temperatures rise and weather patterns shift.

Armed with the latest science, the council aims to build on the goals of its first plan, Maine Won't Wait, which included installing 100,000 heat pumps by 2025, having 219,000 electric cars on the road by 2030, and achieving carbon neutrality by 2045. An updated climate action plan is due Dec. 1.



SOURCE: Maine Geological Survey

STAFF GRAPHIC | JAKE LAWS

KEY TAKEAWAYS

Here are the key takeaways from The Scientific Assessment of Climate Change and Its Effects in Maine:

■ MAINE IS GETTING WARMER AND WETTER: The past four years in Maine have ranked among the 10 warmest on record. Winters are warming the fastest. The average temperature will rise 2-4 degrees by 2050 and up to 10 degrees by 2100. Rain is increasing overall, with more intense downpours.

■ INCREASED WEATHER EXTREMES: Dry periods will become drier and wet periods will get wetter. The 2020 growing season was the driest on record; the summer of 2023 was the wettest. Winter storms will become more intense.

Gregory Rec/Staff Photographer

Don Meskie records waves breaking over a sea wall in front of homes on Wells Beach during a stretch of wet and powerful storms in January.

■ HUMAN HEALTH IMPACTS: Climate change poses a health risk to Mainers through extreme weather, increased heat stress, illnesses transmitted by ticks and mosquitoes, increasing airborne allergens like pollen, and mental health impacts. Food security is also at risk.

■ SOCIAL AND ECONOMIC IMPACTS: Climate change hurts Maine's economy by disrupting tourism and natural resource industries like fishing, farming and forestry. Homeowners are predicted to see the second-largest home insurance rate increase in the country in 2024.

■ VULNERABLE POPULATIONS: Elderly, low-income or rural Mainers are more vulnerable to the negative effects of climate change. Middle-aged men who work in a natural resource industry like fishing or forestry are especially vulnerable to heat-related illnesses.

■ SEA LEVEL RISE AND COASTAL STORMS: Sea levels are rising faster than ever before, with record-high sea levels measured along the coast in 2023 and 2024, but scientists say Maine should keep preparing for 1.5 feet of sea level rise by 2050 and 4 feet by 2100.

■ MARSH LOSS AND EROSION: Rising seas threaten coastal marshes, which provide habitat, storm protection and carbon storage. They have nowhere to migrate due to development and are at risk of inundation. Coastal bluffs and sand beaches are also at risk of erosion.

■ MARINE IMPACTS: The Gulf of Maine is warming faster than 97% of the world's oceans. This disrupts the food web, leading to declines in high-value catches like lobster. By 2050, ocean acidification will make conditions unfavorable for shell growth for most of the year.

■ AGRICULTURE: Increased weather variability, such as early springs punctuated by late frosts, is hurting crop yields. Warmer temperatures mean longer growing seasons and offer some opportunities for new crops, but also introduce new risks from pests and diseases.

■ BIODIVERSITY: Climate change is contributing to local species extinctions: for example, a quarter of Maine's at-risk butterflies are threatened by climate change. Habitat protection is lagging. Maine is 17 years behind its goal of conserving 30% of its lands by 2030.

■ FOREST MANAGEMENT: Maine's forests sequester immense amounts of carbon, but are susceptible to climate-driven threats like warm-weather disease and pests. Management practices must evolve to maintain forest health and optimize carbon storage capacity.

■ FRESHWATER RESOURCE MANAGEMENT: Increased frequency and ferocity of floods from heavy rains will erode stream banks, reshape stream channels and will accelerate the spread of invasive species. Saltwater intrusion and inundation are coastal threats.

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CMP

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billed amount is a pass-through payment to solar developers in what's known as net energy billing. The rate recovery program is a feature of state law and minority Republicans in the Legislature blamed Democrats for the higher electricity costs. At a State House news conference, Senate Minority Leader Trey Stewart, of Aroostook, said Democrats sent "hundreds of millions of dollars to out-of-state and out-of-country solar developers."

"Your bill is going to go up," he said. "And when it does, if you're represented by a Democrat in the Legislature, send them a thank-you note. It's their fault."

Republicans have unsuccessfully tried to make the policy "much more reasonable, much more market-based instead of five, six times what the going rate is … " Stewart said. "There's no reason to continue this incentive."

Before 2019, eligibility for net energy billing was restricted to very small generators due to opposition from then-Gov. Paul LePage and many Republican lawmakers. Democrats and Gov. Janet Mills changed the rules in 2019, directing utilities to buy power from solar projects with up to 5 megawatts of capacity at fixed rates.

The changes led to growth in community solar projects, but also sparked complaints about rising costs. Legislation last year reduced the size of projects eligible for net billing to 1 to 2 MW of capacity from 5 MW.

Rep. Gerry Runte, D-York, a member of the Legislature's Energy, Utilities and Technology Committee, said in an interview that he does not believe lawmakers will change the net billing program again when they return to Augusta next year. "You can't have a market if every Legislature overrules itself," he said.

He cited an April 1 cost-benefit analysis of Maine's solar program that calculated expenses in 2023 for solar projects of about $104 million and benefits that were nearly $142 million. Benefits, Runte said, include solar power displacing natural gas, an expensive source of energy, and wire improvements paid for by solar developers.

"The benefits are real and genuine," he said. "They're not seen."

Sen. Mark Lawrence, D-York, chair of the Energy, Utilities and Technology Committee, said the Legislature and Gov. Janet Mills this year enacted legislation that requires the PUC to include benefits of net energy billing in setting rates. "There will always be costs, but the legislation factors in benefits in rate setting," he said.

Manufacturers, energy developers and the Maine Renewable Energy Association filed comments opposing the new rate. The renewable energy group said regulators have not established an efficient process for arriving at an "equitable rate design consistent with state law." It said the state Office of Public Advocate and Efficiency Maine Trust, which administers state energy efficiency programs, are the only ones that support the PUC's decision.

"All other parties remain opposed for reasons of basic fairness and statutory interpretation or declined to join the (decision)," the Maine Renewable Energy Association said.

Commissioner Patrick Scully said support for the decision by CMP, the Office of Public Advocate and Efficiency Maine "reflects a sufficiently broad spectrum of interest such that there is not an appearance or reality of disenfranchisement."

Objections also were raised by renewable energy companies. Brookfield White Pine Hydro LLC and Rumford Falls Hydro LLC said PUC approval of the new rate "will only exacerbate the already seriously adverse, inequitable, unjust and unreasonable rate shock being experienced by Brookfield and similarly situated ratepayers."

The Industrial Energy Consumer Group, which represents manufacturers and other large users of electricity, said the rate approved in June 2023 to collect revenue for renewable energy "continues as a matter of law" and is "just and reasonable."

Any rate change can only be made following a formal rate design proceeding, the IECG said.

Scully and PUC Chairman Philip Bartlett said delaying a decision would push millions of dollars in current costs into the future, exposing ratepayers to even higher costs.

The Office of Public Advocate said that because regulators are following state law, denying recovery of the costs "would, in most circumstances, constitute an unconstitutional confiscation."

The IECG responded by saying regulators and the Public Advocate "seem to be more concerned about hypothetical harm" to the utilities "than to more than $300 million" in net energy billing costs ratepayers.

The PUC soon will open a proceeding to evaluate the April 1 cost-benefit analysis of Maine's 2023 solar energy market. In addition to examining net energy billing, the review will consider if the PUC may consider whether utilities can make money from solar programs that can offset costs, Scully said.

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HEALTH

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workforce, according to a report by the Maine Center for Economic Policy. The progressive think tank released a report Tuesday that recommends Maine's government boost the pay of direct care workers to help alleviate the workforce shortage.

"It's like night and day," Curry said, when comparing her current job as a medical receptionist at Intermed in Portland to being a direct care worker. "I work in the most supportive environment with the most amazing people. I have weekends and holidays off. It was amazing seeing my family for Thanksgiving and Christmas last year."

Curry, 51, of Portland, said she now earns $21 per hour, compared to $18.45 per hour in her last job, which she quit last year, at an assisted-living facility. Her current job is less stressful, but she would have stayed in direct care if she could have received better pay and working conditions.

The Maine Center for Economic Policy contends that low pay and difficult working conditions in the direct care workforce is leading to a host of problems with being able to deliver MaineCare services, including at group homes for people with intellectual and developmental disabilities, nursing homes and long-term care facilities, home health care, and other direct care workers.

MaineCare, Maine's name for Medicaid, pays for most direct care services for people with disabilities. The nonprofits that provide the services rely on reimbursement rates to set their wages.

"The reimbursement rates in general are not keeping up with the costs," said Arthur Phillips, economic policy analyst with the Maine Center for Economic Policy and author of the report. "Many direct care workers are deeply committed to the work, but the pay is making it next to impossible to remain in the field."

Maine needs to hire an additional 2,300 full-time direct care workers – there are currently about 24,000 such workers in Maine – to meet existing needs, according to the report. With Maine's aging demographics, demand for direct care workers is only expected to climb over the next decade.

PAY IS AN ISSUE

At a minimum, Phillips said, to be competitive, Maine must improve MaineCare reimbursement rates enough to allow nonprofits to pay their workers 140% of minimum wage. Currently, Maine reimburses at 125% of minimum wage, which was a recent improvement, but not enough to attract workers, Phillips said.

With state the minimum wage at $14.15 per hour, 140% of minimum wage would be $19.81 per hour, while the current reimbursement rate of 125% of minimum wage supports average wages of $17.70 per hour.

Phillips said similar entry-level jobs, such as for cooks, customer service representatives, administrative assistants and janitors, currently pay on average $1.92 more per hour than direct care workers earn.

Current conditions have led to lengthy wait lists for services, people getting less services than they need and the closure of nursing home that can't retain staff, Phillips said. Some wait lists for certain services for adults with intellectual disabilities are between six and seven years, according to the report. Low reimbursement rates were cited as a reason for closing a group home program for children and young adults with intellectual disabilities at the Morrison Center in Scarborough.

Maine has closed 19% of its nursing homes since 2011, according to the report, and is now down to about 80 operating nursing homes.

The Mills administration has worked to increase funding for nursing facilities and long-term care operators, said Lindsay Hammes, spokesperson for the Maine Department of Health and Human Services.

STATE ACKNOWLEDGES CHALLENGES

"Recruitment and retention of direct care workers is an ongoing challenge in Maine and nationally," Hammes said in an email. "Their work is central to keeping people in their homes and communities while providing accessible, high-quality services to help people stay healthy and fulfill their personal goals.

"The department is investing in nursing facility reimbursement as part of its MaineCare rate reform plan and it has increased average rates by more than 50% since 2019. Funding in Gov. (Janet) Mills' supplemental budget, combined with $29 million appropriated last year, yields $39 million in fiscal year 2025 for nursing facilities and $49 million once annualized through the next budget process.

"These nursing facility rate reforms will support the direct care workforce, incentivize permanent staff, and promote quality care and positive health outcomes for Maine residents who live in nursing facilities."

Hammes also pointed out that the numbers of people receiving direct care in private homes or long-term care facilities has grown significantly since the pandemic.

Ben Hawkins, public affairs director for the Maine Health Care Association, which represents long-term care facilities, said that while they haven't analyzed the 140% of minimum wage proposal, if enacted it "would be very helpful."

"The reimbursement rate has not gone up enough to keep up with supply and demand issues," Hawkins said. "$19.80 would be very meaningful for some workers."

Curry, who has worked in group homes and assisted-living facilities, said she would have stayed in the field, but eventually she needed to switch careers because of the low pay and long hours in a job that was becoming too physically demanding with her multiple sclerosis.

"It's one of the most important jobs in the world," Curry said of caring for people with disabilities. "It was a good feeling at the end of the day knowing I made a difference in people's lives."

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AT A GLANCE

DIRECT CARE WORK is a broad category of health support services. Here is the state's legal definition:

DIRECT CARE WORKER includes but is not limited to a direct support professional, residential care specialist, behavioral health professional, personal support specialist, mental health support specialist, mental health rehabilitation technician, behavior specialist, other qualified mental health professional, certified residential medication aide and registered medical assistant and other direct access workers or direct care workers.