

Public Participation in Maine's Environmental Policy:

Opportunities to Strengthen Inclusivity

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ABSTRACT

Maine is known for its progressive approach to environmental policy in part due to the state's historical dependence on natural resources and rich biodiversity. Mainers engage in local politics: testifying at public hearings, contacting their elected officials, and submitting public comments. Participation helps create policies that reflect the will of the people, ensure that those affected by policies are able to voice their support and concerns, and safeguard against special interest groups dominating policy construction. However, our analysis of the public comments on three recent pieces of environmental legislation—LD 1679, LD 1541, and LD 294—suggest there is room for improvement. We argue that political participation in Maine could be strengthened through greater inclusion of rural and Indigenous populations to ensure that the state continues to lead in environmental policy.

forestry, we chose these particular pieces of legislation based on the team's research expertise and to represent different stages of the policymaking process to better highlight opportunities for public participation in state law-making. LD 1679 (An Act to Promote Clean Energy Jobs and to Establish the Maine Climate Council) was passed in June 2019 and has developed into the state's comprehensive climate action plan, more commonly referred to as *Maine Won't Wait* (MCC 2020). LD 1541 (An Act to Support and Improve Municipal Recycling Programs and Save Taxpayer Money) was passed in July 2021.

As of 2024, it was undergoing a rulemaking process to develop regulations for the stewardship program for packaging. LD 294 (An Act to Include a Tribal Member in the Baxter State Park Authority) is an ongoing bill that was proposed in 2023 but has come to a standstill.

Public participation is a process that considers varying perspectives by offering a platform for the public to voice concerns and favorability to influence legislative decision-making. Including public participation in the legislative system allows policymakers to make consciously equitable decisions that directly affect their community members. In Maine, constituents can suggest potential legislation to their representatives, and once a bill is introduced and assigned to a committee, they can submit written or spoken testimony during the public hearing. While the state of Maine is known for its strong culture of participation and engagement, we argue there is room for improvement. Our analysis reveals that Maine legislative approaches skew in favor of coastal and urban communities, often at the expense of other stakeholders—especially Indigenous and rural voices—that are often more affected by the proposed legislation because of their

INTRODUCTION

Research makes it abundantly clear that public participation in the creation of environmental policies is crucial. Participation and inclusion help create policies that reflect the will of the people, ensure that the people affected by policies are able to share their perspectives, and keep the policy construction process from being dominated by special interests or the most powerful social groups (Cash and Belloy 2020; Layzer and Rinfret 2019a; Shore and Wright 2011). The state of Maine has been an environmental policy innovator due to its diverse landscapes and unique relationships with industries that rely on the environment. However, we argue that promoting greater inclusion would strengthen the participatory process and ensure the state crafts environmental policies that protect the well-being of all Mainers.

To examine the current extent of public participation in Maine environmental policymaking, we evaluated three recent pieces of environmental legislation proposed in the state—LD 1679, LD 1541, and LD 294. As graduate student researchers at the University of Maine from the fields of anthropology, environmental policy, marine policy, and

more intimate reliance on and relationship with natural landscapes. We argue that these significant gaps in public participation can be resolved by diversifying stakeholder involvement. Improving the process for how public hearings are announced and held, increasing the transparency around how legislators review written public comment, and introducing more public touch points throughout the legislative process can foster a more accessible and inclusive planning process in Maine (Cash and Belloy 2020).

STATE CONTEXT

Background

Maine, with its large expanses of forest, mountains, and jagged coastline—is marketed and commonly perceived as a *natural* state (Judd and Beach 2003). Building on this green identity, the state has a relatively progressive environmental policy record. Maine was among the first states to enact policies to protect citizens from PFAS (*forever chemicals*) and to address plastic pollution and waste with product stewardship programs. It has also set some of the most ambitious climate mitigation targets, with the goal to reduce emissions by 45 percent by 2030 and 80 percent by 2045. As a result of these and other environmental protections, Maine frequently makes lists of the greenest states in the United States (e.g. Chomsky 2024). Generally, Mainers are supportive of environmental protections. Public opinion polling suggests that, compared to other states, the majority of Mainers feel that protecting the environment is worth the associated economic costs (Kennedy 2016).

Observers have long noted Mainers’ independent thinking and the state’s unique political culture (Flaherty 2015). Some have described it as a “moralistic” political culture that “stresses the importance of community and the obligation of citizens to take part in its governance” (Palmer 2010: 27). Indeed, the state of Maine regularly ranks among the top tier of states in voter turnout and in high levels of citizen engagement with public policy (Palmer 2010). The state also boasts a long history of community-based, cooperative resource management (Ostrom 1990) including agreements among lobstermen to collectively manage the catch and ensure sustainability (Acheson 2004).

Despite a strong interest in environmental protection, a well-documented sense of community, and the obligation Maine citizens feel to take part in governance,

some residents have suggested they are not being heard and their perspectives are not adequately represented in environmental policy formation (e.g., Sekera and Obom-sawin 2022; Singer 2024). Further, members of our team have observed public participation processes for policies currently under development in Maine and throughout New England as part of their graduate research or as part of their professional career.¹ We note that many public sessions, despite the best intentions of the organizers, feature familiar actors; notably, lobbyists and representatives from environmental nongovernmental organizations, suggesting that barriers to participation—well documented in the public policy literature (Petts 2003)—are still present in Maine’s legislative processes. Although Maine policymakers hold public hearings for all bills referred to a committee, these hearings are held at the State House or a state office building in Augusta during the workday and may be difficult for many constituents to attend, either due to the location or timing. As of 2024, constituents can request to testify electronically over Zoom for some hearings. While this addresses issues with the accessibility of the location, it does not account for the timing of the hearings; oftentimes hearings cover multiple bills and can last for hours, which makes testifying a nearly all-day activity. Constituents may submit written testimony; however, written testimony is considered less effective partly because it is unclear how legislators review and respond to written comments. Furthermore, submitting testimony, whether written or oral, requires knowledge of the bills and policies before the legislature and the time and date of hearings. Notices of public hearings are posted on the state government’s website and printed in Maine’s major newspapers (*Bangor Daily News*, *Maine Sunday Telegram*, and *Lewiston Sun Journal*) one or two weekends ahead of time. The circulation of these newspapers does not blanket the state, however, and many residents in Maine live in a news desert (Abernathy 2025; Shaker 2014). To increase public participation, the state needs to develop other ways of announcing public hearings.

On The Benefits of Inclusion

Stakeholder engagement in environmental policy-making exposes decision-makers to diversified world-views, knowledge, and actions that lead to stronger solutions. Shore and Wright (2011) define stakeholder participation in policymaking as the active engagement of individuals and groups affected by or having a vested interest in a specific policy matter within the overall

polymaking procedure. They argue that stakeholders should have a genuine opportunity to influence the process rather than be informed about decisions that have already been made. They also advocate that policy both shapes and is shaped by the worldviews of countries, states, and communities. How, then, can policymakers assess their options without first engaging with their constituents as stakeholders? Engaging with “pluralistic, co-constitutive, and multiplicative...ways of knowing may provide better grounding for addressing challenges” (Bingham et al. 2021: 1) and can lead to better near- and long-term benefits to communities.

Let us consider these benefits of community inclusion within the context of marine fisheries management, an industry that is greatly affected by climate change. Raynal et al. (2016) examine the effectiveness of marine protected areas (MPAs) in American Samoa and argue that there must be multiple scales of institutional involvement in the protected area as well as strong communication between the scales. The communities of the territory play an active role in the designation of MPAs, the approval of the type of activities permitted in each MPA, and the policing of each MPA. In other words, buy-in from local stakeholders keeps the cogs of fisheries management in the territory functionally—and equitably—in gear. Collaborative approaches to environmental policy solutions create community resiliency while working to fix community vulnerabilities and inequities (UMCE 2023).

Maine also has evidence of the positive impact of involving our fishermen more directly in the management of our fisheries. Anne Hayden (2023) concludes that this direct engagement with Maine fishermen (as opposed to top-down policy approaches) leads to stronger management of fisheries in the long run. Raynal et al. (2016) and Hayden (2023) demonstrate—through two different cultural contexts—that social and economic costs of mitigating environmental problems decrease with local guidance. The state of Maine already has some structures in place, such as vulnerability and resiliency assessment reporting, to support the inclusion of diverse voices, map our human landscapes, and continue to build stronger pathways to inclusion. The key to responsible management and engagement is to ensure that policymakers take full advantage of these structures and build upon them.

On The Dangers of Exclusion

Exclusionary policies can jeopardize community health and livelihoods or lead to the implementation of regulations that are difficult or impossible to enforce.

Layzer and Rinfret (2019b) describe the infamous environmental case of Love Canal to demonstrate how environmental injustice can result from excluding specific communities from the legislative process. The area of New York near Niagara Falls known as Love Canal had been a chemical waste dump site before becoming a residential area, and the community felt the adverse health effects of these chemicals for years. According to Layzer and Rinfret, because the citizens were from a working-class neighborhood, it was hard for them to make their voices heard against those of the powerful institutions and bureaucracies of state and federal governments. In the case of Love Canal, the lack of transparency from government and corporate sources about the dumping led to preventable health problems and birth defects that members of the community suffered.

In addition to risks to health and livelihoods, another consequence of exclusion is the development of impractical or unenforceable policies. For example, local citizens may be less likely to accept a new conservation area if they are not involved in its creation. Additionally, consulting nonlocal stakeholders without involving local community members complicates policy structures and limits the agency of local people. Randeria and Grunder (2011: 118) explain how “the expansion of legal forums and their increased use by citizens to influence policy outcomes neither necessarily strengthens the rights of citizens nor furthers the accountability of public institutions.” By excluding community members from the development of legal and political structures designed to implement and enforce environmental policies, these structures remain weak while accountability remains low. Context-specific approaches to community engagement both within and outside of academic research must have a goal of reducing red tape and limitations to access. For solutions to benefit localities, policymakers must establish trust within the communities they represent (Leach and Mearns 1996).

On Building Community Trust

To improve accountability and strengthen political structures, community members and policymakers alike need to increase community participation because this participation enhances context-based solutions and builds trust. Thomassin et al. (2019: 170) write: “All strategies, from prevention to recovery, should be negotiated with the people who have the authority or cultural responsibility to make decisions and recommendations for the relevant landscapes.” Community engagement is one critical factor in a positive feedback loop that enables further

participation and stronger solutions. It helps build stronger networks within the communities of the relevant landscapes (Park and You 2021).

Participation policies often hinge on *information deficit* and access models that assume that people will participate if they have the appropriate information and access (Blake 1999). However, community members who take part in public hearings have repeatedly stated that communication/community consultation comes too late in the process; they often feel like decisions have already been made before they are asked for input. More meaningful public participation requires moving beyond just providing information; citizens need to be involved in the decision-making process (Bobbio 2019). Blake (1999: 274) argues that partnerships need to “involve a more equitable distribution of responsibility between different environmental stakeholders.”

Additionally, personal and cultural values are important when discussing participation (Layzer and Rinfret 2019a), so highlighting the various implications of policies (human health, resource conservation, economics) may foster greater interest in policymaking processes. Building trust between communities and decision-makers, as well as between vulnerable populations and scientists, can be accomplished with an emphasis on cultural value (Haenn and Casagrande 2007). As a team of anthropologists and environmental scientists, we focus on the importance of recognizing cultural values in fostering public participation in the policymaking process.

METHODS

To better understand potential gaps in participation in the environmental policy process, we focused on three examples of recent environmental legislation in Maine.² It is important to note that these cases are not directly comparable: they are at different

points in the legislative process and they have different potential impacts on Maine communities. However, the cases suggest some common trends to help inform future research and improve policy engagement. Each group downloaded all public comments, in the form of testimonies, for each bill from the Maine Legislature’s website and captured written comments and recordings of public hearings. A small group of students collaboratively coded public comments to look for major themes and subthemes within the documents. We analyzed public comments on the proposed legislation as it was being considered in the state legislature.

The first bill, LD 1679, was introduced by Governor Janet Mills as An Act to Establish the Maine Climate Change Council to Assist Maine to Mitigate, Prepare for and Adapt to Climate Change (Office of Governor 2019). This emergency legislation was passed in June of the same year. The second bill, LD 1541 (An Act to Support and Improve Municipal Recycling Programs and Save Taxpayer Money, known as the “EPR Bill”), created extended producer responsibility for packaging and was signed into law in June 2021. The EPR Bill is still in the rulemaking process and seeking public comment, which has allowed for some participant observation of this process. The third bill, LD 294, is from 2023 and would add a Wabanaki tribal member to serve as the fourth Baxter State Park Authority member. This bill has not yet been passed or rejected and has been referred to the Department of Agriculture, Conservation and Forestry. We chose these cases based on our interests, whether they were recently passed or under review, and whether they had enough public comments to analyze. Participation was highly variable, considering the impact of public involvement (Table 1).

Data Generation

All public comments in the form of testimonies for the three policies were downloaded from the Maine

TABLE 1: Total Number of Public Comments per Policy and Status of Each Bill

Bill title	Public comments analyzed (#)	Year introduced	Current status
LD 1679—An Act to Promote Clean Energy Jobs and to Establish the Maine Climate Council	82	2019	Passed
LD 1541—An Act to Support and Improve Municipal Recycling Programs and Save Taxpayer Money	98	2021	In the rulemaking phase
LD 294—An Act to Include a Tribal Member in the Baxter State Park Authority	27	2023	Open and in the next cycle

TABLE 2: Stakeholder Participation by Legislative Act

Stakeholder group	LD 1679 (Maine Climate Council)	LD 1541 (EPR Bill)	LD 294 (Baxter State Park)
Business or industry association	x	x	
Church			x
Environmental groups	x	x	x
Independent business	x		
Indigenous communities & allied groups			x
Individuals (public)	x	x	x
Industry lobbyists		x	
Local government	x	x	
Nongovernment organizations	x	x	x
Park affiliates			x
Producers & manufacturers		x	
Retailers		x	
State government officials			x
Trade associations		x	

Legislature website in the spring 2023. These bills generated considerable stakeholder interest with business owners, industry lobbyist groups, nonprofit organizations, and municipalities (Table 2).

Groups open-coded a random selection of testimonies to create a codebook based on thematic categories. We coded testimony positions by using the language from the testimonies such as: “for/support,” “against/oppose,” “neither for nor against/unclear/neutral,” and “seeking amendments.” From there, each group further identified sub-themes based on the specific characteristics of the arguments made in their policy’s testimonies. Each group developed a set of approximately eight codes to guide its analysis throughout review of the bill. These codes were iteratively developed as they emerged from the text. Testimonies were divided equally among team members for analysis. Once members coded their set of testimonies, the group reconvened to examine the codebook for consistency as new themes emerged and to ensure that everyone was still in agreement about the designated codes. For the purpose of this research, our team of authors then established the stakeholder groups for each policy as represented in the testimonies (Table 2).

We used population density data to contextualize public participation in the legislative case studies. We calculated 2020 population density using data from the US

Census Bureau, dividing each county’s population by its land area in square miles. This calculation aligned closely with initial exploratory data from ArcGIS Online, confirming its accuracy. We used these density values to analyze demographic patterns in public comment participation (Figure 1).

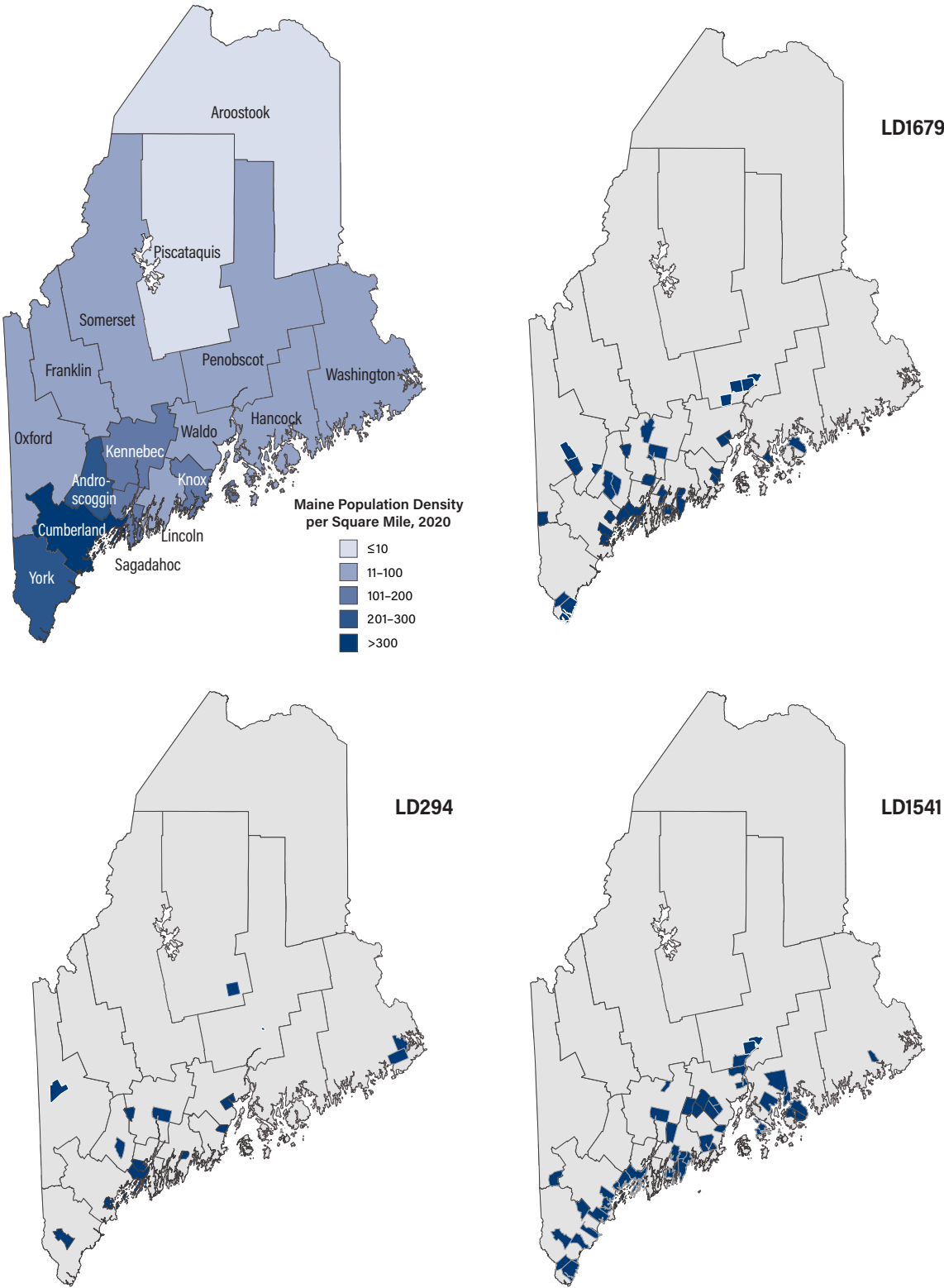
RESULTS

Our results reveal a diverse spectrum of public participation across three legislative case studies in Maine, each highlighting unique challenges and opportunities in fostering inclusive environmental policy. By examining the public comments on LD 1679, LD 1541, and LD 294, and incorporating the 2020 population density data, we observe distinct patterns of engagement that correlate closely with population distribution across the state. The analysis shows a concentration of comments from more densely populated coastal areas, while rural and low-density regions were notably underrepresented.

Case Study 1—LD 1679

LD 1679 (An Act to Establish the Maine Climate Change Council to Assist Maine to Mitigate, Prepare for and Adapt to Climate Change) was introduced in the Maine Legislature in May 2019 by Senator David

FIGURE 1: **Geographic Representation of Citizen Comments Received during Public Comment Periods**



Woodsome (SD 139) and spearheaded by Governor Janet Mills. The bill passed into law in June 2019, creating the Maine Climate Council as “an assembly of scientists, industry leaders, bipartisan local and state officials, and engaged citizens to develop a four-year plan to put Maine on a trajectory to reduce emissions by 45% by 2030 and at least 80% by 2050” (Maine Climate Council 2024: 10). The Climate Council delivered its first four-year plan for climate action *Maine Won’t Wait* to Governor Mills in December 2020 and released a progress report in 2022 (MCC 2020, 2022). In 2024, the Climate Council released an updated *Maine Won’t Wait* that includes strategies to modernize buildings in the state.

Public participation

LD 1679 received a total of 82 public testimonies that were largely in support of LD 1679 (80.5 percent), with 8.5 percent neither supporting nor opposing the policy and 11 percent opposing it. However, half of those opposed to the bill expressed a willingness to support it if it were amended to make it more robust. Due to the nature of this bill, most of the testimonies around climate action were Maine-based, either statewide or locally (Figure 1). Each testimony provided rationales for their position that fell into four categories: infrastructure (support for renewable energy systems), market (economic growth and job creation), environment (protection of natural resources and climate resilience), and sociocultural rationales (community well-being and intergenerational equity). Half of the testimonies revealed an appeal to the authority of science; the various industries and professionals represented acknowledge the environmental changes through data-driven trends or constituent attestations.

Frequently, individuals and environmental groups supported the bill but requested amendments that would allow the policy to “go further.” At the same time, business and industry groups voiced their support but requested carve-outs or other amendments limiting the policy’s reach. Unsurprisingly, the most common rationale for support given overall was concern about greenhouse gas emissions and climate change. Commenters also focused on community resilience and the potential market benefits promised by the legislation. Infrastructure rationales centered around growing renewable energy resources. Comments opposed to the policy most commonly offered concern about the rising cost of energy as the rationale.

While the general public contributed several comments to the policy’s decision-making process, many of these individuals represented various environmental

nongovernmental organizations at the director or president level, were business owners, attorneys, or held other senior leadership positions. In total, these roles accounted for 47 of the 82 total comments (57 percent). Other members of Maine’s citizenry who hold positions in these groups were not nearly as represented. Another group of underrepresented individuals was Maine’s youth. We identified only four comments as coming from youth groups and students (less than 5 percent). This low level of engagement from young people is especially concerning considering that the Maine Climate Council also contains a board of youth representatives, which presents an opportunity for Maine’s youth to become leaders in climate efforts. The authors of this paper argue that long-term climate policy plans, such as the establishment of the Maine Climate Council, must consider current youth and future generations equally with adults and older populations in the state to ensure enduring climate action.

Case Study 2—LD 1541

Emergency legislation LD 1431 (A Resolve to Support Municipal Recycling Programs) was introduced in March 2019. This resolution required the Department of Environmental Protection (DEP) to develop statutory language for an extended producer responsibility (EPR) law for packaging. That language became LD 2104 (An Act to Support and Increase the Recycling of Packaging), which received largely favorable public testimony and passed the committee. The legislation died when the legislative session adjourned early due to the pandemic. A few years later, the Maine-based environmental organization Natural Resources Council of Maine (NRCM) worked with Senator Nicole Grohoski (SD 7) to revise LD 2104 based on public testimony and stakeholder feedback. Grohoski and cosponsor Senator Rick Bennett (SD 18) introduced LD 1541, (An Act to Support and Improve Municipal Recycling Programs and Save Taxpayer Money) in April 2021. Plastic manufacturers and packaging producers simultaneously presented a competing bill, LD 1471 (An Act to Establish a Stewardship Program for Packaging) sponsored by Representative James Dill (HD 26), which would give greater control to producers. A public hearing related to both bills was held on May 10, 2021, where most of the testimonies heard supported LD 1541 and opposed LD 1471. Governor Mills signed an amended version of LD 1541 into law on July 12, 2021, making Maine the first state in the United States to pass an EPR law for packaging (Quinn 2021).

Public participation

Compared to the other environmental policies we analyzed, LD 1541 received notably more public comments during the legislative process. This first-in-the-nation EPR bill shifts the financial responsibility for managing recycling programs away from municipalities and taxpayers and onto the producers. Of the 98 public comments received, 20 were from trade associations or industry lobbyists who primarily spoke out in opposition to LD 1541. Individual businesses, including several small Maine-based businesses, also submitted testimonies. However, these responses were more mixed with 50 percent of the testimonies from businesses in favor of LD 1541, 43 percent against, and 7 percent neither for nor against. Opposition typically raised concerns about the bill increasing costs of consumer products and calling it “merely a tax under the guise of EPR” (Alison Keane, President and CEO of the Flexible Packaging Association).

Local government representatives and engaged citizens, on the other hand, were overwhelmingly in support of the legislation (of those who submitted testimony, 81 percent of residents and 100 percent of local governments were in favor of the bill). Given that Maine taxpayers pay approximately \$16–\$17.5 million annually in solid waste management costs (Clark and Cifrino 2019), saving municipalities and taxpayers money was certainly a major focus of testimony, especially from local governments. In anticipation of and support for LD 1541, 31 Maine cities and towns passed recycling reform resolutions. Many of the testimonies submitted in favor of the legislation also focused on the environmental and social benefits of EPR for packaging. Several testimonies mentioned the harms of littering and plastic pollution, such as the Ellsworth Green Action Team and a Falmouth resident who suggested that with EPR for packaging, “we also just might see less litter along our roadways which consists mostly of nonessential, worthless packaging, hence, that is why it is tossed so freely out the windows of passing cars.”

The public participation for LD 1541 is unique among our case studies in that the opportunity to inform EPR for packaging in Maine did not end when the legislation was passed in July 2021. Following the bill’s passage, the Maine Department of Environmental Protection started reaching out to stakeholders to develop program rules for the packaging EPR program. Starting in December 2022, the department hosted 12 meetings over the course of eight months to hear from producers, municipalities, retailers, recycling establishments, and concerned citizens. These

meetings were held both online and in person in Augusta. In total, 375 people attended at least one of these meetings, and 34 submitted written comments to the DEP. Based on feedback during these meetings, the DEP released a conceptual draft rule and accepted comments before submitting a final draft rule to the Board of Environmental Protection by the end of the year. Stakeholders once again had opportunities to provide feedback during a formal public hearing session on the draft rules in March 2024 and revised rules in August 2024.

Despite receiving a relatively large quantity of public comments, the analysis of LD 1541 still suggests ways to improve the public participation process for environmental legislation in Maine. We believe that the number of public comments submitted in support of the bill is largely a result of the hard work of the NRCM staff, an environmental organization that played a major role in rallying support from municipalities, local businesses, and residents. Nonetheless, most of the testimony from individual residents and local governments came from urban and coastal areas in the state (Figure 1), which points to a need to better reach rural and lower-income areas of the state. Similarly, while there was considerable input from trade associations and industry lobbyists, only 11 testimonies came from Maine-based businesses, revealing a shortcoming in outreach and awareness to these businesses.

Case Study 3—LD 294

LD 294 (An Act to Include a Tribal Member in the Baxter State Park Authority) was sponsored by Representative Benjamin Collings (HD 114) in 2023 to add a Wabanaki tribal member to serve as the fourth Baxter State Park Authority member. This bill has not yet been passed or rejected and is still garnering public debate. In the face of rapid biodiversity loss, LD 294 seeks to diversify the types of knowledge considered in the state park’s management and to welcome Indigenous leadership into park decision-making. Baxter State Park is located on the ancestral lands of the Wabanaki people, with Katahdin being one of the most sacred sites. This bill would also work to uphold the UN Declaration on the Rights of Indigenous Peoples by recognizing tribal sovereignty over the area. In total, we coded 27 public comments related to this bill.

Public participation

Of these 27 public comments, five directly opposed adding a tribal member to the Baxter State Park Authority (18 percent), eighteen comments were in favor of the addition (67 percent), and four claimed they were neither for

nor against the addition (15 percent). The most commonly cited reason for opposing the addition of a tribal member was a “break of trust” that did not align with Governor Baxter’s vision for the park when he acquired the land in 1931. Also cited several times was a preference for individuals with Western environmental science expertise to hold top leadership positions within the park rather than those who possess Indigenous knowledge of the land. The authors of these comments claimed that a tribal member may not have the “necessary skills” to manage natural resources, engage in sustainable forestry, and maintain accurate records of resource use. In total, the opposition proposed that a workable solution to including an Indigenous voice in the Park’s operations would be to encourage their roles in lower-level leadership and staff positions rather than having a seat on the Baxter State Park Authority.

In contrast, those in favor of adding a tribal member most often wrote about Indigenous land ownership—specifically the need to recognize tribal sovereignty. Eighty percent of all public comments acknowledge the longstanding relationship of the Wabanaki people to Mount Katahdin, claiming that the generations-deep relationship Wabanaki people have to the land of Baxter State Park gives them a greater right to decide how their tribal lands are managed than Governor Baxter had when he established the park and its authority. Reflecting upon past environmental injustices, many supporting comments refer to an overwhelming imbalance of power. Proponents of the bill directly counter skeptics of Indigenous knowledge systems: “the reasons [to pass LD 294] are myriad, but one is that we face great challenges in our state—the greatest of our day being climate change—and meeting it means we have to expand and diversify the kinds of evidence and knowledge we rely upon to make critical decisions” (Representative Victoria W. Doudera (HD 41)). The Wabanaki have historically been excluded from the decision-making space, a practice on which Penobscot Nation Tribal Ambassador, Maulian Bryant, commented: “there is perhaps some inherent conflict in colonial ways of doing things that disrupted the ancestral ways of my people and us being involved in the systems created to keep us out.”

Our results emphasize equity and reparations towards Indigenous populations as primary motivators for supporting the inclusion of a Wabanaki member of the board. As John Maddaus, Chair of the Legislative Committee of the Committee Indian Relations of the Episcopal Diocese Maine said, “I’d like to reopen the dialogue...as to what the Native involvement is. Some

sort of co-partnership in terms of bringing the land back to the Native people.” Having a Wabanaki board member on the park’s authority means that Indigenous perspectives and history can influence future policy implementations and decisions. This inclusion would also allow park visitors to engage with Indigenous history more meaningfully, creating a just and sustainable environment for recreationists.

For LD 294, gaps in participation were different, but nonetheless reflect the need to expand stakeholder engagement to increase the visibility of Indigenous-based policies. Indigenous policy issues remain isolated and unprioritized as evidenced by the fewer than 30 comments submitted for this bill (our two other policies—LD 1679 and LD 1541—each received at least 80). Additionally, the unequal distribution of political power between the park’s management and the Wabanaki people also means that there is a risk that those who use the park will not engage fully and respectfully with Wabanaki heritage thus perpetuating existing inequities. The limited participation of stakeholders outside of the niche groups directly pertaining to LD 294—as opposed to individual Mainers as park visitors—means that the issue remains narrowed and operates within preexisting power structures that have discriminated against Indigenous peoples throughout history.

DISCUSSION

Our findings describe the positive impacts of inclusion and the negative impacts of exclusion related to public participation. The number of different stakeholder groups varies greatly depending on the bill, as does the proportion of participation from each group. Additionally, as social isolation is still an obstacle especially for marginalized and rural populations in Maine, there is a need to increase accessibility and inclusion to foster a better policy planning system. Even though all three policies have statewide effects, the majority of the public comments we analyzed were from coastal Maine (Figure 1). While coastal Maine also is the most densely populated part of the state, there are Maine residents and groups that are not represented at all in the public comments. We believe there are two primary reasons for this lack of representation: (1) not enough effort from public officials on outreach and short-term participation opportunities (i.e., accessibility), (2) not enough emphasis from state and local leadership on long-term meaningful stakeholder engagement.

Short- and Long-Term Solutions

When the in-person interactions shut down due to the COVID-19 pandemic, many public services (such as government meetings and school classrooms) switched to virtual settings, which allowed more people to take part in such events. Those who were normally unable to attend in-person meetings were suddenly able to participate because they could do so from anywhere with an internet connection. As more meetings revert to in-person attendance, however, people again might have difficulty attending these meetings. Additionally, long meetings held during the middle of the day restrict participation primarily to either people with paid roles directly revolving around the proposed legislation or those with considerable schedule flexibility. Residents who live closer to Augusta may also find it easier to attend hearings or submit in-person testimonies and may feel a greater connection to the legislative process.

Although the public can submit written comments, rural and low-income areas of the state were still underrepresented in public comments of the legislation we investigated, showing some equity issues within the process. Since many people in inland and northern counties live in a news desert (Abernathy 2025), public officials and the media share a joint responsibility to notify the public of upcoming opportunities to participate in policy formation. Policymakers should reach out to smaller newspapers, post on social media, send materials to municipal offices, and provide constituents with direct notices from their legislative representatives. Such short-term solutions can help Maine overcome some inequalities in representation and potentially lead to increased public engagement in legislation.

The issue of long-term stakeholder engagement must be addressed from the bottom up. That is, governing bodies must communicate and work with local communities from the beginning of the political process. Since policies shape and are shaped by these communities, ensuring they are included in the foundation of state policies will lead to more effective and responsive legislation. For instance, if the Maine state government engages meaningfully with the Wabanaki Nations, the state will increase the visibility of Indigenous policy issues in the public eye and garner more widespread participation across the state. Emphasizing the cultural value of including diverse stakeholders—such as Indigenous and rural residents—will strengthen trust between Maine’s communities and decision-makers as well as foster greater interest in Maine’s political processes and policies overall.

Relying on Expertise

Expertise is often cited when seeking support for a piece of legislation. Individuals and representatives of industries who commented on LD 1679 and LD 1541, for instance, often used their own positions of authority and expertise in their field to garner greater support for their represented sectors in the bills. The participatory voices for LD 1679 drew primarily on their technical expertise to explain why the creation of the Maine Climate Council would be beneficial for mitigating climate change. This use of expertise, however, was not meant to diminish the value of inclusivity in the formation of the policy. Instead, the reliance on technical expertise promoted the voices of key sectors that helped craft environmental protection through plans such as *Maine Won’t Wait*.

In contrast, over-reliance on technical expertise can be maladaptive and exclude certain underrepresented groups from positions of leadership in environmental policy issues. Opponents of LD 294 cited that Indigenous peoples lacked the technical expertise to effectively manage the lands of Baxter State Park, despite having been stewards of the land for millennia. Such calls for expertise can exclude a group of stakeholders—here, the Wabanaki Nations—by delegitimizing their knowledge system. A potentially effective way of increasing participation in public policymaking in Maine would be to broaden the definition of expertise to include experiential and inherited knowledge bases. In doing so, the policymaking process can attract diverse groups of stakeholders, and Mainers’ opinion would be better represented overall.

CONCLUSION

Maine has a notable track record of passing environmental legislation. As Palmer (2010: 33) argues, “Mainers consistently reject the notion that jobs can or should be created at the expense of protecting the state’s natural environment.” State legislators are also known for finding creative solutions that work for all citizens over strict adherence to party ideological lines. Mainers, “are willing to experiment, to improvise, to innovate, and to find particular—even unusual—solutions to public problems that no one else may have thought of, but which seem to work for our citizens” (Palmer 2010: 33).

However, no one method of seeking public input in policymaking works for everyone—the design of the participatory process matters. Newig et al. (2023: 10) argue that “we should move from regarding participation as a panacea to more realistically considering the specific

benefits it may have across different contexts, allowing for tailor-made rather than generic process designs.” Specifically, they find that the intensity of the participation process depends upon stakeholder representation, communication between stakeholders and organizers, and degree of decision-making power delegated to participants. Where the idea of a *participation ladder* has gained traction in the academic literature, Reed et al. (2018) argue instead for the metaphor of a *wheel of participation* that recognizes that different types of engagement are appropriate in different contexts. Although Maine has an impressive track record of civic engagement in statewide policymaking processes, our case studies suggest there are several opportunities for improving overall accessibility and participation throughout these processes. The expanded opportunities to provide public comment for LD 1541 (more frequent touchpoints through the entire process) should be replicated with other policy decisions. Strategically partnering with nongovernmental organizations or civic groups can increase participation and diversity of stakeholders and ensure that the engagement opportunities themselves are more transparent and accessible.

One potential avenue for increasing public engagement is to ensure that there are both in-person and virtual options for all public policy discussions. Currently, Massachusetts is considering a bill that would provide hybrid access to all public meetings (H.3040). This Act to Modernize Participation in Public Meetings could be replicated in Maine to ensure that individuals unable to travel to Augusta can still participate in state policymaking. Further steps to increase accessibility and inclusivity include revisiting the time of day such meetings are held, providing translation services, and offering childcare.

Lastly, one of the design elements stressed in the literature on public engagement was to provide professional facilitation services during stakeholder meetings to make sure all voices are heard (De Vente et al. 2016; Reed et al. 2018). Facilitation may not be necessary in a public hearing setting where each person gets a certain amount of time to read written comments, it could be helpful in less formal stakeholder meetings such as those led by the Department of Environmental Protection to develop draft rules. Professional facilitation could ensure that there are not a select few voices dominating the conversation, which can often be the case when corporate lobbyists are in the room.

No matter how robust a state’s engagement processes may be, there is always room for improvement to ensure the long-term success of equitable participation.

NOTES

- 1 Brown observes greenhouse gas emissions reduction policy; Victor observes EPR policy; Isenhour observes waste-related policy.
- 2 As part of an assignment in a graduate course entitled Anthropological Dimensions of Environmental Policy in spring 2023, students self-selected working groups based on mutual interests. Each group selected a recent piece of environmental legislation proposed in Maine to analyze the public comments via qualitative coding.

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