



SIERRA CLUB

MAINE CHAPTER

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To: Committee on Agriculture, Conservation, and Forestry
From: Matt Cannon, State Conservation & Energy Director, Sierra Club Maine
Date: February 4, 2025
Re: **Testimony in Opposition to L.D. 183: An Act to Cap Publicly Owned Land Area at No More than 50 Percent of Any County**

Senator Talbot Ross, Representative Pluecker, and members of the Agriculture, Conservation, and Forestry Committee,

I am testifying on behalf of Sierra Club Maine, representing over 22,000 supporters and members statewide. Founded in 1892, Sierra Club is one of our nation's oldest and largest environmental organizations. We work diligently to amplify the power of our 3.8 million members and supporters nation-wide. We urge you to vote Ought Not To Pass on L.D. 183.

L.D. 183 only mentions 'public ownership,' and while the public owns land for a variety of reasons, we are most concerned with the impacts of this bill to land conservation efforts statewide. The bill caps the amount of publicly owned land (including easements held by municipalities) in any county in Maine to no more than 50%. As counties differ in population density and available land for development, a blanket county by county limit is arbitrary and unreasonable.

Maine is the most rural state in the nation¹, and while we have the opportunity to develop more of that land, we also have the responsibility to preserve our natural resources and plan for the future. Our land is regionally important to biodiversity, climate resilience, recreation, and clean water. We should be moving rapidly to conserve our resources and protect against unfettered sprawl, while continuing to provide more housing, food, transportation, and a way of life to Mainers and newcomers. Some counties might make sense for more than 50% public ownership, for either conservation or other public uses, others much less. 'Public ownership' is not inherently a bad or inefficient use of land, in fact, it hardly determines anything about said land.

When making policy for land use, we would do better to focus on planning around growth/migration patterns, geographic features, historical density, etc, and not ban a certain type of land ownership. Growth and development should be focused in areas that create density, transportation connectivity, electricity grid connection, habitat protection: smart growth and infill development.²

¹ <https://www.maine.gov/dhhs/mecdc/public-health-systems/rhpc/rural-health.shtml>

² <https://www.sierraclub.org/smart-growth-urban-infill>

If passed, this bill might hamper environmental and land trust groups, towns, and the state from preserving land, including for recreation, water protection, and for habitat protection. This blanket prohibition after 50% is equal among counties; that is not equitable. Almost 50% of Maine is largely uninhabited and the average amount of people per square mile as little as 4.2³. In those areas, this bill almost encourages development, or at least private land-holding up to 50%. Furthermore, any exception would require a 2/3 majority in both houses.

Notably, the Unorganized Territory (UT) in Maine, about half of the state's land, is most vulnerable to the detrimental effects of unplanned development, including sprawl and habitat fragmentation. The UT has the least amount of development and the greatest amount of resources to protect. Only a few counties constitute the vast majority of the UT, and it makes no sense to cap those counties at 50% public ownership. In fact, we could meet many land protection goals by preserving most of only a few counties and contain our state's growth to smart expansion in areas already severely impacted by development.

There are many outstanding questions relating to this bill, but specifically, what is the need? How do the bill sponsors determine public land percentages? How would this bill even be implemented and enforced? Why should there be a constitutional threshold (2/3rds vote) for determining if more land can be in public holding in a county? What is the basis for this wide-reaching ban on public ownership? Public lands, and particularly conserved lands are what make Maine such a great place to live and visit.

This bill is not based on scientific research, data, or common sense. Public ownership and conservation are more complicated than strict percentages. Land area is not even a suitable measure for determining impacts to land and water. If we had more compact development, we could house more people and protect more land than some current sprawling parts of the state. For example, an area that is 80% developed can still have super high conservation value if that other 20% is home to keystone species, endangered species, etc.

Any land use policies should be determined by a collaborative, statewide planning process, in coordination with all impacted communities, taking into account demographic changes, land use needs, recreation opportunities, economic development, etc. There is no mention of any of that in this bill. This bill represents a severe limitation to our state's conservation efforts and should not become law.

Please vote Ought Not To Pass.

Matt Cannon
Sierra Club Maine

³ <https://www.census.gov/quickfacts/fact/table/piscataquiscountymaine/PST045223>