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Re: LD 1529

Dear Senator Rachel Talbot Ross – Chair and the
Members of the Agriculture, Conservation and Forestry Committee

My name is Mike Jurgiewich. I'm a licensed forester residing in Medway ME. I'm submitting this testimony against LD 1529 on behalf of myself and my employer Wagner Forest Management, LTD. Wagner manages a little over three quarters of a million acres of certified timberland across the State from Oxford to Washington counties.

Wagner does see the value in late-successional and old-growth forests on the landscape. With that understanding we have worked on many voluntary projects with various stakeholders including the State of Maine, the Forest Society of Maine and others that will do a lot of what this bill is looking to do, preserve and promote LSOG forests on the landscape. The other thing to remember is that trees are a living/dying thing that will go thru stages of development over a timeline that is not on the same scale as ours. One project that I was involved in is the sale of the St John Headwater Ponds to the State of Maine that is now an ecological preserve. This contiguous 3500 acres probably contained some LSOG in buffers around the lakes at time of sale, the rest of the area was managed forest. The area is now a no cut preserve as designated by BPL, in time left undisturbed this will be LSOG forestland. The Katahdin Woods and Waters National Monument is another example near my hometown of Medway. I don't know how many times I have heard from local opponents of the monument that its nothing more than cut over land and the trails are just logging roads. Again, looking at the present with no foresight into the timeline of trees. These acres "protected", or more precisely looked at with a new management strategy, will grow into LSOG stands but it takes time. I have heard of may other projects by other landowner/managers throughout the state that would

show the voluntary Protection of High-value Natural Resources Statewide and make this bill unnecessary.

As stated above most all of Wagner's managed lands are voluntarily enrolled in certification programs such as SFI and/or FSC. Maine is among the leaders in the amount of certified forest acres in the United States, this shows the landowners commitment to keeping the forest healthy and productive. These certifications have standards for protecting and promoting LSOG and we are audited on a regular basis to assure compliance.

The definitions of Late-Successional forest and Old-growth forest as presented in Sections 1 and 2 of the bill are troubling. For one, no size is defined, so does that mean a quarter of an acre, 10 acres or 100 acres would be considered a late-successional or old-growth forest. The other issue I see is the subjectiveness of the definition for late-successional forest. Once you get past the "consisting of native tree species that have predominantly developed through natural processes", the rest of the definition is undefined. This is reminiscent of the "you'll know it when you see it" definition.

With reference to Section 3, in recent years there was a bill passed giving preferential consideration to LMFB funding based on deer wintering area acquisition. Although some of that deer wintering area may contain LSOG features this would seem to be a separation away from deer in favor of LSOG. And sound deer yard management includes the regeneration of aging stands.

Section 6 presents an aggressive agenda with the potential for regulatory taking of economically valuable forestlands at the end of the day. Here the concept of "transitioning late-successional forests" is also introduced, adding another layer of subjectivity (and potentially including a lot of productive, managed forest stands that feature higher value sawlogs and veneer).

This section of the bill assumes from the start that there is a downward spiral that must be reversed, and disregards the many accomplishments made by the State, the state's landowners, and conservation partners in recent decades – such as dramatic increases in fee land ownership by the State and conservation non-profits, the burgeoning of working forest conservation easements, the rise of sustainable forest management certification programs, and the growth of voluntary carbon offset projects. And it seems to pay little attention to other developments that augur well for the forests of Maine, such as the State's commitment to conserve 30% of its lands

by 2030, and the consistent growth in Maine's forest inventory (unfortunately brought about in part by a loss of mills and logging capacity). All of these bode well for the recruitment of more LSOG forests in Maine.

This section also makes repeated erroneous references to the carbon capture ability of LSOG forests. Mature and LSOG forests do not capture as much carbon as younger forests. They store more, but they do not capture more on an ongoing basis.

Again, I understand that LSOG forests are important, and I have no issue with the State working to improve our understanding of these resources. I also have no issue with the State and conservation non-profits working to promote LSOG on a cooperative and voluntary basis with landowners. As a matter of fact, this work has been going on for decades. However, when there is an explicit call for considering "zoning subdistrict designations" before there is a compelling reason for considering such measures, this suggests the true intent of the bill's sponsors. And it reveals a real lack of understanding about the forests of Maine and the state of conservation and sustainable forest management.

In turn, this colors the way I look at the whole bill. In closing I would like to restate my opposition to LD 1529. I see it as a bill that is ultimately angling to put further restrictions on private forestland owners, many of whom, such as my employer Wagner Forest Management are voluntarily doing a lot to protect the High-value Natural Resources of the State, including old-growth and late-successional forests.

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Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Jurgiewich", with a stylized flourish at the end.

Michael Jurgiewich
Wagner Forest Management