

**TESTIMONY OF GREG LECLAIR**  
**BEFORE THE JOINT STANDING COMMITTEE ON ENVIRONMENT AND**  
**NATURAL RESOURCES**  
**WRITING FOR L.D. 1882**

**“Resolve, Directing the Department of Environmental Protection to Conduct Rulemaking  
Regarding Significant Vernal Pools”**

Presented by Representative CLUCHEY of Bowdoinham

**Date of Hearing: Monday, May 5, 2025**

**Good afternoon Senator Tepler, Representative Doudera, and members of the Committee. My name is Gregory LeClair and I am writing for LD 1882. I am writing as a private citizen. I have a PhD in Ecology and Environmental Sciences and have been studying vernal pools and vernal pool species for ten years.**

LD 1882 would instruct the Department of Environmental Protection to update rules regarding significant vernal pools, a form of significant wildlife habitat under the Natural Resources Protection Act (NRPA). NRPA states: “The Legislature finds and declares that... state wildlife habitat... are resources of state significance. These resources have unsurpassed recreational, cultural, historical and environmental value of present and future benefit to the citizens of the State and that uses are causing the rapid degradation and, in some cases, the destruction of these critical resources, producing significant economic and environmental impacts and threatening the health, safety, and general welfare of the citizens of the State.”

Vernal pools are small, temporary bodies of water that have comparatively outsized ecological and economic impacts. These are biodiversity hotspots that provide vital habitat for a variety of species, some that may be found nowhere else such as fairy shrimp. Spotted Salamanders, one of our largest and most attractive salamanders, may return to the same pool it was born in to breed for its entire 30+ year lifespan. Other species, such as state Endangered Blanding’s Turtles, may use these pools in the spring to acquire 80% or more of their annual caloric intake. These pools may also provide foraging habitat for a variety of predators such as owls, cooling locations for bear and moose, and some of the first vegetation available in spring for herbivores. Much of what we know about the natural world comes from vernal pool ecology, and few places in Maine can match the contributions of vernal pools to our ecosystems at the same scale. Wildlife from these pools contribute to the state economy as well; 14% of the nitrogen (an element necessary for growth in plants) used by our forests comes from Wood Frogs alone, a vernal pool specialist. Amphibians, dragonflies, and other vernal pool species are also expected to greatly reduce populations of mosquitos and other disease agents in our state.

Vernal pools are, however, a room in a house rather than a house itself. These pools are like dining rooms, where guests congregate for a major celebration once per year before returning to the areas where they spend the rest of their lives. For some of these guests, these rooms are the only places you will see them for the whole year. For others, this may mean that areas immediately around the pool are the bedrooms and living rooms where these species will spend most of the year. Without maintaining a buffer around these pools to include these “rooms”, there will be no wildlife to use them.

As rules currently stand, designated significant vernal pools have gaps that undermine the effectiveness of these designations and thus significant economic and ecological threat is present in some of these pools. Currently, development within 250 feet of the pool is encouraged to maintain 75% of canopy cover around the pool and to protect the pool itself. However, if the pool spans over multiple property boundaries, the law only applies to the property on which it was surveyed. This may mean that well beyond 25% of the canopy may be removed from around the pool, destroying most “rooms in the house” except the meeting room. Additionally, development is allowed to occur immediately adjacent to a pool, which may degrade the natural quality of this important resource and render it useless.

Additionally, the Department of Environmental Protection regulates impacts to wetlands larger than 4300 sq ft, much larger than many significant vernal pools. Most shoreland zoning also does not cover vernal pool locations. This means that many vernal pools are not captured in DEP regulation the same way many wetlands are, further warranting careful rulemaking to protect this important state resource.

I would like to be clear that I hear the concerns of those in the development community in a time where Maine is in major need of new housing. I do not feel this bill will hinder development efforts in significant ways; only one fifth of all vernal pools surveyed are determined to be significant, and the areas affected by this law are frequently the smallest of Maine’s significant wildlife habitats. Having a significant vernal pool on one’s property is something to be proud of – many citizens wish they had one. There is growing interest in housing that is developed with the environment in mind, which maintains the heart and soul of what it means to be a Mainer. I would also hope the homes built in our community have more rooms than just a meeting space – our ecosystems deserve similar consideration.

Thank you for your time.