



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
OFFICE OF THE COMMISSIONER
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January 27, 2026

Senator Rachel Talbot Ross
Representative William Pluecker
Committee on Agriculture, Conservation and Forestry
c/o Legislative Information Office
100 State House Station
Augusta, ME 04333

Dear Senator Talbot Ross and Representative Pluecker:

Please accept this letter of support concerning LD 2118, *An Act to Eliminate the Natural Areas Program and Reassign Certain Responsibilities Under the Program to the Department of Inland Fisheries and Wildlife and to Amend the Law Governing Administration of the Department of Inland Fisheries and Wildlife, Bureau of Resource Management*.

LD 2118 reintroduces, with minor modifications, LD 402, *An Act to Move the Natural Areas Program from the Department of Agriculture, Conservation and Forestry to the Department of Inland Fisheries and Wildlife (and to Amend the Law Governing Administration of the Bureau of Resource Management Within the Department of Inland Fisheries and Wildlife)* from the 1st Session of the 132nd Legislature.

The modifications include the removal of over 20 sections that referenced a Division within DACF that no longer exists, to a new Division name that would also be inaccurate¹. Another modification is the restriction, in Section 32 (page 15 of the LD), on rulemaking authority by the Commissioner of the Department of Inland Fisheries & Wildlife (DIFW) to protect plants and plant communities except when required for the conservation of rare fish and wildlife species, threatened fish or wildlife species, or endangered fish or wildlife species.

For over 36 years, the Maine Natural Areas Program (MNAP) has fulfilled its legislative mandate to inventory Maine's natural areas, with a specific focus on rare plants, natural communities, and ecosystems, and to facilitate informed decision-making in development planning, conservation, and natural resource management. During that period, MNAP has resided in three different departments: the Department of Economic and Community Development, the Department of Conservation (DOC), and, for the past several years, the Department of Agriculture, Conservation and Forestry. For much of that time, MNAP staff and others have questioned whether being housed within the DIFW would be a more appropriate fit.

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In 2024-2025, a focused exploration of the benefits and considerations of moving MNAP to DIFW took place, including a significant effort to gather input from MNAP partners and data users on a potential move. In all, 36 individuals representing the public, non-profit, and private sectors were interviewed, including state agencies, planners, developers, large and small landowners, conservation organizations, and others. Although not asked, nearly all interviewees stated that MNAP operates exceptionally well. Individuals were highly complementary of MNAP staff, finding them to be very knowledgeable and collaborative professionals who are good communicators and provide excellent and timely service to their diverse stakeholders. Because of this, many interviewees had no strong opinion on whether the program should remain at DACF or be moved to DIFW; as a program that provides support to numerous agencies, it is believed that MNAP could seamlessly continue its cross-cutting work in either agency. They pointed to the degree of professionalism within MNAP and expressed confidence that they would receive the same level of service regardless of where the program was housed.

Most interviewees noted that *from an ecological standpoint*, it would be more effective to have one agency oversee the state's rare plants, animals, and natural communities, and that in many states, those functions do all live within one agency. They noted that animals depend on plants and natural communities. Having different agencies document, evaluate, and monitor them leads to decision-making that does not fully account for how natural systems function. Interviewees, in particular, noted that responses to the decline in biodiversity and the effects of climate change (for instance, species migration or the impact of invasive species) require resource managers to think more holistically than ever before. They believe that better resource management decisions would result from a more integrated approach. They observed that separating species from their habitat is a barrier to climate planning and that habitat details get lost in this compartmentalization. The few interviewees who stated a preference for MNAP to remain at DACF cited the strong mission alignment with land management, particularly forests and Ecoreserves.

Concerning *environmental review services*, many interviewees identified an inherent inefficiency in requiring thousands of environmental review requests to be made to two different agencies, one to assess wildlife impacts and another to assess plant and natural community impacts. Furthermore, they highlighted the significant duplication of effort involved in entering the same basic project information into two different databases and generating letters and maps from two agencies. Additionally, external applicants often struggle to determine which state agency to contact.

A move of MNAP to DIFW may help to reduce data entry duplication and database development going forward, simplify administrative and financial management, and may help to increase response times to the public. The prospect of "one-stop shopping" for developers was noted as a significant potential benefit if MNAP were to move to DIFW. This benefit would extend to multiple statewide efforts, including expert biological review and technical support to implement the State Wildlife Action Plan, providing a strategic response to aquatic and terrestrial invasive plants, delivering comprehensive assistance to private landowners, and conserving at-risk species and natural communities.

In addition to MNAP's expressed vision to become part of DIFW, we know that DIFW is enthusiastic about the opportunity. Therefore, we support LD 2118 and look forward to working to ensure a smooth transition for all parties involved.

MNAP Director Molly Docherty and I will both be available at the work session to answer any questions about the details of the proposed move to DIFW.

Sincerely,

A handwritten signature in blue ink, appearing to read "Judy East", with a stylized flourish at the end.

Judy East, Director, Bureau of Resource Information and Land Use Planning

CC: Amanda Beal, Commissioner, DACF
Judy Camuso, Commissioner, DIFW

ⁱ Several current statutes refer to the "Division of Geology, Natural Areas and Coastal Resources" which no longer exists within DACF. The first version of the bill changed this reference by striking through "Natural Areas" and therefore changed an inaccurate Division name to a different and still inaccurate Division name. We pointed this out to the Revisor's Office who agreed to simply strike the 23 Sections in the original LD that made this change because there are several other places and statutes that have the same inaccurate reference.