



## Natural Resources Council of Maine

3 Wade Street • Augusta, Maine 04330 • (207) 622-3101 • Fax: (207) 622-4343 • [www.nrcm.org](http://www.nrcm.org)

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**Testimony in Support of LD 750, Resolve, Regarding Legislative Review of Portions of Chapter 27: Standards for Timber Harvesting and Timber Harvesting Related Activities Within Unorganized and Deorganized Areas of the State, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry**

**Before the Committee on Agriculture, Conservation and Forestry**

**Luke Frankel, Woods, Waters, & Wildlife Director**

**March 13, 2025**

Senator Talbot Ross, Representative Pluecker, and members of the Agriculture, Conservation and Forestry Committee, my name is Luke Frankel, and I am the Woods, Waters, & Wildlife Director and Staff Scientist at the Natural Resources Council of Maine (NRCM). I am here today to testify in support of LD 750, Resolve, Regarding Legislative Review of Portions of Chapter 27: Standards for Timber Harvesting and Timber Harvesting Related Activities Within Unorganized and Deorganized Areas of the State, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry.

In Maine, protecting water quality is as much an economic issue as it is an environmental issue. Clear lakes, rivers, and streams are the centerpieces that support our outdoor recreation, recreational fishing, and tourism economies. Ensuring that we have consistent statewide regulations that protect these vital resources is critical, as ultimately, it's watershed boundaries that matter when it comes to protecting water quality, not political boundaries.

Maine has a long history of implementing sound regulations that protect shoreland areas. Beginning with the Mandatory Shoreland Zoning Act (MSZA) in 1971 that required municipalities to adopt zoning ordinances that regulate land use within 250 feet of waterbodies, Maine has been a leader in the US in protecting these vital resources that have a multitude of water quality and habitat benefits. By requiring municipalities to establish their own ordinances so long as they meet minimum state requirements, this law embraced Maine's home rule authority by allowing for local control.

The statewide regulatory approach for timber harvesting in shoreland areas, of which LD 750 represents one of the final steps, has followed a similar philosophy of being municipally driven. First established in 2005, Maine's Chapter 21 rules titled *Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas* were created to provide continuity across organized towns so that landowners, timber harvesters, and foresters could better plan and comply with regulations. At the time, municipal ordinances regulating these activities consisted of a complicated patchwork of standards that were difficult to follow and resulted in inconsistent resource protection. Chapter 21 fixed this as one by one towns either accepted the statewide standards or adopted ordinances with provisions identical to the statewide standards.

When it came to the Unorganized Territories, the statute that established the statewide standards specified that when a "critical mass" of at least 252 of the 336 municipalities with the highest acreage of timber harvesting activities adopted these standards, the standards would automatically apply to the Unorganized Territories. The Department determined that this "critical mass" was achieved last year, so the standards will be applied to the Unorganized Territories beginning in January 2026. This application represents the culmination of a longstanding agreement between the State and stakeholders around this issue.

While the Chapter 27 rulemaking associated with LD 750 does not directly impact the statewide standards, what it does do is remove the current regulations in the Unorganized Territories to eliminate duplication and confusion. The Chapter 21 statewide standards that will operate in their place represent a

significant improvement by taking a more flexible, science-based approach. This will ultimately lead to less phosphorus and sediment entering our waterbodies, more tree cover along streambanks to cool water temperatures for fish, and less erosion and disturbance from road crossings.

As a result of these improvements and the greater clarity and consistency that this law will facilitate, we strongly urge the Committee to vote Ought to Pass on LD 750. Thank you for your time and consideration.