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**TESTIMONY BEFORE THE JOINT STANDING COMMITTEE ON AGRICULTURE,
CONSERVATION AND FORESTRY**

OPPOSED TO LD 939

An Act to Increase the Maximum Permissible Size of Recreational Campfires

March 13, 2025

Senator Talbot Ross, Representative Pluecker, and members of the Joint Standing Committee on Agriculture, Conservation, and Forestry, my name is Robby Gross. I am the Chief Forest Ranger of the Maine Forest Service (MFS) at the Department of Agriculture, Conservation, and Forestry (DACF). I am testifying in opposition to LD 939, "*An Act to Increase the Maximum Permissible Size of Recreational Campfires.*"

During the 131st Legislature, open burning laws were updated, protecting Maine's natural resources, homes, and residents. That effort focused on two items: heightening wildfire safety by defining recreational campfires and restricting open burning on red-flag warning days. Current law now restricts recreational campfires from exceeding 36 inches in height x 36 inches in width without an open burn permit. LD 939 would now enable a campfire to be 42 inches in width.

DACF opposes this bill for several reasons. First, escaped campfires remain a problem throughout the state. Over the last 5 years, MFS has investigated and helped suppress over 400 wildfires that were originally campfires. Last year alone, MFS responded to 86 wildfires caused by escaped campfires. Having the visibility of open burning is an important situational awareness tool for Maine's fire service and allows local jurisdictions to generally control open burning sufficiently. Larger open fires pose a greater risk of escape and strain fire service response. Importantly, recreational campfires on one's own property are not regulated by open burning permits other than on red-flag warning days.

Maine Forest Rangers and Maine's fire service have found that residential campfires sometimes exceed their original intent and size. In these cases, people utilize the residential campfire exemption to burn debris, have large bonfires, or burn prohibited materials; they do not obtain an open burn permit. These instances can limit enforcement when needed to hold people accountable for their actions or to help collect suppression restitution for a wildfire response.

Second, it has been brought to our attention that vendors across the State sell campfire rings that exceed 3 feet in width. The Maine Forest Service would always recommend that homeowners and

recreationists use a campfire ring as a barrier to their campfire. Simply stated, any fire over 3 feet in width requires an open burn permit, and this can be obtained through our free online burn permit system. However, it is important to note that you can have a campfire ring that is 42, 48, or even 60 inches in size but still have a campfire that does not exceed 3 feet by 3 feet if you want to avoid needing a permit. Each person controls the size of their fire, and the size of a campfire ring doesn't necessarily determine fire safety. Forest Rangers take a common sense approach to education and prevention regarding these issues. Since the new law has been established, we have not found any significant problems.

Third, the current recreational campfire size helps protect private landowners who allow recreation and open burning on their property through this protective standard. This same law applies to the unorganized territories of Maine, where many people visit and have campfires. The current standard promotes open access to property and recreational opportunities while protecting landowners' property.

Lastly, we have spent considerable time and money educating the public on the new open-burning laws having just been established in 2023. We also developed pamphlets to distribute to communities across the state and secured prevention messages through newspapers, radio, and television ads. Changing a new law at this point would create confusion, have budget implications, and have an impact on wildfire risk reduction and safety at a time when we are seeing increased wildfire occurrences.

I would be happy to answer any questions that you may have.