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**Testimony in Support of LD 261**

**An Act Regarding the Authority of Municipalities to Regulate Timber Harvesting**

**Steven Weems, Brunswick Town Councilor**

**To the Joint Standing Committee on Agriculture, Conservation and Forestry**

March 18, 2025

Senator Rachel Talbot Ross, Representative Bill Pluecker, and other distinguished members of the joint Standing Committee on Agriculture, Conservation and Forestry: my name is Steve Weems, a veteran Brunswick Town Councilor. I am submitting this testimony as an individual elected official, based on substantive discussions about timber harvesting with other Brunswick councilors, town management and staff, representatives of the Maine Forest Service (MFS) and Department of Agriculture, Conservation and Forestry (DACF), Representative Poppy Arford, and Maine Woodlot Owners. I think I can fairly represent Brunswick's view on this matter but I want to be clear I am not speaking officially on behalf of the Town,

With this in mind, I arise in support of LD 261, with some very limited recommendations for language changes. In Brunswick we are very interested in keeping forestland in this use. We view this bill as a "good government and management" bill, in the pursuit of creating an orderly and consistent process supporting State regulation of timber harvesting, using the existing definition of this term in statute, as an incentive for landowners to keep land in forestry use. We definitely do not want to make ownership and management of forestland any more difficult, and see the bill as a positive initiative to support forest land use.

Simultaneously, the town has an abiding interest in orderly and thoughtful development, **when** a landowner decides to take land out of forestry use. This is the primary circumstance on which the town is focused and may want to develop more

clear conditions about the outcome of a change in land use and the sequence of events leading to this outcome. In this respect we really like the nuances in the definitions of “timber harvesting” and “timber harvesting activities” used in LD 261, and the limitation of timber harvesting activities to those normal and customary actions needed to complete a timber harvest. Excluding additional site changes from these definitions which could lead to a change in land use of the property being harvested, as a separate activity more appropriately regulated by municipalities, is a thoughtful, valid, and progressive provision. Our primary interest is in knowing about a proposed harvest via a Forestry Operations Notice (FON), retaining MFS jurisdiction over the timber harvest itself, while having the authority to promulgate municipal ordinance provisions relating to any **change of use** (land being taken out of forestry use) only, with limited State review. We think LD 261 is on target in this respect and our recommended changes are meant to make this distinction clearer.

Therefore we strongly support the intent of LD 261 as we understand it, and the bill as written, while hoping our limited clarifying suggestions below can be incorporated into the bill via a Sponsor’s or Committee amendment.

Change the additional language proposed in the bill in **Sec. 1. paragraph 5. Timber harvesting activities** to read as follows:

“Timber harvesting activities” means timber harvesting, the construction and maintenance of roads used primarily for timber harvesting, the mining of gravel used for the construction and maintenance of roads used primarily for timber harvesting and other activities conducted to facilitate timber harvesting. “Timber harvesting activities” does not include activities undertaken in anticipation of, or that result in, within 5 years of the completion of such activities, in a change of land use as defined by the bureau by rule, in 30-A MRSA, Chapter 187, Section 4301, subsection 6 “Development.”

The definition of “Development” at 30-A MRSA, Chapter 187, Section 4301, subsection 6 is **Development**. “Development means a change of land use involving alteration of the land, water or vegetation, or the addition of structures or other construction not naturally occurring.” We think it would be useful to use this definition in LD 261, or something comparable, instead of leaving this to the bureau to determine by rule.