



Natural Resources Council of Maine

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

Testimony in Support of LD 1529, An Act to Enhance the Protection of High-value Natural Resources Statewide

Before the Committee on Agriculture, Conservation and Forestry

Luke Frankel, Woods, Waters, & Wildlife Director and Staff Scientist

April 17, 2025

Senator Talbot Ross, Representative Pluecker, and distinguished 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 appreciate the opportunity to testify in support of LD 1529, An Act to Enhance the Protection of High-value Natural Resources Statewide.

We support this bill because it will help conserve older-growth forests and remote, undeveloped ponds that are rare and diminishing. These high-value natural resources contribute to what is unique about Maine's forestlands, and we believe the time is right for lawmakers to consider strategies to enhance their protection.

Maine once was covered with forests that were 70% true old growth, with trees that were hundreds of years old; a multi-layered canopy comprised of many age classes of trees; diverse plant and animal life; and the presence of dead and decaying wood. Those type of deep old-growth forests, with no signs of human disturbance, are essentially gone in Maine.

However, we do still have about 3% of late-successional old-growth (LSOG) forests that provide very substantial ecological and carbon capture values. But that 3% is on a path to become 2% and then 1% in the decades ahead absent a concerted, collaborative effort to enhance LSOG conservation.

Importantly, LD 1529 does not take a regulatory approach to this issue. Rather, it directs the Department of Agriculture, Conservation and Forestry (DACF) to develop a comprehensive strategy to enhance conservation of some of the remaining LSOG forests. The process would involve input from "a broad range of experts, stakeholders, landowners, ecologists, forest industry representatives, interested parties and the public," with a final report due back to this committee in late 2026.

Nothing in this process presumes an outcome, and all tools and strategies for LSOG conservation would be on the table, including incentives and acquisition. We believe the carbon capture and ecological values of LSOG stands could be worth more than the timber value in some cases, and elevation of the conversation about LSOG values could increase opportunities for acquisitions that preserve some of these remaining stands.

Also, LD 1529 could increase LSOG conservation by making these stands a priority for consideration as the Land for Maine's Future (LMF) Board considers projects. Having the Maine

Forest Service report on progress in LSOG conservation every five years could also help support approaches identified in the DACF's stakeholder-supported conservation strategy.

We also support the approach proposed in LD 1529 to conserve remote, undeveloped ponds. Thirty-five years ago, the Land Use Regulation Commission created a Lake Management Program for the purpose of defining allowed uses for the more than 1,500 lakes in the Unorganized Territories (UT). At that time, 204 (13%) of the lakes in the UT were placed in a protective Management Class 1 or Management Class 6, based on an assessment that these lakes had one or more resources of statewide significance. These management classes preserve these pristine lakes in their natural state (Management Class 1), and primitive recreational experiences and cold-water fisheries in remote settings (Management Class 6).

In 1990, the majority of lakes (roughly 1,100) were placed in a catch-all Management Class 7 – including lakes that already had camp lots along their shores, as well as remote, undeveloped lakes that had been identified in the Maine Wildlands Lake Assessment as having resources of statewide significance. Through the years, a growing number of these Management Class 7 lakes have received development. By our analysis, 226 Class 7 lakes that were listed as “undeveloped” in the late 1980s have subsequently been developed, which brings us to the provisions in LD 1529.

We have done a detailed GIS analysis, which we would be happy to share with this committee and interested parties, that shows how many of the lakes with resources of statewide significance that were undeveloped in the late 1980s were placed in Management Class 7 and are still undeveloped, and the number appears to be 52. Coincidentally, as with LSOG, that number represents 3% of the 1,500 lakes in the UT, and only 1.4% by area. Most of these lakes are small and located deep within managed forests.

We believe these 52 lakes should be re-assigned to Management Class 1 or 6, which probably should have happened 35 years ago. The majority of these lakes are State Heritage Fish waters, with outstanding cold-water fisheries that are rare across New England. Although development would be prohibited within a ¼-mile buffer for Class 1 lakes, and ½-mile for Class 6 lakes, other activities such as timber harvesting and the development of skid trails and roads could still be permitted.

In sum, LD 1529 focuses on 3% of the 10.4 million acres of Maine's forests in the UT that are still in an older age class, and 3% of the 1,500 lakes in the UT that have resources of statewide significance that could still be conserved as remote, undeveloped lakes.

These are not sweeping numbers, but they are important numbers – because they will only get smaller with time.

We believe LD 1529 provides a good path forward to enhancing the protection of high-value natural resources that are worth increased levels of protection. I appreciate this opportunity to comment on LD 1529 and would be glad to answer any questions you may have.

3% of Maine Forestlands are Late-Successional Old-Growth
Here is an example of one of the larger such parcels, about 700 acres

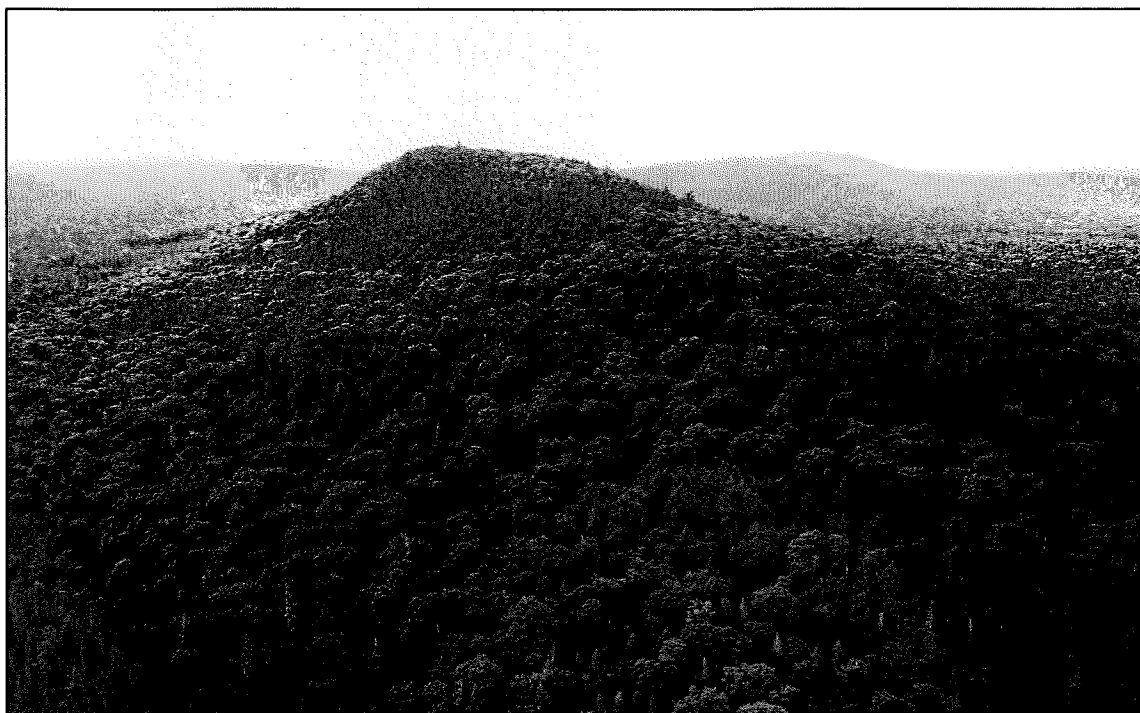


Photo Credit: John Hagan

3% of the 1,500 lakes in the UT would receive increased protection with LD 1529
Here is an example of a Management Class 1 Lake (Enchanted Pond)

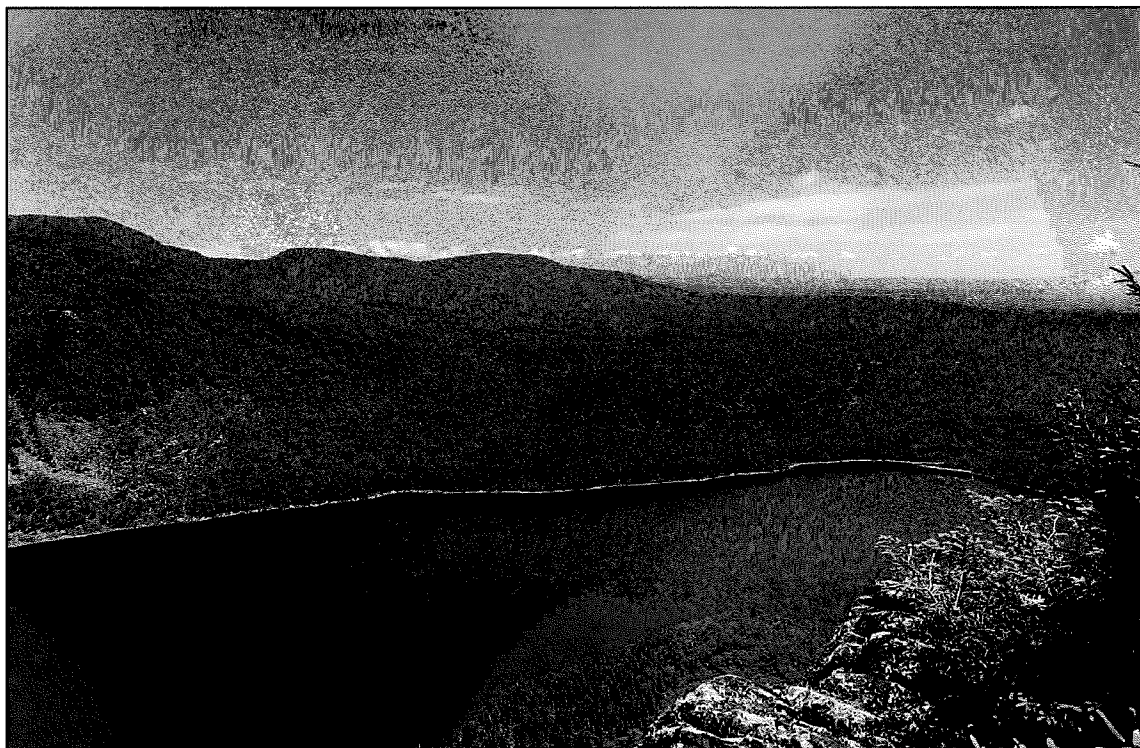


Photo Credit: All Trails