



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM  
COMMISSIONER

**TESTIMONY OF  
ROB WOOD, DIRECTOR, BUREAU OF LAND RESOURCES  
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**SPEAKING NEITHER FOR NOR AGAINST L.D. 1882**

**RESOLVE, DIRECTING THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
TO CONDUCT RULEMAKING REGARDING SIGNIFICANT VERNAL POOLS**

**PRESENTED BY REP. CLUCHEY**

**BEFORE THE JOINT STANDING COMMITTEE  
ON  
ENVIRONMENT AND NATURAL RESOURCES**

**DATE OF HEARING:**

**MAY 5, 2025**

Senator Tepler, Representative Doudera, and members of the Committee, my name is Rob Wood and I am the Director of the Bureau of Land Resources at the Department of Environmental Protection. I am speaking neither for nor against L.D. 1882.

L.D. 1882 would require the Department to update its Chapter 335 Significant Wildlife Habitat rules and make a prescribed list of changes to the rules. The Department appreciates that the resolve is very clear and specific in its proposed rulemaking directive. The Department is planning to propose Chapter 335 updates later this year to implement another law passed by the previous Legislature, Public Law 2023 chapter 156, so the proposed L.D. 1882 revisions could be made at the same time. The

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-7688 FAX: (207) 287-7826

BANGOR  
106 HOGAN ROAD, SUITE 6  
BANGOR, MAINE 04401  
(207) 941-4570 FAX: (207) 941-4584

PORTLAND  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769  
(207) 764-0477 FAX: (207) 760-3143

Department does not anticipate that the proposed rule changes, if adopted, would meaningfully affect staff workloads or the volume of permit applications.

However, one change proposed by L.D. 1882 would also require an associated statutory revision. Title 38, section 480-BB, subsection 2, paragraph A states that, "A landowner proposing to cause an impact on the buffer area defined for a significant vernal pool habitat is not subject to regulation pursuant to the rule if the significant vernal pool habitat depression is not on property owned or controlled by that landowner." This paragraph would need to be repealed before the Department could update its Chapter 335 rules to implement paragraph 3 in the proposed resolve.

If the Legislature directs the Department to make these changes, we will ensure that rulemaking is initiated in a timely manner and that the proposed additional protections for significant vernal pool habitats are enforced.

Thank you for the opportunity to testify before you today. I would be happy to answer any questions from the Committee, both now and at the work session.