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DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
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**TESTIMONY BEFORE THE JOINT STANDING COMMITTEE ON AGRICULTURE,
CONSERVATION AND FORESTRY
IN OPPOSITION TO LD 1762**

An Act to Protect Recreational Trails by Establishing the Trails for the Future Program
May 6, 2025

Senator Talbot Ross, Representative Pluecker, and members of the Joint Standing Committee on Agriculture, Conservation and Forestry, my name is Laura Graham, and I am the Director of the Land for Maine's Future Program, in the Bureau of Information and Land Use Planning (BRILUP) within the Department of Agriculture, Conservation and Forestry (DACF). I am here today to testify in opposition to LD 1762, *An Act to Protect Recreational Trails by Establishing the Trails for the Future Program*.

While the Department understands and supports the need to secure rights for motorized and non-motorized trails, we believe the bill's intent can be accomplished through existing provisions of the Land for Maine's Future Program and the new Maine Trails Program funded through the recently passed Maine Trails Bond.

This bill proposes a new program jointly administered by the Land for Maine's Future (LMF) and the Bureau of Parks and Lands (BPL) within DACF to protect recreational trail access. The proposed bill would create a new program jointly administered by LMF and BPL. While modeled after successful programs like the Working Waterfront Access Protection Program, this new initiative may create unnecessary complexity. It separates expertise between LMF and a new review panel, despite LMF's proven track record in trail projects (e.g., the 32-mile Madison Branch Rail Trail) and proposes powers already existing within LMF's current authority. The Right of First Refusal provision could also unintentionally burden land values without providing proportional benefits.

Another new element in the bill, proposed under §1892-A, section 7, permits the purchase of rights that can later be extinguished. Currently, 12 MRS 598-A would make termination problematic, as it would require $\frac{2}{3}$ legislative approval to 'reduce' state-owned land. The bill goes further to require that **all** terminations (of any interest) be subject to the Commissioner first determining there is no public purpose left (which is a high bar), followed by a judicial process.

Finally, if the legislation aims to create the best opportunities for trail funding with the fewest barriers, the Trails Bond funding available via the Maine Trails Program under P.L. 2024, Chapter 652, may be a better approach to purchasing trails via ownership or easement. Given the Maine Trails Program's singular focus and smaller match requirement (10%), it may also provide a more attractive forum for purchasing short connecting runs of trail and fostering the relationships necessary to link stretches of trail together, over time. Relying on the resources within the Maine Trails Program could achieve these goals without creating a new program, thereby avoiding duplication of effort and the necessity of creating rules to support a new program.

Thank you for your time. I would be happy to answer any questions now or at the work session.