



Testimony before the

Joint Standing Committee on Agriculture, Conservation, and Forestry

By Kaitlyn Bernard, Natural Resources Policy Advisor

March 4, 2021

RE: LD324 - An Act To Limit Public Land Ownership in Maine

Senator Dill, Representative O’Neil, and members of the Joint Standing Committee on Agriculture, Conservation, and Forestry, my name is Kaitlyn Bernard and I am the Natural Resources Policy Advisor for The Nature Conservancy in Maine. I appreciate this opportunity to testify on behalf of The Nature Conservancy **in opposition to LD 324, An Act To Limit Public Land Ownership in Maine.**

The Nature Conservancy is a nonprofit conservation organization dedicated to conserving the lands and waters on which all life depends. Guided by science, we create innovative, on-the-ground solutions to our world’s toughest challenges so that nature and people can thrive together. Working in more than 70 countries, we use a collaborative approach that engages local communities, governments, the private sector, and other partners. The Nature Conservancy has been leading conservation in Maine for more than 60 years and is the 12th largest landowner in the state, owning and managing roughly 275,000 acres. We also work across Maine to restore rivers and streams, partner with fishermen in the Gulf of Maine to rebuild groundfish populations, and develop innovative solutions to address our changing climate.

In our direct experience here in Maine and across the world, we have seen tremendous benefits to communities, economies, and of course natural resources from conservation efforts. This bill would set arbitrary limits on publicly owned land and seems to be raising transparency issues that are already fully addressed in the public process for establishing public lands.

The definition of “publicly owned land” in this bill is broad and to our knowledge not consistent with any other definition of publicly owned land in Maine statute. The phrase “or other ownership interests” in the definition would include a huge range of properties from state parks, recreation areas with federal or state funding, to community parks or municipally owned

properties, and privately-owned lands where a public entity holds a conservation easement. This definition would also apply to property acquired by a town for non-payment of taxes.

In addition to the broad definition included in this bill, TNC has significant concerns with setting limits on public land. Two of the most commonly used public conservation funding tools here in Maine, the Land for Maine's Future Program and the Federal Land and Water Conservation Fund, include ample opportunity for public input and review. They involve willing sellers and community input all along the way. Projects that receive funding through these programs need to prove that they provide public benefit and are selected through competitive processes for their outstanding values.

Finally, there are a myriad of issues here that would impact property values and property rights. In general, restricting public land ownership by county erodes the property values and rights of private property owners who may wish to sell or donate their lands to public entities. It also limits landowners who want to seek permanent protection of their property through conservation easements that limit development but maintain working forests or working farmlands. These tools are commonly used and popular with landowners – restricting them would certainly take away these opportunities that have been available previously or might continue to be available to landowners in other counties that have not reached the arbitrary limits. It would also impose legislative control on municipalities and their local or regional development and open space goals.

TNC opposes this bill and urges the committee to vote Ought Not to Pass.