

Testimony in opposition to LD 1407 - An Act To Provide That a Forestry Operation That Conforms to Accepted Practices May Not Be Declared a Nuisance

Senator Dill, Representative O'Neil, members of the Committee,

I am Christine Real de Azua, reside in Sedgwick, manage forest land under Maine's Tree Growth Tax Law program, and as a small woodland owner am testifying in opposition to LD 1407.

This bill is not needed, its wording is dangerously vague, and its impact potentially harmful.

The bill appears to assume that forestry constitutes a "nuisance" and that there has been — or that there could be in the future — a surge of nuisance complaints by residents and communities against which it would be necessary to shield forestry operations. Where is the evidence for that assumption and for the need for this bill? In some cases, indeed, there may be legitimate grounds for a nuisance complaint, and not just from forestry operations, but there are processes in place for addressing those.

That this bill is being proposed at all raises a red flag that the proposed but as-yet undefined "generally accepted forest management practices" might in fact usher in and shield practices that may indeed constitute legitimate nuisances to people and communities, but against which these will no longer have recourse, whether as individuals in the courts or as communities seeking to pass or enforce their own ordinances. At a minimum, as a small forest owner, I am concerned about the provisions and the vague terms in this bill and the era of uncertainty they would introduce when from my standpoint there appears to be no problem that needs addressing in such a sweeping and potentially harmful fashion.

Please do NOT pass LD 1407.