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TESTIMONY BEFORE THE JOINT STANDING COMMITTEE ON
AGRICULTURE, CONSERVATION, AND FORESTRY

IN SUPPORT OF LD 736:

An Act to Enhance the Ecological Reserve System

Senator Dill, Representative O'Neil, and members of the Committee on Agriculture, Conservation and Forestry, my name is Andy Cutko, and I am the Director of the Bureau of Parks and Lands for the Department of Agriculture, Conservation and Forestry. I am testifying in support of LD 736, which amends M.R.S.A. Title 12, Section 1805, the statute pertaining to Ecological Reserves on Public Lands.

LD 736 makes a number of beneficial changes to the existing statute. The bill requires additional review and justification for any substantive reductions in Ecological Reserves, and it enables compatible traditional uses by Maine tribes. It eliminates the 100,000-acre overall cap on Ecological Reserves, which is a fixed number based on the Bureau's ownership more than 20 years ago, and it eliminates the 15% overall acreage cap. The bill revises the cap on operable acres from 6% to 8%. (Operable acres are those capable of supporting forest management, i.e., not open wetlands, cliffs, or mountaintops).

We have one suggested change to the bill language. The existing statute states that the designation of Ecological Reserves "may not result in a decline in the volume of timber harvested on land under the jurisdiction of the bureau." We agree with the bill sponsors that this language is problematic. Many factors affect the Bureau's timber harvesting, including operable acreage, weather, timber markets, and the availability of logging contractors. As a result, the correlation of timber harvest volumes directly to Ecological Reserve designation is subjective. Instead of deleting the language, as the bill suggests, we recommend clarifying it as follows: "The designation of land as an ecological reserve may not result in a decline in the Sustainable Harvest Level on land under the jurisdiction of the bureau to less than the average annual harvest for the preceding 10 years." The Sustainable Harvest Level is the amount that can be harvested without reducing timber inventory over time. It is based on just two objective factors: operable acres and the rate of timber growth, and it is not affected by weather, markets, or contractor availability.

As background and context, the Bureau of Parks and Lands currently manages approximately 97,000 acres of Ecological Reserves out of a Public Land base of just over 635,000 acres. The bulk of the Bureau's Reserves were established more than 20 years ago, according to statute, for three purposes: to protect habitat for species that prefer older intact forests, to serve as benchmarks for long-term

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monitoring, and to provide sites for education and research. More recently, we've documented that Ecological Reserves play an important role in taking carbon out of the atmosphere, with the forest serving as a landscape-scale sponge. On average, Maine Ecological Reserves store roughly 30% more carbon per acre than managed forests, and those 97,000 acres capture the carbon equivalent to the emissions of 7,500 cars each year. Ecological Reserves complement the Bureau's exemplary managed forest land, which carries above-average stocking and sawtimber that tends to end up as stored carbon in long-lasting forest products. I personally have a long history of working on Maine's Ecological Reserves, and I can assure you that in addition to their outstanding biological diversity and climate resilience values, many of the state's Ecological Reserves are also treasured places for remote recreation, such as the Bigelow range and the Nahmakanta and Deboullie Public Lands.

As the Director of the Bureau of Parks and Lands, I am responsible for ensuring the Bureau has a sustainable source of revenue. As you know, all the recreational improvements, stewardship obligations, long-term ecological monitoring, and personnel costs of Public Lands staff are funded principally by timber revenues. Consequently, it is essential to balance the need to expand Ecological Reserves with the Bureau's need to fund increasing recreational demands, cover operating expenses, provide forest products to local economies, and demonstrate sound silviculture. In considering the benefits of expanded Ecological Reserves, it may be prudent to also consider a dedicated funding stream to monitor and manage these Reserves as a supplement to the timber revenue that is vital in maintaining Public Lands for outdoor recreation, wildlife, and public access.

As the Committee considers this bill, note that Title 12, Section 1805, currently allows acquisition of future Reserves with no acreage cap restrictions, as long as those Reserves are acquired with a commitment ensuring management of that land as a Reserve. Nothing in this proposed legislation will change that, and in alignment with *Maine Won't Wait*, the state's climate plan, the Bureau's land acquisition strategies include both working forest and Ecological Reserves.

In summary, the Department supports LD 736, but we recommend editing the language regarding the impacts on timber harvest so that it is clearer and less subjective. I would be glad to answer any questions.