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Testimony of David Publicover in support of
LD 736, An Act to Enhance the Ecological Reserve System

Joint Standing Committee on Agriculture, Conservation and Forestry
January 25, 2022

Senator Dill, Representative O'Neil, and distinguished members the Committee

My name is David Publicover, Senior Staff Scientist and Assistant Director of Research for the Appalachian Mountain Club. The AMC expresses its strong support of LD 736.

AMC is the nation's oldest conservation, recreation, and education organization, with the mission to foster the protection, enjoyment and understanding of the outdoors. We have 6,500 members in Maine, and own 75,000 acres of forestland in the 100-Mile Wilderness region of Piscataquis County, managed for multiple use including biological conservation, sustainable forestry, backcountry recreation, and environmental education. Nearly 28,000 acres of our ownership (about 38%) is maintained as permanent ecological reserves consistent with the MBPL system.

I have been engaged in discussions on ecological reserves in Maine since the days of the Northern Forest Lands Council in the early 1990s. I served on the Maine Forest Biodiversity Project's Scientific Advisory Panel that oversaw the inventory of potential ecological reserves on Maine's conservation lands.[1] I have served on the Maine Natural Area's Program Ecological Reserves Scientific Advisory Committee since its inception in 2001.

The Legislature and Maine Bureau of Parks and Lands deserve great credit for enacting the recommendations of the Maine State Planning Office[2], the Northern Forest Lands Council[3] and the Land Acquisition Priorities Advisory Committee[4], and establishing an ecological reserve system that can serve as a model for other states. However, it is important to recognize that the original legislation represented a significant compromise from the potential identified in the 1998 McMahon report, necessitated by the need to maintain MBPL's operable timber base that provides their primary source of funding. Of the 13 reserves initially designated subsequent to the authorizing legislation, only three retained the full potential extent (or close to it) identified in the 1998 McMahon report.

[1] McMahon, Janet. 1998. An Ecological Reserves System Inventory: Potential Ecological Reserves on Maine's Existing Public and Private Conservation Lands. Report prepared for the Maine Forest Biodiversity Project. Maine State Planning Office, Augusta, ME.
[2] MSPO. 1993. An Ecological Reserves System for Maine: Benchmarks in a Changing Landscape. Report to the 116th Maine Legislature. Natural Resources Policy Division, Maine State Planning Office, Augusta, ME.
[3] NFLC. 2004. Finding Common Ground: Conserving the Northern Forest. Northern Forest Lands Council.
[4] LAPAC 1997. Final Report and Recommendations of the Land Acquisition Priorities Advisory Committee. Maine State Planning Office, Augusta, ME.

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The others were reduced in size from 20 to 70%, with the majority of the eliminated acreage being operable forest.

Now, 20 years later, the value of and need for an expanded ecological reserve system is greater than ever. The threats from both climate change and the loss and degradation of natural habitats across the globe continue to increase. Ecological reserves are one of our best tools to address these threats. However, the original goal of encompassing all native ecosystem types in the reserve system has yet to be realized, with underrepresentation of many forest types of particular concern.[5] Currently about 4.6% of the state is in reserves or similarly managed areas[6], with reserves on MBPL land making up about 10% of this total. This is significantly less that the goals for New England recommended by Harvard Forest's Wildlands and Woodlands initiative (7%) or the global goal of 17% recommended by the international Convention on Biological Diversity.

In addition to protecting rare elements of biodiversity, reserves also serve as areas where larger expanses of unfragmented mature or late-successional forest can be restored and maintained. The lack of mature forest in Maine's North Woods has been a constant concern from the 1990s[7] to the present.[8] Raising the cap on operable forest that may be included in reserves would enhance the amount of this critical yet limited habitat that could be included in the system.

Finally, reserves have a significant role to play in combatting climate change. Forests and other natural landscapes are our most promising "natural climate solution" due to their ability to sequester and store large amounts of carbon. While working forests will have a large role to play, protecting the existing carbon stocks of mature forests and maximizing additional on-site carbon storage is best achieved in areas reserved from harvesting. A recent study conducted for MNAP showed that aboveground carbon stocking per acre was about 30% higher in ecological reserves than in Maine's managed forests.[9] Reserves will continue to sequester additional carbon for many decades. This value was recognized by the Maine Forest Carbon Task Force, which

[5] MNAP. 2021. An assessment of accomplishments and gaps in Maine Land Conservation (Draft). Maine Natural Areas Program, Augusta, ME.
[6] MNAP, *ibid*.
[7] See Gawler, S.C., J.J. Albright, P.D. Vickery, and F.C. Smith. 1996. Biological Diversity in Maine: An Assessment of Status and Trends in the Freshwater and Terrestrial Landscape. Report prepared for the Maine Forest Biodiversity Project. Maine Natural Areas Program, Department of Conservation, Augusta.
[8] See MDIFW. 2015. Wildlife Action Plan. Maine Department of Inland Fisheries and Wildlife, Augusta, ME.
[9] Puhlick, J.J. and A.R. Weiskittel. 2021. Carbon stocks and sequestration on ecological reserves in Maine. General Technical Report. Available online at https://www.maine.gov/dacf/mnap/index.html.

recommended, "*Establish forest reserves on sites with high carbon density and in areas of special ecological value to allow the stand to mature to a late successional forest*."[10]

For these reasons, we support LD 736, which would increase the cap on the amount of operable timberland that may be included in reserves from 6% to 8% of the MBPL's operable timberland base. However, we believe that the cap should be raised to 10%. A recent analysis indicated that this level would not adversely affect the Bureau's ability to maintain the harvest levels that have been achieved over the last decade.[11] This would make an additional 8,580 acres of forest available for inclusion in the system, which could be used to fill out existing reserves (creating more ecologically defensible configurations) or designate new areas of mature high-carbon forest as reserves.

We also support the removal of the existing overall cap on ecological reserve acreage. ("*The total land acreage designated as ecological reserves may not exceed 15% of the total land acreage under the jurisdiction of the bureau or 100,000 acres, whichever is less*.") This is an arbitrary limit that is unrelated to the Bureau's ability to maintain a sufficient timberland base to support its budget.

Finally, we support the provision that would allow members of recognized indigenous tribes to collect traditional materials within ecological reserves. The AMC allows such use on our own land (including in reserves where it does not conflict with easement restrictions) and believe can be done in a way that does not adversely affect the ecological values and integrity of the reserves.

In conclusion, we urge you to pass LD 736. It would significantly enhance MBPL's ability to address the dual threats of climate change and habitat loss on its land base. If you have any questions, feel free to contact me at dpublicover@outdoors.org or AMC's Maine Policy Director Eliza Townsend at etownsend@outdoors.org.

We thank you for the opportunity to comment on this legislation.

Sincerely,

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Appalachian Mountain Club
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[10] Governor's Task Force on the Creation of a Forest Carbon Program. 2021. Final Report available at Forest Carbon Task Force Final Report (maine.gov).

[11] MBPL. 2022. BPL Ecological Reserves: Current Status and Financial Considerations (January 2022 draft). Maine