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Paul L Larrivee, Jr. LF 3306

Re LD 1048, An Act Regarding the Authority of Municipalities to Regulate Timber Harvesting

ACF Committee,

As a former regulator, current small forestry consulting business owner and member of the former LD 1407 working group I am writing in support of LD 1048. This bill represents the efforts of that work group and I am fully supportive. LD 1048 provides consistency in the conservation of our forest resources that fall within municipalities. As a licensed Maine Forester for 23 years who grew up in Maine and works to help municipalities with their current timber harvesting ordinances, I make the following observations on why this bill is so important to the future of the forest resource:

- This bill clarifies the definition of timber harvesting. Often times sound forest management activities are confused with cutting trees for development or land use changes (pasture, fields, etc.). This confusion at the municipal level leads to increased regulation on timber harvesting, which is not the same as cutting trees for development.
- This bill provides that a municipal timber harvesting ordinance must adopt definitions for forestry terms that are consistent with definitions in the Maine Revised Statutes. This is currently not the case in many existing municipal ordinances. This confusion between state definitions and municipal definitions has the impact to severely impact the resource. Also, it leads to confusion and frustration amongst landowners. Frustrated landowners sell their land to developers and the forest is gone forever.
- The bill provides that municipal ordinance subject to review by the Department of Agriculture, Conservation and Forestry, Bureau of Forestry are limited to ordinances that regulate timber harvesting activities. The bill provides that a timber harvesting ordinance adopted on or after September 1, 1990 and prior to January 1, 2024 must meet the requirements of Title 12, section 8869, subsection 8 by June 30, 2027. This allows municipalities plenty of time to have their existing ordinances reviewed. I know of municipalities who have timber harvesting ordinances they are not aware of it. They claim to follow state rules, but have antiquated ordinances still in effect that are potentially dangerous to the resource and that would be likely unenforceable.
- The bill provides that a municipal timber harvesting ordinance may be adopted only after certification by the bureau that the municipality adopted the timber harvesting ordinance in accordance with Title 12, section 8869, subsection 8. This isn't a new process. When the Forest Practices Act was enacted, this was outlined in the law. Hopefully this will remind municipalities will follow the steps outlined in the law. The bill also requires a municipal timber harvesting ordinance to be pursuant to and consistent with a comprehensive plan adopted by the municipal legislative body.



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- The bill clarifies that the centralized listing of municipal ordinances maintained by the bureau specifically applies to ordinances that apply to timber harvesting activities. As a small landowner and a licensed forester, how wonderful it would be to go to one location to find all the ordinances and laws that effect my business and land ownership. It would be similar to hunting or fishing, which allows the regulated community to contact IFW for answers. Commercial fisheries turn to DMR for laws and questions. How wonderful it would be to turn to the Maine Forest Service for all laws and to answer questions related to forest management activities!

I understand change can be difficult and take time, however providing consistency in the conservation and regulation of our Forest resource is long overdue. Please help landowners, loggers and foresters by providing consistent, sound forest management regulation across the state of Maine.

Thank you for your time and your service to the State of Maine.

Paul Larrivee

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