

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1529

S.P. 613

In Senate, April 8, 2025

An Act to Enhance the Protection of High-value Natural Resources Statewide

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BENNETT of Oxford.
Cosponsored by Representative BUNKER of Farmington and
Senators: BRENNER of Cumberland, INGWERSEN of York, Representatives: BRIDGEO of
Augusta, DILL of Old Town, EDER of Waterboro, FROST of Belgrade, HEPLER of
Woolwich, PLUECKER of Warren.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §6201, sub-§2-A** is enacted to read:

3 **2-A. Late-successional forest.** "Late-successional forest" means a forest stand or area
4 consisting of native tree species that have predominantly developed through natural
5 processes, structures and dynamics normally associated with late-stage developmental
6 phases of old-growth forests of the same type and show signs of former human activities
7 that may be visible but are gradually disappearing or too limited to significantly disturb
8 natural processes.

9 **Sec. 2. 5 MRSA §6201, sub-§3-A** is enacted to read:

10 **3-A. Old-growth forest.** "Old-growth forest" means a naturally regenerated forest of
11 native tree species with no visible indications of human activity and no visible indications
12 of significant disturbance to the forest's natural processes.

13 **Sec. 3. 5 MRSA §6207, sub-§3, ¶B** is enacted to read:

14 B. When evaluating projects to be funded, the board shall give preferential
15 consideration to projects that conserve late-successional forests and old-growth forests
16 that result in the acquisition of a fee interest or an easement that includes logging rights
17 and includes at least 5 acres of late-successional forest and old-growth forest stands
18 that are protected by buffers of at least 100 feet. The portion of the project with late-
19 successional forests and old-growth forests must be protected in perpetuity and have
20 specific protections in place that prohibit timber harvesting and other activities that
21 would damage the late-successional forests and old-growth forests.

22 **Sec. 4. 12 MRSA §8879, sub-§1-B** is enacted to read:

23 **1-B. Report on conservation of late-successional forests and old-growth forests.**
24 The report must include information regarding the status of late-successional forests and
25 old-growth forests in the State and actions that have been taken since the previous report
26 under this section to enhance the conservation of late-successional forests and old-growth
27 forests on public and private land statewide. The report must reference any statewide
28 strategy to enhance the conservation of late-successional forests and old-growth forests that
29 may have been developed and actions that are anticipated to be pursued by the State to
30 further enhance the conservation of late-successional forests and old-growth forests. For
31 purposes of this subsection, "late-successional forest" has the same meaning as in Title 5,
32 section 6201, subsection 2-A and "old-growth forest" has the same meaning as in Title 5,
33 section 6201, subsection 3-A.

34 **Sec. 5. Land Use Planning Commission rulemaking to protect**
35 **undeveloped, high-value lakes.** The Land Use Planning Commission, referred to in
36 this section as "the commission," shall adopt rules regarding land use districts and standards
37 to reassign all lakes within the commission's current Management Class 7 that are
38 undeveloped and have one or more natural resources classified as outstanding by the
39 Department of Conservation, Land Use Regulation Commission's Maine Wildlands Lake
40 Assessment published in 1987. Depending on the natural resource values present, the
41 commission shall classify such a lake as a high value, least accessible and undeveloped
42 lake, currently classified by the commission as Management Class 1, or as a remote pond
43 that is inaccessible, undeveloped and with a cold water game fishery, currently classified

1 by the commission as Management Class 6. Rules adopted under this section are routine
2 technical rules under the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

3 **Sec. 6. Department of Agriculture, Conservation and Forestry to develop**
4 **comprehensive, statewide strategy to enhance the conservation of late-**
5 **successional forests and old-growth forests.** The Department of Agriculture,
6 Conservation and Forestry, referred to in this section as "the department," shall develop a
7 comprehensive, statewide strategy to enhance the conservation of late-successional forests
8 and old-growth forests, including transitioning late-successional forests to account for the
9 future supply of late-successional forests and old-growth forests through the management
10 of transitioning late-successional forests. For purposes of this section, "late-successional
11 forest" has the same meaning as in the Maine Revised Statutes, Title 5, section 6201,
12 subsection 2-A; "old-growth forest" has the same meaning as in Title 5, section 6201,
13 subsection 3-A; and "transitioning late-successional forest" means a forest that is mature
14 and will become a late-successional forest within 25 to 50 years if left unharvested. In
15 developing the strategy, the department shall:

16 1. Solicit input from a broad range of experts, stakeholders, landowners, ecologists,
17 forest industry representatives, interested parties and the public to gather information
18 about:

- 19 A. The State's diminishing stands of late-successional forests and old-growth forests;
20 B. The ecological, carbon capture and storage value of the forests; and
21 C. Strategies for increasing the conservation of the forests;

22 2. Review and consider a broad range of approaches to include in the strategy,
23 including:

- 24 A. Forest stand conservation through acquisition and easements;
25 B. Enrolling late-successional forests and old-growth forests in programs of voluntary
26 carbon markets that provide compensation for the high carbon capture value of late-
27 successional forests and old-growth forests;
28 C. Incentives to landowners and loggers to adapt certain forest practices to better
29 maintain the ecological and climate values associated with late-successional forests
30 and old-growth forests;
31 D. Zoning subdistrict designations; and
32 E. Changes in forest certification standards;

33 3. Within existing resources, provide staff as may be necessary to develop the strategy,
34 including seeking staffing and financial support from other state agencies and private
35 entities; and

36 4. By November 4, 2026, submit a report with the strategy, including any
37 recommendations, to the joint standing committee of the Legislature having jurisdiction
38 over agriculture, conservation and forestry matters, which may report out legislation based
39 upon the report and strategy to the 133rd Legislature in 2027.

40 SUMMARY

41 This bill:

- 1 1. Directs the Land for Maine's Future Board to give preferential consideration in land
2 acquisition projects that conserve late-successional forests and old-growth forests;
- 3 2. Requires the Director of the Bureau of Forestry within the Department of
4 Agriculture, Conservation and Forestry to include information regarding late-successional
5 forests and old-growth forests in the director's report on state forests;
- 6 3. Requires the Maine Land Use Planning Commission to adopt rules to reclassify all
7 lakes that are currently undeveloped but high value into other management classifications;
8 and
- 9 4. Directs the Department of Agriculture, Conservation and Forestry to develop a
10 comprehensive, statewide strategy to enhance the conservation of late-successional forests
11 and old-growth forests.