

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

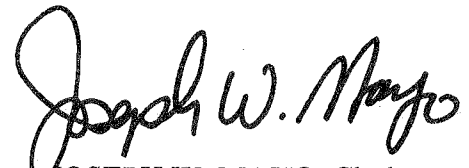
No. 1395

H.P. 1003

House of Representatives, March 5, 1997

Resolve, to Establish the Maine Council on Sustainable Silviculture.

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


JOSEPH W. MAYO, Clerk

Presented by Representative VOLENIK of Brooklin.
Cosponsored by Representatives: BULL of Freeport, SHIAH of Bowdoinham, Senator:
RAND of Cumberland.

2 **Sec. 1. Maine Council on Sustainable Silviculture established.**
3 **Resolved:** That the Maine Council on Sustainable Silviculture,
4 referred to in this resolve as the "council," is established; and
5 be it further

6 **Sec. 2. Qualifications. Resolved:** That to be qualified for
7 appointment under section 3, a person may not be a representative
8 or employee of a company that has a financial interest in
9 creating less than optimal standards for sustainable
10 silviculture; and be it further

11 **Sec. 3. Members. Resolved:** That the council consists of the
12 following members:

- 13 1. The Director of the Bureau of Forestry;
- 14 2. As appointed by the Governor:
- 15 A. The resource manager for the scientific management area
16 of Baxter State Park;
- 17 B. A professional forester for the Bureau of Parks and
18 Lands; and
- 19 C. A silviculturist working with the United States
20 Department of Agriculture, Forest Service concerning an
21 experiment station in the Northeast;
- 22 3. As appointed by the President of the Senate:
- 23 A. A professor of silviculture;
- 24 B. A freshwater ecologist; and
- 25 C. A soil scientist with expertise in forest soils; and
- 26 4. As appointed by the Speaker of the House of
27 Representatives:
- 28 A. A forest ecologist with expertise in plants and fungi;
- 29 B. A conservation biologist or wildlife ecologist; and
- 30 C. A forest researcher with expertise in impacts of stand
31 damage and how to reduce them; and be it further

32 **Sec. 4. Terms. Resolved:** That terms of appointment begin on
33 October 1, 1997. Terms are for 2 years. The council terminates
34 on October 1, 1999. A vacancy must be filled in the same manner
35 as the original appointment. A member appointed to
36

fill a vacancy serves for the remainder of the term; and be it further

Sec. 5. Convening. Resolved: That the Director of the Bureau of Forestry shall convene the first meeting of the council. At that meeting, the members shall select a member to serve as chair; and be it further

Sec. 6. Duties. Resolved: That the council shall advise the Governor and the Legislature about measurable benchmarks or standards concerning silvicultural practices in 2 areas:

1. A minimum level of acceptability; and

2. A minimum recommended level for best management practices; and be it further

Sec. 7. Goals. Resolved: That in developing benchmarks or standards under section 6 the council shall seek to achieve at least the following goals:

1. Setting standards for allowable cut levels that ensure that the average annual cut over a period of time to be determined by the council is less than the average annual growth for land management units greater than 500 acres;

2. Setting standards for residual stocking of trees of commercial size, considering site and stand type, to ensure productivity and wind firmness in stands where the overstory is manageable;

3. Determining under what circumstances there are no viable options for managing the overstory;

4. Setting standards to ensure maintenance or improvement of stand quality with regard to individual trees and species so that, at a minimum, the value of the land does not decline for tax purposes;

5. Setting standards for maximum allowable levels of residual stand damage, including damage to forest soils and residual trees;

6. Setting standards concerning the size and distribution of roads, trails and yards to minimize soil damage, windthrow, habitat fragmentation and loss of productivity;

7. Setting standards concerning management of harvest residues to ensure that nutrients and organic matter are returned to forest soils in a well distributed manner;

2 8. Setting benchmarks for adequate ecological rotations,
based on stand and soil types, to allow recovery of soil nutrient
4 and organic matter and recovery of late-successional habitats;

6 9. Setting standards to ensure the quality and integrity of
freshwater ecosystems by determining width of buffers by water
8 body size, stocking requirements within these buffers and
placement of roads and other openings;

10 10. Setting benchmarks to ensure the adequate
12 representation and distribution across the landscape of large
blocks of relatively closed canopy mature and late-successional
14 forests;

16 11. Setting benchmarks to discourage the simplification,
18 fragmentation and conversion of blocks of relatively closed
canopy mature and late-successional forests; and

20 12. Setting benchmarks to reduce reliance on chemical
22 pesticides by avoiding activities that lead to an increased
likelihood of severe insect, disease or brush problems; and be it
24 further

26 **Sec. 8. Data. Resolved:** That in carrying out its duties the
council shall consider the following:

28 1. Forest inventory data gathered by the United States
Department of Agriculture, Forest Service;

30 2. Data gathered by the Maine Forest Service on trends in
32 forest practices;

34 3. United States Department of Agriculture, Forest Service
silvicultural guides and any recent research on stocking;

36 4. Proposed benchmarks or standards from councils or
38 committees in the State and other northern states with similar
forest types; and

40 5. Other relevant research pertaining to devising
42 quantifiable measures for benchmarks or standards; and be it
44 further

46 **Sec. 9. Report. Resolved:** That by October 15, 1998, the
council shall submit a draft report to the Governor and the joint
48 standing committee of the Legislature having jurisdiction over
forestry matters containing its recommendations, including any
recommended legislation and rules, concerning the benchmarks or
50 standards described in section 6. The council shall hold public

2 hearings to receive comment on the draft. The council shall
submit its final draft to the Governor and the joint standing
4 committee of the Legislature having jurisdiction over forestry
matters by October 1, 1999; and be it further

6 **Sec. 10. Staff. Resolved:** That the Bureau of Forestry and the
Legislative Council shall provide staff assistance to the council.
8

10 **SUMMARY**

12 This resolve establishes the Maine Council on Sustainable
Silviculture to advise the Governor and the Legislature
14 concerning measurable benchmarks or standards of sustainable
silvicultural practices.