MAINE STATE LEGISLATURE

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2	DATE: 2/18/2000	(Filing No. S-500)
4	DAID: 2/18/2000	(FIIIII No. 5- 500)
6	AGRICULTURE, CONS	ERVATION AND FORESTRY
8	Reported by:	
10	Reproduced and distributed un of the Senate.	der the direction of the Secretary
12	STATE	E OF MAINE
14	S	ENATE EGISLATURE
16	SECOND RE	GULAR SESSION
18	COMMITTEE AMENDMENT "A"	to S.P. 157, L.D. 477, Bill, "An
20	Act Requiring Legislative Appro	
22	Amend the bill by strikithe following:	ng out the title and substituting
24	lle let to Betallish Charles	and Conditions for Designation of
26		s and Conditions for Designation of Managed by the Bureau of Parks and
28	Further amend the bill by	striking out everything after the
30	-	summary and inserting in its place
32	Sec. 1. 5 MRSA §13076, sub	-§3, ¶F is enacted to read:
34		•
36	<u>shall maintain a database</u>	es Information and Mapping Center of areas designated as ecological Citle 12, section 1801, subsection
38	4-A and other public	ands designated and managed for shall provide scientific review of
40		sed as ecological reserves.
42	Sec. 2. 12 MRSA §1801, sub-	4-A is enacted to read:
44		"Ecological reserve" means an area
46	bureau, designated by the dire	ctor for the purpose of maintaining
48	a natural condition and range	types or native ecosystem types in of variation and contributing to
50	the protection of Maine's biolo	gical diversity and managed:

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√	COMMITTEE AMENDMENT " A" to S.P. 157, L.D. 477
2	A. As a benchmark against which biological and environmental change may be measured;
4	B. To protect sufficient habitat for those species whose habitat needs are unlikely to be met on lands managed for
6	other purposes; or
8	C. As a site for ongoing scientific research. long-term environmental monitoring and education.
10	Sec. 3. 12 MRSA §1805 is enacted to read:
12	\$1805. Designation of ecological reserve
14	The director may designate an ecological reserve on a parcel
16	of land under the jurisdiction of the bureau that was included in the inventory of potential ecological reserves published in the
18	July 1998 report of the Maine Forest Biodiversity Project, "An Ecological Reserves System Inventory: Potential Ecological
20	Reserves on Maine's Existing Public and Private Conservation Lands." The director may designate an additional ecological
22	reserve only in conjunction with the adoption of a management plan for a particular parcel of land and the process for adoption
24	of that management plan must provide for public review and comment on the plan. When a proposed management plan includes
26	designation of an ecological reserve, the director shall notify the joint standing committee of the Legislature having
28	jurisdiction over matters pertaining to public lands of the proposal.
30	1. Allowed uses. Allowed uses within an ecological reserve
32	must be compatible with the purpose of the ecological reserve and may not cause significant impact on natural community composition
34	or ecosystem processes. Allowed uses include nonmanipulative scientific research, public education and nonmotorized recreation
36	activities such as hiking, cross-country skiing, primitive camping, hunting, fishing and trapping. For the purposes of this
38	subsection, "primitive camping" means camping in a location without facilities or where facilities are limited to a privy,

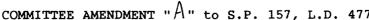
may not cause significant impact on natural community composition
or ecosystem processes. Allowed uses include nonmanipulative
scientific research, public education and nonmotorized recreation
activities such as hiking, cross-country skiing, primitive
camping, hunting, fishing and trapping. For the purposes of this
subsection, "primitive camping" means camping in a location
without facilities or where facilities are limited to a privy,
fire ring, tent pad, 3-sided shelter and picnic table. The
removal of trees and construction of facilities associated with
these allowed uses are allowed. The director may allow other
uses when their impact remains low and does not compromise the
purpose of the ecological reserve. Recreational use of surface
waters is under the jurisdiction of the Department of Inland
Fisheries and Wildlife.

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2. Trails and roads for motorized vehicle use. The director shall allow the continuing use of an existing snowmobile trail, all-terrain vehicle trail or a road if the director

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	COMMITTEE AMENDMENT "A" to S.P. 157, L.D. 477
2	determines the trail or road is well designed and built and situated in a safe location and its use has minimal adverse impact on the ecological value of an ecological reserve and it
4	cannot be reasonably relocated outside the ecological reserve.
6	A new snowmobile or all-terrain vehicle trail or a new road is allowed only if the director determines all of the following
8	criteria are met:
10	A. No safe, cost-effective alternative exists;
12	B. The impact on protected natural resource values is minimal; and
14	
16	C. The trail or road will provide a crucial link in a significant trail or road system.
18	3. Incompatible uses. Uses that are incompatible with the purpose of an ecological reserve are not allowed. Incompatible
20	uses include timber harvesting, salvage harvesting, commercial mining and commercial sand and gravel excavation. For the
22	purposes of this subsection, "salvage harvesting" means the removal of dead or damaged trees to recover economic value that
24	would otherwise be lost.
26	4. Resource protection measures. The director shall take action to control a wildfire occurring on an ecological reserve
28	or spreading to bureau lands. The director may authorize a prescribed burn in an ecological reserve if necessary to
30	replicate natural processes that maintain specific natural communities or rare species populations.
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34	The director may use pesticides, including herbicides, and sanitation harvests to control insect and disease outbreaks only in response to:
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38	A. A specific threat to the functioning of a native ecosystem or managed wildlife habitat;
40	B. A specific threat to human health or safety; or

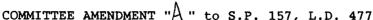
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C. A condition that is likely to result in significant damage to adjacent lands if control is not exercised.

For the purposes of this subsection, "sanitation harvest" means 46 the removal of trees that have been attacked or are in imminent danger of attack by insects or disease in order to prevent these 48 insects or diseases from spreading to other trees.

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	COMMITTED AMENDMENT (\ CO S.I. 13/, E.D. 4//
	5. Limits on total land acreage designated as ecological
2	reserves. The total land acreage designated as ecological
	reserves may not exceed 15% of the total land acreage under the
4	jurisdiction of the bureau or 100,000 acres, whichever is less.
-	No more than 6% of the operable timberland acres on public
6	reserved lands and nonreserved public lands may be designated as
U	
0	ecological reserves. For the purposes of this subsection,
8	"operable timberland" means land the bureau considers viable for
10	commercial timber harvest operations. Lands donated or acquired
10	after the effective date of this section with the condition that
10	the donated or acquired land be designated an ecological reserve
12	are not included when calculating acreage limits under this
	subsection.
14	
	The designation of land as an ecological reserve may not result
16	in a decline in the volume of timber harvested on land under the
	jurisdiction of the bureau. For the purposes of this subsection,
18	"a decline in the volume of timber harvested" means an annual
	harvest volume of less than the average annual harvest volume for
20	the preceding 10 years.
22	Reporting requirements. The bureau shall report the
	status of ecological reserves under the reporting requirements of
24	subchapters III and IV.
26	Sec. 4. 12 MRSA §1839, sub-§1, ¶¶D and E, as enacted by PL
	1997, c. 678, §13, are amended to read:
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	D. A summary of any campsite or recreation facility fees
30	charged under section 1832, subsection 5; and
32	E. A description of the proposed budget, including
	allocations for the bureau's dedicated funds and any
34	revenues of the bureau from permits, leases, fees and sales,
	for the following fiscal year beginning on July 1st+; and
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	Sec. 5. 12 MRSA §1839, sub-§1, ¶F is enacted to read:
38	, , ,
	F. The status of ecological reserves including the acreage
40	of nonreserved public land designated as ecological
	reserves, results of monitoring, scientific research and
42	other activities related to ecological reserves.

44	Sec. 6. 12 MRSA §1853, sub-§1, ¶¶D and E, as enacted by PI
	1997, c. 678, §13, are amended to read:
	,, u,

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charged under section 1846, subsection 5; and

D. A summary of any campsite or recreation facility fees

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COMMITTEE AMENDMENT "A" to S.P. 157, L.D. 477

E.	Α	des	cript	cion o	of t	he p	ropos	ed bud	lget,	incl	uding
allo	cati	ons	for	the	bure	au's	dedi	cated	funds	and	any
reve	enues	of	the	bureau	from	perm	its,	leases,	fees	and	sales
for	the	foll	owing	fisca	al yea	ır beq	innin	q on Ju	ly 1st	+; ar	ıd

Sec. 7. 12 MRSA §1853, sub-§1, ¶F is enacted to read:

F.	The	stat	us of	ecolog	ical	reserv	es	including	the	acreage
				-				ecologica		
						_		research		
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Further amend the bill by inserting at the end before the summary the following:

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FISCAL NOTE

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The Department of Conservation and the Department of Inland Fisheries and Wildlife will incur some minor additional costs to comply with certain requirements pertaining to ecological reserves. These costs can be absorbed within the existing budgeted resources of the respective departments.

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This bill may increase prosecutions for Class E crimes. If a jail sentence is imposed, the additional costs to the counties are estimated to be \$83.36 per day per prisoner. The number of prosecutions that may result in a jail sentence and the resulting costs to the county jail system are expected to be insignificant.

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The additional workload and administrative costs associated with the minimal number of new cases filed in the court system can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may increase General Fund revenue by minor amounts.'

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SUMMARY

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This amendment replaces the bill. It enacts a definition of "ecological reserve" and allows the Director of the Bureau of Parks and Lands to designate as an ecological reserve under the jurisdiction of the bureau lands that were listed as parcels for potential ecological reserve designation in the 1998 published inventory. In the process of adopting a management plan for a parcel of land that was not in the 1998 inventory, the director may designate additional land as an ecological reserve.

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The amendment specifies uses allowed on ecological reserves. It prohibits timber harvesting, commercial mining and

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COMMITTEE AMENDMENT "A" to S.P. 157, L.D. 477

excavation of sand and gravel on ecological reserves. It provides limits on the total acreage within the jurisdiction of the Bureau of Parks and Lands that may be designated as ecological reserves and limits the amount of operable timberland that may be designated as ecological reserves. It requires wildfires to be controlled and specifies allowed protection measures. It requires the director to include information on ecological reserves in the director's annual reports to the Legislature on reserved and nonreserved public lands.

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