

# MAINE STATE LEGISLATURE

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**Report on Maine Forest Service  
District Forester Program  
to the  
Joint Standing Committee on  
Agriculture, Conservation and Forestry  
of the  
129<sup>th</sup> Maine Legislature,  
First Regular Session**

**11 February 2019**

**Submitted by**

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**Maine Forest Service**

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*We help you make informed decisions about Maine's forests*

12 M.R.S. § 8612 (4) directs the Maine Forest Service to report biannually in odd-numbered years to the committee on activities under the field forester program. This report must include a description of the types of assistance given to landowners and wood processors, a description of the activities of the field foresters and any recommendations for changes in the program.

## SUMMARY

Thirty percent of Maine's 17.6 million acres of forest land are owned by family woodland owners (5.3 million acres), largely in southern and central Maine. About 86,000 family woodland owners own between 10 acres and 1,000 acres. Nearly half of these ownerships are 100 acres or less in size.<sup>1</sup> These numbers highlight the challenges our District Foresters have in reaching that many people. The primary ownership objectives of these landowners focus more on privacy, recreation, scenic beauty, and wildlife habitat than on commercial timber production; however, many of these landowners have conducted timber harvests in the past. As a rule, most family woodland owners do not have a forest management plan, and they have not sought professional advice about forest management (although owners of larger parcels are more likely to have a management plan and use professional assistance).<sup>2</sup> Maine Forest Service (MFS) data show that about 35% of family woodland owners had a timber harvest conducted with the involvement of a licensed forester in 2017.<sup>3</sup> This figure has increased slightly in the past decade.

To further encourage active management and leverage the work of the District Foresters, in 2013 the MFS launched the Healthy Forests Program in partnership with the Sustainable Forestry Initiative, Forest Resources Association, and Certified Logging Professional Program. The Healthy Forests Program helps family woodland owners through educational programs; neighbor to neighbor meetings; local woodland tours; and free professional expertise.

Maine's forests are in good shape, but Maine's family woodland owners face many challenges common to all forest owners (e.g. insect and disease outbreaks, invasive species, wind and ice storms). However, their issues and concerns often differ from those of larger ownerships. Some of the challenges family woodland owners face include, but are not limited to:

- Pressure to convert their forest land to other uses: Notwithstanding the recent recession, land prices in southern and central Maine far exceed in most cases what a rational person would pay for timberland as an investment. Many family woodland owners hold and buy additional forest land for other, non-investment reasons that nonetheless achieve the public policy goal of keeping Maine's forests as forests, but they, too, face relentless pressure to do something else with their land.

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<sup>1</sup> Butler, B. et al. 2016. USDA Forest Service National Woodland Owner Survey: national, regional, and state statistics for family forest and woodland ownerships with 10+ acres, 2011-2013. Res. Bull. NRS-99. Newtown Square, PA: USDA Forest Service, Northern Research Station.

<sup>2</sup> Butler, B. 2008. Family forest owners of the United States, 2006. Gen. Tech. Rep. NRS-27. Newtown Square, PA: USDA Forest Service, Northern Research Station. 72 p. Table ME-5.

<sup>3</sup> Maine Forest Service. 2018. Silvicultural Activities Report, 2017.

- Property taxes: Property taxes on forest land assessed at its just value can create a significant burden in terms of carrying costs, particularly where high amenity values exist (water frontage, scenic views). While the Tree Growth Tax Law program provides for enrolled land to be valued according to its ability to grow trees for commercial use, many family woodland owners do not participate in the program.
- Parcelization: The average parcel size of forest ownerships continues to decrease. Numerous studies clearly demonstrate that landowner commitment to active forest management decreases with decreasing parcel size, increasing land values, proximity to roads, and population density.<sup>4</sup>

Numerous studies over the years have found that family woodland owners place a high value on one-on-one access to a forester from a state forestry agency to walk their land with them and discuss their management alternatives. That finding - and the challenges enumerated above - are the reason that the District Forester program exists.

## PROGRAM DESCRIPTION

District Foresters work within the MFS's Forest Policy & Management Division. District Foresters provide a wide array of services to a diverse clientele. Their clients include family woodland owners<sup>5</sup>, loggers, consulting foresters, investor-owners, municipalities, students and teachers, land trusts, and the public at large.

MFS employs ten District Foresters whose individual districts span the state. Field offices are in Alfred, Ashland, Gray, Greenville, Island Falls, Jefferson, Jonesboro, Norridgewock, Old Town, and West Paris. A Field Team Leader oversees their work as well as the work of two Regional Enforcement Coordinators.

With nearly 18 million acres of forest land, 86,000 family woodland owners, and hundreds of loggers and foresters in the state, not to mention their other audiences, District Foresters have a lot of ground to cover and a lot of people to serve. Their duties include, but are not limited to:

- Providing direct technical assistance to landowners, consulting foresters, and loggers regarding forest management options and regulatory requirements;
- Supporting Maine's Healthy Forests Program and Forest Stewardship Program initiatives.
- Participating in Project Learning Tree workshops for teachers, Maine TREE Foundation teacher tours, and other venues concerning K-12 education;
- Delivering workshops to groups of landowners, consulting foresters, and loggers about a variety of forest management issues;

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<sup>4</sup> Hodgdon, B. and M. Tyrrell. 2003. Literature review: an annotated bibliography on family forest owners. Yale Program on Private Forests, GISF Research Paper 002. 17 pp.; Kittredge, D. and K. Grogan. 2005. Parcelization of forests and timber harvest. 16th Annual Harvard Forest Symposium (abstract). <http://harvardforest.fas.harvard.edu/asp/hf/showsymposium.html>. Last accessed 15 July 2005; Kline, 2004, J. 2004. Population growth, urban expansion, and private forestry in western Oregon. *Forest Science* 50(1): pp. 33-43; Wear, D. and D. Newman. 2004. The speculative shadow over timberland values in the U.S. south. *Journal of Forestry* 102(8): 25-31; Wear, et al, 1999. The effects of population growth on timber management and inventories in Virginia. *Forest Ecology and Management* 118: 107-115.

<sup>5</sup> 12 M.R.S. §8612 (2) limits District Foresters to three site visits per landowner over a five-year period, except as necessary to administer federal programs related to forestry or to determine regulatory compliance.

- Staffing booths at fairs, conventions, and other large-attendance venues where opportunities exist to provide information about forests and forest management to the general public;
- Monitoring of implementation and effectiveness of Best Management Practices to protect water quality on timber harvests;
- Assisting municipalities in the review of forest management plans and landowner performance on properties enrolled in the Tree Growth Tax Law program;
- Assisting Regional Enforcement Coordinators in conducting investigations of violations of the state's forest practices laws, and,
- Providing licensed forester services to the Forest Protection Division for investigations of timber theft and trespass.

## **CLIENT ASSISTANCE**

District Foresters serve a wide array of clients with diverse needs - family woodland owners, loggers, consulting foresters, investor-owners, municipalities, tax assessors, code enforcement officers, students, and the public at large. District Foresters as a group typically serve about 2,500 family woodland owners and several hundred loggers and consulting foresters in one-on-one settings each year. The number of towns, school children and other clients served increases the total number of people served to more than 8,000 annually. District Foresters do not compete directly with private consulting foresters, but in many cases, add value to their businesses by conducting outreach, engaging new landowners, and referring new contacts to natural resource professionals.

District Foresters typically perform non-regulatory work that supports informed decisions by both citizen landowners and professional land managers, including direct, one-on-one contacts in the field or over the phone, educational workshops, and other group settings. In recent years, District Foresters have invested considerable effort in supporting harvest monitoring initiatives, including implementation and effectiveness of Best Management Practices for water quality (an ongoing program). In fact, the foresters' work on harvest monitoring supports landowners' and others' forest certification efforts, as certification auditors routinely contact MFS for such data as part of their verification and audit processes.

District Foresters provide the technical expertise necessary to document violations of the state's forest practices laws and implementing rules. They also provide technical assistance to the Forest Protection Division's Forest Rangers on cases involving timber theft and trespass. The Forest Policy and Management Division tries to mitigate the potential negative aspects of its regulatory role through a tiered approach that starts with education and outreach; followed by active intervention on the ground to prevent or mitigate violations; with formal enforcement action taken if preventive efforts fail. This philosophy has worked well.

## **CHALLENGES AND OPPORTUNITIES**

As demonstrated by the facts cited earlier, Maine's family woodland owners are not getting the support they need to help them hold on to their land and keep it in active

forest management. It's well documented that many landowners do not manage their land, and many of those who do manage their land do so without any professional assistance. Additional research identifies an imminent generational shift in forest land ownership as a critical land use challenge in the next decade or so. As a state, we are far from optimizing our use of the forest and the many benefits we receive from it.<sup>6</sup> We sorely need to capitalize on the state's forests as a resource for multiple industries (wood products, tourism, construction via the burgeoning retirement and second home market, etc.). As emerging markets for "green" building products, wood for energy and alternative fuels, and ecosystem services develop, landowners will need even more direction and advice to make sound management decisions. Further, Maine's forested landscape directly supports our overall quality of life that is crucial to attracting and retaining people and economic activity.

Maine's growing population means that virtually all areas of the state are seeing substantial land turnover and new landowners, who often have little understanding of the forest (except as a scenic backdrop to their house).

A study sponsored by the National Commission on Science for Sustainable Forestry found that **"the highest program priority among forest owners is one-on-one access to a [service or extension] forester or other natural resource professional to 'walk the land' with them and discuss their management alternatives."** The study's findings and conclusions yielded a recommendation that there be increased availability of one-on-one technical assistance from state service foresters. Other recommendations in the study either are predicated on increasing technical assistance or identify other forms of assistance and incentives as relatively less effective than technical assistance.<sup>7</sup> This finding is confirmed in the most recent federal survey (Butler, 2008, *op. cit.*), which also found that state forestry agencies are the leading source of forest management advice for family woodland owners.

A Journal of Forestry article also highlighted family woodland owners' interest in direct service from state foresters. The authors studied state forestry assistance programs and conducted focus groups with family woodland owners. Based on the findings, the authors recommended, among other things, "Increase ... availability for one-on-one technical assistance state Service Foresters. Direct access to a forester for onsite consultation was viewed as the single greatest need among family woodland owners. Family woodland owners believe they know their land better than anyone else, but lack the technical knowledge to maximize the land's potential. Having a forester walk the land with them builds this bridge between an in-depth understanding of the land's characteristics and forest management possibilities."<sup>8</sup>

Closer to home, in a presentation series to the 25 fastest growing communities in Maine, Maine Woodland Owners, in collaboration with GrowSmart Maine, identified "Access to Assistance" as one of five major challenges facing family woodland owners in Maine.

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<sup>6</sup> For example, research conducted by the University of Maine indicates that intensive management could significantly increase productivity on the best sites.

<sup>7</sup> Greene, J. et al. 2005. Existing and potential incentives for practicing sustainable forestry on non-industrial private forest lands. Final report to the National Commission on Science for Sustainable Forestry. <http://ncseonline.org/NCSSF/>.

<sup>8</sup> Kilgore, M. et al. 2007. The influence of financial incentive programs in promoting sustainable forestry on the Nations' family forests. *Journal of Forestry* 105 (5): 184-191.

They identified the Maine Forest Service as one of a handful of key sources of such assistance.<sup>9</sup>

MFS District Foresters have long played a role in the promotion and administration of federal programs that provide financial support for family woodland owners, e.g. cost sharing of forest management plans and implementing practices. These programs typically have been delivered by the USDA Forest Service through state forestry agencies. Federal financial support for these programs has declined significantly over the last several years. The decline seems likely to continue, as more funds are siphoned off for other priorities at the federal level. Although other federal programs may continue to be funded (e.g. the Environmental Quality Incentives Program offered through the USDA Natural Resources Conservation Service, or NRCS), these programs traditionally have not been specifically geared to serve family woodland owners (farmers are the traditional clientele for such programs).

MFS continues to provide technical assistance to the USDA Farm Services Agency for the Emergency Forest Restoration Program. This program assists woodland owners in recovering their forests and infrastructure following natural disasters. For example MFS District Foresters have worked with landowners on culvert and bridge replacements. This particular program is a good example of the potential for state-federal partnerships.

The success of the Healthy Forest Program in increasing active management of family woodlands in southern Maine hinges on the continued presence of District Foresters.

Maine cannot preserve its working forest base without mechanisms to deliver quality technical assistance, information, and education to forest landowners, loggers, and foresters. The University of Maine has largely abandoned its forestry extension program; Maine Woodland Owners serves only a small fraction of the family woodland base; and consulting foresters largely do not provide these services because they are not revenue-generators. Thus, getting the job done falls largely to the District Foresters and professional staff of the Forest Policy and Management Division. The lead role of state forestry agencies with respect to forestry assistance programs has been reaffirmed in a Memorandum of Understanding signed by the heads of the USDA Forest Service, NRCS, the National Association of Conservation Districts, and the National Association of State Foresters.

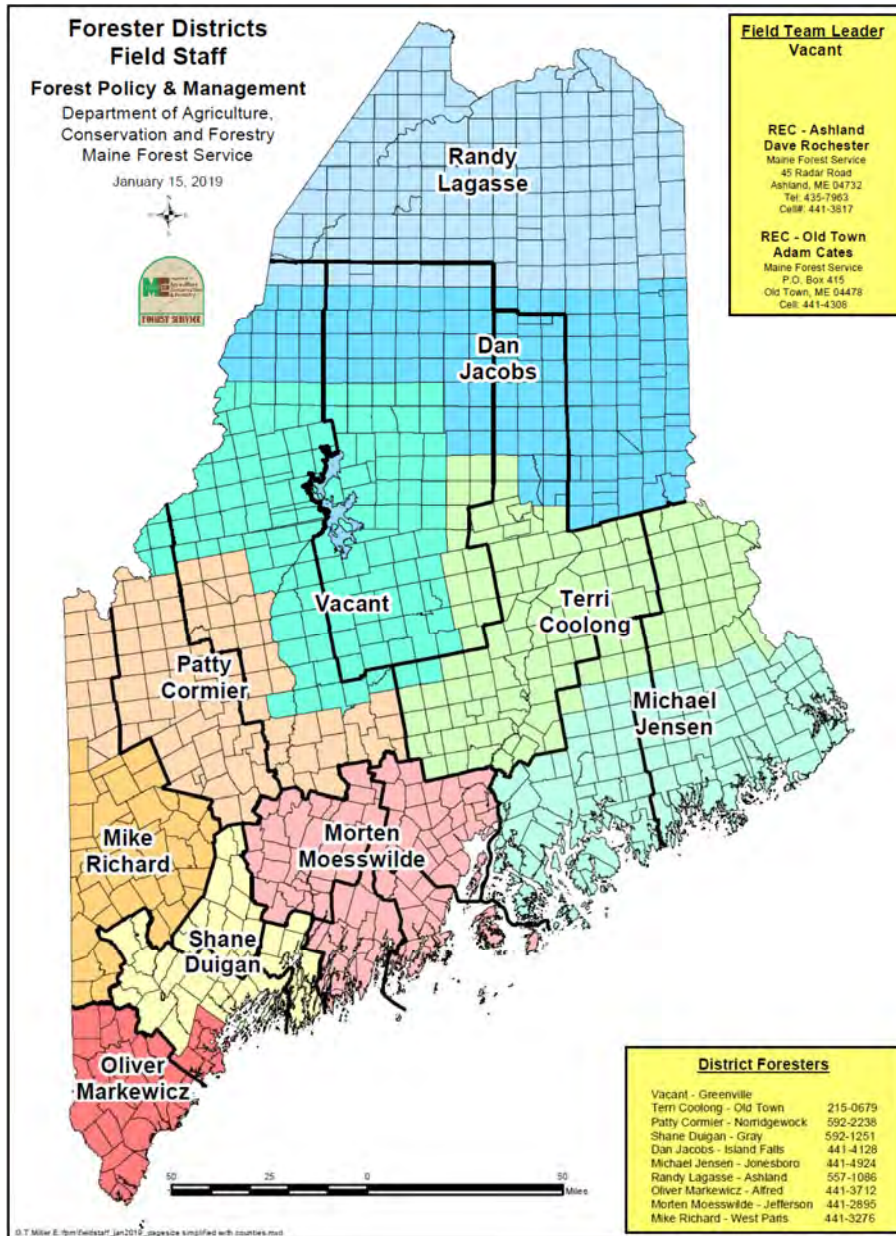
## **RECOMMENDATION**

MFS recommends continuing the District Forester program as currently structured. Given the large number of woodland owners who potentially could be served by MFS District Foresters, MFS recommends that the ACF Committee consider whether additional resources could be devoted to augmenting the District Forester network and supporting the Healthy Forests and Forest Stewardship Programs, which currently rely on uncertain federal funds for delivery.

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<sup>9</sup> Moesswilde, M. 2007. Personal communication.

## APPENDIX 1. MAINE'S DISTRICT FORESTERS





## APPENDIX 2. PROGRAM HISTORY

Maine has had a District Forester (known also as Service Forester and Field Forester) program for many decades. The early years of the program are not well documented; however, some important milestones stand out. Unless otherwise noted, position counts refer to general fund positions:

- 1943: Beginning of the Cooperative Service Forestry Program, between the State of Maine Forestry Department and the USDA Forest Service.<sup>10</sup> The stated purpose of the program was to “promote better management of small privately owned woodlands.”
- 1949: Forest Management Division created.
- 1959: Records indicate the division had 17 field staff.
- 1971: Records indicate the division had 21 Service Foresters and two utilization and marketing foresters.
- 1981: MFS eliminated 13 forester positions and the entire District Forester program during a budget reduction exercise. The program was restored sometime between 1981 and 1987.
- 1987: Records indicate the division had 8 Service Foresters, one tree improvement specialist, one utilization and marketing forester, and one logging specialist.
- 1989: Forest Practices Act enacted. Foresters’ role expands to include regulatory matters. Division has 11 Service Foresters and one utilization and marketing forester.
- 1995: Forest Management Division and Policy, Program and Information Divisions combined to become the Forest Policy & Management Division. Division has 10 Service Foresters, one utilization and marketing forester (now on federal funds), and one enforcement coordinator.
- 1998: Legislature creates three Forester positions in response to public concerns expressed during forestry referendum debates. These positions are dedicated solely to regulatory affairs (regional enforcement coordinators).
- 2003: One regional enforcement coordinator position abolished during budget exercise.
- 2005: Two federally funded outreach forester positions created to support efforts of general fund District Foresters (these positions expire at the end of 2008). Due to loss of federal funds, the utilization and marketing forester is shifted to one of the outreach forester positions.
- 2008: Two remaining regional enforcement coordinator positions proposed for elimination in FY 2009 supplemental budget. Positions were restored.
- 2009: District Forester position in northern Aroostook County proposed for elimination as part of a budget reduction exercise. Position was restored.

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<sup>10</sup> 1971-1972 Biennial Report, p. 52.

## APPENDIX 3. ENABLING LEGISLATION

### 12 M.R.S. §8612. FIELD FORESTERS

The bureau shall employ by 1991, at least 16 field foresters to be located in field offices. [1989, c. 555, §8 (NEW); 2011, c. 657, Pt. W, §7 (REV); 2013, c. 405, Pt. A, §23 (REV).]

1. Duties. These foresters shall provide outreach services and referrals to small woodland owners and wood processors for harvesting, marketing and utilization of wood products. The foresters shall assist landowners and processors in:
  - A. Obtaining and explaining required forms for harvest notification and reporting; [1989, c. 555, §8 (NEW).]
  - B. Obtaining information to comply with the performance standards under this chapter; [1989, c. 555, §8 (NEW).]
  - C. Following up with landowners after harvest notification; [1989, c. 555, §8 (NEW).]
  - D. Reviewing landowner forest management plans; [1989, c. 555, §8 (NEW).]
  - E. Obtaining information to comply with environmental standards; [1989, c. 555, §8 (NEW).]
  - F. Explaining forest management options; [1989, c. 555, §8 (NEW).]
  - G. Promoting involvement in grants and incentive programs; [1989, c. 555, §8 (NEW).]
  - H. Disseminating educational material; and [1989, c. 555, §8 (NEW).]
  - I. Other duties as the director prescribes. [1989, c. 555, §8 (NEW).]  
[ 1989, c. 555, §8 (NEW).]
2. Limitations. Field foresters are limited to 3 site visits per landowner over a 5-year period, except as necessary to administer federal programs related to forestry or to determine compliance with provisions of this Title.  
[ 1989, c. 555, §8 (NEW).]
3. Comprehensive plans. The foresters may provide technical assistance on forestry issues to municipalities in developing their comprehensive plans.  
[ 1989, c. 555, §8 (NEW).]
4. Reporting requirements. The commissioner shall report biannually beginning in 1991, to the joint standing committee of the Legislature having jurisdiction over forestry matters on activities under the field forester program. This report, to be completed by February 1st, must include a description of the types of assistance given to landowners and wood processors, a description of the activities of the field foresters and any recommendations for changes in the program.  
[ 2003, c. 346, §2 (AMD).]

### SECTION HISTORY

1989, c. 555, §8 (NEW). 2003, c. 346, §2 (AMD). 2011, c. 657, Pt. W, §7 (REV). 2013, c. 405, Pt. A, §23 (REV).

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### **About the Forest Policy and Management Division**

The Forest Policy and Management Division promotes informed decisions about Maine's forests. Division staff provide technical assistance, information and education services to a wide variety of publics. Staff also provides outreach and enforcement services on timber harvesting rules. The division anticipates and responds to forest policy issues and reports on the state of Maine's forests.

The division provides assistance through education workshops, field demonstrations, media presentations, and one-on-one contact between District Foresters and landowners. Statute limits technical assistance to individual landowners.

The division has four components: District Foresters who work directly with landowners and others; policy, planning and education specialists; program specialists who oversee water quality, stewardship, community forestry, utilization and marketing programs; and shared responsibility for enforcement of timber harvesting rules. The Division Director reports to the MFS Director.