



# Maine Forest Products Council

*The voice of Maine's forest economy*

## Testimony in Opposition to LD 2101

### “An Act to Strengthen Shoreland Zoning”

Tuesday, February 6, 2024  
Patrick Strauch, Executive Director

#### Companies represented on the MFPC Board

A & A Brochu Logging  
American Forest Mgmt.  
Baskahegan Co.  
BBC Land, LLC  
Columbia Forest Prod.  
Cross Insurance  
Family Forestry  
Farm Credit East  
Fontaine Inc.  
H.C. Haynes  
Huber Resources  
INRS  
J.D. Irving  
Katahdin Forest Mgmt.  
Key Bank  
Kennebec Lumber  
LandVest Inc.  
Louisiana Pacific  
Maibec Logging  
ND Paper  
Nicols Brothers  
Pingree Associates  
Prentiss & Carlisle  
ReEnergy  
Richard Wing & Son  
Robbins Lumber  
Sappi North America  
Southern Maine Forestry  
Stead Timberlands  
St. Croix Tissue  
St. Croix Chipping  
TD Bank  
Timber Resource Group  
Timberstate G.  
Wadsworth Woodlands  
Wagner Forest Mgt.  
Weyerhaeuser  
Woodland Pulp

Good afternoon, Senator Nangle, Representative Stover and members of the Committee on State and Local Government. I'm Patrick Strauch, the Executive Director of the Maine Forest Products Council. The Maine Forest Products Council is an organization representing more than 300 members from all facets of the forest products industry from the stump to the mill. We also represent over 8 million acres of commercial forestland in Maine.

I am before you today to testify in opposition to LD 2101, “An Act to Strengthen Shoreland Zoning”, because as drafted, it appears that this bill is an overly broad solution to possible egregious violations in one municipality. This bill would give towns, and the LUPC in the unorganized territories, the authority restrict the issuance of, suspend or revoke every permit issued by that authority to a landowner over as little as one single shoreland zoning violation (even if it was unintended), with the ability to place a lien on that property to recover costs and unpaid fines related to the violation.

While it is important for municipalities and the LUPC to hold landowners accountable for violations to shoreland zoning, it strikes us as overly punitive to allow for the full weight of this legislation to come down on a landowner for potentially as little as one single violation. Further, it does not seem fair to put every permit issued to a landowner at stake, even for projects that are not in violation. That is of concern to all landowners, but especially to those managing large land bases that potentially have many permitted projects happening at a single time.

The use of liens to recoup the cost of action also poses significant issues as well. The current law allows for due process. If a town or the LUPC wants to recoup the cost of enforcement, that process should be overseen by an unbiased third party (the court system).

Also missing from this legislation is the ability for a landowner to appeal against the decision if they do not agree that a violation has occurred. If the landowner is correct, who would be responsible for covering the legal fees at that point? It seems that, as drafted, the burden would still be on the landowner.

The Council feels that the current processes in place are adequate to protect both municipalities or the LUPC and landowners. Other enforcement measures should be examined that are in use by State regulatory agencies. For these reasons, we urge you to vote **‘Ought not to pass’** on LD 2101. Thank you for your consideration, I would be happy to answer any questions that you may have.