

MAY 2024

MONTHLY NEWSLETTER

Official Newsletter of the Maine Forest Products Council



Dedicated to the memory of Don White and Jenness Robbins

Message from the Executive Director

PAT STRAUCH



At the end of each session, I always take a moment to consider not only the impacts of the laws passed, but also the message that was sent to the forest industry. Do our goals as a state line up with our laws? What signals were sent to those looking to make investments in Maine? How does the business climate here compare to that of our regional and global competitors?

Over my time with the Council (two decades this year!), and especially over the last

six years as a founding member of the FOR/Maine collaboration, it has been evident that to be successful, our actions need to match our words. Maine has all the right ingredients for a prosperous and sustainable forest products industry, but to be successful, we must take care of our core companies and continue to attract new businesses to our state. Efforts to diversify our portfolio to include new and innovative uses for residuals also must continue.

These goals require considerable investment, so Maine must remain competitive on a global scale. Our signals to the marketplace need be clear.

Unfortunately, throughout the 131st Legislature, and especially during this past year, signals have been consistently inconsistent at both the state and federal levels. Examples are numerous, but here are a few standouts.

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Executive Director message (cont.)

CHAPTER 375 RULEMAKING:

In 2020, Maine adopted a climate action plan called Maine Won't Wait. This comprehensive plan established goals to address climate change as a state and implemented timeframes to keep us on track. To achieve 100% carbon neutrality by 2045, the plan emphasizes electrifying our transportation sector and achieving 80% clean energy use by 2030.

These ambitious goals are in direct conflict with DEP's proposal for Chapter 375 rules drafted in response to legislation that passed last year (LD 1881). The Board of Environmental Protections held a public hearing on DEP's draft rules in March. The Chain Saw Marching Band was present in force for this hearing with the Council testifying in strong opposition (testimony included within this newsletter) along with several of our Landowner Committee members.

If adopted, the DEP proposal would establish a new broadly defined "undeveloped habitat block" category under Site Law that would require automatic mitigation for any/all impacts to 79% of Maine's undeveloped lands (roughly 14.5 million acres) for any form of renewable energy development (wind, solar, transmission).

The result would be the most extensive rezoning in recent history, resulting in a huge taking of development values for landowners in every corner of the state while making growth in the renewable energy sector necessary to meet the State's climate goals uneconomical and unachievable.

BEP hasn't scheduled a follow-up meeting to discuss next steps for this proposal yet. MFPC has requested that the Board send the rules back to the Department for extensive revisions that include input from the regulated community and a stakeholder process. We think there is a more reasonable approach to mitigating site location projects, but out of the gate the current concept is flawed.

LD 1794:

With the passage of LD 1794, the Legislature (almost) established a commission, primarily made up of lawmakers - eight out of 15 members, with only two industry representatives - to dictate staffing levels at pulp and paper mills with operations in Maine. The Commission was based on several flawed premises, including that forced overtime presents safety issues for workers and host communities while voluntary overtime does not. In contrast, the same legislature enacted the most benefits rich Paid Family and Medical Leave program in the country to allow employees at businesses of all sizes to take extensive leave to care for a broad category of individuals, including people who are like family, for a broad range of reasons.

Once the program goes live (May of 2026), it will certainly create additional staffing challenges for employers, like pulp and paper mills, that are already struggling with the pressures of operating 24/7 with a limited work force.



Executive Director message (cont.)

Fortunately, LD 1794 did not become law. It was among the dozens of bills enacted on veto day after Statutory Adjournment. Governor Mills used her pocket veto authority to reject all 35 bills because they were passed “without clear constitutional authority” (Governor Mills, [May 14 letter to the 131st Legislature](#)).

LD 1985:

I hate to belabor efforts by one legislator, but another bill aimed squarely at the industry was dropped in the bottom of the ninth that also sent confusing signals to companies with significant investments in Maine’s forest industry, LD 1985. Had it passed, this bill would have tarnished Maine’s reputation of having the most acres certified as sustainable by forcing the Bureau of Public Lands to pull out of the most predominantly used and recognized program in Maine, the Sustainable Forestry Initiative.

Historically BPL has been a leader in the movement to certify public lands to the two predominantly used programs. The politically motivated effort to withdraw nearly 700,000 acres from the program not only sent mixed signals to investors, it also threatened the ability of manufacturers to procure enough certified wood to meet market demand. Access to wood certified as sustainable is necessary to justify ongoing investments, and it has been used as a key selling point by the FOR/Maine effort to attract new forest products businesses to our state.

To complicate matters further, this effort was supported by an organization representing loggers even though certification programs drive demand for Maine’s forest products - demand that is necessary to support a healthy logging workforce.

Tactics used to promote this bill were underhanded and completely unnecessary. They sent damaging messages to both the marketplace and to legislators (through a front page news story) that must now be overcome. As an industry, we must do better moving forward.

NAAQS:

It isn’t just at the state level that our signals are getting crossed. The Biden Administration has made returning manufacturing back to America a priority. The Council agrees that this is an important goal for our economy, and for national security. However, like others, we are confused by the EPA’s recent announcement of an updated National Ambient Air Quality Standards (NAAQS) for particulate Matter (PM 2.5) that lowers the standard to near background levels for Maine. This rule change puts nearly 40% of the country automatically into nonattainment, and it allows for very little headroom for permitting in some areas of Maine. While making permitting for new factories and facilities more difficult, this rule change does nothing to address PM 2.5 emissions in the US that are driven by wildfires, road dust, agriculture and other nonpoint sources, which constitute approximately 84% of emissions.



Executive Director message (cont.)

Both the aggressive nature of this rule change, and the expedited timeframe it is on, defies common sense. Again, the stated goals of the administration and the actions of its regulatory agency are out of step.

A POSITIVE NOTE:

While there have been a lot of mixed signals this year, the 131st Legislature accomplished a lot of important goals as well. It updated the PFAS in products law and mining laws. It created a new Dirigo Tax Program to modernize the outdated Pine Tree Development Zone tax program. The new Dirigo program recognizes our current workforce realities by shifting focus from job creation to incentivizing business investments and workforce training. This legislature also made some key investments on workforce development issues such as affordable housing and child care.

It's important to acknowledge that Governor Mills and her staff understood and managed issues of concern expressed by the forest industry. Without her leadership and determination, legislative outcomes could have been much worse for the business community.

Overall, with the support of our members and the administration, we were able to stop, or at the very least mitigate, the more problematic bills that were introduced over the course of the 131st Legislature. We were also able to engage proactively on bills that are important for future growth in our industry.

We'll spend the summer and fall working hard to educate policy makers on the importance of a stable regulatory environment and share our vision of the forest manufacturing economy.

I would like to thank our dedicated team for their tireless efforts over the last two years, and our Policy Committee for giving us direction during an unusually busy two-year session. Included in this newsletter is the breakdown of bills that we engaged on, along with their final disposition.

Our team will now shift focus to plan for the 132nd Legislature. If you have any questions, or ideas for proactive legislation, please don't hesitate to reach out.

We hope that you will join us at our upcoming golf tournament in Bangor and our 64th annual meeting in Carrabassett Valley (information included below).

Patrick

DON WHITE MFPC CLASSIC 2024



Bangor Municipal Golf Course

JULY | **11th** | **2024**

REGISTRATION: ADMIN@MAINEFOREST.ORG

maineforest.org/2024-mfpc-annual-golf-tournament/

Welcome to our newest members!



Deputy Director Message - Final Legislative Update of 131st Legislature



When reflecting on my first two years of advocacy on behalf of the Council, our workload, and ability to represent our members well, was most impacted by the increased use of concept drafts (up by more than 25% over the previous legislature). Typically reserved for issues that are a work in progress, like budgets, concept drafts allow legislators to submit nothing more than a bill title and generic summary as a placeholder for future legislation prior to cloture.

While using this vehicle for legislation, bill language often wasn't released until days, if not hours, before public hearings, and it was only made available through IP lists to those who understood the process. Even for bills with submitted language, it became common practice for bill sponsors to present

new amendments at public hearings and work sessions, significantly limiting anyone's ability to respond. Amendment language was not posted online, and only a limited number of copies were made available at public meetings for those who could attend in person.

As you can imagine, the lack of transparency driven by the increased use of concept drafts and late amendments made advocacy groups such as the Council more important to the business community than ever before; it truly took a team to stay on top of legislation as it continually evolved throughout the process. It also significantly increased the number of bills our team monitored over the past two years, with bill titles often so generic that it wasn't possible to determine a position until after the public hearing process.



Legislative Update (cont.)



Here are a few examples of concept drafts that were flagged in our system:

- LD 306, An Act Related to Water
“This bill would amend the laws related to water.”
- LD 384, An Act Addressing Agriculture, Conservation and Forestry in Maine
“This bill proposes to enact measures to address agriculture, conservation and forestry in the State.”
- LD 499, An Act to Change Maine’s Tax Laws
“This bill would change Maine’s tax laws.”
- LD 910, An Act to Amend the Laws of Maine
“This bill proposes to amend the laws of Maine.”

To his credit, Senator Bennett tried to amend the Joint Rules to eliminate concept drafts (SP 10), and to require that committee amendments to concept drafts be filed prior to committee hearings (SP 937). SP 10 died during the first session, and SP 937 remained on unfinished business in the Senate for most of the Second Regular Session.

We are hopeful that the 132nd Legislature adopts more stringent rules on the use of concept drafts and last minute amendments to restore transparency (and some sense of sanity!) to the lawmaking process.

Below, we have included a list of the bills that MFPC took a position on during the 131st Legislature. Of the 2,292 bills, our team tracked roughly 10 percent. Approximately 250 bills were submitted as concept drafts. We testified before 16 of the 20 legislative committees, and with the help of our members, we were able to collaborate on amendments that alleviated our concerns on a number of bills we initially opposed (indicated in yellow).

If you have any questions about our positions or the final disposition of any of the bills listed below, please contact me at kwest@maineforest.org.

Krysta

Status	Bill	Title	Position
Appropriations and Financial Affairs			
Public law	LD 416 (SP 197)	An Act To Authorize a General Fund Bond Issue for Research and Development and Commercialization	Support
Dead	LD 460 (SP 214)	An Act to Authorize a General Fund Bond Issue to Improve Student Success and Workforce Readiness Within the University of Maine System	Support
Agriculture, Conservation and Forestry			
Public Law	LD 24 (SP 16)	An Act To Prohibit Open Burning Under A Red Flag Warning And Regulate Recreational Campfires	Support
Dead	LD 108 (HP 76)	An Act To Establish A Logger Relations Advocate Within The Maine Forest Service	NFNA
Dead	LD 180 (SP 84)	An Act To Allow A Person To File A Paper Copy Of A Timber Harvest Notification Form	NFNA
Public Law	LD 390 (HP 241)	Resolve, Regarding Legislative Review Of Portions Of Chapter 25: Standards For Placing Wood Into Stream Channels To Enhance Cold Water Fisheries Habitat, A Major Substantive Rule Of The Department Of Agriculture, Conservation And Forestry, Bureau Of Forestry	Support
Dead	LD 993 (HP 628)	An Act To Facilitate Stakeholder Input Regarding Forest Policy In Maine	Oppose
Dead	LD 1048 (SP 417)	An Act Regarding The Authority Of Municipalities To Regulate Timber Harvesting	Support
Dead	LD 1349 (HP 863)	An Act To Review State Lands And Waterways That Have Sacred, Traditional Or Other Significance To The Wabanaki People	Oppose
Public Law	LD 1770 (HP 1134)	An Act To Improve Pesticides Sales And Use Data Collection And Accessibility By The State	Oppose
Public Law	LD 1849 (SP 750)	An Act To Ensure Fair And Timely Payment In The Harvesting Of Forest Products	Oppose
Public Law	LD 1874 (SP 758)	An Act To Support Maine Loggers' And Truckers' Right To Work In Maine By Improving Labor Standards	Oppose
Dead	LD 1985 (SP 814)	An Act to Authorize Removal of Requirements of Forest Certification Systems from the State's Forest Management Plans	Oppose
Public Law	LD 2063 (HP 1325)	An Act To Clarify the Laws Governing Disclosure of Wood Processing Data	Support
Education and Cultural Affairs			
Public Law	LD 881 (HP 547)	Resolve, Directing The University Of Maine System To Study The Development Of A Course Regarding The Use Of Manufactured Wood Products	Support
Energy, Utilities and Technology			
Dead	LD 43 (SP 36)	An Act To Reduce The Cost Of Electricity By Removing The 100-megawatt Limit On Renewable Resources Of Energy	Oppose
Public law	LD 122 (SP 61)	An Act To Authorize The Efficiency Maine Trust To Establish A Program To Support The Uptake Of Medium-duty And Heavy-duty Zero-emission Vehicles By Maine Businesses And To Establish A Medium-duty And Heavy-duty Zero-emission Vehicle-to-grid Pilot Project	Support
Public law	LD 177 (HP 118)	An Act To Amend the Authority of the Public Utilities Commission Regarding Special Rate Contracts	Oppose
Public law	LD 698 (HP 467)	An Act Directing the Public Utilities Commission to Study the State Natural Gas Supply Pursuant to the Maine Energy Cost Reduction Act	Support
Dead	LD 622 (HP 399)	An Act To Create Equal Opportunity Access To Clean Energy By Removing The 100-megawatt Limit On Clean Energy Sources	Oppose
Dead	LD 1111 (HP 707)	An Act Concerning Contracts And Agreement For Large-scale Water Extraction	Oppose
Dead	LD 1232 (HP 780)	An Act To Increase Adoption Of Solar Power In Maine	Oppose
Public law	LD 1408 (HP 904)	An Act To Reduce Maine's Dependence On Fossil Fuels And Carbon Footprint For Energy Production Using Waste Wood Fuel	Support
Dead	LD 1431 (HP 927)	An Act Requiring The Public Utilities Commission To Adopt Rules Promoting Renewable Energy	Oppose
Dead	LD 1611 (HB 2)	An Act To Create The Pine Tree Power Company, A Nonprofit, Customer-owned Utility	Oppose
Dead	LD 2077 (HP 1336)	An Act Regarding Customer Costs And The Environmental And Health Effects Of Natural Gas	Oppose
Public law	LD 2099 (SP 892)	An Act To Make Changes To Certain Laws Governing Renewable Energy Projects	Oppose
Environment and Natural Resources			
Public law	LD 9 (HP 13)	An Act To Establish Processing Time Limits For Permit By Rule Applications Under The Site Location Of Development Laws	Support
Public law	LD 400 (SP 181)	Resolve, Directing The Department Of Environmental Protection To Examine Setback Requirements For Outdoor Wood Boilers	Support
Dead	LD 928 (HP 575)	Resolution, Proposing An Amendment To The Constitution Of Maine To Establish A Right To A Clean And Healthy Environment	Oppose
Dead	LD 1214 (SP 495)	An Act to Clarify the Laws to Combat PFAS Substances Contamination	Support
Public law	LD 1246 (HP 794)	An Act To Include Endangered And Threatened Species Habitat In The Definition Of "significant Wildlife Habitat" Under The Natural Resources Protection Act	Oppose
Public law	LD 1363 (HP 877)	An Act To Support Extraction Of Common Minerals By Amending The Maine Metallic Mineral Mining Act	Support
Public law	LD 1411 (HP 907)	An Act To Require The Adoption Of Sector-specific Greenhouse Gas Emissions Limits	Oppose
Dead	LD 1433 (HP 929)	An Act To Exclude Pegmatites from the Definition of "Metallic Mineral"	Support

Public law	LD 1471 (SP 590)	Resolve, Regarding Legislative Review of Portions of Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a Late-filed Major Substantive Rule of the Department of Environmental Protection	Oppose
Dead	LD 1476 (SP 596)	Metallic Mineral Exploration, Advanced Exploration and Mining, a Late-filed Major	Support
Dead	LD 1496 (HP 950)	Substantive Rule of the Department of Environmental Protection	NFNA
Dead	LD 1508 (HP 963)	An Act To Ensure A Strategic Approach To Maine's Energy Transition By Imposing A Moratorium On Lithium Mining	Oppose
Dead	LD 1564 (HP 1009)	An Act To Eliminate Metallic Mineral Mining Activities Without A Permit	Oppose
Dead	LD 1621 (HP 1046)	An Act Regarding Environmental Justice	NFNA
Public law	LD 1926 (HP 1231)	An Act To Impose A Moratorium On New Point Source Waste Discharge Licenses On The Lower Presumpscot River	Oppose
Public law	LD 2261 (HP 1451)	An Act Designating New Motor Vehicle Emissions Rules As Major Substantive Rules	Support
Health and Human Services			
Included in budget	LD 1726 (SP 690)	An Act To Build Maine's Economy By Supporting Child Care For Working Families	Support
Housing			
Public Law	LD 2169 (SP 920)	An Act To Support The Development Of Workforce Housing To Promote Economic Development In Maine	Support
Inland Fisheries and Wildlife			
Public Law	LD 57 (HP 32)	An Act To Amend Maine's Endangered and Threatened Species List	Support
Dead	LD 626 (HP 403)	An Act To Preserve Maine's Sporting Heritage And Enhance Sporting Opportunities For Maine's Youth By Allowing Maine's Youth To Hunt On Sunday	Oppose
Dead	LD 672 (HP 441)	An Act To Establish Youth Deer Hunting Weekend	Oppose
Public Law	LD 732 (SP 290)	An Act To Prohibit Off-trail Operation Of A Snowmobile In An Area Closed To Off-trail Operation	Support
Dead	LD 1062 (SP 431)	An Act To Allow A Landowner Or Maintainer Of Trails To Lethally Remove Nuisance Beaver	NFNA
Dead	LD 1166 (HP 738)	An Act To Allow Sunday Hunting By Landowners On Their Land	Oppose
Dead	LD 1241 (HP 789)	An Act To Allow Sunday Hunting With A Bow And Arrow Or Crossbow	Oppose
Public Law	LD 1826 (SP 742)	An Act To Designate Deer Wintering Areas Under The Jurisdiction Of The Bureau Of Parks And Lands	NFNA
Innovation, Development, Economic Advancement & Business			
Dead	LD 262 (HP 167)	An Act to Strengthen Maine's Workforce	Support
Dead	LD 890 (SP 382)	An Act To Create The Child Care Provider Student Loan Repayment Fund	Support
Included in budget	LD 1918	An Act To Modernize Maine's Business Incentive Programs By Creating The Dirigo Business Incentives Program And Eliminating Certain Other Tax Incentive Programs	Support
Partially included in different bill. Public law.	LD 2191 (SP 930)	An Act To Provide Relief To Small Businesses Affected By Severe Weather-related Events	Support
Judiciary			
Dead	LD 2004	An Act to Restore Access to Federal Laws Beneficial to the Wabanaki Nations	Oppose
Public Law	LD 2007	An Act to Advance Self-determination for Wabanaki Nations	Oppose
Labor and Housing			
Public Law	LD 53 (HP 28)	"An Act To Ensure Accountability for Workplace Harassment and Assault by Removing Intentional Acts and Omissions from Workers' Compensation Exemptions"	Oppose
Public Law	LD 372 (SP 179)	An Act To Increase Enforcement And Accountability For Wage And Hour Violations	Oppose
Dead	LD 373 (SP 180)	An Act to Ensure Employer and Employee Harmony in Clean Energy Development Projects	Oppose
Dead	LD 949 (HP 596)	An Act To Protect Workers From Employer Surveillance	Oppose
Dead	LD 1190 (SP 486)	An Act To Ensure A Fair Workweek By Requiring Notice Of Work Schedules	Oppose
Dead	LD 1496 (HP 954)	An Act To Prohibit Noncompete Clauses	Oppose
Dead	LD 1794 (SP 719)	An Act To Enhance The Predictability Of Mandated Overtime For Pulp Or Paper Manufacturing Facility Employees	Oppose
Public Law	LD 1815 (HP 1161)	An Act To Protect Maine's Consumers By Establishing An Abuse Of Dominance Right Of Action And Requiring Notification Of Mergers	Oppose
Included in buget (public law)	LD 1964 (SP 800)	An Act to Implement the Recommendations of the Commission to Develop a Paid Family and Medical Leave Benefits Program	Oppose
Marine Resources			
Dead	LD 1776 (HP 1139)	An Act To Allow Citizen Oversight Of Department Of Environmental Protection And Department Of Marine Resources Actions And Rulemaking	Oppose
State and Local Government			

Public law	LD 1772 (IB 4)	An Act To Require Voter Approval Of Certain Borrowing By Government-controlled Entities And Utilities And To Provide Voters More Information Regarding That Borrowing	Support
Public law	LD 2101 (SP 894)	An Act To Strengthen Shoreland Zoning Enforcement	Oppose
Public law	LD 2264 (SP 982)	An Act To Further Clarify The Meaning Of "private Road" And "public Easement" In Certain Provisions Of Maine Law	Oppose
Transportation			
Public Law	LD 607 (HP 384)	Resolve, To Direct The Department Of Transportation To Examine The Feasibility Of Extending Interstate 95 To The St. John Valley	Support
Public Law	LD 652 (SP 269)	"An Act To Allow The Reinstatement Of Certain Commercial Driver's Licenses"	Support
Dead	LD 1025 (HP 661)	An Act To Improve Maine's Economy By Changing The Hours Of Operation For Oversize Loads	Support
Taxation			
Dead	LD 191 (SP 95)	An Act To Amend The Laws Regarding Certain Business Equipment Tax Benefits	NFNA
Dead	LD 341 (HP 215)	An Act To Amend The Maine Tree Growth Tax Law To Encourage Housing Construction	NFNA
Dead	LD 854 (HP 544)	An Act To Fund The Protection And Restoration Of Riparian And Estuarine Ecosystems And To Impose An Excise Tax On Certain Bottled Water Operators	Oppose
Dead	LD 1135 (HP 721)	An Act To Ensure That Carbon Credits Can Be Sold On Forest Land Enrolled In The Maine Tree Growth Tax Law	Support (as amended)
Dead	LD 1222 (SP 503)	An Act To Expand Child Care Services Through An Employer-supported Tax Credit	Support
Public Law	LD 1308 (HP 833)	An Act To Establish Municipal Cost Components For Unorganized Territory Services To Be Rendered In Fiscal Year 2023-24	NFNA
Public Law	LD 1337 (HP 851)	An Act To Require A Corporation That Files A Tax Return In The State To File A Tax Disclosure Statement	Oppose
Dead	LD 1475 (SP 595)	An Act To Promote Biomanufacturing And Biotechnology Development By Establishing A Tax Credit	Support
Dead	LD 1648 (HP 1060)	An Act to Make Changes to the Farm and Open Space Tax Law	Support as amended
Dead	LD 1685 (HP 1084)	An Act To Increase Acreage Eligibility And Change Requirements For Filing Plans Under The Maine Tree Growth Tax Law	Oppose
Dead	LD 1853 (HP 1183)	An Act To Conform The Mining Excise Tax Laws To The Maine Metallic Mineral Mining Act And Set The Mining Excise Tax At 10 Percent	Oppose
Public Law	LD 1891 (HP 1212)	Resolve, to Require the Office of Tax Policy to Study the Adoption of a Pass-through Entity Income Tax	Support
Dead	LD 2279 (SP 994)	An Act to Promote Equity in the Forest Products Industry by Allowing Commercial Wood Haulers to Be Eligible for Certain Sales Tax Exemptions and Refunds	Support
Veterans and Legal Affairs			
Public law	LD 1610 (IB 1)	An Act To Prohibit Campaign Spending By Foreign Governments And Promote An Anticorruption Amendment To The United States Constitution	Oppose

Articles of Interest

Mainebiz
MAINE'S BUSINESS NEWS SOURCE



[PLANNING ADVANCES FOR REDEVELOPMENT OF FORMER PAPER MILL IN JAY](#)

[SAPPI'S \\$418 MILLION EXPANSION OF SKOWHEGAN MILL CONTINUES ON SCHEDULE](#)

[TIMBER COMPANY REOPENS SHUTTERED AROOSTOOK COUNTY MILL](#)



Maine Forest Products Council

The voice of Maine's forest economy

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

March 7, 2024

Via Electronic Mail to: naomi.kirk-lawlor@maine.gov

Maine Department of Environmental Protection
C/O Naomi Kirk-Lawlor
17 State House Station
Augusta, ME 04333-0017

Re: Chapter 375: No Adverse Environmental Effect Standards of the Site Location of Development Act

Dear Ms. Kirk-Lawlor,

The Maine Forest Products Council (the Council) submits comments today to highlight our concerns regarding the Maine Department of Environmental Protection's proposal to amend Chapter 375, No Adverse Environmental Effect Standards of the Site Location Development Act. Since 1961, the Maine Forest Products Council has been the voice of Maine's forest economy. The Council represents the diverse needs of Maine's forest products community. Our members are landowners, loggers, truckers, paper mills, tree farmers, foresters, lumber manufacturers, and more. We welcome this opportunity to comment on the draft proposal that is before you today, as it would have ongoing and significant impacts on our membership, which includes landowners managing more than 8 million acres of sustainably managed forestland.

While the Council has no issue with the establishment of a compensation fee program to allow payments in lieu of mitigation, **this proposal includes a broadly defined new "undeveloped habitat block" category under Site Law that would require automatic mitigation for renewable energy development.** As a result, this proposal would tag an estimated 14.5 million acres, or 79% of Maine's undeveloped land in a new category that is broadly defined, and unscientific in nature.

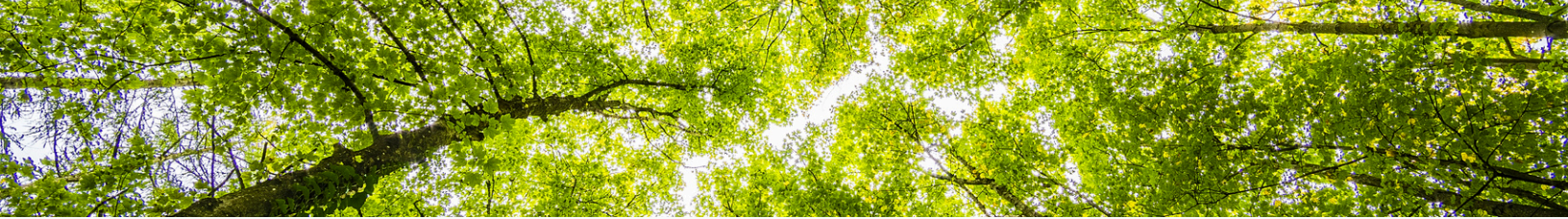
As you will see on the attached map, **this represents the most extensive rezoning effort in recent history** with significant impact to land values and development opportunities for thousands of landowners in every corner of the state. Yet, by the Department's [own admission in testimony](#), the priority was to "get rules in place expeditiously." We feel that this is the wrong approach for a proposal of this magnitude.

It is customary for consequential new rules to involve a rigorous stakeholder process (i.e. Chapter 428: Stewardship Program for Packaging and PFAS in Products). Even though this rule would result in a huge taking of the land development values and opportunities for landowners of all sizes, **not a single landowner or landowner group was consulted in the drafting of this rule.** If MFPC had been included in the rulemaking process, we would have advised the Department that arbitrarily mapping upwards of 79% of Maine's undeveloped lands as a new protected resource is not scientifically sound.

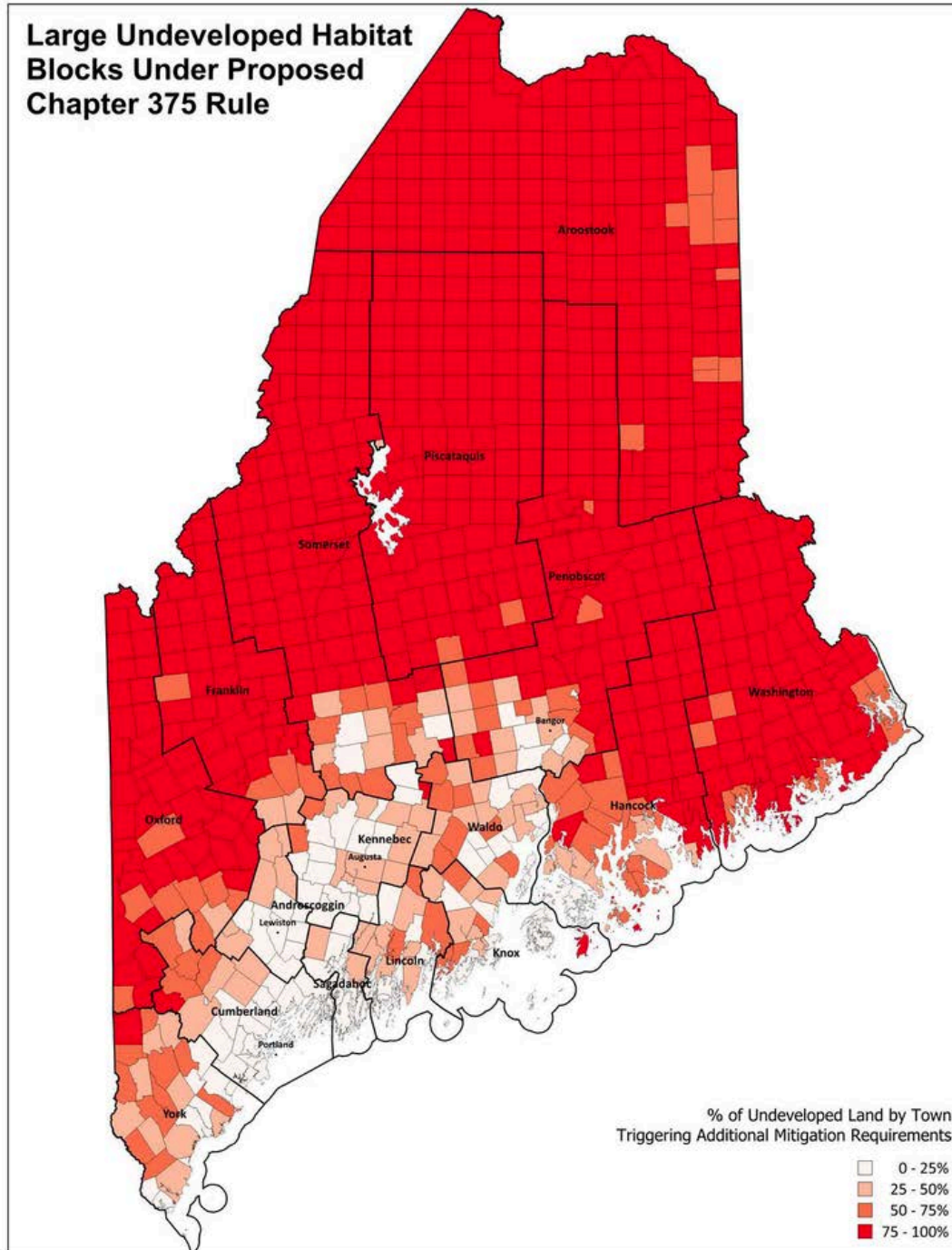
The Maine Forest Products Council recommends that this rule be returned to the Department for substantial revisions as part of a stakeholder process.

535 Civic Center Drive, Augusta ME 04330 207-622-9288 www.maineforest.org

Click here to read full
MFPC comment



Map of Ch. 375 Impact



[Click here to read full MFPC comment](#)

Executive Order 5: An Order to Lead by Example in State Owned and Leased Buildings



FY 23/24

WHEREAS, Maine is required to be carbon neutral by 2045, and has committed to reduce greenhouse gas (GHG) emissions 45% below 1990 levels by 2030 and at least 80% by 2050;

WHEREAS, a changing climate, and the need for new, more efficient technologies offers tremendous opportunities for Maine's wood products sector, and Maine is poised to be a leader in innovative construction products;

WHEREAS, heating, cooling, and lighting of buildings are responsible for almost one-third of Maine's greenhouse gas emissions, and Maine can reduce greenhouse gases by modernizing our buildings to use cleaner energy, increase energy efficiency, and utilize lower-carbon building materials;

WHEREAS, a building's overall carbon emissions result from a combination of the carbon embedded in materials (embodied carbon) and the energy usage associated with maintaining building operations (operational carbon), and annually, embodied carbon is responsible for 11% of global GHG emissions and 28% of global building sector emissions;

WHEREAS, nearly 90% of Maine is forested, the highest percentage in any state, and Maine's forest products industry is vital to Maine's economy, generating \$8.5 billion (equivalent to \$1 out of every \$20 of the state GDP) in economic impact and sustaining more than 33,500 jobs (1 out of every 24 jobs) in Maine in 2016;

WHEREAS, the Maine Climate Council developed a Climate Action Plan to meet the emissions targets while growing Maine's economy, with a particular focus on the buildings, infrastructure, transportation, and energy sectors, as well as to increase the resiliency of Maine's communities, industries and people;

WHEREAS, the Climate Action Plan committed to advancing the design and promotion of climate friendly building products, including the support of innovation, incentives, building codes, and marketing programs to increase the use of efficient and climate-friendly Maine forest products, including mass timber and wood fiber insulation;

[Click here to read full order](#)



In Partnership with:
Maine Forest Products Council



The Future of Maine's Forest Products

Wed. May 22 | 8-10 am

Wolfe's Neck Farm: 184 Burnett Rd, Freeport

Thank you to our Gold Sponsors!



HALEY WARD.



RSVP



MAINE FOREST PRODUCTS COUNCIL 64th Annual Meeting

SUN/ | SEPTEMBER |
MON | 15 & 16 | 2024

Sugarloaf Mountain, Carrabassett Valley

SAVE THE DATE

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