

OPPOSE

LD 872 – And Act To Clarify the Natural Resources Protection Act

Sponsor: Senator COLLINS of York

Co-Sponsors: Representatives BURNS of Alfred, CEBRA of Naples, CHASE of Wells, PARRY of Arundel, WATERHOUSE of Bridgton; and Senators SAVIELLO of Franklin, THIBODEAU of Waldo, and THOMAS of Somerset.

Summary: This bill cuts the protection zone around significant vernal pools and important wetlands for waterfowl and wading birds from 250 to 75 feet. It also requires the State of Maine to pay land owners for any decline in property value associated with having a protected area on their property.

Explanation: This bill appears to be based on the misconception that the 250 foot zone around vernal pools and important wading bird and waterfowl wetlands is a “no-build” zone. This is not correct. Construction of buildings is allowed within the 250 foot zone, but developers need to apply for a permit so that experts at the Departments of Environmental Protection (DEP) and Inland Fisheries and Wildlife (IFW) can review the proposed development and make sure that it is done in a manner that minimizes harm to protected areas.

Since 2006, developers have applied for 16 permits to build in the 250 foot zone around significant vernal pools in Maine, and not a single permit has been denied. Similarly, developers since 2006 have applied for 174 permits to build near wetlands that are important for wading birds and waterfowl, and 99% of the permits have been approved. There have been only two denials, which were the result of proposed development adjacent to extremely high value wetlands.

Protecting significant vernal pools and wetlands that are critical for waterfowl and wading birds has many benefits – including helping prevent floods, filtering polluted runoff to lakes and rivers, protecting drinking water, and contributing to the health and population of many species of wildlife in Maine. Such protection also helps keep Maine’s hunting and fishing heritage strong. As such, drastically reducing the level of protection around these habitats will harm Maine’s economy by causing unnecessary impacts on important natural areas and wildlife that people come to Maine to experience.

NRCM opposes LD 872.