

**TESTIMONY OF THE
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE**

**BEFORE THE JOINT STANDING COMMITTEE ON INLAND FISHERIES &
WILDLIFE**

IN SUPPORT OF L.D. 280

LD Title: "Resolve, Concerning Rights-of-way over Eastern Road in Scarborough"

**SPONSORED BY: Senator HASKELL of Cumberland
CO-SPONSORED BY: Representative DAVIS of Sangerville**

DATE OF HEARING: March 12, 2013

Good afternoon Senator Dutremble, Representative Shaw and members of the Inland Fisheries and Wildlife Committee. I am Jim Connolly, Director of the Bureau of Resource Management at the Maine Department of Inland Fisheries & Wildlife. I am speaking on behalf of the Department of Inland Fisheries and Wildlife in support of **L.D. 280**.

MDIFW is responsible for management on approximately 100,000 acres of State owned Wildlife Management Areas (WMA). The Scarborough WMA is a 3,246 acre wildlife management area in southern coastal Maine consisting of tidal saltmarsh, mudflats, freshwater marsh and associated upland habitats. Eastern Road is a former railroad right-of-way, and is owned by IFW. It was acquired to provide access to the Scarborough Wildlife Management Area, and now is part of the Eastern Trail, an extremely popular hiking trail through Scarborough.

L.D. 280 seeks to ratify certain rights-of-way over portions of Eastern Road. Maine's Department of Inland Fisheries and Wildlife and the United States Fish and Wildlife Service have determined that these nonexclusive easements do not significantly or unreasonably interfere with the department's use of Eastern Road or the goals and management of the Scarborough Wildlife Management Area. From 1982 to 2005 six easements were granted, none of which impacted our management of the Scarborough Wildlife Management Area.

As outlined in this L.D., the Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House. The purpose of L.D. 280 is to clarify that this legislative approval has been granted as required for these six easements. I would be happy to answer any questions.