

Memo

To: Bill Beardsley, Commissioner, Department of Conservation
From: Doug Denico, Director of the Maine Forest Service
Date: 28 November 2011
Re: Resources required to administer LURC forestry regulations at MFS

Assumptions:

- All LURC forestry regulations (including those governing land management roads and associated gravel pits) are transferred to MFS authority.
- MFS will be required by the Legislature to undertake major substantive rulemaking to replace current permit requirements for activities in some subdistricts to permit-by-rule standards.

Current situation and allocation of resources:

- Approximately 650 Forest Operations Notifications (FONs) filed each year in the LURC jurisdiction. Increasingly, landowners are notifying for category 3 clear cuts in LURC which requires increased MFS participation and review.
- Notifications are processed in the Commissioners office. This function needs to be upgraded to maintain appropriate responses to landowners.
- An average of about 20 Forest Operations Permit applications are filed with LURC each year and are processed by LURC staff.
- Approximately 260,000 acres are harvested in LURC. These harvests including those authorized by permit are field inspected by MFS staff. LURC inspects permit sites in conjunction with the MFS.

Suggested Changes:

- The MFS will resource the notification process to have them processed timely, write the Forest Operations Permits and inspect all active harvests on a priority basis.
- The MFS will conduct “one time” substantive rulemaking to replace the permit process with standards for certain activities. It is anticipated some permitting will still be necessary.

Resources Needed to Absorb LURC duties and address Category 3 clear cuts in the LURC jurisdiction.

- Major substantive rulemaking is estimated at a one time cost of \$10,000.



- A Regional Enforcement coordinator will need to be hired permanently to process permits and conduct the additional field inspections at a cost of \$90,000/year.