

**Testimony on Behalf of the Moosehead Region Futures Committee  
Regarding Plum Creek Rezoning Application ZP-707**

**Name of Witness:**

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**Topic of Testimony:**

Issues regarding the number of acres requested to be rezoned by the applicant.

**Qualifications of Witness:**

Maine native and 14-year resident of Beaver Cove; two-term Selectman, Town of Beaver Cove; founding member and past chair of “The Friends of Moosehead”; founding member of the “Moosehead Lake Fisheries Focus Group”; founding member and current President of the “Moosehead Region Futures Committee”; past Advisory Board Member of “Businesses for the Northern Forest”; 3-time State Representative to the National Wildlife Federation Annual Meeting and Conference; 7-year owner of Beaver Cove Camps, Inc. on Moosehead Lake; Intervenor in LURC proceedings regarding Burnt Jacket LLC Rezoning request ZP-712; current member of the Board of Directors of the Natural Resources Council of Maine; avid fly fisherman and outdoor enthusiast with considerable personal experience in and knowledge of the Moosehead Lake region; professional affiliations and memberships include: the Natural Resources Council of Maine, the National Wildlife Federation, Trout Unlimited, The Izaak Walton League, the Atlantic Salmon Federation, The Sierra Club, the Appalachian Mountain Club, the Natural Resource Defense Council and the Maine Wilderness Guides Organization.

**Testimony:**

**Introduction**

In June of 2005, Plum Creek Timber’s proposal to rezone over 400,000 acres of lands in the Moosehead Region, as well as a subdivision proposal for Burnt Jacket Mountain, brought together a group of volunteers concerned about the need to increase citizen participation in creating a future for the Moosehead Region and its high value resources. This group formed the Moosehead Region Futures Committee. Recognizing the need for a greater public voice in planning for development and conservation, MRFC Steering Committee members organized information meetings in Beaver Cove, Greenville, and Rockwood, collecting residents' ideas about values and planning. They attended camp owner and road association meetings in all affected project areas (from Roach Pond to Moosehead to Brassua Lake) as well as all four LURC scoping sessions held to hear residents’ concerns about Plum Creek’s proposal. Public feedback from area meetings and LURC scoping sessions led to the creation of Citizen

Solutions: planning guidelines and a map designed to point landowners, developers, and state decision makers to solutions that will support the area's North Woods character and a strong, diverse local economy (see MRFC consensus documents: Exhibit 1, Citizen Solutions document; Exhibit 2, Citizen Solutions map; Exhibit 3, Citizen Solutions map interpretation document). Several suggestions from Citizen Solutions were incorporated into the April 2006 revision of Plum Creek's proposal. These include: relocation of a proposed resort to Big Moose Mountain, provision for affordable housing, and establishment of a Community Fund based on contributions from the sale prices of house lots. The MRFC then analyzed the April 2006 version of Plum Creek's proposal through the lens of Citizen Solutions and made specific recommendations for further revisions to LURC staff (see MRFC consensus documents: Exhibit 4, MRFC submission to LURC August 23, 2006; Exhibit 5, MRFC submission to LURC October 20, 2006). Again, some of these suggestions were incorporated into the April 2007 version of Plum Creek's proposal; for example, proposed development was eliminated from certain locations judged as inappropriate (Prong Pond, Big W Township, and the northwest of Brassua Lake).

The testimony that follows presents the results of the MRFC's analysis of the current version of Plum Creek's proposal, again viewed through the lens of Citizen Solutions. This analysis has led us to conclude, reluctantly, that we cannot support the proposal in its current form.

However, the MRFC continues to view the LURC evaluation process for Plum Creek's proposal as an opportunity to develop a framework that will secure a vibrant, sustainable future for the Moosehead Region. We are eager to work with LURC, Plum Creek, and future developers to create a world-class model of carefully planned development balanced by permanent conservation that will support the region's nature-based economy for generations to come.

## **Opening Statements**

Throughout the past 2 1/2 years, Plum Creek has shown a grudging but noted willingness to consider new options regarding their vast land ownership in the Moosehead Region. In 2005, Plum Creek stated firmly that the use of Conservation Easements was simply not a part of their "Corporate Land-use Philosophy". Now however, we are faced with the possibility of large areas of Conservation Easements within their holdings in the Moosehead Region. To use this change of philosophy against the applicant may seem grossly unfair. However, if this corporation is willing to adopt such dramatic changes in land-use philosophy as a result of public pressure, then it should be considered that further pressure will yield ever more suitable results for the people of the region and the state. No company wishes to succumb to outside pressures, but it is in fact often the manner in which business is done and change is adopted. No company will voluntarily make such dramatic changes in corporate philosophy without outside pressure, and it is quite apparent that the people of the state of Maine have both the willingness and the determination to bring such pressure to bear, when considering such monumental changes to the very fabric of the land they love. Plum Creek has made a great deal of progress in understanding this dogged determination, what we call the "The Way Life Should Be". Thus to give up now, when we are so much closer to a fair and reasonable set of results than we were in December of 2004 when first we heard of Plum Creek's plans, would not serve well that Yankee determination of which we are all so proud.

While there are certainly components of this application that are to be applauded, there are still areas which require further consideration and fair evaluation before an approval can be awarded. Details of those issues follow below.

In testimony submitted by members of the Moosehead Region Futures Committee, (MRFC), issues addressing inappropriate locations for proposed development, the number of acres proposed for development, concerns regarding proposed land use zone components, the weakness of conservation easement language, and issues regarding the protection and enhancement of the nature-based tourism economy of the region will all be addressed. In each of these components of our testimony a common theme will emerge: one of eagerness and sincerity on the part of each presenter to establish an understanding and interpretation of the CLUP, LURC mandates and associated guiding documents by which sound conservation and development of Plum Creek lands in the Moosehead Region may be considered. And too, you will find expressed a firm belief that the application as currently submitted is still unsuitable for approval. Each area of concern taken up by this organization reflects the input we have received from local area residents, business owners, vacation home owners, visitors and others from throughout the region and the state who are knowledgeable about and concerned for the future of the Moosehead Region. We do not pretend to represent the opinions of everyone in the region and in fact we clearly understand that we do not. We do however, represent the voices of many of those enlightened by their careful study and ours of the hundreds of pages of detail contained within this application, petition and appendices. Others who are as yet unenlightened by such careful study but instead perhaps impressed by the applicant's public relations presentations will also be heard throughout these proceedings. A number of these individuals, some holding positions of influence in the communities, have even admitted publicly that they have not read the Plum Creek application, but instead listened to a presentation by the applicant and believe they know all they need to know in order to form an opinion. How very unfortunate for them that they have chosen to view the title but failed to read the book. Suggesting such is akin to stating that they have read the Bible when in fact all they have seen is the gold-embossed cover. Many of these same people have specific potential personal gain to be realized by the approval of a concept plan for the region. What those people fail to admit is that the application we are now considering contains many more acceptable features than what we were considering two years ago. And further, that the reason for those changes is that the people who have done the due diligence to actually read and examine every page of the proposal have spoken up and demanded that changes be incorporated. We are not yet satisfied that enough changes have been made, however, and will continue our efforts until they are. It is our firm goal as an organization, and has been throughout the past two and one-half years, that there eventually be an application brought forth that we can embrace as sound and predictable planning for the future of the Moosehead Region, and it is toward that end that we submit all of the testimony you will receive from the MRFC. It is not our goal to drive away potential economic gain and prosperity for the Moosehead Region, but instead to help that gain be planned in such a way that it provides equal consideration to all of the components of our regional economy, the historic character of the region, its unparalleled natural resources and a future for the North Woods of which we all can be proud.

## **Broad Goals of the Commission**

In Chapter 5 of the CLUP, “Goals and Policies”, the Broad Goals of the Commission are clearly stated. They read as follows:

The Commission’s policies shall be directed toward the achievement of three broad goals:

1. Support and promote the management of all the resources, based on the principles of sound planning and multiple use, to enhance the living and working conditions of the people of Maine, to ensure the separation of incompatible uses, and to ensure the continued availability of outstanding quality water, air, forest, wildlife and other natural resource values of the jurisdiction.
2. Conserve, protect and enhance the natural resources of the jurisdiction primarily for fiber and food production, non-intensive outdoor recreation and fisheries and wildlife habitat.
3. Maintain the natural character of certain areas within the jurisdiction having significant natural values and primitive recreation opportunities.

Nowhere among these goals does it state that the responsibilities of the Commission include the satisfaction of corporate desires for profit-taking by the conversion of forested lands to other uses. Nowhere among these goals does it state that the responsibilities of the Commission include the consideration of the development of new towns or communities, or the acceptance of proposals that will result in similarly destructive dramatic changes within the jurisdiction. Instead, it is clearly stated that the goals include the management of all resources, the promotion of sound planning, the separation of incompatible uses, the protection of natural resources and the assurance of a continuation of the natural character of the lands in the jurisdiction.

In Chapter 6 of the CLUP, “Guiding the Location of Development”, under sub-heading “Responding to Major Development Proposals”, it is clearly stated: “The Commission will consider proposals that will create new development centers where: (1) there is a demonstrated public demand for and benefit from the proposed development in that area; (2) there is a demonstrated need for locating the development not proximate to established developed areas; (3) the productivity of existing forest and agricultural resources in the jurisdiction is not unduly harmed; (4) recreational resources and uses are not unduly harmed; (5) natural resources, including remote values, and plant or animal habitat values are not unreasonably degraded; and (6) needed services are available or can be provided without unreasonable financial, social or environmental costs to the public.”

Nowhere in the current proposal has the applicant demonstrated without question that each and every one of these criteria have been met. Instead, the applicant has hired armies of attorneys and rooms full of “experts” to generate mountains of questionable evidence that there is demand, benefit, need, lack of degradation and protection of resources among the lands they propose to develop. Further, with regard to the Conservation Framework, the applicant has unabashedly developed a “hostage” strategy, offering the proverbial “carrot on a stick” of thousands of acres of poorly protected and ill-defined easements to entice the people of the state and in fact the Commission itself to accept a proposal that would quite clearly otherwise be dismissed as unreasonable, unnecessary, and without respect for the basic principles with which the LURC jurisdiction has been mandated to be managed. And to add insult to injury, the applicant has

arranged to make a 35 Million-dollar profit from this offer of “good will” to the people of the state. To suggest that this is a fair and equitable deal for the Moosehead Region and the State of Maine is to ignore the fundamental values and character upon which our great state was founded. Capitalism has no place in discussions about supporting and promoting the management of all resources, the conservation, protection and enhancement of natural resources, or the maintenance of natural character, traditional values and primitive recreational opportunities of the jurisdiction, all clearly mandated by the Broad Goals of the Commission quoted above.

### **Concerns regarding the numbers of acres to be rezoned**

In Chapter 4 of the CLUP, under the sub-heading “Impacts of Development, The Evaluation of Adverse Impacts”, it is noted: “Some adverse impacts are easy to identify and to avoid or mitigate; others are difficult to recognize or prevent. Full consideration of adverse impacts requires keeping abreast of scientific research and documentation, while recognizing that many impacts are subtle and incremental. Sometimes, by the time degradation of a value is clearly detected, the value may be lost or remedial action infeasible. The Commission therefore will approach the identification of potential adverse impacts with a balance of good science and reasonable foresight.” Further, in Chapter 4 under the sub-heading “Site Mitigation and Appropriate Design” it is stated: “A major requirement of new development is that ...provision be made for fitting the project harmoniously into the existing natural environment in order to assure that there will be no adverse impact on existing uses, scenic character, and natural and historic resources in the area...”

In this section it will be shown that neither of the above-noted criteria for approval has been fairly represented in the applicant’s documentation. Instead, only a faint suggestion of the type and magnitude of the proposed development is offered, and without site-specific data to indicate adherence to these important requirements. No fair review of the potential impact of the proposed development can be made unless and until the applicant provides specific information on the exact location, style, type and magnitude of each proposed development component.

Plum Creek is asking to rezone approximately 20,500 acres for the purpose of establishing numerous residential and commercial development areas. The applicant is asking for many more acres in this component of their rezoning request than is required for the volume of development proposed and clearly doing so for the purpose of setting aside vast acreages for future development. The number of acres being requested quite clearly by their own admission far exceeds the number required for the development they suggest. While the applicant has stated that they have yet to determine the exact footprint of each and every development lot, they are concurrently suggesting that one of the most important benefits to their plan is predictability regarding the amount and location of development that the region will face over the coming years. Time and again the applicant has cited that with their plan, the region will know exactly how much development we will face in the future and has suggested that this is a better choice than the incremental development that might result if their plan were not proposed. If the applicant wants to develop a specified number of residential lots throughout their ownership, then they should be required to establish the specific locations of each development component now and remove the remaining acres from consideration for future development within each zone.

The applicant has stated that in each zone, they know there will be some areas that are unsuitable for development due to soil conditions, wetland issues and other natural features that might restrict the placement of individual lots. (Please refer to additional MRFC testimony regarding this issue submitted by Mr. Bakajza). While this is very likely true, it is unreasonable for the state to accept a request for 20,500 acres of rezoning when the development suggested might well fit nicely on 5,000 to 7,000 acres. The applicant has spent vast amounts of money in their efforts to secure approval of this application request, however a little more money spent now would easily resolve the issue of placement of lots on each of the proposed development zones and put to rest the question of the disposition of the remaining 13,000 to 15,000 acres. Utilizing 5,000 to 7,000 acres for a total development footprint of the number of proposed house lots allows for between 5 and 7 acres per lot. Assuming the development zones need to include infrastructure such as roads, trails and green space, lots of 1.5 to 3 acres each, or a total of between 1460 and 2925 acres are all that are required for reasonable lots, well within LURC guidelines for such development, and allowing more than adequate remaining acreage for the necessary infrastructure and associated green space. This means that the total number of lots requested would easily fit on as little as 15% of the acreage being requested. The applicant is clearly asking for far more acres than would reasonably be required for the development they propose, simply because they are unwilling to spend the additional funds in advance to provide a clear picture of the magnitude and location of their proposed development.

Why might the applicant want to take this approach, when by doing the additional study in advance, they might well convince the state and intervening parties that their proposed development is more reasonable? Clues may be found in statements made by Luke Muzzy, Plum Creek Land Asset Manager, in a meeting with the MRFC during the late winter of 2007 during which he indicated clearly that Plum Creek or the future owner and developer of the properties might want to propose additional development within each zone at a later date should demand arise. Further, on August 23 of 2007 while speaking to current Lily Bay residents, Mr. Muzzy again reinforced this contention, stating: "...this is a 30-year plan, and who knows how much more development folks might want at the end of 30 years, so this (plan) leaves plenty of room for that potential". Additionally, Roger Seavey, speaking on behalf of Plum Creek at the Forest Heritage Days event in Greenville on August 11 of 2007, clearly stated that the answer to why they wanted so many acres rezoned for development is that they would like to reserve lands now for additional development in the future. Does this represent predictability? I would submit that it clearly does not and instead represents an unreasonable and poorly disguised attempt to provide for vast amounts of future development throughout the region. This approach will significantly increase the potential value of the rezoned land, providing for a huge windfall to the applicant and future developers at the expense of the character of the region and the very people whose lives and futures depend upon a balanced approach to development.

Is there a reasonable alternative to this approach? Of course there is.

If Plum Creek were willing to accept a stipulation that the lot footprints and associated infrastructure not exceed 7,000 acres throughout the plan area, and that all remaining acreage within the total 20,500 acres would be placed into permanent green space, with no opportunity

ever to arise for those acres to be developed, then and only then should LURC and the people of the State of Maine consider there to be an element of predictability to this plan.

Discussions regarding the uses of the remaining land in each development zone have been held between representatives of Plum Creek and MRFC, during which it was suggested that an independent third party entity might be formed to assist in the establishment of strict covenants for each development zone, along with a mechanism for the perpetual enforcement of those covenants as each zone becomes developed. Plum Creek agreed during these discussions that no such mechanism currently exists, and too, that they are not interested in being in the covenant enforcement business. Just such an entity might also be useful in the establishment of development footprints of each development component for the purposes of planning prior to rezoning. Working with LURC, state soil scientists, wildlife specialists and water quality experts, this third party working group could establish a fair set of criteria by which it could be clearly determined which specific areas should be off-limits to development, appropriate areas for permanent green space and a firm plan for the footprint and layout of each development zone and its associated infrastructure. As each zone is significantly different with regard to natural features, habitat, drainage, soil types, proximity to existing infrastructure and important watershed issues, the applicant cannot establish at this time, without such advanced studies as suggested above, that the zones they are requesting for development represent a predictable and reasonable scenario for the protection of valuable natural resources upon which the region's economy depends. Instead, the application as currently presented provides only a broad-brush overview of potential development that might occur and leaves an important door wide open for the future exploitation of the region by unscrupulous developers and speculators.

The lack of a mechanism for the establishment and perpetual management of green space within each development zone is further evidence that the applicant does not wish to address this important component of conservation within each zone, instead attempting to hold in abeyance vast numbers of acres for their future development potential. There is no evidence offered by the applicant that indicates recognition of the "tipping point" that must be considered between development and conservation within development zones or frankly within their entire plan area. While conservation components certainly exist, including both the Mitigation Conservation and the Conservation Framework lands, no such consideration has been given to the lands within each development zone. Dedicated green space is clearly necessary to provide for a cap on development and the assurance that at no time, 30 years or 300 years from now, will these zones grow to become villages, then towns and perhaps even small cities. Without an established plan for these additional acres, the eventual results will clearly be intensely developed zones, containing far more people, more traffic, more infrastructure demands and more strain on the natural environment of the region than is now being considered. We simply cannot support this less than transparent approach when the science and technology clearly exist to improve upon it. If Plum Creek intends to develop thousands more homes and businesses on their land, then they need to make that clear now or there is no element of predictability to this plan whatsoever. If the potential build-out of all of the lands they are asking to rezone for development were clearly stated, no public support would be forthcoming for this application and no state agency would be in favor of it from any perspective. The applicant simply must be compelled to provide a clear and complete plan for the final uses of the lands they are asking to rezone for development or

LURC cannot in good conscience and with regard to their own mandates consider this plan for approval.

In addition to the above-noted topics, another glaring omission is apparent in the current application with regard to the issue of demonstrated need. No comprehensive study has been provided by the applicant that addresses this important statutory criterion. In the LURC document entitled "Clarifying The Rezoning Criterion Of Demonstrated Need" (April 1, 2004), it is quite clearly indicated that applicants or petitioners must show Community Support, Compatibility with Community Character, Economic Benefit and the Presence of Existing Compatibly Zoned Areas, among other requirements. The discussion surrounding this issue has resulted in the broadest and most far-reaching divisiveness in the communities of the Moosehead Region in our local history. Families, neighbors and friends are divided on their perspectives regarding this proposal. While everyone recognizes the need for a boost to the local economy, not everyone agrees that this is the panacea to all that is wrong with it today. Instead there are clearly divided views of the outcome. Some believe that it will provide just the boost their particular business or industry needs to carry them through to retirement. Who could blame a local hardware store owner, realtor or building contractor from supporting a development plan that might bring prosperity to their endeavors in the short term? But even these very residents are divided about the long-term losses that may result, losses of a cherished way of life or access to a favored sheltered cove, secluded trail, unspoiled trout stream or traditional hunting grounds. (Please refer to additional MRFC testimony regarding this issue submitted by Mrs. AuClair). Without a clear and concise definition of the exact parameters under which development zones may be designed, answers to these concerns are not forthcoming. In the Economic Study by Dr. Colgan, which was commissioned by the applicant in support of their proposal, Dr. Colgan admits that the positive economic impacts to the region will occur primarily during the brief build-out period and that the region must recognize that their long-term economic future lies in natural resource-based tourism and not in second home development. (Please refer to additional MRFC testimony regarding the Nature-based Tourism Economy of the region submitted by Ms. Neily).

Ask any local business owner about their biggest difficulty in succeeding in their chosen endeavor and the answer is almost universal, not a lack of customers but instead the lack of a stable labor force. One of the major reasons behind this problem is clearly the lack of affordable housing. Workers who earn minimum wages and even up to \$10.00-15.00 per hour are unable to afford decent housing in the region, even where housing does exist. In a semi-resort setting such as the Moosehead Region, if an individual is interested in securing income from property they own it is a far more attractive and profitable option for them to rent it for high prices for a few weeks during the peak seasons and close it entirely during the other months of the year, than to have to deal with being a landlord on a year-round basis. While the development proposed by the applicant includes an affordable housing component, their suggested methodology provides for the donation of raw land, and the establishment of a funding mechanism for use in the development of affordable housing. (Raw land is not the issue in this instance as there is clearly an abundance of it already available, including over 8000 acres owned by the applicant within the town of Greenville, where the addition of affordable housing might become an asset and a tax benefit to the community). It should be noted as well that the applicant also proposes to build on-site employee housing for the resort properties in their plan, in addition to caretaker's and

manager's quarters of an unspecified quantity and type. It would seem a more appropriate approach if the applicant would simply include elements of affordable housing in each development zone, providing for a fair mix of domiciles within them, and assuring that they will in fact be built. The current plan provides no assurance that the construction of affordable housing will in fact ever be undertaken, once again leaving the burden to do so on the existing communities instead of accepting the responsibility to build such housing as a part of the plan. The result might clearly be that all of the "new" employees who arrive to staff proposed facilities might simply live part-time in the proposed employee accommodations, instead of becoming part of the existing communities. Will we be faced with transient or even foreign seasonal labor to staff these new enterprises? And what of the labor force needed during the build-out period? If affordable housing were included as a component of each development zone, there would be a far greater likelihood that those employed during that period might in fact choose to relocate to the region. This in turn would provide for the much-needed addition of families with children to populate local schools and add new year-round residents to the local communities. This would serve to bolster the struggling economy in a fashion that would be far more likely to continue, instead of forcing it to face a "boom and bust" scenario of transient and commuting workers from out of the area, as clearly indicated in Dr. Colgan's report. None of these questions are addressed and all are of ultimate importance with regard to Community Support. (Please refer to additional MRFC testimony regarding this issue submitted by Mrs. AuClair).

With regard to the requirement to show Compatibility with Community Character, there is no means of determining adherence to this criterion unless the applicant provides a clear and concise representation of the final build-out designs. The applicant obviously cannot do this when they admittedly don't even know where they intend to build as noted in the paragraphs above. How can the local community or LURC assess the compatibility if there is no firm representation of the final plan? This criterion requirement is obviously sorely lacking with regard to supporting evidence by the applicant. The above-mentioned LURC document clearly asks the questions: "Does the area have a distinctive community or village character?" and "Is the type of development, level of density and housing type (seasonal and year-round) being proposed in keeping with what already exists in the community?" How can we be expected to answer these questions in a reasonable fashion if the applicant cannot even tell us where they intend to build? Furthermore, the same LURC document asks: "Can the new project be accommodated without significantly altering the community's existing character?" It should be noted that all of this development is proposed in the Unorganized Territories, not in the gateway community of Greenville. Is there community character in the North Woods of the Moosehead Region? The answer is clearly yes. But, if we cannot know in advance even where and in what form development will be placed, how then can we answer this question? Obviously we cannot, and without proper advance planning and site design, we are collectively being asked to trust the fox to guard the henhouse.

Under provisions of 12 M.R.S.A. s/s 685-A(8) of the Commission's statutes, no change in a district boundary shall be approved unless there is *substantial evidence* that the change in zoning will satisfy a demonstrated need in the community or area. Further statements in the above-mentioned document include: "Evidence and documentation indicating that the proposal would satisfy that need must be submitted from individuals who do not stand to profit financially from, or have a vested interest in, the proposal. In preparing such documentation, the petitioner should

keep in mind that market demand does not necessarily constitute need in the community or area for rezoning.” Additionally, there is also clearly stated the requirement to show that a proposal will improve the economic well-being of a community as a means of demonstrating need. Because the Piscataquis County region is one of the poorest in the state, with one of the lowest median household income levels, any infusion of capital in such a region may be viewed by the unwary as an economic boost. What is not clear, however, is what the long-term benefits of this process will be, when weighed against the losses of critical natural resource areas upon which the region’s economy must clearly depend in future generations. Additionally, as noted in Chapter 6 of the CLUP and cited above, the applicant must demonstrate that “...needed services are available or can be provided without unreasonable financial, social or environmental costs to the public.” No such sound demonstration of available services or that the development of them will not place an unreasonable cost on the existing members of the communities surrounding Moosehead Lake has been provided by the applicant. The opposite is in fact a more likely result as additional strain is placed on existing infrastructure, or as new infrastructure is developed throughout the easement acreages, which would be allowed by the easements as currently written. (Please refer to additional MRFC testimony regarding this issue submitted by Mr. Guethlen). Clearly, taxes paid on newly developed lands in these Unorganized Territories are exclusively the domain of the state, with no guarantee that any such funds will be returned to the communities placed most at risk of overburdened infrastructure by those new developments. One need not travel far outside of the jurisdiction to view the effects of overdevelopment, sprawl, and congestion resulting from lack of foresight by those who welcomed any and all proposals for development without consideration for the losses that would accompany them. Further, the applicant’s reputation for ignoring the needs of the local communities in areas they have already developed, both here in Maine and in other states is well established. (Please refer to additional MRFC testimony regarding this issue submitted by Mrs. Wisher). Again, without a clear and concise description of the style, type and exact locations of proposed development, not to mention the intended density or total volume, it is impossible for the communities or the Commission to make a sound determination of potential economic benefits that lend to the demonstration of need.

For these reasons, and those presented by other members of the MRFC regarding additional concerns as noted above, this application clearly fails to meet numerous requirements and criteria against which such proposals are mandated to be reviewed. The Commission cannot consider this proposal complete and adequate for review and consideration until a full and fair representation and exact description of proposed development components is provided. To do so would be to ignore the basic principles of guidance required of this body and would not serve well the needs and expectations of the people of the jurisdiction or the state.

## **Conclusions**

During our many discussions with friends and neighbors in these communities we have come to learn that the people of the Moosehead Region have a very strong sense of “place” with regard to their surroundings. Like most folks in rural settings, they are not immediately comfortable with change and often suspicious of those proposing it. This is not unique to the people of the Moosehead Region, but a common thread found throughout the peoples of the Northern Forest regions of Maine, New Hampshire, Vermont and Northern New York. Historian Barbara Allen writes: “...there are several fundamental elements in regions, despite the different ideas about

their nature held by geographers, economists, historians and anthropologists. First, a region is a geographical entity, or place itself. Second, a region is comprised of people who live there and “organize their lives within the context of the environmental conditions and natural resources of that place”. Third, a region has a history of residents’ shared experiences in that place. Last, a region has some distinctiveness, in economic and social structure, historical development or cultural patterns, from the area around it and from the whole of which it is a part.” (1)

In considering such massive plans for change, it is imperative that we, who have the power to make such decisions, not ignore this important fundamental component of the very fabric of our existence here. This sense of “place” in the people of the Moosehead Region is strong and well-founded, and must be carefully respected when such weighty considerations are pending, that we not destroy that single most important element of our Maine traditions, our connection to the land.

The very issue of Plum Creek’s massive plans for development and conservation in the Moosehead Region has itself spawned what may nearly be called a new industry, albeit one staffed in large part by volunteers. Since the first hint that such a scheme might be afoot, completely new organizations such as The Friends of Moosehead, The Moosehead Region Futures Committee, the Maine Wilderness Guides Organization, the Moosehead Mapping Collaborative and other grass-roots organizations and groups have been inspired to form and enter the discussion. Major state and national conservation organizations such as Maine Audubon, NRCM, AMC, the Nature Conservancy, the Forest Society of Maine, the National Wildlife Federation, the Northern Forest Alliance, the U.S. Fish & Wildlife Service and others have weighed in or become partners to the discussion. News articles regarding the issue have appeared in every major news outlet and on every broadcast network in Maine; in fact for nearly three years, hardly a daily issue has been printed in which one could fail to find at least one mention of it. Articles have repeatedly appeared in the Boston Globe, the New York Times and many other national publications. The Land Use Regulation Commission itself has had to redefine its scope and enlarge its staff just to accommodate the work involved. Even legislative action has been undertaken to address this major shift in landowner priorities. In my numerous personal visits with our Maine Congressional Delegation in Washington, D.C., I have been queried by every one repeatedly regarding the status of this issue. That the very scale and magnitude of this proposal has attracted this broad a base of interest, this much input and this much concern, much of it outside the borders of Maine, speaks volumes to the importance of the decisions we make with regard to the future of the Moosehead Region and the Northern Forest of Maine. No other such plan in any state has ever raised such broad investigation and interest as has this application. To suggest that this proposal can be evaluated and decisions reached in a “business as usual” mode would be to ignore this broad state-wide and national level of concern, and the diligent work of the hundreds of individuals who have laid their own lives aside to tackle this issue and provide us all with the details necessary to undertake a fair evaluation. We therefore implore the LURC staff and the Commission to use every tool at your disposal, to leave no stone unturned and to take this decision as the most important one LURC has ever made with regard to the future of the jurisdiction. The precedent that will be set now is being watched by every other major landowner in Maine, and each one is waiting to see what leadership will emerge, what level of protection and enforcement of LURC mandates will be invoked and what future is in store for the North Woods of Maine.

## Closing Comments

It should be noted that as an organization, the MRFC fully understands that a number of the points raised in this testimony speak to issues that might be addressed by the applicant during the subdivision phase of the LURC review process. However, due to the magnitude of the acreage alone and the vast number of issues of concern associated with this unprecedented application, it is our belief that considerably more detail must be provided by the applicant during the rezoning request phase, so that we all may be better informed regarding the potential end uses, compatibility concerns, matters of possible harm to existing uses and degradation of natural resources and traditional uses issues brought about by this plan. While it may not be standard procedure for LURC to require such additional detail, there are past examples of LURC rezoning proceedings that indicate it is an area in which the Commission has considerable latitude regarding such judgments and may require more detail if the conditions of the application warrant such requests. We suggest that the very nature of this application dictates that this is just such an example and strongly request the Commission to require as much more detail as is necessary to address these many concerns prior to considering the application suitable for a decision.

Finally, it would be irresponsible for all of the parties to this procedure to operate in a vacuum, with little or no recognition of the many other issues of importance facing our state, our nation and our planet. Where then, is the discussion of sustainable and healthy community development, of “Smart Growth” principles, of the utilization of low-impact construction and building processes using “Green-certified” building materials, of energy efficiency, fuel efficient transportation, alternative fuels and power sources and yes, even the development of carbon-neutral communities? All of these issues must be considered if LURC is to remain a viable agency capable of helping to guide the conservation and development of the jurisdiction into and through the 21<sup>st</sup> century. We cannot and must not ignore the importance of these considerations when making decisions that will have landscape-scale impacts and set precedents for those who will follow us in future generations. What we are facing is the potential development of brand new communities in the last contiguous forested lands east of the Mississippi River. We cannot make these decisions simply based upon short-sighted and conjured expected results, driven primarily by the promise of financial gains alone. Instead, we must make them with a long view of the consequences those decisions might reap for the future of the great State of Maine and indeed for our country. Our collective diligence now will pay off with the assurance of a sound, predictable and healthy ecological and economic future for the Moosehead Region.

In closing I would quote from the Annual Report to the Governor on Forest Protection and Conservation in Maine, by Forest Commissioner Forrest H. Colby in which he states: “The lure of the forest with its mountains, lakes and streams, is responsible for a great pilgrimage into Maine each year of thousands of summer vacationists. The millions of dollars which they annually leave in the State may well be classed as part of the benefits we derive from our forest lands. ...the real loadstone that draws these thousands to our State and brings them back again and again is the *Maine Woods*....if we do not conserve not only our fish and game, but also our forests, we must expect to suffer a great loss from a diminution of our natural attractions and a

consequent lessening of the stream of summer folks who come to their beloved Maine Woods year after year.”

This statement was penned by then Commissioner Colby in the summer of 1917, some 90 years ago.

(1) Allen, Barbara, and Thomas J. Schlereth. Eds. “Sense of Place: American Regional Cultures”, Lexington, UP of Kentucky, 1990.

OATH

State of Maine  
County of Piscataquis

I, \_\_\_\_\_, being first duly sworn on oath, affirm that the foregoing pre-filed testimony is true, accurate, and correct to the best of my knowledge, information, and belief.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (printed)

Sworn to and subscribed before me this \_\_\_\_ day of August, 2007.

\_\_\_\_\_  
Notary Public (signature)

\_\_\_\_\_  
Notary Public (printed name)