



Maine Forest Products Council

The voice of Maine's forest economy

Companies represented on the MFPC Board

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
LandVest Inc.
Louisiana Pacific
Maibec Logging
ND Paper
Nicols Brothers
Pingree Associates
Pleasant River Lumber
Prentiss & Carlisle
ReEnergy
Richard Wing & Son
Robbins Lumber
Sappi North America
Southern Maine Forestry
Stead Timberlands
TD Bank
Timber Resource Group
Timberstate G.
Wadsworth Woodlands
Wagner Forest Mgt.
Weyerhaeuser
Woodland Pulp

Stacy Benjamin
Land Use Planning Commission
18 Elkins Lane
22 State House Station
Augusta, Maine 04333

July 13, 2022

Re: Moosehead Region Planning Package

Dear Ms. Benjamin:

Upon review of the Moosehead Region Planning Package, the Maine Forest Products Council (the Council) has a few observations for the Land Use Planning Commission (LUPC). The Council would like to highlight some areas of concern, particularly for how the precedents set by this plan could impact landowner rights throughout the unorganized territories moving forward.

The forest industry depends upon regulatory stability and predictability. The Council feels that LUPC's amended Moosehead Region Planning Package provides neither for the following reasons:

- 1) In the introduction to the Draft Moosehead Region Planning Package LUPC states that the Community Planning process was implemented to "inform and guide Commission land use decisions for the former development areas of the Concept Plan," However, the Commission took the opportunity to suggest changes impacting 195 landowners, which does not seem appropriate.
- 2) In this proposal, the Council feels that criteria for primary and secondary development are still met for areas that have been removed in the draft planning documents. The proposal has not explained the application of any other criteria or principles that justify removing these areas - broad support, limited access, and limited area for development are vague terms without specific analysis to the parcels involved. This removal of these primary and secondary locations and lack of explanation creates unpredictability for landowners across the UT, impacting multiple landowners and landowner rights. Landowners have expectations based on policies and plans that the LUPC has put into place.
- 3) Page 4 of ACF's 7/6/2022 *Update on the Moosehead Regional Planning Project* memo emphasizes the importance of ensuring that land remain available for

a host of uses, including forestry, yet the LUPC appears to be considering utilizing zoning to accomplish forest management aesthetic goals. This move would place unwarranted barriers on forest management and the forest industry. Zones are appropriate for managing development, but are inappropriate as a management tool for forestry, which is already regulated under the jurisdiction of the Maine Forest Service. The Council strongly supports LUPC staff recommendations in the 4/27/22 memo to LUPC Commissioners regarding use of the P-UA zone; “Because the allowed residential and commercial uses in a P-UA subdistrict are similar to the General Management subdistrict, and in some cases less restrictive, it is important to note that rezoning to this subdistrict would not achieve the level of protection desired by commenters in the process, and which is best achieved through permanent land conservation. Providing that level of protection is outside the Commission’s purview.” Likewise, we affirm the decision that the use of the M-NC zone is inappropriate for the reasons described by staff.

- 4) Designations for lakes that have been classified for a certain level of development should be honored unless there is a specific process where the landowners have been notified and given the opportunity to act so their land rights are respected. If classifications are changed, landowners must be given the opportunity to voice their concerns in a public way.
- 5) Attendance of the meetings leading up to the Draft Moosehead Region Planning Package was sparse, and of the comments received by the LUPC regarding this planning package, only five were from individuals with a direct connection to the region. The July 6 ACF memo discusses the importance of “locally-driven planning”, yet that has not seemed to have occurred during this planning process, giving undue influence to a small number of attendees from places well beyond the impacted land and communities.

A final observation regarding development in the LUPC jurisdiction would be as development zones are proposed, property owners should have the flexibility to plan lots that are desirable in the marketplace. The current zoning and subdivision rules restrict lots to certain sizes when density of development is really the key planning criteria. This plan should allow more flexibility in lot sizes if the density limit is met.

Forestry is a heritage industry that is critical to the Moosehead region’s economy, supporting more than 2,700 jobs in Piscataquis County alone. In addition to supporting good-paying jobs in some of Maine’s most remote locations, the industry creates unprecedented recreational opportunities enjoyed by residents and visitors alike.

The LUPC should be certain that, while making regional plans and setting precedent, decisions are made based on pre-established criteria that are applied fairly and openly to a specific region and use processes that notify and actively engage landowners who are affected by the decisions.

Thank you for your consideration of the Council’s concerns. If you have any questions, I am available at 207-622-9288.

Sincerely,



Pat Strauch
Executive Director
Maine Forest Products Council