

**TESTIMONY OF JON LUND
REGARDING ZP 707
PLUM CREEK PETITION FOR REZONING
MOOSEHEAD REGION**

**PRESENTED TO THE
MAINE LAND USE REGULATION COMMISSION**

August 22, 2007

My name is Jon Lund. I am a resident of Hallowell, Maine. A brief CV is attached to my comments.

I have a longstanding interest in Maine's woods and wildlands. My father worked for many years for a paper company based in Augusta. I remember well trips with him to some of the logging camps when cutting was done by two-man cross-cut saws, and pulpwood was hauled by horses.

In the 1960s and 1970s, I was in the Maine Legislature when we created the Land Use Regulation Commission to protect the public interest at stake in Maine's unorganized territories. In the mid 1970s, I had the privilege of serving as Attorney General. I saw first hand the importance of the work LURC was undertaking to stem the tide of misplaced and poor quality development that was threatening our shorelands and hillsides.

Since then I have been involved with many sporting and conservation organizations in Maine that have worked for protection of our forests, lakes, and rivers. However, I am speaking here for myself, not as a representative of any of those groups.

Since 1964, I have been a part owner of a small camp in Shirley, about nine miles southwest of Greenville. For more than forty years, I have hunted, fished, snowmobiled, and cross-country skied in the area.

I have hunted moose in the Moosehead region. I have also fished for trout around Gulf Hugas, and for trout and togue out of the Little Lyford and Long Pond camps, a few miles east of Moosehead Lake. Additionally, I am an occasional backpacker, and I have cross-country skied in the Gulf Hugas-Little Lyford area for many years. Last winter, I did a ski tour from Little Lyford to West Branch Pond and Medawisla Camps.

During the past few years, I have been following the various plans offered by Plum Creek for the Moosehead region with great interest. I have looked at the parts of the proposal that address outdoor sports. My opinion about this is based on my personal experience in the area and my understanding of what Plum Creek is now proposing.

I have serious doubts you can find that Plum Creek's plan conforms with the intent of the LURC law, the Comprehensive Land Use Plan, or the LURC regulations.

The Land Use Regulation statute (12 MRSA §681) says that:

“...the Legislature declares it to be in the public interest...to encourage the appropriate use of these lands by the residents of Maine and its visitors, in pursuit of outdoor recreation activities including but not limited to hunting, fishing, boating, hiking, and camping...”

I realize there are conservation components to Plum Creek's plan. However, I conclude that changing the zoning on more than 22,000 acres, which are now zoned for forestry and traditional outdoor recreation, to development zones on balance will harm, not help, opportunities for hunting and fishing in the Moosehead region.

The LURC Comprehensive Land Use Plan has many references to recreation. For example, it states (p. 138) that it is LURC's policy to:

- . Protect remote, undeveloped and other significant recreational areas, including such areas around rivers and streams, trails, ponds and lakes, to protect their natural character for primitive recreational activities such as canoeing, hiking, fishing and nature study.
- . Encourage diversified, nonintensive, nonexclusive uses of recreational resources.
- . Encourage intensive recreational facilities to locate or expand away from areas where there is a potential for conflict with existing uses, natural resources and other values of the jurisdiction.
- . Protect the recreational and aesthetic values associated with water resources.
- . Conserve and protect lakes, ponds and rivers and their shorelands which provide significant public recreational opportunities.
- . Encourage cooperative uses of public and private docks, water access points and boat launching sites.

I conclude that changing the zoning to allow more than 1,000 subdivision lots and hundreds or thousands of other accommodations, many on shorelands that are undeveloped, on balance will diminish, not promote and protect, significant public recreational opportunities in the Moosehead region.

The LURC rules have many references to recreation resources. For instance, the review standards for structures adjacent to lakes (Section 10.25,A) state that:

Traditional uses: The proposal will not have an undue adverse impact on traditional uses, including without limitation, non-intensive public recreation, sporting camp operations...

Natural character: Adequate provision has been made to maintain the natural character of shoreland.

I conclude that Plum Creek's proposal, on balance, will have an undue adverse impact on natural shoreland character and traditional public recreation.

During a lifetime of hunting in Maine, I have seen a lot of changes to the landscape. I used to hunt partridge and rabbits in Augusta. Most of the areas where I hunted are now house lots or posted land. Habitat fragmentation from sprawling development has had a widespread impact on hunting not only in southern Maine. It is reaching the north woods.

Plum Creek's plan would also have a big effect not only on traditional sports, but on continued public access to the land. Potential buyers of house lots at fancy prices are not going to buy if the public has unbridled access to their land.

One of the rare features of the north woods is remote and unspoiled shorelands. It seems to me that an undeveloped shoreland area within easy reach of a large number of seasonal homes would be remote in name only, at best a crowded place to practice fly-casting.

More than two years ago I was one of a number of Maine citizens who asked LURC to hold a rulemaking aimed at declaring a moratorium on large-scale developments in the Moosehead area to give the commission breathing space to formulate a new plan for the region. I spent a day in the auditorium of Greenville High School watching many people speak in support of the moratorium. In the end, the commission voted no on our petition, despite the fact that a decade ago LURC itself declared it needed to develop a new plan for the Moosehead region. It is unfortunate the commission denied that petition without serious discussion of the benefits of developing a new plan for the Moosehead area, rather than trying to use Plum Creek's private proposal as a lens for creating a public plan for the area.

I note that the current proposal involves less than half of Plum Creek's holdings in Maine. Other landowners are waiting in the wings and what happens in the Moosehead region will likely prove a pattern for other remote areas of the state.

In my humble opinion, approval of Plum Creek's plan would mark the beginning of a serious degradation of the hunting and fishing experience in northern Maine. The change would be detrimental to the future of the Greenville area, as well as the whole state.

In all of the discussion about the details of the Plum Creek proposal, we are in danger of losing sight of a basic element of the proposal. Plum Creek is asking for a zoning change to accommodate their plan. No one is entitled to a zoning change as a matter of right. I suggest that LURC take a page from the drug abuse solution favored by former First Lady Nancy Reagan: "Just say no."

Jon Lund

Cony High School, Augusta, ME
Bowdoin College, B.A. (Economics)
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Augusta City Council, 1959-60
Kennebec County Attorney, 1961-64
Representative, Maine Legislature, 1965-66, 1969-72
Maine Senate, 1967-68
Maine Attorney General, 1974-75

Natural Resources Council of Maine, Past President
Maine League of Conservation Voters, Past President
Sportsman's Alliance of Maine, Member for many years
Publisher, The Maine Sportsman, 1988-present
Down East Environmental Award, 1998
Governor's Task Force on the Management of Public Lands
& Publicly Held Easements, Member 2007

State of Maine
KENNEBEC,
ss

Dated: 8/27/07

/s/Jon Lund personally appeared before me and, after taking the oath, swore that the above statements are true.

/s/Daniel P. Kelley
Notary Public/Attorney