

**TESTIMONY OF WILLIAM RANDALL
REGARDING ZP 707
PLUM CREEK PETITION FOR REZONING
MOOSEHEAD REGION**

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

August 27, 2007

INTRODUCTION

My name is Bill Randall. I live in Winthrop, Maine.

I am 72 years old, was born in East Livermore, Maine, on July 28, 1935, and I have lived in Maine all my life except for several years when I was employed by the United States government. I have been an avid hunter, trapper, trap dealer, bait dealer, and fur buyer in Maine. I am a former Passamaquoddy fish and wildlife consultant and former legislative lobbyist with extensive practical experience and knowledge from avidly hunting, trapping, fishing, and guiding for a lifetime. I have taken and passed the Maine game warden civil test twice. I have literally spent a lifetime, including some employment as a guide, in the Maine woods. I am still active in outdoor activities having kayaked the entire Allagash Wilderness Waterway in 2005 and I recently spent a week at Katahdin Lake Camps. I am a frequent summer visitor to the northern wooded areas of Maine as a camper, kayaker, observer and wildlife photographer. (I took up wildlife photography in 1999 on an 18,000-mile outdoor trip that took me through the Canadian provinces to Alaska and then back to Maine.)

I am a lifetime member of the Millinocket Fin & Feather Club as well as one of the founding members of the Sportsmen's Alliance of Maine.

I also have a history of working closely on wildlife issues with the Maine Department of Inland Fish & Wildlife since 1980 as the result of good personal relationships I developed with Deputy Commissioner Bill Peppard, Chief Warden "Mickey" Noble, and Cecile Sibley who clerked for five IF&W Commissioners over a period of 38 years. Nearly 30 years ago, when IF&W wildlife biologists wanted to advocate for no more bear trapping in Maine they asked me to be their public spokesperson.

However, I should be clear that I am only speaking here for myself. My comments reflect my personal opinion and judgment on this matter.

I know the area of Plum Creek's proposed development quite well. I traipsed across these lands (then owned by Scott Paper Co.) years ago taking soil and sediment samples in all of the rivers and streams. At our Ellis Pond field lab, I later tested these samples for copper and heavy metals and I logged core samples from the drilling we were doing along the fault zone from Chase Stream Township to Rockwood. I hunted in the area when I lived in Jackman from 1959 to 1963. In recent years, I have kayaked the West Branch of the Kennebec from Route 15 to Indian Pond and I have camped on

Indian Pond at least a dozen times, including this month. I spent several nights just a few weeks ago at my favorite state park, Lily Bay, on Moosehead Lake. I have also camped many nights on Brassua Lake and have been involved in efforts to protect public access to Mountain View Pond.

I was brought up to believe that fish and wildlife belonged only to those of us who killed them or caught them. My father believed this, as did my friends and relatives. Our roots in this traditional rural way of life, and living off the land, were ingrained in our minds. What elderly hunter, like me, does not remember the first deer he killed and the hullabaloo that was made about it? It was a rite of passage.

After nearly a lifetime of killing and catching everything that walked, crawled, swam or flew, I have finally shed some of my cultural conditioning. I still believe in the tradition of ethical hunting and fair chase. But I have also come to realize that wilderness creatures deserve more than just being an item in a killing field. I have come to understand and respect the beauty and dignity of a live animal, although I used to think a dead one was the ultimate trophy.

Nobody fought any harder than I did as a younger sportsman to ensure my right to kill and catch wilderness creatures. It never occurred to me that others who did not share my views should have a say in the destiny of Maine's fish and wildlife. Shamefully, I now say I was even part of the effort to ensure that their voice was silenced.

I have outgrown that view. I no longer want to trap Canada lynx in the forests around Moosehead. Instead, I enjoy knowing that they still live there. Now I realize that our fish and wildlife belong to everyone, not to just those who kill and catch them.

CONCERNS WITH PLUM CREEK'S PLAN

I have been paying close attention to Plum Creek's proposal for the Moosehead region, including the so-called conservation aspects. There are serious problems, which you should look at closely.

For instance, the report on the Impact of Plum Creek Petition for Rezoning and Concept Plan on Recreational Resources in the Plan Area (April 2007), which John Daigle submitted for Plum Creek, admits that "The negative effects primarily consist of the loss of approximately 20,000 acres from public access." (p.4) Actually it is 22,000 acres, but with protection zones in there a total of 20,500 will be available for development.

Daigle assumes that a lot of the other reports submitted by Plum Creek are accurate. He lists five reports (p. 7), including, for example, Colgan's May 2007 economic impact study, which itself is based on a lot of unreliable assumptions. How can you rely on reports that rely on reports that rely on assumptions where "the estimation of economic impacts from a rezoning proposal depends on a great many detailed circumstances, which cannot be projected with accuracy" as the Cogan report itself emphasizes? (p. 3)

Daigle also assumes that the proposed easements guarantee public access. What section 7 of the balance easements says is that daytime pedestrian use shall be permitted. But you need to read the fine print of the easements:

- Public pedestrian use can be stopped unilaterally by the landowner.
- The landowner can create whatever rules for pedestrian public use they want.
- The landowner can charge whatever fees for public use they want.
- There is no guarantee of motorized access for the public.
- Traditional access for commercial guides, for sporting camp customers, even for nonprofit educational and scientific groups may be banned.

Plum Creek wants us to believe that the grand benefit of their plan to sportsmen is that the easements supposedly will give us something we do not already have, namely, guaranteed access in perpetuity to the lands in the plan that are not developed. The problem with this is that we really are not getting anything we do not already have. As I read this easement, the pedestrian access it would grant is nothing more than the common law right we have for access to great ponds for fishing and fowling. In fact, it looks like we would lose the public right of unimpeded pedestrian access to great ponds in a lot of areas.

It gets worse, if that is possible. The easements says, “this Conservation Easement does not grant an easement, right of way, right of access, or other interest or license on, across, over, or affecting any other land of Grantor....” What right will the public have to drive to Casey’s Spencer Bay Camps if Plum Creek or the next landowner decides to stop public use of the road through the development zone at Lily Bay?

As for hunting, the Daigle report says “deer harvests recorded in 2005 by the Inland Fisheries and Wildlife (2007) show more deer harvests for townships on the fringe of the Northern Forest than townships deeper in the Northern Forest.” That is an admission that putting 22,000 acres into development zones for second home lots and resorts will have a magnified impact on the loss of habitat that has traditionally been open to hunters.

The area in and around the Plum Creek development sites has some of the best hunting and trapping areas I know of in the entire State of Maine. Due the diversity of the habitat, these areas now provide for an abundance of all species. Development is likely to eliminate certain species like lynx, marten and possibly even bear, all of which prefer areas not frequented by humans and noise.

CONCLUSION

I am very concerned that we are losing the tradition of ethical hunting and trapping and fair chase. I cannot think of a better way to destroy the Maine tradition of public access

for hunting, fishing and trapping to the woods and waters in this beautiful area than by giving Plum Creek what they are asking for.

When Plum Creek bought the former Sappi and Scott Paper lands in Maine I spoke with their local representatives. They assured me they had no plans for major development. I believed them. Before long they wanted approval for the largest subdivision in LURC history on First Roach Pond. They promised me there would be no more such developments. I believed them. I supported Plum Creek's First Roach application to LURC on that basis. They lied to me. I will not be fooled again. I hope you will not be fooled again.

I would be thrilled beyond words to see the area around Moosehead Lake preserved in some way for future generations since it is the last wilderness area this side of the Mississippi. I will close by quoting from an op-ed by Robert Kimber that was in the Kennebec Journal on January 21, 2007:

“Should the Maine woods, which are a national treasure worthy of national protection, continue to be free game for market forces? Over the last ten to fifteen years, as huge parcels of land have changed hands multiple times, the land purchases and the conservation easements negotiated by both state agencies and private conservation organizations have made great gains for land conservation in the north woods. But substantial as these efforts have been, they remain piecemeal, and the acreage devoted to wilderness is proportionately small.

“We in Maine have set our sights way too low.

“We need a comprehensive vision for the north woods, one that foresees extensive wilderness areas closed to logging and any motorized traffic and buffered by sustainably managed timberlands that are beautiful and biologically diverse and that do allow motorized access. Nothing short of a federal ownership of a few million acres is likely to realize that vision. What the makeup of that ownership should be -- whether park and preserve, a federal wilderness within a national forest or preserve, or some entirely new combination of options -- will have to be and should be determined by a full and open public discussion. It's past high time that discussion took place.”

WILLIAM R. RANDALL

ADDRESS

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EDUCATION

Farmington State Teachers College, Farmington, Maine (1957-1958)
Elementary Education program

University of Maine at Augusta, Augusta, ME (1990-1995)
Associate Criminal Justice Degree

WORK EXPERIENCE

Registered Maine Guide - assisted and guided non-resident clients in the fields and forests and on the waters of Maine in the pursuit of fish and wildlife.
Jackman, Maine (1958-1962 full-time) (1962-1992 part-time)

Legislative & legal research for State Representatives Richard Tracy (Rome) and Royce Perkins (Penobscot) (1999 Legislative Session)

Substitute Teacher - Winthrop High School (1997-1998)

Small Claims Representative - represent various business interests in Small Claims Court litigation; consists of investigation, filing of small claims actions, collection of bad checks, and the collection of delinquent accounts (1988-2000)

Mediator - investigated and mediated consumer fraud complaints. Consumer Fraud Division, Department of Attorney General, Augusta, Maine (1989-1990)

Fur Buyer - owner and operator of Randall's Fur Company, Winthrop, Maine. Grading, buying and marketing raw wild furs and bear galls (1978-1991)

Fish Hatchery Operator - leased, managed and operated State of Maine owned fish hatchery for bait fish. Deblois, Maine (1983)

Eel Trapper & Buyer - trapped and purchased live eels for shipment to the European market (1980-1983)

Gemologist & Silversmith - owner and operator of Kennebec Minerals, Winthrop, Maine. Crafted silver jewelry, cut gemstones, mined mineral specimens and sold items at retail (1966-1977)

Equipment Installation Supervisor - supervised and directed the installation of various types of communication switching systems in the New England area. New England Telephone Co. (1971-1980)

Telephone Central Office Equipment Installer - installed and tested central office telephone electromagnetic equipment, microwave installations, and computers. New England Telephone Co. (1963-1971)

Geological Assistant - assisted and guided geologists in wilderness mineral exploration, assayed core samples, gathered & analyzed soil samples in field laboratory. Jackman area, Maine. Scott Paper Co. (1957-1958)

USAF Air Intelligence Operations Specialist - participated in covert intelligence gathering activities in the Far East (1956-1957)

AWARDS AND SPECIAL ACTIVITIES

Dedicated Service Award, Winthrop, Maine School Building Committee
(1972-1977)

Charter member, Sportsmen's Alliance of Maine

Charter member, Maine Guides Association

Lifetime member, Fin and Feather Club

Adrian Batson Memorial Award, Fin and Feather Club (2000)

Certificate of Appreciation for Consumer Mediation, Maine Department of
Attorney General (1989)

Author of Passamaquoddy Tribal Fish and Game Ordinances (1990)

Notary Public, State of Maine (1990-1997)

Consultant, Maine Fish & Wildlife law (1990-2000)

4th Amendment Public Advocate (1994-2000)

State of Maine
KENNEBEC, ss

Dated: _____ 8/28/07 _____

/s/William R. Randall _____ personally appeared before me and, after taking the oath, swore that the above statements are true.

/s/Daniel P. Kelley _____
Notary Public/Attorney