

OPPOSE

LD 1258 -- An Act To Improve Land Use Planning and Permitting in Unorganized Territories:

Sponsor: Senator Sherman of Aroostook

Co-Sponsors: None

Summary: This bill would transform the Land Use Regulation Commission (LURC) into an economic development agency for the benefit of only the residents and property owners in the unorganized townships. LURC would be merged with an economic development agency, most likely the Department of Economic and Community Development (DECD). Three regional planning and permitting commissions would be created, which would develop land use plans, zoning, and rules for their regions. LURC's 2010 Comprehensive Land Use Plan would be repealed.

Explanation: This bill would abolish LURC as we know it today, resulting in new threats to Maine's unique forested landscape comprised of more than 10 million acres of unorganized townships. The current LURC mandate to protect the jurisdiction for the benefit of all Maine people would be changed into a mandate to serve only the approximately 12,500 residents and property owners in the unorganized townships, with economic development serving as the primary objective.

The new LURC, housed at the DECD, would be a much smaller agency focused primarily on administrative matters, including data collection and analysis, permit processing, and support for the three regional planning commissions. It would not review development applications.

Each of the three regional commissions would develop new comprehensive land use plans, have zoning and rulemaking authority (to exercise, or not, as they wished) and review all residential subdivisions (of any size) and small commercial projects (based on whatever criteria they choose to adopt). Applications for large commercial projects would be reviewed by DEP. The thresholds for DEP review would be revised so that only the very largest projects would receive review at the state level.

Enforcement of all forestry regulations, even in the context of development projects, would be transferred from LURC to the Maine Forest Service. LURC's 2010 Comprehensive Land Use Plan (CLUP) would be repealed. The outdated and obsolete 1997 CLUP would be reinstated and would remain in effect until the regional planning commissions adopted their own plans.

This bill would result in a worse outcome even than the proposed legislation (LD 17) to abolish LURC, because it creates an agency whose primary mission would be to promote commercial, industrial, and residential development across Maine's unorganized townships. The lakes, rivers, forests, and mountains that make up Maine's North Woods all would become vulnerable to a new level of development, with no assurance of protection for values that are important to Maine people as a whole. The approximately 12,500 residents of LURC territory (1% of Maine's total population) would be the sole decision makers for 10.4 million acres (50% of the state). The prized North Woods of today, the largest undeveloped forest in the eastern United States, could be lost forever, through scattered development promoted by the new regional commissions.

NRCM opposes LD 1258.