

STATE OF MAINE
SAGadahoc, SS.

BUSINESS AND CONSUMER COURT
Location: West Bath
DOCKET NO. BCD-WB-AP 09-37

FOREST ECOLOGY NETWORK, *et al*,

Petitioners

v.

LAND USE REGULATION
COMMISSION,

Respondent

And

PLUM CREEK MAINE TIMBERLANDS,
LLC., PLUM CREEK LAND COMPANY,
et al,

Intervenor

AFFIDAVIT OF ALBERT M. MANVILLE, II

I, Albert Manville, being first duly sworn, depose and say as follows:

1. My name is Albert M. Manville, II.
2. I have been a member of the Natural Resources Council of Maine ("NRCM") since 2005. I have supported NRCM for at least 6 years and NRCM has always been an avid advocate of my interests in preserving the Moosehead Lake region.
3. I reside at 2124 Greenwich Street, Falls Church, VA 22043. This is presently my permanent residence.
4. I own a dwelling and parcel of land located in the State of Maine, in the Moosehead Lake area. My land is located on the west shore of Moosehead Lake in Misery Gore, Somerset County, which immediately abuts Plum Creek land that was rezoned upon LURC's approval of Plum Creek's Rezoning Petition and Concept Plan, ZP 707. Thus, my land abuts the new zones, where the new land use plans and land use standards apply, that were approved as part of the Plum Creek Concept Plan and Rezoning Petition approval. The zone which abuts my land would allow both unlimited residential development and various types of commercial development.
5. As a landowner in the region, and a professional wildlife biologist, I have a direct interest in the aesthetic, wildlife, and scenic natural resources of my land, adjoining land, and the Moosehead Lake region as a whole. Now that Plum Creek's concept plan has been approved, along with new zones and new land use standards that did not exist before LURC's approval, my

property rights have been detrimentally impacted, and my personal rights as a landowner have been detrimentally impacted as well. Furthermore, now that Plum Creek's inholdings have been collectively designated as "critical habitat" for the Federally threatened Canada lynx – including in the Kennebec River Wildlife Preserve in which I reside, my opportunities to help recover this species and my interest in seeing an enhanced lynx population are imperiled.

6. Considering the massive and unsustainable scale of Plum Creek's residential and commercial development that is going to unfold within the next few years based upon Plum Creek's gaining approval of new land use zones that permit such land uses where they were not previously allowed, the increased traffic, noise, pollution, soil erosion, water pollution, decreased water quality, reduced wildlife habitat quality, increased human presence, congestion, "disturbance" to Bald Eagles (now requiring a Federal permit), and undue adverse impact to existing natural resources will result. LURC's approval of the Plum Creek rezoning and concept plan has undeniably been the first and most significant step towards forever altering the natural character of the Moosehead Lake region with a landscape-scale development that has far too much development overall – way beyond any reasonable level of sustainability, and located in many of the wrong places including in lynx "critical habitat" and other important wildlife habitat types.

7. Because of my close proximity to the concept plan area, and my need to travel across Plum Creek lands to gain access to my property, I will not be able avoid the detrimental influence of such residential and commercial development on my property. When I bought the aforementioned property, I could not imagine that a development project of such massive scale as Plum's Creek development plan would ever be approved by the State of Maine in the unorganized territories of the North Woods. In fact, when Plum Creek took over ownership of the 905,000-some acres of land in the North Woods around 1999, fostering the forests products industry was the only goal Plum Creek espoused. I, like the majority of people of Maine and many visitors from outside the State, feel deep reverence for largely untouched, undeveloped forest, and the unique natural resources including the fish and wildlife found there. As a landowner in the Moosehead Lake region with property immediately abutting the concept plan and rezoning area, the economic and aesthetic values of my property are adversely impacted by approval of Plum Creek's concept plan and rezoning. As a result, my quality of life has been severely diminished.

8. The Natural Resources Council of Maine ("NRCM") is an organization that effectively advocates for my personal and property rights as an abutting landowner and recreational user of the region. NRCM advocates for these rights in the present appeal of LURC's approval of the Plum Creek Concept Plan.

Dated: February 15, 2011

Handwritten signature of Albert M. Manville, II in black ink. To the right of the signature, the date "2/15/2011" is written in black ink.

Albert M. Manville, II

STATE OF Virginia
[COUNTY NAME], ss. *Arlington County*

February 15, 2011

Personally appeared the above-named Albert M. Manville, II, and took the oath that the foregoing Affidavit signed by him is true to his own personal knowledge and that, to the extent that matters are asserted therein on information and belief, he believes such information to be true.

Before me,

Kneandra Latrice Kelly
Notary Public

