



Natural Resources Council of Maine

3 Wade Street • Augusta, Maine • 04330 • www.nrcm.org

Re: Zoning Petition 707 B

Dear Commissioners,

We appreciate the opportunity to submit comments on Weyerhaeuser's petition to terminate the Moosehead Lake Region Concept Plan ("Concept Plan"). After years of public debate and resounding public expressions of concern about the amount and location of proposed development in the Concept Plan, NRCM is cautiously optimistic about the prospects of a new beginning for the Moosehead Region. As you process the petition and make rezoning decisions, we have specific recommendations for meeting the co-equal goals of strengthening the local economy and protecting the character and important habitat and wildlife of the region. Notably, we urge the Land Use Planning Commission (LUPC) to exclude portions of the Moosehead Region from the primary and secondary locations, including remote Lily Bay among others.

As an initial observation, we note that all conservation easements and other public benefits that have already been realized, like public access improvements made through the Bureau of Parks and Lands, are permanent and would not be affected by the termination of this Concept Plan.

We understand the company and the LUPC have tentatively determined next steps and conditions for land management if the petition is approved that we generally deem positive. We are encouraged that Weyerhaeuser has agreed to the following until July 1, 2022 or until the end of the regional planning process, whichever comes first:

- No clearcutting, as defined by the Maine Forest Service, within former development areas; and
- No applications for development permits.

Despite our support of these conditions, we have doubts that the timeline is sufficient for the regional planning process to be complete by July 2022 given the pandemic. Governor Mills banned gatherings of more than 10 people on March 18 and subsequently announced a stay-at-home order to curb the spread of coronavirus on March 31. Virtual meetings can substitute for in-person meetings in some instances, but we suspect the LUPC, like most other agencies, began reevaluating budget, orienting themselves to new systems and processes, and had to adapt to a new way of doing business, slowing progress on the Moosehead Lake regional plan and outreach. Even if the LUPC hosts in-person meetings in summer 2020, it is probable the public, particularly vulnerable populations, will continue to avoid large gatherings for several months to safeguard their health. Two years for regional planning is ambitious under normal circumstances. Given the major disruptions to administrative processes and people's lives, July 2022 is not enough time for a robust regional planning process to be completed. **We recommend moving the date back by at least one year to July 1, 2023.**

Furthermore, the proposal to begin a regional planning process implemented by the Land Use Planning Commission (LUPC) for the communities and land around Moosehead Lake is a promising direction. A community-driven process to determine the future of conservation and economic development in the region is no small task and will have important consequences for the area, and the whole state, for years to come. **The termination of the Concept Plan is an immense opportunity for stakeholders and**

community members to engage in a forward-looking conversation about prioritizing land conservation that works in concert with development, which we believe will help grow the region's outdoor and tourism-based economies. With responsible, well-designed development, new homes and businesses concentrated around existing development will benefit from nearby conservation land.

In our comments submitted before the Concept Plan was approved in 2009, we emphasized that certain areas of the Moosehead Region are best suited for conservation rather than development. We recognize and applaud that Weyerhaeuser entered into conservation easements totaling 363,000 acres (in addition to the fee acquisition at Roaches Pond with the Appalachian Mountain Club). However, some areas that are ecologically valuable and crucial to maintaining the natural character of the region were missed. The areas that were slated for development in the Concept Plan that NRCM believed at the time and continues to believe would be more appropriate for conservation are:

- Lily Bay, which is a highly threatened area with a lot of conservation and remote recreation value. Lily Bay abuts other conservation land, including Weyerhaeuser easements and Lily Bay State Park, and is prime habitat for the federally threatened Canada lynx;
- The west side of Moose Mountain near Indian Pond provides scenic value, beloved hiking trails, and is habitat for rusty blackbird; and
- Blue Ridge south of Rockwood is very visible from surrounding areas, and it would spoil the character of the region if it were developed.

NRCM extensively researched and conducted outreach to determine where well-planned residential and commercial development would be most appropriate and least impactful on natural resources in the Moosehead Region. Those areas are:

- Harford's Point and the ski area at Moose Mountain Resort overlook the lake and have already been developed; and
- The towns of Rockwood and Greenville being small communities with full-time residents and year-round services could benefit from additional development within municipal boundaries, and building around these areas would prevent sprawl.

We are also mindful of the impact of the recently adopted adjacency rules on areas that will be rezoned if this Concept Plan is terminated. Under the new adjacency rules, virtually all the 16,910 acres approved for development under the Concept Plan would be vulnerable to development, as they are in primary or secondary locations. Although being in a primary or secondary location doesn't automatically mean those areas will be developed, it doesn't eliminate the possibility of inappropriate development if Weyerhaeuser or a future landowner proposed to build there, and it could mean fewer protections for the region's scenic beauty and wildlife than were included in the Concept Plan.

During the adjacency rule revision process, little specific attention was devoted to the Moosehead Region because of the existence of the Concept Plan. Had the Concept Plan not been in effect, NRCM, and we are confident others, would have urged the Commission to exclude portions of the Moosehead Region from the primary and secondary locations as was done in other areas.¹

¹ See Land Use Planning Commission Rules 10.08-A (C)(5).

We urge the Commission to exclude Lily Bay Township, T2R6 BKP EKR, development areas in Taunton and Raynham Academy Grant, and developments areas at the southern end of the Rockwood Strip (T1 R1 NBKP) from the primary and secondary locations under LUPC Rule 10.08-A (C)(5). Given the limited amount of existing development in these areas, the limited development pressure in the region, and enormous importance to the region's outdoor and tourism economy of these undeveloped areas, excluding them from the primary and secondary locations will serve to protect the region's character, limit far flung development, and concentrate future development in areas where public services can be economically provided, and still provide ample opportunity for growth in the region.

In summary, Weyerhaeuser's petition to terminate its Concept Plan has taken a turn in the right direction, and we support the LUPC's proposal to begin a community planning effort. While we look forward to seeing how the regional planning unfolds, we believe the process will be most successful if it is as inclusive as possible, community input is a priority, and engages a broad spectrum of stakeholders.

There are several locations in the Moosehead Region around existing development that do not impede conservation, recreation, or aesthetic values that we believe would be optimal locations for development. NRCM is adamant about permanently protecting Lily Bay and other areas around Moosehead by exempting them from the primary and secondary locations in the adjacency rule.

The Moosehead Region is an area of local, statewide and national significance. Along with the marketing efforts undertaken by the Town of Greenville a couple years ago, a commitment by Weyerhaeuser through July 2023 and the regional planning process will surely galvanize the Moosehead Region. Prior to finalizing rezoning and throughout the process, we urge LUPC to consider our recommendations to address the co-equal goals of strengthening the local economy while enhancing conservation and protecting the character of the region.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in cursive script that reads "Melanie Sturm".

Melanie Sturm
Forests and Wildlife Program Director