

Testimony in opposition to LD 870, An Act Regarding the Membership of the Maine Land Use Planning Commission

To: Senator Talbot Ross, Representative Pluecker and members of the Agriculture, Conservation and Forestry Committee

My name is Betsy Fitzgerald and I am presenting testimony in opposition to *LD 870, An Act Regarding the Membership of the Maine Land Use Planning Commission*. As background for my comments, I retired as the Washington County Manager over a year ago and currently serve as a LUPC Commissioner but let me be clear, I am providing testimony on my own behalf, not as a representative of either the LUPC or Washington County government.

When the Land Use Regulatory Commission was reorganized as the Land Use Planning Commission, counties were finally able to directly impact decisions regarding their unorganized territories. As I am sure you are aware, each of the eight counties containing the greatest acreage of UT land select a LUPC Commissioner with the Governor selecting the ninth member. This configuration has insured representation that is balanced and insightful and close to the ground. With the group of nine commissioners, the business of setting UT policy, approving permitted activities and hearing appeals of staff decisions is conducted in an efficient manner. In the last two years the LUPC has considered major projects that would impact the environment of the state, including the Pickett Mountain mining proposal, development projects on the Fish River and in the Moosehead region. Commission consideration of those projects in part relied on the perspectives of the Commissioners from those regions.

LD 870 proposes several changes to the current LUPC structure that, in my opinion, would not enhance the agency or its operations in any way. Adding four more new members will certainly expand the size of the Commission, yet it is the personal contacts and experience within the jurisdiction that would be missing as residence or work requirements would no longer be considered important attributes. Citing specific areas of educational expertise would only be duplicated as the Commission consults subject matter experts regularly.

The appointment process spells out specifics for commissioners. Recalling my appointment, with the exception of the thirty-day advertising stipulation, the process was quite similar. The Commissioners of each county will seek representatives who hold similar views. Does the Legislature need to micro-manage to that level of oversight?

Term limiting LUPC Commissioners ignores the time it takes to build institutional memory. Projects in the Unorganized Territories do not happen in a flash, neither does the learning curve that LUPC Commissioners need to travel to acquire perspectives that will benefit the environment. The Commissioners understand the value the miles of unorganized territories have for the state. They are not going to make uninformed decisions.

Thank you for your consideration of my testimony.

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