



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
OFFICE OF THE COMMISSIONER
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

**TESTIMONY BEFORE THE JOINT STANDING COMMITTEE ON
AGRICULTURE, CONSERVATION AND FORESTRY**

IN SUPPORT OF LD 103

An Act to Reorganize and Simplify Certain Exceptions in the Use Regulation Law

January 28, 2025

Senator Talbot Ross, Representative Pluecker, and members of the Joint Standing Committee on Agriculture, Conservation, and Forestry, my name is Stacie Beyer. I am the Executive Director of the Maine Land Use Planning Commission (LUPC/Commission), an agency within the Department of Agriculture, Conservation and Forestry (DACF). I am speaking in favor of LD 103, *An Act to Reorganize and Simplify Certain Exceptions in the Use Regulation Law*.

LUPC is the planning, zoning, and land use permitting authority for all of Maine's unorganized and deorganized territories (UT). The Use Regulation law, Title 12, § 681 et seq., created the Commission and identified the agency's mission. Section 685-B of that statute establishes when review and approval by the Commission is required, and subpart 1-A provides exceptions to those requirements.

Subpart 1-A has been amended many times since its enactment, particularly in addressing development proposals where the Commission and the Department of Environmental Protection (DEP) could both have jurisdiction. Since at least 2012, the goal has been to minimize duplication of reviews by the two agencies for development proposed in the UT. That goal is well-intentioned and, overall, has worked well for the benefit of landowners, agency staff, and the people of Maine. However, the multiple amendments have added complexity to the statute, occasionally resulting in differing interpretations and confusion. One area of confusion has been determining the appropriate process for proposed solid waste projects, such as new transfer stations and composting facilities proposed in the UT that require a permit from the DEP.

This bill would simplify the statutory language and clarify the development review process for projects that require DEP permits in the UT without substantially changing the outcome from the current statutory language. The proposal groups all the provisions relating to Commission and DEP cross-jurisdiction together. More importantly, it consolidates the existing provisions for development requiring DEP approval under the Site Location of Development Act and the Maine Metallic Mineral Mining Act and adds the Solid Waste Management Act to that group. This consolidation will reduce confusion and allow for a more accurate and efficient interpretation of the statute while ensuring the ongoing appropriate permitting review and certification by our

HARLOW BUILDING
18 ELKINS LANE
AUGUSTA, MAINE



PHONE: (207) 287-3200
FAX: (207) 287-2400
WEB: WWW.MAINE.GOV/DACF

respective agencies. I understand that the DEP has submitted a letter of support for the proposed revisions.

Another provision in the bill relates to campsites in the Commission's general management subdistrict. The statute defines the term "campsite" and provides that a permit is not required for a campsite in a management district. The definition of "campsite" includes "a maximum of 4 camping sites." Title 12 § 682(15). Using the term "camping sites" to define a "campsite" has led to confusion, particularly when Commission staff or landowners refer to a single camping site as a campsite. The bill proposes changing the term "campsite" to "minor campground" to reduce the confusion without changing the outcome intended by the current language.

Thank you for your time. I would be happy to answer any questions now or at the work session.