

Christopher Fife
Weyerhaeuser Public Affairs Manager
P.O. Box 646
Bingham, ME 04920

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

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

My name is Chris Fife and I am testifying today for Weyerhaeuser in opposition to LD 870.

Weyerhaeuser owns and sustainably manages almost 840,000 acres of timberland in Maine, 660,747 of those acres are located in the Unorganized Territory (UT). Our timberlands are sustainably managed to the Sustainable Forestry Initiative (SFI) standards and support healthy wildlife habitat, clean water, and the capture and storage of carbon, while protecting special places and providing abundant opportunities for outdoor recreation.

Planning and zoning by the Maine Land Use Planning Commission (LUPC) directly impact on our forest management, the value of our timberland, and the ability of the rural communities, home to many of our employees and contractors, to grow their economies and accommodate new development.

We have worked with LUPC on many projects including Location of Development (Adjacency), Lighting Standards, and the Moosehead Regional Planning Project. In all of these projects, as well as our day-to-day interactions, we have observed the wisdom of the legislature requiring a primary condition for selecting Commissioners be “In making the appointment, the board of county commissioners shall actively seek and give consideration to persons residing in or near the unorganized or deorganized areas within the county.” This residency requirement ensures that Commissioners have a connection to the land and communities that their decisions impact.

Instead of valuing life experience and social and economic connection of those who live in or near the UT, LD 870 seeks to remove the residency requirement for all Governor appointed Commissioners, placing value instead on “persons with technical or scientific backgrounds”. And, LD 870 would raise the number of appointees no longer required to have a connection to the UT from one (1) to five (5)!

LUPC acts as the Planning Board for the UT. However, LD 870 tramples the pattern of local governance practiced in organized towns across the state. In the early 2000’s I served as Chair of the Moose River Planning Board. Members of the planning board were Moose River residents appointed by the Selectmen. Our board consisted of a forester, a teacher, a builder, a school employee and an oil burner technician. We addressed many of the same issues that

LUPC does only at a much smaller scale. While my background as a forester was occasionally beneficial, the collective knowledge of the community, Moose River's natural resources, and the understanding of how our decisions impacted our neighbors lives and economic wellbeing was far more important.

I now live in Winslow, Maine. In my town the Town Council is composed of seven (7) members, one from each of the five (5) districts who are elected by the voters of their respective districts, and two (2) members elected by the registered voters of the town At-Large. The Planning Board is an advisory board established for the purpose of advising the Town Council on all matters pertaining to land subdivision, zoning ordinances, zoning adjustments, comprehensive planning, and any other planning duties that the Town Council may specifically delegate to the planning board. The board consists of seven (7) members appointed by the Town Council. Planning Board members are volunteers from the community, not necessarily with technical or scientific backgrounds. Nonetheless, these individuals have demonstrated that they are able to make sound planning and zoning recommendations to help Winslow grow while protecting important natural resources and recreational opportunities.

LUPC Commissioners have an advantage over these local planning boards in that they work with knowledgeable, professional LUPC planners, enforcement and other staff to inform their planning and zoning decisions. Additionally, Commissioners regularly consult with staff from other state agencies for technical and scientific input, can utilize outside expertise as needed and include robust public input for all major decisions.

The effort to change the residency requirements and increase the number of Governor appointees from one to five is unnecessary and unequitable to the residents and businesses of the UT.

Assuming the Governor follows the spirit of the law in seeking appointees who reside in or near the UT, the addition of four (4) new Commissioners will put counties and the Administration in competition to find willing, qualified candidates.

Finally, the term limits proposed in LD 870 underestimate the importance of the experience and knowledge that long-serving Commissioners bring to LUPC. It takes time and resources to bring new Commissioners up to speed on the complexities of planning and zoning in the UT. Allowing Commissioners to serve multiple consecutive terms brings efficiency and continuity to the Commission.

For all of these reasons, we urge this Committee to vote Ought Not to Pass on LD 870.

Thank you and I would be happy to answer any questions.

Chris Fife