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To Whom it May Concern:

I am a retired Psychology Professor, Director of Counseling and Private Practitioner. As a Professor my most relevant curricula as it relates to this legislation is teaching Environmental Psychology and Group Dynamics, as a Director of Counseling and Private Practitioner I have extensive experience in conflict resolution. As a faculty member I was Chairperson of Negotiating Committees and MSEA Local Chapter President working on collective bargaining agreements and have similar roles as Chairperson of a local School Committee.

With this as a backdrop I submit the following:

- 1) Environmental Conflict, whether it be over issues in the domain of the natural world or work place conditions it is the most difficult conflict to manage and resolve.
- 2) A MUTUALLY AGREEABLE AND PARTIALLY SATISFYING RESOLUTION is the only outcome which leads to consistent, universal and sustainable compliance with the outcome.
- 3) The process is time consuming as coalitions, whether they be dictated by positions of authority (DMR, INF&W) labor forces (clam diggers) or issue proponents for change (riparian owners, environmentalist, birders or other public trust users) ARE the main obstacles to productive resolution.
- 4) Based on numbers 1-3; I commend the participants of the Consensus Building Team for the valiant yet unsuccessful effort. It is my belief, based on my professional and personal experience that the lack of success is based on the process used. Each coalition has what is called "a hidden agenda" which is not a derogatory term but is a position on a given issue driven by roles outside the process or by holding membership within said coalition.
- 5) Therefore I strongly suggest that the consensus building team continue its work BUT employ an outside facilitator whose only agenda be that of achieving a MUTUALLY AGREEABLE AND PARTIALLY SATISFYING RESOLUTION. He or she is never objective but at least aware of their own subjectivities and places resolution above their own biases.
- 7) Relative to the conflict at hand I do not believe that LD89 or LD114 should become law as imposing either on the parties involved will not gain a conflict free environment going forward. So might I be bold enough to suggest that these proposals be TABLED and the consensus building team continue its work. We are a Town Meeting State and as such we must continue the hard work necessary to leave the negotiating table with the feeling "that I did not screw the other side nor was I screwed" This is the only way. Laws are accommodated to because one believes they are fair and just. Lets not create another law for which compliance is based on not getting caught or changed by going to a higher level of adjudication.

My biases are as follows:

- 1) Clam diggers have a right to make a living and they must remember always who is that buys the clams AND airboats ARE noisy. I was on one in the Everglades and was given ear protectors to wear. The "ear muffs" were used not because it was cold. I watched the launch of an airboat on You Tube and my computer speakers were moving due to the intensity of the sound.
- 2) New landowners have purchased their land from someone and if we check the records we will discover at some time the seller was born in Maine. New landowners must remember that a lifestyle was alive and well before their arrival. Clam diggers must acknowledge that new landowners are vital contributors to the communities in which they live and do have the right to peaceful sleep.
- 3) WE ARE ALL FROM SOMEWHERE ELSE. Some of us have been in Maine longer than some Mainers are old.
- 4) I worry about the last clam dug and then what?

5) Worldwide the bird population has decreased by 40% as some studies indicate. One can do the research. If this continues are we next?

I thank all of you who read this and even those who won't for serving Maine in the capacity you do.

Respectfully submitted,
Tom

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The Earth does not need us. We need the Earth.