



PINGREE ASSOCIATES, INC.

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March 23, 2107

Re: Testimony in Opposition to LD 901 An Act To Amend the Laws Governing the Determination of a Wind Energy Development's Effect on the Scenic Character of Maine's Special Places

Senator Saviello, Representative Tucker and distinguished members of the Environment and Natural Resources Committee, I am Steve Schley, President of Pingree Associates representing a family ownership of Maine timberland that dates back to 1841. I rise today to speak in opposition to LD 901.

LD 901 would limit the rights of private landowners in order to expand public values with no consideration or payment. In this case, the public is defined as recreational visitors anticipating a "wilderness experience." The language centers scenic-character-review around multiple, publicly owned tracts in Maine and impacts millions of acres of privately owned and actively managed working forests. The public has no right to viewshed restrictions on this landscape that certainly is not a wilderness, as it has been actively managed for well over 150 years.

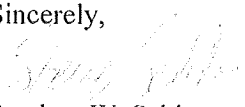
I rise particularly concerned about the potential for dramatic expansion on restrictions of activity within the viewsheds of Baxter State Park and the Appalachian Trail. Both of these public ownerships were created in concert with the private landowners from whom the land was purchased based on understandings and agreements at the time. Our family ownership was involved in both transactions. Governor Baxter was very specific about what needed to be purchased and protected and we, among others, worked with him to achieve that vision. Similarly, we had a long-term arrangement with the club that managed the Appalachian Trail that included forest management along and across the trail and absolutely no consideration of 8 or 15 mile viewshed restrictions from the trail. The trail was eventually taken from the landowners with no consideration given to the values or possibility that 8 to 15 mile viewshed restrictions might ever be imposed. I am specifically aware of this reality as one of the very first assignments I was given when I started work in September of 1985 was to walk that portion of the trail being acquired from Pingree to determine whether the rest of our ownership might be impacted by future visual consideration. I am very disappointed to learn that my predecessor was correct to worry that trail advocates would one day seek to impose unreasonable viewshed restrictions.

We are concerned about the statewide economic impacts that will likely be experienced should the unreasonable expansion of viewshed consideration in this legislation pass. Restrictions would not be limited to just wind tower projects. Harvesting, road building, mill development or expansion, both solar and wind resource renewable energy projects, and more would be subject to totally vague assessments of visual quality totally dependent on the whims and opinions of individual viewers.

Landowners have been asked to also consider allowance for public use hut/trail corridors and river trails. Why in the world would we allow any more, or even current, public use if viewshed restrictions like these will be slapped on economic opportunity projects? Rural Maine needs economic development, not new, vague limits or impositions. It appears the proponents of this bill ask landowners to accept the old mantra that no good deed goes unpunished. Allow public use and we will restrict what can take place over extreme distances and on millions of acres of surrounding land.

Please kill LD 901 and vote a unanimous ought not to pass.

Sincerely,


Stephen W. Schley