

## Langlin, Steven

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**From:** Mahar, Eugene <emahar@landvest.com>  
**Sent:** Tuesday, March 21, 2017 3:09 PM  
**To:** Langlin, Steven  
**Subject:** Opposition to LD 901

Senator Saviello, Representative Tucker and distinguished members of the Environment and Natural Resources Committee.

Thank you for the opportunity to address the Committee. My name is Eugene Mahar and I am a licensed professional forester in Maine who lives in Hermon. I am writing you 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*. In my role as Timberland Region Manager for LandVest, Inc. I represent and have management responsibilities for a million plus acres of forestlands in the state of Maine covering a wide range of ownerships sizes and management objectives. I find this bill extremely unnecessary and it will add further harm to the rights of private landowners.

LD 901 would nearly double the zoning requirements for a visual impact assessment from the current eight miles to fifteen miles for scenic resources of state or national significance. This is a major increase that was not part of the original wind power act negotiations, and would unfairly put further restrictions on landowner rights in order to expand a very subjective public value, "scenic character" for recreational visitors anticipating a "wilderness experience." I believe it is a fair question to ask why is this expansion needed? Would a wind energy project be any more distinguishable for the average recreational user viewed at eight miles or fifteen miles? My answer is no, however the economic impact to the multitude of landowners within that expanded area would be significant.

Maine's landowners are most concerned about the precedent LD 901 would create for other activities on their land, (e.g. development of any kind, harvesting operations, road building), and how public values impact landowner rights. The history of the Appalachian Trail establishment in Maine and throughout its entire length demonstrates how permissive landowners eventually had lands taken from them through federal eminent domain powers. And now the expansion of zoning continues the march towards regulatory takings.

It's time for both Maine's legislative leaders and the general public to recognize that the use of Maine's private lands is a privilege and not a right. Burdening private landowners with further unnecessary restrictions such as LD 901 will ultimately alienate landowners, which will result in limitations on recreational opportunities that are currently enjoyed on these private lands.

I thank you for your consideration and respectfully ask you to vote ought not to pass on LD 901.

Respectively submitted,

Eugene Mahar

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