



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
LAND USE PLANNING COMMISSION  
22 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0022

AMANDA E. BEAL  
COMMISSIONER  
SAMANTHA HORN  
ACTING EXECUTIVE DIRECTOR

**Eighth Procedural Order  
In the Matter of  
Zoning Petition ZP 768**

**Allagash Timberlands LP, Aroostook Timberlands LLC, and  
Maine Woodlands Realty Company (Irving)**

August 5, 2019  
Commissioner E. Worcester, Chair and Presiding Officer

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This Eighth Procedural Order addresses changes to the schedule, clerical edits to the plan, and a request regarding the location of Commission deliberations.

**I. REVISED SCHEDULE**

Based on the Commission's schedule considerations, the deliberation and possible decision is now anticipated in September. As a result, the schedule established by the Seventh Procedural Order is hereby replaced by the following.

In response to party comments submitted on or prior to July 1, 2019, and other items identified by the LUPC staff, corrections and other minor changes to the plan are appropriate. The record will reopen for one day, August 14, 2019, for Commission staff to submit their recommended clarifications to the record and provide a digital copy to each person on the service list.

Prior to a decision on the concept plan proposal, ZP 768, the Commission requests written statements from the Petitioner and the proposed conservation easement holder, the Forest Society of Maine (FSM), addressing whether each is prepared to accept and implement the responsibilities stated in the plan and related conservation easement. The record will reopen on August 20 and close at 5:00 pm on August 21 for the Petitioner and FSM to file their respective statement with the Commission and provide a digital copy to each person on the service list.

Specifically:

- The Petitioner should confirm it is prepared to implement its responsibilities set forth in the Concept Plan and Fish River Chain of Lakes Conservation Easement; that its ownership within the Plan Area, as amended, has not changed since June 2017; and whether the



Petitioner accepts the staff recommended clarifications to the plan and the conservation easement.

- The Forest Society of Maine should confirm it is prepared to accept and implement its responsibilities set forth in the Fish River Chain of Lakes Conservation Easement, including the staff recommended clarifications.

If the Petitioner or FSM is unwilling or otherwise unprepared to provide the written statements listed above, the Commission requests that the party identify in writing the reasons why it is not prepared to accept and implement its responsibilities.

Finally, the record will reopen for one day, August 27, 2019, for Commission staff to submit an updated list of the hearing record. Unless otherwise reopened, the record of this proceeding will be closed effective 5:00 pm on August 27, 2019.

Staff will provide the Commission a recommendation in the form of a draft decision document, which will serve to facilitate deliberation at the September 11, 2019 Commission meeting. Parties are not required to attend the deliberative session. As the record will be closed, parties will not be permitted to make any remarks during the meeting.

## **II. REQUEST**

On June 13, 2019, Ms. Pierson requested that Commission deliberations be conducted in Aroostook County. Further, if not conducted in the region, she requested that the meeting be available live, via video or at least audio format.

In determining meeting place, the Commission prioritizes locations proximate to the items to be addressed. Because the Commission's September 11<sup>th</sup> meeting agenda includes items from a variety of counties, the chair has determined that the meeting must be conducted in a central location. Because the record will be closed and there will be no opportunity for public or party participation in the deliberations, the central location for this meeting does not disadvantage any party or the public process. The Commission does not typically live stream its meetings. However, recognizing the public's interest in the outcome of the deliberations, the Commission will take the following steps:

- 1) The Commission will notify parties of the results of the deliberation in a timely manner, with every effort to provide notice the same day;
- 2) As is common practice, the Commission will, absent any technical difficulties, make an audio recording of the proceeding and post it on the Commission's website in timely manner. This is typically achieved within 2 to 3 business days following the meeting; and
- 3) Staff will schedule a public information meeting to be held near the plan area in September, following the deliberations. If the plan is approved, the purpose of the meeting will be to provide information about the contents of the plan to local residents and property owners. If deliberations are not concluded, or if the plan is rejected, the meeting may be canceled or may be used to explain the continuing process, as appropriate.

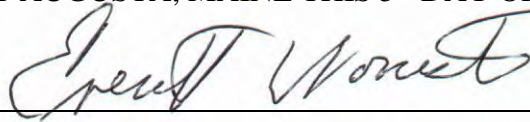
### III. SUMMARY OF SCHEDULE

A summary of key dates and deadlines, noted above in this order, follows:

August 14	12:00 pm deadline for Commission staff to recommend corrections and clarifications to the concept plan and conservation easement
August 21	5:00 pm deadline for the Petitioner and FSM to submit final commitments and statements
August 27	5:00 pm deadline for staff submission of updated list of hearing record
September 11	Commission deliberation (anticipated date)

If you have any questions on this *Procedural Order*, please contact Tim Beaucage (call (207) 287-4894; e-mail [Timothy.Beaucage@maine.gov](mailto:Timothy.Beaucage@maine.gov)).

DONE AND DATED AT AUGUSTA, MAINE THIS 5<sup>th</sup> DAY OF AUGUST 2019



Everett Worcester, Chair and Presiding Officer