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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  
NICHOLAS D. LIVESAY  
EXECUTIVE DIRECTOR

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

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

May 17, 2019  
Commissioner E. Worcester, Chair and Presiding Officer

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This Seventh Procedural Order addresses petition revisions and establishes the schedule for the submission of comments on the revised petition.

**I. PROJECT UPDATE**

Following the hearing on May 22 through 24, 2018, the comment period closed on June 22, 2018, and the rebuttal period closed on July 13, 2018. Since then, the Petitioner has been considering testimony and feedback regarding its petition and drafting revisions in response to this input.

**II. PETITION REVISIONS AND SCHEDULE**

The record will reopen on May 29 and close at noon on June 7, for the limited purpose of receiving a revised plan from the Petitioner and comments from resource agencies on components of the revised plan. More specifically:

- May 29 – By noon, the Petitioner shall file digitally its updated materials regarding phosphorus control and water crossings with the Commission and provide an electronic copy to each person on the service list.
- June 7 – By noon, the Petitioner shall file digitally its revised plan with the Commission and provide an electronic copy to each person on the service list. The revised plan materials filed with the Commission shall include updated GIS data<sup>1</sup>. Also, by this same deadline, any

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<sup>1</sup> At a minimum, GIS data shall include the applicable shapefiles for each element affected by the revision, such as: the plan area, conservation easement area, development areas, open space, reserve land, existing and allowed remote campsites and remote rental cabins, water access sites, and existing leases.

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agency comments on the materials submitted by the Petitioner on May 29 shall be filed with the Commission.

The record will reopen again for one day, July 1, for the Commission to receive comments from Intervenor and Interested Persons on the Petitioner's revised plan. More specifically:

- July 1 – By 5:00 pm, Intervenor and Interested Persons shall file digitally any comments on the revised plan with the Commission and provide an electronic copy of their comments 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 July 29 and close at 5:00 pm on July 30 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 and that its ownership within the Plan Area, as amended, has not changed since June 2017.
- 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.

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 1, 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 1, 2019.

Staff will provide the Commission a recommendation in the form of a draft decision document, which will serve to facilitate deliberation at an upcoming Commission meeting, anticipated to be held August 14, 2019. 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.

### III. SUMMARY OF SCHEDULE

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

May 29	Noon deadline for the Petitioner to file updated materials regarding phosphorus control and water crossings
June 7	Noon deadline for the Petitioner to file its revised plan and for resource agencies to provide comments on the materials submitted by the Petitioner on May 29
July 1	5:00 pm deadline for Intervenors and Interested Persons to file comments on the revised plan
July 30	5:00 pm deadline for the Petitioner and FSM to submit statements regarding final commitments
August 1	5:00 pm deadline for staff submission of updated list of hearing record
August 14	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 17<sup>th</sup> DAY OF MAY 2019



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Everett Worcester, Chair and Presiding Officer