



STATE OF MAINE
DEPARTMENT OF CONSERVATION
22 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0022

JOHN ELIAS BALDACCI
GOVERNOR

PATRICK MCGOWAN
COMMISSIONER

May 26, 2003

RE: My resignation

Dear Director Carroll:

As you know I have been on Commission staff for 7 years. I came to the agency with about 8 years prior experience with the Maine Department of Environmental Protection. At first I was pleased with my employment at the Commission. I believed I was moving into a responsible position that would not only serve the public interest but would also be part of the regulation, management and protection of the 10.5 million acre resource within Commission jurisdiction. When I accepted the position I was confident that, as a member of Commission staff, I would be part of fulfilling the trust that the public and legislature had placed in this agency.

Unfortunately, as the years passed I became increasingly disappointed. As time went on I observed many occasions when Commission directors used self-imposed barriers to prevent effective accomplishments and made inconsistent, unfair decisions inconsistent with either the letter or spirit of the rules. These many politically expedient actions worked against the public interest and the good of the jurisdiction.

In my tenure I have watched the agency use a number of methods to merely take the path of least resistance. These include:

- Staff are often encouraged to falsify findings of fact in order to just get a permit issued
- Management often disregards rules that would normally insure the improper issuance of permits, or approves permits, after-the-fact, which would not be approved before-the-fact
- Staff has been unable to appropriately resolve legitimate enforcement cases, especially the more serious ones; many cases are "closed" but never truly resolved with the payment of a token penalty
- Directors have been most reluctant to refer cases to the Attorney General's office
- Many decisions made within the Commission have been arbitrary, inconsistent, and unfair thus preventing a positive work environment

The overall effect has been to undermine staff credibility and the validity of Commission rules. All of this has led to my personal belief that management does not respect my work or opinions (and of most staff) and that I am prevented from working efficiently, effectively and with integrity.

In addition, the size of the budget reductions imposed upon the Commission has led me to conclude that there is no one fighting for a strong agency. In concert with the above, the recent disparate reduction of regional staff will not allow the remaining field staff to properly function in continuing the Commission's mandated mission.

During my years with the Commission I have enjoyed working with my associates and assisting the public. I simply wanted to do my job the best I could and with integrity.

However, I believe this has not been possible for quite some time and the continuing situation makes it impossible for me to remain as a public servant on Commission staff.

Consequently, effective as of June 6, 2003 I will end my employment with the Commission. Please accept this letter as notification of my intent to resign from my position as Environmental Specialist II (Regional Investigator) of the East Millinocket regional office of the Maine Land Use Regulation Commission.

Sincerely,
David Tardiff

XC Bart Harvey, Chairman LURC
Patrick McGowan, Commissioner, Dept. of Conservation
Karin Tilberg, Deputy Commissioner, Dept. of Conservation
Tim Caverly, Maine PEER