

July 25, 2004

Governor John Baldacci
1 State House Station
Augusta, Maine 04333-0001

Dear Governor Baldacci:

Enclosed please find a letter that I have sent to Alanna Hounsell of the Boards and Commissions regarding James Nadeau and his appointment as Commissioner of the Land Use Regulation Commission (LURC). Maine's Public Employees for Environmental Responsible (PEER) is concerned that Mr. Nadeau has not acknowledged and that he has not been held responsible for LURC violations that occurred under his leadership.

Mr. Nadeau is the First Assessor for the Plantation of Winterville and Manager for the Town of Eagle Lake. Under his administration these municipalities committed four violations of LURC standards from 1992 to 2002.

Last March Peer alerted the Agriculture, Conservation and Forestry Committee about the violations that were committed under Mr. Nadeau's leadership. When he was questioned during the confirmation hearing if there had been any conflict with LURC in the past. Mr. Nadeau tried to distance himself from these violations by replying "not that I am aware of". This was a clear miss statement.

As an administrator, Mr. Nadeau was responsible for the areas he supervised and for any breach of standards or laws by the municipalities. In addition once the violations were uncovered he should have taken the necessary steps to resolve the issues, Mr. Nadeau still has not done so. Of the four violations, three have not been resolved.

A person serving on the Land Use Regulation Commission should be held to a high standard and either of the above examples should disqualify a person from serving on a regulatory board.

In recent years the Land Use Regulation Commission has been though staff and budget reductions so severe that it is questionable if the Commission can effectively handle permitting and enforcement activities. The appointment of Mr. Nadeau demonstrates that the LURC Commission is not being held to a high standard and his tenure only weakens the credibility of that agency.

Therefore I am requesting that you ask Mr. Nadeau to submit his resignation as a LURC Commissioner and if he refuses to do so then he should dismissed from that post.

Please let me know if I may supply additional information and thank you for considering my request.

Sincerely,

Tim Caverly, Director

cc Commissioner Patrick McGowan
Director Catherine Carroll