OFFICE OF
THE GOVERNOR

NO. 24 FY 04/05
DATE September 22, 2004

AN ORDER CREATING THE TASK FORCE ON TRADITIONAL USES AND PUBLIC ACCESS TO LANDS IN MAINE

WHEREAS, Maine residents and visitors have long enjoyed a unique relationship with private landowners, especially owners of large tracts of forest land, who have granted access to their lands to members of the public for hunting, fishing, camping, hiking, snowshoeing, cross-country skiing and often snowmobiling; and

WHEREAS, in the past decade there have been dramatic changes in the ownership patterns of large tracts of forestlands, with at least 5.5 million acres of forest land changing title; and new types of owners, including investors, individuals and logging companies have replaced industrial paper companies as owners in many instances; and

WHEREAS, large forestland ownership patterns since the mid-1990's have become increasingly fragmented, and there is a growing interest on the part of new owners in selling leases and lakefront parcels for development; and

WHEREAS, while the management objectives of the broader array of recent owners often parallel Historic owners' willingness to continue traditional public access to their lands, an increasing number of owners have objectives that are not compatible with some or all of the historic uses; and

WHEREAS, this change has ramifications for the complex web of reliance that has often built up around access and uses granted to the public such as snowmobile trails, hunting, fishing, trapping, hiking, camping, skiing, and use of private roads for business and recreational purposes; and

WHEREAS, the Maine Legislature began looking at the impacts of this trend when it created the Committee to Study Issues Concerning Changes to the Traditional Uses of Maine Forests and Lands to focus on the tradition of leasing lots for family camps and commercial sporting camps, and the Committee to Study Access to Private and Public Lands in Maine to develop policies that best ensure public access to both public and private lands adequate to meet the growing demand for outdoor recreation in Maine, and the Legislature adopted some of the recommendations from these two committees; and

WHEREAS, continued changes in ownership patterns have resulted in increasing challenges to the residents, communities and businesses who have depended on traditional access to land that has been or may be restricted and, given the existing and potential economic impact of these changes, it is important and timely to update the work of these previous legislative studies through a task force on traditional uses and public access to large tracts of private lands in Maine;

NOW, THEREFORE, I, John E. Baldacci, Governor of Maine, do hereby establish the TASK FORCE ON TRADITIONAL USES AND PUBLIC ACCESS TO LANDS IN MAINE (hereinafter "Task Force").

Mission and Duties

The mission of the task force is to formulate recommendations about how best to address the issues relating to access to land for traditional uses in the face of significant recent challenges and changes. To that end, the Task Force shall:

1. Review the reports of the two legislative taskforces (the Committee to Study Issues Concerning Changes to the Traditional Uses of Maine Forests and Lands and the Committee to Study Access to Private and Public Lands in Maine) and consider the recommendations of these taskforces.

2. Determine the extent and potential impact of changes to traditional public access;

3. Consider the possible economic effect of these changes on businesses both in areas with significant levels of large forestland tracts and throughout Maine;

4. Consider what mechanisms might be used to ensure continued traditional public access on large tracts of land as these lands continue to change ownership; including, but not limited to: landowner incentives, tax policies, easements, and the enforcement of fish and wildlife laws on lands closed to traditional public access;

5. Identify mechanisms that can promote communication between new landowners and communities, businesses and residents when significant tracts of land changes ownership.

6. Submit recommendations to the Governor regarding strategies for assuring meaningful public access for traditional activities on lands historically available and accessible for use by Maine people and visitors to our state.

Organization of the Task Force

The Governor shall appoint twenty-one (21) members to the Task Force, who shall serve at the pleasure of the Governor. Membership composition shall be the following:

- Two (2) representatives of large land owners, one of whom acquired their lands in the past 10 years
- One (1) representative of small woodland owners
- One (1) representative of the non-motorized recreation community
- One (1) representative of the motorized recreation community
- One (1) representative of a statewide sporting organization
- One (1) representative of small, rural businesses
- One (1) representative of registered Maine Guides
- One (1) representative of owners of family camps or residences located on leased land
- One (1) representative of commercial sporting camp owners, or his/her designee
- One (1) representative of a statewide organization involved in land conservation
- One (1) representative of a local or regional organization interested in community economic development, or his/her designee
- One (1) person with experience in the tourism industry
- Four (4) persons at-large
- The Commissioner of the Department of Conservation, or his designee

- The Commissioner of the Department of Economic and Community Development, or his designee
- The Commissioner of the Department of Inland Fisheries and Wildlife, or his designee
- The director of the Lands for Maine's Future program, or his designee

The President of the Senate and Speaker of the House may each appoint one member from his or her respective body, which member shall serve at the pleasure of the President or the Speaker, as applicable.

The Attorney General, or his designee, is invited to participate.

The Commissioner of the Department of Conservation shall be the Chair of the Task Force, and shall preside at, set the agenda for, and schedule Task Force meetings.

Members shall serve without compensation, except as otherwise provided by law.

Meetings and Deadline for Recommendations

The Task Force shall meet as often as needed, and all their meetings shall be open to the public. The Task Force shall develop and submit to the Governor a mid-point report on or before February 15, 2005, and a final report and recommendations on or before September 1, 2005. The Task Force, and the authority of this Executive Order, will dissolve on September 1, 2005. Before finalizing their recommendations, the Task Force shall hold a public hearing to receive comments.

Staffing and Funding

The Departments of Conservation, Economic and Community Development, and Inland Fisheries and Wildlife and the State Planning Office shall provide staff support to the Task Force, drawing on existing resources. The Departments may utilize their existing authority to accept contributions and donations of money, services, and supplies to support the work of the Task Force.

Effective Date

The effective date of this Executive Order is September 22, 2004.

John E. Baldacci, Governor