



Land for Maine's Future Program
Minutes of the Meeting
February 9, 2009

Natural Resource Service Center
Hallowell, Maine

Board Members Present:

Commissioner George Lapointe
Commissioner Patrick McGowan
Commissioner Seth Bradstreet

Diane Doyle
Leon Gorman
Bucky Owen (via phone)

Jeanne M. Mattson
Jeff Thaler

Board Members Absent:

Commissioner Danny Martin

Martha Freeman, Director

Ben Emory

LMF Staff Members Present:

Tim Glidden
R. Collin Therrien

Steve Brooke

Aline Lachance

Others

Wolf Tone, Trust for Public Land
Sam Hodder, Trust for Public Land
Philip Nicholas, Trust for Public Land
Doreen MacGillis, York Land Trust
Jerry Bley, Creative Conservation
Lee Dassler, Western Foothills Land Trust
Dick Clime, WWAPP consultant, Coastal Enterprises, Inc.
Daman Brady, citizen of Hallowell
Alan Stearns, Dept. of Conservation, BPL
Buster Carter, Dept. Inland Fisheries & Wildlife

Minutes of the Meeting

A motion was made by Jeanne Mattson and seconded by Jeff Thaler to approve the November 18, 2008 Minutes of the Meeting. Vote was unanimous.

- OLD BUSINESS -

- **HEADS OF ESTUARIES, Long Creek parcel, Addison, Washington County**, 12± acres in fee to the Pleasant River Wildlife Foundation under a Project Agreement with the Maine Department of Inland Fisheries & Wildlife. [*previously TABLED*]

- Vote

A motion was made by Jeanne Mattson and seconded by Commissioner McGowan to remove this item from the Table. Vote was unanimous.

LMF staff indicated that good progress is being made but that additional appraisal information is still needed. Staff recommends that the Board re-table this item until the next Board meeting in March.

A motion was made by Jeff Thaler and seconded by Jeanne Mattson to **RE-TABLE** this item until the March Board meeting. Vote was unanimous.

- **HIGHLAND FARM, York, York County**, 151 ± acres in fee to York Land Trust and the York Water District under Project Agreements with the Maine Department of Conservation. [*previously TABLED*]

A motion was made by Jeanne Mattson and seconded by Commissioner McGowan to remove this item from the Table. Vote was unanimous

After a brief discussion, Board members recommended that the Scoring Committee meet to see if the proposed reconfiguration request results in protection of substantially the same conservation values as the original proposed accepted by the Board.

- Vote

A motion was made by Leon Gorman and seconded by Jeanne Mattson to **RE-TABLE** the applicant's request for reconfiguration until the March Board meeting. Vote was unanimous.

- NEW BUSINESS -

— CONSERVATION & RECREATION PROJECTS —

- **ROBERTS FARM. Norway, Oxford County**, 150± acres in fee to the Western Foothills Land Trust under a Project Agreement with the Maine Department Conservation.

- Public Notice

On January 3, 2009 published in the Kennebec Journal and on January 1, 2009 published in the Lewiston Sun Journal.

- Appraisal Review Committee Recommendation

It is the recommendation of the ARC that the appraisal provides adequate information to support the purchase price of \$310,000 and further recommends LMF funding of \$87,000 (not including all other costs).

- Public Comments

Lee Dassler, speaking on behalf of Andrea Burns (Norway Downtown) stated that the community is very excited at having this incredible recreational potential, a key component for the Town of Norway. Lee thanked the Board for their contribution.

- Vote

A motion was made by Jeff Thaler and seconded by Diane Doyle to support acquisition of this project. Vote was unanimous.

- **NORTHERN HEADWATERS PRESERVE, Montville, Waldo County**, 414.2± acres in fee to the Sheepscot Wellspring Land Alliance under a Project Agreement with the Maine Department of Conservation.

- Public Notice

On January 3, 2009 published in the Kennebec Journal and on January 8, 2009 published in the Republican Journal

- Appraisal Review Committee Recommendation

The ARC recommends accepting an appraisal value of \$560,000 and further recommends LMF funding of \$ 244,000 for this project (not including all other costs).

- Public Comments

None.

- Vote

A motion was made by Commissioner Bradstreet and seconded by Jeanne Mattson to support acquisition of this project. Vote was unanimous.

- **THE BASIN - Vinalhaven, Knox County**, 40± acres in fee to the Vinalhaven Land Trust under a Project Agreement with the Maine Department of Conservation.

- Public Notice

On January 3, 2009 published in the Kennebec Journal and in the Herald Gazette.

- Appraisal Review Committee Recommendation

The ARC recommends accepting an appraisal value of \$940,000 and further recommends LMF funding of \$177,000 for this project (not including all other costs).

- Public Comments

None.

- Vote

A motion was made by Jeff Thaler and seconded by Commissioner McGowan to support acquisition of this project. Vote was unanimous.

- **KENNEBEC HIGHLANDS EXPANSION, Gordon parcel, New Sharon, Franklin County**, 147± acres in fee to the Maine Department of Conservation.

- Public Notice

On January 3, 2009 published in the Kennebec Journal and on January 1, 2009 published in the Lewiston Sun Journal

- Appraisal Review Committee Recommendation

The ARC recommends accepting an appraisal value of \$100,000 and further recommends LMF funding not to exceed \$93,100 (not including all other costs).

Note: The Bureau of Parks & Lands is asking the Board to authorize up to \$117,000 from the LMF-Katahdin Lake/Franklin County account toward the Gordon and/or di Stephano tracts thus reducing LMF funding for this parcel.

- Public Comments

Jerry Bley thanked the Board for their continued support of this long-term vision for the Kennebec Highlands Project and for building a good working relationship.

- Vote

A motion was made by Commissioner Bradstreet and seconded by Commissioner McGowan to support acquisition of this parcel and to accept the Bureau of Parks & Lands funding proposal. Vote was unanimous.

- **SEBOEIS LAKE – NORTHWEST POND, T4 R9 NWP, Piscataquis County, 2,256± acres in fee to the Maine Department of Conservation.**

- Public Notice

On January 3, 2009 published in the Kennebec Journal and on January 9, 2009 published in the Moosehead Messenger.

- Appraisal Review Committee Recommendation

The ARC recommends accepting an appraisal value of \$2,400,000 or \$1,064/acre or \$38/waterfront foot and further recommends LMF funding of \$697,000 in conservation funds, plus \$100,000 water access funds. The Bureau of Parks & Lands also requested additional funds not to exceed \$100,000.

- Public Comments

Sam Hodder (TPL) thanked the Board for their support, especially the LMF staff for their patience and help in moving this project forward. He noted that the Northwest Pond parcel is a critical addition to the State Public Lands Unit in that it will add to the largest contiguous block of conservation land in the State of Maine. The site located just a few miles south of Millinocket is considered by the people of Millinocket a great recreational treasure. This acquisition will also add to the State's efforts to expand multi-use trail opportunities in the Millinocket and Brownville regions. The Northwest Pond parcel is part of the "Kathadin Forest Expansion" Forest Legacy Proposal.

Sam suggested Board members visit the site. Jeff Thaler and Commissioner McGowan expressed an interest in touring the area.

- Vote

A motion was made by Commissioner McGowan and seconded by Jeanne Mattson to support acquisition of this project and accept the BPL's request for additional funds. Vote was unanimous.

- **STOWE MOUNTAIN (Grafton Notch), Newry, Oxford County, 3,348± acres of working forest easement to the Maine Department of Conservation.**

- Public Notice

On January 3, 2009 published in the Kennebec Journal and on January 8, 2009 published in the Advertiser Democrat.

- Appraisal Review Committee Recommendation

The ARC recommends accepting a before appraisal value of \$3,360,000, an after value of \$1,768,000, and an easement value of \$1,592,000 or \$456/acre and further recommends LMF funding of up to \$443,000 for the project (not including all other costs).

Note: Current cost estimates suggest that the Bureau of Public Lands may or will probably not need the entire LMF funds for this project. Final cost estimates depend upon negotiations through the trustee of available “Transcanada” contributions toward this project.

- Public Comments

Sam Hodder (TPL) wished to thank the many partners involved in the preparation of this application and the Board for its consideration of the project. He stated that at the heart of the Mahoosuc Mountains, which stretch from the White Mountains of New Hampshire into western Maine, lies the Stowe Mountain property. The landscape plays a critical role in the nature based tourism economy, recreational and conservation goals of surrounding communities by drawing outdoor recreationists from around the region and across the country and that the parcel includes exceptional backcountry recreation opportunities for hiking and camping. The property also allows for sustainably forestry management and the project will be receiving financial support from the federal Forest Legacy Program and other sources.

- Vote

A motion was made by Jeff Thaler and seconded by Commissioner Bradstreet to support acquisition of this project. Vote was unanimous.

- **CENTRAL FALMOUTH CONSERVATION CORRIDOR PROJECT, Harriman parcel, Falmouth, Cumberland County, 29.68± acres in fee to the Town of Falmouth under a PA with the Maine Department of Conservation.**

- Public Notice

On January 3, 2009 published in the Kennebec Journal and on January 2, 2009 published in the Portland Press Herald.

- Appraisal Review Committee Recommendation

The ARC recommends accepting an appraisal value of \$400,000 and further recommends LMF funding of \$ 138,000 for the Harriman parcel (not including all other costs).

- Public Comments

None.

- Vote

A motion was made by Jeanne Mattson and seconded by Commissioner McGowan to support acquisition of the Harriman parcel. Vote was unanimous.

— *5% FARMLAND PROJECTS* —

- **DAVIS FARM, Durham, Androscoggin County** (now called the Old Crow Ranch)

The Department of Agriculture along with the farm's owners is seeking a grant in the amount of \$7,833 to assist in the creation of a business/improvement plan to commence forage improvements to existing hay fields allowing them to improve the resources of the land, while increasing its productivity.

A motion was made by Commissioner Bradstreet and seconded by Commissioner McGowan to approve a business planning and/or improvement grant of \$7,833. Vote was unanimous.

-WORKING WATERFRONT PROJECTS —

- **JOHN HANCOCK WHARF, York, York County**, 0.71± acres of a working waterfront covenant to the Maine Department of Marine Resources.

- Public Notice

On January 3, 2009 published in the Kennebec Journal and in the Journal Tribune.

- Appraisal Review Committee Recommendation

The ARC recommends accepting an unencumbered value of \$830,000, an encumbered value of \$575,000 and a working waterfront covenant value of \$255,000 and further recommends LMF funding of \$255,000 which is the covenant value (not including all other costs).

- Public Comments

None.

- Vote

A motion was made by Commissioner Bradstreet and seconded by Jeanne Mattson to support acquisition of this working waterfront project. Vote was unanimous.

- **PEMAQUID FISHERMAN’S COOP, Pemaquid Harbor, Bristol, Lincoln County,** 4.5± acres of a working waterfront covenant to the Maine Department of Marine Resources.

- Public Notice

On January 3, 2009 published in the Kennebec Journal and on January 8, 2009 published in the Coastal Journal.

- Appraisal Review Committee Recommendation

The ARC recommends accepting an unencumbered value of \$1,280,000, an encumbered value of \$1,060,000 and a working waterfront covenant value of \$220,000 and further recommends LMF funding of \$265,000 which is 25 % of the fair market value (not including all other costs).

- Public Comments

None.

- Vote

A motion was made by Commission McGowan and seconded by Commissioner Bradstreet to support acquisition of this working waterfront project. Vote was unanimous.

- **25 Percent Policy for Working Waterfront Projects**

At the last Appraisal Review Committee conference call some discussion centered on the 25% policy for working waterfront projects spurred by an appraisal of a working waterfront project which has a highest and best use (HBU) as a commercial fish pier before the restrictive covenant and the same HBU after imposition of the covenant. In cases where the reduction in fair market value is substantially less than 25% of the “before value”, should there be clearer rationale for applying the 25% policy.

Because the Working Waterfront Program is still a pilot stage program, and while no statutory change is required, several Board members suggested that the LMF staff seek Legislative input as to whether to continue or modify this policy. The Board agreed to further discussion of the pilot program at a future meeting.

— *OTHER BUSINESS* —

- **MOWRY BEACH, Eastport, Washington County**

The Bangor Hydro Electric Company is in the process of upgrading its distribution line in Lubec. As part of this upgrade process, they would like to place an anchor support

adjacent to an existing pole located on the south side of Mowry Street. This anchor support will extend a few feet over the road boundary onto land acquired with LMF funds. Bangor Hydro would like to have permission, in the form of an easement, to install it.

- Vote

A motion was made by Diane Doyle and seconded by Commissioner Bradstreet to give approval for the Quoddy Regional Land Trust to grant a utility easement to Bangor Hydro Electric under the terms of the Project Agreement covering the Mowry Beach Property lands.

- **Updates from Chair & Staff:**

- ⇒ Development Proposals involving LMF Lands

Tim wished to make Board members aware that the “Save Passamaquoddy Bay” citizen’s group of Washington County has expressed opposition to three Liquid Natural Gas (LNG) terminals being proposed along the shore of Passamaquoddy Bay. One of the three facilities being proposed is immediately adjacent to the Devil’s Head conservation project in Calais. They are concerned that the LNG facility may lead the City of Calais to alter its management of Devil’s Head in way that are not compatible with the city’s obligations under its agreement with the State. Should this come to pass, SPB is asking to be considered a “substitute” owner of the property and ask to be notified if the Board considers any changes to this project in the future.

Tim noted that no board action is sought or required at this time. The Board directed Tim to send its acknowledgement of receipt of the SPB letter.

- ⇒ Bond discussions are at least a month away, noted Tim. The Legislature is waiting to hear from Washington regarding the stimulus package. He did hear of one proposal for a new bond program which would only include lands for hunting.

- ⇒ Tim will be presenting to the Legislative Agriculture, Conservation & Forestry Committee LMF’s Biennial Report on February 20, 2009.

- ⇒ Tim noted that discussions are underway as to how Quality of Place and the Land for Maine’s Future Program fit in place together.

- ⇒ As of yet, Tim hasn’t seen anything any bills dealing with the reorganization the natural resources agencies that would include the Land for Maine’s Future Program.

⇒ Project Updates

Several projects are anticipated to close this winter. They include:

- Kennebec Highlands Expansion – multi-parcel
- Four Seasons Trail Project.
- Fields & Forest-Phase II the Backland parcel
- Seboomook Water Access Project
- Robert's Wharf project.

Several projects closed/completed in the last quarter of 2008 and January 2009. These are:

- Colonial Pemaquid
- Kennebec River Estuaries – Wallentine parcel, Rudolph-Lowell parcel and Steen parcel (match parcel)
- Bog Brook & Moose Cove
- Wabassus Lake
- Baldn & Ragged Mountain – Phase II
- Pigeon Hill, Rice parcel
- Davis Farm
- Hallelujah Farm

Adjourned: 2:50 p.m.