

Maine Forest Legacy Committee
3/28/08 Agenda

Meeting Date: Friday, March 28, 2008, 9:00am – 11am

Location: Department of Conservation Bolton Hill Facility; 2870 N. Belfast Ave (US Route 3) Augusta, phone 624-3700 for directions or Alan at 215-4074 (cell)

- I. Introductions and welcome new members Bob Croce, Isaac Walton League, Maine Chapter, and Peter McKinley, Forest Society of Maine **(5 min)**
- II. Review minutes from last meeting (9/13/07) **(5 min)**
<http://www.maine.gov/doc/parks/forestlegacy.shtml>
- III. Review of project progress, federal appropriations **(5 min)**. See table of projects by fiscal year at <http://www.maine.gov/doc/parks/forestlegacy.shtml>. We'll also have at the meeting a new statewide map of all Maine FLP projects.
- IV. Updates from USFS **(5 min +)**
- V. Overview of FFY2010 scoring and committee process **(10 min)**
 - Today's meeting: preliminary overview of possible projects
 - Project applications submitted to BPL by June 1, 2008
 - June 2008 meeting (**propose Friday June 13th 9am to 11am**): overview presentations of project applications to full committee
 - Scoring subcommittee meetings (summer 2008) Glidden (chair) Triandafillou, Stockwell, Polstein (2007 members, all proposed for reappointment if willing to renew)
 - September full committee meeting with advisory vote (**propose Friday September 12th, 2008**)
 - BPL recommendations to USFS: Expected USFS mid October 2008 deadline; Expected 3 projects limit per state; Expected \$10M limit per state.
 - USFS scoring/national ranking Jan 2009
 - Calendar 2009: FFY2010 federal appropriations process
- VI. York County FLP service area discussion. See 2/15/08 Saffair memo attached below. **(15 min)**
- VII. Informal presentation and discussion of FFY10 and/or FFY11 project possibilities. **(30 min +)** Call or email Melissa Macaluso at BPL if you plan an AV presentation. Otherwise expectation is informal dialog.
 - TPL Katahdin Forest Expansion (still aiming for FFY09 funding)
 - TPL York County?
 - TNC Plum Creek?
 - FSM Gulf Hugas?
 - More?
- VIII. Other items and policy dialog or roundtable. **(20 min ++)** Note especially and please review in advance conservation easement monitoring and funding memo included as Appendix C of BPL's 2007 Lands report to the Legislature. <http://www.maine.gov/doc/parks/planning.html>
- IX. Next meetings (see proposals above in V) and adjourn **(5 min)**

MEMO

To: Alan Stearns
From: Jo D. Saffair
Re: Potential Revision to Maine's Forest Legacy Area
Date: February 15, 2008

I would like to recommend that we bring the issue of a potential revision to Maine's Forest Legacy Area to Maine's Forest Legacy Committee for discussion this winter.

As you know, the Three Rivers Land Trust (TRLT) has been in conversation over the past couple of years with the Richard Sewell family regarding its 3,500-acre forested parcel it holds in trust in Acton and Lebanon in York County. These towns are not within Maine's Forest Legacy Area and therefore the parcel would not currently qualify for Forest Legacy funding. According to the Maine Forest Service, Lebanon and Acton have about 80 and 40 parcels enrolled in Tree Growth respectively, the largest parcel being roughly 800 acres, and the rest being significantly smaller. Don Mansius (MFS) indicates that a 3,500-acre parcel this far south in the State is notable for its size.

In speaking with Carl Davis of TRLT and Wolfe Tone (Trust for Public Land), the parcel is actively harvested and well managed. The property also includes significant wetland resources (portions of the South Acton Swamps, a MNAP focus area) and 1-2 miles of potentially developable frontage on the Salmon Falls River which forms the border between ME and NH. Directly across the River lie 3,000 protected acres in NH (the Carl Seiman Family Trust) which lies within New Hampshire's Forest Legacy Area. TPL (Tone) and DOA (Stephanie Gilbert) conducted a site walk last winter; TPL advises another site walk this spring with BPL staff to further assess the forest resources and better view the wetlands. The family is under no particular time pressure to sell. Its interests are in selling the development rights to the property and maintaining the right to harvest timber. They are opposed to motorized recreational use of the property but currently allow the public to access the property for hunting, fishing and non-motorized recreation. The property has no paved roads but does contain woods roads from timber harvesting activities.

Maine's Forest Legacy Area originally encompassed Maine's complete portion of the Northern Forest Lands Study Area. In 2001, Maine received approval to amend its Forest Legacy Area to include 14 additional towns in Oxford, Cumberland and York Counties. It was determined that these towns, though outside the original Northern Forest Lands Study Area, clearly met the established Eligibility Criteria outlined in Maine's 1993 Modified Assessment of Need (AON). Only two of these towns – Parsonsfield and Cornish - lie in York County.

If Acton and Lebanon were to be added to the Legacy Area, I would recommend that at a minimum the town of Newfield also be added in order to maintain the Legacy Area as one contiguous unit. It would also be logical to consider the forest resources within the towns of Limington, Limerick, Waterboro

and Shapleigh given their adjacency to both Acton and Lebanon and Maine's existing Forest Legacy Area.

Any additions to Maine's Forest Legacy Area would need to meet criteria described in Maine's AON. The AON says the following about Maine's Forest Legacy Area (all excerpts):

Maine's Forest Legacy Area includes forest land that is threatened by conversion to non-forest uses; provides opportunities for traditional forest uses; and contains an array of public values.

Maine's Forest Legacy Area:

A. includes forested land threatened by present or future conversion to non-forest uses;

B. provides opportunities for traditional forest uses;

C. contains the following public values

1. public recreation opportunities

2. riparian areas/wetlands

3. significant fish and wildlife habitat, including habitat of threatened and endangered plant or animal species

4. cultural resources (areas of historical or archaeological significance)

5. other ecological values

6. scenic resources

7. important plant communities; and

D. contains parcels on which more than 50% of the land meets the definition of commercial forest land (see page 12 for definition).

At the same time that Maine considers whether to add certain towns to its Legacy Area, it should also seriously consider removing some other acreage. Feedback from regional Legacy staff suggests that the percentage of acreage each state protects within its Legacy Area remains an important indicator of program success at the federal level. Federal staffers advise at this time that a net increase in Legacy Area acreage in any given state runs counter to the goal of improving this success measure. The State of Vermont is currently considering amending its Area to add new acreage and has been advised to remove a comparable amount of acreage in other parts of the State. Other states (Montana and Utah?) have already gone through the process of removing acreage from their Legacy Areas – acreage that has already been permanently protected from conversion to non-forest uses – with the objectives of honing their focus and increasing the percentage of protected land in their Areas. Maine too has significant acreage that has been protected without FLP funds that could be removed from the State's Legacy Area in order to reduce its size.

The process for modifying Maine's Legacy Area to the degree described above would not be complicated. In 2001, Maine was not required to submit a formal amendment request, but rather simply request a Legacy Area boundary change. Such requests are approved at the Area Director level. They require:

-documentation that the State undertook some process for public involvement (e.g. notification of the proposed change to the affected towns' officials, the publishing of a public notice, and the posting of the proposed change on the Program's website);

- a map and written description of the new area;
- a summary of the analysis used to identify the FLA and its consistency with the Eligibility Criteria; and
- an indication that the new area supports the same environmental values, conservation goals, and public benefits as the rest of the state's Area.