

**Maine Forest Legacy Committee Meeting Minutes**  
**March 7, 2007**

**Committee Members Present:** Alan Stearns, Sallie Stockwell, Andy Irish, Tim Glidden, Don Mansius, Steve LeBlanc, Kate Dempsey

**Others Present:** Neal Bungard, Alan Hutchinson, Janice Melmed, Ken Spaulding, Mark Berry, Jennifer Melville, Mackenzi Keliher, Will Harris

**Committee Members Absent:** Ken Elowe, Matthew Polstein, Don Hudson, Peter Triandafillou, Bob Englehardt

- I. Introductions
  - a. Alan Stearns, Deputy Director, DOC/BPL opened the introductions.
  - b. Introductions were made by all members and interested parties as listed above.
  
- II. Adoption of Previous Meetings Minutes
  - a. A motion made by Kate Dempsey to adopt minutes with one administrative change regarding the Katahdin Iron Works project (pg. 1 *National Regional Forest Legacy program staff are reviewing the CE and appraisal and LMF is set to review both in November.*)
  - b. Unanimous Adoption of Amended Minutes.
  
- III. Power Point Presentation by Jennifer Melville
  - a. Maine Modified Assessment of Need (AON) – Maine 1<sup>st</sup> in Nation to adopt create a Modified Assessment of Need
  - b. Committee Overview
  - c. Program Goals – Tied to Farm Bill, which is the programs enabling statute, enacted to address change and conversion of the northern forest.
  - d. Eligibility Criteria – Maine’s Emphasis on Commercial Forest Land
  - e. Application Process
  - f. Completed Projects
    - i. Recognition that the State or the Forest Service, not non-profit partners, must hold fee and easement for all projects.
  
- IV. National Overview – by Neal Bungard, Program Specialist
  - a. Alan opened discussion by stating that Congress has honored the process that takes place at the state level and within the USFS, by supporting the recommended funding.
  - b. Information will be available by 3/15/07 on the FY07 projects.
  - c. FY08 is shaping up to be a tough year for the Forest Legacy program. The total number of projects and funds recommended in the President’s budget were about half of last years levels. (Lower Penobscot Forest was #3 in a list of 14 total projects.)
  - d. Neal Bungard answered Kate Dempsey’s question regarding the USFS system for ranking all projects.

- i. For FY08 there were 91 total projects submitted by 46 states involved in the program. The USFS ranks all projects (1-91).
- e. Last year, Congress did not follow the USFS ranking as closely as the President's list. Specifically, Congress only recommended one project per state. We don't know yet if this sentiment will continue into future years.

V. The Maine Forest Legacy Committee's Role – Discussion opened by Stearns

- a. 90% of the Committee's time is dedicated to reviewing projects and advising the State on which projects to fund. This work is typically accomplished through 1-2 meetings per year.
- b. 10% of the Committee's time is dedicated to the review of associated program policy (i.e. AON revisions).
- c. Tim Glidden stated that 3 or 4 years ago the Committee spent considerable time revising the scoring. The need to address similar issues this year may require a third or fourth meeting of the Committee.
- d. Stearns emphasized the need to "do it right" when addressing such programmatic issues, as they build on the strength of the program. A solid discussion should occur before the Committee votes on issues.
- e. Stearns also emphasized the fact that the task of scoring projects will be more difficult should the available "piece of the pie" become smaller and that the solicitation of new projects should be tempered. The competition for funds between new projects and existing projects should be considered.
- f. The Committee's goal is to put Maine's best foot forward and continuing to the lead the program nationally.
- g. Kate Dempsey noted that in the AON, among the Committee's responsibilities are to "Maintain a list of currently active and viable Forest Legacy Program projects". She advocated for an interim (May) meeting that would allow the Committee to be briefed on such projects and create a list. The focus could be on the "big picture" in the Northern Forest, which would allow the Committee to track trends and changes, as well as view and encourage projects in critical areas.
- h. Alan Stearns inquired as to whether there were other groups filling this role. The answer came from Alan Hutchinson who indicated that TNC organized a one time meeting with a similar focus, but overall there is not.

VI. Project Updates

- a. Sebago Lands(Hancock Easement)
  - i. Timber cruising and appraisal has been completed.
  - ii. The ownership transition, with Matt Hancock's departure, created transition for the project. Things are now moving forward in a positive direction – although terms and geography are still being addressed.
  - iii. Jennifer Melville mentioned that we should be cognizant of the fact that the funds can be rescinded if not spent in the allotted time.

- b. KIW (Easement)
  - i. Expected to close March 21.
  - ii. Project has been controversial due to snowmobile access and ecoreserve issues.
  - iii. Issues were resolved and project contains an unprecedented east to west snowmobile crossing in an easement.
- c. Grafton (Fee)
  - i. Maine and the USFS number one ranked project for FY 07.
  - ii. LMF reviewed proposal to close the funding gap. It looks favorable.
  - iii. The project will close sometime before June.
- d. Lower Penobscot
  - i. Amherst Tract (Easement FY07) – Lyme acquired this tract and FSM holds a 3 year purchase option, which can be assigned to the State. Funding needs to be secured.
  - ii. Great Pond Tract (Easement, State 1<sup>st</sup> Priority Project for FY08) - GMO is landowner – still working on terms of easement. An associated 12,000 acre free tract will be acquired by TNC relatively soon.
  - iii. Andy Irish raised a good question about “rewarding bad behavior” by acquiring land from buyers who have paid high prices. The committee discussed the rigorous federal and state appraisal process which guards against this problem.
- e. Grafton Notch – Stowe Mountain and Wassataquiok Valley - These are Maine’s 2<sup>nd</sup> and 3<sup>rd</sup> priority projects for FY 08. If they are not funded this year (which is not highly likely) they will be resubmitted for FY 09.
- f. Machias River Phase III and Boundary Mountains – Other projects that have been before the Committee, but not included on their recommended list for funding. (FY 08 Proposals will be distributed to the new Committee members.)

- VII. The timeline for FY09 projects will be released by the USFS soon. There will likely again be the deadline of October 15 for the State to submit projects.
  - a. BPL will put together a proposed schedule for the FY 09 process.

- VIII. Scoring Discussion
  - a. 2006 Scoring Sub-committee consisted of John Simko, Dan Hudnut, Ian Burns and Tim Glidden. All but Tim are no longer on the committee.
  - b. Overview of Recommended Revisions (See Tim Glidden’s Memo for details pertaining to the criteria that should be considered for revision.)
    - i. Size – “two bite” factor – weight should be lowered or dropped
    - ii. Management Costs – cause skewing in ranking, fee parcels may need adjustment
    - iii. Missed Qualities
    - iv. Threat – general or specific to Parcel? Need clarification. For example should the overall threat to the North Woods or region be

considered or does threat need to be imminent and specific to the parcel?

- v. Multi-parcel – should the focus be on the project as a whole or the parcel outlined in this proposal, i.e. how should multi-phase projects be scored?
- vi. Adjacency – points at minimal effort.

IX. TNC's Recommendations RE: Scoring and Conflict of Interest

- a. (See memo submitted by Kate Dempsey and Tom Rumpf)
  - i. Conflict of Interest – Recognizing that all members of the Committee have some degree of conflict and that if that was disclosed all members could vote, even when conflicts are present. Dempsey stated that “we all have a stake in the game” and have the programs best interest in mind.
  - ii. Recommend consideration of having the scoring sub-committee make-up consist of only state representatives, i.e., Don Mansius, Tim Glidden & Alan Stearns.
  - iii. Recommend a yes / no scoring system instead of points.
  - iv. Alan Hutchinson noted that the stringent point criteria force discipline.
  - v. Mark Berry inquired as to the difference between the national criteria and state criteria or values.
    - 1. Neal Bungard noted that nationally criteria includes; Public Benefits, including logging and recreation; Threatened; Strategic; and Readiness
    - 2. It was noted that the State places a higher value on public benefits. This is likely because Maine differs from other states (Maine is very different that Maryland in the size of projects that are completed), and there is the need here to maintain large blocks of land. Size is important and it is critical that Maine is able to achieve at this scale.
      - a. Potential need to adjust acreage scale?

- X. Kate Dempsey requested that minutes reflect the discussion. The minutes from the September 2006 meeting did not reflect the frank discussion that took place surrounding the project ranking. The State noted this request and will do so in the future.

XI. Conflicts

- a. Don Mansius notes that the State's grant requirements state that we must make steps to avoid this.
- b. Sallie Stockwell noted that MOHF received advisement from the AG's office on the matter. Their recommendation was that members who have direct involvement with the project should recuse themselves.
- c. Kate Dempsey stated that the issue of members with apparent conflicts taking part in deliberations (vs. voting) should be addressed. Members with conflicts should be able speak so that they may add to the informed vote by the committee. She notes the difference between being able to answer questions vs. advocating. It is also noted that if presentations were made much earlier in the process the members could have their questions answered in advance.
  - i. Neal Bungard notes that New Hampshire makes their presentations in May so that there are few questions in September when the vote takes place.

XII. Discussion Wrap Up

- a. Alan Stearns notes that the State will take into account the discussions and recommendations made during this meeting and will draft a concise proposal which will be distributed prior to the next meeting. The focus of the next meeting will to vote and aim for general consensus.