



Land for Maine's Future Program
Minutes of the Meeting
January 16, 2007

Pine Tree State Arboretum
Augusta, Maine

Board Members Present:

Commissioner George Lapointe
Commissioner Patrick McGowan
Commissioner Seth Bradstreet

Carole Dyer
Leon Gorman
Jeff Thaler

Marcia McKeague
Warren Balgooyen

Board Members Absent:

Commissioner D. Martin

Martha Freeman, Director

[one vacancy]

LMF Staff Members Present:

Tim Glidden
R. Collin Therrien

Steve Brooke
Surran Pyne

Aline Lachance
Jim Connors

Others

Carol Woodcook, Sen. Susan Collins' Office
Kevin Miller, Bangor Daily News
Karin Tilberg, DOC / Governor's Office
Bill Mangum, President, Holbrook Community Foundation
Paige Mangum, Holbrook Community Foundation
Elsa Martz, Holbrook Community Foundation
John Rust, Maine Professional Guides Association
Greg Shute, Maine Wilderness Guides
Gerry Whiting and Susan Arnold, Appalachian Mountain Club
Bob LeRoy and Walter Graff, Appalachian Mountain Club
Bryan Wentzell and David Wood, Appalachian Mountain Club
Ken Spalding, Restore: The North Woods
Sharon LeRoy, Appalachian Mountain Club, MWT
Garrett Conover, North Woods Ways
Julie Lamy and Nat Wing, Boothbay Region Land Trust
Rick Woodruff, Freeport Conservation Trust
Jennifer Litteral, Island Institute
Gary Corson
Bob and Diane Guethlen
Peter Triandafillou, Huber Resources Corp., Old Town
Jerry Bley, Creative Conservation
Karen Woodsum, Sierra Club

Sally Jacobs, Orono Land Trust
Jeff Romano, Maine Coast Heritage Trust
Greg Porte, Trout Unlimited
Jennifer Melville and Sam Hodder, Trust for Public Lands
Darci Schofield
Mildred Kennedy Stirling
Eric Stirling, Sporting Camp Owner
Wendy and Nadine Weiger
Bryan Courtois, MWGO
Vasco Carter, Me. Dept. of Inland Fisheries & Wildlife
Cindy Smith, Dept. Marine Resources
Wolf Tone, Trust for Public Lands
Sue Inches, State Planning Office
Stephanie Gilbert, Dept. Agriculture, Food & Rural Resources
Alan Stearns, Dept. of Conservation, Bureau of Parks & Lands
Bob Duplessie, Dept. of Conservation
Ralph Knoll, representing the Dept. of Conservation

Minutes of the Meeting

A motion was made by Carole Dyer and seconded by Commissioner Seth Bradstreet to accept the November 14, 2006 Minutes of the Meeting. Vote was unanimous.

WORKING WATERFRONTS

Overview-Nomination-Scoring Process

The Maine Legislature and voters recognizing the need to protect and secure commercial fishing access at a time when increasing demands for coastal waterfront lands and rising land values, and property taxes are making it difficult for commercial fishing businesses to retain working access to the water voted in November of 2005 to fund a \$12 million LMF bond. \$2 Million was set-aside for projects that protect strategically significant working waterfront properties whose continued availability to commercial fisheries businesses is essential to the long-term future of this economic sector.

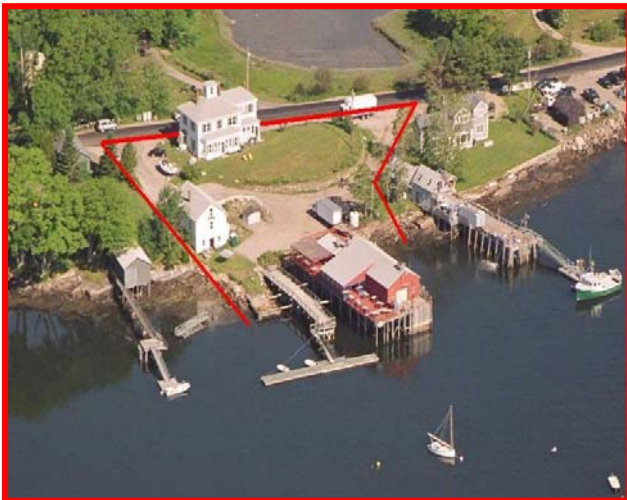
Commissioner Lapointe presented a brief overview of the process which begins with a public announcement of the Working Waterfront Access Pilot Program grant funding availability. Applicants receive assistance from the Department of Marine Resources' (DMR) Program Team who are available to assist and advise project applicants with program details and the application process assuring that proposals are complete and meet the necessary criteria for evaluation by the Review Panel established by the Commissioner of Marine Resources. The Review Panel evaluates and scores each proposal and forwards their recommendations to the Commissioner of the DMR. The Commissioner, in turn, recommends projects to the LMF Board for grant awards. While DMR is responsible for running the pilot program the actual grant awards will be made by the Land for Maine's Future Board. The LMF Board reviews those proposals submitted by Commissioner and selects those proposals for funding and allocates a level of funding for each

proposal. Those applicants whose proposals receive funding will then work in conjunction with the DMR and LMF staff to complete the acquisition project.

Scoring Criteria and Max values:

Economic Significance	(30) points
Alternative Facilities	(20) points
Community Support	(10) points
Threat of Conversion	(20) points
<u>Utility of Property</u>	<u>(20) points</u>
TOTAL POINTS	(100)

A brief description was given by Cindy Smith, Project Coordinator for the Working Waterfront Access Pilot Project, of each of the 6 projects received. Board members voted either to fund or reject the project. If selected for funding standard conditions and/or special condition(s) must be completed to the satisfaction of the Board.



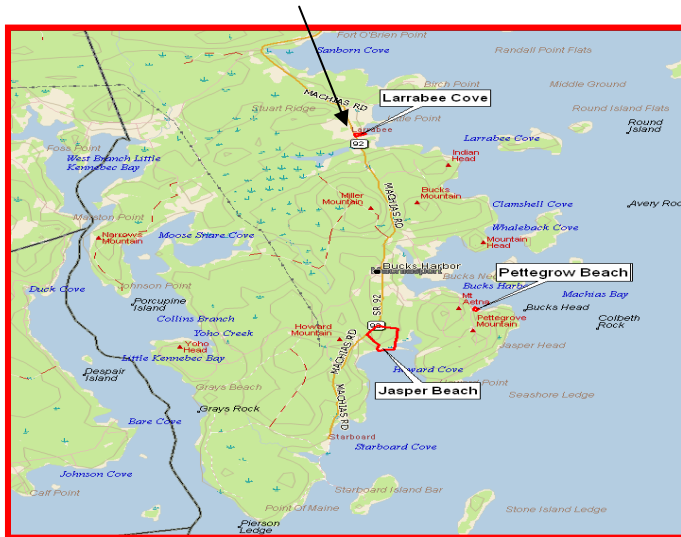
Holbrook's Wharf

Bill Mangum, President of the Holbrook Community Foundation stated that the Foundation is working to get Holbrook up and running as part of the working waterfront in Cundy's Harbor in Harpswell. The property includes a commercial fishing wharf, a 2 unit apartment building, a general store and associated parking areas. It also includes a second pier with floats for recreational boating access and six moorings.



Town Landing, Isle au Haut

This project will secure permanent commercial fishing access over the town's municipal pier. Plans are to replace the existing town pier with a facility that will support commercial fishing activities as well as continue to serve as the island's main point of water access for all other commercial activities, including the mail boat, Acadia National Park and both seasonal and permanent island residents.



Larrabee Cove, Machiasport

The Town of Machiasport proposes to purchase a permanent right-of-way access to Larrabee Cove for clam harvesting activities. Currently, the 5 access points to the Cove all across private property. This acquisition will provide improved access by replacing an existing, more difficult access point with a new parking area and public driveway to the central portion of the Cove.



Perio Point, Beals

This project is a proposal to sell a working waterfront covenant to the State for a significant commercial fisheries facility located in the Town of Beals on Moosabec Reach. The property serves 75-100 boats landing lobsters, crabs, mussels, and quahogs harvested in the region. The property includes wharfs, service buildings, two lobster pounds, and related working space and facilities.



Robert's Wharf, Boothbay

This project is a proposal to sell a working waterfront covenant to the State. The property contains two modest pier structures that are currently used by four local lobstermen for equipment storage and convenient access for fishermen. The Boothbay Regional Land Trust will upgrade the facilities to accommodate up to ten fishermen with moorings, wharfage and gear storage. This covenant will ensure the property's commercial fishing capacity will be maintained forever.



Sprucehead Fishermen's Coop., South Thomaston

The project is a proposal to purchase the land currently leased by the Coop. that encompasses their existing commercial fishing facility. The Coop. proposes to sell a working waterfront covenant to the State as part of the financing for its acquisition of the facility.



This project will secure working access for 75 fishermen, as well as 2 full-time and 6 part-time employees.

EXECUTIVE SESSION - 10:15 a.m. – 11:15 a.m.

A motion was made by Jeff Thaler and seconded by Carole Dyer to go into Executive Session for the purpose of reviewing the working waterfront proposals and making financial recommendations which require the consideration and discussion of proprietary and confidential business information. Vote was unanimous.

Standard Conditions of the LMF Board to Approve Funding Allocation for a Working Waterfront Project

The following requirements are included by reference with any working waterfront proposal accepted by the Board for funds allocated from the Land for Maine's Future Program.

Required elements:

- Board acceptance of an appraisal to LMF standards that establishes fair market value for the rights and interests being acquired;
- Completion of title work to demonstrate clear or good title for the rights and interests being conveyed, free of any encumbrances, rights, or restrictions that might jeopardize the purposes of the public funding;
- Completion of a Level 1 Environmental Hazard Assessment or its equivalent;
- Completion of a property survey or acceptance of an existing survey that clearly documents the bounds of the working waterfront area;

- Documentation of required matching funds provided by the applicant;
- Approval by elected municipal officials in organized towns if the property represents more than 1% of the State valuation of the town, or approval by County Commissioners for unorganized territories if the property represents more than 1% of State valuation of the county;
- Execution of a Purchase and Sales Contract signed with all appurtenant conditions. If the project involves a Working Waterfront Covenant, the covenant is reviewed and finalized. If the project involves a Project Agreement or deed restriction, the agreement or restrictions are finalized.

In addition to these standard conditions, the Board may place project specific conditions on a project, which must be addressed before funds are released.

VOTE

➔ Holbrook's Wharf, Cundy's Harbor, Harpswell

A motion was made by Commissioner McGowan and seconded by Carole Dyer to allocate \$300,000 for this project. Vote was unanimous except for Jeff Thaler who abstained from voting.

Special Condition: None

➔ Town Landing, Isle au Haut

A motion was made by Carole Dyer and seconded by Commissioner Seth Bradstreet to allocate \$104,000 for this project. Vote was unanimous.

Special Condition: None

➔ Larrabee Cove, Machiasport

A motion was made by Jeff Thaler and seconded by Marcia McKeague to allocate \$6,666 for this project. Vote was unanimous.

Special Condition: None

➔ **Perio Point, Beals**

A motion was made by Warren Balgooyen and seconded by Marcia McKeague to allocate \$261,250 for this project. Vote was unanimous.

Special Condition: None

➔ **Robert's Wharf, Barter's Island, Boothbay**

A motion was made by Jeff Thaler and seconded by Carole Dyer to allocate \$34,600 for this project. Vote was unanimous except for Warren Balgooyen who abstained from voting.

Special Condition: The Board added the additional condition that the Boothbay Regional Land Trust work to provide all necessary facilities and services need to meet fishing access needs, such as the opportunity to sell the catch and procure bait.

➔ **Sprucehead Fishermen's Co-op., South Thomaston**

A motion was made by Leon Gorman and seconded by Marcia McKeague to allocate \$475,000 for this project. Vote was unanimous.

Special Condition: None

Note: The term **covenant** is being applied vs. the term **easement** as easements are not designed for protecting working waterfronts. Both, however, provide permanent protection.

Old Business

- **Hancock Lands- Phase I & II**

Tim noted that the issue dealing with gravel pits has not been finalized. He further noted that we are now dealing with new staff at Hancock Lands and his recommendation to the Board was that the project be tabled and revisited at the Board's next meeting in March.

A motion was made by Marcia McKeague and seconded by Carole Dyer to Table the vote on the project until March. Vote was unanimous except for Jeff Thaler who abstained from voting.

Conservation & Recreation Projects

- **Caribou Bog-Penjajawoc**, Moleon parcel, Bangor, Penobscot County [28.4± acres in fee to the Bangor Land Trust under PA with Dept. of Conservation]

- Public Notice

On January 5, 2007 published in both the Kennebec Journal and the Bangor Daily News.

- Appraisal Review Committee Recommendation

The ARC recommended accepting an appraisal value of \$20,000 for this parcel and further recommends LMF funding of \$20,000. Match for this acquisition comes from the “all other” costs.

- Public Comments

Steve Brooke noted that Lucy Quimby, President, of the Bangor Land Trust wished to convey her appreciation to the Board for their support of the project.

- Vote

A motion was made by Carole Dyer and seconded by Warren Balgooyen to support acquisition of this parcel. Vote was unanimous.

- **Katahdin Iron Works**, Bowdoin College Grant East & West, and T& R9 NWP, Piscataquis County [37,000± acres of conservation easement to the Maine Department of Conservation]

- Public Notice

On January 5, 2007 published in both the Kennebec Journal and the Bangor Daily News.

- Appraisal Review Committee Recommendation

The ARC recommended accepting an appraisal value of \$9,870,000 for this easement and further recommends LMF funding of \$1,250,000 [*1 Million from Round 4 and \$250,000 from Round 5*].

- Easement Review Committee Recommendation

After receiving public comments and discussing the proposal, the Easement Committee voted on December 4, 2006 to unanimously recommend acceptance of the easement to the LMF Board. The Review Committee concluded that the proposed easement meets or exceeds the standards established in the LMF guidelines.

- Public Comments

The following persons spoke briefly before the Board either in favor or against the project: Bob Guethlen, Garrett Conover, Darci Schofield, Wendy Weiger, Greg Ponte, Greg Shute, David Wood, and Rick Hill. Below is a summary of their comments including written comments received by the Board. Copies of the letters received are on file at the State Planning Office.

PRO:

- We cannot be all things to all folks, the plan is well thought out and AMC is doing a good job adding to the economy of the communities. As an avid snowmobile person, likes the idea of non-motorized. This project is important to the region and local residents are aware of the need to preserve lands for multi-purpose.
- Approves of the plan. Likes the idea of dedicated habitat use and feels communication with all parties is important. The use of motorized vehicles will be a key issue for the future.
- Enjoys regular back-country recreational activities such as hiking, etc. and feels that non-motorized access use will provide safety. Tourists visiting Maine usually prefer peaceful surroundings.
- As a registered Maine Guide and Greenville resident and an owner of land on First Roach Pond, I strongly support the easement. The first time we visited this site we fell in love with this place. AMC has been an excellent neighbor and has created wonderful trails and I especially enjoy the family-friendly trail on Indian Mountain which my 81-year old mother and I hiked. I am grateful to the AMC in providing people of all ages and ability access to the beauty of Maine's woods.
- The days of land staying in the same ownership is gone. Hunting the way our grandparents did is also being threatened. I am in favor of this easement. Maine is a big state and there is recreational opportunity for all.
- Recognition of changes in landownership patterns in the region and concern over the potential loss of recreational access to traditionally available areas.
- Contributes to preserving and diversifying recreational and economic opportunities in the greater Moosehead Region.
- Will provide increased opportunities for hiking, cross-country skiing and other non-motorized recreation.
- Appreciation of AMC's engagement with local communities in developing and promoting recreational business opportunities.
- Opportunities for public education and demonstration around sustainable forest management.

- Protection of significant ecological, wildlife and landscape values.

Note: There is strong community support particularly from the Towns of Greenville and Brownville, local businesses, sporting camps, guides, two snowmobile clubs and individuals.

CON:

- As a member of the Maine Professional Guides Association folks like to be able to drive as near as possible to their hunting or fishing sites and not have to walk miles to reach the destination. Against the AMC discontinuing bear **beating** baiting. Would like the Board to delay today's decision.
- Unfair to use public funds to conserve lands that are not open to all forms of recreation (e.g. snowmobiling, ATVing, baited bear hunting).
- Emerging trend to exclude hunters and motorized recreationists from public lands.
- The project and the creation of the nonmotorized recreation areas will hurt local businesses.
- Disapprove of public tax dollars funding land conservation by private organizations which conduct commercial operations (e.g., sporting camps).

Note: The Maine Snowmobile Association and the Maine Professional Guides Association have both taken positions in opposition. The Maine Sportsman Association requested a delay. Staff has also received negative comments from several sporting camp owners, guides and others.

- Vote

A motion was made by Carole Dyer and seconded by Warren Balgooyen to approve the conservation easement. Vote was unanimous.

Combination Farmland & Conservation Project

- **Mitchell Ledge Farm**, Freeport, Cumberland County [105± acres of agricultural conservation easement including a public access component to the Freeport Conservation Trust under a PA with the to the Maine Department of Agriculture, Food & Rural Resources]

- Public Notice

On January 5, 2007 published in both the Kennebec Journal and the Portland Press Herald and again in the Portland Press Herald on January 11, 2007.

- Appraisal Review Committee Recommendation

The ARC recommended accepting an appraisal value of \$823,000 for this project and further recommends LMF funding in the amounts of \$187,058 in farmland funds and \$117,942 in conservation funds.

- Public Comments

Rick Woodruff stated that he and the Freeport Conservation Trust were very grateful for the Board's support of the project.

- Vote

A motion was made by Jeff Thaler and seconded by Carole Dyer to support the project. Vote was unanimous.

Farmland Projects

- **Fields & Forests Forever**, Hawes parcel, Unity, Waldo County [175± acres of a agricultural conservation easement to the Friends of Unity Wetlands under a PA with the Maine Dept. of Agriculture, Food & Rural Resources.]

- Public Notice

On January 5, 2007 published in both the Kennebec Journal and the Waterville Morning Sentinel.

- Appraisal Review Committee Recommendation

The Appraisal Review Committee recommended accepting an appraisal value of \$105,000 for the purchase of an agricultural conservation easement and further recommends LMF funding of \$75,000 (not including all other costs).

- Public Comments

None.

- Vote

A motion was made by Warren Balgooyen and seconded by Commissioner Bradstreet to support acquisition of the Hawes parcel. Vote was unanimous.

- **Fields & Forests Forever**, Perkins parcel, Albion, Kennebec County [125± acres of a agricultural conservation easement to the Friends of Unity Wetlands under a PA with Dept. of Agriculture, Food & Rural Resources.

- Public Notice

On January 5, 2007 published in both the Kennebec Journal and the Waterville Morning Sentinel.

- Appraisal Review Committee Recommendation

The Appraisal Review Committee recommended accepting an appraisal value of \$56,000 for the purchase of an agricultural conservation easement and further recommends LMF funding of \$40,000 (not including all other costs).

- Public Comments

None.

- Vote

A motion was made by Marcia McKeague and seconded by Jeff Thaler to support acquisition of the Perkins parcel. Vote was unanimous.

5 % Access Improvement Request

- **Downeast Lakes Forestry Partnership**

The Downeast Lakes Land Trust is requesting a grant in the amount of \$13,705 for access improvements to the Farm Cove Community Forest to construct a second hiking trail which will provide access to and follow the shore of Pocumcus Lake for a total of about 3.1 miles of trail and to develop three additional campsites on the Downeast Lakes Water Trail.

- Vote

A motion was made by Warren Balgooyen and seconded by Carole Dyer to approve access improvement funds in the amount of \$13,705. Vote was unanimous except for Jeff Thaler who abstained.

Other Business

- LMF related issues in upcoming Legislative Session

Tim noted that the following ideas are being suggested:

- A bill introduced to add undeveloped archeological sites as a criteria for LMF acquisitions. Public access to such sites might not be a good idea. Locations found in Tribal areas might also create complications. No new funds allotted to fund such sites. New criteria would involve revamping the Scoring System.
- Another possibility being considered is adding buildings of Historic significance.
- Another bond in the amount of \$40 million over the next 2 years to continue the State's land conservation efforts.
- No net loss for open hunting lands.
- Review of eco-reserve system.
- The creation of a registry containing information on private and public conservation lands.
- Rep. Piotti has introduced several pieces of legislation related to agriculture and land conservation.
- Rep. Flood had introduced a bill dealing with recreational trail standards but has since withdrawn his bill on the strength of DOC commitment to deal with the issue

- Next Scheduled Board Meeting

The next LMF board meeting is scheduled for March 13, 2007.

Adjourned: 2:20 p.m.

