



Land for Maine's Future Program
Minutes of the Meeting
May 8, 2007

Pine Tree State Arboretum
Augusta, Maine

Board Members Present:

Martha Freeman, Director
Leon Gorman
Commissioner Patrick McGowan

Carole Dyer
Warren Balgooyen

Diane Doyle
Ben Emory

Board Members Absent:

Commissioner George Lapointe
Commissioner Seth Bradstreet

Commissioner D. Martin

Jeff Thaler

LMF Staff Members Present:

Tim Glidden
Aline Lachance

R. Collin Therrien

Steve Brooke

Others

Van L. Perry, Key Bank
Sean Daly, Camden National Bank
Charlie Emmons, The Finance Authority of Maine
Paul Mentag, Loon Echo Land Trust
Eric Dibner, Loon Echo Land Trust
David Herring, Western Mountains Foundation
Jeff Romano, Maine Coast Heritage Trust
William Willow Rheault, Coastal Enterprises, Inc./WWAPP
Wolf Tone, The Trust for Public Lands
Vasco "Buster" Carter, Dept. of Inland Fisheries & Wildlife
David Etnier, Department of Marine Resources
Deidre Gilbert, Department of Marine Resources
Alan Stearns, Dept. of Conservation, Bureau of Parks & Lands
George Powell, Dept. of Conservation, Bureau of Public Lands/Boating
David Rodrigues, Dept. of Conservation, Bureau of Public Lands
Stephanie Gilbert, Dept. of Agriculture, Food & Rural Resources

Minutes of the Meeting

A motion was made by Carole Dyer and seconded by Diane Doyle to approve the March 13, 2007 Minutes of the Meeting. Vote was unanimous.

Newly appointed & Reappointed LMF Board members:

Martha welcomed newly appointed Board members; Diane Doyle of Saco and Ben Emory of Salisbury Cove, Bar Harbor as well as Leon Gorman of Yarmouth who was re-appointed to another term. Also, pending is today's confirmation hearing for Jeanne Mattson of Hallowell.

Departing LMF Board members:

Members of the Board expressed sadness at the departure of Marcia McKeague and Warren Balgooyen from the Board. Martha stated that it was a wonderful working with both Marcia and Warren who each brought their own unique expertise; Marcia with her knowledge of forest lands and Warren with his knowledge of natural areas (native plants and animals). She noted that Warren served on the Board above and well beyond his appointment. Warren stated that it was a rare privilege working with the Board and while the program has accomplished much during his watch and he was happy to have played a part in preserving Maine's natural heritage.

-- OLD BUSINESS --

- **HANCOCK LANDS Phases 1 & 2 –Casco, Naples, Raymond, Sebago, Cumberland County, and Otisfield, Oxford County, 5,028 ± acres in of working forest conservation easement to the Maine Department of Conservation, Rounds #3 & 4 projects.**

Note: TABLED March 13, 2007 until May 8, 2007

Tim Glidden stated that we are still moving forward with the new management team at Hancock Lands and that the project still has life. He suggested that the vote be tabled.

A motion was made by Carole Dyer and seconded by Leon Gorman to TABLE the vote until the next Board meeting. Vote was unanimous.

-- Conservation & Recreation Projects --

- **SEBAGO HEADWATERS PRESERVE, Verrill parcel, Bridgton, Cumberland County**, 110.2± acres in fee to the Loon Echo Land Trust under Project Agreement with the Maine Department of Conservation, a Round #2 project

→ Public Notice

On April 27, 2007 published in the Kennebec Journal and Portland Press Herald.

→ Appraisal Review Committee Recommendation

The ARC recommended accepting an appraisal value of 170,000 for this parcel and further recommends LMF funding of \$170,000 (not including all other costs).

Note: *Match for this acquisition will come from banked project match from lands included in the Holt Pond Preserve.*

→ Public Comments

Paul Mentag, Executive Director of the Loon Echo Land Trust, thanked the Board for their consideration of this beautiful parcel and noted that the Trust has several other parcels in mind for future consideration.

→ Vote

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

- **RIVERLINK, Garber parcel, Edgecomb and Newcastle, Lincoln County**, 26± acres in fee to Damariscotta River Association under PA with Maine Department of Conservation, a Round #4 project

→ Public Notice

On April 27, 2007 published in the Kennebec Journal and on April 26, 2006 published in the Lincoln County News.

→ Appraisal Review Committee Recommendation

The ARC recommended accepting an appraisal value of 32,550 for this parcel and further recommends LMF funding of 32,550 (not including all other costs).

Note: *Match for this acquisition will come from banked project match.*

→ Public Comments

None.

→ Vote

A motion was made by Carole Dyer and seconded by Ben Emory to support funding for this parcel. Vote was unanimous.

- **TURNER COVE, Turner, Androscoggin County**, 326± acres in fee to the Maine Department of Conservation, a Round #5 project

→ Request for supplemental funding

The project applicant in addition to seeking conservation funds is seeking \$160,000 from the LMF's public access to Maine's Waters Fund as the project will provide water access as well as recreational opportunities along the highly scenic portion of the river.

→ Public Notice

On April 27, 2007 published in the Kennebec Journal and Lewiston Sun Journal.

→ Appraisal Review Committee Recommendation

The ARC recommended accepting an appraisal value of \$615,000 for this parcel and further recommends LMF funding of \$372,000 [*\$212,000 from the conservation funds and supplemental funding of \$160,000 from the water access funds*] (not including all other costs).

→ Public Comments

Wolf Tone (TPL) mentioned that acquiring the Turner Cove parcel will add a second badly needed access point to the Turner Riverlands State Park enhancing the park's recreational opportunities along the river. Given its location (Androscoggin Valley-Lewiston-Auburn regions) to existing state land, extensive

frontage along the river, and the over fifteen miles of trails for recreational riders to enjoy, the Turner Cove parcel is truly an amazing resource on the shores of the Androscoggin River for fishermen, canoeists, and others to enjoy.

→ Vote

A motion was made by Ben Emory and Carole Dyer to support acquisition of this project and to allocate both conservation and water access funds as recommended by the Appraisal Review Committee. Vote was unanimous.

- **BRADBURY PINELAND CORRIDOR, Sweetser parcel, Pownal, Cumberland County**, 13.6± acres in fee to the Pownal Trust under PA with Department of Conservation, a Round #1 project.

→ Public Notice

On April 27, 2007 published in the Kennebec Journal and Portland Press Herald.

→ Appraisal Review Committee Recommendation

The ARC recommended accepting an appraisal value of \$17,000 for this parcel and further recommends LMF funding of \$17,000 (not including all other costs).

<p>Note: <i>Match for this acquisition will come from a dedicated Department of Conservation land acquisition account.</i></p>

→ Public Comments

None.

→ Vote

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

- **DEAD RIVER TRAIL, West Forks Plantation, Lower Enchanted Forest Twp., Spring Lake Twp., and Spencer Lake Twp., Somerset County** - 1,512.99 ± acres of trail corridor conservation easement and a Project Agreement to the Maine Department of Conservation, a Round #5 project.

→ Public Notice

On April 27, 2007 published in the Kennebec Journal and the Bangor Daily News.

→ Appraisal Review Committee Recommendation

The ARC recommended accepting an appraisal value of \$2,100,000 for the Dead River Corridor Project and further recommends LMF funding in the amount of \$509,000 (not including all other costs).

→ Public Comments

David Herring, from the Western Mountains Foundation, anticipates total cost for the project at roughly \$11 million. Phase I is anticipated to raise \$4,500,000 and to negotiate a \$2 million bond while Phase II is anticipated to raise \$6 million. Endowment funds will be raised (through partnerships with other Maine non-profit organizations) to support use of the facilities by Maine young people and educational institutions.

A \$2 million, 20-year term bond shared by a group of local and regional inventors and banks and backed by the Finance Authority of Maine will provide initial funding as money is being raised and multi-year capital pledges are converted to cash.

A slide presentation, entitled *Dead River Trail Project Update*, was presented to the Board. Questions regarding the bond feasibility were answered by Charlie Emmons (Finance Authority of Maine), Van Perry (Key Bank) and Sean Daly (Camden National Bank).

It was noted the Western Mountains Foundation (WMF) owns a portion of this corridor in fee, other sections in the form of easements, and several sections under lease arrangements.

→ Vote

A motion was made by Carole Dyer and seconded by Diane Doyle to support acquisition of the conservation easement with the following stipulations:

- draft a Purchase & Sales agreement that will ensure a perpetual conservation easement over the lands currently held in fee by WMF;
- that the Department of Conservation will be included as a 3rd party holder all easements;
- that the State will have appropriate interest in any future permanent conservation and/or public access rights acquired by WMF within the project area, including the areas currently under lease;

- WMF secure an option to acquire a by-pass trail route over adjacent lands in the event of lease termination on the Bunting section; and
- the project agreement shall describe and govern the aspects of project management represented by WMF to the State in its application to LMF as well as subsequent communications.

Vote was unanimous.

– FARMLAND PROJECTS –

- **FIELDS & FORESTS FOREVER, Hawes (Kinney parcel), Unity, Waldo County, 343±** acres of agricultural conservation easement to the Friends of Unity Wetlands under PA with Maine Department of Agriculture, Food & Rural Resources, a Round #4 & 5 project.

→ Public Notice

On April 27, 2007 published in the Kennebec Journal and Waterville Morning Sentinel.

→ Appraisal Review Committee Recommendation

The ARC recommended accepting an appraisal value of \$177,000 for this parcel and further recommends LMF funding of \$111,759 (not including all other costs).

→ Public Comments

None.

→ Vote

A motion was made by Carole Dyer and seconded by Leon Gorman to support acquisition of the conservation easement. Vote was unanimous.

-- WATER ACCESS PROJECTS --

- **PENOBSCOT RIVER, EDDINGTON & ORONO, Penobscot County, 4.29±** acres in fee to the Town of Eddington and 1.12± acres to the Town of Orono under separate Project Agreements with Maine Department of Conservation, a Round #4 project.

→ Public Notice

On April 27, 2007 published in the Kennebec Journal and Bangor Daily News.

→ Appraisal Review Committee Recommendation

The ARC recommended accepting an appraisal value of \$55,000 for the Eddington site and \$61,000 for the Orono site and further recommends a total LMF funding of \$84,990 for both sites (not including all other costs).

→ Public Comments

Bruce Kidman representing the Penobscot Conservation Trust stated that the FY2008 National Oceanic and Atmospheric Administration (NOAA) budget will provide \$10 million for the Penobscot River Restoration Project; \$8 million for dam acquisition and \$2 million to NOAA's Office of Habitat Conservation for technical assistance, pre- and post- removal studies, and engineering.

Also, the U.S. Fish and Wildlife Service National Coastal Wetlands Grant Program awarded nearly \$1 million to the Penobscot River Restoration Project.

Project partners include NOAA, the Department of the Interior, dam owner PPL Corporation, the Penobscot Indian Nation, the State of Maine, American Rivers, Atlantic Salmon Federation, the Natural Resources Council of Maine, Maine Audubon, The Nature Conservancy, Trout Unlimited, and the Penobscot River Restoration Trust.

As part of the Penobscot Agreement signed in June 2004 the Trust has a five year option to purchase and remove the two dams closest to the sea, purchase and bypass a third dam, and improve fish passage at four other dams. The Trust will acquire lands adjacent to the dams and along the two impoundments. These lands include the existing boat ramps in Eddington and Orono.

Both sites are essential for public access, especially for the long-term increase in recreational demand on the river. The Trust is thrilled that NOAA is supporting this remarkable project and LMF funds will be used to leverage private and federal dollars needed to move the project forward.

→ Vote

A motion was made by Ben Emory and seconded by Carole Dyer to support acquisition of these two parcels. Vote was unanimous.

-- WORKING WATERFRONT PROJECTS --

- **ROBERT'S WHARF, Barter's Island, Boothbay, Lincoln County, 1.09±** acres of Working Waterfront Covenant to be acquired from the Boothbay Region Land Trust

→ Public Notice

On April 27, 2007 published in the Kennebec Journal and on April 26, 2007 published in the Lincoln County News.

→ Appraisal Committee Recommendation

The ARC recommended accepting an appraisal value of \$ 450,000 for this parcel and further recommends LMF funding of \$30,000 (not including all other costs).

→ Public Comments

None.

LMF staff noted that issues regarding the appraisal still remain and recommended that the Board Table the project until its next Board meeting.

→ Vote

A motion was made by Carole Dyer and seconded by Commissioner McGowan to **TABLE** the project until the next Board meeting in July. Vote was unanimous.

- **SPRUCEHEAD FISHERMEN'S COOP, Spruce Head, South Thomaston, Knox County, 0.25±** acres of Working Waterfront Covenant to be acquired from Richard L. Waldron.

→ Public Notice

On April 27, 2007 published in the Kennebec Journal and on April 28, 2007 in the Courier Gazette.

→ Appraisal Review Committee Recommendation

The ARC recommended accepting an appraisal value of \$600,000 for this working waterfront covenant and further recommends LMF funding of \$475,000 (not including all other costs).

→ Public Comments

Willow Rheault expressed the Fisherman's Co-op sincere appreciation to the Board and the Department of Marine Resources for their hard work in moving this project forward.

Tim Glidden informed the Board that he received a letter expressing concerns from an abutting owner.

David Etnier addressed the concerns expressed in the letter stating that there will always be issues between abutting owners and that the State needs to press forward with its legislative mandate to secure coastal waterfront lands to support commercial fisheries businesses and activities.

→ Vote

Following a Board discussion, a motion was made by Commissioner McGowan and seconded by Leon Gorman to TABLE the vote on this working waterfront covenant in order to give LMF staff time to review the issues. Vote was unanimous.

-- OTHER BUSINESS--

- **MACHIAS RIVER – Phase II** - Board Vote to Approve Distribution of a portion of Proceeds from Sale of Lands in Washington County that came from the Katahdin Lake Transaction.

→ Vote

A motion was made by Carole Dyer and seconded by Warren Balgooyen to release \$180,000 to the Department of Conservation in order to finalize the Machias River -Phase II Project. Funds payable directly to The Conservation Fund.

Note: *Funds have now become available as a result of the Katahdin Lake acquisition project. The Legislature directed that the proceeds of the Katahdin Lake project be held by LMF and disbursed for land conservation projects consistent with the provisions of Resolve 2005 c. 197. This is the first such project under the provisions of that resolve.*

- **Staff Updates & Report**

- New Land Bond update

- In November 2007, Maine voters will be voting on a \$20,000,000 package of funding for the LMF program and the working Waterfront Pilot Program which is part of a larger \$35,500,000 bond package that also includes funding for agriculture irrigation, capital improvements for state parks, riverfront community development, and public service infrastructure.

- Other legislation updates

- An amendment to the Conservation Easement laws which enacts changes governing the creation, alteration and termination of conservation easements is under consideration.

- An amendment is being developed in the Natural Resources Committee to alter the LMF acquisition criteria to require the Board to consider sites that provide public water supply protection so long as this will not conflict with recreation.

- Incomplete projects

- LMF staff was directed to review the status of all incomplete projects and report back to the Board by this Fall.

- **Next Scheduled Meeting of the Board**

- July 10, 2007

- It was suggested that the Board visit Crystal Farm.

- Adjournment**

- The board adjourned at 4:35 p.m.