



## Land for Maine's Future Program

June 17, 2003  
Pine Tree State Arboretum, Augusta  
10:30 a.m. – 2:45 p.m.

### MINUTES OF THE MEETING

#### **Members Present:**

Marcia McKeague	Leon Gorman	Commissioner Lapointe
Carole Dyer	David Keeley, Act. Dir., SPO *	Commissioner Martin
Linda Pagels	Commissioner McGowan	Commissioner Spear

\* [present morning session only]

#### **Members Absent:**

Roger Milliken                  Warren Balgooyen

#### **LMF Staff Members Present:**

Tim Glidden	Steve Brooke	Jim Connors
Aline Lachance	Surran Pyne	R. Collin Therrien

#### **Others Present:**

Tom Rumpf, The Nature Conservancy	Kenneth & Mary Twitchell, Pittston Farm
Jym St. Pierre, Restore: The North Woods	Ian Burnes, Northern Forest Alliance
Sally Farnard, Forest Society of Maine	Keith A. Brown, Harpswell Heritage LT
Spike Hiable, Harpswell Heritage Land Trust	George Powell, Dept of Conservation
Henry Nichols, Atlantic Salmon Commission	Jerry Bley, Creative Conservation
David MacDonald, Maine Coast Heritage Trust	Kelly Frost, Forest Society of Maine
Will Brune, The Nature Conservancy	Ralph Knoll, Dept of Conservation
Ian Stewart, Coastal Mtn. Land Trust	Henry Hilton, Dept IF&W
Marilyn Meyerhans, Lakeside Orchards	Lee Sochasky, St. Croix Water Comm.
Steve Spencer, DOC, Public Lands	Sally Parent, Beaver Cove

#### **Minutes of the Meeting**

A motion was made by Commissioner Martin and seconded by Carole Dyer to accept the April 7, 2003

Minutes of the Meeting. Vote was unanimous.

### **Welcome new Board member – Leon Gorman**

Commissioner Lapointe welcomed new Board member, Leon Gorman, to the meeting. Mr. Gorman background will be a valuable asset to the Board. He is currently associated with L.L.Bean.

### **Thanks to Outgoing Board member – Roger Berle**

Commissioner Lapointe expressed his great pleasure getting to know Roger and enjoyed working with him. He has been a hard-working member of the Board and, in particular, was a real asset in assessing coastal sites.

Roger, in turn, sent a letter stating how much he enjoyed his time on the Board and how meaningful this period of his life's work was to him. He was amazed to see what LMF dollars had accomplished for Maine citizens. He expressed his gratitude to the Board for having had the privilege of getting to know them and for working on such valuable and enduring projects together.

### **West Branch Project [Round 1] – Somerset County [46,832 + acres fee]**

#### ➔ Public Notice

Published in the Kennebec Journal on 6/5/03 and Bangor Daily News on 6/6/03

#### ➔ Appraisal Review Recommendation

The committee's recommendation is that the appraised value be \$20,050,000 and further recommends funding based on the applicant's request of \$1,000,000 (not including all other costs).

*Note:* Parcels include roughly 47,000 acres in fee interest from the Forest Society of Maine.

#### ➔ Public Comments

Speaking in favor of the project were Jerry Bley, Alan Hutchinson (FSM), Kenneth & Mary Twitchell (Pittston Farms), Sally Parent (Beaver Cove) and Tom Rumpf and Will Brune (TNC). A supportive letter from Dan Legere (Maine Guide Fly Shop & Guide Service) was read

Jym St. Pierre (RESTORE: The North Woods) offered qualified support. He referred to previous letters he had sent to the Board dated January 24, 2001 and September 10, 2002.

#### ➔ Vote

A motion was made by Commissioner McGowan and seconded by Commissioner Spear to support funding for fee acquisition of four parcels. Vote was **8** to **1** with Marcia McKeague in

opposition.

Note: Marcia expressed opposition to the outright acquisition by the State of this commercial timberland.

**Machias River Project – Phase I - Washington County** [5,820 + acres in fee and 7,240 + acres conservation easement]

➔ Public Notice

Published in the Kennebec Journal on 6/7/03 and Bangor Daily News on 6/7/03

➔ Appraisal Review Recommendation

The goal is to have an appraisal ready for review at the next Board meeting scheduled for September 25, 2003.

➔ Easement Committee Recommendation

The State has reached agreement in principle with IP on all major issues relating to the conservation policy in the easement. The State's attorneys have reviewed and resolved remaining legal issues.

The Easement Committee recommends board acceptance of the Machias easement.

➔ Public Comments

Henry Nichols, representing the Atlantic Salmon Commission, stated that from the beginning of the project, he and various partners have worked hard to inform and seek public input along the way. He cited examples such as:

- ↗ Open public meeting in Whitneyville
- ↗ Open public meeting in Calais
- ↗ Breakfast hosted by the Machias Chamber of Commerce
- ↗ Brief presentation to Congressman Michaud
- ↗ Informational booths at the Blueberry Festival, East Machias River Days, UMM Earth Day, and Annual Canoe Races
- ↗ Meetings and presentations to selectmen of each of the municipalities affected by the project
- ↗ Statewide press release and news conference
- ↗ Meeting with the editorial staff of the Bangor Daily News
- ↗ Several presentations of outreach activities to the Joint Standing Committee on Agriculture, Forestry & Conservation.

Jon Reisman (Cooper) sent written comments. He asserted that:

- ↪ The project impedes and forecloses the development of ecotourism on the Machias River Corridor.
- ↪ The project has no demonstrable link to saving salmon.
- ↪ The project continues the trend of disproportionate expenditures, acquisitions, and easements in areas of the state that already have the greatest amount of and least additional need for additional public lands.

➔ Vote

*Note: Voting on the easement portion only.*

A motion was made by Carole Dyer and seconded by Commissioner Martin to accept the easement as consistent with Board guidelines. Vote was unanimous.

**Skolfield Farm – Harpswell [19 + acres in fee]**

➔ Public Notice

Published in the Kennebec Journal on 6/5/03 and Portland Press Herald on 6/5/03.

➔ Appraisal Review Recommendation

The committee's recommendation is that the appraised value be \$810,000 and further recommends funding based on the applicant's request of \$200,000 (not including all other costs).

➔ Public Comments

Spike Haible (Harpswell Heritage Land Trust) spoke in favor of the project, noting its benefits to the town and local residents. He thanked the Board for bringing this project forward.

➔ Vote

A motion was made by Marcia McKeague and seconded by Commissioner McGowan to support funding for acquisition. Vote was unanimous.

**Indian Point – Ellsworth [13+ acres in fee]**

➔ Public Notice

Published in the Kennebec Journal on 6/5/03 and Bangor Daily News on 6/6/03.

➔ Appraisal Review Recommendation

The committee's recommendation is that the appraised value be \$255,000 and further recommends funding based on the applicant's request of \$160,000 (not including all other costs).

➔ Public Comments

Barbara Welch, Frenchman Bay Conservancy, spoke in favor of the project noting the importance of protecting "little places" close to where people live. She also noted that this acquisition is a key part of Ellsworth's plan to redevelop its waterfront.

➔ Vote

A motion was made by Commissioner Spear and seconded by David Keeley to support acquisition of this project.

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**Tibbetts Pond, Concord Township [9.5 + acres of land plus 5.4 + surface acres of water - both fee acquisition]**

➔ Public Notice

Published in the Kennebec Journal on 6/5/03 and Bangor Daily News on 6/6/03.

➔ Appraisal Review Recommendation

The committee's recommendation is that the appraised value be \$36,000 and further recommends funding based on the applicant's request of \$20,000 (not including all other costs).

➔ Public Comments

None

➔ Vote

A motion was made by Carole Dyer and seconded by Marcia McKeague to support acquisition. Vote was unanimous.

**Mill Pond Park, Swan's Island [10 + acres in fee]**

➔ Public Notice

Published in the Kennebec Journal on 6/5/03 and Bangor Daily News on 6/6/03.

➔ Appraisal Review Recommendation

The committee's recommendation is that the appraised value be \$200,000 and further recommends funding based on the applicant's request of \$133,333 (not including all other costs).

➔ Public Comments

None

➔ Vote

A motion was made by Marcia McKeague and seconded by Carole Dyer to fund acquisition. Vote was unanimous.

**Sheepscot Pond, Palermo [0.87 + acres, access easement]**

➔ Public Notice

Published in the Kennebec Journal on 6/5/03.

➔ Appraisal Review Recommendation

The committee's recommendation is that the appraised value be \$70,000 and further recommends funding based on the applicant's request of \$46,900 (not including all other costs).

➔ Public Comments

None

➔ Vote

A motion was made by Commissioner Spear and seconded by Carole Dyer to fund access easement. Vote was unanimous.

**Executive Session [1:00 p.m. – 1:25 p.m.]**

To discuss ongoing negotiations regarding Sunrise Farm Project

**5 % Access Improvement Requests**

### **Devil's Head, Calais**

Lee Sockasky discussed the access plan for Devil's Head calling for the following to be completed:

- ↪ A parking area off US Route 1;
- ↪ A shore access for pedestrians and carry-in boaters at the estuary (beach node);
- ↪ A walking trail connecting the node to the peak of Devil's Head, with viewing and interpretive sites en route;
- ↪ Removal of five derelict buildings at the shore (a public safety hazard);
- ↪ Improvement to an existing wood road between the access node, including the replacement of an aging timber bridge at a stream crossing;
- ↪ Self-contained toilets at the access node and trailhead; and
- ↪ Site signage

#### **➔ Vote**

A motion was made by Marcia McKeague and seconded by Carole Dyer to approve a \$15,200 access improvement grant. Vote was unanimous, except for Linda Pagels who, as Calais' City Manager, abstained.

### **Spednic/St. Croix Waterway**

This is the first of a potential two-phased request for LMF access improvement funding. This first request addresses major and pressing access needs. If needed, a second request will come before the Board in September.

Access improvements:

- ↪ Minor improvements at remote campsites, new field toilets, one site needs to be authorized and outfitted to standard, minor improvements to address fire safety, sanitation, and shoreline rehabilitation;
- ↪ Improvement at the Little Falls take-out point;
- ↪ Improvement at the Loon Bay take-out;
- ↪ Improvement to the Little Falls access road; and
- ↪ Informational and directional signage

#### **➔ Vote**

A motion was made by Carole Dyer and seconded by Marcia McKeague to approve a \$30,450 access improvement grant. Vote was unanimous.

### **Beech Hill, Rockport**

Ian Stewart, Coastal Mountains Land Trust stated that the grant monies will be used for:

- ↪ trails as the main focus;
- ↪ Additional water bars;
- ↪ Erosion control measures along the existing summit access trail;
- ↪ Developing a new 3 mile loop trail that will connect the summit Beech Hill to Rockville Road;
- ↪ A new parking lot for 6-8 vehicles at the entrance to the new section of trail along Rockville Road;
- ↪ A visitor information kiosk;
- ↪ Improving deteriorating cover of an existing well on the property; and
- ↪ Additional signs

➔ Vote

A motion was made by Marcia McKeague and seconded by Carole Dyer to approve a \$15,000 access improvement grant. Vote was unanimous.

### **Presumpscot Preserse, Portland**

Access Improvement will include:

- ↪ A primitive trail that will follow the river's edge;
- ↪ A trailhead and parking area will be constructed near the end of Overset Road;
- ↪ Three other minor access points will be created;
- ↪ Interpretive and directional signage installed at each trailhead;
- ↪ Culverts and underdrains;
- ↪ Bridge/boardwalk construction; and
- ↪ Toilet facilities for the Overset trailhead are planned

➔ Vote

A motion was made by Commissioner Spear and seconded by Carole Dyer to approve a \$36,250 access improvement grant. Vote was unanimous.

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## **5 % Capital Improvement Requests**

### **Lakeside Orchard, East Winthrop**

The Meyerhans are applying for a **\$9,000** capital improvement grant to convert 12 acres of orchard to cropland for mixed fruits, vegetables, herbs and ornamental plants. They will need to cut and remove old, less productive trees, excavate stumps, grade the land, plant cover crops to prevent erosion, cultivate cover crops for green manure, analyze the soil for chemical and microbial activity and add amendments required for berry and diverse market vegetable production. .

Stephanie Gilbert, Farmland Protection Program Manager on behalf of DAFRR, submitted to the Board a memo dated 6/6/03 that provides guidelines that an applicant will follow in submitting a capital

improvement request. Commissioner Lapointe suggested that the Board accept the guidelines. Board members agreed.

➔ Vote

A motion was made by Commissioner Spear and seconded by Carole Dyer to approve a \$9,000 capital improvement grant. Vote was unanimous.

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**Lower Kennebec Project Update** – substitution of new project lands

➔ Discussion

Will Brune, representing the Maine Wetlands Protection Coalition (MWPC), stated that since the proposal was first submitted to the Board in 2001 several changes have occurred to the specific tracts originally proposed for acquisition. Some projects were under contract and could not be extended and other projects have been dropped because of competing priorities, lack of agreement on value, or a change of mind by the landowner(s).

The MWPC would like to request that the LMF Program adopt a “focus area” approach for moving forward with acquisitions rather than adhering to specific parcels as identified in the proposal. They propose to bring forward projects that meet the following criteria:

1. Projects that are within the North American Waterfowl Management Plan, Lower Kennebec/Merrymeeting Bay focus area: The USF&WS, working with MDIF&W, has defined the ‘focus area’ based on concentrations of high value habitat.
2. Projects that are consistent with the benefits stated in the 2001 LMFB proposal.

This streamlining of the process retains the intent of the proposal and in no way diminishes the board's prerogative as the final decision-makers. The Board will only act on funding requests related to willing sellers.

➔ Vote

A motion was made by Marcia McKeague and seconded by Carole Dyer to allow the flexibility of substituting new project lands that fall within the core area approved by the Board. Vote was unanimous.

## **Riverlink Project Update**

### ➔ Discussion

Mark DesMeules, primary contact for Riverlink Partnership, submitted written responses to conditions imposed by the Board regarding their proposal. He noted that Cunningham Island, a gifted conservation easement, provides a significant component of match to LMF Funds.

A priority listing for each parcel in the order the partnership would like to see them come under protection (and why) was drafted. Parcels include:

- ↗ Haselton
- ↗ Wade [acres on Marsh River North of Route One]
- ↗ Marsh View Associates
- ↗ O'Brien
- ↗ Thompson

Mark stated that they plan on building on existing conservation holdings, establishing the linkages which bring together two rivers [Sheepscot & Damariscotta River] and the Schmid Preserve, and ensuring that each project accommodates public access and serves as a functional wildlife corridor.

### ➔ Vote

After having met their 'conditions' a motion was made by Carole Dyer and seconded by Commissioner Spear to allow the flexibility of substituting new lands that fall within the core area approved by the Board. Vote was unanimous.

## **DOT Taking of LMF supported lands - Black Brook Preserve**

### ➔ Discussion

The Maine Department of Transportation informed Tim that it was taking **0.06** acres of the Windham Land Trust property known as Black Brook Preserve for grading and drainage improvement. After consultation with Trust officials, Tim was convinced that the modest loss of this small portion of the property does not threaten or undermine the conservation purposes of the project.

While LMFB is entitled to a share of the compensation received by the Trust for such a condemnation, Tim recommended that the Board waive recovery of its share contingent on a commitment from the Trust that it will invest those funds in the recreational trail and signage work underway. Also, the Trust will report in their annual monitoring report on how the monies were spent.

The Trust will receive compensation of \$900.00 from DOT and LMF share is 51% of that amount.

### ➔ Vote

A motion was made by Carole Dyer and seconded by Marcia McKeague to go along with Tim's recommendation and waive the Board's share of the condemnation (\$460.00). Vote was unanimous.

## **Round Four - Call for Proposals**

- ➔ The application deadline for submission of new land conservation proposals is **October 1, 2003**. With this round, the Board anticipates allocating the remaining funds in the current \$50 million land bond approved by the voters in 1999.

## **Staff Report**

### A) Project Status Report

All of the 1998 LMF projects [*\$ 3 million round*] have been completed or have been withdrawn with the exception of the Bangor/Aroostook RR project.

All of the **Round 1** conservation & recreation projects [*part of the \$ 50 million*] have been or will shortly be completed.

Most of the **Round 2** conservation & recreation projects [*part of the \$50 million*] have been completed except for the following projects:

- Hancock Lands
- Johnson Point
- Lower Merrymeeting Bay
- Machias River
- Newry Mineral Park
  
- Sawyer Mountain Highland
- Sebago Headwaters [a portion completed]

Of the Farmland Protection Projects for round 1 and 2, Purchase & Sales Agreements are finalized for two Clary Hill parcels and Brayton Farm.

All of **Round 3** projects [*part of the \$ 50 million*] are still being processed.

As of June 17<sup>th</sup> three water access projects remain active: Sheepscot Pond, Tibbetts Pond, and Mill Pond Park.

### B) Outreach Meeting

An outreach meeting has been scheduled for July 8<sup>th</sup> in Medway-Millinocket area to explain the LMF program and to take public input on land conservation priorities in the Greater Katahdin Region. The meeting sponsored by the Millinocket Area Growth and Investment Council.

Tim anticipates scheduling 2 more outreach meetings: one in the Belfast area in early

September and another in Caribou in late September or early October.

C) Update on new Maine Land Bond

The Legislature is likely to consider approval of a substantial new land conservation bond in 2004. It is currently considering a bond that would provide park capital improvement funds.

**Next Board Meeting**

September 25, 2003

**Adjourn**

The meeting adjourned at 2:45 p.m.