

# **Land for Maine 's Future Board Meeting**

**September 21, 2004**

**Pine Tree State Arboretum**

**Augusta , Maine**

## **Board Members Present :**

Carole Dyer Leon Gorman Jeff Thaler, Esq.

Marcia McKeague Warren Balgooyen Commissioner Martin

Martha Freeman, SPO Director Commissioner McGowan

## **Board Members Absent:**

Commissioner Lapointe Commissioner Spear Roger Milliken

## **LMF Staff Members Present :**

Tim Glidden Steve Brooke R. Collin Therrien

Aline Lachance Surran Pyne , Esq. Jim Connors

## **Others:**

Keith Fletcher & Don Leuchs, The Nature Conservancy

George D. Richardson, Jr., 1 st Selectman, Town of Westport Island

Henry Nichols, Friends of Royal River

David Spiegel, Westport Conservation Commission

Frank Reed, New England Forestry Foundation

David MacDonald, Maine Coast Heritage Trust

Jennifer Melville, Trust for Public Lands

Will Brune, The Nature Conservancy

Jay Nutting, Maine Street Solutions

Peter Lowell, Lakes Environmental Association

David Soucy & David Rodrigues, Dept. of Conservatin

Dave Phillips, Dept. Inland Fisheries & Wildlife

Stephanie Gilbert, Dept. of Agriculture F&RR

### **Minutes of the Meeting**

A motion was made by Jeff Thaler and seconded by Carole Dyer to approve the July 20, 2004 Minutes of the Meeting. Vote was unanimous.

### **LMF Bond**

In the absence of a new LMF Bond on the November 2004 ballot, the Board will not be able to undertake its normal, annual call for new proposals, said Tim Glidden. Tim reviewed Commissioner's Lapointe's memo regarding revisiting some of the Board's practices, suggesting that the Board direct LMF staff to conduct a review of the status of all pending projects with an eye to identifying those projects whose success is questionable and may no longer justify LMF funding as well as how the Board would use any funds that are freed up through this process.

It was also suggested that the Board ask the Appraisal Review Committee to review the current trend towards higher land prices in Maine 's overall real estate market and recommend any necessary changes in the appraisal review process. Most members felt that both committees ( *Nominations Committee and Appraisal Review Committee* ) meet jointly between now till January to review their internal process and objectives, and report back to the Board it findings and recommendations.

A motion was made by Carole Dyer and seconded Marcia McKeague to accept the recommendation that both committees meet jointly revisiting its practices in relationship to today's market and limited LMF funds. Vote was unanimous.

### **Unity Wetlands [ Kennebec & Waldo County Landscapes] - Update Report**

Stephanie Gilbert briefed the Board about Unity Wetlands and the Friends of Unity Wetlands, a group of individuals and organizations interested in conserving the area's ecological resources which are of statewide significance. The Unity Wetlands includes a large expanse of wetlands and uplands centered on Unity Township and west to the Sebasticook River , covering about 65 square miles.

The area provides one of the largest remaining unfragmented blocks of land in central Maine protecting the area's ecological resources and also providing a mainly working forest landscape that is largely open to traditional recreational activities such as hunting, trapping, fishing, boating and hiking.

She noted that the Friends of Unity Wetlands are committed to a working landscape that supports farming and forestry and that a well-managed farmland and woodland can enhance both the local economy and the natural environment further noting that local landowners and other stakeholders share this agenda. The FUW will promote sustainable land and water use and management practices, will conduct outreach and education seminars and field trips, and will be involved in mapping and assessing resources within the focus area. Stephanie noted that she will be the single point of contact for the project and that she meets regularly with the Friends of Unity Wetlands.

Stephanie expressed a commitment to the Board that by this time near year, she anticipates having 4 to 5 farms under contract. She will need the winter months to work on the negotiations.

- Vote to Accept Report

A motion was made by Jeff Thaler and seconded by Carole Dyer & Marcia McKeague to accept the report. Vote was unanimous.

#### **Sabbathday Lake – Update Report**

Henry Nichols, Executive Director of the Friends of the Royal River (FORR), founded in 1992 as a regional land trust operating in 12 communities that made up the Royal River watershed showed a slide presentation and commented on how the property is linked to a larger regional conservation effort to protect open space, recreational opportunities, and the Royal River corridor. He noted that FORR is providing key strategic assistance and local knowledge to the project and will serve as the local monitor for the easement.

The property forms the headwaters of the Royal River and the river then runs 45 miles through numerous communities before it enters into Casco Bay . As an ecological system, the river's health depends, in part, upon the outputs from this land, the largest, undivided parcel in the area. The upper reaches of the Royal River are Class A waters. The Shaker property is also the beginning of a wildlife corridor that extends to the estuary in Yarmouth . FORR is also completing the Royal River Region Conservation Plan with assistance of the area's communities.

The land is located within 30 miles of two major Maine population centers – Portland and Lewiston/Auburn. Any development would compromise the land's agricultural, wildlife, and water quality and recreational values.

- Vote to Accept Report

A motion was made by Jeff Thaler and Carole Dyer to accept the report. Vote was unanimous.

#### **Great Moose Lake – Update Report**

The Sebasticook River Watershed Association (SRWA) submitted a 6 page letter to the Board addressing strategy and potential conservation opportunities along the Sebasticook River Watershed. The SRWA representative was unable to attend the Board meeting and therefore Steve Brooke gave a quick overview of the efforts being made relating to natural resource protection/restoration, outdoor recreation, future conservation efforts and initial progress made towards moving this project forward.

- Vote to Accept Report

A motion was made by Jeff Thaler and seconded by Marcia McKeague to have the Association report back to the Board in 3 months. Vote was unanimous.

### **Machias River – Phase II – Project Update**

Tim Glidden, speaking on behalf of Ralph Knoll, gave a presentation noting that several steps have been taken such as The Conservation Fund (TCF) becoming a partner on the project and agreeing to coordinate the transaction with the landowner [International Paper]; that a draft appraisal will be ready shortly for review; that TCF is ready to sign a purchase agreement with IP; that the Bureau of Public Lands & TCF have applied for grants from the Atlantic Salmon Conservation Fund of the Nat'l. Fish & Wildlife Foundation and the Recovery Land Acquisition Grant Program and expects to here responses from both programs shortly; and that final confirmation from the Loon Protection Fund [Oil Spill Settlement] that the project will be receiving \$400,000.

Tim noted that the project maybe split into two transactions; this split will not result in a downsize of the project. At the close of 2004, the Third Machias Lake parcel will be acquired and that the remaining three parcels ( Fourth Machias Lake , Fifth Machias Stream and Lake, and Nicatous Lake ) will be purchased in 2005. Ralph Knoll plans to come to the Board at their November meeting to seek approval for the project.

*Note* : No action required.

### **Sebago Headwaters Preserve – Request to Amend Project**

Steve Brooke updated Board members on the Loon Echo Land Trust request to amend the proposal by adding an additional parcel [6.4 acres] to the project that abuts Bald Pate Preserve in Sebago as well as allocating funds already approved for the project for this acquisition. This parcel is important to the existing Bald Pate Preserve because the Pate overlooks the land and the trail system abuts the land which can be expanded in the future. It will also help maintain undeveloped habitat.

Peter Lowell, Lakes Environmental Association, encouraged the Board to vote in favor of this request.

- Vote to Accept Request

A motion was made by Carole Dyer and seconded by Jeff Thaler & Warren Balgooyen to approve this request and have the Trust report back to the Board. Vote was unanimous.

**EXECUTIVE SESSION** (2:25 p.m. – 2:45 p.m.)

A motion was made by Martha Freeman a seconded by Jeff Thaler to go into Executive Session for the purpose of having David Soucy update Board members on the Bangor & Aroostook Rail Road negotiations.

Project Acquisition Votes

Conservation & Recreation Projects

**Bangor & Aroostook Rail ROW** – Blaine, Bridgewater, Crystal, Houlton, Littleton, Mapleton, Mars Hill, Monticello, Patten, Presque Isle, Sherman, Washburn, and Westfield (Aroostook County)

- Public Notice

Published in the Kennebec Journal on 9/10/04 and the Bangor Daily News on 9/10/04.

- Appraisal Review Committee Recommendation

The ARC recommends that the Board vote to allocate funds to support Maine Department of Conservation and the State of Maine's acquisition by negotiation and contract or by rights of first refusal of three sections of the Bangor & Aroostook Rail Road line in the towns of Mapleton and Washburn; Sherman, Crystal and Patten; and Houlton, Littleton, Monticello, Bridgewater, Blaine, Mars Hill, Westfield and Presque Isle.

- Public Comments

None.

Tim Glidden noted that he did receive two letters of support for the project – from the Town of Sherman and the Mapleton Valley Economic Corporation.

- Vote

A motion was made by Commissioner Martin and seconded by Carole Dyer that the Board authorize the Department of Conservation to commit LMF funds for the acquisition of the former Bangor & Aroostook Railroad lines at Washburn/Mapleton/Sherman/Patten, Houlton and

Presque Isle, but only in the event that it should become necessary for the State to exercise its

rights of first refusal. Further, for this limited purpose, where the State will match bona fide offers of third parties for sections of the rail line, commitment of up to \$700,000 is authorized. Vote was unanimous.

**Sebago Headwaters Preserve, Parker & Pulaski parcels, Bridgton**

- Public Notice

Published in the Kennebec Journal on 9/10/04 and the Portland Press Herald on 9/10/04.

- Appraisal Review Committee Recommendation

The ARC recommends accepting an appraised value of \$38,000 for the Parker parcel and \$18,000 for the Pulaski parcel [ *total \$ 56,000* ] and further recommends LMF funding for both parcels at \$56,000 [sufficient match] (not including all other costs) .

- Public Comments

None.

- Vote

A motion was made by Marcia McKeague and seconded by Carole Dyer to support acquisition of these two parcels by Loon Echo Land Trust. Vote was unanimous.

**Lower Kennebec – Umberhind parcel, Bowdoinham**

- Public Notice

Published in the Kennebec Journal on 9/10/04 and The Times Record on 9/10/04.

- Appraisal Review Committee Recommendation

The ARC recommends accepting an appraised value of \$73,000 or \$850/acre and further recommends LMF funding of \$73,000 [ *sufficient match* ] (not including all other costs).

- Public Comments

Will Brune thanked the Board for their consideration of this project, a North American Wetlands Conservation Act initiative helping to protected habitat for wetland-dependent species in Maine along the Lower Kennebec and Merrymeeting Bay . He noted that the Kennebec Estuary is a top priority for The Nature Conservancy.

- Vote

A motion was made by Carole Dyer and seconded by Marcia McKeague to support acquisition by the Department of Inland Fisheries & Wildlife. Vote was unanimous.

**Caribou Bog** – LandMark parcel, Orono

- Public Notice

Published in the Kennebec Journal on 9/10/04 and the Bangor Daily News on 9/10/04.

- Appraisal Committee Recommendation

The ARC recommends accepting an appraised value of \$35,000 and further recommends LMF funding of \$23,333 (not including all other costs).

- Public Comments

None.

- Vote

A motion was made by Marcia McKeague and seconded by Carole Dyer to support acquisition by the Department of Inland Fisheries & Wildlife. Vote was unanimous.

**Greater Mount Agamenticus Conservation Initiative** – ATP parcel, South Berwick

- Public Notice

Published in the Kennebec Journal on 9/10/04 and the Portland Press Herald on 9/10/04.

- Appraisal Review Committee Recommendation

The ARC recommends accepting an appraised value of \$1,616,000 and further recommends LMF funding of \$539,086 (not including all other costs).

- Public Comments

Steve Brooke noted that the proposal currently before the Board is to amend the project proposal and the IF&W focus area to include the ATP parcel. Though this parcel lies outside the original focus area, the Department of Inland Fisheries & Wildlife noted that important additional information as documented in the Conservation Plan has come to light which has caused the Department to re-evaluate the boundaries of this project.

Ken Elowe sees acquisition of this parcel as building on the foundation to establish a corridor linking existing focus areas in the region. He noted that documentation of turtle habitats in recent studies is a significant factor in favor of IF&W accepting the property.

Overall, we have exceeded our expectation in regards to the many parcels that comprise the Greater Mount Agamenticus Project.

Keith Fletcher thanked the Board for their support noting that LMF funding played a key role along with a great deal of private donations in successfully completing this project.

- Vote

A motion was made by Marcia McKeague and seconded by Jeff Thaler to support acquisition by the Dept. of Inland Fisheries & Wildlife. Vote was unanimous.

**Downeast Lakes Forestry Partnership** – Farm Cove Community Forest parcel,

T5ND & T6ND

- Public Notice

Published in the Kennebec Journal on 9/10/04 and the Bangor Daily News on 9/10/04.

- Appraisal Review Committee Recommendation

The ARC recommends accepting an appraised value of \$12,600,000 or \$465/acre and further recommends LMF funding of \$1,250,000 (not including all other costs).

- Public Comments

Stephen Keith thanked the Board for their support noting that this acquisition will benefit the people of Grand Lake Stream and all of Washington County .

- Vote

A motion was made by Commission Martin and seconded by Carole Dyer to support acquisition by the Downeast Lakes Land Trust. Vote was unanimous.

**Lover's Brook Farm** – Berwick & South Berwick

- Public Notice

Published in the Kennebec Journal on 9/10/04 and Portland Press Herald on 9/10/04.

- Appraisal Review Committee Recommendation

The ARC recommends accepting an appraised value of \$553,000 and further recommends LMF funding of \$288,500 (not including all other costs).

- Public Comments

None.

- Vote

A motion was made by Martha Freeman and seconded by Carole Dyer to support acquisition by the Great Works Regional Land Trust. Vote was unanimous.

### Project Acquisition Votes

#### Water Access Projects

#### **Androscoggin River** – Gilead TABLED

- Public Notice

Published in the Kennebec Journal on 9/10/04 and Lewiston Sun Journal on 9/10/04.

- Appraisal Review Committee Recommendation

The ARC recommends accepting an appraised value of \$553,000 and further recommends LMF funding of \$288,500 (not including all other costs).

- Public Comments

None.

Tim Glidden stated that negotiations had not 'gelled' and recommended tabling this proposal.

- Vote

A motion was made by Martha Freeman and seconded by Jeff Thaler to Table this proposal. Vote was unanimous.

#### **Westport Island** – 2 parcels, Lincoln County

- Public Notice

Published in the Kennebec Journal on 9/10/04 and Portland Press Herald on 9/10/04.

- Appraisal Review Committee Recommendation

The ARC recommends accepting an appraised value of \$535,000 for fee value and \$275,000 for the easement value and further recommends LMF funding of \$183,333 (not including all other costs).

- Public Comments

George Richardson, Jr., 1 st Selectman, Town of Westport Island, thanked the Board on behalf of the town for consideration of their project. He noted that the proposed site for this project is the only public water access point for boats on Westport Island .

Tim distributed to board members a letter received from E. Davies Allen regarding zoning of the two lots.

- Vote

A motion was made by Martha Freeman and seconded by Carole Dyer to support acquisition by the Town of Westport . Vote was unanimous.

Other Items

**Staff Updates**

- Newry Mineral Park Project

The project is being withdrawn from further consideration due to new owner having no interest in participating in the project.

- Big Hill-Second Pond Project

Tim noted that this project is also being withdrawn.

- Project Status Update

A copy of the status report was distributed at the meeting. Tim noted that the staff has had a very busy year and he thanked Steve, Collin and Jim for their hard work in push thru so many projects.

- Other

The Maine Department of Agriculture, the Cape Elizabeth Land Trust and the Scarborough Land Trust are planning a farmland celebration ceremony for August 12, 2004 for 2 LMF projects; William Jordan Farm and Meserve Farm. Board members are invited to attend.

**Next Board Meeting**

November 16, 2004 at the Pine Tree State Arboretum