



Land for Maine's Future Program
Minutes of the Meeting
May 10, 2011

State Planning Office
Conference Room 110, 19 Union Street
Augusta, Maine

Board Members Present:

Commissioner Norman Olsen
Commissioner Bill Beardsley
Commissioner Walter Whitcomb
SPO Director Darryl Brown

Don Marean, Chair
Ben Emory
Jeff Thaler
Commissioner Chandler Woodcock

Leon Gorman
Bucky Owen

Board Members Absent:

Diane Doyle

LMF Staff Members Present:

Steve Brooke
Tom Miragliuolo
Jody Harris

R. Collin Therrien
Surran Pyne, LMF Attorney

Aline Lachance
Sarah Demers

Others

Bill Bayreuther, citizen
Mark Berry, Downeast Lakes Land Trust
John Boland, Dept. Inland Fisheries & Wildlife
Lindsay Bourgoine, Appalachian Mountain Club
Will Brune, The Nature Conservancy
Dick Clime, Coastal Enterprises, Inc.
Jim Connolly, Dept. Inland Fisheries & Wildlife
Kathy Eickenberg, DOC, Parks & Lands
Carrie Kinne, Kennebec Estuary Land Trust
Roberta Manter, Property Owner, Hales Pond
John Marshall, Pleasant River Wildlife Foundation
Nancy Perlson, Rangeley Lakes Heritage Trust
Mark Robinson, Town Manager, Town of Fayette
Jeff Romano, Maine Coast Heritage Trust
Karin Tilberg, Forest Society of Maine
Angela Twitchell, Brunswick-Topsham Land Trust
Steve Wight, Mahoosuc Land Trust
Lois Winter, Pleasant River Wildlife Foundation

Designing Economic Benefits into Land Conservation

At Noon, Aaron Paul from the Yale School of Forestry & Environmental Studies and Keith Bisson from Coastal States Organization hosted a slide presentation addressing the economic benefits to land conservation. The presentation looked at various methods for estimating economic values, the need to assess economic benefits, challenges to public conservation, trends in Maine, research on LMF projects, recreation related to jobs and revenues, methodology, industry related jobs and revenue, funding mechanisms, and more.

Minutes of the Meeting

A motion was made by Ben Emory and seconded by Jeff Thaler to approve the February 8, 2011 minutes of the meeting. Vote was unanimous.

Staffing updates

- Steve Brooke retired at the end of April. The Office has contracted with him for an additional 8 weeks to work on LMF.
- Tom Miragliuolo has joined the LMF team part-time replacing Jim Connors.
- Sarah Demers from DOC/IF&W is spending 2 days per week assisting LMF thru July.
- Tim Glidden moved on in early April and is now with Maine Coast Heritage Trust.
- Jody Harris, Director of Program Services at SPO, is filling in for Tim Glidden.

Jody noted that while the Land for Maine's Future team has undergone changes, staff is now in place and ready to move forward.

Announcement of LMF Board Committee Assignments

Appraisal Committee

Ben Emory, Chair
Darryl Brown
Diane Doyle
Leon Gorman
Bucky Owen

Scoring Committee

Ben Emory, Chair
Darryl Brown
Don Marean
Norman Olsen
Walter Whitcomb

Nominations Committee

Jeff Thaler, Chair
Bill Beardsley
Leon Gorman
Bucky Owen
Chandler Woodcock

Update on new round of proposals received

- Process moving forward to select new finalists projects
 - Proposal deadline was April 1, 2011 (*note: extended to Monday, April 4th due to snow storm*)
 - A total of 38 proposals received (*29 conservation & recreation and 9 farmlands*), totaling \$12.5 million

- A wide range of geographic distribution
- On May 6, 2011 a scoring overview was presented to the Scoring Committee and on May 25 the Scoring Committee will meet to make recommendations to the Nominations Committee
- In June the Nominations Committee will meet to review the Scoring Committee's recommendations, to evaluate proposal budgets, and to make recommendations for funding to the full Board for its July meeting.

→ **Tally of Bond Funds available for Round 7**

- 5% for Access Improvement

For now, eligible partners can continue to request 5% for access improvement grants, which the Board will consider on a case-by-case basis. The Board did not set aside funds for access improvement grants for previous rounds and indicated that it will consider looking at reducing the historical set-aside amount from 5% to either 3 or 2 percent for both previous and future projects.

The board also asked for additional information on how the percentages are set.

For 5% access improvement grants, the Board voted to fund four of the grant requests listed below in today's agenda (*Hales Pond Preserve*, *Lower Kennebec Estuary (Wilson parcel)*, *Central Falmouth Cons. Corridor (Dictar parcel)*, and *Browns Pond*) for a total amount of \$15,433.

Note: see below for the individual amounts and motions.

Vote:

A motion was made by Bucky Owen and seconded by Ben Emory to allot \$15,433 of LMF funds for access improvement grants. Vote was unanimous.

- Public Access to Maine Waters Fund

The Legislature included no explicit amount for water access as had been done in the past. The 2010 bond language does give Board latitude to expend conservation category funds on water access and farm projects.

The board asked for information from LMF staff about how many projects are in the pipeline for water access funds and for a list of IFW water access priorities.

- Transaction Costs

→ The transaction costs; 5% farmland, 2% water access, 12% for working waterfronts, and 3% conservation & recreation are projected 'actual' costs (e.g., LMF attorneys, surveys, etc.) based on past experience to ensure the state's interests in projects are protected.

The Board agreed to revisit the set asides for access improvement and Public Access to Maine Waters Fund after it has seen what it needs to fund new proposals for Round 7.

– ***NEW BUSINESS*** –

— ***CONSERVATION & RECREATION*** —

EXPANDING MAINE’S WILDLIFE MANAGEMENT AREAS, Haynes parcel, TA R2, Aroostook County, 100 acres in fee to the Maine Department of Inland Fisheries & Wildlife

→ Announcement of Public Notice

On April 27, 2011 published in the Kennebec Journal and in the Bangor Daily News.

→ Appraisal Committee Recommendation

The ARC recommends accepting an appraisal value of \$28,000 for this parcel and further recommends LMF funding of \$20,000 (not including transactional costs).

→ Public Comments

None.

→ Board action to support acquisition

A motion was made by Ben Emory and seconded by Bucky Owen to support acquisition of this parcel. Vote was unanimous.

Note: Jeff Thaler suggested that since the Board now comprises of four new members, that copies of previously approved projects be included in the board packet.

— ***WATER ACCESS PROPOSAL*** —

HALES POND PRESERVE, Fayette, Kennebec County, 28± acres in fee to the Maine Department of Inland Fisheries & Wildlife

→ Announcement of Public Notice

On April 27, 2011 published in the Kennebec Journal and in the Lewiston Sun Journal.

→ Appraisal Committee Recommendation

The ARC recommends accepting an appraisal value of \$80,000 for this water access proposal and further recommends LMF funding of \$53,333 (not including transactional costs).

→ Public Comments

Roberta Manter, owner, stated that this is a very beautiful piece of land having good geographic features, ferns, lots of deer and flying squirrels. While she expressed some concern regarding the estimated appraisal value of \$80,000 as it is significantly lower than anticipated due to recent decrease in land value, she none-the-less is in support of the acquisition when asked by Jeff Thaler.

Mark Robinson, Fayette Town Manager, indicated that this acquisition will provide much needed boating and fishing access to the area. Currently, only 1 public boating access site exist (*Tilton Pond within the borders of the Town of Fayette*) in a community that has over a dozen ponds and lakes in its 29 square miles. The Town will be assisting with the removal of old machinery from the site and that an Environmental Impact Statement (EIS) will be done prior to state acquiring the site.

→ Board action to support acquisition

A motion was made by Jeff Thaler and seconded by Ben Emory to support acquisition of this water access proposal. Vote was unanimous.

HUNTER COVE, RANGELEY LAKE, Rangeley, Franklin County, 1± acre of water access easement to the Maine Department of Inland Fisheries & Wildlife

This proposal though small in acreage is important in securing public access to Rangeley Lake near the entrance to Hunter Cove located on Mingo Loop Road adjacent to a causeway which crosses the cove for small hand-launches craft and to provide shoreline angling and wading, picnicking and swimming. Access to the water for hand carried craft from both Hunter Cove Uplands and Hunter Cove Wildlife Sanctuary would be very difficult because of the distance from the road access on Route 4 and/or the wetlands along the shoreline of those parcels.

Accessibility to the region for recreational opportunities is expected to help the economy by increased tourism which supports most of the families in the region.

The board discussed whether this was a high priority for limited water access funds, given there exists three access sites on Rangeley Lake already. Staff of MDIF&W stated that even though this water access site does not appear on the department's priority list, it is an important site for a much-used lake and that opportunities for new water access sites do not come along often.

→ Board action to hold water access funds to this project

A motion was made by Ben Emory and seconded by Bucky Owen to HOLD/SET ASIDE water access funds for this project until such time as an appraisal is reviewed and accepted by the Appraisal Review Committee. Their recommendation would be forwarded to the Board for final vote. Jeff Thaler and Commissioner Olsen opposed.

—5% ACCESS IMPROVEMENT REQUESTS—

HALES POND PRESERVE, Fayette, Kennebec County (28± acres)

The Dept. of Inland Fisheries & Wildlife is requesting an access improvement grant in the amount of \$2,667 to construct a small parking area along with 1-2 picnic tables and a walking trail.

A motion was made by Jeff Thaler and seconded by Darryl Brown to approve this request for access improvement funds in the amount of \$2,667. Vote was unanimous.

LOWER KENNEBEC ESTUARY, Wilson parcel, Georgetown, Sagadahoc County (160± acres)

The Nature Conservancy is requesting an access improvement grant in the amount of \$5,000 to construct a small parking area with two information kiosks.

A motion was made by Bucky Owen and seconded by Ben Emory to approve this request for access improvement funds in the amount of \$5,000. Vote was unanimous.

CENTRAL FALMOUTH CONSERVATION CORRIDOR, Dictar parcel, Falmouth, Cumberland County (15 ± acres)

The Town of Falmouth is requesting an access improvement grant in the amount of \$3,100 to build a network of trails which will connect with existing trails, construct a parking area, and a kiosk. Overall the project is anticipated to cost roughly \$16,173. Matching funds will come from the Town of Falmouth and/or donations.

A motion was made by Ben Emory and seconded by Commissioner Olsen to approve this request for access improvement funds in the amount of \$3,100. Vote was unanimous.

BROWNS POND, Sebago, Cumberland County, 102± acres in fee held by the Maine Department of Conservation

The Maine Department of Conservation is requesting an access improvement grant in the amount of \$4,666 to make improvements to the existing access road which would allow accessibility to more users. The project will include gravelling and grading the 3,060 feet length of access road between the old railroad bed road and the boat site driveway, new culverts, etc. Partners will be providing in-kind and cash match as the total project cost is anticipated to be roughly \$8,650.

A motion was made by Bucky Owen and seconded by Ben Emory to approve this request for access improvement funds in the amount of \$4,666. Vote was unanimous.

— *OTHER BUSINESS* —

HEADS OF ESTUARIES Project, Redimarker parcel, Long Creek Point parcel and Hemlock Island property (a match parcel), Addison, Washington County. 21.5 acres in fee held by the Pleasant River Wildlife Foundation under two project agreements with the Maine Department of Inland Fisheries & Wildlife.

- Proposal from the Pleasant River Wildlife Foundation (PRWF) and the Maine Department of Inland Fisheries & Wildlife

Overview

The Redimarker and Long Creek Point parcels were separate “fee” acquisitions (*Heads of Estuaries Project*) and the Hemlock Island was match. These are covered by two separate LMF Project Agreements with the Maine Department of Inland Fisheries & Wildlife as the designated state agency. The Redimarker project agreement anticipated this transfer.

In 2009 the Pleasant River Wildlife Foundation and the Maine Department of Inland Fisheries & Wildlife entered into a memorandum of understanding that committed the Department to establishing a new wildlife management area along the Pleasant River. The properties covered by the two LMF project agreements in question were acquired by the Pleasant River Wildlife Foundation with the intent transferring them to IF&W for inclusion in the new Wildlife Management Area.

PRWF is now seeking LMF Board approval to transfer these parcels. A memo has been provided to the Board as notice requesting written approval from the Board to transfer these parcels into MDIF&W ownership.

The motion before the Board was for approval to complete this transfer. As the Board considered the motion, a number of questions arose that will require further research and discussion by the Board including:

- Should Board policy enable parcels partially funded by LMF and held by non-government entities to be transferred to state ownership?
- Is the endowment to be held by the Maine Community Foundation and established by the Pleasant River Wildlife Foundation adequate to reimburse the towns for loss of tax base?
- How does a new Wildlife Management Area along the Pleasant River fit into the priorities of the Maine Department of Inland Fisheries & Wildlife?
- Exactly how will the terms and conditions of the LMF Project Agreement be enforced once the properties have been transferred to State of Maine ownership?

Vote

A motion to approve the transfer from the Pleasant River Wildlife Foundation to the Maine Department of Inland Fisheries & Wildlife to support the state Wildlife Management Area was made by Bucky Owen and seconded by Jeff Thaler.

(A motion to Table takes precedence.)

A motion to Table until the July 12, 2010 Board meeting was made by Commissioner Olsen and seconded by Commissioner Beardsley. The motion carried 5-3 with Leon Gorman, Bucky Owen, and Ben Emory voting in opposition.

Staff updates

→ LMF statute and Bond language

Distributed to the Board was Maine Revised Statute, Title 5, Chapter 353, Land for Maine's Future enabling statute and PL 2009, Chapter 414, the 2010 LMF bond language. These were requested by the Board at its February meeting.

→ Legislative Session updates SPO reorganization/ Budget Section FF

LD 1043, Part FF, creates an Executive Working Group and process to move State Planning Office's functions and programs to other agencies within state government. The Legislative Appropriations & Financial Affairs Committee held a public hearing and work session on Part FF and continues to work the budget to present to the full Legislature. We will know more once the budget is approved by the Legislature sometimes in June.

If the Governor's budget passes, it would take effect 90 days after the 2nd Legislative Session.

→ several bills impacting LMF

This session the Legislature's Agriculture, Conservation & Forestry Committee held public hearings and work sessions on four bills that would have impacted LMF. These are:

- LD 548, An Act to Provide Regular funding for the Land for Maine's Future Funding, voted unanimous ONTP (*Ought Not To Pass*) by committee, April 26, 2011
- LD 599 An Act to Move the Land for Maine's Future Board to the Department of Conservation, voted unanimous ONTP by committee, April 26, 2011
- LD 1249 An Act to Require the Land for Maine's Future Fund to Expend Funds for Deer Wintering Areas, voted unanimous ONTP by committee, April 26, 2011
- LD 1120 An Act to Move the Land for Maine's Future Board to the Department of Agriculture, CARRY OVER REQ, April 15, 2011

→ Report on Maine Land Trust Conference meeting

LMF staff attending this year's Land Conference on April 29-30th and hosted a booth. More than 400 land conservationists attended Topsham's Mount Ararat Middle School and Orion Performing Arts Center. The 2011 Espy Land Heritage Award was presented to Downeast

Lakes Land Trust (*accepted by Mark Berry, Executive Director*) for their commitment to their community and the support they received from the community in return.

Also, the President of Maine Coast Heritage Trust honored our very own Steve Brooke for his long career and service to the State of Maine and dedication to land conservation.

Next Scheduled Meeting

July 12, 2011

Board members indicated that they preferred a 1 day Board meeting to be held here in Room 110, at 19 Union Street, Augusta beginning at 8:00 a.m, with the business agenda kept to a minimum.

Adjournment

4:13 p.m.