



Land for Maine's Future Program
Minutes of the Meeting
February 23, 2016
32 Blossom Lane
Marquardt Building, Room 118
Augusta, Maine

Board Members Present:

Neil Piper, James Norris, James Gorman Jr., Commissioner Patrick Keliher, Commissioner Walter Whitcomb, and Commissioner Chandler Woodcock

Board Members Absent:

William Vail, Chairman
Ben Emory

Staff Members Present:

Sam Morris, Tom Miragliuolo, R. Collin Therrien, Sarah Demers

Others:

Fred Bucklin, Nominee to LMF Board
Aline Smith, Maine Department of Agriculture, Conservation, Forestry
Bob Marvinney, Maine Department of Agriculture, Conservation, Forestry
Tom Duffus, The Conservation Fund
Jeff Reardon, Trout Unlimited
Jeff Romano, Maine Coast Heritage Trust
Bethany Atkins, Maine Department of Inland Fisheries and Wildlife
Diano Circo, Trust for Public Land
Gregg Caporossi, Trust for Public Land
Simon Rucker, Maine Appalachian Trail Land Trust
Kathy Eickenberg, Maine Department of Agriculture, Conservation, Forestry
Jim Connolly, Maine Dept. of Inland Fisheries & Wildlife

1. Welcome and Introductions

James Norris, Acting Chairman called the meeting to order at 1:00 pm and welcomed everyone and asked for introductions from the Board and audience.

2. Minutes

Asked by Sarah if there were any comments from the Board regarding the draft October 27th minutes, Neil Piper pointed out item # 2 (GEA report) that he would like the minutes to reflect his suggestions that Appendix L of the GEA Report, Scoring Workgroup Draft

Recommendations and Briefing Paper, was not adopted by the Board at the time the GEA report was submitted.

Regarding agenda item **5. Board Approvals**, Neil requested that the results of the vote on the motion related to the transfer and assignment of the Whitten Hill Project Agreement get added to the meeting minutes.

A motion was made by Commissioner Whitcomb and seconded by Commissioner Woodcock to accept the changes as expressed by Mr. Pier and approve the October 27, 2015 Minutes of the Meeting. Board vote was unanimously in favor.

3. Bond Balances

The 2011 bond has a \$2,000,000 cash balance, with \$1.5 million allocated for Conservation & Recreation projects, \$180,000 for Farmland projects and \$320,000 for Working Waterfront projects. Sarah reported that she expects the remaining \$3 million from the 2011 bond will be available in July.

The Water Access Fund started with a balance of \$622,000 and has a remaining balance of \$192,500 in funds that have not yet been allocated to projects.

It was suggested by Neil Piper that including the expiration date of bond funds will be beneficial in understanding cash balances as well as new line to include Round 8 fund balance.

It was clarified that the 2009 bond funds (PL 2009 ch. 645) were successfully reauthorized by the legislature until the year 2020. The bond funds authorized in 2011 (PL 2011 ch. 696) are authorized for use through 2017.

4. 2016 Meeting Schedule

Sarah presents the proposed Board and AOC meeting schedule for 2016 and noted that with only 9 projects still needing their appraisals reviewed, we may not need all 9 of the proposed AOC meeting dates. She further noted that the Statute requires a minimum of 4 Board meeting per year.

James Norris stated that if Board members have any obvious problems with these proposed dates to please get in touch with Sarah.

Several board members suggested that in addition to the regular Board meetings that a retreat be schedule possibly in March or early April.

Sarah mentioned that a confirmation hearing scheduled today at 1:00 p.m. by the Legislature's Agriculture, Conservation & Forestry Committee would be interviewing the

three nominees to fill open seats on the LMF Board. Fred Bucklin, one of the nominees might be attending today's board meeting, if time permits.

5. **Board Notifications and Approvals**

DACF, BPL and Trust for Public Land – Redington Forest

The Board was updated regarding this acquisition. There is a change in co-holders of the Conservation Easement from Maine Department of Agriculture, Conservation & Forestry, Bureau of Parks & Lands to the Maine Appalachian Land Trust.

The original easement acreage of 10,258± was based on digitized maps. The updated acreage is now 9,984 based on boundary survey. 369 acres excluded from easement area. The landowner requested the acreage decrease.

The Board expressed concern about the change in the project design to now include 2 campsites, 2 acres in size, and located on the edge of high elevation sensitive resource areas. If the Board were to allow the campsites to be included as part of the proposal, the Board would be establishing unprecedented steps.

It was suggested that the Scoring Committee might wish to consider re-scoring the proposal. The proposal is currently categorized as Statewide. It was also suggested that the threshold value be looked at as well as the appraisal.

Kathy Eickenberg, speaking as the state agency sponsor of the project indicated she is uncomfortable with the proposed change as this is a sensitive habitat area.

Gregg Caporossi, Trust for Public Lands, stated that they are looking for input from the Board and the State Bureau of Parks & Lands how best to proceed.

After much discussion, James Norris, Acting Chair, proposed that the Board accept the change in easement size and change in state co-holder of the easement from Bureau of Public Lands to Maine Appalachian Land Trust with US Navy but that the Board reject the proposed 2 campsites.

MOTION: A motion was made by Commissioner Keliher to accept James Norris recommendations. Commissioner Woodcock second the motion. Vote was unanimous.

Heads of Estuaries Partnership - Notice of Federal encumbrances

Proper notification was not given to LMF Board as required under the Project Agreement when the US Fish & Wildlife Service Notices of Grant Requirements were placed on the Adler, Outward Bound and Meadow Brook parcels. The Downeast Coastal Conservancy and

Pleasant River Wildlife Foundation submitted a joint letter to the Board to provide clarification for what occurred and to have the Board officially approve this after-the-fact notification. Maine Inland Fisheries & Wildlife also received notification from the applicants and are comfortable with these parcels being committed as match to the USFWS NAWCA grant, as this was anticipated in the original application to LMF.

MOTION: A motion was made by Neil Piper to accept the federal encumbrances on the Adler, Outward Bound and Meadow Brook parcels, subject to the terms of the USFWS NAWCA program. Commissioner Woodcock seconded the motion. Vote was unanimous.

6. Time Limit on LFM Round 8 awards made July 15, 2014

The LMF workbook for Round 8 applicants requires that projects are completed within 2 years, with the option to request up to 2 one year extensions. Given that sufficient LMF funds were not available for much of 2015, staff provided two policy recommendations for the Board's consideration.

- 1) LMF Board to grant a 1 year extension to all projects that have been pre-acquired with approval of the Designated State Agency and all projects that have had their appraisal reviewed and approved by the Board.

MOTION: A motion was made by Neil Piper to move forward with granting a 1 year extension for the 19 projects listed on attachment D of the Board packet. James Gorman seconds the motion. Vote was unanimous.

- 2) All other project applicants must request a time extension with approval from their Designated State Agency and the LMF Board. Extension requests will be considered at the June 21, 2016 Board meeting.

No motion needed on # 2; the Board recommended that LMF staff just proceed with sending out letters to the 9 projects listed on Attachment D informing them of the policy change.

Sarah stated that she anticipated a handful of projects will be submitting their appraisals in the coming months.

7. C& R Projects to be Acted on

**Pleasant Bay Wildlife Management Area, Addison, Washington County
PORTS HARBOR NORTH parcel
Sponsored by Maine Department of Inland Fisheries and Wildlife**

R. Collin Therrien presented the project summary; Neil Piper presents the AOC recommendation.

MOTION: Neil Piper motions to accept the appraised value of \$585,000, seconded by James Gorman. Board votes unanimously in favor.

James Norris, Acting Chairman, announces that the public notice for the Pleasant Bay Wildlife Management Area – PORTS HARBOR NORTH parcel was advertised in the Kennebec Journal on February 12, 2016 and in the Bangor Daily News on February 13, 2016.

The Acting Chairman asks for public comment: Staff has not received any written comments prior to this meeting. Acting Chairman asked whether anyone from the audience would like to provide comment on the project. None given.

MOTION: Neil Piper motions to confirm the allocation of Conservation & Recreation funds in the amount of \$287,200.00 to support this acquisition subject to standard conditions. James Gorman seconds the motion. Vote was unanimous.

For: Neil Piper, James Norris, James Gorman Jr., Commissioner Patrick Keliher, Commissioner Walter Whitcomb and Commissioner Chandler Woodcock
Against: None
Motion passes: 6-0

**Pleasant Bay Wildlife Management Area, Addison, Washington County
PORTS HARBOR SOUTH parcel
Sponsored by Maine Department of Inland Fisheries and Wildlife**

R. Collin Therrien presented the project summary; Neil Piper presents the AOC recommendation.

MOTION: Neil Piper motions to accept the appraised value of \$390,000, seconded by Commissioner Patrick Keliher. Board votes unanimously in favor.

James Norris, Acting Chairman, announces that the public notice for the Pleasant Bay Wildlife Management Area – Ports Harbor SOUTH was advertised in the Kennebec Journal on February 12, 2016 and in the Bangor Daily News on February 13, 2016.

The Acting Chairman asks for public comment: Staff has not received any written comments prior to this meeting. Acting Chairman asked whether anyone from the audience would like to provide comment on the project. None given.

MOTION: Neil Piper motions to confirm the allocation of Conservation & Recreation funds in the amount of \$300,000 to support this acquisition subject to standard conditions. Commissioner Patrick Keliher seconds the motion. Votes was unanimous.

For: Neil Piper, James Norris, James Gorman Jr., Commissioner Patrick Keliher, Commissioner Walter Whitcomb and Commissioner Chandler Woodcock

Against: None
Motion passes: 6-0

**Cold Stream, 8,159 +/- acres, Johnson Mountain Township, Parlin Pond Township,
West Forks Plantation, Somerset County
Sponsored by Department of Agriculture, Conservation & Forestry**

Sam Morris presented the project summary; Neil Piper presents the AOC recommendation.

MOTION: Neil Piper motions to accept the appraised value of \$7,340,000.00 seconded by Commissioner Chandler Woodcock. Board votes unanimously in favor.

James Norris, Acting Chairman, announces that the public notice for Cold Stream Forest – Plum Creek Maine Timberlands was advertised in the Kennebec Journal on February 12, 2016 and in the Bangor Daily News on February 13, 2016.

The Acting Chairman asks for public comment: Staff has not received any written comments prior to this meeting. Acting Chairman asked whether anyone from the audience would like to provide comment on the project. None given.

MOTION: Commissioner Patrick Keliher motions to confirm the allocation of Conservation & Recreation funds in the amount of \$1,500,000.00 to support this acquisition subject to standard conditions. Commissioner Chandler Woodcock seconds the motion. Vote was unanimous.

For: Neil Piper, James Norris, James Gorman Jr., Commissioner Patrick Keliher,
Commissioner Walter Whitcomb and Commissioner Chandler Woodcock
Against: None
Motion passes: 6-0

**8. Katahdin Lake - Aroostook County Fund Project
East Grand/Orient, 5,992 +/- acres in Orient, Aroostook County
Sponsored by Department of Agriculture, Conservation & Forestry**

Sam Morris presented the project summary; Neil Piper presents the AOC recommendation.

MOTION: Neil Piper motions to accept the appraised value of \$3,592,000.00 seconded by Commissioner Walter Whitcomb. Board votes unanimously in favor.

James Norris, Acting Chairman, announces that the public notice for East Grand/Orient (New Forest Fund IV, LLC) was advertised in the Kennebec Journal on February 12, 2016 and in the Bangor Daily News on February 13, 2016.

The Acting Chairman asks for public comment: Staff has not received any written comments prior to this meeting. Acting Chairman asked whether anyone from the audience would like to provide comment on the project. None given.

MOTION: Neil Piper motions to confirm the allocation of Conservation & Recreation funds in the amount of \$2,150,000.00* to support this acquisition subject to standard conditions. Commissioner Chandler Woodcock seconds the motion. Vote was unanimous.

* It was noted that this is the remaining balance in the Aroostook County allocation of the Katahdin Lake Funds.)

For: Neil Piper, James Norris, James Gorman Jr., Commissioner Patrick Keliher, Commissioner Walter Whitcomb and Commissioner Chandler Woodcock
Against: None
Motion passes: 6-0

9. C&R Scoring & Selection Process Work Group

Discussion centered about possible changes to the scoring and selection process of future LMF Conservation & Recreation projects as outlined in Attachment H of the Board packet.

During the discussion, Board members decided to accept the work group recommendations and asked that LMF staff draft a memo addressing how to incorporate the proposed recommendations into a future Proposal Workbook. The memo will be reviewed by the Board for approval.

MOTION: A motion was made by Neil Piper to accept the Work Group recommendations and request LMF staff draft a memo for the record that addresses recommended changes to the Proposal Workbook for future call for proposals. A copy of the memo is to be provided to the Board. Commissioner Keliher seconds the motion. Vote was unanimous.

10. Staff Updates

Sarah stated that no action needed; just sharing communications.

- Legislative Communication

Senator Cathy Breen submitted a letter to William Vail, LMF Chair, regarding Knight's Pond, asking for reimburse for the community's contribution towards this project.

Senator Breen, Representative Mark Dion and Representative Teresa Pierce also submitted a letter to the Chair, LMF Board, also asking for reimbursement for the community's contribution towards the Clapboard Island and North Falmouth Conservation Corridor projects.

Senator John Patrick submitted to Sarah Demers, LMF Director, supporting the purchase of the Extension to Whitecap Mountain Trail.

- Committee Chairs RE: GEA Report

The Joint Standing Committee on Agriculture, Conservation & Forestry in a letter to the President of the Senate and Speaker of the House of Representative (127th Legislature) found that LMF is currently operating within its statutory authority and recommends no statutory changes at this time.

- Public Outreach and Data

A brief slide presentation was shown outlining how the **Maine Trail Finder** web site functions and how LMF sites can be located. See <http://www.mainetrailfinder.com>

Tom Miragliuolo, LMF staff, is taking the lead to update the LMF database. Sarah stated an intern will be hired to assist with data entry related to Round 7 and Round 8 LMF projects.

Sarah has been working with the financial service center to provide data requested by The Maine State Treasurer for their initiative to inform the public on how bond funds are spent.

Neil Piper reported that he participated in a webinar covering the uses of carbon credits and suggested that at a future Board training they look at measuring Carbon Credits for future projects.

ADJOURN: 3.25 P.M.

