



Land for Maine's Future Program
Minutes of the Meeting
July 10, 2018
517 Main Street, Conference Room
Rockland, Maine

Board Members Present:

Fred Bucklin, Lisa Turner, Commissioner Chandler Woodcock, Robert Meyers, Harry Ricker, Don Kleiner, and Commissioner Patrick Keliher (Chairman)

Staff Members Present:

Sarah Demers, Tom Miragliuolo, R. Collin Therrien, and Tammara Roberts

Others:

Joy Bonenfant, Resource Admin., DACF
Robert Marvinney, DACF
Bethany Atkins, MDIFW
Liz Petruska, DACF BPL
George Harrington, Friends of Hope Cemetery and Woods
Sherry Rousseau, RLHT
Jeff Romano, MCHT
Jerry Bley, Creative Conservation, LLC

1. Welcome and Introductions:

Commissioner Patrick Keliher, Chairman, called the meeting to order at 10:02 a.m., welcomed everyone, and asked for introductions.

2. Minutes:

Chairman Keliher, moved to accept minutes. Fred Bucklin, noted a minor change to minutes Harry's name isn't Henry, it has been updated and removed. Found it 6 times and corrected them all. (Sorry, Harry!)

Motion to accept minutes: Harry Ricker moves to accept with the correction. Seconded by Fred Bucklin. Motion passes unanimously.

3. Bond Balances -LMF Director:

Status of Funds		
ATTACHMENT A		
As of May 31, 2018		
Authorized	Bonds To Be Sold	Cash on Hand
PL 2009, Ch. 645		
C&R	\$0	\$3,133,077
Farmland	\$0	\$383,559
Working Waterfront	\$0	\$276,857
Funds Remaining	\$0	\$3,793,493
PL 2011, Ch. 696		
C&R, Farmland, WWF	\$0	\$3,175,000
Total Funds Remaining		\$6,968,493

Project Allocations		
Active Projects		Allocations
C&R	13	\$3,127,350
Farmland	2	\$163,000
Water Access	1	\$160,000
Working Waterfront	2	\$421,500
TOTAL	20	\$3,871,850
<u>Projects Closed:</u> Lubec Boat Landing		
<u>Project Withdrawn:</u> Redington Forest (\$500,000)		

The Board has \$6,968,493 cash on hand, with \$3,871,850 allocated towards projects, leaving just over \$3 million dollars unallocated at this time.

4. Project Allocations & Status – Land for Maine's Future Director:

Of the allocated projects, we have 13 C& R projects, 2 Farmland projects, 1 Water Access project, and 2 Working Waterfront projects on the books.

Projects closed: Lubec Boat Landing.

Project Withdrawn: Redington Forest (\$500,000), Round 8 easement project. The project was successfully completed without LMF funds, utilizing additional funds from the Navy. The property is adjacent to the Navy SERE station and the Navy has a program that allows them to purchase property near their facilities and they contributed about 75% of project cost.

Chairman Keliher: Any questions on project allocations? Seeing none. Sarah, do you have anything to add?

Sarah: If you look at Attachment B, you can see we are making progress getting appraisals approved by the AOC and Board, which means those projects will be heading toward closing. We still have quite a few to get through, but we're making progress!

5. Projects to be Acted on – Land for Maine's Future Staff:

A. Hope Woods Conservation Easement, Kennebunk, York County 72.34 acres
 Tom presented the project summary: located in a residential neighborhood and in close proximity to downtown Kennebunk, the subject abuts existing conservation land, multiple residential neighborhoods, and a cemetery. The Kennebunk Land Trust is acquiring a conservation easement and the Hope Cemetery will continue to hold the fee. The property will be held under a LMF Project Agreement with the Department of Agriculture, Conservation and

Forestry as the Designated State Agency. The project was selected by the Board in November 2018.

- Existing well used recreational trails.
- Existing 4-season use.
- Central to downtown Kennebunk and accessible from 6 different locations (including through cemetery).
- High threat of conversion (development)
- Kennebunk Land Trust and Friends of Hope Cemetery have committed \$149,000 for stewardship

AOC recommendation: The Appraisal Oversight Committee met on June 28, 2018 to discuss the Hope Woods project appraisal. The Committee voted in favor (4-0) of supporting the appraiser's value of the conservation easement of \$790,000.

Fred: I think I stated to the AOC, the appraiser did a good job with this appraisal and I wanted to commend him for his hard work.

Motion to accept AOC recommendation: Fred Bucklin made a motion to accept the recommendation of the Land for Maine's Future Appraisal Oversight Committee and to accept the appraiser's value of the conservation easement at \$790,000.

Chairman Keliher asked if there were any comment or questions for Fred, regarding the appraisal? Seeing none. Any objections to the motion? Seeing none, the motion passes without objection.

Announcement of public notice: The public notice for the Hope Woods, project was advertised in the Kennebec Journal on July 2, 2018, and the York County Coast Star on July 6, 2018. At this time is there any comments from the public?

George Harrington: Thank you very much, my name is George Harrington, President of Friends of Hope Cemetery Woods, I'm very pleased to be here in person to Thank you for supporting our activity. We are very pleased and it has made a dramatic on our ability to succeed. I am very pleased to announce we have raised \$960,000. Your actions have helped contributed. They are working with KLT to continue to raise money. Town and the people are very supportive of this looks like things are going to go very smoothly.

Chairman Keliher: Any questions? Seeing none, he called for a motion.

Motion: To confirm the total allocation of \$250,000 in Land for Maine's Future Conservation & Recreation funding to support the purchase of a conservation easement on the Hope Woods conservation land (72.34 acres), subject to standard Land for Maine's Future conditions.

The motion was made by Fred Bucklin and seconded by Bob Meyers. With no additional comments, questions, or objections to the motion, the motion carries.

**6. New Water Access Proposal – Land for Maine's Future Staff
Rangeley Lakes Heritage Trust, Water Access Proposal Mailbox Pool, 17 +/- acres, Lincoln Plantation, Oxford County**

Sarah: In your packet, you received a copy of the proposal, and I am handing out an updated budget along with some maps. Proposals for water access can be accepted at any time. We currently have \$236,000 in water access funds available at this time. The intent of this fund is to get people to the water. It can be access by foot, by boat, any means, so long as it gets you to the water. Doesn't have to be a boat launch. In the instance of this project, we have pedestrian access to a fishing area. It fits squarely into purpose of this funding source as water access project.

This is a proposal for fee acquisition of the "Mailbox Pool", the most popular pool on the lower Magalloway River for fly fishing, with an estimated 3,000 angler use days per season. Primary use of the property will be for angler access, with additional benefits for Deer Wintering Area management and protection.

- 17± acres located on the lower Magalloway River, below the dam at Aziscohos Lake, known for its brook trout and land locked salmon populations
- Strong local support for this acquisition.
- Total Project Costs **\$82,200**
- Amount Requested from the LMF Public Access to Maine Waters Fund: **\$21,555**
- The project will secure protected angler access across the property and to this stretch of the Magalloway River and ensure a safe and stable parking area and path to the water.

The property does not include fee title to a 33' wide strip of land between the property and the water. This strip is owned by Brookfield Renewable Energy and subject to FERC licensing requirements which includes language specific to public access. State attorney and MDIFW as DSA will have to analyze this against LMF statutes and bond requirements for public access.

The property has been pre-acquired by Rangeley Lakes Heritage Trust (RLHT). RLHT has been in discussion with the landowners over the years, but couldn't agree on a sale price until recently. Knowing that this is a highly desirable recreational fishing spot, RLHT decided to move quickly on the acquisition of the property. Now they come to Land for Maine's Future, to assist with the acquisition. They have a full understanding that if Land for Maine's Future is involved, the public would have full pedestrian access to the property.

Discussion ensued regarding parking and LMF Access Improvement funds to assist in finalizing the parking lot.

Shelby Russo, RLHT: Brookfield Renewable Energy (BRE), has given \$10,000.00, with possible more funds from their 2020 budget, to assist with the cost of parking. Presently there is no parking lot, there is shoulder parking at this point. Any more than 4 vehicles can make it dangerous. They are going to work with IFW to assess the need and make accommodations. MDIFW concerns are about deer population and ensuring the parking is sited appropriately to avoid negative impacts to water quality and habitat. Feels there isn't going to be any more than 8 cars for the parking lot.

Commissioner Woodcock responded that he is very familiar with this fishing area and the parking is an issue.

Chairman Keliher asked if there were any questions, concerns, or comments. Seeing none, we have a request from Staff to select: Mailbox Pool Water Access Proposal as a finalist with the following conditions:

1. Hunting, fishing and trapping is allowed consistent with State law;
2. Public Access is secured across the 33' wide strip of land owned by BRE, to Land for Maine's Future and MDIFW satisfaction.
3. Applicant and MDIFW to supply Access Improvement plan and time frame for implementation prior to release of Land for Maine's Future funds. Access Improvement funds, in an amount to be determined by the Board at a later date, will be provided to RLHT at the time of closing.

Sarah: One thing I would like to bring to the attention of the board, our current Access Improvement Grant is set at 2%. With low awards like this one 2% is only \$431, if the board wanted to, they can go up to 5% which would be a little over \$1000.

Chairman Keliher noted that that decision could be made at a future meeting and Sarah confirmed that the Board could do it that way.

Chairman Keliher: Based on staff recommendations, is there a motion from the Board?

Motion: A motion was made by Commissioner Woodcock to accept the staff recommendation and conditions of funding. The motion was seconded by Harry Ricker

Chairman Keliher calls for discussion or objections to the motion. Seeing none the motion carries without objection.

Sarah then makes the Mailbox Pool appraisal available to the members of the Appraisal Oversight Committee.

7. LMF Appraisal Requirements, AOC recommended job description

Sarah: Since about March, the Chair of AOC, myself, Pat, and members of AOC have worked on updating a job description for members of the AOC Committee so that there is a clear understanding of the role and function of the AOC. See Attachment E in your packet.

Previously, the role of the AOC was not nearly as defined as it is here. It was considered a lay person review. Because of this Committee's expertise and their interests, they have brought their review to a different level.

What we have developed is a document that outlines the role of the committee and what it is they are undertaking to ensure appraisals meets their expectations. The majority of the criteria are already in the Land for Maine's Future workbook, but we developed guidance that is succinct, and expanded upon.

Fred Bucklin reads from Attachment E.

Chairman Keliher: Thank you Fred. Any question for Sarah or Fred? So, what are we looking for Sarah.

Sarah: The AOC is recommending that the board accept this as Board policy, which I believe takes a motion.

Chairman Keliher: Are you looking in the future to insure this policy would be reflected in the workbook moving forward or just within our internal policy documents?

Sarah: I think this is entirely consistent with the workbook, and I think maybe in future workbooks we may be able to make that section more succinct by including this.

Chairman Keliher: Any objections from the board, making this a policy of the LMF. Seeing none. I think we need a motion.

Motion: Commissioner Woodcock moved to adopt the AOC job description as Board policy as outlined in Attachment E of the Board packet, which was seconded by Bob Meyers.

Chairman Keliher asked for discussion or objections to the motion. Seeing none the motion passes and this new job description will become part of policy for Land for Maine's Future.

Commissioner Woodcock noted that he would like to thank those involved in this process. I know in my time on this board we have had many discussions about appraisals, the volatility of an appraisals, and the methodology of appraisals. I think this will more clearly define the appraisal process for the future. Thank you, Fred, Sarah, and anyone else that has been involved in this process. This will be important for future Boards of Land for Maine's Future.

Chairman Keliher: Thank you everyone for your work on this. Before moving forward to discuss staff updates, the Board discussed the membership of the Appraisal Oversight Committee.

Motion: Commissioner Woodcock made a motion, seconded by Fred Bucklin, to make Bob Meyers a member of the LMF Appraisal Oversight Committee.

Chairman Keliher asked for discussion or objections to the motion. Seeing none the motion passes.

Staff Updates – LMF Director

Sarah reported that the AOC has meetings set for July 26, 2018 and August 23, 2018 and the next next Board meeting is September 25, 2018. Chairman Keliher reported that he will be at a meeting out of state on that date and asked Commissioner Woodcock to serve as Chair for the September meeting, which Commissioner Woodcock agreed to do.

Sarah: Two things for September Board meeting we will be looking at:

1. Updated ag. easement template.
2. Talking about amendments to a project that have closed.

Sarah reminded the Board that a sub-committee has been formed to discuss Board protocol on amendments and change of use requests and that group will meet before the next Board meeting and will report back to the Board.

With no additional items for the Board, the Chairman called for a motion to adjourn.

Motion: Commissioner Woodcock made the motion to adjourn, seconded by Harry Ricker. The meeting adjourned at 10: 55 a.m.