



Jessica Damon  
Maine Department of Environmental Protection  
106 Hogan Road Bangor, Maine 04401

January 18, 2021

Dear Ms. Damon,

On behalf of Frenchman Bay Conservancy, I am writing in support of Silver Maple Wind's contribution to our organization to conserve 1430 acres of land as part of the Frenchman Bay Community Forest in Hancock. Specifically, I want to address four main points that I feel are inadequately addressed in the current consideration of this property, 1) the fact that a substantial number of acres of land will remain in an early successional state throughout the lifetime of the wind power project, 2) the value of land conservation in perpetuity, 3) the value of land conservation versus the development alternative, and 4) the value of maintaining an undeveloped habitat block.

First, I want to thank Robert Stratton, Environmental Program Manager, Maine's Department of Inland Fisheries and Wildlife for his thoughtful and extensive requests from the applicant, Silver Maple Wind as part of the permitting process. The letters from Mr. Stratton reflect a very high level of responsibility taken by the State of Maine to ensure that we collectively do everything possible to protect migratory birds and other wildlife within our state while we develop renewable energy generation facilities.

**1) Significant amount of early-successional habitat**

I want to correct what I believe to be an inaccuracy in one of these letters from Mr. Stratton, dated August 28, 2020. The letter reads, "FBC's plan to grow an even-aged, mature community forest can be anticipated to only meet the conditions needed for migrating songbirds noted above for a few years, until those vegetation types and successional stages are passed." In fact, there are approximately 50 acres of land (by my estimation using Google Earth imagery) that were mowed as recently as the summer 2020. These fields will only begin to reach an intermediate seral stage as the Silver Maple Wind project reaches the end of its expected lifetime. Further, there are at least 18 acres of open wetland, separate from the road network. These figures are likely underestimates. There is 3.5 miles of streamshore (single stream bank) with a substantial amount of open heath, including Kilkenney and Egypt Streams. Finally, there is roughly 4 miles of road through the property, approximately 25 feet wide, creating an

additional 3 acres of land that won't be intermediate level forest for probably at least several decades.

Also, the notion of an "even-aged, mature forest" is contradictory. Once a mature forest does exist on the property, it will not remain even-aged. Natural disturbances will ensure some diversity in forest age class and species composition. Beaver will continue to build dams on the numerous streams on the property, further altering the forest structure. Finally, the edge effects along the Downeast Sunrise Trail, the internal road network, and Kilkenney and Egypt Streams will continue to promote forest heterogeneity. All of this diversity as the forest continues to mature will create and maintain critical migratory and breeding bird habitat for passerines.

With regard to the mowed patches currently existing on the land, FBC staff and board observed species known to provide valuable forage for migratory birds, including witherod, *Viburnum cassinoides*. As the mowed fields begin to re-wild, we can expect that species such as raspberries (*Rubus* spp), serviceberry (*Amelanchier* spp.), cherries (*Prunus* spp), chokeberries (*Aronia* spp,) and staghorn sumac (*Rhus typhina*) will colonize this landscape and thrive during the lifetime of the Silver Maple Wind project.

## **2) Land Conservation in Perpetuity**

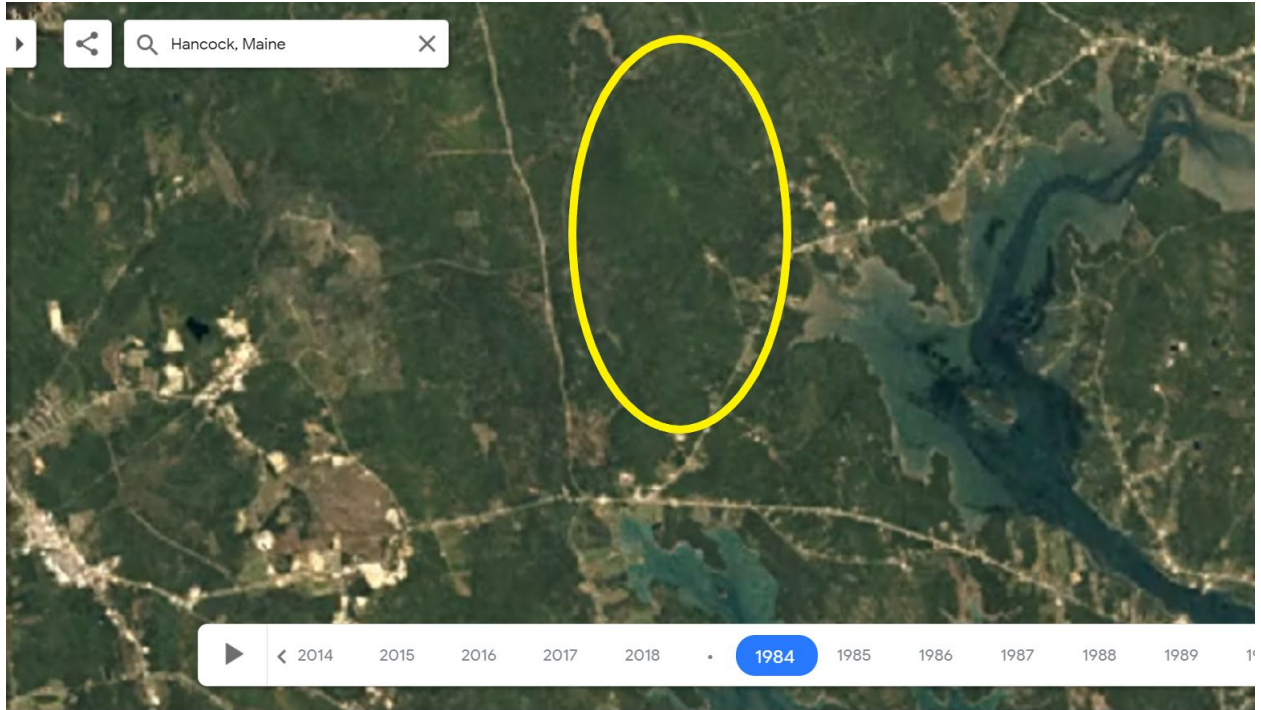
Frenchman Bay Conservancy will partner with Northeast Wilderness Trust, a 501(C)3 land trust that will hold a conservation easement on these 1430 acres in perpetuity. This double-layer of conservation further protects the land against future subdivision, development, or harm to the conservation values for all wildlife.

We can expect that this land, subject to a forever wild conservation easement, will eventually become a mature forest, which is exceedingly rare in Maine. Mature forest provides valuable habitat for numerous species of migratory birds. We can expect this forest to continue to provide valuable habitat in perpetuity. While we would ideally reap the benefits of a mature forest for breeding and stopover habitat today, the fact is that we have to work with the forest that we have. However, we also must recognize that we are making a valuable investment in land that will pay dividends for many years into the future.

## **3) Value of Land Conservation versus the Development Alternative**

There should be no doubt that the alternative to conservation of this land is further subdivision and development. We can expect this land to become developed because nearly all of the available land around it has already been developed over the past 37 years. The pace and extent of nearby development is illustrated in the changes shown in the two following satellite images.

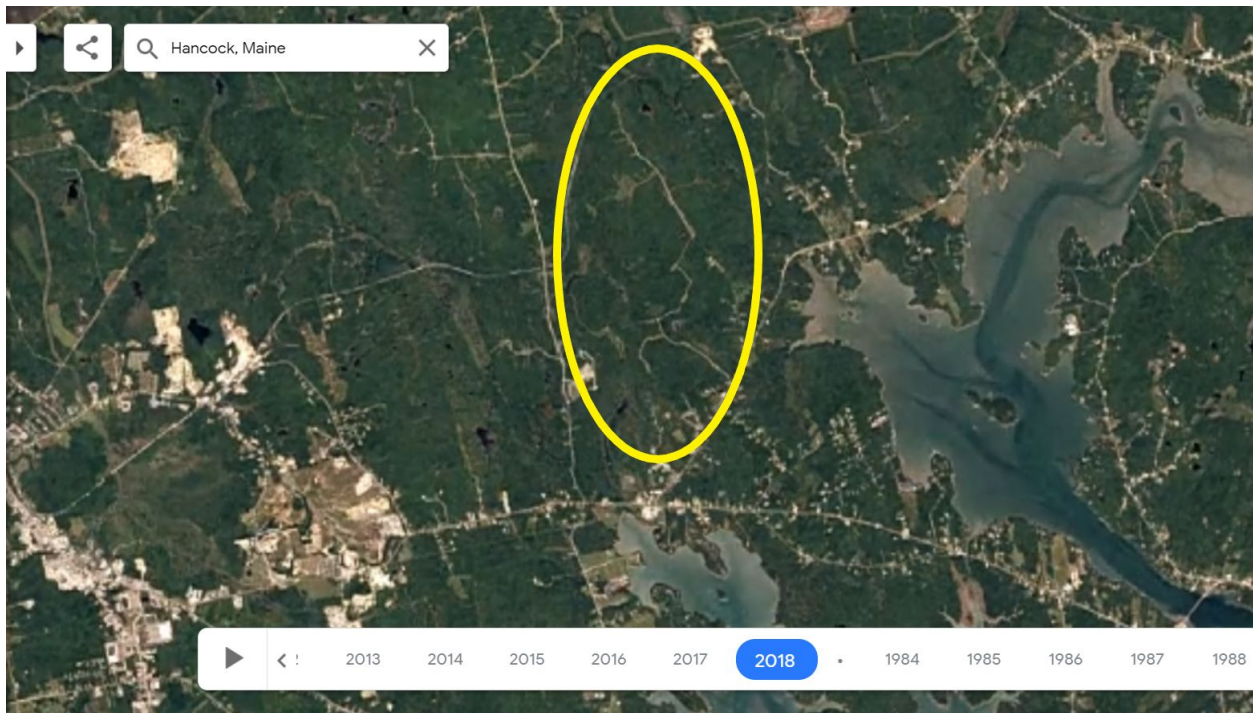
### **Satellite imagery from 1984**



Source: Google Earth Engine (<https://earthengine.google.com/timelapse/>)

You'll see in the above image taken in 1984 that there is very little residential or commercial development near the land represented by the yellow circle where the property is located. In contrast, the image below taken 37 years later in 2018, shows residential subdivisions to the southeast along Route 1, and along Routes 182 and 200 (leading north from Egypt Bay).

## Satellite imagery from 2018



Source: Google Earth Engine (<https://earthengine.google.com/timelapse/>)

The only reason that the land that we intend to conserve isn't already developed is that the former owner, Dale Henderson designated this land as his private game reserve. However, history has shown that as land changes hands, new owners typically pursue the "highest and best use" which in this location, close to Taunton Bay, Kilkenney Bay (both Beginning with Habitat Focus Areas) and Route 1, a short drive from Ellsworth, would mean residential subdivision. In fact, the Town of Hancock is currently considering developing residential lots to the south of this property. Further habitat fragmentation is only a matter of time if this land remains undeveloped.

I introduce this important point for consideration because, up to now, I believe that consideration has simply focused on the overly-simplified notion of whether an intermediate successional forest would be more or less valuable than an actively-managed mixed age forest with planted fruit-bearing shrubs. The question should in fact be whether an intact, undeveloped habitat block in close proximity to the coast is better or worse for wildlife than a housing subdivision with extensive development, pavement and manicured lawns.

#### **4) The Value of an Undeveloped Habitat Block**

Maine's Wildlife Action Plan and the Beginning With Habitat Program speak extensively about habitat conservation. So, I won't spend much time on this point. However, it is

worth noting that the land that we intend to purchase represents the southernmost point of a 25,000 acre undeveloped habitat block. Undeveloped land this close to the coast (less than 1 mile) is increasingly rare. That factor alone represents exceptional ecological value. As you know, the neighboring 3100 acre property to the north is being conserved to mitigate the Weaver Wind development. We intend to work with neighboring landowners to continue to conserve more adjacent undeveloped land.

Once again, I appreciate the extensive consideration given to Silver Maple Wind's proposal. Wind energy development proposals require scrutiny and appropriate steps to mitigate negative ecological impacts. We believe that the \$100,000 contribution to Frenchman Bay Conservancy for the permanent protection of this land will have a strong, net positive impact for breeding and stopover habitat for migratory songbirds.

Sincerely,

A handwritten signature in blue ink, appearing to read "Aaron Dority". The signature is fluid and cursive, with a long horizontal stroke at the end.

Aaron Dority  
Executive Director

**Attachments:**

- Photo: "extensive fields\_FBCF"
- Photo: "west branch"
- Nature's Network map showing the value of this parcel from a climate change resilience perspective
- Maine Natural Areas Program rapid assessment by Kristen Puryear, summer, 2019, illustrating the diversity and heterogeneity of habitat types on the property