



Land for Maine's Future Program

Minutes of the Meeting

January 28, 2020

32 Blossom Lane, Marquardt Building, Room 118
Augusta, Maine

Board Members Present:

Commissioner Patrick Keliher (Chairman), Commissioner Amanda Beal, Commissioner Judy Camuso, Robert Meyers, Don Kleiner, Lisa Turner, Roger Berle, Jim Norris, and Barbara Trafton

Staff Members Present:

Sarah Demers, Jason Bulay, Laura Graham, and Tammara Roberts

Others:

Robert Marvinney, DACF	Jeff Romano, MCHT
Bethany Atkins, MDIFW	Jerry Bley, Creative Conservation, LLC
Liz Petruska, DACF BPL	Kaitlyn Bernard, TNC
Hans Carlson, Blue Hill Heritage Trust	
Stephanie Gilbert, DACF	

1. Welcome and Introductions:

Commissioner Keliher - Chairman, called the meeting to order at 9:03 a.m., welcomed everyone, and asked for introductions.

2. Minutes:

Chairman Kleiner Presented the **November 19, 2019** minutes.

Motion: Don Kleiner moved to accept the minutes as corrected, to include removing Roger Berle as in attendance and a few minor spelling corrections. Barbara Trafton seconded the motion. The minutes were accepted unanimously.

3. Bond Balances -LMF Director:

Status of Funds		
ATTACHMENT A		
As of December 31, 2019		
Authorized	Bonds To Be Sold	Cash on Hand
PL 2009, Ch. 645		
C&R	\$0	\$989,552
Farmland	\$0	\$383,453
Working Waterfront	\$0	\$275,435
Funds Remaining	\$0	\$1,648,440
PL 2011, Ch. 696		
C&R, Farmland, WWF	\$0	\$3,175,000
Total Funds Remaining		\$4,823,440

As you can see, since the last Board meeting, we have drawn down 2009 bond funds for the Grassy Pond and Mailbox Pool acquisitions. We have \$4,853,440 cash on hand. Please keep in mind, as we close projects oldest funds are used first.

4. Project Allocations & Status – LMF Director:

Project Allocations		
Attachment B		
Active Projects		Allocations
C&R	6	\$1,262,350
Farmland	2	\$163,000
Water Access	1	\$105,000
Working Waterfront	6	<u>\$1,136,250</u>
TOTAL	18	\$2,666,600

Closings: Grassy Pond/Mirror Lake, Mailbox Pool Water Access
 Projects Withdrawn: Kennebec Highlands - Krause property

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

A. Caterpillar Hill, Sedgewick, Hancock County ± 32acres

Applicant: Blue Hill Heritage Trust (BHHT)

Agency Sponsor: ME DACF, Bureau of Parks and Lands

Fee acquisition by BHHT (pre-acquired in December 2018) as a Conservation & Recreation site, with Bureau of Parks and Land as the Designated State Agency.

- 32 ± acres, 125' ± on Walker Pond;
- Expands public access on adjacent Blue Hill Heritage Trust preserve and town-owned beach and boat launch on Walker Pond;
- Provides the public with expanded blueberry picking opportunities;
- Existing trails will be expanded to include ADA trail sites;
- Enjoys year-round access;
- Views “of statewide significance” in Downeast Coastal Scenic Inventory.

Noting that the AOC Chair was absent, Don Kleiner volunteered to pinch hit for the AOC.

AOC recommendation: The Appraisal Oversight Committee met on December 19, 2019 to discuss the Caterpillar Hill appraisal. The Committee voted in favor (4-0) of supporting the appraiser’s value of \$398,000. The AOC recommended accepting the appraisal.

Chairman Keliher Reminded the Board that this is a committee motion, so we don’t need a second. With no questions or objections, the motion passed without objection.

Announcement of public notice: The public notice for the Caterpillar Hill project was advertised in the Kennebec Journal and the Bangor Daily News on January 17, 2020.

Public Comment: None received

Motion: Don Kleiner motioned to set the allocation at \$199,000 in LMF Conservation and Recreation funding to support the fee acquisition of Caterpillar Hill, subject to standard conditions. The motion was seconded by Jim Norris.

Chairman Keliher asked for any questions, comments or objections. Seeing none, the motion passed without objection.

B. Stonington Lobster Co-op, Stonington, Hancock County, +/- 1 ac.

Applicant: Stonington Lobster Co-operative

Agency Sponsor: ME Department of Marine Resources

Working Waterfront Covenant to be developed with ME Dept. Marine Resources as the Designated State Agency.

- Includes 924' of oceanfront with new 4,000 square foot warehouse/office (plumbed/wired).
- Products landed include lobsters (1,533,389 lbs. ± \$8,000,000 in 2018), crabs, scallops, mussels, herring, and tub-trawling halibut. Future capacity for support of sugar kelp and local aquaculture.
- Two wharfs, refrigerated bait shed, hoists on each pier.
- Used by approximately 100 different fishing families.

Don Kleiner again volunteered to report out for the Appraisal Oversight Committee

AOOC recommendation: The Appraisal Oversight Committee met on January 9, 2020 to discuss the Stonington Lobster Co-op I appraisal. The Committee voted in favor (4-0) of supporting the appraiser's value of \$1,040,000.

With no questions or comments from the Board, the recommendation to accept the appraised value of \$1,040,000 passes.

Announcement of public notice: The public notice for the Stonington Lobster Co-op project was advertised in the Kennebec Journal and the Bangor Daily News on January 17, 2020.

Public Comment: None received.

Chairman Keliher asked that before the Board votes to set the LMF allocation, that the Director comments on the availability of funds for this project.

Director Demers explained that when the Stonington Co-op application came in, the budget included an estimated value of \$865,000.00. The appraisal determined that the property is worth significantly more than that, with a value of \$1,040,000.00. The Board's preliminary allocation based on the estimated value was \$216,250, which is 25% of the estimated value. Given the appraised value of \$1,040,000.00, the Board now has the opportunity to increase the LMF allocation to \$260,000.00, which is 25% of the appraised value.

Chairman Keliher inquired whether this increase will affect funds available other projects. Will there be enough funds available if other projects come in with higher than expected appraised value?

Director Demers responded that the Board made \$2 million available for the Working Waterfront call for proposals. We received requests totaling \$960,000. There is plenty of money available in the event that other projects come in with appraised values higher than anticipated in the proposal phase.

Jim Norris asked how many other projects do we have to review? Director Demers responded that we have 5 more working waterfront appraisals coming.

Lisa Turner stated that in the past, when an appraisal has come in 10% lower than expected the Board has recommended a decrease in the LMF allocation and feels we should increase the allocation if it the appraisal comes in 10% higher.

Motion: Lisa Turner moved to increase the Board's allocation to the Stonington Co-op project to \$260,000.00. Commissioner Camuso seconded the motion.

Barbara Trafton noted that she has a question, about the project. The Chair determined that the question did not pertain to the funding allocation and agreed to take the question after the motion on the funding allocation was resolved.

Chairman Keliher asked for any questions or comments to the allocation change. Seeing none, the Chair re-stated the motion for clarity:

To confirm the allocation of \$260,000 in LMF Working Waterfront funding to support the acquisition of a working waterfront covenant, subject to standard conditions.

Chairman Keliher asked for any objections to the motion. Seeing none the motion passed unanimously.

Chairman Keliher then invited Barbara Trafton to share her question with the Board.

Barbara noted that when reviewing the application and project materials she wasn't aware that as part of this project a portion of the ocean was going to be filled in. Barbara asked for some more information about this and whether there was parking available elsewhere that could be used, rather than requiring fill.

Laura Graham responded that the co-op has exhausted all parking elsewhere on this site, and the applicant has the necessary permits to proceed with this project.

The Director reminded the Board that they received several proposals that were going to need permits in order to accomplish their objectives and the Board made conditions on those projects requiring permits to be in hand prior to closing. This was not one of the projects that the Board conditioned due to the fact that this is an established working waterfront site (not new construction) and the applicants demonstrated they were aware of permitting requirements. The applicant demonstrated forethought, planning and preparedness in their application materials.

6. New Water Access Proposal – LMF Staff

Eggemoggin Reach & Mill Pond Water Access, Sedgewick, Hancock County, +/-17.6 ac. 17.6 ac. to be acquired in fee, and a conservation easement on 9.3 acres on Mill Pond to be provided as match.

Applicant: Blue Hill Heritage Trust

Agency Sponsor: ME Department of Inland Fisheries and Wildlife

- 17.6-acre fee acquisition on Eggemoggin Reach;
- Limited nearby opportunities for kayak/hand carry access;
- Town-owned access site on 0.1 adjacent acres has insufficient parking;
- Applicant proposes expanded parking, picnic area, and shoreline trail on the acquired parcel;
- Access to 520’ of shoreline and 2.7 intertidal acres for fishing and other recreation.
- 9.3-acre Mill Pond conservation easement to be provided as match;
- 2.1-acre pond traditionally used for fishing, birding, and picnicking;
- Donated CE will permanently ensure access;
- Grantors will convey right of way for public access across their adjacent land if the road currently being used is not a public right of way.

Eggemoggin Reach & Mill Pond Access Sedgewick, Hancock County Water Access Proposal	
Project Budget	
Costs	
Eggemoggin Reach fee acquisition	\$420,000
Mill Pond easement acquisition	26,000
Other project costs	23,900
Total project cost	\$469,900
Match	
Cash contribution - NAWCA	\$210,000
Donation of Mill Pond easement	26,000
Stewardship endowment	5,000
All other project costs	18,900
Total project match	\$259,900
LMF Funding Request	\$210,000

Motion: Roger Berle made a motion to accept the Eggemoggin Reach & Mill Pond Water Access proposal as a finalist, with a preliminary allocation of \$210,000, subject to standard LMF conditions with the condition that:

1. Access Improvement Plan for Eggemoggin Reach parcel required prior to release of funds
2. Public access to Mill Pond parcel to be confirmed prior to acceptance as match

Lisa Turner second the motion.

With no questions or discussion, the motion passed without objection.

7. Board Notifications & Approvals

A. LMF Conservation Priorities & Climate Change

Proposal: 2 LMF Board sponsored workshops

Workshop 1 - Understanding what the available information can tell us.

- An overview of existing climate resiliency & SLR tools and resources available for conservation planning.
- What specifically can the tools tell us, and what they do not tell us.
- Explore how partners and other funders are currently using these tools.

Workshop 2 – How can the LMF Board promote climate resiliency and preparedness through:

- Priorities and Project scoring
- Easement terms and/or Management Plan requirements

After some discussion, the Board decided that the workshop could be accomplished in 1 meeting, and asked Sarah to find dates in mid-April that could work for the Board.

B. Kennebec Highlands – Krause Property Project Withdrawn

C. Secretary of State Report – Report included in the Board packet

8. Staff Updates

The Director welcomed Jason Bulay to the LMF Program, indicating that Jason would handle agricultural easements, water access and conservation and recreation projects.

With no additional items for the Board, Chairman Keliher announced that the next AOC Meeting is **February 27, 2020**, and the next Board Meeting is **March 24, 2020**.

Chairman Keliher announced that this is likely the last meeting with Lisa Turner on the Board. On behalf of the Board, and personally, Pat sincerely thanked Lisa for her contributions to the Board and the Appraisal Oversight Committee.

Motion: Don Kleiner made the motion to adjourn which was seconded by Lisa Turner. The meeting adjourned at 10:00 a.m.