

Land for Maine's Future Board Meeting

January 26, 2004

Maple Hill Farm, Hallowell , Maine

Board Members present :

Carole Dyer Linda Pagels Marcia McKeague

Roger Milliken Warren Balgooyen Leon Gorham

Commissioner Lapointe Commissioner Martin Commissioner Spear

Commissioner McGowan Martha Freeman, Director, SPO

LMF Staff Members Present :

Tim Glidden Steve Brooke Jim Connors

R. Collin Therrien Aline Lachance Surran Pyne

Others Present :

Bruce Kidman and Tom Rumpf, The Nature Conservancy

Stacy Bambrel and Maureen Hoffman, Sheepscot Valley Conservation Association

Mark DesMeules, Damariscotta River Association

Alan Hutchinson, Forest Society of Maine

LouAnna Perkins and Frank Miles , Maine Farmland Trust

Shawn Keenan, Sand Hill Farm

Mark Miller, Conservation Forestry

Gabrielle Kissinger, Appalachian Mountain Club

Andrew A. Cadot and Louisa Moore, Freeport Conservation Trust

David MacDonald, Maine Coast Heritage Trust

Frank Reed, New England Forestry Foundation

Stephen Keith and Steve Laura Schaefer, Downeast Lakes Land Trust

Sam Hodder, Jennifer Melville, The Trust for Public Land

Will Brune, The Nature Conservancy

Richard Andrew, Bangor Land Trust

Erik Anderson, Ralph Knoll and Dave Soucy, Dept. of Conservation

Ken Elowe, Dept. Inland Fisheries & Wildlife

Minutes of the Meeting

A motion was made by Marcia McKeague and seconded by Martha Freeman to accept the November 18, 2003 Minutes of the Meeting. Vote was unanimous.

[Note: Tim noted that the access improvement amount of \$7,000 voted on by the Board in November for the Presumpscot Falls Site is now being reduced to \$5,000 reason being insufficient match. Board will officially vote at today's meeting to reduce the amount.]

5 % Access Improvement Request

· Sandy Point Beach

Access improvement funds in the amount of \$ **41,000** are being request by the Town of Stockton Springs to build an accessible trail loop on the property and an additional loop through the woods for the community and public at large.

à Vote

A motion was made by Marcia McKeague and seconded by Carole Dyer to approve \$41,000 for access improvements. Vote was unanimous.

Project Acquisition Votes

n Big Hill/2 nd Pond, Dedham

[1,965 + acres working forest easement to be held by the New England Forestry Foundation]

à Public Notice

Published in the Kennebec Journal on 1/8/04 and Bangor Daily News on 1/8/04 .

à Easement Review Committee

The committee voted to recommend acceptance of the easement contingent on satisfactory resolution of the remaining issues; unregulated hunting and trapping on the

property, the use of the old ski lodge, and language that would allow development of a small pond (2 acres) for the purposes of wildlife habitat and fire protection.

à Appraisal Committee Review

The committee recommends that the appraisal value be \$980,000 and further recommends LMF funding at \$340,000 (not including all other costs).

à Public Comments

None.

à Vote

A motion was made by Roger Milliken and seconded by Carole Dyer to support acquisition contingent upon **Special Board Condition** as noted above (Easement Review Committee). Vote was unanimous.

n **RiverLink Project [Marsh River parcel] Newcastle** [32.94 + acres in fee under a

Project agreement with IF&W]

à Public Notice

Published in the Kennebec Journal on 1/14/04 and Portland Press Herald on 1/1/04.

à Appraisal Committee Review

The committee recommends that the appraisal value be \$186,500 and further recommends LMF funding at \$124,333 (not including all other costs).

à Public Comments

We are really pleased to present this project to the Board and we hope you will support its acquisition, said Maureen Hoffman. The parcel is immediately adjacent to a previously approved parcel and protects frontage on the Marsh River .

à Vote

A motion was made by Warren Balgooyen and seconded by Carole Dyer to support acquisition. Vote was unanimous.

n **Katahdin Forest Project** [194,750 + acres working forest conservation easement which will be held by the Department of Conservation]

à Public Notice

Published in the Kennebec Journal on 1/8/04 , Bangor Daily News on 1/8/04 and Community Press on 1/12/04 .

à Easement Review Committee

The committee voted to recommend acceptance of this easement. A number of legal issues raised by Jeff Pidot and Surran Pyne have now been resolved. These included: the indemnification provision that would have required the State to defend the landowner against suits by third parties. This provision has been dropped. Other provisions regarding confidentiality, mediation, easement monitoring and notice have also been amended.

à Appraisal Committee Review

The committee recommends that the appraisal value be \$15,000,000 [or \$77 per acre] and further recommends LMF funding at \$2,010,000 (not including all other costs).

à Public Comments

None.

Tim Glidden addressed Commissioner McGowan concern regarding working forests. He noted that the Katahdin Forest easement would not stop fiber production.

à Vote

A motion was made by Warren Balgooyen and seconded by Carole Dyer to move forward with acquisition. Vote was unanimous, except for Marcia McKeague and Roger Milliken who recused themselves.

n Presumpscot Fall Site

A motion was made by Roger Milliken and seconded by Marcia McKeague to reduce the previously approved amount of \$7,000 for access improvement funds to **\$5,000** . Vote was unanimous.

n Meserve Farm, Buxton & Scarborough [425 acres]

à Public Notice

Published in the Kennebec Journal on 1/14/04 and Portland Press Herald on 1/14/04 .

à Appraisal Committee Review

The committee recommends that the appraisal value be \$1,820,000 and further recommends LMF funding at \$650,000 (not including all other costs).

à Public Comments

None

à Vote

A motion was made by Roger Milliken and seconded by Commissioner Spear to support acquisition. Vote was unanimous.

Note : Martha suggested a letter should be drafted – positive tone - and circulated to the Board prior to its release stating in effect that LMF funding of this project is not in any way endorsing the town's decisions regarding the Dunstein Corner project.

Other Business

n **Staff Report**

à Update on closing 2003

Several farm projects are ready to close and the following projects have been completed since the last Board meeting on November 18, 2003 :

- Machias River – Phase I
- Ferry Beach State Park Addition
- Newport to Dover-Foxcroft Rail Trail
- Frenchman's Hole
- West Branch Project, Phase I

à Board schedule for 2004

March 16 th / May 18 th / July 20 th / September 21 st / November 16 th/ and, if needed, December 21 st . Meeting location is the Pine Tree State Arboretum, except for May 18 th [to be announced].

à Anticipated Legislation

Tim gave brief presentation regarding LD 1776 An ACT to Authorize a General fund Bond Issue in the Amount of \$150,000,000 to continue funding the Land for Maine's Future Program.

Tim also gave a brief rundown on LMF matching funds. For the entire 16 year period [*back to 1987*] we have a 1 to 1 dollar match. With the \$50 million we have a match of \$2.40 for every dollar.

Bruce Kidman distributed a list of Land Bond Coalition Supporters to date. For more information folks can contact Jeff Romano, Campaign Coordinator at (207) 729-5182 X 218.

Tim mentioned that the LMF Web Site is being updated. www.maine.gov/spo/lmf

n Standard Motion to Adopt a Proposal as a Finalist

STANDARD MOTION OF THE LMF BOARD

TO ADOPT A PROPOSAL AS A FINALIST LMF PROJECT

The following requirements and process is included by reference with any proposals adopted as a Finalist Project by the Land for Maine 's Future Board:

Once the Board selects finalists, this sets in motion a series of process steps that must be completed to the satisfaction of the Board. Committees of the Board oversee this process, make recommendations to the board, and determine if new information or developments require further Board review.

Required elements:

- Board acceptance of an appraisal to LMF standards to determine fair market value;
- Completion of title work or, in the case of a Project Agreement, evidence of good title;
- Completion of a Level I Environmental Hazard Assessment;
- Completion a land survey or acceptance of an existing suitable survey;
- Documentation of matching funds provided by applicant;
- Approval by elected municipal officials (organized townships) if the property represents more than 1% of State valuation of town / approval by County Commissioners (unorganized territories) if the property represents more than 1% of State valuation of county;
- Execution of a Purchase and Sales Contract signed with all appurtenant conditions. If action involves the purchase of a conservation easement, easement is finalized. If action involves a Project Agreement, the Project Agreement is finalized.

In addition to these standard conditions, the Board may place specific conditions on a project, which must be addressed before Land for Maine 's Future funds are made available.

Final Board action to approve a project following completion of the requirements described above will follow publication of notice of the pending action with meeting time and date (with opportunity for public comment prior to the vote to approve).

n Report on the Scoring & Nominations Process

At the close of a Call for Proposals [**Round 4 was October 1, 2003**], all proposals are reviewed by the LMF Program staff and judged to be complete. Proposals are then reviewed and scored by the Board's Scoring Committee. A full list of scored proposals is then forwarded to the Board's Nomination Committee. The committee may flag any issues and re-evaluate the scored assigned by the Scoring Committee. Both the Scoring & Nominations Committee can recommend a change in category; statewide, regional, local. The Nominations Committee recommendation is forwarded to the full Board for their review.

The Scoring Committee met on November 12, 2003 and Nominations Committee on December 17, 2003 .

Scoring Committee members are: Commissioner Lapointe [chair], Martha Freeman, Linda Pagels, and Warren Balgooyen.

Nominations Committee members are: Carole Dyer [chair], Marcia McKeague, Roger Milliken, Commissioner McGowan and Commissioner Spear.

Round 4 – Project Recommendations

A brief description of each project was given by a member of either the Scoring or Nominations Committee or LMF staff. At the end of each presentation Board members vote either to move-forward or reject the project. Move forward meaning the project is accepted as a FINALIST.

FARMLAND PROPOSALS

ð Kennebec & Waldo County Landscapes

A motion was made by Roger Milliken and seconded by Carole Dyer to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

- o Designate a single point of contact for management.
- o Report back to the Board in 6 months on a strategy for coordinating farmland and natural area conservation in project area.

ð Sabbathday Lake – Agriculture portion

A motion was made by Roger Milliken and seconded by Marcia McKeague to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None. [but see conservation portion]

ð Hanson Farm

A motion was made Roger Milliken and seconded by Warren Balgooyen to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None

ð Sand Hill Farm

A motion was made by Roger Milliken and seconded by Marcia McKeague to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None

ð Lover's Brook Farm

A motion was made by Roger Milliken and seconded by Carole Dyer to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None

CONSERVATION & RECREATION PROPOSALS

Statewide Significance

ð Machias River – Phase II

A motion was made by Martha Freeman and seconded by Carole Dyer to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None

ð **Amherst Mountains**

A motion was made by Roger Milliken and seconded by Carole Dyer to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None

ð **Katahdin Iron Works**

A motion was made by Roger Milliken and seconded by Carole Dyer to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition(s) :

Report back to the Board in 6 months on project status and configuration, the location of proposed ecological reserve, and how LMF funds are to be used consistent with LMF statute.

ð **Talbot Cove**

This project was withdrawn without prejudice.

Regional Significance

ð **Caribou Bog – Penjajawoc – Phase I**

[note: shifted from statewide to regional]

A motion was made by Roger Milliken and seconded by Maric McKeague to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

Designate a single point of contact for project management.

ð **DownEast Lakes**

A motion was made by Commissioner Martin and seconded by Linda Pagels to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

Report back to the Board with an appropriate mechanism for the State of Maine 's role that meets LMF's statutory obligations.

ð **Hancock Lands – Phase II**

A motion was made by Roger Milliken and seconded by Marcia McKeague to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None

ð **Marshall Island – Phase II**

A motion was made by Roger Milliken and seconded by Warren Balgooyen to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None

ð **RiverLink – Phase II**

A motion was made by Roger Milliken and seconded by Carole Dyer to move this project forwarded to the negotiation stage. Vote was unanimous.

Special Condition :

None

ð **Sabbathday Lake – Conservation portion**

A motion was made by Roger Milliken and seconded by Marcia McKeague to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

Report back to the Board in 6 months on strategy for a river corridor plan that ties into a larger effort

ð Seboeis Lake

A motion was made by Marcia McKeague and seconded by Carole Dyer to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None

ð Killick Pond – Gannet Tract

A motion was made by Roger Milliken and seconded by Carole Dyer to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None

ð Varnum Farm

A motion was made by Roger Milliken and seconded by Commissioner Spear to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

Report back to the Board with plan to partner with Department of Agriculture and how farmlands funds are to be used.

ð Great Moose Lake – Wild Goose

A motion was made by Roger Milliken and seconded by Warren Balgooyen to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

Report back to the Board in 6 months on a strategy and the prospects for further conservation efforts along the Sebasticook watershed.

ð BARR Rail Trail - Phase II

A motion was made by Roger Milliken and seconded by Marcia McKeague to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None

ð Royal River Estuary

A motion was made by Roger Milliken and seconded by Carole Dyer to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

Report back to the Board in 6 months with a strategy for the Royal River corridor conservation.

ð Crowley Island – Phase II

A motion was made by Roger Milliken and seconded by Martha Freeman to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None.

ð Schoodic Bog

A motion was made by Martha Freeman and seconded by Carole Dyer to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None.

Local Significance

ð Pike Lands Acquisition

A motion was made by Roger Milliken and seconded by Carole Dyer and Marcia McKeague to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None.

ð Back River Lands

A motion was made by Carole Dyer and seconded by Marcia McKeague to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None.

ð Wells Conservation Lands

A motion was made by Marcia McKeague and seconded by Carole Dyer to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None.

ð Quarry Woods & Wetland

A motion was made by Carole Dyer and seconded by Warren Balgooyen to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None.

ð Parker Pond

A motion was made by Marcia McKeague and seconded by Commission Spear to move this project forward to the negotiation stage. Vote was unanimous.

Special Condition :

None.

EXECUTVE SESSION [2:00 p.m. - 3:35 p.m.]

A motion was made by Roger Milliken and seconded by Martha Freeman to go into Executive Session for the purpose of reviewing LMF funding requests.

Evening Presentation

A collaborative assessment by the University of Southern Maine , New England Environmental Finance Center , Edmund S. Muskie School of Public Service, and the Margaret Chase Smith Center for Public Policy, University of Maine regarding sound public investments made by the Land for Maine 's Future Program was presented to the Board. Speakers were Richard Barringer, Jonathan Rubin, and Hugh Coxe. Overall, the research found that LMF was well-conceived and finds that the program is widely supported by the citizens of Maine . There continues to be an urgent need for land conservation in Maine . A report will be published shortly.