



**Land for Maine's Future Program
Minutes of the Meeting
October 4, 2011**

State Planning Office
Conference Room 110, 19 Union Street
Augusta, Maine

Board Members Present:

| | | |
|-------------------------------------------------------------|-------------------|----------------|
| Bill Beardsley | Don Marean, Chair | Norman Gosline |
| Ben Emory | Bucky Owen | Diane Doyle |
| Chandler Woodcock | Darryl Brown | |
| Patrick Keliher (Acting) | | |
| Michael Marchetti, representing Walter Whitcomb (nonvoting) | | |

Board Members Absent:

| | |
|-----------------|-------------|
| Walter Whitcomb | Jeff Thaler |
|-----------------|-------------|

LMF Staff Members Present:

| | | |
|-----------------|--------------------|----------------|
| Jody Harris | R. Collin Therrien | Aline Lachance |
| Tom Miragliuolo | Sam Morris | |

Others

Tom Abello, The Nature Conservancy
Kim & Adam Alexander, J. O. Brown & Son
Marty Anderson, Maine Coast Heritage Trust
Nancy Bell, The Conservation Fund
Will Brune, the Nature Conservancy
Carol P. Bryan, Resident, Town of Perry
Leon Bucher, Dept. Inland Fisheries & Wildlife
Antonio Bussone, Lobster Web
Frank Chiaravalloti, Lobster Web
Hugh Cowperthwaite, Coastal Enterprises, Inc. (WWAPP)
Sarah Demers, Dept. Inland Fisheries & Wildlife
Kathy Eickenberg, Dept. of Conservation, BP&L
Dierdre Gilbert, Dept of Marine Resources
Stephanie Gilbert, Dept. of Agriculture, Food & Rural Resources
Bob Marvinney, Dept. of Conservation
Sandra Pottle, Resident, Town of Perry
David Redmon, Gouldsboro
Jeff Romano, Maine Coast Heritage Trust
Anna Schwarcz, Sebasticook Regional Land Trust
David Turner, Resident and Selectman, Town of Perry
Nina Young, Maine Farmland Trust

Minutes of the Meeting

A motion was made by Bucky Owen and seconded by Commissioner Woodcock to accept the July 12, 2011 minutes of the meeting as amended (typo **Sea** Seal Bay-Smith Cove). Vote was unanimous.

Standard Motion to adopt a proposal as a Finalist

A motion was made by Ben Emory and seconded by Commissioner Woodcock to adopt the '*Standard Conditions*' as part of the due diligence process in moving projects forward. Vote was unanimous except for Norman Gosline who abstained.

Appraisal Comments

Mr. Gosline distributed to the Board a memo outlining some of his Appraisal concerns. The memo represented his observations only from an appraiser's point of view for consideration by the Appraisal Review Committee on future appraisals. Ben Emory, Chair of the Appraisal Review Committee (ARC), suggested that the committee review Mr. Gosline's concerns and make its recommendation to the full Board at its next meeting.

A motion was made by Darry Brown and seconded by Don Marean to accept Ben Emory's suggestion that the ARC report back to the full Board with their recommendations. Vote was unanimous except for Norman Gosline who abstained.

OLD BUSINESS

Cheeseman Farm, Unity

- Public Notice
On September 15, 2011 published in the *Kennebec Journal* and *Waterville Morning Sentinel*.
- Public Comment
None
- Appraisal Review Committee Recommendation

The ARC finds the appraisal to be conducted in accordance with the Board's appraisal review standards. The Committee finds the "Before and After" conservation easement appraisal value to reflect fair market value and accepts the appraisal report. The Committee recommends that the appraised value be \$80,000.
- Motion

A motion was made by Commissioner Beardsley and seconded by Commissioner Woodcock to release \$45,000 in LMF farmland funds to support the acquisition of Cheeseman Farm in Unity, subject to meeting the board's standard conditions (adopted by reference). Vote was unanimous except for Norman Gosline who abstained.

Bull Ridge Farm, Albion

- Public Notice
On September 10, 2011 published in the *Kennebec Journal*.

- Public Comment
None

- Appraisal Review Committee Recommendation

The ARC finds the appraisal to be conducted in accordance with the Board's appraisal review standards. The ARC finds the "Before and After" conservation easement appraisal value to reflect fair market value and accepts the appraisal report. The Committee recommends that the appraised value be \$305,000.

- Motion

A motion was made by Darryl Brown and seconded by Ben Emory to release \$157,500 in LMF farmland funds to support the acquisition of Bull Ridge Farm in Albion, subject to meeting the board's standard conditions (adopted by reference). Vote was unanimous except for Norman Gosline who abstained.

Morgan Meadow WMA, Merrill I parcel, Gray

(Project Name: Expanding Maine's Wildlife Management Areas)

- Public Notice
On September 10, 2011 published in the *Kennebec Journal* and *Portland Press Herald*.

- Public Comment
None

- Appraisal Review Committee Recommendation

The ARC voted to accept the valuation of \$18,000.

- Motion

A motion was made by Ben Emory and seconded by Diane Doyle to release \$5,000 in LMF conservation/recreation funds to support the acquisition of Merrill I parcel in Gray, subject to meeting the board's standard conditions (adopted by reference). Vote was unanimous except for Norman Gosline who abstained.

Morgan Meadow WMA, Merrill II parcel, Raymond

(Project Name: Expanding Maine's Wildlife Management Areas)

- Public Notice
On September 10, 2011 published in the *Kennebec Journal* and the *Portland Press Herald*.

- Public Comment

None

- Appraisal Review Committee Recommendation

The ARC voted to accept the valuation of \$112,000.

- Motion

A motion was made by Bucky Owen and seconded by Acting Commissioner Keliher to release \$112,000 in LMF conservation/recreation funds to support the acquisition of the Merrill II parcel in Raymond, subject to meeting the board's standard conditions (adopted by reference). Vote was unanimous except for Norman Gosline who abstained.

Morgan Meadow WMA, Maloney parcel, Gray

(Project Name: *Expanding Maine's Wildlife Management Areas*)

- Public Notice

On September 20, 2011 published in the *Kennebec Journal* and the *Portland Press Herald*.

- Public Comment

None

- Appraisal Review Committee Recommendation

The ARC voted to accept the valuation of \$200,000.

- Motion

A motion was made by Diane Doyle and seconded by Bucky Owen to release \$35,000 in LMF conservation/recreation funds to support the acquisition of Maloney parcel in Gray, subject to meeting the board's standard conditions (adopted by reference). Vote was unanimous except for Norman Gosline who abstained.

NEW BUSINESS

Sipp Bay Gateway Project

- Public Notice

On September 10, 2011 published in the *Kennebec Journal* and on September 23, 2011 published in *The Quoddy Tides*.

- Public Comment

David Turner, Selectman, Town of Perry, speaking as a private citizen, thanked the board for the opportunity to speak to them. While this is a good project, he expressed concerns regarding lost revenues to the town's tax base. Currently, the town has 140 tax liens, many seniors are on fixed income, and the town's population is under 900. With tree growth, open space tax law, county

taxes, and school budgets, the rural taxpayer cannot continue to fund these projects. LMF projects needs to support the tax base in town and should be required to pay their fair share in taxes. He would like to see LMF take public comment in Perry where the taxpayer is affected rather than Augusta.

Carol Bryant stated she supports the project for the simple reason that it provides public access. She stated that this area is used by clambers and winklers to gain access to the shoreline and flats. It has economic benefits to the community. She would like to see guaranteed access.

Marty Anderson spoke on behalf of Maine Coast Heritage Trust (MCHT) the Sipp Bay project landowner. MCHT paid last year's tax bill on the Sipp Bay property in full and have met with the town to consult them on how to approach the taxes in the future. If they decide to apply for a tax exemption, they will work with the town on a payment in lieu of taxes. They will take into consideration the town's needs. The project is consistent with the town's comprehensive plan and the site was listed as a public access site on the town's web site while the land was still in private ownership prior to MCHT's acquisition. MCHT has a history of working cooperatively with towns where it owns conservation land. Examples given for Washington County was work done in Cutler and Lubec. Repairs to boat ramps, safety changes, donated equipment and this summer in Lubec they donated land to the town.

Two written comments were also received from Carol P. Bryan and Tessa and Stephen Ftorek in support of the project stating that this acquisition would ensure public access to the peninsula as a gateway to inner Sipp Bay and would be a help to the economy.

- Appraisal Review Committee Recommendation

The ARC voted to accept the valuation of \$475,000.

- Motion

A motion was made by Acting Commissioner Keliher and seconded by Diane Doyle to release \$192,769 in LMF conservation/recreation funds to support the acquisition of Sipp Bay project in Perry, subject to meeting the board's standard conditions (adopted by reference). Vote was unanimous except for Norman Gosline who abstained.

- ACCESS IMPROVEMENT GRANTS -

Public Boat Landing, St. John River, Frenchville (Paradis parcel)

- Public Notice

On September 22, 2011 published in the *Kennebec Journal* and on September 23, 2011 published in the *Bangor Daily News*.

- Public Comment

None

- Appraisal Review Committee Recommendation

The ARC accepts the "Before and After" valuation of \$14,500.

- Motion(s)

A motion was made by Commissioner Beardsley and seconded by Darryl Brown to release \$7,250 in LMF Public Access to Maine Waters funds to support the acquisition of the Paradis parcel in Frenchville, and to approve \$145.00 in LMF access improvement funds to support upgrades that will make the Frenchville Public Boat Landing more accessible to the public, subject to meeting the board's standard conditions (adopted by reference). Vote was unanimous except for Norman Gosline who abstained.

Caribou Public Boat Ramp (Silver Star Enterprises parcel)

- Public Notice

On September 22, 2011 published in the *Kennebec Journal* and on September 23, 2011 published in the *Bangor Daily News*.

- Public Comment

None

- Appraisal Review Committee Recommendation

The ARC accepts the valuation of \$40,000.

- Motion(s)

A motion was made by Bucky Owen and seconded by Ben Emory to release \$20,000 in LMF Public Access to Maine Waters funds to support the acquisition of the Silver Star Enterprises parcel in Caribou, and to approve \$400.00 in LMF access improvement funds to support upgrades that will make the Caribou Boat Ramp more accessible to the public, subject to meeting the board's standard conditions (adopted by reference). Vote was unanimous except for Norman Gosline who abstained.

- KATAHDIN FUND -

Overview of Katahdin Lake Fund

The Legislature created the Katahdin Lake Fund by PL 2005, Resolves 197 in 2006 from proceeds from the sale of public lots in Aroostook, Washington, and Franklin counties. The legislative Resolve authorizing the sale requires the Department of Conservation to use the proceeds to acquire conservation land in the counties where parcels were sold and with similar conservation, habitat, and wildlife values to the parcels sold.

Currently, all of the funds in Franklin County have been expended and a small amount of money remains for Washington County. The Monument Brook Project in Orient, if approved, would expend the remaining fund balance for Aroostook.

Monument Brook Project, East Grand Lake Watershed, Orient

- Overview

This project (6,066 acres) is part of a larger 12,200 acre conservation project called the East Grand Watershed Initiative. It is a managed forest tract with 3.4 miles of shoreline on Monument Brook. The lands are to be managed for timber harvesting, recreation and wildlife management. These lands add to a large, forested landscape that is international in scope. The lands have extensive vehicular, motorized recreational, water and pedestrian access for hunting, fishing and snowmobiling, including access to the 16,000 acre East Grant Lake. It has extensive state-mapped wetlands including 1,752 acres of deer wintering area, and habitat for several state-listed, rare and endangered birds. There are also three documented Native American archaeological sites and an historic Native American canoe route connecting three major watersheds on the property.

- Discussion

Chair Don Marean asked the Dept of Conservation about the values of the new acres compared to the public lots sold. Kathy Eickenberg replied that the conservation values of this property exceed those of the public lots that were sold. Kathy said the project was a very important one for the region and the department. It is one of the department's priorities for federal Forest Legacy funds. Commissioner Beardsley emphasized that the lands would be managed for timber. Commissioner Woodcock said the land's wildlife values alone are very important to the department of Inland Fisheries and Wildlife. The board recognized Nancy Bell, The Conservation Fund, and allowed her to speak on the project.. Ms Bell said The Conservation Fund is committed to moving forward with or without Forest Legacy Funds. She said the Town of Orient is solidly behind it and they are working with the town on the project's economic development potential.

- Motion

A motion was made by Commissioner Woodcock and seconded by Commissioner Beardsley to select Monument Brook in Orient as a finalist project and to allocate \$2,094, 727 in Katahdin Lake/Aroostook County funds subject to standard conditions (adopted by reference). Vote was unanimous except for Norman Gosline who abstained.

LMF Board Role in Working Waterfront Access Protection Program (WWAPP)

Jody Harris provided an overview of the Board's role as being primarily responsible for managing the WWAPP funds and for assuring that standard and special conditions are met in order to protect the state's interests in acquiring working waterfront covenants.

Unlike other proposals (*conservation/recreation, farmland and water access*) the Board does not evaluate working waterfront proposals for funding. This process is done by the Department of Marine Resources who is advised in the selection process by a 10-member advisory panel appointed by the commissioner. The department contracts with Coastal Enterprises, Inc. for technical services to administer the selection and nomination process. The Commissioner of Dept of Marine Resources' recommendations are then forwarded to the LMF Board.

LMF Board role is to vote to select proposal(s) as a project finalist(s), allocate funds, and place special conditions, if applicable.

Working Waterfront Proposals

The following working waterfront proposals were submitted to the Board for consideration:

- **Great Wass Island Lobster & Bait Co., Beals**

Economic Impact

- 1 million pounds of lobster and 375-560K pounds of crab are landed annually
- Roughly 100 boats use the facility annually
- Over 80% of families on island earn living from fisheries
- Most used working waterfront property on Beals Island

Score: 77.22

Thirty-three fishermen signed a petition supporting this application. Town has permitted the construction of the bait cooler. Dept. of Environmental Protection has permitted the expansion of the wharf.

- **Quoddy Bay Lobster, Inc, Eastport**

Economic Impact

- Extension and widening of wharf will attract more boats/extend season
- Annual landings of 275,000 pounds of lobster is significant for the city, represents 2.5% of Washington County landings.
- Business model effectively adds value with retail take-out seafood

Score: 81.00

Letters of support received from city manager, Senate President Raye, area fishermen, neighbors, and other nearby businesses.

- **Lobster Web Co., LLC, Gouldsboro**

Economic Impact

- Projections that the wharf would be used by 10 lobster boats and 10 herring carriers
- Employment at the plant has increased to about 40
- Combining deepwater, large boat access with available processing space and know-how offers potential to handle multiple seafood species that would provide year round employment

Score: 69.33

Residents support Lobster Web's activities because of the employment potential. Letters of support include Downeast Lobstermen's Association and six major eastern Maine buying wharves including Gouldsboro's two largest Co-ops.

- **J.O. Brown & Son Inc, North Haven**

Economic Impact

- Most heavily trafficked wharf on North Haven
- Twelve to fifteen percent of their customer base is commercial fishing

- Forty-two licensed Zone C and 23 stern men lobstermen
- Store 18 lobster boats and could take on 3-4 more
- Eighty-three customers in the fishing industry (North Haven & Vinalhaven) 65 are active in fishing.

Score: 82.22

Received 10 letters of support; five from fishermen and 53 signatures on a petition.

- **Phippsburg Lobster Co., LLC, Phippsburg**

Economic Impact

- Purchased 1.2 million pounds in the last 3 years
- Accounts for 22.5 percent of Sagadahoc County landings

Score: 28.89

No letters of support.

- **South Bristol Fisherman’s Co-op, South Bristol**

Economic Impact

- Services 40 boats
- Lands over 800,000 lbs lobster and over 900,000 lbs shrimp annually
- Largest buying station and fishing access point in the town and likely in Lincoln County
- Handling shrimp in the winter keeps fishermen earning year round

Score: 80.63

Many letters of support received including state legislators, their bank, town selectmen, the Harbor Committee, their principal buyer and nearby businesses.

- Recommendations for Working Waterfront Project Finalists - Report of the Commissioner, Department of Marine Resources

Patrick Keliher, Acting Commissioner, Department of Marine Resources provided a brief overview of each of the six proposals and offered the following recommendations:

| Proposal: | DMR Recommendation | Amount being requested: |
|----------------------------------|---------------------------------|--------------------------------|
| J. O. Brown & Son, Inc. | Funding the proposal | \$ 300,000 |
| Great Wass Island Lobster & Bait | Funding the proposal | \$ 168,750 |
| Quoddy Bay Lobster, Inc. | Funding the proposal | \$ 101,250 |
| South Bristol Fishermen’s Co-op | Funding the proposal | \$ 284,000 |
| Phippsburg Lobster Co. | NOT funding the proposal | \$ 135,000 |
| Lobster Web Co., LLC | TABLE | \$ 560,000 |

- Motion

A motion was made by Ben Emory and seconded by Diane Doyle to accept the Commissioner of Marine Resources’ recommendations for project finalists and to allocate the amounts being

requested by those successful proposals subject to standard conditions (adopted by reference) and to table the Lobster Web Co., LLC proposal. Vote was unanimous except for Norman Gosline who abstained.

Part FF of the Budget

Jody Harris reported that at its September 28 meeting, the Part FF working group considered a proposal to move the Land for Maine's Future Board to the Bureau of Geology and Natural Areas within the Department of Conservation. This would avoid the potential of a conflict of interest with the Bureau of Parks and Lands that receives LMF dollars for land conservation. The working group is expected to vote on this proposal at its last meeting in late October or early November.

Part FF establishes a working group to develop implementing legislation to transfer State Planning Office duties and responsibilities to other state government departments. A report is due to the Joint Standing Committee on Appropriations and Financial Affairs on December 1, 2011. Anyone interested in knowing more can key in to the following link: <http://www.maine.gov/spo/rightcolumn/sporeorg.html>

Adjournment

A motion was made by Commissioner Woodcock and seconded by Acting Commissioner Keliher to adjourn.

Next Meeting – November 8, 2011