



Land for Maine's Future Program

Minutes of the Meeting
November 22, 2005

Pine Tree State Arboretum
Augusta, Maine

Board Members Present:

Commissioner George Lapointe
Commissioner P. McGowan
Act. Commissioner Ned Porter

SPO Director Martha Freeman
Jeff Thaler
Leon Gorman

Carole Dyer
Warren Balgooyen

Board Members Absent:

Marcia McKeague

Commissioner D. Martin

[one vacancy]

LMF Staff Members Present:

Tim Glidden
Jim Connors

Steve Brooke
R. Collin Therrien

Aline Lachance

Others

Bruce F. Simmons, Selectman, Town of Byron
Will Brune, The Nature Conservancy
Hugh Cowperthwaite, Coastal Enterprises, Inc.
William Rogers, Parker Pond Association
Jeff Romano, Maine Coast Heritage Trust
Rupert Neily, Boothbay Region Land Trust
Jerry Bley, Boothbay Region Land Trust
Bethany Atkins, Sheepscot Valley Conservation Association
Nancy Perlson, Rangeley Lake Heritage Trust
Jim Connolly, Dept. Inland Fisheries & Wildlife
Kathy Eickenberg, Dept. of Conservation
Stephanie Gilbert, Dept. of Agriculture, F&RR

• Minutes of the Meeting

A motion was made by Carole Dyer and seconded by Jeff Thaler to accept the September 20, 2005 minutes of the meeting. Vote was unanimous.

Conservation & Recreation Projects

- **RIVERLINK** – Church parcel, Edgecomb (104± acres in fee under PA with DOC)
 - Public Notice

Published in the Kennebec Journal and Portland Press Herald on 11/12/05.
 - Appraisal Review Committee Recommendation

The ARC recommended accepting an appraisal value of \$ 183,000 for this parcel. The committee finds that the appraisal supports the purchase price of \$190,000 and recommends full funding. [*Note: The project’s Match Bank provides the necessary matching funds.*]
 - Public Comments

Jerry Bley gave a brief summary of the project stating that this southernmost parcel will abut the Schmidt Preserve forming a single largest block of conservation lands in the Riverlink project thus far. The parcel will provide a trailhead with an anticipated small parking area for hiking along the north/south trail. The partners anticipate that a future acquisition to the south will connect this holding to the newly established Zak Preserve in Boothbay. Rupert Neily stated that the Boothbay Region Land Trust has receiving lots of interest in the project and this parcel is helping to connect the dots. The Trust appreciates enormously the support they have received from the Board.
 - Vote

A motion was made by Carole Dyer and seconded by Martha Freeman to support acquisition of this parcel with the understanding that a Project Agreement be completed. Vote was unanimous.

- **LOWER KENNEBEC** – Cakourus parcel, Woolwich (62± acres in fee to IF&W)
 - Public Notice

Published in the Kennebec Journal and Portland Press Herald on 11/12/05.
 - Appraisal Review Committee Recommendation

The ARC recommended accepting an appraisal value of \$ 1,050,000 for this parcel and further recommends LMF funding of \$ 137,200 (not including all other costs).

- Public Comments

Will Brune mentioned that the project will protect high value habitat and help string together a vital corridor along Merrymeeting Bay and the Lower Kennebec River Estuary. He stressed the importance that there is always wildlife migration taking place in the Bay. TNC has leverage lots of federal funds for the project and the Board's contribution has helped us tremendously. The Nature Conservancy wishes to thank members of the Board.

- Vote

A motion was made by Carole Dyer and seconded by Warren Balgooyen to support acquisition of this parcel.

Water Access Projects

- **COOS CANYON** – Byron (9± acres in fee to DOC)

- Public Notice

Published in the Kennebec Journal and Lewiston Sun Journal on 11/12/05.

- Appraisal Review Committee Recommendation

The ARC recommended accepting an appraisal value of \$ 80,000 for this project and further recommends LMF funding of \$ 53,360 (not including all other costs).

- Public Comments

Bruce Simmons, Selectman for the Town of Byron, stated that the Canyon's unique features make it a popular destination for many. While most folks assume that the Canyon is publicly owned, it is not and the new owner has stated its intention to sell off the property. While the parcel is small in size, it has tremendous value and it would be a real lost to see the parcel go from public recreational use to private ownership.

- Vote

A motion was made by Martha Freeman and seconded by Jeff Thaler to support acquisition of this project. Vote was unanimous.

- **CUPSUPTIC LAKE PARK / NORTH SHORE OQUOSSIC LAKE** – Adamstown Twp., Oxford County (125± acres in fee under PA with DOC)
 - Public Notice

Published in the Kennebec Journal and Lewiston Sun Journal on 11/12/05.
 - Appraisal Committee Recommendation

The ARC recommended accepting an appraisal value of \$ 1,104,000 for this project and further recommends LMF funding of \$500,000 (not including all other costs) from the Water Access Fund.
 - Public Comments

None.
 - Vote

A motion was made by Carole Dyer and seconded by Jeff Thaler to support acquisition of this project with the understanding that a Project Agreement be completed. Vote was unanimous.

5 % Access Improvement Requests

- **PARKER POND**

The Kennebec Land Trust is requesting a grant in the amount of \$ 11,000 for access improvements for public access facilities on the Parker Pond Headland Preserve. They intend to build a small parking area, with a kiosk and s new walking loop trail through the property.

Board members had expressed concerns regarding a \$500 budget estimate for printing a brochure with map. Members felt that this particular item does not qualify as a “minor capital improvement” as authorized by statute.

Bill Rogers, Parker Pond Association, noted that there would be additional wear and upkeep of the road [Fellows Cove Road] because of an increase in public use to reach the site. There would be a one time improvement to the road surface along with water drainage facilities.

- Vote

A motion was made by Carole Dyer and seconded by Warren Balgooyen to approve access improvement funds in the amount of \$10,500. The \$500 request for printing of brochure was not approved. Vote was unanimous.

PROJECT RECONFIGURATION

- **SAND HILL FARM**

Note: Project TABLED at the September 20, 2005 Board meeting.

A motion was made by Carole Dyer and seconded by Martha Freeman to take up discussions on reconfiguration of the project lands. Approved unanimously.

Overview: The original 2004 proposal was to protect one parcel (206 acres) with one conservation easement. The revised 2005 proposal is to protect two parcels (103 acres each) with identical terms agricultural conservation easements.

Stephanie Gilbert noted that the Dept. of Agriculture, the USDA-NRCS, the Sheepscot Valley Conservation Association and the landowners have reached agreement on the following terms:

- ✓ The owners will protect their property as two equally-sized farm parcels;
- ✓ Each parcel will contain a farmstead area where agricultural and residential structures and uses will be permitted; and
- ✓ The remaining lands in each farm parcel will not be further subdivided.

This configuration allows current or future owners an element of flexibility in their business plan in order to keep the land as working farmland.

- Vote

A motion was made by Carole Dyer and seconded by Jeff Thaler to approve the reconfiguration from one to two parcels. Vote was unanimous.

Other Business

- **Ad-Hoc Board Committee Report on next Round of Funding**

A new scoring criteria has been added dealing with project readiness; 5 tasks (*completed appraisal, final easement or fee acquisition conditions, cost share commitment, signed option or purchase and sales agreement, and held by a third party at the request of the state*) indicating the level of readiness and likelihood of a project will be completed will be used by the Nominations Committee as an assessment tool.

The Ad-Hoc committee also recommends that all active project be reviewed periodically, that funds be recalled from projects that are not making satisfactory progress, and that the LMF staff revise the proposal workbook to reflect these changes.

While it was noted that the new legislative instruction in the bond language emphasized “regional preference” it did not eliminate local projects. The workbook scoring system under “proximity” will be amended to emphasize regional benefits and connectivity; and the Nominations Committee will also consider this preference in its recommended funding allocation.

Leon Gorman noted that in the Muskie School of Public Service report it was suggested that the LMF Program link land conservation efforts more “closely to regional economic development prospects and priorities”. The Board agreed to include consideration of economic benefits in its evaluation of new applications.

The project selection process is also being streamlined to include: references with each proposal summary sheet indicating where focused attention to the proposal would be helpful; preliminary evaluation provided to the scoring committee in advance of the committee’s deliberations; training session for new Board members on the Scoring Committee; and conduct an orientation program for new members of the Appraisal Review Committee.

- Vote

A motion was made by Jeff Thaler and seconded by Carole Dyer to accept the report of the Ad-Hoc Committee. Vote was unanimous.

- **Call for Proposals & updated edition of Proposal Workbook**

Tim will be sending out a Press Release announcing that the deadline for new proposals (*\$12 million bond*) is February 3, 2006. The selection of project finalists will be announced at the Board’s May 16, 2005 meeting.

An updated edition of the LMF Proposal Workbook is being released. The Workbook will be posted on the web page; www.maine.gov/spo/lmf . Staff does not anticipate including the Working Waterfronts pilot program in the revised workbook as the program will be managed separately with board approval required when selection criteria have been drafted by staff from SPO and DMR. A draft of these criteria should be available for review-adoption at the January 17, 2006 Board meeting. “Swimming access” will be added to the objectives for water access proposals.

Staff Updates

- **BARR- Mars Hill Land Exchange**

The Department of Conservation is preparing to exchange some land that was acquired as part of the Bangor Aroostook Rail Trail in the town of Mars Hill with an abutting land owner. The exchange will enable the rail trail to pass around a developed farm site. While LMF approval is not required, legislative approval will be requested in the upcoming session.

- **Sears Island Consent Decree – Parker # 2 parcel**

In October 2005, Matt Schweisberg from EPA met with the Department of Inland Fisheries & Wildlife, Coastal Mountains Land Trust, and LMF staff to review current acquisition plan and to advise the Maine Department of Transportation of the anticipated acquisition of Parker # 2 parcel.

The Parker # 2 parcel is primarily wetland, featuring a portion of wading bird and waterfowl habitat that has been delineated by IF&W and has approximately 2,720 of frontage on the Ducktrap River. This section of the river has Atlantic salmon spawning and nursery habitats. This acquisition will help consolidate the State's holdings on the Ducktrap River to facilitate management.

- **Recap Election of November 8, 2005**

A county-by-county survey was distributed to the Board showing a tally of yes/no votes for question # 5 [*land bond*] on the November ballot. While there was a drop in the number of votes [-2.3 % = 9,428] in comparison to 1999 there was still strong and positive support for the bond particularly in northern Maine counties. Tim thanked all the individuals and organizations that worked so hard to promote the work of the LMF Program.

- **Update on Working Waterfront Protection Pilot Program**

Tim noted that the panel reviewing the pilot program is working with the Attorney General's office in drafting an LD creating a 'covenant' language similar to LMF's conservation easements. This covenant would protect acquired property from being altered or developed in a manner that precludes its use by commercial fisheries businesses. He noted that the Board would retain a permanent right of first refusal on any property acquired in fee or protected by conservation easement or other less than fee interests. He will keep board members posted.

Adjourned

Adjourned at 3:00 p.m.