

On-Line Edition

Land for Maine's Future Biennial Report

January 1998

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available from the Maine State Planning Office)**

LAND FOR MAINE'S FUTURE BOARD

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* Clinton (Bill) Townsend of Skowhegan, who had served since 1988, was replaced by Warren Balgooyen.

* Richard Warren of Bangor, who had served since 1988, was replaced by Dennis Higgins.

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Department of Agriculture, Food
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Robin Alden, Commissioner
Department of Marine Resources

Staff

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Submitted to the Joint Standing Committee on Natural Resources of the 118th Maine
Legislature

January 1998

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Note: This Report, in its entirety, can be found on the following Web Access: www.state.me.us/spo
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Executive Summary

The Land For Maine's Future Fund was established in 1987 when Maine voters overwhelmingly approved a \$35 million bond for purchasing lands of state significance for recreation and conservation. The fund is managed by a board and the two are referred to as the Program. The concept behind the Program (LMFP) is simple: certain lands rise above the rest because of the exceptional natural values they possess and they deserve permanent protection through public acquisition. As Maine grows, the use of land changes and there is a very real risk that Maine will lose these "special places" forever. The role of LMFP is to identify these "special places" and place them into public trusts.

Three Governors have supported the Land for Maine's Future Program. Governor Joseph Brennan (1980 -1987) created the Commission on Outdoor Recreation, which recommended the creation of the Program. Governor Angus S. King Jr., then a member of this Commission, was a lead author of the recommendation which spawned the LMFP. Governor John R. McKernan Jr. (1988-1994) supported the concept as it was refined and written into legislation. Governor Angus S. King Jr. continues in this tradition of bipartisan support, most recently commissioning the Land Acquisition Priorities Advisory Committee to review the Program, recommend funding options and provide future guidance.

One of Maine's most significant conservation achievements, the Fund and its Board of six private citizens and five commissioners, following in the tradition of Governor Percival V. Baxter, have assembled an array of public lands which have only one equal, Baxter State Park. After ten years, Maine citizens and visitors to Maine share an investment which is permanent, ever increasing in value and touches all corners of the State.

As presented in this report, measures of success are tangible assets in which all Maine citizens can be proud. Points of recognition and successes indicate that the program is well received. Some examples of these are:

LMFP has acquired 63,355 acres in 45 separate projects in all sixteen counties.

State dollars have been matched by \$4 million, largely from private sources.

\$704,000 of bond funds expended for the acquisitions in the last two years alone were matched by \$1,061,700 largely from private sources.

The Land for Maine's Future Board received the 1996 Downeast Environmental Award, in recognition of its dedication, efficiency, and the hope it has given Maine for the future.

The National Governors' Association selected the Land for Maine's Future Program to feature in its publication Ideas That Work - Business and Environment. The Program was chosen for its effectiveness, efficient use of state funds and bipartisan support.

The Land Acquisition Priorities Advisory Committee report to the Governor, applauded the Land for Maine's Future Program for its effectiveness and recommended a \$45 million dollar bond to support its continued work.

70% of the public comments received by the Committee indicated strong support for significantly increasing public conservation land acreage.

The Maine Economic Growth Council proposed that Maine increase conservation land acreage by 10% by the year 2000.

The most notable amendments to the Land for Maine's Future Companion Legislation during the past two years authorized Board to issue a credit card to benefit the program through royalty earnings. On July 30, Governor Angus S. King Jr. unveiled the nation's first state sponsored credit card for public land acquisition. This innovative program provides a voluntary mechanism for those interested in supporting the work of the LMFP.

Ten acquisitions totaling 1,467 acres were completed over the last two years. Each represents something of a turning point and the manner in which the Program responds to an ever changing land acquisition climate. A new range of perspectives and support have come forward during the past two years;

Most projects are now accomplished with multiple private and public partners. Grand Lakes Stream is the premier example in which the Maine Coast Heritage Trust, the National Fish and Wildlife Foundation, Grand Lake Stream Plantation, L.L. Bean, Inc., Davis Conservation Foundation, Georgia Pacific and 400 individuals all contributed to make this effort possible.

More citizens from the towns where projects are proposed are voicing their support and linking local economic viability to LMFP's acquisitions. In Rangeley, forty-five citizens attended a Board meeting held at the request of the town manager. Its purpose was to explain to residents more details of a proposed LMFP project. Support was unanimous and over half of those attending made the connection between the proposed acquisition and the local economy.

In Washington County, thirty-five local businesses, recognizing the value of conservation lands accessible to the public and to their clients, pooled their own resources and published Cobscook Trails - A guide to walking opportunities around Cobscook Bay and the Bold Coast. Several sites in this guide are LMFP projects.

Maine guides in Forest City and Grand Lakes Stream voluntarily agreed to help the Department of Inland Fisheries and Wildlife manage lands acquired using LMFP funds, saving the state valuable resources.

The Land for Maine's Future Program has vision, public support and a track record of success. The Program's work is far from complete. The record and findings as outlined in this report provides a course into the future. The challenge before us is to establish a new source of working capital which will enable the Program to continue to make careful investments in land for current and future generations.

LAND FOR MAINE'S FUTURE BOARD BIENNIAL REPORT TO THE LEGISLATURE

JANUARY 1998

INTRODUCTION

This report to the Maine Legislature complies with the amended reporting requirement (5 MRS Chapter 353, section 6202-E) that state it is the responsibility of the Land for Maine's Future Board to "on January 1, 1995 and on January 1st every 2 years thereafter, report to the joint standing committee of the Legislature having jurisdiction over natural resources matters on expenditures from the Land for Maine's Future Fund and the Public Access to Maine Waters Fund and revisions to the strategies and guidelines."

The Board's legislative mandate is to acquire natural lands of state significance. The Board has defined properties of state significance as those which "**make a substantial and lasting contribution towards assuring all of Maine citizens, present and future, the traditional Maine heritage of public access to Maine's land and water resources or continued quality and availability of natural resources important to the interests and continued heritage of Maine people.**"

Satisfying this mandate has been the Board's primary focus. In its pursuit, the Board has encouraged and worked closely with towns, interested private citizens, non-profit conservation organizations, land trusts, conservation commissions, and State agencies to develop proposals for consideration by the Board.

Since the last biennial report (January 1995), the Board has completed a total of 10 projects involving bond funds. All of these acquisitions are described in detail within this report. **These projects bring the total acreage protected with bond funds to 63,355 acres.**

Downeast Environmental Award

June 1996

Each year, The Down East Magazine presents its Down East Environmental Award to an organization or individual who has made a significant contribution to the protection of Maine's land, air and waters. The Land for Maine's Future Program was selected for this prestigious award in 1996. The citation as read at a Blaine House ceremony held in June of 1996 is as follows:

In 1987, in the face of unprecedented development pressures, the voters of Maine created the land for Maine's Future Board and entrusted it with \$35 million to invest in saving outstanding examples of the state's landscape. Now, with the money almost gone, the Board has fulfilled its mandate far more successfully than anyone dared hope. Remarkable pieces of Maine, from bold coast to trackless wilderness, encompassing some 60,000 acres have been put aside for future generations. In recognition of its dedication, efficiency, and the hope it has given Maine for the future, the editors of Down East are pleased to present the Land for Maine's Future Board with the 1996 Down East Environmental Award.

Dale W. Kuhnert, Editor in Chief of Down East Magazine presented Governor Angus S. King Jr. and Evan D. Richert with a bronze plaque as shown below.

The Land for Maine's Future Program joins in a tradition of environmental leadership the recipients of the Down East Award as listed below:

Down East Environmental Award Winners

- 1979 -- Charles Bradford - father of Maine's state parks
- 1980 -- The Maine Voter - for approving the Bottle Bill
- 1981 -- Robert Cummings - Portland Press Herald reporter who rediscovered the public lots
- 1982 -- James Dorso - Gardiner, wood duck project
- 1983 -- Marion Fuller Brown - York, Billboard Law
- 1984 -- St. John Family - preserving Seawall Beach, Phippsburg
- 1985 -- Natural Resources Council of Maine - all-around advocacy
- 1986 -- Donald F. Mairs - pioneering regulations, Board of Pesticide Control
- 1987 -- Mort Mather - Laudholm Farm Trust, Wells
- 1988 -- David Field, Appalachian Trail Club

- 1989 -- The Nature Conservancy - Mason Morfit and Kent Womack for wilderness preservation
- 1990 -- Joseph Kelley - Geologist who helped draft key shoreland protection legislation
- 1991 -- Maine Coast Heritage Trust - Jay Espy, preserving bold coastlines and islands
- 1992 -- Clinton "Bill" Townsend - for a lifetime achievements, from Dickey-Lincoln to salmon restoration
- 1993 -- Tom Cabot - protecting Maine islands
- 1994 -- Maine Audubon Society - 150 years of achievement
- 1995 -- Bessie Phillips - Rangeley Lakes wilderness preservation
- 1996 -- Land for Maine's Future Program - for preserving tens of thousands of acres of Maine wilderness
- 1997 -- College of the Atlantic - for twenty-five years of environmental education and advocacy

LAND FOR MAINE'S FUTURE BOARD BIENNIAL REPORT TO THE LEGISLATURE

JANUARY 1998

I The Land for Maine's Future Fund

Purpose of the Fund

In November 1987, Maine voters approved by an overwhelming vote a referendum to create a \$35 million fund for purchasing lands of statewide significance for recreation and conservation. A sweeping recognition had come into focus, in large part due to the development boom of the 80's, that certain natural lands of Maine needed to be set aside for the public or they could be lost forever. Maine citizens recognized and acted on the need to have a program to actively identify and acquire public lands for conservation and recreation.

Along with the bond fund, companion legislation was also passed into law. It defined the kinds of lands that should be acquired and the criteria that should be used in selecting these lands; as well as the land protection tools available for use and how the Land for Maine's Future Board should be composed, undertake its decision-making responsibilities and fulfill its obligations to the Legislature. All lands acquired with the use of the Fund are to be held by the appropriate land-holding agency and are intended to remain in public ownership for the benefit of future generations. Lands acquired through the use of the Fund cannot be sold or used for purposes other than those stated in the statute unless approved by a 2/3 majority of the Legislature.

The Land for Maine's Future Fund has been financed by the sale of \$35 million in bonds. The allocation schedule of the bond funds took effect in November 1987, when the referendum was approved. At that time, \$5 million was authorized for Board use. In July 1988, a subsequent \$10 million of the bond was authorized to be available to the Board. Another \$10 million was authorized for use in July 1989 and the last \$10 million was made available in July 1990. All \$35 million of the bonds have been sold. All Bond Funds remaining in the Land for Maine's Future Bond account are committed to projects yet to close and access improvements not yet completed. A land for Maine's Future affinity credit card has generated a small revenue pool. The card program and its revenues are discussed later in this report.

Although allowed by the Land for Maine's Future Fund companion legislation, the federal Tax Reform Act of 1986 restricts the uses of bond fund interest. State law requires that interest on bond fund proceeds goes to pay off debt services.

The Fund may be used for acquiring land that meets the criteria outlined in the companion legislation, in either fee or less-than-fee simple interest. Less-than fee purchases may include, but not be limited to, conservation easements, access easements, scenic easements and other permanent interests in land. Long-term leases of at least 99 years in length are also possible.

The Board is also authorized to use the Fund to cover direct expenses related to authorized acquisition projects, such as appraisals, surveys, title work, associated legal costs, and project consultants when the expertise required for the completion of a project is not available within state government.

Minor capital improvements on acquired lands to improve accessibility are an allowable expense of the bond proceeds, as long as the improvements do not exceed 5% of the appraised value of the acquired property. This funding cannot be used for organized recreational facility construction or improvements such as tennis courts, ballfields and playgrounds.

The Land for Maine's Future Fund statute requires that all lands acquired with the Fund be evaluated for rare, threatened and endangered species, exemplary natural communities, features of historic significance and other high priority natural features and ecological functions. If such evaluations are not complete by the time of purchase, the Fund may be used for these activities.

A stewardship account may be established for the purposes of managing Land for Maine's Future Board-acquired lands. In acquisitions with matching funds not derived from a bond request, up to 20% of the appraised value of the property, or the amount of cash contributed as matching funds, whichever is less, may be placed into a stewardship account.

Amendments to Land for Maine's Future Legislation

Since January 1995, there have been four amendments to the Land for Maine's Future companion legislation. The first appears below and clarifies that Legislative approval is required or the consent of the landowner, in the event eminent domain is proposed by the Land for Maine's Future Board, and limits the requirement to the acquisition rather than the expenditure of funds. It is important to note that the Board has strictly adhered to a policy of working with willing sellers only. Even though eminent domain is referenced in our statutory language, **it has never been used.**

Eminent Domain

An Act to Restrict the Use of Eminent Domain Power

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA § 6207-A, as amended by PL 1993, c. 728, §11, is further amended to read:

§6207-A. Use of eminent domain

The board may expend funds to acquire an interest in land obtained by the use of eminent domain only if the ~~expenditure or~~ acquisition has been approved by the Legislature or is with the consent of the owner or owners of the land, as the identity and address of the owner or owners is shown on the tax maps or other tax records of the municipality in which the land is located. If the land is located within the unorganized territory, for purposes of this section the identity of the owner or owners must be as shown on the tax maps or other tax records of the State Tax Assessor.

effective date: September 29, 1995

Adding wilderness as a land value and refining the access provision.

The amendment detailed below establishes wilderness as a statutory condition of determining state significance and also establishes the provision that non motorized or motorized public access must be provided for on Land for Maine's Future acquisitions. This change, the history of which is explained in detail in the 1995 Biennial Report on pages 3 and 4.

Sec. D-1. 5 MRSA § 6207. sub-§2, ¶¶A and C, as enacted by PL 1987, c. 506, §§1 and 4, are amended to read:

A. Contains recreation lands, prime physical features of the Maine landscape, areas of special scenic beauty, farmland or open space, undeveloped shorelines, wetlands, fragile mountain areas or lands with other conservation, wilderness or recreation values;

C. Provides non motorized or motorized public access to recreation opportunities or those natural resources identified in this section.

effective date: September 29, 1995

Land for Maine's Future Credit Card

Governor Angus S. King Jr. initiated the suggestion that the Land for Maine's Future Program should investigate the idea of having an affinity credit card as a mechanism to raise funds for land conservation. The first amendment gives the Board the authority to issue a credit card to benefit the Land for Maine's Future Program. Its allocation schedule reflects the anticipated revenues which a credit card program could bring into the program. The second amendment was necessary after it was discovered that the definition of financial institution did not include issuers of only credit cards.

An Act to Authorize the Issuance of a Credit Card to Benefit the Land for Maine's Future Fund

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §6211 is enacted to read:

§6211. Land for Maine's Future Board-sponsored credit card

1. Land for Maine's Future Board-sponsored credit card. The Land for Maine's Future Board may enter into an agreement with a financial institution, as defined in Title 9-B, section 131, subsection 17, or a credit union, as defined in Title 9-B, section 131, subsection 12, to issue a credit card for the benefit of the Land for Maine's Future Board.

2. Agreement. If the Land for Maine's Future Board enters into an agreement with a financial institution or credit union in accordance with subsection 1, the Land for Maine's Future Board shall negotiate the most favorable agreement for the Land for Maine's Future Board, considering such factors as:

A. The rate for the Land for Maine's Future Board's fee by a credit card issuer;

B. The ability of the financial institution to market the card successfully; and

C. Customer service offered by the financial institution.

3. Distribution of proceeds. Funds received by the Land for Maine's Future Board under the agreement with the financial institution or credit union must be deposited in the Land for Maine's Future Fund.

effective date: September 29, 1995

Land for Maine's Future Credit Card

H.P. 1213 - L.D. 1663

**An Act to Clarify the Laws
Regarding the Issuance of a Credit
Card to Benefit the Land for Maine's
Future Fund**

Emergency preamble. **Whereas,** Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this Act addresses inadvertent limitations in legislation previously enacted to authorize a program beneficial to the Land for Maine's Future Fund; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §6211, as enacted by PL 1995, c. 358, §1, is amended to read:

§6211. Land for Maine's Future Board-sponsored credit card

1. Land for Maine's Future Board-sponsored credit card. The Land for Maine's Future Board may enter into an agreement with a financial institution, as defined in Title 9-B, section 131, subsection 17, ~~or~~ a credit union, as defined in Title 9-B, section 131, subsection 12, or other card issuer to issue a credit card for the benefit of the Land for Maine's Future Board.

2. Agreement. If the Land for Maine's Future Board enters into an agreement with a financial institution ~~or~~ credit union or other credit card issuer in accordance with subsection 1, the Land for Maine's Future Board shall negotiate the most favorable agreement for the Land for Maine's Future Board, considering such factors as:

- A. The rate for the Land for Maine's Future Board's fee by a credit card issuer;
- B. The ability of the financial institution or other credit card issuer to market the card successfully; and
- C. Customer service offered by the financial institution or other credit card issuer.

3. Distribution of proceeds. Funds received by the Land for Maine's Future Board under the agreement with the financial institution ~~or~~ credit union or other credit card issuer must be deposited in the Land for Maine's Future Fund.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

effective date: March 5, 1996

Board Composition

The eleven-member Board consists of six private citizens appointed by the Governor and five commissioners (Inland Fisheries and Wildlife, Marine Resources, Agriculture, & Conservation) including the Director of the State Planning Office. As called for in the companion legislation, the private members of the Board "provide broad geographic representation." The private members of the Board and their terms of service are:

<u>Board Member</u>	<u>Term began</u>	<u>Term expires</u>
Marion Fuller Brown (York)	09/20/95	01/31/98

Robert Suminsby (Northeast Harbor)	09/20/95	01/31/99
Roger Milliken, Jr. (Cumberland)	09/20/95	11/13/98
Alice Rand (Cape Elizabeth)	03/25/96	11/13/99
Warren Balgooyen (Norridgewock)*	6/11/97	1/31/2000
Dennis L. Higgins (Mattawamkeag)*	6/11/97	1/31/2000

* Warren Balgooyen replaced Clinton (Bill) Townsend of Skowhegan who had served the Board since 1988.

* Dennis L. Higgins replaced Richard Warren of Bangor who had served the Board since 1988.

State Agency Members (during the period covered by this Biennial Report):

Evan D. Richert, Chair, Director of the State Planning Office

Robin Alden, Commissioner of Marine Resources

Ronald Lovaglio, Commissioner of Conservation

Edward McLaughlin, Commissioner of Agriculture, Food and Rural Resources

Ray B. Owen, Jr., Commissioner of Inland Fisheries and Wildlife

Board Staff

Land for Maine's Future Program activity, during the period covered by this report, has declined as the Fund has been depleted and subsequently project activity has slowed. Only one call for proposals was issued during this period for the last \$305,000 of acquisition funds.

The administration of the program, including the bond fund, is the statutory responsibility of the State Planning Office. During the peak activity of the program, there were two full-time staffers assigned to the program. More recently staffing has been reduced to less than a half-time equivalent.

Mark P. DesMeules, Coordinator of the Ecology and Economics Team at the State Planning Office, took charge as Director of the Land for Maine's Future Program in January of 1995.

It is important to note that the Program relies extensively on State agency staff from the Department of Conservation and Inland Fisheries and Wildlife for many aspects of its work. On a project by project basis, various non-profit land trusts provide valuable services from surveys to legal services all of which save significant financial resources.

Board legal counsel is provided by J. Surran Pyne under a cooperative agreement with the Department of Transportation. In addition to Surran's direct counsel to the Board, the Legal Division of the Department of Transportation provides title, survey and extensive legal research, moreover, the staff provides administrative assistance in preparation and review of all closing documents.

Secretarial and support staff is provided by the existing staff at the State Planning Office.

Board Operations

The Board's original criteria remain in place and the process for evaluating them is the same as outlined in the February 1990 Biennial report. Highlights of the Board's acquisition criteria and selection process are outlined here.

The primary criterion for the selection of lands to be purchased by the Land for Maine's Future Program is that they be natural lands of state significance and contain recreation lands, prime physical features of the Maine landscape, areas of special scenic beauty, farmland or open space, undeveloped shorelines, wetlands, fragile mountain areas, or lands with other conservation or recreational values; contain habitat for plant or animal species or natural communities considered rare, threatened or endangered in the State; or provide public access to recreation opportunities or those natural resources described above.

A proposed acquisition has been recognized to be of state significance when the resource values or recreational opportunities are documented to be the best or among the best in the State by information from a data base, comprehensive published reports, or credible testimony. Such properties would provide public access to outdoor recreational opportunities or natural resources or contain multiple outstanding resources or recreational values of statewide significance as supported by the above-mentioned sources. In some cases, a property may contain a single exceptional value that is the best or among the best of that type or category of land in the State.

Priority is also given to projects with matching funds from cooperating entities and to those lands which provide geographic representation and build upon or connect to existing State holdings.

Land for Maine's Future Credit Card

On July 30 in a Blaine House ceremony, Governor Angus S. King Jr. unveiled the nation's first state sponsored credit card for public land acquisition. This new and innovative program provides a voluntary mechanism for those interested in supporting the work of the Land for

Maine's Future Program and further building the conservation legacy we are leaving for future generations. The "affinity card" features two beautiful scenes, one of Cutler Coast and one of Mt. Katahdin.

MBNA submitted the winning proposal. As specified in the RFP (Request for Proposals) advertised in March of 1996. A point scoring system built into the RFP as selection criteria placed emphasis in four key areas: experience and customer service, economic impact upon the state of Maine including job creation and positive revenue flow to tax paying institutions in Maine, comprehensiveness of the marketing program, and previous experience of the issuer.

Under terms negotiated with MBNA, the LMFP receives royalties whenever a card is used. Additional royalties are earned when new accounts are opened, renewed, or when the Program recruits new accounts through its own efforts. Promotion costs are paid by MBNA and all promotion materials are authorized by the Land for Maine's Future Board.

**Land for Maine's Future Credit Card Accounts
and Royalty Income Summary
through 12/31/97**

Quarter	Open Accounts	Active Accounts	Percent Active	Outstanding	Quarterly Royalty	Accumulated Royalty
Start						
3Q 96	1,517	691	46 %	\$ 983,005	\$2,495.83	\$2,495.84
4Q 96	2,236	1,295	58 %	2,344,142	\$5,730.18	\$8,226.01
1Q 97	5,443	2,128	39 %	3,862,673	\$8,314.54	\$16,540.55
2Q 97	5,450	2,599	48 %	4,736,510	\$6,847.01	\$23,387.56
3Q 97	6,226	2,637	42 %	4,583,857	\$7,583.23	\$30,970.79
4Q 97	6,194	2,935	47 %	5,904,360	\$8,537.65	\$39,508.44

Total earnings as of 12/31/97 \$ 39,508.44

* The Land for Maine's Future Board has decided to allow the royalties to accrue at least for another several months before discussing how to use them for land acquisition

Land Acquisition Priorities Advisory Committee

In January, 1996, Governor Angus King issued an Executive Order calling for the establishment of the Land Acquisition Priorities Advisory Committee. The Governor established the advisory committee to help chart the course for future land acquisition initiatives in Maine. This Committee composed of 18 members, represented a range of perspectives and came from all corners of Maine. It included individuals involved in outdoor recreation, real estate, farming,

forestry, large and small landowners, conservation groups, and land trusts. It also included representatives from State agencies involved in public land acquisition; the Land for Maine's Future Program, Department of Conservation and the Department of Inland Fisheries and Wildlife.

The time had come to look back over the activities and acquisitions enabled by the citizens of Maine through the \$35 million Land for Maine's Future bond issue passed by voters in 1987. How had we done, what had we accomplished, were changes needed and what course should we chart into the next millennium?

Specifically, Governor King asked the Committee to:

identify the types of land or interests in land that should be prioritized for acquisition by public and private conservation agencies;

review current public land ownership and protection to assess the geographic distribution, conservation and recreation values, and carrying costs of public lands;

establish statewide and regional goals for future acquisition;

consider whether a few large acquisitions are preferable to more numerous smaller acquisitions; and

recommend one or more funding sources for land acquisition.

The findings of the Committee and their final goals and recommendations as presented to the Governor in November of 1997 provide both insight into the past and guidance into the future. Seven public comment sessions were held throughout the state and were well attended by citizens representing a wide range of viewpoints. In total, the Committee listened to the comments of 193 people and read an additional 211 letters. The Committee found overwhelming support in favor of public land acquisition and high praise for the work of the Land for Maine's Future program. The overall findings listed below offers insight into how programs are viewed by the public and where changes should be considered.

LAND ACQUISITION PRIORITIES ADVISORY COMMITTEE

SOME IMPORTANT FINDINGS

LAND ACQUISITION PROGRAMS ARE WELL RECEIVED BY LANDOWNERS

GOOD RECORD OF BEING SENSITIVE/RESPONSIVE TO THE ISSUE OF LOCAL PROPERTY TAXES

THE “GOLDEN RULE” WORKS..WILLING SELLERS ONLY

LMFB’S OPEN PROCESS HAS GIVEN THE PROGRAM A GOOD PUBLIC IMAGE/REPUTATION

STAFFING LEVELS ARE INADEQUATE

NOT PROACTIVE ENOUGH - IN SOME CASES NOT AT ALL

PROTECTION OF LOCALLY SIGNIFICANT LANDS NEEDS GREATER EMPHASIS

NOT AGGRESSIVE ENOUGH IN SEEKING FEDERAL FUNDS

YOU NEED FUNDS TO ATTRACT FUNDS - FUNDING IS A CRITICAL NEED

MANAGEMENT COSTS MUST BE MORE CAREFULLY CONSIDERED DURING THE ACQUISITION PHASE...USER FEES ARE AN ACCEPTABLE WAY TO COVER MANAGEMENT COSTS

MISSING A MUNICIPAL GRANT COMPONENT..THE LOCALLY SIGNIFICANT LANDS ELEMENT

TOO LITTLE PUBLIC AWARENESS OF ACQUISITIONS - BENEFITS - SUCCESSES

COMMUNICATION BETWEEN STATE PROGRAMS NEEDS TO BE IMPROVED

SOUTHERN AND COASTAL MAINE LACKS ADEQUATE PUBLIC LAND RESOURCES

Below are the final goals and recommendations of the Land Acquisition Priorities Committee. You will find many of the findings above reflected in these goals and recommendations. Many specifically reference the Land for Maine’s Future Program.

**Land Acquisition Priorities Advisory Committee
Final Goals & Recommendations**

as Submitted to Governor Angus S. King, Jr.
November 1997

GOALS

Goal #1: *Increase public and private conservation ownership in Maine 10% by the year 2000 and double conservation lands by the year 2020.*

Focus Areas (in no particular order within their respective list):

Access to Water
Southern Maine Conservation Lands
Ecological Reserves
River Systems
Undeveloped Coastline

Other Important Land Acquisition Priorities:

Northern Forest Conservation Lands	Mineral Collecting Sites
Municipal/Urban Open Space	Islands
Trail Systems	Significant Mountains
Farm Land	Regional Parks
Additions & Access to Existing Public Lands	

Goal #2: *Ensure stable, long-term State land acquisition programs by establishing a reliable source of land acquisition funding.*

Goal #3: *Operate State land acquisition programs in a manner that reflects the interests of Maine people.*

RECOMMENDATIONS

Recommendation #1: *Establish a set of priorities to guide land acquisitions by the State over the next five years and beyond.*

Recommendation #2: *Maintain the current structure of State land acquisition programs, with the **Land for Maine's Future Program** facilitating communications among the various State land acquisition efforts.*

Recommendation #3: *Create a more proactive program to identify priority acquisition projects.*

Recommendation #4: *As part of the **Land for Maine's Future Program**, provide matching grants to municipalities for local open space acquisition.*

Recommendation #5: *Address land management costs in the acquisition process.*

Recommendation #6: Maintain a program that is responsive to landowner and municipal concerns.

Recommendation #7: Establish staffing levels to accomplish acquisition objectives.

Recommendation #8: Present Maine voters with a \$45 million land acquisition bond issue in 1998 to fund the **Land for Maine's Future Program**.

Recommendation #9: Establish an ongoing revenue source to provide a reliable long-term funding source for land acquisition.

Recommendation #10: Supplement and leverage state land acquisition dollars utilizing available public and private sources.

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II Land for Maine's Future Acquisitions 1995 - 1997

The Board first began acquiring properties in December of 1988. Proposals were invited from the general public, land conservation organizations, municipalities and state land management agencies.

Land for Maine's Future Program Acquisition Summary, January 1990 through December 1994.

Prior to January 1995, the period covered in the Board's second Biennial Report to the Legislature, the Board had acquired the following properties. Title holding agencies are also listed:

Exhibit I

Land for Maine's Future Purchases and Contributed Property December 1988-December 1994 (in chronological order)

<u>Property</u>	<u>Acreage</u>	<u>Shore frontage</u>	<u>Managing Agency</u>
Kennebunk Plains	1,041		Inland Fisheries & Wildlife
Dodge Point	497	1.5 mi-coast	Bureau of Parks & Lands
Shackford Head	90	2.5 mi-coast	Bureau of Parks & Lands
Mount Kineo	800	3.5 mi-lake	Bureau of Parks & Lands
Sandy Point Beach	100	.6 mi-coast	Bureau of Parks & Lands
Cutler Coast	2,100	4.5 mi-coast	Bureau of Parks & Lands
Tide Mill Farm	1,520 CE	5.25 mi-coast	Inland Fisheries & Wildlife

	3 fee		
Commissary Point	200 fee	2.0 mi-coast	Inland Fisheries & Wildlife
	50 CE		
Alice Wheeler Farm	306 PDR		Agriculture, Food, Rural Resources
Nahmakanta Township	29,692	42.25 mi-lakes	Bureau of Parks & Lands
Androscoggin River	1,972	12 miles-river	Bureau of Parks & Lands
Mattawamkeag River	4,119	15 miles-river	Inland Fisheries & Wildlife
Mattagodus Stream	1,425	4 miles-river	Inland Fisheries & Wildlife
Little Ossipee River	300	1 mile-river	Inland Fisheries & Wildlife
Sabattus Mountain	90		Bureau of Parks & Lands
Little Concord Pond	64		Bureau of Parks & Lands
Morgan Meadow	1,072		Inland Fisheries & Wildlife
Bradbury State Park	100		Bureau of Parks & Lands
Mt. Agamenticus-Amoskeag	266		Inland Fisheries & Wildlife
Mt. Agamenticus-Paul	144		Inland Fisheries & Wildlife
Mt. Agamenticus-Ramsdell	55		Inland Fisheries & Wildlife
Jamies Pond	550	2 miles-pond	Inland Fisheries & Wildlife
Mt. Agamenticus-Weare	8		Inland Fisheries & Wildlife
Androscoggin River-Walker	20		Bureau of Parks & Lands
Sebago Lake Beach	35	.2 mile-lake	Bureau of Parks & Lands
Aroostook Valley Row	144	18 mi railbed	Bureau of Parks & Lands
Sabattus Mountain Addition	87		Bureau of Parks &
Recreation			
Mt. Agamenticus-Parent	600.295		Inland Fisheries & Wildlife
Mark Island	24	1 mile	Inland Fisheries & Wildlife
Forest City	523 fee	4 miles-lake	Inland Fisheries & Wildlife
	13 CE		
Lake George	254	1.5 miles-lake	Bureau of Parks & Lands
Horan Head	235	2.25 mi-coast	Inland Fisheries & Wildlife
Salmon Brook Lake Bog	1,857	1.5 miles-lake	Bureau of Parks & Lands
Bald Mountain	1,873		Bureau of Parks & Lands
Androscoggin River-Bradford	240		Bureau of Parks & Lands
Spring River Lake	7,187	16.3 mi-lakes	Bureau of Parks & Lands
Spednic Lake	849.3 CE	16.13 mi-lake	Inland Fisheries & Wildlife
Bangor and Aroostook ROW	746.38	53 mi railbed	Bureau of Parks & Lands
Mt. Agamenticus-Ruch	31		Inland Fisheries & Wildlife
Mt. A-Moore s Falls	292		Inland Fisheries & Wildlife
Totals 42 Properties	59,282 acres fee	139 miles shorefront	
	2,471 acres CE		71 miles rail line
	61,752 total acres conserved		

Properties Contributed as Match

Egypt Bay	110	1 mile-coast	Inland Fisheries & Wildlife
Dodge Point	2	.1 mile-coast	Bureau of Parks & Lands
South Lubec Sand Bar	12	.7 mile-coast	Inland Fisheries & Wildlife
Aroostook Valley ROW	11.5	1 mi of railbed	Bureau of Parks & Lands
Totals 42 Properties	135.5 acres	1.8 miles shore	
		1 miles of rail line	

More detailed information and maps of these properties can be found in the January 1995 Biennial Report.

Since December of 1994 (The last month covered in the previous biennial report), 10 new properties including 13 separate parcels have been added to the 32 properties acquired since 1988. These new acquisitions bring the total acreage acquired using bond funds to 63,355 acres.

The 10 properties and 13 individual parcels acquired from January 1995 through December 1977 are described in the following pages. A map locating all of the Land for Maine's Future Acquisition appears on the following page.

SUMMARY OF THE FOREST CITY - MUD LAKE ACQUISITION

Proposal: Woodie Wheaton Land Trust & The Department of Inland Fisheries and Wildlife

Major Land Category: Recreation Lands

Other Land Categories: Water Access Lands; Areas of Scenic Interest and Prime Physical Features, Threatened or Endangered Natural Communities, Plants or Animals

Acreage: .6 acres
LMFB Score: 184
Lead Negotiator: Fred Hurley, Department of Inland Fisheries and Wildlife
Board Liaison: Mark P. DesMeules
Seller: Marie A. Duggan - Heffernan
Appraised Value: -----
LMF Bond Funds: \$2,500 + (legal fees \$ 1,268)
Project Contributions: \$2,500
Titleholding Agency: Department of Inland Fisheries and Wildlife
Partners: Department of Conservation
Closing Date: April 13, 1995

Property Description

The Mud Lake parcel is located approximately 7 miles east of Danforth and nearly adjacent to the Canadian border. This parcel is a small inholding which completes an acquisition which began in 1992 and is further described in the January 1995 Biennial Report. This .6 acre parcel is surrounded by this previous acquisition of 523 acres which includes all of the peninsula known as the "booming ground".

The natural features of this area include extensive stands of mature hemlock and spruce forest and other forest types in mature condition occurring on rugged and bouldered terrain. It is surrounded by two wetlands and over four miles of completely undeveloped river and lake shoreline in a wilderness setting. A traditional canoe route follows this section of the waterway including a set of falls, known as Mud Lake Falls, and three portage trails. The overall project began as one of the very first proposals received by the Board in September 1988.

This parcel is also within the St. Croix International Waterway. This Waterway is shared for its full length by the Province of New Brunswick, Canada and the State of Maine, USA. Shared too are the natural, historical and recreational resources that support its communities and economy. Because of these resources, the St. Croix has been designated by Canada and New Brunswick as a Canadian Heritage River and recognized by Maine as one of our twenty Outstanding Rivers.

SUMMARY OF THE MOUNT AGAMENTICUS ACQUISITIONS
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WESLEY HASTEY PARCEL

Proposal: The Nature Conservancy, Department of Inland Fisheries & Wildlife
Major Land Category: Conservation Lands
Other Land Categories: Areas of Scenic Interest and Prime Physical Features, Threatened or Endangered Natural Communities, Plants or Animals

Acreage: 9 ACRES
LMFB Score: 196

Lead Negotiator: Roberta Jordan, The Nature Conservancy
Board Liaison: Mark P. DesMeules
Seller: Wesley Hastey
Appraised Value: \$4,500
LMF Bond Funds: \$4,500 + (legal fees \$500)
Project Contributions: in kind services
Titleholding Agency: Department of Inland Fisheries and Wildlife
Partners: The Nature Conservancy
Closing Date: September 13, 1995

WHICHER LOTS

Proposal: The Nature Conservancy, Department of Inland Fisheries and Wildlife
Major Land Category: Conservation Lands
Other Land Categories: Areas of Scenic Interest and Prime Physical Features, Threatened or Endangered Natural Communities, Plants or Animals

Acreage: 12 acres and 9.8 acres (total of 21.8 acres)
LMFB Score: 196
Lead Negotiator: Roberta Jordan, The Nature Conservancy
Board Liaison: Mark P. DesMeules
Seller: Robert E. Whicher and Edgar R. Whicher
Appraised Value: \$16,462
LMF Bond Funds: \$16,462 + (legal fees \$500)
Project Contributions: in kind services
Titleholding Agency: Department of Inland Fisheries and Wildlife
Partners: The Nature Conservancy
Closing Date: January 2, 1996

Project Description

Mount Agamenticus is located approximately five miles east of South Berwick, York County. It has been a long-term focus of the Land for Maine's Future Program beginning in 1988 when the Board was presented a proposal by the Tri-Town Coalition, a group of interested citizens from the towns of York, South Berwick and Eliot. Over 1,463 acres have been acquired here with constant support from The Nature Conservancy.

The Mount Agamenticus area contains a cross-section of ecosystem types more common in the landscape pattern found in central and southern New England. Extensive mixed hardwood forests with chestnut oak and shagbark hickory dominate the ridge tops. Black gum or Tupelo is found with other unusual plant species such as spice bush in red maple swamps and an Atlantic White Cedar stand is found at the base of the mountain in a fen. A portion of a chestnut oak

stand that is a registered Maine Critical Area is protected within the previously acquired area. Mount Agamenticus is also a major habitat area for the rare Blending and spotted turtles and the area abounds with some of Maine's finest examples of vernal pools.

Some of the current uses of Mount Agamenticus are hiking, picnicking, hunting, cross-country skiing, snowmobiling, nature study and scientific research. There are several deer wintering areas and the mountain was the first release site in Maine for wild turkey. The variety of natural ecosystems and the number of rare and endangered species of plants and animals in the area already provides a basis for ecological research and environmental education.

The Department of Inland Fisheries and Wildlife coordinates the management of the Mount Agamenticus area with an eye on preserving its scenic quality and endangered species, and promoting responsible recreational use including hunting, hiking, cross-country skiing, nature study, bird watching and other dispersed, low-impact uses of the land.

GRAND LAKES STREAM ACQUISITION AND CONSERVATION EASEMENT

Proposal: Maine Coast Heritage Trust

Major Land Category: Recreational Lands

Other Land Categories: Water Access Lands, Lands Supporting Vital Ecological or Conservation Functions and Values, Areas of Scenic Interest and Prime Physical features

Acreage: 163 Acres in fee 108 Acres conservation easement (271 acres total)

LMFB Score: 176

Lead Negotiator: Caroline Pryor, Maine Coast Heritage Trust

Board Liaison: Mark P. DesMeules

Seller: Georgia-Pacific Resins, Inc.

Appraised Value: \$270,000

LMF Bond Funds: \$70,000 + (legal fees \$4,839)

Project Contributions: \$195,161

Titleholding Agency: Department of Inland Fisheries and Wildlife

Partners: Maine Coast Heritage Trust, National Fish & Wildlife Foundation, Trout Unlimited, Grand Lake Stream Plantation, L.L. Bean, Davis Conservation Foundation, Georgia Pacific, Friends of Grand Lake Stream, The Conservation Fund.

Closing Date: October 4, 1995

Project Description

The Grand Lake Stream acquisition lies immediately to the south of the town of Grand Lake Stream. This swift running stretch forms a connector between West Grand Lake and Big Lake. The property includes almost all of the undeveloped shoreline on both sides of the stream (approximately 3.3 miles of frontage). An additional 4,000 feet on Gardner Brook, a tributary of Grand Lake Stream, is included for a total of more than 4 miles of frontage. This one acquisition protects essential land on both sides of this blue-ribbon resource.

The property includes 163 acres of fee land on the east side of the stream, including the access points and the traditional footpath used by sportsmen. A conservation easement on the 108 acres on the west side of the stream will provide a 500 foot undeveloped buffer to protect water quality as well as the quality of the recreational resource.

This outstanding acquisition ensures that the citizens of Maine will always have access to the following public benefits:

- protection of one of the top five salmon river fisheries in Maine (1500-2000 angler days/year);
- protection of a significant spawning and nursery stream for wild and stocked populations of landlocked salmon;
- continuation of the stream's traditional use and enjoyment by sportsmen and outdoor enthusiasts;
- support for Maine's unique cultural heritage of sporting camps, an important part of the Grand Lake Stream economy;
- usage of the stream for tubing in the summer;
- protection of habitat for feeding eagles, osprey, mink, otter, beaver and breeding black ducks, mergansers, and golden eyes; and
- protection of a sacred resource of the Passamaquoddy Tribe including burial and petroglyph sites.

A partnership deserving high praise is what made this success possible. Maine Coast Heritage Trust, a statewide conservation organization, took the lead and assembled support from

the Conservation Fund, Trout Unlimited, Grand Lake Stream Plantation, Davis Conservation Foundation, L.L. Bean, National Fish & Wildlife Foundation, Friends of Grand Lake Stream, dozens of individuals and Georgia-Pacific.

ANDROSCOGGIN RIVER - TWITCHELL LOTS ACQUISITION

Proposal: Department of Conservation, Bureau of Parks and Lands

Major Land Category: Recreational Lands

Other Land Categories: Areas of Scenic Interest and Prime Physical Features, Threatened or Endangered Natural Communities, Plants or Animals

Acreage: 45 acres and 10 acres (total acreage = 55)

LMFB Score: 180

Lead Negotiator: Herb Hartman, Department of Conservation

Board Liaison: Mark P. DesMeules

Seller: Gard S. Twitchell and Shirley Twitchell

Appraised Value: \$30,000

LMF Bond Funds: \$30,000 + (legal fees \$1,152)

Project Contributions: in kind services

Titleholding Agency: Department of Conservation, Bureau of Parks and Lands

Partners: Department of Conservation

Closing Date: January 31, 1996

Project Description

Located five miles north of Lewiston and along the east shore of the Androscoggin River. The Twitchell acquisition has long been of interest because it nearly divides existing DOC ownership in two.

This area is one of the most important recreation areas located along the Androscoggin River in Turner and Leeds. It is frequently used for a variety of recreational uses including hunting, fishing, boating, snowmobiling and cross-country skiing.

The overall project was first proposed to the Board by a local group, the Androscoggin Riverlands Preservation Council, in September of 1989. This group later became an official land trust organization and continues its conservation work along the river and in assisting the Bureau of Parks and Lands to develop management and use guidelines.

SUMMARY OF THE BURNT ISLAND & SHEEP ISLAND ACQUISITIONS

Proposal: The Nature Conservancy

Major Land Category: Rare, Threatened or Endangered Natural Communities, plants & Wildlife Habitat

Other Land Categories: Recreational Lands; Water Access Lands; Land Supporting Vital Ecological or Conservation Functions and Values; Areas of Scenic Interest and Prime Physical Features.

Acreage: Burnt Island - 15 acres, Sheep Island - 25 acres (total acreage = 40 acres)

LMFB Score: 200

Lead Negotiator: Roberta Jordan, The Nature Conservancy

Board Liaison: Mark P. DesMeules

Seller: James Lannon, Patricia Lannon Brown, William Lannon

Appraised Value: \$220,000 (Burnt Island) \$366,000 (Sheep Island)

LMF Bond Funds: \$ 29,750 + (legal fees \$1,610)

Project Contributions: \$554,640

Titleholding Agency: Department of Inland Fisheries and Wildlife

Partners: The Nature Conservancy

Closing Date: February 29, 1996

Property Description

Burnt Island is a 15 acre undeveloped coastal island located northeast and just off shore of North Haven. It has a cobble beach along the western shore, and a large beach on the eastern side. This island is part of the habitat utilized regularly by one of Maine's most successful pair of bald eagles which nested up until 1989 on adjacent Sheep Island. The eagle pair fledged more than 21 eaglets from 1972 to 1989. Burnt is also part of a Class A Coastal Wildlife Concentration Area, providing habitat for a variety of other coastal seabirds.

Sheep Island is a 25 acre undeveloped coastal island located just southeast of Burnt Island. It currently supports a nesting pair of bald eagles.

Burnt Island and Sheep Island meet all three of the tests of "state significance" for the following reasons:

The acquisition will guarantee public access to an island which has been identified as part of a Class A coastal wildlife concentration area, a designation given only to areas of national and/or state significance (see Penobscot Bay Conservation Plan (Woodward, S. and A. Hutchinson, M. McCollough, State Planning Office, March 1987.)). It will also guarantee public access to an island with a popular beach area that has traditionally been used by the public for passive recreation and picnicking.

The acquisition has multiple outstanding resources or recreational values of state importance. In addition to being part of the most productive bald eagle habitat on the Maine coast, the island provides for a number of other important species. Population surveys for Burnt Island completed at the time of the Woodward study (reference above) indicated the presence of greater than 1% of the species population in Penobscot Bay for the following species: Common Loons, Canada Geese, Mergansers and Old Squaws.

The area is also in the midst of a popular statewide recreation corridor. The Maine Island Trail (a 325-mile long waterway extending from Casco Bay to Machias Bay) includes stops on nearby Pond, Butter, Little Thoroughfare, and Calderwood Islands (also shown on attached map).

This project demonstrates how the Land for Maine's Future Program, through its conservation partnerships with private non-profits, in this case The Nature Conservancy, added a significant value to a state investment. An investment of \$30,000 of Land for Maine's Future bond funds resulted in a net value to the citizens of Maine of \$586,000. The Board thanks The Nature Conservancy for its conservation work and generosity to the state of Maine.

DUCKTRAP - SHETTLER/DYER ACQUISITION

Proposal: Maine Coast Heritage Trust, Coastal Mountains Land Trust

Major Land Category: Vital Ecological or Conservation Functions

Other Land Categories: Recreation Lands, Water Access Lands, Rare, Threatened or Endangered Natural Communities, Plants, Animals or Wildlife Habitat,

Acreage: 123 acres

LMFB Score: 176

Lead Negotiator: William B. Zwartjes, M.D.

Board Liaison: Mark P. DesMeules

Seller: Ducktrap Associates (Theodore Shettler and Thomas M. Dyer)

Appraised Value: \$80,000

LMF Bond Funds: \$49,600 + (legal fees \$2,066)

Project Contributions: \$28,334

Titleholding Agency: Department of Conservation, Bureau of Parks and Lands

Partners: Maine Coast Heritage Trust, Coastal Mountains Land Trust

Closing Date: April 30, 1996

Project Description

This wild riverine tract is located two miles northwest of Lincolnville and protects nearly one mile of the Ducktrap River. It also includes 431 feet of frontage along Cobb Town road. Kendall brook runs through the middle of the property.

The Ducktrap River is one of the seven Atlantic Salmon downeast rivers named in the State's Atlantic Salmon Conservation Plan. This acquisition protects a stretch of the Ducktrap River documented as critical rearing and spawning habitat for the Atlantic Salmon inhabiting the river.

This tract is heavily wooded and contains a small wetland in its central portion. The terrain is mostly rolling with the highest elevation of 250 feet at the southern end east of the Ducktrap River. Protection of this parcel will help to preserve the clean and cold waters of Kendall Brook and it assures that both sides of the Ducktrap for nearly one mile will remain free from threats.

In addition to the important ecological characteristics of the property, it holds significance for Camden Hills State Park and the Tanglewood Camp. The bridge across the river at Tanglewood enters directly onto the property and trails crossing the land from the bridge are widely used by the public for a variety of recreational pursuits.

The conservation of this parcel has served as a catalyst for further protection of this nearly pristine river and it has bolstered the efforts of the Ducktrap Coalition, a partnership of town officials, land owners, environmental professionals, and other all working cooperatively to ensure that the Ducktrap River remains one of Maine's outstanding rivers.

WILSHORE FARMS CONSERVATION EASEMENT

Proposal: Town of Falmouth and The Trust for Public Land

Major Land Category: farmland and Open Space

Other Land Categories: Recreation Lands, Water Access Lands, Lands Supporting Conservation Functions, Lands Supporting Wildlife Habitat

Acreage: 183 acres

LMFB Score: 52

Lead Negotiator: Mark P. DesMeules

Board Liaison: Mark P. DesMeules

Seller: Town of Falmouth

Appraised Value: \$114,000

LMF Bond Funds: \$50,000 + (legal fees \$3,778)

Project Contributions: \$60,222

Titleholding Agency: Department of Inland Fisheries and Wildlife

Partners: Town of Falmouth, Trust for Public Land

Closing Date: July 1, 1996

Project Description

Located $\frac{3}{4}$ of a mile northeast of North Falmouth and adjacent to the West Branch of the Piscataqua River. The project incorporates multiple resource values including wildlife, recreation, open space, and agriculture. It is located within 10 minutes of downtown Portland, making it an important asset for the State's most populated region.

A network of existing trails including a farm road provide convenient access for the public. Nearly one mile of frontage along the West Branch of the Piscataqua River not only provides access to this popular fishing stretch but ensures protection of this state-identified high value fishery.

This project provides for open space and recreational lands in one of Maine's most rapidly growing areas. It's value to the surrounding communities and to the greater Portland area will only increase over time.

SUMMARY OF THE BACK RIVER - LYONS ACQUISITION

Proposal: Maine Coast Heritage Trust, Lower Kennebec Regional Land Trust, Department of Inland Fisheries & Wildlife

Major Land Category: Land Supporting Vital Ecological and Conservation Functions

Other Land Categories: Recreational Lands; Water Access Lands; Areas of Scenic Interest and Prime Physical Features, Farmland and Open Space, Rare, Threatened or Endangered Natural Communities, Plants or Animals

Acreage: 168

LMFB Score: 185

Lead Negotiator: Caroline Norden, Maine Coast Heritage Trust

Board Liaison: Mark P. DesMeules

Seller: Ray and Shirley Lyons

Appraised Value: \$385,000

LMF Bond Funds: \$70,000 + (legal fees \$590)

Project Contributions: \$314,410

Titleholding Agency: Department of Inland Fisheries and Wildlife

Partners: Maine Coast Heritage Trust, Dept. of Inland Fisheries & Wildlife, The Nature Conservancy, U.S. Fish & Wildlife Service

Closing Date: August 7, 1996

Property Description

The Lyons tract consists of 168 acres of marsh and upland located on the eastern shore of Arrowsic Island southeast of Bath and Woolwich. The land is on a narrow estuarine river, the Back River. It is dominated by large expanses of salt marsh along the northern shoreline. The upland area, though mostly forested, contains a diversity of habitat types. Red oak, juniper, and huckleberry dominate the dry ledge areas. Mixed hardwood/softwood dominate the richer soil sites and white pine, birch and poplar are found in areas which were once farmed but now abandoned and growing back.

It is the most important waterfront parcel along the 6-mile Back River Corridor, the last stretch of primarily undeveloped river frontage in this part of the state known for its superb wildlife scenic and recreational values. It is within the Lower Kennebec Merrymeeting Bay Focus Area, which was established by the Maine Wetlands Protection Coalition.

This property offers a wide range of values to the citizens of Maine. The property's coastal wetland systems provide habitat for feeding and migrating black ducks, redbreasted mergansers, buffleheads, golden eyes, and other waterfowl. In addition, the property offers foraging ground for two nearby eagle's nests as well as migrating shore and wading birds. The upland habitat serves as a buffer to minimize degradation and disturbance of the wetland habitat. The river itself supports major fisheries, including striped bass, Atlantic short-nosed sturgeon (federally listed), shad, rainbow smelt and Atlantic salmon.

- 1) It provides public access to the Back River for recreation and appreciation of the area's natural resources. As one of the few remaining wild stretches of river frontage within the mid-coast area, the Back River offers outstanding recreational and wildlife observation opportunities (MCHT, Coastal Inventory, 1994).
- 2) It supports and buffers more than 390 acres of highly productive marshlands areas, which areas are relatively rare along this section of the coast and functionally threatened by increasing upland development (Stu Fefer, Gulf of Maine Project).
- 3) Its riparian habitat serves three important functions: a) to prevent degradation of the adjoining wetlands from activity resulting in siltation or pollution; b) to act as a disturbance buffer for the adjoining wetlands; and c) the riparian habitat, itself, has high wildlife conservation value.
- 4) It contains multiple outstanding recreational values, including hiking, cross country skiing, bird watching, nature study, and shoreline access for fishing and canoeing and hunting.
- 5) It contains multiple outstanding resources, including highly scenic shore frontage, two rare plant occurrences, nationally significant concentrations of coastal wildlife, foraging habitat for two nearby eagle's nests, priority marsh and wetland areas, and open space value as a productive woodlot.

6) It serves as a buffer area to protect the integrity of long-term ecological research being conducted by the University of Maine on an adjacent parcel (see Appendix D).

7) It contains a single exceptional value in being one of the most important areas identified for protection of critical waterfowl habitat and coastal wetland ecosystem within the Merrymeeting Bay Lower Kennebec Focus area. (Merrymeeting Bay and Lower Kennebec River, Focus Area Habitat Protection Projects. A Component of the Atlantic Coast Venture of the North American Waterfowl Management Plan. IF&W report, 1992)

SUMMARY OF THE RAPID RIVER CONSERVATION EASEMENT

Proposal: Department of Inland Fisheries and Wildlife

Major Land Category: Land Supporting Vital Ecological and Conservation Functions

Other Land Categories: Recreational Lands; Water Access Lands; Areas of Scenic Interest and Prime Physical Features, Threatened or Endangered Natural Communities, Plants or Animals

Acreage: 446 acres

LMFB Score: 180

Lead Negotiator: Fred Hurley

Board Liaison: Mark P. DesMeules

Seller: Pingree Family and Crown Paper Company

Appraised Value: \$275,000

LMF Bond Funds: \$300,724 + (legal fees 12,911)

Project Contributions: in kind

Titleholding Agency: Department of Inland Fisheries & Wildlife

Partners: Department of Inland Fisheries & Wildlife

Closing Date: July 23, 1997

Property Description

The Rapid River is a six mile long river with a spectacular 3.5 mile section of whitewater rapids located west of Lower Richardson Lake in Oxford County. The Rapid River is known as one of the State's most significant whitewater rapid sections for canoeing and kayaking. The river contains 3.5 miles of continuous Class III-V rapids, and a number of impressive individual rapids. Proceeding down stream, the individual rapids are: Cluley's Rip, Elephant Rock, Cold Spring Rapid, Smooth Ledges, Island Rip, and the Devil's Hopyard. The conservation easement encompasses 3.5 miles of the river..

Rapid River flows in a northwesterly direction and drops approximately 156 feet in six miles. The river flows from Lower Richardson Lake to Lake Umbagog. The river flow is measured and regulated at Middle Dam to provide the necessary flow rate in the Androscoggin River for hydropower operations. The average flow is upward to 1,000 cubic feet per second producing 4 to 6 foot standing waves.

Rapid River is known locally and regionally as a premier fishing resource. The entire Rapid River is a nursery for significant populations of brook trout and landlocked salmon. Pond in the River and several small pools in the river are spawning areas for trout and salmon.

It's riverbed is ledgy and strewn with boulders. The rapids are developed on both lag deposits and bedrock. The area's bedrock is composed primarily of granodiorite. Smooth Ledges has excellent exposures of granodiorite.

Rapid River is undeveloped, except for one cabin, and exceptionally scenic. A cluster of old-growth white pine grow near Smooth Ledge. Thick stands of white pine, balsam fir, northern white cedar and red spruce grow along the river banks.

The state significance of the Rapid River is well documented. The Rapid River is described as being of state significance in Maine's Whitewater Rapids (Janet McMahon. 1981. Critical Areas Planning Report No. 74, Maine State Planning Office. 157 pp). The Rapid River is also listed on the State's Register of Critical Areas. In addition, the Rapid River is listed as a state significant river for its natural and recreational values in the Maine Rivers Study (Maine Department of Conservation. 1982. 249 pp).

Makes an important contribution to the bi-state Lake Umbagog conservation effort aimed at preserving the recreational and biological diversity of the area. Among the partners in this effort are the U.S. Fish & Wildlife Service, many land trusts, Fish & Wildlife Departments from Maine & New Hampshire, The Nature Conservancy (NH & ME), and the Society for the Protection of New Hampshire Forests.

SUMMARY OF THE RANGELEY RIVER CONSERVATION EASEMENT

Proposal: Rangeley Lakes Heritage Trust

Major Land Category: Land Supporting Vital Ecological and Conservation Functions

Other Land Categories: Recreational Lands; Water Access Lands; Areas of Scenic Interest and Prime Physical Features, Threatened or Endangered Natural Communities, Plants or Animals

Acreage: 150

LMFB Score: 180

Lead Negotiator: Nancy Perlson, Rangeley Lakes Heritage Trust

Board Liaison: Mark P. DesMeules

Seller: Union Water & Power Company

Appraised Value: \$250,000

LMF Bond Funds: \$80,100 + (legal fees \$1,446)

Project Contributions: \$168,454

Titleholding Agency: Department of Inland Fisheries and Wildlife

Partners: Rangeley Lakes Heritage Trust

Closing Date: December 1997

Property Description

The Rangeley River conservation easement consists of 150 acres encompassing both sides of the River and located immediately to the north of the town of Oquossoc, extending from the area of Indian Rock up river to the area of the fish hatchery. It includes 6,450 feet of frontage on the Rangeley River and 4,050 feet of frontage on Mooselookmeguntic and Cupsuptic Lakes.

This stretch represents a vital connection between two of Maine's most pristine and valuable lakes from both a resources and public recreation perspective. Mooselookmeguntic and Rangeley Lakes have been rated as Class 1A lakes for their outstanding shoreline character, fish and wildlife habitat, and scenic, recreational and cultural values. The Rangeley River serves as a geographical and ecological link between these two important lakes.

This conservation easement guarantees public access and the long-term protection of a wide array of resource and recreational values.

It is a popular fishing area drawing anglers from all over New England to catch landlocked salmon and brook trout. The legendary smelt runs in the Rangeley River brought people from across the state until the area was closed to dip netting in 1968 to allow this resource to recover and provide forage for the resident salmon population.

The Rangeley Lakes Snowmobile Club maintains a trail and bridge on the property. This serves as a vital link to a vast network of trails throughout this region. These trails also are frequently used by cross country skiers and for hiking during the summer months.

Canoeing provides easy access to the property from Mooselookmeguntic Lake where residents and visitors can appreciate the surrounding acres of wetland and the wildlife which inhabit them.

It also provides protection for a deer wintering area of statewide significance.

A public meeting was held by the Land for Maine's Future Board in Rangeley on November 27, 1996. The meeting was held at the request of the town manager for the purpose of learning more about the project. Forty five people attended, over half commented specifically on the importance of this protection effort to the local economy and unanimous support was provided the Board at the close of the meeting.

III. Land for Maine's Future Program: Financial Report

**Land for Maine's Future Program
General Fund Expenditures
January 1, 1996 thru December 31, 1997**

C & O	Description	1/1/96 - 12/31/96	1/1/97 - 12/31/97
	Salary	\$ 10,695.14	\$ 10,793.59
	Fringe	4,652.34	4,707.15
	Salary/Fringe estimated @ 25%	<u>\$ 15,347.48</u>	<u>\$ 15,500.74</u>
4000	Contractual	3,000.00	
4200	Travel	119.10	229.89
4607	Rental of Rooms		425.00
4672	Rent of St. Vehicle	50.16	577.72
4909	Courier	600.55	175.13
4911	Meter Postage	249.91	1,936.92
4916	Conference Charges	105.00	143.30
4929	Printing/Binding		116.81
4938	Photocopying		281.68
4939	State Printing	1,242.42	1,214.91
4946	Advertising Notices	4,526.07	1,212.73
4982	Periodicals	412.48	
5150	Food		264.79
5301	Office Supplies	140.42	128.50
5627	Purchase of Books	143.50	

Closing Budget Statement Explanation

The figures above represent the remaining Land for Maine's Future Bond Funds minus all outstanding financial obligations. While the reference is "Adjusted Balance", all of these funds are obligated for access improvements on existing LMFP projects.

During the ten years of LMFP project activity legal project costs have been the most unpredictable expense category. As the Board moves towards closing out the 1987 bond fund, the Board wants to be sure that all legal expense obligations have been covered before dispersing the remaining funds for access improvement projects. Therefore, only after all project activity has ceased will these remaining funds be distributed to the Department of Inland Fisheries and Wildlife and the Department of Conservation, based on need and governed by detailed access improvement plans accepted by the Board.

Appendix I

Land for Maine's Future Board

Meetings Scheduled

Dates

Locations

September 24, 1997
March 5, 1997

State Planning Office, 184 State Street, Augusta, Maine
State Planning Office, 184 State Street, Augusta, Maine

November 27, 1996
October 16, 1996
April 25, 1996
January 19, 1996

Rangeley, Maine
State Planning Office, 184 State Street, Augusta, Maine
State Planning Office, 184 State Street, Augusta, Maine
State Planning Office, 184 State Street, Augusta, Maine

October 16, 1996
May 26, 1995
March 15, 1995

State Planning Office, 184 State Street, Augusta, Maine
State Planning Office, 184 State Street, Augusta, Maine
State Planning Office, 184 State Street, Augusta, Maine

Appendix II

References included in this Report and Board Publications

REFERENCES

S. Woodward, A. Hutchinson, and M. McCollough, *Penobscot Bay Conservation Plan*, State

Planning Office, March 1987.

Final Report and Recommendations of the Land Acquisition Priorities Advisory Committee,
State Planning Office, November 1997.

Coastal Inventory, Maine Coast Heritage Trust, 1994.

Merrymeeting Bay & Lower Kennebec River, Focus Area Habitat Protection Projects. A
Component of the Atlantic Coast Venture of the North American Waterfowl Management Plan,
Inland Fisheries & Wildlife report, 1992.

J. McMahon, Maine's Whitewater Rapids, 1981. Critical Areas Planning Report No. 74, State
Planning Office, pp 157.

Maine Rivers Study, Department of Conservation, 1982, pp 249.

BOARD PUBLICATIONS

Land for Maine's Future Board Biennial Report, January 1995

Land for Maine's Future Board Biennial Report, February 1990

Land for Maine's Future Fund Proposal Workbook, revised January 1989

Land for Maine's Future Fund Strategy & Guidelines for Acquisition, revised August 1990

The History of the Land for Maine's Future Program brochure

Land for Maine's Future Program Facts