

## Meeting Summary

October 20, 2004 1-3pm – Shin Pond Village

Commissioner Patrick McGowan (Maine Department of Conservation) opened the meeting, welcoming everyone and thanking them for attending. Also touched on:

- Task Force will consider statewide access issues
- Group's work is crucial for future generations
- Need to look at the big picture
- Focus on issues that the committee can readily make progress on
- Explore potential solutions through both the Legislature and Executive branch
- Task Force membership is diverse and talented
- Many more individuals who expressed interest in serving than available positions

Commissioner McGowan then covered the ground rules for Task Force meetings, these include:

- He will make sure everyone has a chance to speak
- Need to keep conversation on track
- Maintain respectful environment

He recognized that there will be significant information/research that will need to be gathered and provided to the participants.

The task force participants were asked to go around the table, introducing themselves and sharing a few thoughts on their interest in serving on the task force:

- Commissioner Danny Martin – Department of Inland Fisheries and Wildlife
- Peter Pray – registered Maine Guide, former owner of Big Eddy Campground, former Great Northern employee, past president Fin and Feather
- Rep. Ray Wotton – Houlton area, serves on IFW Committee, farmer
- Roxanne Quimby – Director of Elliotsville Plantation, optimistically looking forward to learning what the participants have in common
- Gordon Gamble – Wagner Forest Management, licensed forester, experience in Western Maine, served on Bureau of Parks and Lands Statewide Comprehensive Outdoor Recreation Plan (SCORP) committee
- Kevin Slater, lives in Newry, owner of Mahoosic Guide Service, in 15 years of business the four original landowners he had relationships with only Seven Islands is the same, others have turned over 2-5 times
- Sarah Medina – sitting in for John Cashwell of Seven Islands, manages 1 million acres of forestland, hopes task force will look at collaborative efforts that work like North Maine Woods, cited poll done by the Sportsmen/Landowners Alliance that found landowners and land users have much in common
- Sen. Paul Davis – Piscataquis County, wants the best for his kids and grandkids, wants access to continue, but doesn't want to be a burden on landowners, pleased Roxanne attending and that the Governor appointed her
- Ken Conaster – Bowlin Camps, has owned sporting camps in an number of other states, brings his ideas from other places here to Maine, is looking forward to

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- retiring in Maine, concerned about landowner rights, needs to be a balance of uses, allowing use should bring taxpayer benefits to landowners, work of task force needs to be big picture, statewide approach
- Bob Meyers, Maine Snowmobile Association, represents 290+ clubs, 13,000 miles of trails on private land (this is a secondary use), very concerned about landowner relationships, concerned that state regulations make things more difficult for landowners
  - John Simko, Greenville Town Manager, Piscataquis Co. native, room enough for everyone, need space for multiple uses, anxious for targeted action
  - Carolann Ouellette, Maine Office of Tourism, DECD, small business owner and rafting guide from Jackman
  - Ralph Sarty – retired IFW warden, representing the East Branch Economic Protection Coalition, recognizing the economic impact of access is critical, want to continue to work with landowners, avoid confrontational issues, want to work within the task force to move his group's agenda forward
  - Don Dudley – Matagamom camps, recently sold the camps, still guides, would like to enhance the strengths of North Maine Woods, optimistic that solutions can be found
  - Mark Scarano – Piscataquis County Economic Development Council Director, feels that Maine land carries a social responsibility, diverse land use is key, he's looking for balanced approaches
  - Sen. Stephen Stanley – Medway, papermaker, has been involved with land access issues for seven years, has concerns about leaseholder issues, need to recognize where we have problems, then need to work out our differences
  - Brian Wentzel – AMC – filling in for Walter Graff
  - Bruce Kidman – The Nature Conservancy, reiterated the importance of looking at access issues from a statewide perspective, need to weigh the importance of ecological values, TNC allows hunting on all but two parcels, partner with snowmobile clubs, seek a balance between property rights and community responsibility, proud of leaseholder relations
  - Tim Glidden – Land for Maine's Future program, public access has been at the core of LMF since its inception, reciprocal responsibilities of users and landowners
  - John Cashwell of Seven Islands joined the meeting as introductions were concluding

Commissioner McGowan – summarized the groups sentiments, adding;

- Governor wants the group to look at long term economic trends impacting land use
- Noted that this administration has not shied away from the term “wilderness”
- Maine is unique in how we allow people to use our land
- There has been great turnover in land ownership in recent years
- Recognized the landowners may be considering charging for access

All those in attendance were asked to introduce themselves:

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- Bart DeWolf – Elliotsville Plantation
- Rebecca Rundquist – Elliotsville Plantation
- Rhoda Houtz – Mt. Chase town clerk
- Richard Snow – Town of Denmark
- George Rice
- Tom Chase
- Marie Chase
- Jim Fitzpatrick
- Buzz Caverly – Director, Baxter State Park
- Chris Drew – Head Warden, Baxter State Park
- Charlie Later – IFW
- Ken Perkins
- Joe Christiansen – Matagamom Wilderness
- Greg Burns
- Andy Hart – Huber forester
- Diana Dudley
- Steve Spencer – Bureau of Parks and Lands
- Daryl Kessler – Community Press
- Al Cowperthwaite – Director, North Maine Woods
- Craig Hill – Shin Pond Village
- Terry Hill – Shin Pond Village
- Doug Denico – Plum Creek
- Dwaine Lord
- Teresa Lord
- Scott Ramsay – Bureau of Parks and Lands
- Rick Hill – past president Maine Guides
- Erik Anderson - Department of Conservation
- Karin Tilberg – Deputy Commissioner, Department of Conservation
- David Soucy – Director, Bureau of Parks and Lands

David Soucy, Bureau of Parks and Lands briefly reviewed the main points of the task force charge in the Executive Order

The mission of the task force is to formulate recommendations about how best to address the issues relating to access to land for traditional uses in the face of significant recent challenges and changes. To that end, the Task Force shall:

1. Review the reports of the two legislative taskforces
  - Committee to Study Issues Concerning Changes to the Traditional Uses of Maine Forests and Lands
  - Committee to Study Access to Private and Public Lands in Maine) and consider the recommendations of these taskforces.
2. Determine the extent and potential impact of changes to traditional public access;

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3. Consider the possible economic effect of these changes on businesses both in areas with significant levels of large forestland tracts and throughout Maine;
  4. Consider what mechanisms might be used to ensure continued traditional public access on large tracts of land as these lands continue to change ownership; including, but not limited to: landowner incentives, tax policies, easements, and the enforcement of fish and wildlife laws on lands closed to traditional public access;
  5. Identify mechanisms that can promote communication between new landowners and communities, businesses and residents when significant tracts of land changes ownership.
  6. Submit recommendations to the Governor regarding strategies for assuring meaningful public access for traditional activities on lands historically available and accessible for use by Maine people and visitors to our state.
- The Task Force shall meet as often as needed, and all their meetings shall be open to the public.
  - The Task Force shall develop and submit to the Governor a mid-point report on or before February 15, 2005, and a final report and recommendations on or before September 1, 2005.
  - The Task Force, and the authority of this Executive Order, will dissolve on September 1, 2005.
  - Before finalizing their recommendations, the Task Force shall hold a public hearing to receive comments.

Time line for the task force – conclude work early in legislative session '05

John Simko asked if the administration will be submitting a placeholder bill for this legislative session

Commissioner McGowan replied that Governor's bills can be introduced during the legislative session, but other non-legislative means for achieving the task force goals would be pursued

Karin Tilberg, Department of Conservation introduced two previous legislative studies on public access

- **Report of the Committee to Study Access to Private and Public Lands in Maine – February 2001**
  - Sen. Marge Kil Kelly – Co-Chair

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- Rep. Monica McGlocklin – Co-Chair
- Sen. Paul Davis
- Rep. Rod Carr
- Rep. Paul Volenik
  
- Study committee was charged with:
  - Estimating the acres of lands controlled by the landowners with checkpoints;
  - Review fees to access these lands.
  
- Committee recommendations:
  - BP&L update SCORP every 5 years – demonstrates how demand changes and is being met;
  - When the State acquires land for recreation, require public vehicular access;
  - Require LMF to report biennially the access to land acquired;
  - Allow gravel pits to be developed as recreation areas;
  - Reauthorize the committee to continue its work.
- Contained four recommendations, all had been achieved
  
- **Committee to Study Issues Concerning Changes to the Traditional Uses of Maine Forests and Lands – December 2001**
  - Sen. Paul Davis, Chair
  - Sen. John Martin
  - Rep. Sharon Libby Jones
  - Rep. Rod Carr
  - Rep. Ray Pineau
  - Stephen Wight
  - John Williams
  
- Study committee focused on possible changes to the leasing tradition.
  
- Committee recommendations:
  - A statute be enacted to set minimum standards for the relationship between landowners and lessees in LURC jurisdiction.
  - Sporting camp owners be guaranteed a lease term of at least 10 years (minority rec., John Martin, Ray Pineau).
  - Joint Resolution recognizing contribution of commercial sporting camps to culture and economy of Maine and encouraging landowners to respect tradition of sporting camps in Maine.
  - Calculate the economic impact of loss of public access to Maine forests.
  - State agencies to use information currently collected to monitor and report to the Legislature on changes in ownership of forest land.

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- Recommended statute for minimum standards for lessees in LURC jurisdiction had been passed
- Minority recommendation of a 10 year mandated minimum for leases, has not been passed- Sen. Martin and Sen. Davis provided insight into the work of the committee

Karin Tilberg will confirm final passed form of the Joint Resolution

Bruce Kidman requested copies of passed legislation

Commissioner Martin echoed this request for all legislation on public access

Commissioner McGowan introduce a draft work plan to include information exchange and presentations on subjects such as Maine land laws

- In order to accomplish the mission set for this task force, we must have a starting point.
- Key to the work of this task force will be our understanding of the historic and legal aspects of this issue.
  1. Legal review of private rights and public rights regarding recreational use on privately-owned lands (Great Ponds law, liability laws, interface with easements, etc.) – request AG's Office to prepare and present.
  2. The tradition of public use on private lands in Maine – a historical overview with examples of how Maine has developed a network of reliance (economic and otherwise) based on these traditions; creative examples of partnerships have developed regarding trails (hiking, snowmobiling, ATV and other); model agreements – DOC and IF&W will present; task force members will then share experiences; future trends.
  3. Overview of typical changes to public use on private lands and how parties have made transitions in the past – what has worked and what hasn't worked.
  4. How can Maine (private landowners, public users, state agencies, interested parties) minimize the impacts of change when access is altered, restricted or denied – strategies for negotiation.

Task Force brainstormed issues to cover and information needed, to include:

- Public use of public lands – how does BPL handle management
- Other examples of land management
  - i.e. Tribal lands (request presentation)

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- Issues that arise in the transition from private lands to public
  - LMF's experiences
- Public lands – what are the access rights
- Studies of public access in other states
  - TNC, SAM, IFW may provide information
- Provide a background paper on what Maine has been doing over the past 10 years (was suggested that may need to go back to the 1970s)
  - Great Northern Trespass Case
  - Gary Donovan
  - Map of ownership changes
- Request input from DECD on economic impacts of recreation and public access
  - Carolann Ouellette
  - LMF, Tim Glidden may be able to provide economic impact information as well
- Information that may be useful from Blaine House Conference on Maine's Natural Resource-based Industries
- Define Terms – traditional use, sporting camp, etc
- Tax Incentives – have a presentation on Tree Growth, Open Space, Federal policies
- Camp insurance – Abilities of campowners to get policies, is it a concern?
- Identify landowners, is it possible? Challenges?