



Land for Maine's Future Program
Minutes of the Meeting
November 8, 2011

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

Board Members Present:

Bill Beardsley
Chandler Woodcock
Walter Whitcomb
Darryl Brown

Don Marean, Chair
Ben Emory
Patrick Keliher

Norman Gosline
Bucky Owen
Jeff Thaler

Board Members Absent:

Diane Doyle

LMF Staff Members Present:

Jody Harris
Sam Morris

Tom Miragliuolo
Aline Lachance

R. Collin Therrien

Others

Tom Abello, The Nature Conservancy
Bill Bayreuther, Androscoggin Land Trust
Frank Chiaravalloti, Lobster Web
Dick Clime and Hugh Cowperthwaite, Coastal Enterprises, Inc. / WWAPP
Kathy Eickenberg, Maine Dept of Conservation
Stephanie Gilbert, Maine Dept. of Agriculture, Food & Rural Resources
Steven Hufnagel, Damariscotta River Association
Alan Hutchinson, Forest Society of Maine
Jonathan LaBonte, Androscoggin Land Trust
Kristen Lindquist, Coastal Mountains Land Trust
John Marshall, Pleasant River Wildlife Foundation
Jeff Romano, Maine Coast Heritage Trust
Karen Tilberg, Forest Society of Maine

Minutes of the Meeting

A motion was made by Ben Emory and seconded by Commissioner Bill Beardsley to accept the October 4, 2011 Minutes of the Meeting. Vote was unanimous.

Communication from MCHT

Jody Harris read letter received from Tim Glidden, Maine Coast Heritage Trust, expressing his deep appreciation for the Board's vote of confidence regarding MCHT's Sipp Bay Project.

OLD BUSINESS

WORKING WATERFRONT ACCESS

Lobster Web Co., LLC *(Tabled 10-4-2011)*

- Motion

A motion was made by Bucky Owen and seconded by Jeff Thaler to remove from the TABLE the Lobster Web Co., LLC working waterfront project. Vote was unanimous.

- Update

Commissioner Keliher stated that the proposal was originally tabled because only a portion of the property was being used for commercial fisheries access, and that the scope of the project was far larger than any previous Maine Working Waterfront Access Pilot Project.

He briefed members of the Board on discussions with the applicant, CEI, and LMF staff pertaining to the reconfiguration of this project. All parties have agreed to a reduced area for covenant protection. A map was distributed outlining in yellow the new configuration. The new area of the covenant will now cover approximately half of the buildings square footage, which is anticipated to reduce the project cost from \$560,000 to \$264,000. Since the original appraisal based the value on the whole property, a new appraisal is needed.

Mr. Keliher indicated that no special condition is needed other than the standard conditions (adopted by reference).

- Motion

A motion was made by Ben Emory and seconded by Bucky Owen to select Lobster Web Co., LLC as a finalist project and to allocate \$264,000 in working waterfront funds subject to standard conditions. Vote was unanimous except for Norman Gosline who abstained.

CONSERVATION AND RECREATION

Riverlink, Ripley Parcel, Edgecomb

- Public Notice

On October 28, 2011 published in the *Kennebec Journal* and on November 3, 2011 published in the *Coastal Journal*.

- Public Comment

None

- Appraisal Review Committee Recommendation

The ARC finds the appraisal to be conducted in accordance with the board's appraisal review standards. The Committee finds the appraisal value to reflect fair market value and accepts the appraisal report. The Committee recommends that the appraised value be \$110,000.

- Motion

A motion was made by Jeff Thaler and seconded by Ben Emory to release \$45,000 in LMF conservation/recreation funds to support the acquisition of the Ripley parcel in Edgecomb, subject to meeting the board's standard conditions (adopted by reference). Vote was unanimous except for Norman Gosline who abstained.

Archaeological Site 25.45, Phase II, Dresden

- Public Notice

On October 28, 2011 published in the *Kennebec Journal* and on November 3, 2011 published in the *Coastal Journal*.

- Public Comment

None.

Representative Leslie Fossel sent an e-mail saying that he support the project and to please call him if he can help in any way.

- Appraisal Review Committee Recommendation

The ARC finds the appraisal to be adequate to support the appraisal value. The Committee recommends that the appraised value be \$170,000.

- Motion

A motion was made by Ben Emory and seconded by Commissioner Beardsley to release \$72,545 in LMF conservation/recreation funds to support the acquisition of the Archaeological Site 25.45 in Dresden, subject to meeting the board's standard conditions (adopted by reference). Vote was unanimous except for Norman Gosline who abstained.

Bald & Ragged Mountains, Hart Parcel, Camden and Rockport

- Public Notice

On October 28, 2011 published in the *Kennebec Journal* and in the *Camden Herald*.

- Public Comment

None

Representative Joan W. Welsh wrote a letter of support stating that the Coastal Mountains Land Trust has been critical to the development of the Georges Highlands Path Network and has worked cooperatively with the Georges River Land Trust to further expand and extend these paths and trails which is a wonderful draw for tourists, a wonder asset for those living in the area, as well as takes advantage of a unique opportunity to conserve valuable land.

- Appraisal Review Committee Recommendation

The ARC finds the appraisal to be conducted in accordance with the board's appraisal review standards. The Committee finds the appraisal value to reflect fair market value and accepts the appraisal report. The Committee recommends that the appraised value be \$375,000.

- Motion

A motion was made by Jeff Thaler and seconded by Commissioner Woodcock to release \$100,000 in LMF conservation/recreation funds to support the acquisition of the Hart parcel in Camden and Rockport, subject to meeting the board's standard conditions (adopted by reference). Vote was unanimous except for Norman Gosline who abstained.

Camden State Park Inholding, Dunning parcel, Camden

- Public Notice

On October 28, 2011 published in the *Kennebec Journal* and in the *Camden Herald*.

- Public Comment

None

Representative Joan W. Welsh wrote a letter of support stating that Camden Hills State Park is one of the primary reasons we call Camden the “Jewel of the Maine Coast”. She encouraged support of this request and to “take advantage of this opportunity to further the value of this most important resource”.

- Appraisal Review Committee Recommendation

The ARC finds the appraisal to be conducted in accordance with the board’s appraisal review standards. The Committee finds the appraisal value to reflect fair market value and accepts the appraisal report. The Committee recommends that the appraised value be \$400,000.

- Motion

A motion was made by Commissioner Beardsley and seconded by Commissioner Woodcock to release \$99,301 in LMF conservation/recreation funds to support the acquisition of the Dunning parcel in Camden, subject to meeting the board’s standard conditions (adopted by reference). Vote was unanimous except for Norman Gosline who abstained.

NEW BUSINESS

WATER ACCESS PROPOSALS

Public Access to Maine Waters Fund Background & Fund Balance

A brief overview was presented by Jody Harris. The Legislature created the Public Access to Maine Waters Funds in 1993. The Fund is designed to preserve, provide, or expand citizen access to public waters and to support Maine’s recreation-based businesses and economy. Essentially, its goal is to get people to the water.

LMF sites provide access for boat launches, hand-launched craft, bank fishing, swimming, clamming, worming, or other water opportunities. Water access projects tend to be smaller, local parcels that provide residents with access to their favorite swim beach, fishing spot, or a place to put their boat in. Larger parcels with multiple conservation values may be more appropriate for LMF conservation/recreation funds. Over the years, LMF has supported the acquisition of 48 water access sites.

Based on inquiries, there are 3-4 potential projects for water access funds. In addition, the Department of Inland Fisheries & Wildlife has projects under consideration, and local, municipal

interest has increased recently. Currently, there is a \$1,036,352 balance in the Public Access to Maine Waters Fund.

Moosehead-Seboomook Water Access Project

This project, if approved, would result in the State acquiring two miles (81 acres) of accessible waterfront on the north end of Moosehead Lake. A nearby two-acre island will also be conserved by easement that keeps the island undeveloped and permanently guarantees public recreational use. The applicant is requesting \$250,000 in LMF water access funds.

Kathy Eickenberg, from the Department of Conservation, gave a brief presentation outlining how the Bureau of Parks & Lands plans to integrate this acquisition into the Seboomook Unit and distributed to board members examples and profile of DOC water access projects. She stated that this project met all four criteria outlined in the Maine State Comprehensive Outdoor Recreation Plan (SCORP) and criteria outlined in the Proposal Workbook. This project will support the local economy by drawing more people to the area and creating more recreational opportunities. It will secure water access in the northern portion of Moosehead Lake, provide more stops along the waterway for boaters, connect trails to establish regional trail systems, and improve access to open space, recreational lands, parks and preserves.

It was noted that Moosehead Lake is not listed as a Maine Dept. of Inland Fisheries & Wildlife Priority Water Body in its 2005 list of public access priority water bodies. It also does not appear on the Maine Department of Conservation, Boating Facilities Division's list of priorities for water access. However, Ms. Eickenberg added that the department has received support for this project from members of the Moosehead Lake Region Chamber of Commerce, the Appalachian Mountain Club, the Northern Forest Canoe Trail, the Indian Hill Trading Post, the Northwoods Outfitters, the Maine Guide Fly Shop & Guide Service and other businesses at the core of the Moosehead Lake Region.

Alan Hutchinson and Karen Tilberg, both from the Forest Society of Maine, spoke in favor of the project. We have 600 anglers also supporting this project. He noted that other sources of funding include a Forest Legacy Program grant being proposed as part of the Bureau's FY 13 submission, a Maine Outdoor Heritage Fund grant currently under review, and private fundraising by the Forest Society of Maine. He stated that having LMF support and funding would help them as they move forward with their federal funding request.

- Discussion

Board members discussed the difference between getting people to the water and providing landings for people using the water. They considered the number of public access sites already on Moosehead Lake. Although members considered this a wonderful project, they were of the opinion that this project qualified more as a Conservation & Recreation project rather than a Water Access project. It was suggested that the applicant consider reapplying in the next round for funding, if additional bond monies become available.

- Motion

A motion was made by Jeff Thaler and seconded by Patrick Keliher to deny water access funding for this application. Two opposed; Commissioner Beardsley and Commissioner Woodcock. Norman Gosline abstained and Bucky Owen also abstained due to conflict of interest. The motion passed 6-2-2.

Androscoggin Greenway to Canton & Jay

This project, if approved, would permanently protect public water access and recreational opportunities at two sites on the western shore of the Androscoggin River in Canton and Jay. The Androscoggin Land Trust (ALT) is seeking to purchase 153 acres in fee on the Canton River shore, a 10-acre parcel, in fee, just north of the Riley Dam, in the Town of Jay, and 15 acres in conservation easement of land south and west of the dam. The applicant is requesting \$49,811 in LMF water access funds.

Jonathan LaBonte, Executive Director of the Androscoggin Land Trust, stated that state and federal conservation efforts as identified in the Maine State Comprehensive Outdoor Recreation Plan, the GrowSmart Maine report, and in the New England Governor's Commission on Land Conservation recognize that the Androscoggin River Corridor is one of five river heritage corridors, linking natural resources and urban centers. Located within a 5-minute drive from downtown, the aim is getting people to the river and to enjoy a wide range of nature-oriented activities.

Mr. LaBonte stated that while the two Riley Dam parcels offer both a hand-carry access site and a portage route for paddlers, Verso Paper Corporation operates this site under the terms of a Federal Energy Regulatory Commission license, but permanent access here is not guaranteed. Verso is willing to sell and we should take advantage of this tremendous opportunity.

- Discussion

The Board noted that this project was considered and partially funded with Round 7 conservation and recreation funds. At the time the board considered using water access funds for part of the project but decided not to do so.

- Motion

A motion was made by Commissioner Beardsley and seconded by Darryl Brown to select the Androscoggin Greenway to Canton and Jay project as a finalist and allocate \$49,811 in LMF water access funds, subject to meeting the board's standard conditions (adopted by reference). The motion failed 8-2.

A second motion was made by Bucky Owen and seconded by Patrick Keliher to select only the parcels which constitute the "Riley Dam Area". Vote was unanimous except for Norman Gosline who abstained. (Editor's note: staff will ask the applicant to break out the cost for the Ripley Dam Area from the larger project and will set that amount aside based on this motion)

ACCESS IMPROVEMENT GRANT

Androscoggin River Project, River Rise Farm Woodlot parcel, Turner

The Androscoggin Land Trust is seeking access improvement funds in the amount of \$2,280 in order to construct and install a moveable log ladder to provide safe river access and creation of a shoreland recreation area, including the building of three tent platforms.

- Motion

A motion was made by Ben Emory and seconded by Commissioner Beardsley to release \$2,280 of LMF access improvement funds to support upgrades that will increase public access to the Androscoggin River and the River Rise Farm. Vote was unanimous except for Norman Gosline who abstained.

OTHER BUSINESS

UPDATES

Appraisal Review Concerns

On October 18, 2011 the Appraisal Review Committee reviewed the appraisal concerns presented to the Board at its last meeting. At present, the committee is still working on its recommendations and hopes to finalize its recommendations to the Board at its January 2012 meeting for presentation to the Board in March 2012.

Scoring Committee Memo

Jody Harris stated that at the July meeting members asked for additional background information on several of the Board's scoring criteria used during the last round of proposals selection. A memo was prepared listing those questions along with some policy questions for consideration. Jody recommended that the Board direct the scoring committee to review these questions and make recommendations for adjustments to the criteria if needed.

The board agreed that it would be better to take this up prior to the next round of funding. In the meantime board members will review the policy questions and email comments or suggestions to Jody.

Part FF

The Part FF working group that is looking at the reorganization of the State Planning Office will meet one final time on November 16 (10:00 AM). The working group is expected to finalize its recommendations at that meeting, which will be in time for its December 1st deadline. The recommendation for LMF that the board is still considering is to move the program to the Bureau of Geology and Natural Areas within Dept of Conservation. After the working group finalizes its recommendations, a report will go to the Legislature's Appropriations Committee. The Appropriations may submit legislation for this session. The Governor may also submit legislation.

Proposed 2012 Board Schedule

January 17th
March 13th
May 8th

July 10th
September 11th
November 13th

The board will set the 2012 LMF schedule at its January meeting.

Adjourned: A motion was made by Patrick Keliher and seconded by Bucky Owen to adjourn at 3:05 p.m.

Next Meeting – January 17, 2011 (Editor’s note: date was later changed to January 18, 2012)