

Task Force to Help Shape the Next Generation of Land Conservation in Maine
Meeting Summary
January 29, 2019

Present: Tim Glidden, David Trahan, Alex Koch, Alison Sucey, Nancy Smith, Janet McMahon, Don Kleiner, Lee Dassler, John Banks, John Bryant, Wolfe Tone, Austin Muir, Julia Harper, Hugh Cowperthwaite

Present by Phone: Chris Winstead

Absent: Adam Bishop, Cathy Breen, Patrick Corey, Jim Douglas, Dennis Keschl

1. Welcome

The meeting was called to order by co-chairs Tim Glidden and David Trahan. They provided an overview of the agenda for the day which includes reviewing themes from public comments and walking through each section of the full report to discuss suggested edits. The goal is to provide fine tuning to the document but not necessarily to spend too much time wordsmithing. At the end of the meeting the group will decide whether it is prepared to endorse the report. The goal is for there to be broad-based support and to be unanimous where possible. In any report as broad as this, there will be certain things that individuals are more enthusiastic about. The chairs asked Task Force members to keep a sense of balance in mind as they progress through their discussion of the report. The chairs noted that the three members of the Legislature were tied up in session and so were unable to attend the meeting in person.

2. Themes on Public Comments

The draft recommendations were put out for public comment on January 7th. Close to 150 comments were received. Liz and Jerry provided a document that outlined the other major themes of the public comments. It is clear that there were a few organized campaigns – one on the LMF bond amount and another related to the hunting and trapping requirements of LMF. In reviewing the public comments, Task Force discussed the following:

- How hunting and trapping are at the heart of Maine’s heritage and that LMF has been successful because it has served the people of Maine in a very broad way. LMF Farmland and working waterfront projects are exempt from the requirement as are areas where local ordinances prohibit hunting. A few comments suggest that there’s not a clear understanding of hunting law – especially related to hunting near residences and around trails. But the program has been built around these traditional uses. Hunting and trapping have also become important land management tools, especially as overpopulation is affecting the composition of our natural communities. The Task Force agreed that they did not wish to suggest a change to the LMF hunting and trapping requirement but would work to clarify any language to clearly reflect laws and practices and acknowledge the varied viewpoints around this use as part of the report.
- A fair number of comments spoke to climate change and the need for connectivity.
- It was striking that there was no hard push back in general to the draft recommendations.

Jerry then presented a few potential edits to make based on the comments that were received:

- Giving greater mention of commercial fishery interests
- Where appropriate, use a broader term for conservation organizations and not always land trusts

- Incorporate where appropriate – cultural and historic preservation interests; not spending money, but enhancing the connections between LC and HP
- Give more credit to willing sellers; that they're a big part of the success
- Jerry asked whether there were any concerns about incorporating those ideas. There were none. Task Force members were appreciative of these items being brought out through public comments.

3. Review of the Full Report

Introduction

- This section is essentially new to the Task Force, but a lot of language was pulled from things it had seen before. The Task Force suggested a few edits:
 - In the last sentence of the 4th paragraph – think it's somewhat historic that tribes have been part of this effort; mention tribes specifically
 - Add addressing climate change to the list of bullets
 - The 3rd and 6th paragraphs are very similar; consolidate
- In general, there was agreement on preparing a summary report and calling it an Executive Summary; making it really succinct.

Past Generation

- This is essentially a version of the presentation from the first meeting.
- In the fourth paragraph, there is language about conserved lands growing from 5 to 20%; could see this implying why do more; should clarify.
- There's language in there about easements and advantages; need a line or two about why fee acquisition is the way to go in certain situations.

Next Generation

- This section is intended to provide a transition from the successes of the past to the recommendations.
- There was some confusion about the figure; suggested to emphasize that comparatively we're at 2/3 of where the rest of new England is; otherwise the 20% sounds like we're done.
- It's a challenging section because often the conversation is so nuanced. Some feel that a lot of Maine is essentially conserved because it's being held to produce for fiber for the foreseeable future and there's not a great development threat. Others think the conversion threat is pretty significant for the state as a whole and don't necessarily agree that it's conserved; there's more and more pressure to fragment.
- If the only tool is the raw % number, we lose the nuance that is mixed into that; it doesn't just come down to acres – Working Waterfront is vital but isn't about acreage, it's about a land type. What does "conserved" mean? Different people will have different ideas of what that means. It means a range of things and we can say that. Agreement here about being strategic, to think about the places that are critical and get that focus; make it clear that we're not going to buy up the northern third of the state. Think LMF HAS been strategic – would be good to point this out.
- Need to add a sense of urgency; don't want to do it by comparing ourselves to a random state; but do think that the last several years has seen a significant uptick in development pressures in southern Maine; seeing escalation in real estate.

- Agreement to take out “Dysfunctional government.”

Things That We’re Doing Right

- Add role of landowners.
- Acknowledge that we HAVE been strategic and that that’s a key part of the success.

Recommendation 1

Background and Findings

- Add a bullet about evaluating overuse of certain areas in background.

Proposed Actions

- 1A
 - Add Maine Historic Preservation into the visioning process - OK
 - Connecting trails across regions – access easements and vehicular access - OK
 - Ensure that LMF projects are meeting their stated goals over time - No strong inclination of the group to include this one.
- 1B
 - Increasing state park bond from \$10 to \$20 million; Tim provided an overview of a bond meeting that was held with the three Legislators. The Task Force agreed to follow the bill sponsor’s lead and to confirm that Pat and Dennis are on board with the strategy.
 - A clarifying question about the dedicated source of revenue - where does implementation of this take place. This would come later through a legislative process. Maine Tourism gets nervous about any talk about the meals and lodging tax. They appreciate that it’s talking about the general fund portion, but their preference would be that it was just tied to the general fund. The TF agreed and Maine Tourism was okay with clarifying that it’s not a suggested increase and specifying that it was coming from the general portion.
- 1E
 - Might want to highlight that land trusts that have conservation lands should look for opportunities for stewardship dollars through things such as NRCS and carbon sequestration; but this is more about private philanthropy – so no change was recommended.
 - Did we talk to MCF about this? yes
 - What about the comment to single them out, are they the only one? Could include language about “other groups” but they are the most likely candidate.
 - Where historic and cultural resources exist on conserved lands, they should be eligible for these funds – the TF had no objection to this but felt that there’s nothing that excludes this from happening and that singling it out could be counterproductive.

Recommendation 2

Background

- The state’s poverty rate is an important thing to call out; maybe in connection to transportation issues; might also want to call out hunger – maybe in connection to the point about access to local foods; growing immigrant community – change the language to talk about a new wave of immigrants, since most of us were immigrants at some point – talk about who those folks are.

- There are generations of Maine families that feel an important connection to the land; make a separate bullet that speaks to that.
- A large percentage of vehicles coming into the state (say at the York toll plaza) have a boat or a kayak; people are coming to Maine to enjoy the water resources. When we talk about lands and natural resources – are we talking about the water as well, or is this effort geared more towards land conservation. There was general agreement that the two are seen as blended together. Can look for opportunities to elevate the importance of water as we make revisions for the final draft.

Action Items

2A

- Add a bullet that recognizes lands that have historical, cultural, archaeological significance.
- Discussion clarified that the last bullet about water access is intended to capture commercial uses.
- There was some discussion about the language to amend the statute or create bond language, and which avenue was more appropriate. The LMF board looks closely at the bond language. However, the statute is really intended to focus on projects of statewide/regional significance, and so removing that obstacle from the statute is the critical piece. It would help remove that contradiction. Need to be clear that the bullets in the report are just a few of the ideas the Task Force has developed, and this is not to be inserted verbatim into the statute.
- There was further discussion about the significance of a statute amendment. LMF is built on the statewide significance of 1988. If you remove that foundation block to incorporate the community piece, that's a big step; what's the implication of this – don't want to underestimate what it really means. Details about how to implement it can be left up to the LMF Board – not trying to be overly prescriptive. Ultimately the Task Force agreed that it would be a challenge to implement but that it was a major theme they had heard, and it was worth keeping in as an action item.

Recommendation 3

Background

- None

Action Items

- Okay with increasing bond amount to \$75 million.
- Should we consider a sliding scale for the LMF match contribution? 50% is already a reduced match, it used to be a 2:1 match. Think it's pretty important when you have so many competing projects out there that you leverage the money as much as possible; bargain sales count – doesn't have to be all cash match. Practically it seems that implementing a sliding scale would be very convoluted.
- Hunting and Trapping Requirement – the Task Force had no suggested changes to the requirement, but did want to acknowledge the issue and provide context in the report.
- Historic preservation piece; how does LMF currently deal with historic structures? LMF does not fund that portion of the project, but it also does not require that all historic structures are removed. The Task Force agreed that historic buildings should not be an impediment to an LMF project succeeding. As far as keeping buildings out of LMF projects – it's more cumbersome and

expensive during the acquisition and funding process, but you're buying the flexibility down the road to do what you want to do with the building, and that's important.

- Related to 3C/3D – there was some discussion about the role of the LMF Board versus staff in working with stakeholders. Staff are in an interesting position because they want projects to be successful, but they also are trying to protect the state's interest. Is 3D geared towards the board or staff? It's intended for the board; to have a discussion as to whether Project Agreements are becoming too complicated, about how to potentially simplify the process for applicants, about how involved to get with appraisals. The Board does have control over these things. Staff implements the program but does so at the request of the board. This recommendation asks the board to have ownership over the process.

Recommendation 4

Background

- The wording in the first bullet of findings and challenges is confusing. It suggests we want to conserve the rest of the 80% of private lands. Need to clarify.

Action Items

- What's the timing of the report? If IF&W gets 3 new wardens as part of the Governor's proposed budget do we remove this or fight for the last 2? The Governor's budget will come out in February. Change the action item to have 5 new wardens within 4 years.
- There was some discussion about how to involve nonmotorized user groups through this effort. How do we find these people? Not as compactly organized as snowmobile and ATV groups. There are groups out there – like the Waldo County Trails Coalition – that are very aware. It is a group that is underrepresented in this discussion. Don't need 5 nonmotorized stakeholders (that becomes unwieldy), but they should be part of the effort.
- What do we mean by the last bullet of 4.B? Don't want this to sound like an empty promise. In an ideal world there'd be a source of revenue so that landowners are not held responsible for trash removal. Dump fees are one driver of the problem. The Landowner Relations Program is trying to change behaviors, but it won't totally solve the problem; need to come at it from both directions; reinforcing what's already going on and trying to build on it.

Recommendation 5

Background

- Add a bullet that calls out the importance of northern and western Maine as a critical link.
- Change "climate change" to "changing climate".

Action Items

- Got one public comment suggesting the need to be more specific on how LMF can address climate change. The Task Force agreed that that discussion should be left up to the LMF Board and that it was as specific as it wants to be.
- No other comments.

Recommendation 6

Background

- Need to make sure the working waterfront figures and miles of coastline are consistent throughout the report. Incorporate aquaculture if possible. Elevate the development threat for coastal lands.

Action Items

- 6C – What’s the status of this position? Don’t want to say “currently” if it’s not “currently”. It’s funded until July 1st.
- 6D – should we be more specific? Don’t want to be too prescriptive. There is some concern about unintended consequences; don’t want language here to be used unintendedly to support LUPC’s proposal to expand the development in the North Maine Woods. The Task Force agreed it wished to stay neutral on that issue.

Making This Happen

- No proposed changes.

Endorsement

- The co-chairs took a moment to confirm that procedurally, all Task Force members are on board. The group will not reconvene before or after the final draft is done. There was an understanding that people have to answer to their boards and make sure they have the support. It will be several weeks before the final layout is available, so people have time to check on this. The final draft will be sent out to Task Force members with an opportunity for final comments.
- There was full agreement with and confidence in the revisions made during the meeting and full confidence in endorsement of the report. All members support the report and expect that their affiliated organizations will follow suit.

Public Comments

- None

Next Steps

- Final comments on the draft report are due to Liz and Jerry by Friday, January 31st.
- Liz and Jerry will make final revisions prepare a draft layout for the Task Force to review.
- The goal is to have the report printed by the end of February.
- There will be a press conference and Task Force members are encouraged to participate.

4. Adjourn

The meeting was adjourned at approximately 12:30 pm.