

**LAND CONSERVATION TASK FORCE  
BACKGROUND PAPER: STEWARDSHIP**

**I. Introduction**

*“People always think more about how new ground can be broken than they think about how existing institutions can be sustained or existing facilities can be maintained. It leads to a constant trap where we underinvest in old things, then old things disappoint us, then we feel a need for new things, then to satisfy that need for new things we underinvest more in old things and the cycle goes on.”*

– Larry Summers

There has been tremendous growth in conservation lands over the past generation, both public and private. And not surprisingly, more people are using these lands for recreation every year – a good thing for Maine people and the tourism industry, but also a challenge in terms of managing that use. As we look towards the next generation of land conservation in Maine, we must consider the growing responsibilities and costs of caring for the lands we already have.

What does stewardship entail? The broad range of stewardship responsibilities includes monitoring and enforcing conservation easements; active resource management; creating and managing public access; monitoring ecological resources; protecting archeological and cultural resources; and managing emerging issues related to changes in climate, demographics and use. It also means honoring a commitment to protect significant resources for the reasons they were set aside.

“Without active management, invasive species, inappropriate or unauthorized uses, vandalism, overgrazing and encroachments can all impact and destroy the resources that we have labored so diligently to protect. In addition, without regular monitoring of the habitat and select species, we will never know if we are achieving our conservation goals or meeting mitigation requirements.” (Center for Natural Lands Management).

The Land Conservation community is not alone in considering how to balance the cost of maintenance with the cost of making new things. Maintenance is not necessarily the enemy of innovation, but we must continue to invest in conserved lands (with proper expertise, time and money) beyond acquisition to ensure conservation values are sustained long into the future.

**II. Existing programs that fund and support Stewardship**

- **State Parks** - Funding for state parks comes from the state's general appropriations, which is set annually by the legislature, and from dedicated funding streams, which include water extraction royalties, loon conservation license plate revenues, bonds and donations. State parks depend on bonds for capital improvements. The last bond was in 2010 and included \$500,000 for park improvements. In the height of its popularity, loon plates brought in \$700,000-\$900,000 of annual revenue but this has declined since other charity plates were introduced.
- **Public Reserve Land Funds** – Most of the Bureau of Parks and Lands’ managed timberland is designated as Public Reserved Land which are held by the state for the benefit of the people. Laws governing the use of these funds require that the lands be retained by the state; they cannot be sold except by legislative action, and they must be managed for trust purposes which include conservation and public recreation, and the supply of materials for Maine’s economy. Public Lands is also a dedicated revenue program. The program does not receive any general fund dollars. All

revenue generated from reserved and non-reserved lands pays for staff, and improvements such as road systems, campsites, wildlife habitat programs, trails, outhouses, picnic tables.

- **LMF Access improvement Grants** - Access improvement grants enhance Land for Maine's Future (LMF) acquisition dollars by making conserved land more accessible to the public. Grants may be for the upgrade of access roads, the addition of parking, trails, and boat launches, or the installation of signage, information kiosks, and picnic tables. Access improvement grants may also be used for farmland projects to fund the development of a business plan and capital improvements on the farm, such as improving drainage or constructing storage sheds.
- **Maine Conservation Corps** - Maine federal, municipal, state or non-profit organizations are eligible to host MCC Environmental Stewards and Field Teams. These individuals are recruited to accomplish a specific conservation project. The projects can vary greatly: in the past, Environmental Stewards have designed and implemented land management plans, conducted field research and studies, monitored for invasive species, recruited and led community volunteers, provided interpretive programs to school groups, and completed trail projects throughout the state.
- **Maine Outdoor Heritage Fund** - The Maine Outdoor Heritage Fund (MOHF) conserves wildlife and open spaces through the sale of instant, scratch lottery tickets. 35% of funds are available for the acquisition and management of public lands, parks, wildlife conservation areas and public access and outdoor recreation sites and facilities.
- **Maine Natural Resource Conservation Program** - MNRCP is a state-wide mitigation program funded by developer fees that awards grants to projects that restore and protect high priority aquatic resources throughout Maine. Since its launch in 2008, MNRCP has awarded over \$11 million to non-profit groups, municipalities and public agencies to help restore, enhance or preserve wetlands and other important habitats at 88 project sites across the state.

### III. **How the Land for Maine's Future Program addresses Stewardship**

The Land for Maine's Future Program considers stewardship of conserved lands in the following ways:

- Matching funds for LMF funded-projects may include stewardship fund contributions. Eligible stewardship fund contributions must equal not more than 20% of the appraised value of the acquired land and must be held in a designated stewardship account of the state agency or cooperating entity holding title to the land.
- Addressing Land and Easement Management Costs - The Board requires all applicants to address stewardship and management costs as part of a proposal. LMF statute requires that applicants provide estimates of the management costs associated with the project over the first 10 years of ownership.
- Other considerations: Will the property require an average or low level of ongoing management needs? In the case of conservation easements, sufficient matching funds are needed to monitor and enforce the easement. The Board will evaluate whether the proposal includes an adequate contribution, as identified by the sponsoring state agency, to the State's conservation stewardship or easement monitoring endowment fund.
- Access improvement funds: Access improvement grants are available to enhance the public accessibility to land that is acquired with proceeds from the Land for Maine's Future Fund and the Public Access to Maine Waters Fund. The statute allows up to 5% of the grant award, but the Board is currently capping access improvement funds at 2%.

#### **IV. Progress over the past thirty years and any major shortcomings.**

- Under leadership from the Land Trust Alliance, land trusts across the country and especially in Maine have given increased attention to improving the operational quality and sustainability of their land conservation and stewardship efforts. There are now 30 accredited land trusts in the state, the most accredited land trusts per capita in the country. Accreditation certifies that these land trusts have met the highest standards in many aspects of land trust operation, including land acquisition and stewardship. These land trusts have management plans for all preserves and baseline documentation reports for all easements and have a practice of monitoring all properties annually. These land trusts have also raised, or have a plan in place to raise, significant funds for the perpetual stewardship and legal defense of conservation easements.
- Still, land trusts are faced with growing stewardship responsibilities and have concerns about the increasing costs and time commitment of managing what they already have. A recent Maine Land Trust Network survey reports that the three biggest challenges related to stewardship are ongoing maintenance, landowner relationships/ownership changes, and invasive species.
- The state is faced with similar challenges. Resource managers are struggling to keep up with basic maintenance let alone major rehabilitation of facilities. Trails suffer from over-use, infrastructure limps along, and modern public expectations often exceed the service capacity of the system. A 2011 Colby study found that Maine's 48 state parks were underfunded, especially in capital repairs, with more than \$30 million needed. And in 2017 the state itself categorized its park maintenance equipment as "antiquated."
- From farmland to working forests to endangered species habitat to recreational trails, conserved lands in Maine represent a variety of landscapes and provide opportunities for many different uses. This necessitates that land trusts and state agencies have access to staff or volunteers that are trained and educated in the areas of botany, ecology, natural resource science, forestry, recreation and other specific management areas. This is financially and feasibly a challenge across the board.
- Volunteers and "Friends" groups provide much-needed support to the understaffed state park and public lands system. In 2009, volunteers contributed 49,000 hours to state park maintenance. There are a variety of models across the state. In some instances, like at Lake George and Fort Knox, groups contract with the state to run a facility. In other cases, a group will jointly manage a resource with the state, like Dodge Point which is owned by BPL and co-managed with the Damariscotta River Association. And in less formal arrangements, active groups help by organizing special events, leading tours, and fundraising.
- Over the past 30 years, an impressive \$600 million of funding has gone to the acquisition of lands and conservation easements in Maine. However, while many funders require long-term management and stewardship to be addressed in project proposals and budgets, both public and private funders seem more inclined to contribute to acquisition than stewardship.

#### **V. Key Guidance and Resources for Stewardship**

**Integrated Resource Policy** - The Integrated Resource Policy provides direction to the Bureau of Parks and Lands as it relates to the management of the various resources on Public Reserved and Nonreserved Lands (including the Bureau managed Coastal Islands), State Park Lands, and State Historic Sites. Its goal and purpose is to provide a framework for the management of the lands under its jurisdiction with respect to protecting their wide variety of resource attributes, while providing a myriad of benefits

**Legislative Direction** – The Legislature has directed that:

- State Parks administered by the Bureau of Parks and Lands be managed “primarily for public recreation or conservation purposes.” (12 MRSA '1801.7)
- State Historic Sites administered by Bureau of Parks and Lands be designated and provided “for public use wholly or primarily because of its historical, archaeological, or scientific interest or value.” (12 MRSA '1801.5)
- Public Reserved and Nonreserved Lands administered by the Bureau of Parks and Lands be managed “in a manner consistent with the principles of multiple use and shall produce a sustained yield of products and services in accordance with both prudent and fair business practices and the principles of sound planning.” (12 M.R.S.A. '1833.1, 1847.1). Additionally, Public Reserved Lands are to be managed “to demonstrate exemplary land management practices, including silvicultural, wildlife, and recreation management practices, as a demonstration of state policies governing management of forested and related types of lands.” (12 M.R.S.A. '1847.1)
- Management Plans be prepared for Public Reserved and Nonreserved Lands in order to demonstrate “appropriate management practices that will enhance timber, wildlife, recreation, economic, and other values of lands.” All management of these lands “to the extent practicable, must be in accordance with this management plan when prepared.” (12 M.R.S.A. '1833.2, 1847.2)

**Land Trust Alliance Standards and Practices** - Together, land trusts have established a set of guidelines for how to run a land trust responsibly: *Land Trust Standards and Practices*. These guidelines describe how to operate a land trust legally, ethically and in the public interest, with a sound program of land transactions and land stewardship.

**Maine Forestry Best Management Practices** - In Maine, Forestry Best Management Practices (BMPs) are a combination of regulatory and voluntary measures designed to protect water quality on timber harvests. BMPs are based on a few basic principles, which when understood, allow loggers to select the most effective and efficient BMP practices for use on a particular timber harvest.

**Forest Certification** - Forestry standards have been developed that encompass environmental, social and economic values, and are framed to ensure that the forests are managed sustainably. Certification is offered through several programs including American Tree Farm, Forest Stewardship Council, and The Sustainable Forestry Initiative.

**Maine’s Wildlife Action Plan** - Maine's 2015-2025 Wildlife Action Plan is a shared vision that identifies the voluntary steps needed to conserve priority wildlife species and habitats through public awareness and partnerships.

## VI. **Some key issues and questions for the future**

- How do we balance taking on additional conservation lands with taking care of what you already own?
- If there is not sufficient funding available to keep up with essential needs, how will the backlog be addressed?
- Will new strategies be needed in the future to provide quality management of conserved lands?

## VII. Suggested resources for those who want to dig deeper

Stewardship of Conserved Lands

<https://www.wildlandsandwoodlands.org/sites/default/files/Stewardship%20of%20Conserved%20Lands.pdf>

How would LePage's plan to outsource park jobs affect visitors?

<https://www.pressherald.com/2017/02/27/critics-question-lepage-plan-to-outsource-park-jobs-cut-management-positions/>

Maine's Public Lands: recreation, wildlife habitat, timber

<http://www.forestsformainesfuture.org/fresh-from-the-woods-journal/maines-public-lands-recreation-wildlife-habitat-timber.html>

Maine Public Lands Papers

<http://www.irlandgroup.com/wp-content/uploads/2016/03/Maine-Public-Lands-Papers-TIG-Feb-4.pdf>

Bureau of Parks and Lands: Integrated Resources Policy

[https://www.maine.gov/dacf/parks/publications\\_maps/docs/irp.pdf](https://www.maine.gov/dacf/parks/publications_maps/docs/irp.pdf)

Maine Public Lands Management Plans

[https://www.maine.gov/dacf/parks/get\\_involved/planning\\_and\\_acquisition/management\\_plans/index.html](https://www.maine.gov/dacf/parks/get_involved/planning_and_acquisition/management_plans/index.html)

Friends Group to Staff Fort Knox?

<http://bangordailynews.com/2009/02/23/news/friends-group-to-staff-fort-knox/>

Maine State Wildlife Action Plan

<https://www.maine.gov/ifw/fish-wildlife/wildlife/wildlife-action-plan.html>

In Praise of Maintenance (Freakonomics Podcast)

<http://freakonomics.com/podcast/in-praise-of-maintenance/>

(And for a good chuckle) Infrastructure: If Anything Exciting Happens, We've Done it Wrong

<https://www.youtube.com/watch?v=XTopVi1hVVM>