

SHAPING THE NEXT GENERATION OF LAND CONSERVATION IN MAINE

Final Report from the Land Conservation Task Force
2019





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To the People of Maine:

On behalf of the Land Conservation Task Force, we are extremely pleased to present this final report which reflects the hard work of the Task Force over the past nine months.

Our work follows that of two previous panels, one in 1986 and the other in 1997, which together gave rise to a generation of remarkable land conservation resulting in the four-fold expansion of permanently protected lands in Maine including:

- Landscape-scale working forest conservation easements covering more than two million acres of productive forestlands with public access for hunting, fishing, and other traditional outdoor activities;
- Iconic places that define our state including Mount Kineo, the Bold Coast, the St. John and Machias Rivers, Scarborough Beach, Mount Agamenticus, Katahdin Lake and Tumbledown Mountain;
- Old-growth forests, fragile wetlands, rare plant communities, and critical wildlife habitat for the endangered Atlantic salmon, wild brook trout, wintering deer, and countless other species;
- Hundreds of miles of snowmobile, ATV, hiking and biking trails and scores of boat launch sites guaranteeing public access to Maine's lakes, rivers and coast;
- Over 45,000 acres of productive Maine farmland and associated woodlots, allowing farmers to stay on their land and providing affordable opportunities for a new generation of farmers; and
- Coastal commercial fishing wharves and access to clam flats vital to Maine's marine fisheries and aquaculture industries.

In recent years progress has slowed due to a variety of challenges. Today we are faced with a pressing need for revitalizing land conservation in Maine and ensuring that it meets the future needs of Maine people. To accomplish this, the Task Force brought together a wide range of interests, with the recognition that land conservation is integral to all facets of life in Maine: its natural resource-based industries; traditional, as well as new, outdoor recreational pursuits; the quality of life in Maine communities; public health; our state's natural scenic beauty; the changing climate; the need to attract new businesses and residents and so much more.

The Task Force conducted research, heard from experts and received hundreds of public comments which together provided a call for urgent action. Rising development pressures and land prices in southern Maine, a massive generational transition of Maine's farms and woodlands, loss of public access to private lands for traditional recreational uses, the continuing degradation of open space and habitat and the need to create access to Maine's natural heritage for all Maine citizens regardless of economic circumstance or physical ability. All of these threaten to undermine Maine's economic future and quality of life.

We have put forward an ambitious set of recommendations for consideration and action by the Mills Administration, the Maine Legislature, the conservation community, Maine towns and for citizens throughout our state. Maine people have demonstrated remarkable support for conserving the state's valued natural treasures. We firmly believe that these recommended actions will address today's and tomorrow's challenges and lead to an exciting new generation of land conservation that we can all be proud of.

We would like to sincerely thank everyone who has participated in this important effort.



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- Figure 1: Forest Society of Maine
- Figures 2-5: data from *Maine's Public Estate and Conservation Lands: Brief History and Assessment* (Irland, 2018)
- Page 18 recreation data: Jessica Leahy, University of Maine Orono
- Figure 7: *Maine's Climate Future: An Initial Assessment* (Jacobson, Fernandez, Mayewski and Schmitt, 2009)

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Elmina B. Sewall Foundation The Conservation Fund
Maine Coast Heritage Trust The Nature Conservancy in Maine
Sportsman's Alliance of Maine

SUMMARY OF RECOMMENDATIONS

1. Take proper care of our treasured public and private conservation lands and ensure that they meet the needs of Maine people into the future.

Action Item 1.A

Initiate a planning effort involving the Department of Agriculture Conservation & Forestry (DACF), Inland Fisheries & Wildlife (IF&W), Department of Economic & Community Development (DECD), Maine Historic Preservation Commission (MHPC), land conservation organizations and others to develop a clear vision for the state's conserved lands.

Action Item 1.B

Provide State Parks with necessary resources to replace aging infrastructure and invest in new facilities through passage of a \$20 million bond issue and creating a dedicated source of revenue to address ongoing capital needs such as dedicating a percentage of annual Park fees or a small percentage of the non-dedicated portion of the existing Meals & Lodging Tax (not increasing the tax).

Action Item 1.C

Have the Legislature authorize more recreational management positions for Public Lands (to be paid for through existing dedicated revenues).

Action Item 1.D

The Land for Maine's Future Program should dedicate the maximum amount allowed under statute (5% of appraised value) to Access Improvement Grants to facilitate public access to acquired lands.

Action Item 1.E

Land trusts and philanthropic interests should work together to create a "Stewardship Forever Fund" at the Maine Community Foundation (and possibly elsewhere) which would secure substantial private funding from a range of sources to be granted to match stewardship endowment contributions for land trust and municipal conservation properties.

2. Create land conservation opportunities that connect people with land and water.

Action Item 2.A

Amend the LMF statute or create bond language providing guidance to the Land for Maine's Future Board to fund, in addition to its current programs, "Community Projects" that meet local and regional objectives.

Action Item 2.B

Support opportunities for Wabanaki tribes to conserve areas of particular cultural significance and to utilize conserved lands and waters for traditional uses that support their place-based cultures.

3. Revive funding for land conservation and ensure that LMF can effectively meet the challenges of the next generation.

Action Item 3.A

Put forward a bold new \$75 million Land for Maine's Bond Issue that will provide stable funding for the program over the next five years.

Action Item 3.B

Leverage all available land conservation funding sources to the maximum extent possible. In particular, ensure that all funding opportunities available through federal programs such as the Forest Legacy Program, Agricultural Conservation Easement Program and Land & Water Conservation Fund are actively pursued.

Action Item 3.C

Increase LMF Program staffing and legal assistance (at least to previous levels) and provide related state agency support (from DACF, IF&W and DMR) in order to eliminate the backlog of acquisition projects now in the pipeline and adequately handle those to be created through new bond funding.

Action Item 3.D

Have the next LMF Board work with stakeholders to identify opportunities to streamline, clarify, and provide consistency to the LMF process so that applicants can navigate projects forward in a timely manner and effectively coordinate LMF acquisitions with federal acquisition programs that can leverage state dollars.

4. Work cooperatively with landowners to support good stewardship and ensure that Maine's tradition of public access to private lands is maintained.

Action Item 4.A

Strengthen Maine's Landowner Relations Program by providing the program with 5 additional Deputy Wardens, supported by new monies from the General Fund over the next four years.

Action Item 4.B

Using the good work of the Landowner Relations Program as a catalyst, create a new public-private initiative (based upon the concept previously known as Landshare) to promote greater understanding and cooperation between owners and users of land.

Action Item 4.C

Connect private forest owners with the tools they need to manage their land sustainably.

Action Item 4.D

Expand privately-funded programs, such as those currently offered by the Maine Mountain Collaborative, Downeast Conservation Network, Maine Woodland Owners, and Maine Farmland Trust, that offer succession planning resources and financial assistance to cover transaction costs for landowners wishing to donate land or a conservation easement.

5. Target land conservation efforts to effectively protect critical natural resources and help Maine combat and adapt to a changing climate.

Action Item 5.A

As part of a broader development of state climate policy, amend the LMF statute and/or create bond language to support projects that promote resiliency and connectivity and will help Maine's natural ecosystems, wildlife and natural resource-based economies adapt to a changing climate.

Action Item 5.B

Support public-private partnerships that facilitate monitoring, sharing information and developing stewardship strategies for addressing and adapting to a changing climate at local, regional and statewide scales.

Action Item 5.C

Place priority on utilizing available wildlife, aquatic and ecological assessment data to help increase conservation of land and water resources in areas of high biodiversity, seeking representation of all habitat types in each biophysical region of the state.

6. Ensure that land conservation benefits Maine's economy and communities.

Action Item 6.A

LMF should continue to place a high priority on lands that support Maine's vibrant forestry, farming, fishing and tourism industries. The State should be aggressive in seeking funds from the Forest Legacy Program, the NRCS Agricultural Conservation Easement Program and

other non-state dollars that support working lands and waterfront conservation.

Action Item 6.B

Land Trusts should work closely with communities to plan for future land conservation and community recreational assets and should support policies that help municipalities address their fiscal pressures such as bolstering state revenue sharing and educational funding.

Action Item 6.C

Continue funding for the newly created Office of Outdoor Recreation. Encourage better integration of land conservation in state and regional planning efforts related to tourism, transportation, energy and economic development.

Action Item 6.D

Initiate a coordinated effort to broaden awareness of the conserved land assets of the state, help the public learn about outdoor recreational assets and opportunities and ensure promotion is targeted at sites with existing infrastructure.





INTRODUCTION

On the heels of three decades of unprecedented accomplishments, a group of twenty individuals and organizations came together to form the Maine Land Conservation Task Force with the goal of helping to shape the next generation of land conservation in Maine. Land conservation means different things to different people. In the context of the Task Force's work, it is defined as the protection and careful stewardship of land to provide a wide range of public benefits.

In 1987, the Maine Legislature created the Land for Maine's Future Program launching a remarkable period of land conservation in Maine during which the acres of permanently conserved land grew four-fold. These land conservation achievements touched all corners of the state and all facets of life for Maine people. It seemed to many that the time was right to assess the accomplishments of this period, as well as its growing challenges, and to lay the groundwork for a new generation of land conservation in Maine.

The composition of the task force reflects the many ways land conservation positively impacts Maine people

In early 2018, planning began to create a group to take on this work. While often such initiatives arise out of legislative or governmental directives, this Task Force was established independently. Maine Coast Heritage Trust, The Nature Conservancy and the Sportsman's Alliance of Maine provided the initial catalyst for the effort reaching out to diverse interests to seek their participation.

The Task Force was not, by and large, composed of what would traditionally be viewed as land conservation leaders and advocates. Instead an effort was made to involve a diversity of people and interests which reflect the evolving nature of land conservation and how it impacts the state's communities and its economy. The result was a Task Force comprised of students, educators, public health advocates, community organizers, municipal officials, legislators, Maine's tribes, economic development specialists, Maine Guides and other diverse interests. The Task Force embraced an ambitious agenda, seeking to consider a wide range of issues including:

- identifying land and water conservation initiatives that reflect the evolving priorities of Maine people and communities;
- improving public access to existing conservation lands;
- enhancing collaboration between economic development organizations, recreational groups, land trusts, municipalities, businesses, and other civic organizations;
- maximizing ways in which land and water conservation activities benefit local and regional economies;
- identifying ways that land conservation can help Maine mitigate and adapt to a changing climate; and
- proposing funding, strategies, and policy options to support the Task Force's recommendations.

The Task Force began its work in May of 2018 and held a total of seven meetings.

All meetings were open to the public and each agenda provided an opportunity for public comment.

Over the course of the summer, the Task Force invited panels of experts to speak on a wide range of topics including ecology and wildlife, working landscapes, recreational resources, the community and economic impacts of land conservation, landowner relations, stewardship and funding mechanisms. Panelists included representatives from state agencies, scientists, land trusts, researchers, conservation organizations, motorized and non-motorized recreation groups, registered guides, community advocates, health practitioners, and philanthropists. The expert information shared about these issue areas provided important context for this report.

In October, the Task Force held two public listening sessions, one in Portland and one in Bangor, and provided opportunities for the public to submit comments electronically. The Task Force also solicited the public's input on a set of draft findings and recommendations that were issued in January of 2019. In total, the Task Force heard from 70 people at its listening sessions and received feedback from close to 150 written comments. Public input provided the Task Force with thought-provoking ideas and perspectives that it considered while formulating its recommendations.

This report represents the Task Force's final product. It is intended to be shared with Governor Mills' Administration, the Maine Legislature, and the people of Maine, to offer guidance and inspiration as the state embarks upon the next generation of land conservation.

THE PAST GENERATION OF LAND CONSERVATION IN MAINE

Maine has a storied history of conservation and stewardship. Maine's Wabanaki tribes (Penobscot, Passamaquoddy, Micmac and Maliseet) have lived upon and cared for their lands for thousands of years. Some of Maine's earliest family forest landowners, both large and small, have owned land since the 18th and 19th centuries.

The land conservation movement, as we know it today, was born out of private initiative and philanthropy by the likes of Percival Baxter who, single handily created Baxter State Park, the Rockefeller's and others on Mount Desert Island that gave rise to Acadia National Park, and Lawrence & Eleanor Smith who played a primary role in the creation of Wolfe's Neck State Park, Popham Beach and other treasured lands.

A new generation of land conservation began in 1987 with the creation of the Land for Maine's Future Program (LMF) – the result of a recommendation put forward by a commission not unlike this one. It marked a turning point in land conservation in Maine by establishing an ongoing state program focused on the acquisition of conservation lands and initiating a public-private partnership between state government and non-profit land conservation groups, municipalities and others that would become the foundation for land conservation in Maine.

The past generation of land conservation has been nothing short of remarkable. From less than a million acres of conserved lands in 1987, Maine's

conserved land base, which includes both fee ownership and conservation easements, has grown to over four million acres -- from less than 5% to 20% of the state's land area! While still lagging many other states, this is a noteworthy accomplishment.

During this period, some of Maine's most iconic areas were permanently conserved including: Mount Kineo, the Bold Coast, the St. John and Machias Rivers, Scarborough Beach, Katahdin Lake and Tumbledown Mountain, along with some of the state's most important ecological areas including wetlands, unique natural communities and critical wildlife habitat.

Over this generation, land conservation evolved to encompass far more than protecting scenic landmarks. It matured and expanded into many facets of Maine's economy, its communities and the character and traditions of our state such as:

- Landscape-scale working forest easements, some encompassing several hundred thousand acres, secured 2.4 million acres of Maine's commercial forest lands ensuring that these lands will supply Maine's forest products industry for generations to come. These large-scale easements account for over half of the acreage of the state's conserved lands.
- A collaboration of federal, state and non-profit interests has led to the conservation of over 45,000 acres of productive Maine farmland and associated woodlots, allowing farmers to stay on their land and providing affordable opportunities for a new generation of farmers to acquire their own farms.

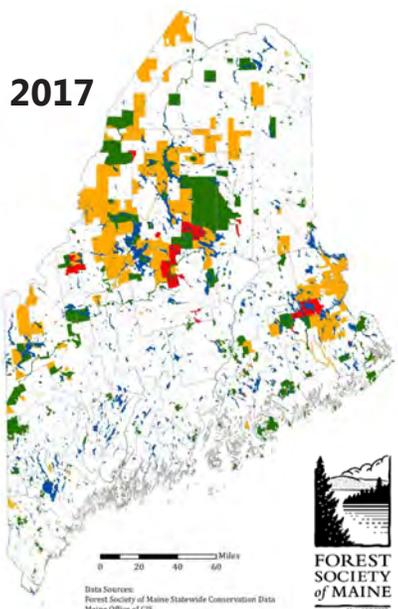
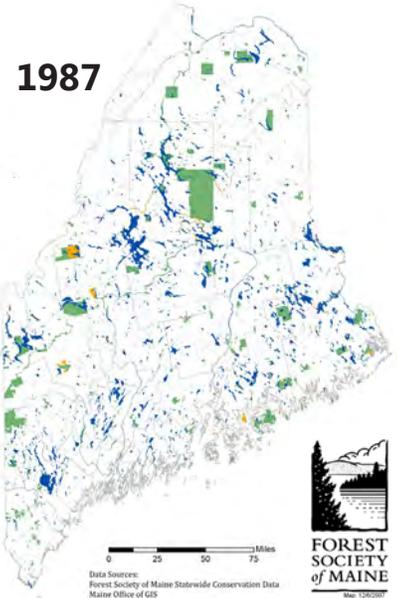


Figure 1. The top map shows conservation lands in 1987 and the bottom in 2017, illustrating, in dramatic terms, the growth of conserved lands across the state. While the largest acreage gains are in the north, the entire state was the beneficiary of newly conserved lands.



- Acquisitions such as the Cold Stream project north of The Forks were targeted towards protecting key wildlife resources. The project protected a high-value brook trout stream, from its source to its mouth, along with eight wild brook trout ponds and the region’s largest intact wintering area for deer; all key elements of Maine’s natural heritage and a major contributor to the tourism economy.
- Land conservation is supporting Maine’s commercial marine fisheries and aquaculture through securing the future of strategic working waterfront wharfs and guaranteeing access to clam flats. LMF’s Working Waterfront Access Protection Program has helped 1,280 Maine fishing families and 637 fishing vessels.
- Maine’s tourism industry is inextricably tied to Maine’s

scenic beauty and outdoor recreational opportunities. Land conservation efforts have protected almost 1200 miles of ATV trails and 1700 miles of snowmobile trails. Of particular note, over 150 miles of abandoned railroad beds have been converted to multi-use trails.

- Land conservation has preserved other traditional recreational uses such as Maine sporting camps as well as new enterprises offering linked networks of backcountry huts such as those provided by Maine Hut & Trails and the Appalachian Mountain Club.
- Over the past generation, the number of boat launch sites owned by the state has doubled – growing from 75 to over 150 in addition to over 200 boat launch sites on privately-held conservation properties.

SO, WHY DID THIS GOLDEN ERA OF LAND CONSERVATION COME ABOUT?

One reason is that new tools emerged that allowed conservation efforts to exceed expectations. During the last 30 years, conservation easements became a go-to tool for land conservation. A conservation easement is a perpetual restriction voluntarily placed on private property to protect its conservation values. Over half of the conserved lands in Maine are in the form of conservation easements rather than fee ownership. Easements are appealing because they stretch scarce dollars, keep working farms and forests in production and keep property on the tax rolls.

Similarly, being strategic with fee acquisitions of land resulted in public benefits that are not reflected by the number of acres protected. Take, for

example, the numerous acquisitions of abandoned rail lines creating linear multi-use trails extending for miles and miles. Or the protection of a half-acre fishing wharf that supports the livelihoods of many commercial fishing families. Or the preservation of one of the last remnants of Maine’s old-growth forests. These are once-in-a-lifetime acquisition opportunities that can only be realized with a strong land acquisition program in place.

Land conservation over the past thirty years relied upon numerous ground-breaking studies as well as detailed natural resource planning efforts including:

- The Governor’s Special Commission on Outdoor Recreation in 1986 which inspired the creation of the Land for Maine’s Future Program.

- The Northern Forest Lands Council of the early 1990’s which looked at changing trends in the North Woods;
- The Land Acquisition Priorities Advisory Committee of 1997 which guided future LMF acquisition efforts;
- A study of Ecological Reserves that led to the establishment of a system of reserves protecting Maine’s biodiversity; and
- The State Wildlife Action Plan that identifies strategies to priority wildlife species and habitats.

Not surprisingly, expanded funding was a primary catalyst for land conservation. While cumulative figures are tough to come by, we know that at least \$600 million has been spent on land conservation over the past generation. On the state side, the most critical funding source was the Land for Maine’s Future Program which spent \$132 million to conserve over 600,000 acres since its inception in 1987. Other key state funding programs included:

- The Maine Natural Resource Conservation Program which uses mitigation funds to award competitive grants for projects that protect and restore natural resources across the state;
- The Maine Outdoor Heritage Fund which supports land conservation, stewardship and research through the sale of scratch lottery tickets; and
- Funding from timber harvesting and other revenue sources associated with Public Lands.

	Fee	Easements	Total
Federal			
Acadia National Park and Katahdin Woods and Waters National Monument	122,832	12,416	135,248
White Mountain National Forest	49,980		49,980
Appalachian Trail Fee	32,000		32,000
National Wildlife Refuges	64,660		64,660
Federal Total	269,472	12,416	281,888
State			
Public Lands	632,851	429,100	1,061,951
Parks	85,306		85,306
Inland Fish & Wildlife’s Wildlife Management Areas	100,000		100,000
Baxter State Park	209,644		209,644
State Total	1,027,801	429,100	1,456,901
State and federal total	1,297,273	441,516	1,738,789
Municipal	45,000		45,000
NGO	388,000	185,700	224,500
Grand Total	1,730,273	2,298,516	4,028,789

Figure 2. 2016 conservation ownership in Maine.

Although federal acquisition of lands was limited during this period, federal funding was not. The federal Forest Legacy Program, a partnership between state and federal governments, has provided \$76 million for 35 working forest projects. The Land and Water Conservation Fund (LWCF) has provided critical funding for parks and open space in the United States for 50 years. In Maine, it provides dollars for key federal acquisitions in such locations as Acadia National Park, Rachel Carson National Wildlife Refuge and the Appalachian Trail, as well as funding that goes to state and municipal projects. In the last 30 years LWCF contributed over \$5 million to land acquisition projects for state and local projects and substantially more for federal acquisitions.

Municipalities also brought funding to the table. Between 1996 and 2013, communities, mostly, but not entirely, in southern Maine, approved a total of \$15,400,000 in bonds for conservation. Towns, ranging from Bremen to Machiasport made contributions to acquisition projects by allocating a portion of their annual budget or by tapping reserve funds.

While all of these public sources of funding were critical to land conservation, the fact is that private donations over this period exceeded the total of public contributions – a remarkable achievement and a testament to the commitment of Maine people to preserving their natural legacy. While complete numbers are difficult to come by, the best information available indicates that at least \$329 million of private contributions were made toward land conservation projects. As just one of many examples, New England Forestry Foundation raised over \$28 million of private funding to acquire a conservation easement on 750,000 acres of forest land owned by the Pingree family, the largest easement in the country.

The LMF Program reports that every state dollar spent on land conservation is leveraged with three dollars from other sources – a big bang for the buck of state taxpayers. And with each passing year, new sources of land conservation funding are emerging. The Appalachian Mountain Club, the Downeast Lakes Land Trusts and the Passamaquoddy Tribe have sold carbon credits on their forest lands to pay for both acquisition and stewardship. In another “payment for ecological services” endeavor, Portland Water District provided \$500,000 for land protection in order to protect the future water quality of Sebago Lake, the Greater Portland area’s water supply.

While many states’ land acquisition programs are top-down enterprises, with state government setting priorities, Maine has instead opted for an approach that fully engages the public and depends upon partnerships. For example, the vast majority of LMF acquisition proposals do not arise from state agencies, but rather from land trusts and municipalities. While Maine’s first land trust was founded in 1901, land trusts really came on the scene in the 1970’s. Today there are approximately 75 land trusts operating in the state along with other organizations such as the Appalachian Mountain Club which own sizeable tracts of conservation land. Collectively these organizations rank Maine second in the nation in terms of the amount of land conserved by non-profit organizations in their state.

And as the scale and scope of conservation in this era grew and diversified, so too did the partners that were involved in these efforts:

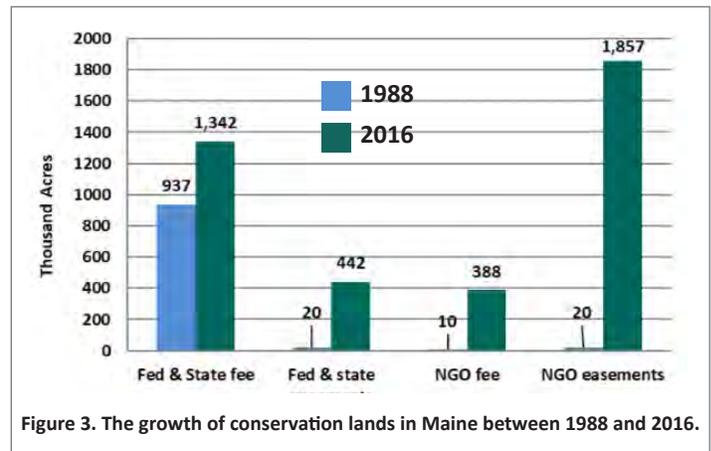


Figure 3. The growth of conservation lands in Maine between 1988 and 2016.

- Sportsmen provided critical support for habitat protection and hunting and fishing access;
- Timber investors sought out conservation opportunities as part of their business plans;
- ATV and snowmobile trail users became important allies in gaining public support for acquisitions; and
- Commercial fishermen worked to ensure coastal access for future generations.

But consensus on land conservation is not always easy to come by. For example, there are vocal interests that oppose the requirement that LMF recreation lands be open to fishing hunting and trapping. Others believe that timber harvesting should be prohibited or severely restricted on lands purchased for conservation. Ensuring that land conservation programs appeal to the broad diversity of Maine people’s interests has been, and will continue to be, essential for success.

As land conservation achievements grew, more organizations identified links between people and place and how land conservation contributes to the larger goals of healthy communities. Some examples include:

- In Brunswick the land trust offered the local farmers market an attractive, central location on a protected farm.
- In Grand Lake Stream, the community came together to protect a renowned land-locked salmon fishery and the tourism economy that depends upon it.
- In Portland, the Eastern Promenade and other trail projects have greatly enhanced the livability of Maine’s largest city.
- In Topsham, the design for the Highlands Senior Living Community included a 285-acre nature preserve along the Cathance River.

Ultimately, the success of the past thirty years comes down to public support. Maine people backed land conservation at the ballot box supporting multiple LMF bond proposals; they contributed with their checkbook supporting projects large and small; and they dedicated their volunteer time to building trails, monitoring easements, collaborating with landowners and much more. This enthusiastic public support is the foundation upon which the next generation of land conservation can be built.

Building on Success

THE NEXT GENERATION OF LAND CONSERVATION IN MAINE

Without question, the story of land conservation over the past thirty years is one of great success resulting from Maine people's love of the land. But make no mistake about it, the task is far from done. While the statistics from the past are impressive, the reality is that Maine still lags behind the rest of New England in terms of the lands it has conserved (see Figure 4). Limited resources over the past eight years resulted in a substantial slow-down in conservation activity. The recent recovery from the real estate downturn of 2008 – 2009 has increased development pressures and land prices, particularly in southern Maine. Now is the time to revitalize the state's land conservation programs.

Moreover, today we face new challenges unlike those of the past such as:

- An aging generation of family landowners that will be transitioning long-held farms, woodlots and coastal wharfs to new owners in the next decade;
- A changing climate that will likely disrupt Maine's natural ecosystems and wildlife;
- Towns that find it more-and-more difficult to meet their fiscal obligations while keeping property taxes at reasonable levels;
- An increasingly diverse population of immigrants who have yet to be connected to Maine's natural resources;
- The highest obesity rate in New England;
- Forest products, agricultural and commercial fishing industries in transition;
- An aging and disabled population that seeks access to Maine's woods and waters;

- A federal government that is a less reliable partner in land conservation;
- Youth that spends more time looking at screens and less time outdoors;
- A growing tourism industry that relies upon Maine's natural wonders to attract visitors; and
- An increasingly mobile and telecommuting population that can elect to live, work and set up businesses wherever they want particularly as broadband service and 5G networks are expanded in Maine.

In each of these challenges, there is a role for land conservation and stewardship. In the pages that follow, the Task Force has offered six major recommendations, presented in no particular order, with specific proposed action items for each recommendation. Together, these recommendations provide a blueprint for the next generation of land conservation – a bold vision for the future and a call to action.

A key Task Force recommendation calls for a major new Land for Maine's Future bond issue to revitalize Maine's signature land conservation program which has stumbled in recent years. While critically important, new acquisition initiatives are just one piece of the Task Force vision. Being good stewards of the conservation lands that we already own is a major theme, as is nurturing relationships with private landowners that allow the public to recreate on their lands. And while land conservation was the focus of the Task Force endeavors, this report and its recommendations are as much about people and communities as it is about land.

As we look to the future, the need to conserve Maine's finest natural resources is as great as ever. The hard work of the past generation has laid a solid

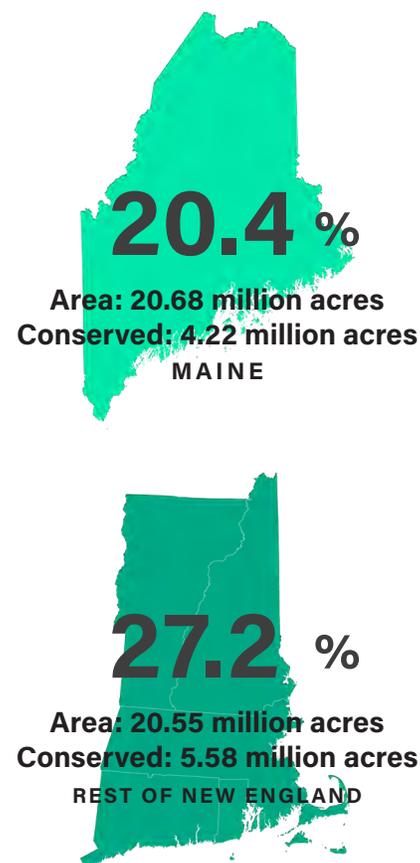


Figure 4. Maine has a larger total area than the rest of the New England states combined, yet lags behind in terms of lands conserved.

foundation, created strong partnerships and demonstrated that land conservation is inextricably intertwined with economic development, public health and vibrant communities. The time is right to seize the opportunity to move forward with new initiatives to conserve the natural character of Maine and assure public access to our lands and waters for all.



THINGS WE'RE DOING RIGHT

The tremendous achievements in land conservation over the past generation did not occur by accident. They were a result of thoughtful strategies, sound policy and concerted efforts in both the public and private sectors. The recommendations included in this report reflect the Task Force's best ideas on initiatives that can foster comparable achievements in the years ahead. However, this report would not be complete without recognizing the many things that we are doing right. Here are just a few of those things:

- ✓ **The Land for Maine's Future Program:** While most state land acquisition programs are structured with a top-down approach, LMF was structured as an open process allowing land trusts, municipalities, landowners and the public to put forward proposals. This approach has fostered creativity, partnerships and maximum leverage for state dollars. In addition, the program has been strategic in its acquisition initiatives, tailoring appropriate conservation tools to each project.
- ✓ **The Nation's Strongest Landowner Liability Law:** Maine's important tradition of public access to private lands is dependent upon this law which provides effective liability protection for landowners who permit the public to recreate on their lands.
- ✓ **A Robust Network of Land Trusts:** With over 75 organizations, Maine is blessed with one of the strongest land trust communities in the country. The majority of the fee and easement acres acquired over the past 30 years are held by land trusts, most the result of strong partnerships which leveraged public funds with private donations.
- ✓ **A Strong Tradition of Land Stewardship:** The land conservation opportunities available today are largely a result of private landowners' commitment to stewardship over the generations and their desire, as donors or willing-sellers, to see their lands permanently conserved for Maine people to enjoy in the future.

✓ **Maine's Current Use Tax Laws:** By taxing lands at their current use, the Tree Growth, Farm and Open Space, and Working Waterfront Tax Laws have enabled landowners to continue stewardship of their lands which are essential to Maine's forest products, commercial fisheries and agricultural industries. Recurring legislative efforts to tinker with these proven programs undermines landowner confidence and can deter participation in these important programs.

✓ **High Quality Natural Resource Databases:** IF&W's Beginning with Habitat Program and the State Wildlife Action Plan along with the information resources of the Maine Natural Areas Program and other state and non-profit databases have provided a sound informational foundation for guiding land conservation efforts to ensure that the state's most valued natural resources are protected.

✓ **Enthusiastic Volunteers:** Maine's growing assemblage of conservation lands has greatly expanded the need for volunteers to monitor easements, construct and maintain trails, lead educational programs and generally be good stewards of these treasured resources. Maine's land trusts, motorized and non-motorized trail organizations, "Friends" groups and others have stepped up their volunteer programs to care for these lands and expand public access and enjoyment.

✓ **National Leader in Conservation Easements:** Conservation easements account for much of Maine's conserved lands, proving to be an effective way of permanently protecting land while fostering private land stewardship and supporting working farms and forests. Maine is one of only a few states with a statewide easement registry that facilitates oversight of easement monitoring through annual reporting. This commitment to stewardship is shared by state agencies and land trusts alike, who dedicate substantial resources towards monitoring and legal defense of conservation easements.



RECOMMENDATION #1: Take proper care of our treasured public and private conservation lands and ensure that they meet the needs of Maine people into the future.

Over the last generation of land conservation, the acres of permanently conserved lands have grown four-fold. That tremendous success has led to a formidable challenge – making the commitment to stewardship of the lands and conservation easements that are already owned and ensuring that these lands are available for the public to enjoy. And while the acres of conserved lands have grown, so have public expectations for recreational and ecological management of conserved lands. For example:

- Desire for more universally accessible trails to serve disabled, elderly and other populations;
- Mountain-bikers seeking new trail systems specifically designed for their use and cross-country skiers desiring groomed trails;
- Explosion of invasive species that threaten natural ecosystems;
- Addressing impacts resulting from overuse of popular recreation destinations;
- Public interest in interpretive programs on conserved lands; and
- Need for better signage and promotion of conserved lands to bolster tourism and local economies.

Stewardship needs range from everyday tasks like marking property boundaries and maintaining out-houses, to the perpetual legal obligations of monitoring and enforcing conservation easements, to making lands more accessible to the public through the construction and maintenance of roads, trails and boat access sites, to public programs such as interpretive hikes and summer camps. Generally speaking, funding sources for acquiring conservation lands and easements, both from public sources and private donations, are more numerous and plentiful than available resources for the stewardship of conservation lands.

Maine’s State Parks, which for decades have had a major backlog of infrastructure and maintenance needs, may be the most visible example of today’s stewardship challenge, but certainly not the only one. Municipalities facing growing fiscal pressures find it increasingly

difficult to properly manage town lands, and land trust and trail volunteer efforts face demands that often exceed the capacity of their programs.

The rapid growth in conservation acreage has not only placed new demands on property management, it has created a need to take a step back and think about the future use of the state’s conserved lands. Maine’s protected open spaces, like transportation, communication and educational systems, are an essential part of the state’s infrastructure. Maine is changing; the state’s climate, technology, demographics, and economy are all evolving.

The time is right for developing a clear vision for how our conserved lands – both public and private – can be managed to best meet the future needs of Maine people. How do we accommodate diverse, sometimes competing recreational demands and avoid overuse of prized destinations? How can conserved lands best be utilized to support the state’s tourism economy? What amenities should be available at State Parks? These, and many other questions, deserve thoughtful consideration that goes well beyond the scope of the Task Force’s efforts.

KEY FINDINGS AND CHALLENGES

Public Lands

- ❖ Maine State Parks have an approximately \$50 million backlog of basic infrastructure maintenance (roads, bathrooms, campgrounds, administrative buildings, etc.). The last parks bond for capital improvements was in 2010 and current sources of capital improvement funding, are only sufficient for band-aid remedies.
- ❖ Maine State Parks have not built a significant new facility, such as a new campground, in 40 years. Maine’s Park facilities are considered “antiquated,” while many other states are providing new and different facilities to attract and meet the changing needs of residents and visitors—for example ATV parks, mountain-bike parks and overnight

cabin accommodations. The large response to last summer's waiver of State Park fees for Maine residents demonstrated a need to examine the fee structure for State Parks. There has not been any big-picture planning initiative for Maine's parks and public lands in recent memory. These lands are important to Maine's tourism economy as well as the quality of life for Maine residents, and needs and expectations are changing.

- ❖ Public Lands operates on dedicated revenues derived primarily from timber harvest revenues which has generally been successful in providing sufficient and stable funding for operations and capital improvements. However, Maine's Bureau of Parks and Lands (BPL) is constrained in the use of its dedicated revenues for staffing by legislative authorization of personnel positions. For example, BPL has only six seasonal ranger positions for their entire 632,000-acre ownership. Some of the more heavily used Public Lands have strained the recreational management abilities of BPL. In addition, BPL does not have the personnel available to manage recreational use on large forest ownerships where it holds conservation easements.
- ❖ Maine's Department of Inland Fisheries & Wildlife owns over 100,000 acres of Wildlife Management Areas around the state which are designated to be managed for wildlife habitat and, secondarily, for recreation where appropriate. IF&W must fund management of these lands out of their dedicated revenues from license fees and other sources, which are not sufficient for science-based habitat management and expanding public access – consequently the Department is not able to keep up with habitat management plans for these areas or promote their public use.
- ❖ There has been public criticism that BPL doesn't do enough to make Public Lands known and accessible to the public. Lack of sufficient signage and information is a common complaint; one which BPL is actively working on improving. Certain popular public lands units, such as Tumbledown and the Cutler Coast attract large numbers of users which can result in overuse of existing facilities. Unlike Parks, Public Lands provide very limited developed facilities, mostly primitive facilities. However, there is a growing demand for more developed facilities on Public Lands units ranging from universally accessible trails and boat launches to recreational vehicle camping areas.

Private and Municipal Conservation Lands

- ❖ Over the past thirty years, Maine's land trusts have taken on a leading role in conserving the Maine landscape. Maine's land trusts own over 600,000 acres and hold conservation easements on an additional 1.9 million acres (the bulk of which is in a few large landscape working forest easements). With these acquisitions has come a tremendous perpetual stewardship responsibility. A recent survey of land trusts indicates that

future stewardship costs and staffing is a top concern.

- ❖ The public's desire for more and better trails on conserved lands continues to grow including universally accessible trails which are very expensive to construct and mountain-biking trails which require ongoing maintenance. Funding from the Recreational Trails Program has not been able to keep up with demand.



- ❖ Expanded land and easement acquisitions has resulted in land trusts focusing resources on taking care of what they already own and putting more effort into educational and community programing; which in some cases has slowed new acquisition efforts. Similarly, many municipalities are reluctant to consider conservation acquisitions due to the ongoing costs of stewardship.

A changing climate is exacerbating problems with invasive species, threatening natural ecosystems and presenting increasing challenges to sustainable land management.

- ❖ Land trusts and other land-owning conservation organizations have creatively sought out new stewardship strategies and funding. The Downeast Lakes Land Trust, Passamaquoddy Tribe, The Nature Conservancy and the Appalachian Mountain Club have sold carbon credits on their forest lands helping to address climate change while generating revenue to improve stewardship of their lands. AMC and other conservation organizations have also taken advantage of Natural Resource Conservation Service (NRCS) cost-share programs to replace road culverts to improve fish passage, along with other habitat improvement initiatives.

KEY FINDINGS AND CHALLENGES cont'd . . .

Maine State Parks have an approximately \$50 million backlog of basic infrastructure maintenance and have not built a significant new facility, such as a campground, in 40 years.

- ❖ The Land for Maine’s Future Program has the legislative authority to provide Access Improvement Grants to construct or improve roads, trails, boat access, etc. for LMF acquisitions up to 5% of the appraised value of the property. However, current LMF policy limits access improvements grants “to an amount up to 2% of the LMF board’s financial contribution.” Under the statutory limit, for a land acquisition valued at \$300,000, LMF could provide an Access Improvement Grant of \$15,000. Under current LMF policy, in the best-case scenario, the most that could be provided for an Access Improvement Grant would be \$6,000.

Changing Populations and Landscape

- ❖ Maine’s demographics are changing. Maine is the oldest state in the nation and its percentage of residents with a disability is higher than the national average. The state is also home to a growing immigrant community that now makes up 3% of the population. As a result, the State’s conserved lands and recreation infrastructure must serve a population whose needs are increasingly diverse.
- ❖ Invasive species, including forests pests and pathogens, are a threat to Maine’s natural and working landscapes, a problem which is being exacerbated by a changing climate. They can outcompete native species and significantly impact wildlife habitat by changing sources of food and cover. The aggressive growth of invasive plants can increase the costs of agriculture, decimate fisheries, undermine forest regeneration, and even impact recreational experiences.

Action Item 1.A

Initiate a planning effort involving the Department of Agriculture Conservation & Forestry (DACF), Inland Fisheries & Wildlife (IF&W), Department of Economic & Community Development (DECD), Maine Historic Preservation Commission (MHPC), land conservation organizations and others to **develop a clear vision for the state’s conserved lands** that includes:

- » A State Park System, Public Lands and IF&W Wildlife Management Areas that reflect the diversity of the state and offers clear guidance on such matters as natural resource protection, facilities, accessibility, accommodating changing recreational demands, amenities and fee structure.
- » Determining additional management needs on State lands for activities such as easement monitoring, invasive species mapping and control, and science-based habitat management that considers the impacts of a changing climate.
- » How private and municipal conservation lands compliment the State’s public ownership and where gaps and shortcomings remain in Maine’s conservation land holdings; both in terms of natural resources and availability of lands for public use.
- » Connecting existing conservation lands with one another and developing regional trail systems.
- » How best to cooperatively provide information about conserved lands and promote their use by Maine residents and visitors.
- » How best to make public lands available to hunters in a manner that is safe for other users.

Action Item 1.B

Provide State Parks with necessary resources to replace aging infrastructure and invest in new facilities through passage of a \$20 million bond issue and creating a dedicated source of revenue to address ongoing capital needs such as dedicating a percentage of annual Park fees or a small percentage of the non-dedicated portion of the existing Meals & Lodging Tax (not increasing the tax).

Action Item 1.C

Have the Legislature **authorize more recreational management positions for Public Lands** (to be paid for through existing dedicated revenues).

Action Item 1.D

The Land for Maine’s Future Program should dedicate the maximum amount allowed under statute (5% of appraised value) to **Access Improvement Grants to facilitate public access to acquired lands**.

Action Item 1.E

Land trusts and philanthropic interests should work together to **create a “Stewardship Forever Fund”** at the Maine Community Foundation (and possibly elsewhere) which would secure substantial private funding from a range of sources to be granted to match stewardship endowment contributions for land trust and municipal conservation properties.

RECOMMENDATION #2: Create land conservation opportunities that connect people with the land and water.

Pristine natural resources and iconic working and natural landscapes are integral to the identity and vibrancy of Maine's communities. And yet it is a growing challenge to provide all Mainers with the same chance to access and enjoy land and waters. Physical inactivity has become a nationwide health crisis. A 2015 report found that the average child in America between the ages of six and 17 spent just seven minutes a day in unstructured outdoor play, representing a 50 percent decline over 20 years.

Poor public transportation and other barriers prevent underserved communities from easy access to nature and its benefits. The lost connection between people and place is a threat to the well-being of Maine's communities and to the long-term protection of critical natural resources.

While the past generation of land conservation largely focused on acquisitions with outstanding recreational, wildlife and ecological values, mostly in the undeveloped and least populated areas of the state, interest has grown in conserving land closer to where people live and work. Over the last decade, an array of new partnerships and innovative projects has led to conservation projects that are linked to public health, cultural connections with the land, place-based education, and livable communities. For example:

- Initiatives aimed at connecting Native American culture to land conservation such as the Thoreau-Wabanaki Trail, the acquisition of the ancestral Nibezun land along the Penobscot River, and the First Light Learning Journey (an ongoing effort to increase collaboration between Maine tribes and the land trust community).
- Initiatives focused on outdoor recreation and exercise to improve the health of Mainers, such as WinterKids, which has helped over 75,000 Mainers to be active outdoors in the winter through unique education programs statewide.
- The Portland Water District's efforts to protect its drinking water source (Sebago Lake) through forestland conservation instead of water treatment facilities.

The need for broader access and an emphasis on community-based projects is urgent, especially considering Maine's complicated and changing demographics. Maine has the nation's highest percentage (61.3%) of residents living in rural areas. Maine is also the oldest state in the nation and its percentage of residents with a disability is higher than the national average. Maine ranks third among states for

the rate of hunger, with nearly 16 percent of its households, more than 200,000 people, experiencing food insecurity, a measure of a household's inability to afford enough food, particularly locally grown food, throughout the year. The state is also home to a growing immigrant community with new immigrants from other countries now making up 3% of the population.

Maine is the oldest state in the nation and its percentage of residents with a disability is higher than the national average.

As a result, land conservation projects must meet an increasingly diverse set of needs such as providing accessible trails, easy access to active living for rural areas, alternative transportation for growing urban centers (walking and biking trails), access to local food – wild and cultivated, access to local waters, clean drinking water and many other essential public benefits. In short, future land conservation efforts must find ways to connect Maine's people with the lands and waters they treasure.

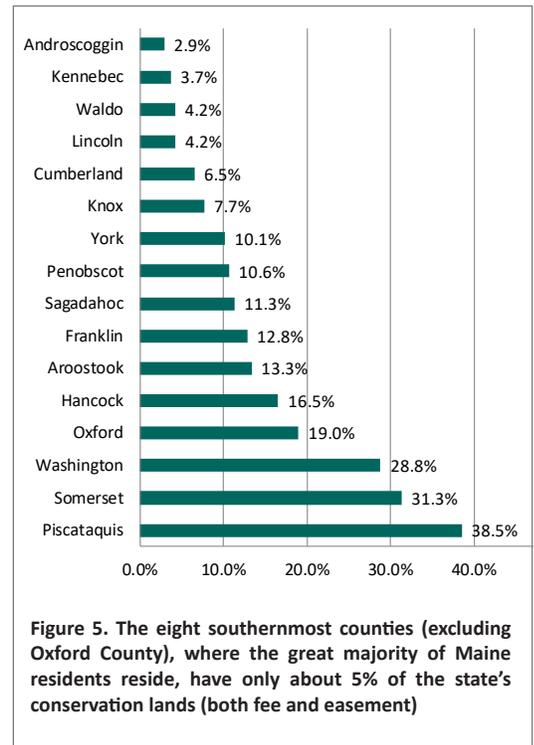


KEY FINDINGS AND CHALLENGES

Over just the span of a generation, American children are now spending half as much time outdoors.

A group of studies reviewed in the American Journal of Preventive Medicine showed that “creation of or enhanced access to places for physical activity combined with informational outreach” produced a 48.4 percent increase in the frequency of physical activity.

- ❖ In both heavily populated and rural regions of the state, there is strong public interest in conserving more lands closer to where people live and work to protect valued local resources and traditional access to the land benefiting public health, education, transportation and economic development.
- ❖ The amount and availability of conserved lands varies greatly among Maine towns. The residents of many Maine communities have limited access to lands within walking distance or accessible by public transportation.
- ❖ Maine’s tribal communities need access to land and water to teach and maintain their traditional culture, and to cultivate and harvest natural resources important to their traditions.
- ❖ Protecting the quality of surface waters used as public drinking water supplies depends in great measure on the quality of land in the watershed. Land conservation can be an effective tool to reduce treatment costs and control land-use activities for water quality protection.
- ❖ Helping Maine children access the outdoors will provide physical and mental health benefits and opportunities for hands-on learning while fostering a broad stewardship ethic that will inspire the next generation of conservation leaders.
- ❖ Maine’s coastline and inland waterways are a finite resource that is threatened by increasing development pressures on waterfront properties. With a diminishing amount of access to the water for both recreational and commercial uses, securing public access to the coast and inland lakes and rivers is increasingly important.



Action Item 2.A

Amend the LMF statute or create bond language **providing guidance to the Land for Maine’s Future Board to fund, in addition to its current programs, “Community Projects”** that meet local and regional objectives such as projects that:

- » are located near where people live and work;
- » provide diverse public benefits including public health, pedestrian and biking transportation options, and local economic development;
- » provide opportunities for place-based learning;
- » benefit underserved populations including low-income residents, seniors, immigrants, and the disabled;
- » conserve important cultural and historic resources that may be located on conservation lands;
- » provide links between conserved lands and connect conserved lands with village centers and nearby cultural resources;

- » provide nearby opportunities for wildlife watching, fishing and hunting;
- » protect the forested watersheds of key public drinking water supplies;
- » protect lands to be used as community forests and gardens;
- » ensure access to coastal and inland waters, particularly in areas facing high development pressures and areas where communities lack secure access; and
- » are supported by local government.

Action Item 2.B

Support opportunities for Wabanaki tribes to conserve areas of particular cultural significance and to utilize conserved lands and waters for traditional uses that support their place-based cultures.

RECOMMENDATION #3: Revive funding for land conservation and ensure that LMF can effectively meet the challenges of the next generation.

Over the past 30 years, at least \$600 million of funding has gone to the acquisition of lands and conservation easements in Maine. This amount is about evenly split between public and private funding.

However, this fact alone does not tell the full story of successful funding of land conservation over the past generation – far from it. One might be misled into thinking that the 26% contribution from state sources, primarily the Land for Maine’s Future Program, played a modest or supplemental role in this success. Nothing could be further from the truth. The reality is that LMF’s role far outweighed the dollars that it contributed. It was the “special sauce” that brought together federal and private funding on many projects, providing both the foundation and the credibility for countless land conservation projects.

It gave many small land trusts the courage and ability to take on projects never before thought possible. Take for example the Belgrade Regional Conservation Alliance (now part of the 7 Lakes Alliance), which in 1998 was a small volunteer land trust that previously had only raised funds to acquire one 225-acre parcel. However, BRCA had a vision of conserving a large undeveloped expanse of peaks, forests and ponds overlooking the Belgrade Lakes. In partnership with the Land for Maine’s Future Program and the Maine Bureau of Parks and Lands, BRCA spearheaded a two-decade effort to acquire over 30 parcels of lands to establish the Kennebec Highlands, comprising almost 7,000 acres of conservation lands.

BRCA’s story is not unique. From Mount Agamenticus to the Mahoosucs to the North Woods and the Downeast Lakes there are similar stories to be told of dynamic partnerships between land trusts and the Land for Maine’s Future Program that then attracted federal and private funding leading to accomplishments never

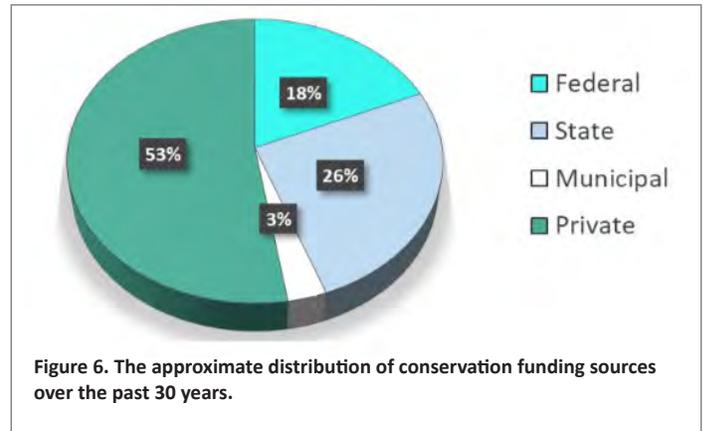
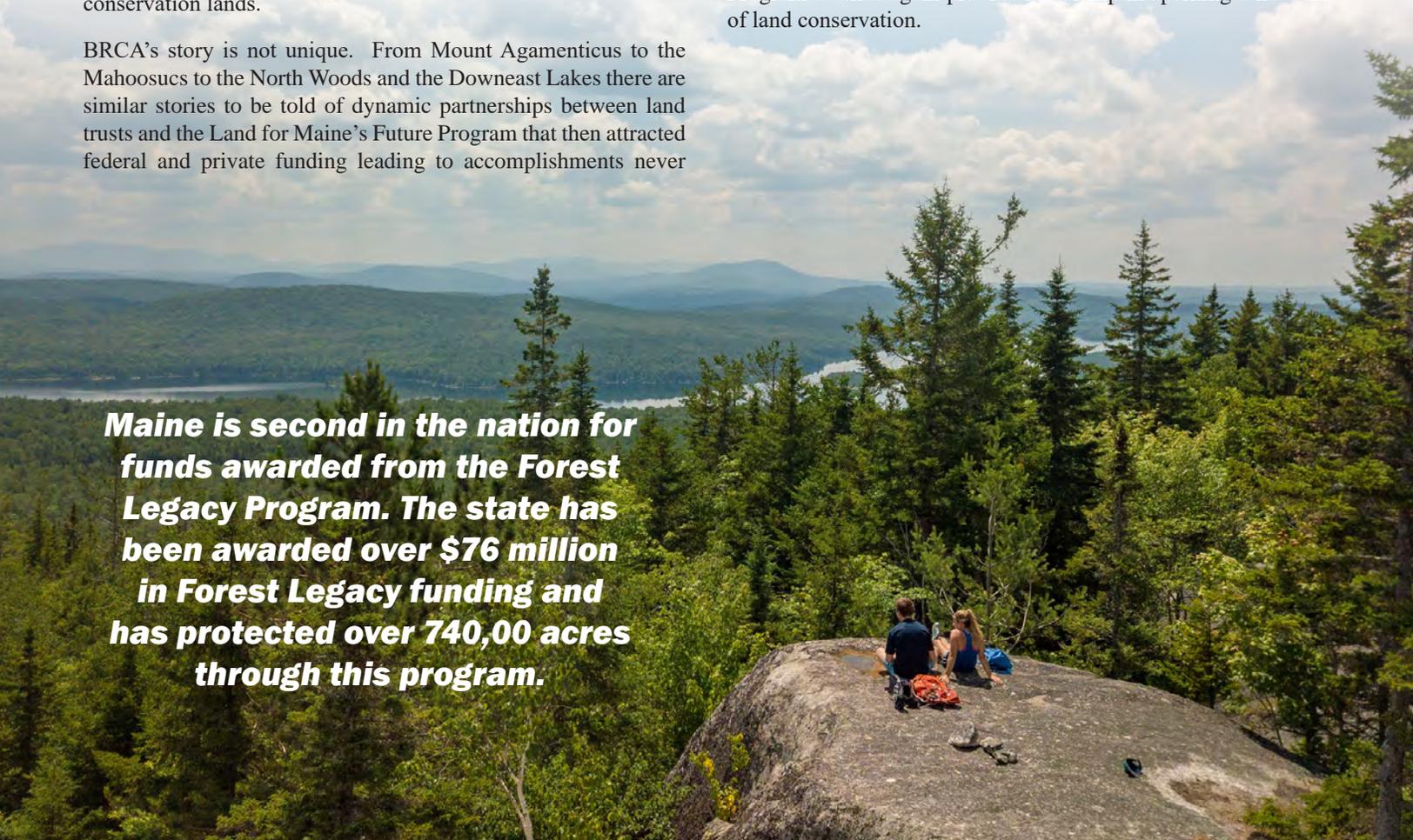


Figure 6. The approximate distribution of conservation funding sources over the past 30 years.

thought possible. It is a uniquely Maine formula that transforms grassroots initiatives, reflecting local values, into tremendous conservation achievements.

In recent years, that formula was put to the test as LMF funding was curtailed and federal funding was not actively pursued by the State. Complicating matters further was the uncertain future of the Land & Water Conservation Fund – the primary federal funding source for land conservation. Not surprisingly, land conservation efforts have sputtered with many projects being deferred, revised and occasionally even cancelled. New initiatives are largely on hold awaiting a more robust and stable Land for Maine’s Future Program to once again provide leadership in sparking a new era of land conservation.

Maine is second in the nation for funds awarded from the Forest Legacy Program. The state has been awarded over \$76 million in Forest Legacy funding and has protected over 740,00 acres through this program.



KEY FINDINGS AND CHALLENGES

- ❖ While the past generation of land conservation brought about tremendous successes, there remain many critical land conservation needs across the state ranging from coastal access, to habitat protection to local open space. Availability of conservation land is an increasingly important factor in competing with other states for potential employers, residents, and tourists who value proximity to public lands and outdoor recreational amenities when deciding which destinations to start businesses, move to, raise their families, and visit.
- ❖ Maine ranks 26th nationally in terms of state dollars spent on land conservation. The largest contributor source of state funding, by far, is the Land for Maine’s Future Program which has contributed \$132 million over the past 30 years protecting over 600,000 acres. LMF is not only the most important state funding source in terms of dollars, it is a critical catalyst for attracting local, federal and private contributions and providing credibility for projects. Over the past generation, LMF’s has contributed about 25% of total acquisition dollars, but has leveraged much of the remaining 75%.
- ❖ Maine voters have strongly supported public funding for land conservation through LMF bond issues. The last LMF Bond was a \$5 million bond in 2012 which has largely been spent or committed. No bond issues have occurred over the past six years due to political differences in Augusta. States around the country use a variety of mechanisms to fund land conservation including sales tax, real estate transfer taxes and recording fees, and oil/gas royalties. That said, Maine citizens appear comfortable with, and supportive of, relying primarily on LMF bonds.
- ❖ Public support for the LMF Program is a direct result of completing projects that meet a wide variety of public objectives and respect long-held Maine traditions such as timber harvesting, fishing, hunting and trapping. At times, such traditions can prove controversial, and there are members of the public who advocate that LMF projects should not

promote such consumptive uses of the land. Such activities are limited by a range of regulations, such as restrictions on hunting near residences and trails.

- ❖ Maine conservation projects have been very successful in attracting federal funding from a wide range of programs utilizing state funds as match. Until recently, Maine was the national leader in securing Forest Legacy funds. In recent years, the Administration chose not to take advantage of many of these federal funding opportunities for land acquisition reducing their availability for important projects.
- ❖ There is a growth opportunity for private conservation philanthropy because Maine’s land resources are plentiful and exceptional. This is particularly true for projects addressing Maine’s changing climate because much of Maine remains a resilient and connected landscape compared to other states in the Eastern U.S. In addition, there is potential for philanthropy focused on underserved rural and urban populations for projects that highlight connection between community and conservation. Conservation is a significant and growing interest for donor advised funds, a philanthropic source which has grown dramatically in recent years. Availability of public dollars is important to leverage these funding sources.
- ❖ LMF was designed to be a collaborative process by which the LMF Board, staff and applicants had the common goal of successfully completing land conservation projects in an expeditious manner, while assuring high quality projects that makes wise use of taxpayer dollars. However, in recent years it has become increasingly challenging to navigate the LMF process in a clear, timely, and consistent manner creating uncertainty for landowners, land trusts and other LMF partners. This challenge has resulted from a combination of inadequate LMF staffing, legal assistance and state agency support along with increasing or changing requirements for applicants.

Action Item 3.A

Put forward a bold new \$75 million Land for Maine’s Bond Issue that will provide stable funding for the program over the next five years.

Action Item 3.B

Leverage all available land conservation funding sources to the maximum extent possible. In particular, ensure that all funding opportunities available through federal programs such as the Forest Legacy Program, Agricultural Conservation Easement Program and Land & Water Conservation Fund are actively pursued.

Action Item 3.C

Increase LMF Program staffing and legal assistance (at least to previous levels) and provide related state agency support (from DACF, IF&W and DMR) in order to eliminate the backlog of acquisition projects now in the pipeline and adequately handle those to be created through new bond funding.

Action Item 3.D

Have the next LMF Board work with stakeholders to identify opportunities to **streamline, clarify, and provide consistency to the LMF process** so that applicants can navigate projects forward in a timely manner and effectively coordinate LMF acquisitions with federal acquisition programs that can leverage state dollars.

RECOMMENDATION #4: Work cooperatively with landowners to support good stewardship and ensure that Maine's tradition of public access to private lands is maintained.



A recent study by the University of Maine found that more than 50% of landowners are considering restricting public recreation on their lands in the future.

Few other states demonstrate both the breadth and depth of private land stewardship that is found in Maine. Many of the landscapes and habitats we value today are the outcome of generations of farming and forest management, and of a land ethic that gave individual landowners great responsibility for caring for the state's natural resources. An overwhelming majority of Maine's land base continues to be owned and managed by private landowners, with more than 250,000 families and individuals owning more than a third of Maine's forest, some 6.2 million acres. Whether large or small, engaging private landowners and sustaining a connection with them is critically important because of the many roles they play: landowners provide food and fiber by actively managing our farms and forests, they provide small and large-scale habitat for wildlife, and they allow public access on millions of acres for hunting and traditional recreation.

Maine's long-standing tradition of public use of private lands is increasingly threatened by inappropriate public use and a range of financial pressures. A recent study by the University of Maine found that more than 50% of landowners are considering restricting recreation on their lands in the future. At the same time, land users report seeing an increase in lands being posted and feeling that there is not enough open land for recreation. And due to an aging landowner population, hundreds of thousands of acres of farm and forestland will change hands over the next decade. While allowing public access is an important tradition for long-time Maine landowners, it is seen as an intrusion by many new landowners.

Maine's landowners have many resources available to them including a network of more than 75 land trusts who offer options for conserving private lands, and a range of local, state and federal agencies and organizations who provide technical

assistance for managing land, along with financial incentives for good stewardship. Despite this, practitioners report there's still an incredible lack of understanding by landowners about who can help them. And studies show that limited funding for staff and technical assistance makes it difficult for agencies to communicate consistently with landowners.

Engaging private landowners now is key to future land conservation efforts and to the long-term stewardship of shared natural resources.

KEY FINDINGS AND CHALLENGES

- ❖ Even with the tremendous conservation gains over the past generation, 80% of Maine's land base remains in private hands without any assurance of permanent conservation. Continuing Maine's strong tradition of private stewardship of its farms, forests and open spaces is essential to maintaining the character of our state.
- ❖ Maine's private landowners provide significant benefits to the public by allowing access and use of their lands for hunting, fishing and recreation. This long-standing tradition of public use of private lands is increasingly threatened by illegal dumping and other unauthorized uses, development pressures, tax burdens, and pressures to maximize financial return from investments in land.
- ❖ Additional resources are needed to educate the public about the recreational use of private lands and to help manage conflicts between landowners and users. The current staffing and funding levels of Maine's Landowner Relations Program are inadequate to meet program objectives, and the problem

KEY FINDINGS AND CHALLENGES cont'd . . .

Hundreds of thousands of acres of farm and forestland will change hands over the next decade, due to an aging landowner population.

is one that affects multiple state agencies as well as private stakeholders.

- ❖ Engaged private landowners are key to future land conservation efforts and to good stewardship of shared natural resources, yet there is a lack of understanding by interested landowners about who can help them and limited funding for technical assistance.
- ❖ Donated easements and conservation lands have been an important contributor to Maine's conservation landbase, yet funding direct costs for land transactions is an ongoing challenge for landowners and conservation organizations. Landowners who are willing to donate land or a conservation easement face a financial barrier when they are unable to fund the cash transaction costs, resulting in important lands remaining vulnerable when they would otherwise have been conserved.
- ❖ Maine's Landowner Liability Law offers critical protections for landowners who make their lands open to the public for recreational uses and is a critical tool for ensuring the tradition of public use of private lands.
- ❖ For nearly fifty years, Maine's Current Use Taxation Programs have protected working farm, forest and working waterfront lands, as well as open space, all integral to the State's rural character and economy. However, proposed legislative changes, in almost every legislative session, make many landowners wary of these programs and threaten the effectiveness of these current use taxation programs.
- ❖ Hundreds of thousands of acres of farm and forestland, along with working waterfront properties, will change hands over the next decade as a result of an aging landowner population. Choices regarding taxes, land management activities, public use and inheritance issues can have a major impact on the future availability of these lands for natural-resource based economies, recreation and habitat protection.

Action Item 4.A

Strengthen Maine's Landowner Relations Program:

- Provide the program with 5 additional Deputy Wardens, supported by new monies from the General Fund over the next four years.
- Ensure the program integrates resources from other state agencies (including DACF, DMR, DECD) and diverse user groups in order to increase the capacity and effectiveness of the program.

Action Item 4.B

Using the good work of the Landowner Relations Program as a catalyst, create a new public-private initiative (based upon the concept previously known as Landshare) to **promote greater understanding and cooperation between owners and users of land** by:

- providing recognition to private landowners who offer public access;
- promoting high standards of courtesy, respect and responsibility by outdoor recreationists (both from Maine and visitors) in their relations with landowners;
- developing informational resources, including signs, that can better educate recreational users and assist landowners in managing access; and
- addressing root causes of problems resulting from public access to private lands (e.g. illegal dumping) and

providing assistance to landowners whose properties have been adversely impacted utilizing resources other than sportsman license fees.

Action Item 4.C

Connect private forest owners with the tools they need to manage their land sustainably by:

- providing easy access to the right tools, resources and professionals, through the Maine Forest Service, NRCS and private programs such as My Maine Woods; and
- continuing support for state, federal and private programs that provide financial assistance for management planning and for implementation of sustainable land management practices.

Action Item 4.D

Expand privately-funded programs, such as those currently offered by the Maine Mountain Collaborative, Downeast Conservation Network, Maine Woodland Owners, and Maine Farmland Trust, **that offer succession planning resources and financial assistance to cover transaction costs** for landowners wishing to donate land or a conservation easement.



RECOMMENDATION #5: Target land conservation efforts to effectively protect critical natural resources and help Maine combat and adapt to a changing climate.

Protecting wildlife habitat and significant ecological resources has always been a mainstay of land conservation programs in Maine and nationally. Animal, plant and marine biodiversity keeps ecosystems functional. Clean and healthy waterways provide essential habitat for fish and wildlife and are integral to the daily lives of Maine’s residents, providing clean drinking water and treasured recreational opportunities.

Although nearly 20% of Maine is now in some form of conservation, less than 4% is set aside as ecological reserves, lands which are left untouched in their natural state. Many ecological systems, such as wetlands, mountaintops and many forested communities, are well-represented statewide, but according to the Maine Natural Areas Program, no ecological system is adequately represented across the state’s seven biophysical regions. Ecological assessments of the state also indicate that the some of the most biologically rich areas are in the southern half of Maine where the land base is more fragmented, development pressures are greatest and land prices are highest.

The future stewardship and protection of the state’s natural resources is critical, especially in the face of a changing climate. Already change has manifest itself through shifting seasons, increased precipitation, introduction of nonnative species and rising sea level. Noticeable impacts include

shorter maple tapping seasons, an abundance of ticks and associated diseases, increased coastal erosion and green crabs and other pests that have compromised otherwise robust natural-resource based economies. In the face of such evidence there has been an increasing interest in building resilience and developing tools for adaptation, many of which tie directly to land conservation.

Maine’s 17.7 million acres of forests provide the potential to partially mitigate the adverse effects of a changing climate through carbon sequestration and storage.

Maine’s abundant forests provide an opportunity for maximizing carbon storage. Unfragmented forests and intact riparian corridors provide key linkages for species migration. Intact landscapes provide natural strongholds which are better equipped to recover from disturbance. In particular, Maine’s Western Mountains and North Woods, largely unfragmented by major roads, energy infrastructure and development, provide an unparalleled forest resource east of the Mississippi. In the face of an uncertain climate future, land conservation efforts can promote resiliency and connectivity, helping to conserve land not only for its value today, but also for its value into the future.

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Maine’s North Woods is the largest and most intact area of temperate forest in North America, and perhaps the world and the Western Maine Mountains region is the critical ecological link between undeveloped lands to the north, south, east and west.

KEY FINDINGS AND CHALLENGES

- ❖ The climate is changing. Maine’s forested landscape provides an important means to lessen the impacts through the sequestration of carbon both in the forest and in products derived from the forest. Moreover, certain areas and ecosystems have been identified as critical to future adaptation to a changing climate in Maine such as the undeveloped corridor running along Maine’s Western Mountains up through the Allagash and St. John River Valleys and coastal wetlands subject to rising sea levels.
- ❖ A landscape fragmented by roads, energy infrastructure, dams, and development presents a barrier to many species whose range may shift. Maintaining landscape-scale connectivity and conserving a network of ecological reserves within a matrix of undeveloped land (including working forests) offers the best chance of retaining a diverse variety of plants and animals.

KEY FINDINGS AND CHALLENGES cont'd . . .

The climate gradient that occurs over 20 degrees of latitude in Europe, exists in just three degrees of latitude in Maine, resulting in a tremendous diversity of plants and animals.

- ❖ It is difficult for most private landowners to access financial incentives for managing their forests in a manner that would increase carbon sequestration. Furthermore, many smaller landowners and citizens are unaware of the important role forests play in mitigating the impacts of a changing climate.
- ❖ The State Wildlife Action Plan, prepared by IF&W, has identified important areas throughout southern Maine as important for preserving the state's rich biodiversity. However, it is the part of the state which has the least conservation ownership and where such ownerships tend to be smaller and not connected to one another. It is also the area where land prices are the highest.
- ❖ Land conservation can be an essential tool in preserving Maine's exceptional water resources including pristine lakes, major river systems, intact watersheds, native brook trout waters, and coastal estuaries.

Maine's Extraordinary Range in Climate

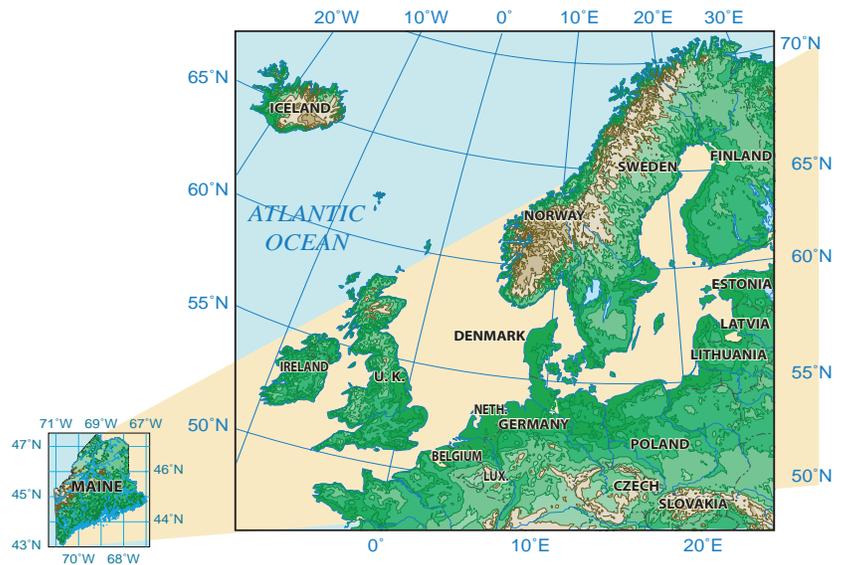


Figure 7. The climate gradient that exists in just three degrees of latitude in Maine occurs over 20 degrees of latitude in Europe, a distance approximately twice the length of California. Figure by K. Maasch.

- ❖ High-quality and user-friendly data provided by the Maine Natural Areas Program, Beginning with Habitat, and the Maine Office of GIS offers invaluable guidance to land acquisition and stewardship efforts.
- ❖ We have access to robust data and tools that can help us understand vulnerability to a changing climate including The Nature Conservancy's Conservation Gateway Project which maps resilient and connected landscapes, and the Maine Natural Areas Program's information on invasive species and highly resilient coastal sites.

Action Item 5.A

As part of a broader development of state climate policy, amend the LMF statute and/or create bond language to **support projects that promote resiliency and connectivity** and will help Maine's natural ecosystems, wildlife and natural resource-based economies adapt to a changing climate.

Action Item 5.B

Support public-private partnerships that facilitate monitoring, sharing information and **developing stewardship strategies for addressing and adapting to a changing climate** at local, regional and statewide scales.

Action Item 5.C

Place priority on utilizing available wildlife, aquatic and ecological assessment data to help **increase conservation of land and water resources in areas of high biodiversity**, seeking representation of all habitat types in each biophysical region of the state.

RECOMMENDATION #6: Ensure that land conservation benefits Maine's economy and communities.



The link between Maine's environment and the vibrancy of its local and state economy is one of the state's defining characteristics. The livelihoods of many residents are still closely tied to the land and several key economic sectors, including forestry, farming, fishing and tourism, depend on the well-being of the state's natural resources. Land conservation strategies are playing an important role in sustaining these traditional industries:

- In 2016, Maine's forest industry had an estimated total economic impact of \$8.5 billion and supported over 33,000 jobs. The viability of Maine's forest products industry depends upon maintaining a forest that is not fragmented by subdivision and development. Landscape-scale working forest easements, some encompassing several hundred thousand acres, have secured 2.4 million acres of Maine's wood basket ensuring that these lands will supply Maine's forest products industry for generations to come. For today's forest-based economy, the challenges of changing technologies, land ownership and markets are immense, but so are the opportunities.
- Agriculture in Maine is now among the state's fastest-growing industries. Small-scale farms in Maine have grown, with 7,000-9,000 new farms in the last 15 years, whereas the number of farms declined nationally by 4%. Land conservation is playing an important role in this growth. Acquiring agricultural easements provides farmers with revenue allowing them to remain on their farms and invest in their operations without having to sell productive land for development. Equally as important, conserved farmlands provide affordable opportunities for a new generation of farmers to acquire their own farms. While over 45,000 acres of productive Maine farmland and associated woodlots have been conserved, nearly 400,000 acres of farmland are expected to change hands within the next 10 years, creating an urgent need for continued conservation efforts particularly in areas vulnerable to development pressure.
- Working waterfronts cover a mere 20 miles along Maine's 3,500-mile coastline yet they are the heart of many coastal communities, contributing \$740M to Maine's

economy and employing approximately 40,000 people. Twelve miles of this working waterfront are privately owned and vulnerable to rising commercial and residential development pressures. The Land for Maine's Future Working Waterfront Access Protection Program, considered to be a national model, has helped 1,636 Maine fishing families and 941 fishing vessels by protecting over 7,000 feet of working waterfront shorefront. Yet pressure for conversion to other uses, primarily seasonal or year-round residences, continues to threaten this traditional and significant economy, and fishing communities are being squeezed out of coastal waterfronts.

- Maine's municipalities have invested close to \$15 million in land conservation projects, improving quality of life for residents and safeguarding the scenic, recreational and natural assets of their towns. Community-based projects, such as the Farm Cove Community Forest in Grand Lake Stream and the Bethel Community Forest in Western Maine, embrace a model that promotes conservation alongside community and economic development through community ownership and management of land. At the same time, rising fiscal pressures leave many municipalities struggling to provide existing services and balance their budgets without increasing property taxes.

Less than 4% of the state has Prime Farmland Soil; with 1% being already under development and around 1% already conserved.



- Maine’s tourism industry is inextricably tied to Maine’s scenic beauty and the multitude of outdoor recreational opportunities. During 2017, visitors spent more than \$6 billion in Maine, with an estimated \$620 million spent on recreation alone. Maine’s tourism industry is at great risk if it loses its scenic vistas, recreational access and vibrant villages, making a pristine environment and conserved lands key to its brand and future success.

In the face of ongoing challenges, land conservation will continue to play an important role in the future of our state’s economy and Maine communities.



The state’s \$8.2 billion outdoor recreation economy supports 76,000 jobs.

KEY FINDINGS AND CHALLENGES

- ❖ The conservation of working forests, farmland and working waterfronts helps sustain industries that are integral to the state’s economy. In the next decade there will be a major turnover in the ownership of these lands and businesses. Protecting the lands that support these industries is necessary for their viability into the future.
- ❖ Facing cuts to state revenue sharing and education funding municipalities are under increasing financial pressure to provide existing services and balance their budgets without increasing property taxes. In some towns, the state’s inability to meet its financial obligations has heightened concerns about the impact of conserved lands on municipal revenues.
- ❖ With greater investment in infrastructure and better integration of planning related to tourism, transportation and economic development, communities could realize greater economic benefits from conserved lands.
- ❖ Maine’s rural communities must continue to attract new residents in order to thrive. Conserved lands and recreational assets, including parks, trails, and access to water, can be among Maine’s competitive advantages.
- ❖ Maine’s prime farmland soils have the quality, growing season, and moisture needed to produce high yields of crops, but they are limited in supply. Conservation of productive soils can help ensure the availability of farmland and a local food supply for the future.

Action Item 6.A

LMF should continue to **place a high priority on lands that support Maine’s vibrant forestry, farming, fishing and tourism industries**. The State should be aggressive in seeking funds from the Forest Legacy Program, the NRCS Agricultural Conservation Easement Program and other non-state dollars that support working lands and waterfront conservation.

Action Item 6.B

Land Trusts should **work closely with communities to plan for future land conservation** and community recreational assets and should **support policies that help municipalities address their fiscal pressures** such as bolstering state revenue sharing and educational funding.

Action Item 6.C

Continue funding for the newly created Office of Outdoor Recreation. Encourage better integration of land conservation in state and regional planning efforts related to tourism, transportation, energy and economic development.

Action Item 6.D

Initiate a coordinated effort to **broaden awareness of the conserved land assets of the state**, help the public learn about outdoor recreational assets and opportunities and ensure promotion is targeted at sites with existing infrastructure.



MAKING IT HAPPEN

In 1986, the report of the Governor’s Commission on Outdoor Recreation gave rise to the Land for Maine’s Future Program by the Maine Legislature in 1987 and passage of a \$35 million bond issue to fund the new program. A decade later, the report of the Land Acquisition Priorities Advisory Committee created by Governor King resulted in major improvements to the LMF program and set the stage for a \$50 million LMF bond that ushered in what is now regarded as the “golden age” of modern land conservation in Maine.

The Land Conservation Task Force has worked over the past year with the hope that, like its two predecessors, its findings and recommendations will lead to major new initiatives furthering land conservation in profound ways. Like these previous efforts, a key recommendation is to present Maine voters with a major new LMF bond issue to revive the program and allow it to take on new challenges. It is the Task Force’s hope that a new bond issue will also include much-needed funds to replace aging infrastructure in our State Parks – just one of numerous recommendations focused on improved stewardship of both public and private conservation lands. The Task Force also believes that there will be huge long-term dividends from a major investment in the Maine Department of Inland Fisheries & Wildlife’s Landowner Relations Program to help ensure that the tradition of public recreational access to private lands continues in the future.

However, the recommendations reflect the Task Force’s belief that charting the future of land conservation in Maine involves more than dollars. It depends upon vision, such as the proposed planning effort to define the 21st Century role for Maine’s State Parks and other conserved lands and how they can best meet the needs of Maine people and visitors alike. It depends upon awareness of how changing climate will impact Maine’s forests, wetlands and waters and working to create connected landscapes to help species adapt. It depends upon improved understanding of the connections between land conservation and Maine’s economy including our forestry, farming, fishing and

tourism industries and assuring that land conservation furthers the state’s economic prosperity. And it depends upon better communications and coordination with Maine’s municipalities, private landowners, Native Americans and all those working to create healthy and vibrant communities.

The lives and livelihoods of Maine people are inextricably connected to our beautiful landscape and abundant natural resources – it is the legacy that defines our state. Time and time again, Maine people have demonstrated that conserving its natural treasures should be a top priority in Augusta and in our communities. It is hoped that this report and its recommendations offer Maine people new opportunities to reaffirm that commitment in ways that will lead to an exciting new generation of land conservation in Maine.

