

# Forests for Maine's Future



## A Brief History

Since the late 1800s, the York and Kittery water districts have been acquiring lands to protect drinking water supplies for residents of the two towns. Over the past century, the districts acquired 4,445 acres in the area of Mt. Agamenticus.

In the late 1970s, residents of York, Well and South Berwick were energized by a proposal to build 3,000 residential housing units on 3,500 acres around Mt. Agamenticus. In 1980, York voters agreed to spend \$200,000 to protect the summit of the mountain.

After the launch of the Land for Maine's Future program in 1987, local citizens (working with The Nature Conservancy, York Land Trust, Great Works Regional Land Trust and other partners) submitted proposals that led to the protection of more than a dozen parcels on and around Mt. Agamenticus. The Maine Department of Inland Fisheries & Wildlife now manages much of the land for outdoor recreation and wildlife habitat.

Faced with escalating development pressure in the late 1990s, The Nature Conservancy and the Great Works and York land trusts launched The Mt. A. Challenge, which raised more than \$3.2 million and protected 2,000 more acres of land around Mt. Agamenticus. The success of that project

## Fresh from the Woods -- December 2007

### **Forests on the Edge, Part II: Coalition protects undeveloped land in rapidly growing southern Maine**

By Andrew Kekacs

Although federal officials predict the number of houses and vacation homes in southern and central Maine will increase rapidly during the next 25 years, conservation groups and state agencies are expanding their efforts to work with landowners to protect forestland from development.

The techniques have been used most widely in the unorganized territories, where hundreds of thousands of acres have been protected during the past decade, largely through conservation easements funded by federal, state and private funds. But there have also been notable successes in the most densely populated parts of Maine.

Perhaps the best example of such cooperation is a group called the Mt. Agamenticus to the Sea Coalition. The coalition brought together 10 organizations to protect what is said to be the largest unfragmented coastal forest between Acadia National Park and the New Jersey pine barrens.

The 48,000-acre focus area is in the York County towns of Ogunquit, Wells, South Berwick, York, Eliot and Kittery. By retaining forestland in this rapidly developing part of Maine, the organizations are also protecting drinking water supplies, wildlife habitat, outdoor recreation and jobs tied to natural resources.

Partners in the project include: Great Works Regional Land Trust; Kittery Land Trust; Maine Coast Heritage Trust; Maine Department of Inland Fisheries and Wildlife; The Nature Conservancy – Maine Field Office; Trust for

led to the formation of the broader Mt. Agamenticus to the Sea Coalition in 2002.

### **Tools**

The Maine Coast Heritage Trust website offers a wealth of information about ways to protect land from development. Here's a sample:

#### **Easements**

The conservation easement is a legal document that guides future land uses when ownership changes, protecting a property's key features by limiting the type and scope of development that can take place. Easement lands remain in private hands and on local tax rolls, while providing such public benefits as open space, scenic vistas and wildlife habitat. Easements allow landowners to help preserve important aspects of their community and contribute to the region's quality of life. Particularly in areas facing rapid development, easements can complement local zoning by ensuring appropriate growth and protection of sensitive areas.

#### **Donating land**

Outright donations of conservation land offer several advantages. They are simple transactions that provide maximum income- and estate-tax benefits (while avoiding capital gains tax), and they transfer ownership and management responsibilities to a nonprofit organization or government entity. Most important, they ensure the land's permanent protection. Land donations for permanent conservation ownership can accomplish many different objectives but must always offer a genuine public benefit. Not all proposed donations meet this test. The value of property gifts over \$5,000 must be substantiated by a qualified appraisal to be eligible for a charitable gift deduction on income taxes.

#### **Selling land**

Maine land trusts and government agencies have limited funds for land purchases, but occasionally acquire properties for long-term conservation. Several techniques help them to stretch conservation dollars while providing some compensation for landowners.

Public Land; US Fish and Wildlife Service/Rachel Carson National Wildlife Refuge; Wells National Estuarine Research Reserve; York Land Trust and the York Rivers Association.

“Due to the convergence of southern and northern forest types, it is the most biologically diverse place in the state of Maine, with the largest number of threatened and endangered species,” the coalition states on its Web site. “Three animal and 20 plant species found in the ... area are found nowhere else in Maine.”



*Mt. Agamenticus rises from the lowlands of York County.*

The partners are not focused solely on forestland, however. The project area extends southwest from Mt. Agamenticus to the York River, and follows the river through eight miles of marshes, fields and forests to its mouth. Then it turns south toward Gerrish Island at the very bottom of the state.

The project's link to the sea has led to some unusual cases of collaboration. The York Land Trust, for example, partnered with two local fishermen to buy and place a conservation easement on a commercial fishing dock in York. The easement requires that the dock be used for commercial fishing forever.

The coalition has been surprisingly successful. In 2002, it set a goal of raising \$10 million. The funds would be used to add to the 11,000 acres of protected land that were already found within the 48,000-acre focus area. Those protected lands included large holdings by local water districts and the state's Mt. Agamenticus Wildlife Management Area.

Last May, the partners announced they had raised more than \$8.8 million from individuals, foundations, businesses, government agencies and municipalities, and received an additional \$8.3 million in gifts of land or easements, or below-market sales.

Since 2002, the coalition has purchased or received through gift some 33 properties totaling 1,652 acres. It expects to buy or have donated another 2,000 acres within the next three years.

Collaboration among the 10 partners has been a key factor in the project's success, according to Doreen MacGillis, executive director of the York Land Trust. "It doesn't mean we are more efficient," she said, "but we are more effective. ... Working together has resulted in more funding at the local, state and federal levels, and more access to foundations."

If the pace of fund-raising has been torrid, the work of obtaining easements is slow and incremental. "About 80 percent of the ownerships [in the area] are less than 100 acres," said Tin Smith of the Great Works Regional Land Trust. "When we close a deal for 200 acres, it's a big deal."

Are conservation projects in settled areas more complicated (because of multiple landowners to deal with) or easier (because there are more local residents to bring political and financial support to bear in favor of the work)?

"Both are true!" said Keith Fletcher, southern Maine program manager for The Nature Conservancy. He said groups in the coalition have completed more than 70 conservation deals in the six towns since 1999.

"Given the ownership patterns in this part of southern Maine, it is like putting together a jigsaw puzzle," said Fletcher. "Not easy, especially when you need all the pieces for the puzzle to work. But at the same time there are many excellent local leaders who have been working hard for years to raise money, do deals, and trying to get the towns, state and federal government to support these efforts."

The creation of conservation plans for the Mt. Agamenticus and York River portions of the region were a key initial step. The plans ultimately were combined into a single document that spelled out the goals of the Mt. A to the Sea effort, identified key conservation values and the major threats to those values, and

offered specific recommendations for towns, land trusts, water districts, landowners, state and federal agencies and others.

"The effort really came out of the science," said MacGillis, of the York Land Trust. "The plan identified the need to protect large, unfragmented blocks of forest, and also the upper reaches of the York River, with its large blocks of salt marsh, tidal mud flats and the forest resources that go along with it."

Among other things, the plan explicitly endorsed timber management as an appropriate land use and sought to preserve a significant portion of the best agricultural soils. In addition, it recommended that coalition members identify and help to keep viable existing farms and working forestland, and promote broad awareness of their value to the region.

The emphasis on the value of working forests is unusual. Historically averse to managing woodlots, conservation organizations are gradually coming to accept that managed forestland can enhance other conservation values and provide income to care for land-trust properties.

"We realize that we need to implement the management plans [on properties managed by Great Works Regional Land Trust]," said Smith. "That's a challenge that a lot of land trusts are coming to grips with ... the lands that they acquire could be a real community resource for timber and firewood, and that's a real interest for me."

"Trust properties offer the perfect site for long-term, sustained management. We're going to own it forever. Over the long term, I see [land trusts] as providing a model for good forestry."

*For more information about the Mt. Agamenticus to the Sea project, visit [www.mta2c.org](http://www.mta2c.org).*

*Learn more about land conservation techniques and identify land trusts that operate in your area by visiting: [www.mltn.org/landowner\\_resources](http://www.mltn.org/landowner_resources).*



The focus area stretches from Mount Agamenticus to the tip of Maine.

# MT. AGAMENTICUS TO THE SEA CONSERVATION INITIATIVE

