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## PREFACE

Over the last two years, I have had the privilege of meeting with, interviewing, observing and writing about the people and projects of the Mt. Agamenticus to the Sea Conservation Initiative. This effort has provided a unique opportunity to document how individuals and organizations grapple with the complex questions of conservation at a landscape scale, collaboration and coordination between an array of institutional cultures, and how to advance planning in communities where the growing demands of human population challenge the natural systems that support them.

The Mt. Agamenticus to the Sea Conservation Initiative has much to be proud of. It has promoted “regional” thinking, engaged an impressive group of individuals and organizations, defined conservation priorities based on ecological systems and conservation science, and secured important resources for conservation. It exceeded its goal for a \$10 million capital campaign to support the Initiative’s Conservation Plan. It had protected 1429.25 acres of land, by October 2006, in some of the most ecologically sensitive areas of the region. It has assisted communities in the difficult process of thinking and planning regionally and working as partners in achieving the goals of a regional conservation plan.

This report represents an assessment and round of applause for the job well done to date and offers some insight into the challenges ahead. How the Coalition regroups after a capital campaign, finds new energy and resources to support its work, and engages the six communities in advancing the goals of the Conservation Plan will certainly test the Coalition. Based on what they have already achieved, they are poised to meet these challenges.

Throughout the report and case studies, I have attempted to illuminate the role of individuals, relationships, and networks of association in creating an extraordinary bank of social capital that has powered much of the success of the MtA2C Initiative. While I have identified many individuals, many have not been named, but all should be honored for their vision, experience, generosity, and dedication.

It is my hope that the information gleaned from the meetings, interviews, observations and projects that led to the interim assessment (August, 2005) and now this report, will not only assist those continuing the work of the MtA2C Initiative, but will provide guidance to those who are looking to collaborate to conserve ecological systems on a landscape scale in other regions, and to those donors, organizations and agencies that serve to support these efforts.

Martha West Lyman

October 2006

## I. INTRODUCTION

The purpose of an assessment of the MtA2C Conservation Initiative has been to:

- determine the added value of the Coalition in achieving conservation goals at a landscape scale;
- analyze the progress of the Coalition in achieving the goals of the Conservation Plan; and
- provide case studies that illustrate some of the added values of the Coalition.

The first phase of the assessment was conducted primarily through the review of information and data supplied by members of the MtA2C Coalition including the Conservation Plan, internal organizational documents, two interim reports (2002 and 2003), an operations and capital campaign plan, foundation proposals and reports, interviews with Coalition members, town officials, and funders. Site visits included trips to each of the six towns and to several of the MtA2C projects.

An interim report, completed in August 2005, documented a mid-point review of the Initiative. The report contained the background and history of the Coalition, an analysis of its operation and management, and an assessment of the Initiative's work with the six communities. The report concluded that the Coalition:

- practiced more efficient and effective conservation.
- expanded the capacity of individual organizations to undertake conservation projects and to steward conserved resources.
- stimulated action within the six towns to coordinate and advance conservation planning.

A summary of the interim report is included in the appendices of this report and can be viewed in its entirety at <http://www.mta2c.org/mtareportfinal.pdf>.

This assessment comes at a time of transition for the MtA2C Coalition. While the Capital Campaign has been completed and 29 land conservation projects have closed, the Coalition is preparing to move into the next phase of the Initiative that will see additional land conservation projects completed and continued work of the municipal outreach program.

### **The report represents an analysis of work through October 2006 and contains:**

- a summary of findings, lessons learned and recommendations related to the work of the Coalition.
- an assessment of progress toward the Initiative's conservation goals as laid out in the Conservation Plan.
- three case studies on specific projects related to the MtA2C Conservation Initiative.
- a summary of the Coalition's Future Planning process.

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- analyze the progress of the Coalition in achieving the goals of the Conservation Plan; and
- provide case studies that illustrate some of the added values of the Coalition.

## II. SUMMARY FINDINGS, LESSONS LEARNED AND RECOMMENDATIONS

### Findings

- The MtA2C Initiative has made significant progress towards the goals of the Conservation Plan.
- The MtA2C Initiative has expanded access to resources for conservation.
- The MtA2C Initiative has expanded the constituencies for conservation.
- The MtA2C Initiative has expanded the capacity of individual organizations for conservation both locally and at a landscape scale.
- A sustained commitment by the MtA2C Initiative to the municipal outreach work is required if the goals of the Conservation Plan are to be achieved.

### Lessons Learned

- The MtA2C Initiative demonstrates the value of an ecological and conservation science framework for landscape scale conservation.
- Land conservation projects provide a powerful engine for education, fundraising, and building capacity for a landscape scale initiative.
- Key factors in the smooth operation of a Coalition include:
  1. Leadership to shape the initial vision, attract partners, manage perceptions and conflict and to manage transitions;
  2. Establishing procedures early on for Coalition operations;
  3. Inventory resources of Coalition partners and secure commitments of resources;
  4. Identify management and supervisory responsibilities for Coalition staff.
- A phased approach to designing and implementing the work of a long-term effort with the scope and complexity of the MtA2C Initiative offers a successful strategy for securing resources, achieving measurable accomplishments and sustaining the capacity of individuals and organizations within a Coalition.

### Recommendations

- Develop a long-range plan for achieving the goals of the Conservation Plan
  1. Secure sustained support for the municipal outreach program.
  2. Design an advocacy strategy to implement recommendations for municipalities.
  3. Identify and complete land conservation projects in three priority areas:
    - permanent protection of water district lands;
    - working landscape projects particularly those conserving agricultural lands and working forests; and
    - projects that conserve historic structures.
  4. Develop an internal process and timetable for evaluation of progress towards the goals of the Conservation Plan.
- Retool the Coalition for the next phase of the Initiative
  1. Expand the Coalition membership to include organizations and individuals that can support the municipal outreach work.
  2. Inventory the available resources of existing Coalition members and secure formal commitments of time and resources by Coalition members.
  3. Rebuild fundraising capacity within the Coalition.
- Strengthen the Coalition's management infrastructure
  1. Allow time to regroup and refresh.
  2. Determine leadership needs.
  3. Develop, at a minimum, a one-year work plan for the transition period.
  4. Clarify job descriptions for Coalition staff.
  5. Coordinate supervisory responsibilities and accountability procedures for staff.

### III. THE MTA2C COALITION

The MtA2C Coalition is composed of 10 organizations representing national and regional conservation organizations, 3 local land trusts, federal and state agencies. Its members include: The Nature Conservancy-Maine Field Office, Maine Coast Heritage Trust, Trust for Public Land, Maine Department of Inland Fisheries and Wildlife, US Fish and Wildlife Service-Rachel Carson National Wildlife Refuge, Wells National Estuarine Research Reserve, York Land Trust, Kittery Land Trust, Great Works Regional Land Trust, and York Rivers Association.

The MtA2C Coalition has much to celebrate since its first gathering at a potluck supper in 1999, including its work to:

- Organize and coordinate a 10-member Coalition.
- Define the MtA2C project area.
- Develop a Conservation Plan for the MtA2C region.
- Identify land conservation priorities and protect 1429.25 acres of high priority conservation sites.
- Engage the six towns in achieving the goals of the Conservation Plan.
- Develop operating systems and procedures for managing the Initiative.
- Successfully complete a \$10 million Capital Campaign to support the Initiative.

This work has been accomplished through the dedication, commitment and experience of a tireless group of volunteers, supported by the experience and technical capabilities of the professional staff from the Coalition and member organizations. The group has demonstrated a notable degree of cohesiveness, professionalism, resourcefulness and productivity. They have worked cooperatively, creatively, diligently and respectfully. To say, however, that all this was done easily or without difficulty, would be inaccurate and would minimize the challenges of working within a dynamic and complex organization to achieve ambitious goals.

Coalition members offered frank, considered and thoughtful reflection on questions related to the composition, operation, management and dynamics of the Coalition. The information below represents a summary and synthesis of observations, comments and suggestions gathered from a final questionnaire to members of the Coalition and from follow-up interviews with individual members of the Coalition in an effort both to improve the Coalition as it moves into its next phase and to offer lessons and learning from their experience to other coalitions.

#### Composition of the Coalition

There was unanimous agreement that the composition of the Coalition represented the groups and interests necessary to undertake a capital campaign and to take significant steps to accomplish the land conservation goals of the Initiative. The question about whether, and how, to change the composition to support the next phase of the Initiative drew a diversity of opinions. Suggestions ranged from simply having the three local land trusts (York, Kittery and Great Works) be the operating members of the Coalition, to expanding the membership to include the Southern Maine Regional Planning Commission, Spruce Creek Association, and each of the six towns.

The group has demonstrated a notable degree of cohesiveness, professionalism, resourcefulness and productivity. They have worked cooperatively, creatively, diligently and respectfully. To say, however, that all this was done easily or without difficulty, would be inaccurate and would minimize the challenges of working within a dynamic and complex organization to achieve ambitious goals.

## ***Recommendations***

The composition of the Coalition will be an important component in advancing the next phase of the MtA2C Initiative. Once the Coalition determines the focus, direction and priorities for the next phase and finalizes its work plan, the Coalition should address the question of what individuals and organizations can help accomplish its goals and carry out the work plan. Current members should be polled to determine if they are willing and able to continue. Those individuals and organizations that may have an interest in new facets of the Coalition's work and aren't already on the Coalition should be invited to join.

One of the most important roles of the Coalition in the next phase of the Initiative is to engage and assist the six communities in accomplishing the goals of the Conservation Plan. In addition to securing necessary funding to support a staff position for municipal outreach, membership on the Coalition should be expanded to include representation from the municipal sector. The Southern Maine Regional Planning Commission has been mentioned frequently as a logical and appropriate new member. The Coalition should also consider other associations and organizations that work with municipalities and are involved in growth and development issues, such as the Maine Association of Conservation Commissions, Maine Municipal Association and Grow Smart Maine.

Invitations to each of the six communities to become members of the Coalition should be considered, though it may be unrealistic to expect that town officials will commit to another set of organizational meetings. The important issue, however, is that the Coalition communicate to each of the towns that their participation is both desirable and welcome. If formal representation from the six towns is not possible, an important role of the newly-established Municipal Outreach Committee will be to ensure good communication and coordination between the local land trusts, the Coalition and the towns.

## **Contribution to the Initiative by Coalition members**

The Coalition represents impressive capacity in the form of talented and experienced volunteers and professional staff, institutional knowledge and access to resources.

There was, however, genuine concern and varying degrees of frustration expressed that the participation and contribution by individual members of the Coalition has been uneven and imbalanced.

There is no question that some partners assumed a larger burden of the work and responsibilities, in large part because of their skills, expertise, and resources. What became evident during conversations about this issue, however, is that while there were a variety of reasons why some members played no substantive role, or where a member became disenfranchised, some basic questions were never asked in the first place: What is the capacity of your organization? What resources can your organization bring to the table? This may have led to unreasonable assumptions from the outset that only resulted in frustration from unmet expectations simply because it was not clear from the beginning what was needed and who would provide the resources. Though the frustrations have been held in check and did not create significant impediments to the work of the Coalition, they offer evidence that the Coalition has both unrealized capacity and efficiencies.

## ***Recommendations***

The Futures Planning effort is in the process of inventorying the available resources of Coalition members (staff time, technical resources, financial resources, and other institutional capacity). This inventory will help determine available resources, staffing needs and recruitment of new members. Commitment of time and resources by Coalition members should be backed up by some formal mechanism, such as a MOU (memorandum of understanding) for accountability.

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## **Leadership**

During the organizing phase of the Coalition, there were one or two individuals who assumed leadership roles. These were informal, primarily related to having the vision, knowing who to bring to the table to discuss the idea and how to attract people and resources to launch such an initiative. Initially, a Coalition chair, Andrew Beal, was named. He spent a great deal of his time managing relationships and perceptions in order to bring the Coalition together. Once established, however, the Coalition decided to diffuse leadership through the Oversight Committee and various operating committees. While the Coalition benefited from the skills and resources of many individuals within the Coalition and throughout the organizational structure, many members acknowledged that, in retrospect, they wished there had been one person as “head”, “to lead”, “to chair.” This has been expressed in various ways during the interviews and in responses to the questionnaires as an issue related to managing and facilitating decision-making, establishing accountability and supervisory responsibilities for the paid, professional staff, and managing perceptions and conflict.

## ***Recommendations***

The issue of leadership is always complex and there is not one way for organizations to proceed, primarily because leadership is so integrally linked with personalities, availability, interest and dynamics. However, having one person emerge to help steer the Coalition during this transition would be desirable IF there is someone who both has the trust and respect of Coalition members AND is able and willing to assume the role.

The Coalition, in any case, should discuss leadership issues and the structure of the Coalition at least to review the role of the Oversight Committee, determine if a chairperson is feasible and desirable and describe the responsibilities of a Chair. Responsibilities of a Chair might include, at a minimum, facilitating and communicating decision-making; supervision of the paid professional staff on behalf of the Coalition; and presiding at (though not necessarily coordinating) Oversight Committee meetings.

## **Supporting and managing the work of the Coalition**

The comments and reflections of Coalition members revealed several areas where their experience over the last four years offers important insight for other coalitions, as well as for planning the next phase of the MtA2C Initiative.

## ***Balancing Coalition demands with organizational priorities***

The tricky piece of working in coalitions is that while the incentive to work collaboratively is powerful, the actual work required by individual organizations within a coalition often does not overlap entirely with all the work demanded within the organization. This was certainly true with the MtA2C Coalition where the burden fell, most heavily, on the three local land trusts. Though in the cases where the boundaries of the MtA2C region were most consistent with the focus area of the land trust, the land protection work could be more closely aligned. In all cases, however, there were institutional priorities (administration and management, board work, fundraising) and other program priorities that had to compete for time and organizational resources with the MtA2C Initiative.

## ***Managing the dynamics: voice and influence within a Coalition***

Perhaps one of the most complicated issues for any coalition is how the dynamics are perceived, particularly as it relates to the management and distribution of voice and influence among coalition partners. While the MtA2C Coalition operated with great cooperation and good will, there were still instances where issues emerged primarily around the degree to which individuals and partner organizations felt that their voices, opinions, and priorities were heard and considered. The factors that seemed to be most influential include: distribution of funds raised by the Coalition for landscape conservation projects; the degree to which the boundaries of the MtA2C region were compatible with the geography or the programmatic focus of the organization; the capacity, skills and resources of the organization; access to donor information; the degree to which Coalition projects were compatible with project priorities of individual organizations; and gaining benefits from participating in the Coalition.

The MtA2C Coalition’s decision to distribute benefits among the three land trusts for capacity building and

stewardship was important in helping to address some concerns that would inevitably arise around the sharing and distribution of Coalition funds. However, significant issues still remain around sharing information about potential donors, matching Coalition land conservation projects and funding with the project priorities of individual organizations, and the allocation of work responsibilities. To the credit of the Coalition, in most cases issues are surfaced and discussed owing largely to the good relationships and trust between Coalition members and the focus of individual members on the bigger picture.

### *Structure and resources*

In the early stages of the Coalition there was a strong interest in an organizational structure and culture that would preserve flexibility and support a capacity to be “opportunistic”. There is now, however, a general consensus that having some important structural pieces in place earlier rather than later is important. Among the most commonly referred to include:

- **Management protocols:** Many on the Coalition suggested that the Coalition would have benefited from having some of the protocols - such as the Fiscal Agreement with the York Land Trust, the MOU on sharing donor information, and the Stewardship and Capacity Building Policies - in place as part of the organizing effort of the Coalition.
- **Staffing:** The Coalition recognized early on the need for paid staff support and worked to raise the funds to hire and support staff. Hiring full-time staff to coordinate the Coalition and municipal outreach program, a full-time Campaign director, and a part-time administrative assistant offered critical staffing infrastructure for the Coalition. In retrospect, hiring staff to oversee and manage the financial and accounting responsibilities would have been advisable.
- **Staff supervision and accountability:** Without a Coalition “chair” or management team, the responsibilities for supervising staff were diffused among various committees and individuals on the Coalition. This has not been ideal either for staff or Coalition members. Issues related to accountability, responsiveness to staff needs, and appropriate levels of oversight suggest the Coalition should revisit who and how supervisory responsibilities are assigned.

### *Financial oversight and management*

The story of how financial oversight and management evolved for the MtA2C Initiative is both instructive and testament to the kind of capacity that exists within the Coalition. Because The Nature Conservancy (TNC) had served as fiscal agent for an earlier land conservation fundraising effort, the Mt. A. Challenge, it was asked to continue in the role of fiscal agent for the MtA2C Initiative. TNC declined for several reasons. First, TNC felt it didn’t have the staff. Second, it believed that the Coalition should be able to “stand on its own two feet” and, finally, TNC had recently instituted new internal rules and procedures that would make running MtA2C funds through TNC too complicated. Instead of staff support, TNC offered start-up funding in conjunction with Maine Coast Heritage Trust.

The York Land Trust “stepped up to the plate” and offered to serve as fiscal agent. In hindsight, neither the York Land Trust nor the Coalition had a clear understanding of the sophisticated mechanisms for financial management and oversight that would be needed for the size and complexity of the Coalition’s financial transactions. To its credit, however, the York Land Trust made it work with results that include three successful audits, improved

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financial systems, expanded capacity within the York Land Trust and a new pro bono professional financial manager.

## *Staffing*

One of the most critical exercises within a Coalition and in advancing an effort of the size and scope of the MtA2C Initiative is determining staffing needs. While some portion of the workload can be handled within the capacities of existing member organizations and some can be assumed by volunteers, identifying gaps in capacity, or areas where professional expertise is needed is essential. Equally important is developing clear work plans, job descriptions and appropriate systems of accountability and supervision of paid staff. Like many organizations with limited resources, the Coalition has adopted “multi-tasking” by staff as an accepted practice. However, it is critical to ensure that the staff load is appropriate both for allotted time commitment and compensation, and that the staff is being asked to perform jobs that are compatible with their skills.

Coalition members identified a variety of functions within the organization that require personnel as the Initiative moves forward:

- Coordination of the Oversight Committee.
- Mapping/GIS work.
- Liaison with communities.
- Financial management.
- Development/fundraising.
- Communications.

The Oversight Committee is working through its Futures Planning process to determine what, if any of these functions, can be assumed within existing member organizations, what functions can be taken on by volunteers and what roles need paid staffing.

## *Fundraising*

The Coalition still has extensive needs for funding to support land conservation projects and the municipal outreach work.

While the Coalition hired a full-time campaign director to manage the Capital Campaign, volunteers and the professional staff of member organizations have accomplished much of the actual “fund-raising.” The Coalition is exceptionally (and unusually) endowed with skilled individuals. One volunteer, single-handedly opened doors to and secured generous contributions from individuals, as well as providing invaluable “mentoring” for other Coalition members. Another individual who had worked in the foundation field and was well-connected to the foundation community, experienced and talented at writing grant proposals, secured numerous grants and offered advice and counsel to the professional staff in targeting and reviewing grant proposals.

With the successful completion of the Capital Campaign, the Coalition no longer has any paid fundraising staff and some of the volunteers have expressed their desire “to take a break.” The Coalition needs to assess the capacity (interest and energy) of these individuals to continue working on behalf of the Coalition, to determine what level of fundraising is needed, and possible, given the current staffing, volunteer capacity and interest.

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- Coordination of the Oversight Committee.
- Mapping/GIS work.
- Liaison with communities.
- Financial management.
- Development/fundraising.
- Communications.

## IV. THE MTA2C CONSERVATION PLAN

One of the first projects accomplished by the MtA2C Coalition was the development of a Conservation Plan<sup>1</sup> that would serve to guide the work of the Initiative. The Conservation Plan was developed based on The Nature Conservancy's framework for site conservation. Components of the framework include conservation targets, stresses, sources of stress, strategies and measures of success.

The Plan articulated a broad vision “...to protect a network of priority conservation lands from Mt. Agamenticus through the marshes, fields and forests buffering the York River and Brave Boat Harbor estuary to the largely undeveloped forest interior and coastline of Gerrish Island” and identified six priority areas for conservation:

- I. Significant contiguous forestlands, unfragmented forest uplands and freshwater wetlands**
- II. Water quality and quantity, coastal and tidal communities**
- III. Rare or sensitive habitat patches**
- IV. Early successional habitat, Blandings Turtles and vernal pools**
- V. Working farms, forests and waterfronts and traditional sustainable uses of the land and waterways**
- VI. Cultural landscapes and historic structures, features and viewsheds**

Within each priority area, the Plan describes specific goals and offers recommendations for land trusts, municipalities, landowners, water districts, state and federal agencies, and businesses.

The focus of the MtA2C Coalition has been, primarily, to target specific land conservation projects and to engage the six towns in helping to achieve the goals of the Conservation Plan. The following offers an analysis of progress to date in both areas.



<sup>1</sup>The full Conservation Plan is available at [www.mta2c.org/conservationplan](http://www.mta2c.org/conservationplan). Excerpts are included in the appendices.

## Analysis of the 29 land conservation projects completed to October 2006 by the six priority areas for conservation

MTA2C Land Protection Projects closed by October 20, 2006	Town	Acreage	I. Significant contiguous forestlands, unfragmented forest uplands and freshwater wetlands	II. Water quality & quantity, coastal & tidal communities	III. Rare or sensitive habitat patches	IV. Early successional habitat, Blandings Turtles & vernal pools	V. Working farms, forests & water fronts & traditional sustainable uses of the land & waterways	VI. Cultural landscapes & historic structures, features & viewsheds
Payne	Eliot	9.10	X					
Cole	York	6.00	X		X			
Hosmer	York	30.00		X				
Schoolhouse Field	S. Berwick	4.00			X		X	
Clough II	York	1.00		X	X			
Onion	Wells	8.00	X			X		X
Parsons	York	4.00	X		X			
Clough I	York	8.00		X	X			
Blickensderfer	Eliot	14.00	X		X	X		
Matheison	York	250.00	X			X		
Highland Farm	York	24.00				X		X
Kimball	Kittery	15.00		X	X			
Littlefield	Wells	29.00	X			X		X
Cox Pond/ Johnson	S. Berwick	14.00	X					
Patterson	S. Berwick	212.0	X			X		X
McIntyre Highlands Preserve	York	296.00	X		X	X		
Smith	Wells	12.00	X		X	X	X	X
Sewall's Bridge Dock	York	.15					X	X
Furbish I	Kittery	30.00	X	X		X		
Shaw	York	24.00		X		X		
Kobzik	York	7.00	X					
Beal	York	106.00	X		X	X		
Allen	Wells	14.00	X		X		X	
Gallagher	Wells	19.00	X					
Ramsdell 2	York	22.00	X					X
Fitts	York	24.00	X		X			
Eastbrook Timber Co.	York/ S.Berwick	186.00	X					
Ramsdell/Moulton	York	26.00	X					
Bart-Hussey	S. Berwick	25.00	X			X	X	X
Total Acreage		1,429.25						

## Land Conservation

The land conservation work of the MtA2C Coalition has been a notable success. The Coalition organized three land protection committees<sup>2</sup> that worked painstakingly to:

- identify important lands for conservation based on available science, conservation values identified in the Conservation Plan and conservation threats;
- establish priorities based on conservation needs, interest of landowners and available resources; and
- undertake the complex process of working with landowners, securing funding and completing transactions to secure conservation of individual parcels of land.

In addition to conserving important pieces of land, the land conservation projects expanded the resource pie for conservation. They also proved to be an invaluable engine for expanding awareness about the MtA2C Initiative, raising money during the Capital Campaign, and for building social capital within the region. Management and stewardship of these lands offer significant opportunities for increased public access and recreation, as well as expanded public awareness.

As of October 2006, the MtA2C Coalition completed 29 projects in 5 of the 6 towns, conserving 1,429.25 acres of land, representing important accomplishments in all six of the priority areas listed in the Conservation Plan. Updated statistics will be available in the Final Campaign Report. The report will be posted on the MtA2C website, [www.mta2c.org](http://www.mta2c.org), in June 2007.

The Coalition and its members are committed to preserving the three land protection committees and continuing to work on land protection priorities identified through the committee process. While the committees have to juggle a suite of demands for conservation projects, consideration for new projects should include the following priority areas in order to fully address the goals of the Conservation Plan:

- Permanent protection of water district lands.
- Working landscape projects - particularly those conserving agricultural lands and working forests.
- Projects that conserve historic structures.

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<sup>2</sup>For more information on the structure and process of the three land protection committees see the MtA2C Interim Report at [www.mta2c.org/mtareportfinal.pdf](http://www.mta2c.org/mtareportfinal.pdf).

## V. MUNICIPAL OUTREACH

The municipal outreach component is the keystone to success of the MtA2C Initiative. The MtA2C region includes 48,000 acres of land, water, wetland and estuarine resources of significant ecological value. The region contains 11,403.25 acres (almost one-quarter) of open space with varying degrees of protection. To date, the MtA2C Initiative has protected 1,429.25 acres of that open space, or roughly 2%, at a cost of over two million dollars. As development values rise and development pressures intensify, opportunities to acquire land and the cost of purchasing land or easements for conservation will represent significant challenges to the land conservation component of the Initiative's strategy. Further, the MtA2C Conservation Plan proposes that towns will need to work collaboratively and be involved in a broad spectrum of community-based activities including land conservation, municipal zoning and planning, investment in and maintenance of community infrastructure, including its green infrastructure.<sup>3</sup>

This suggests that while the land conservation achievements of the MtA2C Coalition are impressive and a central component of the conservation strategy, the goals of the Conservation Plan cannot be achieved without full participation by, and regional cooperation among, the six towns. Experience predicts that the towns will not do this all on their own, and in the case of a region encompassing six towns, not all towns will be equally engaged.

The MtA2C Coalition and its Municipal Outreach program offers critical capacity within the region to engage the six towns. Important components of the work include:

- Education on the importance of natural assets to the towns and regional cooperation among municipalities within the MtA2C boundary.
- Support and technical assistance to the towns to help them integrate the goals of the Conservation Plan into local decision-making processes.
- Expanding access to resources to help towns invest in the natural assets.
- Advocacy before town boards and decision-making bodies on issues related to the goals of the Conservation Plan.

The Municipal Outreach work, though in the early stages, is making progress. The towns are at varying stages of "readiness" and demonstrate varying degrees of interest in and level of commitment to the goals of the Conservation Plan. One town, for example, is just learning about the MtA2C Initiative and Conservation Plan and has only recently evidenced interest in incorporating conservation practices into the town's decision-making. At the other end of the spectrum, is a town that has made significant investments in conservation and commitments to integrating the goals of the Conservation Plan into town decision-making. A resident of the town, commenting on recent town votes, said that "if the word Mt. Agamenticus is in it...it passes."

As much of this work is "process" related, early measures of success will most likely be short of achieving the goals of the Conservation Plan and require a new set of benchmarks to evaluate the impact of the work. To date, the Municipal Outreach work can count the following accomplishments in each of four areas:

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<sup>3</sup> Green Infrastructure is a term used to describe an "interconnected network of protected land and water that supports native species, maintains natural ecological processes, sustains air and water resources and contributes to the health and quality of life for communities and people". For more information see [www.greeninfrastructure.net](http://www.greeninfrastructure.net).

## Education/Public Awareness

The Municipal Coordinator has made presentations to one or more of the boards in all six towns, and provides advice and assistance as requested. Presentations to groups in the towns, publicity around land conservation projects and the Capital Campaign, and field trips and special events on MtA2C land conservation projects have further expanded public awareness and interest in the MtA2C Initiative.

There have been notable advances in some of the towns that demonstrate the efficacy of education and outreach in influencing the towns to engage as partners in the MtA2C Initiative. The Town of Kittery, for example, established an Open Space Committee and is developing an Open Space Plan as a result of outreach activities. The Town of Ogunquit endorsed the Conservation Plan and seeks advice from the Coordinator on conservation issues. The Town of Eliot's Conservation Commission is working with the Coordinator on integrating components of the Conservation Plan into revisions of the town's comprehensive plan.

These advances, however, have not occurred consistently among the six towns due primarily to varying degrees of "readiness", experience, and capacity to integrate conservation priorities into local decision-making. The following example offers a vivid example of this inconsistency. One of the recommendations to towns in the Conservation Plan is to preserve existing dirt roads. Recently, one town paved its last remaining dirt road in response to cost factors related to the Department of Public Work's (DPW) road maintenance equipment. In contrast, another town, after input from local residents knowledgeable about the recommendations of the Conservation Plan and discussions between the MtA2C Municipal Outreach Coordinator and DPW staff, decided to put on hold plans to pave an existing dirt road. This contrast underscores the importance of the MtA2C education and outreach effort. While much of the focus of education and outreach has been aimed at the general public and municipal officers, it is clear that further outreach to other town employees - such those working in the Public Works and Water and Sewer Departments - will be valuable. A proposed Phase II of the Regional Planning Grant is slated to support this effort.

## Regional Collaboration

Following initial efforts to educate the towns about the MtA2C Initiative and the role for towns, the Municipal Outreach Program worked to engage the towns in a regional effort to address conservation priorities. All six towns agreed to participate in and contributed \$2000 towards the required matching funds for a planning grant from the Maine State Planning Office, administered by the Southern Maine Regional Planning Commission. Each of the towns has a member on the grant's steering committee and has committed to ongoing meetings. An early marker of progress is that at the first meeting of the steering committee, many remarked that it was the first time they had met or talked to colleagues from the other towns.

The project is designed to enhance collaboration and cooperation between the six towns. Its first priority was to encourage the towns to use consistent and compatible planning tools such as *Beginning with Habitat*.<sup>4</sup> The grant has supported acquisition of the system by each town as well as training for towns in its use and application. Progress toward full implementation ranges from a town that has recently received an initial presentation to at least one town that has integrated the database into the planning and decision-making by town boards.

There have been notable advances in some of the towns that demonstrate the efficacy of education and outreach in influencing the towns to engage as partners in the MtA2C Initiative.

These advances, however, have not occurred consistently among the six towns due primarily to varying degrees of "readiness", experience, and capacity to integrate conservation priorities into local decision-making.

<sup>4</sup> *Beginning with Habitat* is a geographic information system series of data layers that identifies the location of key wildlife and plant habitat in Maine. For more information see [www.beginningwithhabitat.org](http://www.beginningwithhabitat.org).

The Maine State Planning office granted an additional \$4500 grant to support the regional application of Community Vis, a build-out analysis based on local planning and zoning criteria. As a result of these presentations several towns have expressed interest in inter-local agreements that would alert neighboring towns of relevant subdivision applications that may impact important natural resources under the MtA2C Conservation Plan.

Finally, the Town of York is in the process of adopting a regional coordination program as part of its Comprehensive Plan. Recent votes by the York Planning Board and Board of Selectmen support amendments to the town's comprehensive plan that:

- Endorse the MtA2C Conservation Plan, and
- Revise the Comprehensive Plan to adopt the language of the Conservation Plan related to regional cooperation

The measure is scheduled for vote by the town at town meeting in November 2006. If it passes, it will serve as a model for the other 5 communities.

Important to all these efforts is the presence and work of the MtA2C Municipal Outreach Coordinator to maintain communication with each of the towns, to reinforce the importance and value of regional thinking and planning, and to relate it to specific issues before the town. For example, one town is proposing an industrial zone adjacent to the boundary of another town. The Coordinator has been encouraging conversations between the towns related to this project.

## Resources for conservation

The six towns demonstrate a wide range of progress and commitment to investing in conservation. Some of the towns have made significant financial commitments as a result of the MtA2C Initiative. Kittery, for example, following the organization of an Open Space Committee, created a \$50,000 Open Space Fund. Similarly, Ogunquit has established a municipal land acquisition fund and funded it over the last three years at a level of \$25,000 per year. Finally, the Town of York committed \$200,000 in 2003 and \$150,000 in 2004 for MtA2C land conservation projects, and the Town of South Berwick contributed \$35,000 towards a MtA2C land conservation project.

There is interest in at least one town in developing an Impact Fee ordinance, and expanded interest within the Coalition members, the towns and regional planning commission in undertaking a municipal bonding campaign.

## Town decision-making

Early efforts by the Municipal Outreach Coordinator encouraged towns to incorporate language from the Conservation Plan into their Comprehensive Plans. Some notable progress has been in York and Ogunquit. York endorsed the MtA2C Conservation Plan as a guiding document and has incorporated regional language into the comprehensive plan. Ogunquit endorsed the MtA2C Conservation Plan and has incorporated regional language into the revisions of the Comprehensive Plan. The example of how two towns made decisions related to road maintenance, however, demonstrates the range and depth of the challenges of integrating the goals of the Conservation Plan into the decision-making processes within towns.

Important to all these efforts is the presence and work of the MtA2C Municipal Outreach Coordinator to maintain communication with each of the towns, to reinforce the importance and value of regional thinking and planning, and to relate it to specific issues before the town.

The progress to date illuminates the key factors that will contribute to the success of the Municipal Outreach component of the MtA2C Initiative:

- Expand education and outreach programs designed to develop an active and involved group of residents who can advocate within each town on issues relevant to achieving the goals of the Conservation Plan.
- Support a MtA2C staff position that will ensure a continued presence of an individual that the towns perceive as someone who can provide support, technical advice, and access to other resources.
- Maintain on-going efforts to educate the town officials about the Conservation Plan and to work with appropriate departments and department staff to integrate goals of the Plan into decision-making and operations.

Success can be achieved through a long-term commitment by the MtA2C Coalition to the Municipal Outreach Program of the Initiative. Next steps for the Coalition include identifying and attracting funding partners and Coalition members to:

- Support the municipal outreach component of the Initiative.
- Develop benchmarks, consistent with the Conservation Plan, that can serve as a measure of progress for the municipal outreach work.
- Secure long-term funding for the Municipal Outreach Coordinator.
- Develop a strategy for coordinating the municipal outreach work of the Initiative with the local land trusts.
- Develop a strategy to build an advocacy capacity related to the municipal outreach work.
- Partner with outside groups such as the Maine State Planning Office, Southern Maine Regional Planning Commission, Grow Smart Maine, and the Land Trust Alliance.



## **VI. THE MTA2C CAPITAL CAMPAIGN**

In 2003, the MtA2C Coalition embarked on a Capital Campaign to raise \$10 million to support the goals of the MtA2C Initiative. The Coalition named Helen Winebaum as Campaign Chairman, and Libby Delano, Marion Fuller Brown and Tin Smith as Honorary Co-Chairmen of the Campaign. In addition, the Coalition funded a part-time administrative assistant and hired Beverly Shadley as full-time Campaign Director. In short, this is what the MtA2C Coalition and Capital Campaign achieved:

### **Exceeded the stated goal of \$10 million**

- Conserved ecologically sensitive lands.
- Funded staff to work with communities.
- Expanded the funding pie for conservation in the region.
- Raised an endowment for stewardship of nearly \$500,000.
- Provided capacity grants to the three local land trusts.
- Supported an assessment of the Initiative.

### **Demonstrated the capacity to raise money for “regional” land conservation**

- Most of the donations were “unrestricted”, so that the Coalition has flexibility to allocate funds throughout the region.
- Most large donors and foundations were located outside the region.

### **Increased the capacity of three local land trusts to undertake professional level fundraising**

- Improved the development infrastructure in all three local land trusts: The York Land Trust acquired a sophisticated database and software for donor lists; the Kittery Land Trust and Great Works Regional Land Trust hired part-time staff and were able to expand their development capacity.
- Improved development expertise. The mentoring provided by the Campaign Director and Board members of the York Land Trust expanded the capacity of board members of the Kittery Land Trust and Great Works Regional Land Trust around how to identify and cultivate potential donors, how to make donor visits and asks, and how to plan donor events.

### ***Lessons Learned***

The experience and lessons from each capital campaign help build the capacity and expertise within the conservation field to attract resources to support conservation goals. The MtA2C Capital Campaign both reinforces existing knowledge and adds to that body with the following synthesis of comments and observations:

### Staffing

The MtA2C Campaign reaffirmed the importance and value of a full-time professional campaign director. Bev Shadley's impressive portfolio of development experience, organizational, communication, and project management skills complemented the volunteer fundraising skills within the Coalition. This resulted in a dynamic and powerful capacity within the Coalition to successfully manage an ambitious capital campaign.

Management issues related to development staff are consistent with many of the concerns raised earlier about staffing within a Coalition. The need to work within the constraints of limited resources often requires "multi-tasking" by paid staff. This, however, is challenged both by the potential for over-commitment of staff time and mismatching staff capabilities and job descriptions. Specific recommendations from this campaign included separating the jobs of campaign director and communications. Communication is a critical component of any campaign, yet the skills and responsibilities required of the campaign director and communications staff are not necessarily compatible. While lines of communication around supervision were generally excellent, there were isolated instances that reinforced the need for supervision and accountability to be clearly defined within the structure of the Coalition.

### Management

The management of a capital campaign for a coalition presents its own set of challenges not necessarily experienced within a single organization. Perhaps the two principal issues that surfaced relate to financial management and administration. These issues were discussed in more detail in a previous section. In short, though, it is important that these responsibilities are either assumed by one of the member organizations within the coalition that has both the resources and capacity to provide the service, or that professional staff is hired for the Coalition to properly manage and administer the finances during a capital campaign.

### Resources

One of the most challenging aspects of carrying out the Capital Campaign within this coalition has been access to and managing donor information. The Memorandum of Understanding regarding the sharing of information regarding potential donors, and the management and distribution of the accumulated database was an important protocol for the Coalition to adopt. It established procedures that have been very helpful in instituting management authority and guidelines for distribution of the information at the close of the Campaign. It did not, however, result in complete transparency and sharing of donor information. This was felt most acutely between the local land trusts and larger Coalition partners. The net result was a perception that some members were not participating in the "spirit" of the MOU. More importantly, however, is that with full disclosure and sharing of donor information, the Coalition may have greater potential to attract support for its work.

Vital to the success of this Capital Campaign has been the extraordinary bank of social capital, volunteer capacity and networks. In fact, some suggested that the Capital Campaign would not have been possible without the Coalition's endowment of these resources. It was, in fact, a vibrant synergy between a skillful campaign director and an energetic and professional-level core of volunteers that created the efficiency and impact of this Campaign. Of particular note for other campaigns are several examples:

- The work of the land protection committees on specific land conservation projects, coupled with complex networks of friendships and associations offered by individual members of the MtA2C Coalition across town boundaries within the MtA2C region and beyond, enabled the Campaign to identify and attract a broad and deep donor base to the Initiative.

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More importantly, however, is that with full disclosure and sharing of donor information, the Coalition may have greater potential to attract support for its work.

Vital to the success of this Capital Campaign has been the extraordinary bank of social capital, volunteer capacity and networks.

- Individual members of the Coalition contributed immensely valuable resources to the Campaign in the form of commitment, energy, skill, experience and savvy - resources that simply never could have been purchased.
- In addition, these same individuals provided mentoring to other Coalition members, who built new capacity, the returns of which will be realized well after the close of this Campaign.

While most expressed that there were few, if any, “missed opportunities” in the Capital Campaign, two specific ones are worth noting.

- The Campaign did not succeed in attracting corporate giving to the MtA2C Initiative. As the work of the Initiative advances, and particularly now that the MtA2C “brand” has been established, opportunities to engage the corporate sector should be expanded.
- Though most of the high priority lands identified by the land protection committees have been conserved by the funds raised during the Campaign, a few parcels could not be protected, primarily related to the availability of funds, competing priorities and timing.

### One final observation

The focus and commitment required to complete a successful capital campaign will have an effect on other activities of any group, particularly for an effort that requires a multi-faceted and long-term presence. This is no less true for the MtA2C Coalition. The energy and resources of many of the individuals are clearly exhausted. The “process” work now needed to achieve the goals of the Conservation Plan may seem even more ambiguous and murky in contrast to the clearly defined “bucks” and “acres” goals of the Capital Campaign. The Coalition should “buy” time to celebrate, regroup and refresh. This is part of managing the transition to another phase of the Initiative, and is as important as “retooling” to address the next phase of engaging the communities in accomplishing the goals of the Conservation Plan.



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The “process” work now needed to achieve the goals of the Conservation Plan may seem even more ambiguous and murky in contrast to the clearly defined “bucks” and “acres” goals of the Capital Campaign.

## VII. ABSTRACTS OF MTA<sub>2</sub>C CASE STUDIES

Three projects of the MtA<sub>2</sub>C Initiative were selected to describe one or more facets of the work of the MtA<sub>2</sub>C Conservation Initiative and to offer a set of indicators for ongoing evaluation and analysis of the Initiative's progress.

### **The Sewall's Bridge Dock Project**

The Sewall's Bridge Dock Project addresses two of the six priority conservation targets in the Initiative's Conservation Plan: "Working farms, forests and waterfronts and traditional sustainable uses of the land and waterways" and "Cultural landscapes and historic structures, features and viewsheds." The project succeeded in creating the first working waterfront easement, engaging new partners in conservation, linking conservation goals with economic development objectives.

### **The NAWCA Grant**

The award by NAWCA represents the "added value" of the Coalition. No one organization in the Coalition could have submitted an application for a NAWCA grant as it requires a collaboration of organizations. The application process itself required the full capacity of Coalition members to develop the scientific and ecological case for conserving the targeted lands, to raise the required \$2 million in matching funds, to coordinate the application process, to gather the necessary technical and financial data, to secure required documentation of collaborative support, and to manage and administer a \$1 million federal grant. As important, however, is that the award confirmed the MtA<sub>2</sub>C Initiative's claim that the region hosts significant lands of high ecological value.

### **The Town of Ogunquit**

A key component for the success of the MtA<sub>2</sub>C Conservation Initiative is the degree to which the six towns become engaged in working to achieve the goals of the Conservation Plan. One town was selected as a case study to illuminate the challenges and opportunities of the municipal component of the MtA<sub>2</sub>C Initiative. Ogunquit's economy is based on its natural resources. The town's governing bodies, like many in the region, have only recently awakened to the consequences of increasingly intense development pressures on those resources. While the town is in the formative stages of developing awareness about the role and value of conservation to the town's future, it offers an opportunity to evaluate progress resulting from a growing awareness in a town of the need for conservation planning, the work of a strong local leader, and the resources offered through the MtA<sub>2</sub>C Initiative.

Full case studies can be found in the appendices to this report.

## VIII. MTA2C: PLANNING FOR THE FUTURE

The announcement in June 2006 that the MtA2C Capital Campaign had exceeded its \$10 million goal signaled the close of the second phase of the MtA2C Initiative. In anticipation of this watershed moment, a Futures Planning Committee was organized to guide the next steps for the Coalition.

In May 2006, the Oversight Committee gathered on the summit of Mt. Agamenticus for a facilitated meeting to review their accomplishments, get a sense of the group's priorities, identify some common issues, set priorities for next steps, identify the implications of those steps and create an action plan for the next phase of the MtA2C Initiative.

### **Between October 2002 and October 2006, the MtA2C Coalition has accomplished the following:**

- Developed a Conservation Plan.
- Completed 29 land conservation projects that have conserved 1,429.25 acres.
- Gained recognition of MtA2C as a region and as a name “brand”.
- Successfully completed a Capital Campaign raising \$10,799,408 (as of October 2006).
- Collaborated on fundraising, mapping, landowner contacts, and coordinating political support.
- Increased capacity of organizations.
- Made progress in engaging the six towns in advancing the goals of the Conservation Plan by:
  - Establishing a working relationship with all 6 communities.
  - Offering a vehicle for regional planning.
  - Incorporating language of the Conservation Plan into the comprehensive plans of individual towns.
  - Accomplishing GIS mapping in 1 town.
  - Coordinating 6 towns as partners in the Maine State Planning Office's Regional Planning Grant.

The facilitator for the session invited comments to capture the current mood of the group. The conversation was energetic, focused and productive. In summary the group certainly expressed a strong sense of pride and accomplishment, though there was significant evidence of “burnout” both on an individual and institutional level. From the local land trusts, many expressed a sense that they would like to take time to institutionalize the “learning” from recent work. There was a widespread consensus on the need to figure out what the Coalition is and what its priorities are. Immediate tasks that were identified included the completion of specific projects within each of the Land Protection Committees, stewardship and fundraising responsibilities.

The group then participated in an exercise that asked each person to review the tasks of the Coalition: collaboration, land conservation, fundraising, stewardship, municipal outreach, and branding, and assign them to one of three categories and commitment of resources: Disband (no commitment of resources), Mid-level (\$35,000/year), and Intense (\$175,000).

### **The consensus that emerged from this exercise included the following:**

- Agreement not to disband;
- Agreement to continue to work in all six areas of collaboration, land conservation, fundraising, stewardship, municipal outreach and branding;
- Agreement on a mid-level range as an appropriate level for support and “working together where it makes sense”.

Discussion after the exercise included a wide range of comments. One person commented that the results of the exercise suggested that “we are not as burned out as we think, but it doesn’t mean you don’t want to take a breather.” The group discussed the need for leadership, the possibility of expanding the focus area and changing the boundaries of the region, the need to continue land conservation projects, to advance stewardship of conserved lands, to continue working with communities and to raise funds.

The next exercise challenged the group to “operationalize” the mid-level strategy. The participants divided into six small groups to frame a work plan for the Coalition in the six areas of conservation, collaboration, fundraising, municipal outreach, branding and stewardship. The group favored an emphasis (and thus resources) on land conservation, stewardship and municipal outreach and less on administration and management of the Coalition.

## Conservation

The group determined that land conservation should continue in the land protection committees with a minimum level of collaboration on projects within the existing boundary. There was a sense that the land protection committees still have work to do on existing priorities, but that there are more project opportunities. The group also supported invigorating the public policy committee. Finally, the group agreed to preserve the existing boundaries.

## Collaboration

The group articulated the important values of the Coalition including the following:

- It offers a vehicle for many efficiencies.
- It is important to preserve the “brand”.
- It has the potential to be influential in the public policy arena.
- It has an ability to raise funds.

The focus of the Coalition should be on what they considered to be the most important tasks: municipal outreach, land conservation and fundraising.

The composition of the Coalition should remain the same with all 10 partners, though efforts should be made to “strategically expand [the] collaboration” to include other organizations such as the Southern Maine Regional Planning Commission.

Management of the Coalition should require minimum staffing to coordinate a reduced number of meetings of the Oversight Committee.

## Fundraising

The fundraising needs of the Coalition include funds to support land conservation projects (both existing and new opportunities), stewardship, municipal outreach (part-time staff), and Coalition coordination (part-time staff). There was a strong feeling expressed that fundraising needs to continue in a coordinated manner using MtA2C with focus in the following areas: donor cultivation and relations, foundation support, public funds and new sources (e.g. mitigation funds). The estimated budget for the next three years to support

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modest levels of coordination of the Coalition and a part-time municipal outreach position is \$150,000, \$10,000 of which has been raised.

Fundraising responsibilities include: grant writing, grant tracking and reporting; monitoring donor pledges and maintaining donor relations; and researching new funding opportunities. The land protection committees have played an important role in bringing funds to the table to support the land projects. There was a strong sense that there are opportunities to share fundraising responsibilities, particularly around stewardship and within individual land protection committees for individual land conservation projects to gain maximum efficiencies of the Coalition.

## Municipal Outreach

The group strongly endorsed support of a full-time position and identified municipal outreach and Coalition coordination as key responsibilities. The focus of the position will be the implementation of the results of the Regional Planning Grant, expected to be completed in October 2006, as well as continued work to advance the goals of the MtA2C Conservation Plan.

## Branding

The group expressed a strong sense of the value and importance of keeping the brand alive to engage new members, to advance public policy initiatives, and to support fundraising efforts. In order to do so, the current membership should be preserved and reinforced by the existing MOU, new members should be recruited, and the MtA2C name should be kept in front of people by developing a communications and public relations strategy.

## Stewardship

The group acknowledged that stewardship is primarily the responsibility of the landholder, and that the Coalition needs to respect the landholder's autonomy and responsibility. They also discussed, but did not reach specific conclusions on, or make any recommendations for, future stewardship activity or allocation of stewardship resources.

They also articulated the opportunity for stewardship and branding to be mutually reinforcing around issues related to public access and trails. Since the public will be able to enjoy more access, there will also be expanded opportunities to promote the benefits and value of the MtA2C Initiative as it relates to public access. A new MtA2C committee was recommended to address trails, management and promotion of properties conserved through the MtA2C Initiative.

## Concluding Comments

The session concluded with a question to the group: Did they get the outcomes they had hoped for? Many felt that the meeting was needed. Some expressed a degree of disappointment that a lot of work had been done and “[we still don’t know] how we are going to continue.” Most, however, agreed that it was a good process that resulted in advancing fundamental questions about the value of the Coalition, whether to continue and at what level. As one participant said, “[I am not] surprised by the outcome – but we needed to meet and get there.” Another commented, “coming into this [we] didn’t know [if] the group wanted [to continue] the Coalition – now we do, and that’s good.”

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## Next Steps

Since the May meeting, the Futures Planning Committee has drafted recommendations for the Oversight Committee on the Future of the MtA2C Initiative (2007-2009) and requested that Coalition members determine within their individual organizations what resources they could bring to the Coalition. The Oversight Committee met again in October to inventory the resources offered by each member organization of the Coalition. Coalition members offered the following: to act as fiscal agent, administer grants, GIS/mapping, staff supervision, leverage funds for land conservation projects and cash to support the coordinator's position.

Unresolved issues include leadership of the Coalition and chairing of the Oversight Committee, management of individual committees, staff supervision, and distribution of staff responsibilities between coordination (of the Oversight Committee) and municipal outreach. The unresolved nature of these issues may be an indicator of "burnout", or it may reflect uncertainty in needs as the Coalition transitions from one phase to the next. A legitimate option would be for the Oversight Committee and other committees to try to operate in an informal manner for the time being until leadership and/or staffing needs become clearer and resources (volunteers or funds for staffing) become available. At a minimum, though, the Oversight Committee should make a deliberate decision, based on a facilitated discussion, on how to proceed during the transition.

## Recommendations

- Create at a minimum a 1-year transition work plan based on the current level of commitments, available funds and likely grants.
- Develop job descriptions for the position(s) of Coalition coordinator and Municipal Outreach coordinator and assign supervisory responsibilities.
- Develop a fundraising strategy and identify individual(s) to implement strategy. Raise funds to support the work plan, with a focus on funding the Municipal Outreach Coordinator's position.
- Facilitate discussion within the Oversight Committee on leadership issues specifically related to chairing the Coalition and management of committees.



## IX. FINAL OBSERVATIONS AND RECOMMENDATIONS

### **Allow time to digest and institutionalize the learning**

For many on the Coalition, much has been learned both individually and institutionally. The call by some to “rest”, “digest” and “institutionalize” the learning is valid and is important work that will reap benefits in the long run. There should also be some effort to document this process over time within individual organizations, particularly the local land trusts.

### **Deliberately link the work plan of the Coalition to the Conservation Plan**

While Coalition members know that their work is tied to the Conservation Plan, every effort should be made to make that connection deliberately, strategically and publicly.

The Conservation Plan not only provides strategy and guidance, but also gives indicators against which to measure progress. Therefore, the work plan should make specific reference to components of the Conservation Plan, communication pieces should reference the Conservation Plan, and the Oversight Committee should build in periodic reviews of the Plan against which to discuss and determine both progress and programmatic focus.

### **Sustain the commitment to the municipal outreach work of the Coalition**

Not only is the municipal outreach component vital to achieving the goals of the Conservation Plan, but it offers an opportunity to put a “face” to the MtA2C Initiative for new constituencies and potentially new supporters of the Initiative. It represents an opportunity to expand the “brand” as well as opportunities for more extensive communications and public relations. Perhaps, most important, however, is that it offers the opportunity for the Coalition to continue the ground-breaking work of the Initiative – to establish mechanisms and models for advancing community-based conservation at the landscape scale.

Because this work is more diffuse and amorphous than that of the Capital Campaign and specific land conservation projects, attention should be paid to expanding the Coalition to include individuals and organizations that can build the Coalition’s capacity to do community-based work, and to supporting Coalition staff in developing and supervising work plans.

It will be important to create a job description for the Municipal Outreach coordinator that balances the need for accountability and measurable progress with the challenges of long-term “process” work that often reaps fewer tangible products. In addition, the job description should incorporate the unique role that this job offers to coordinate and link the needs and priorities of communities with the programmatic work and resources of local land trusts, the non-profit community, state, local and regional planning and policy work. Supervisory responsibilities should be carefully assigned to a person or persons familiar both with the process of municipal outreach work and the goals of the Conservation Plan.

Finally, all efforts should be made to identify and raise funds for this position, so that the long-term relationships within communities can be secure. Ideally, the position should be funded for 3-5 year increments.

Allow time to digest and institutionalize the learning

Deliberately link the work plan of the Coalition to the Conservation Plan

Sustain the commitment to the municipal outreach work of the Coalition

Identify and secure staffing and/or volunteer capacity to fundraise for key staff positions

## Identify and secure staffing and/or volunteer capacity to fundraise for key staff positions

The fundraising work of the MtA2C Coalition has been made possible due in large part to the unusual combination of talented, experienced, well-connected and tireless volunteers and a professional Development Director. With the close of the Campaign, the Development Director is no longer with the Coalition. It is unlikely that the foundation and donor relations work can continue to be handled by volunteers. The Coalition needs to identify fundraising priorities and assign fundraising responsibilities. A short list of fundraising responsibilities would include:

- Foundation grants: Responsibilities include developing and maintaining relationships with current and potential foundations, writing grants and grant reports.
- New funding sources: Responsibilities include identifying new sources of public funding through the Southern Maine Regional Planning Commission, State of Maine, other federal and state programs, including mitigation funds; developing relationships within funding programs, working with Coalition members to identify project proposals and completing proposals.
- Donor relations: Under the Fundraising MOU, the MtA2C administrative assistant will maintain the donor database until the last pledge is fulfilled. In January of 2007, relevant donor names will be exported to the individual land trusts. Responsibilities include maintaining the Campaign database, developing and managing donor communications and relations, donor events, and cultivating new donors.

The York Land Trust is raising funds to support a new Development/Outreach Coordinator, a portion of whose time will be allocated to MtA2C to staff the public policy committee and steward donors. The Coalition, however, will need either to secure commitments from other Coalition members to assume the other fundraising responsibilities or develop an alternative strategy to address the necessary fundraising imperatives.

The Mt. Agamenticus to the Sea Conservation Initiative has been impressive not only for the conservation it has secured, but for the way it has managed its work in phases, thereby building its capacity, over time, to achieve its goals. The Coalition demonstrated its ability in Phase I to organize itself and develop a Conservation Plan, a structure and operating systems that have resulted in more effective and efficient conservation. Its work in Phase II resulted in the successful completion of a strenuous capital campaign that allowed the Coalition to make measurable gains in achieving the goals of the Conservation Plan.

There is no doubt that there is an ongoing need for the MtA2C Initiative. The next phase requires mediation of the creative tension between those who view MtA2C as a short-term “project” and those who would like to see it formalized as a regional institution. The outcome will surely be somewhere in the middle, but the focus needs to remain on completing additional land conservation projects within a regional context and on ensuring that the MtA2C Initiative persists and secures the long-term sustained support required to engage and assist the towns in achieving the goals of the Conservation Plan.

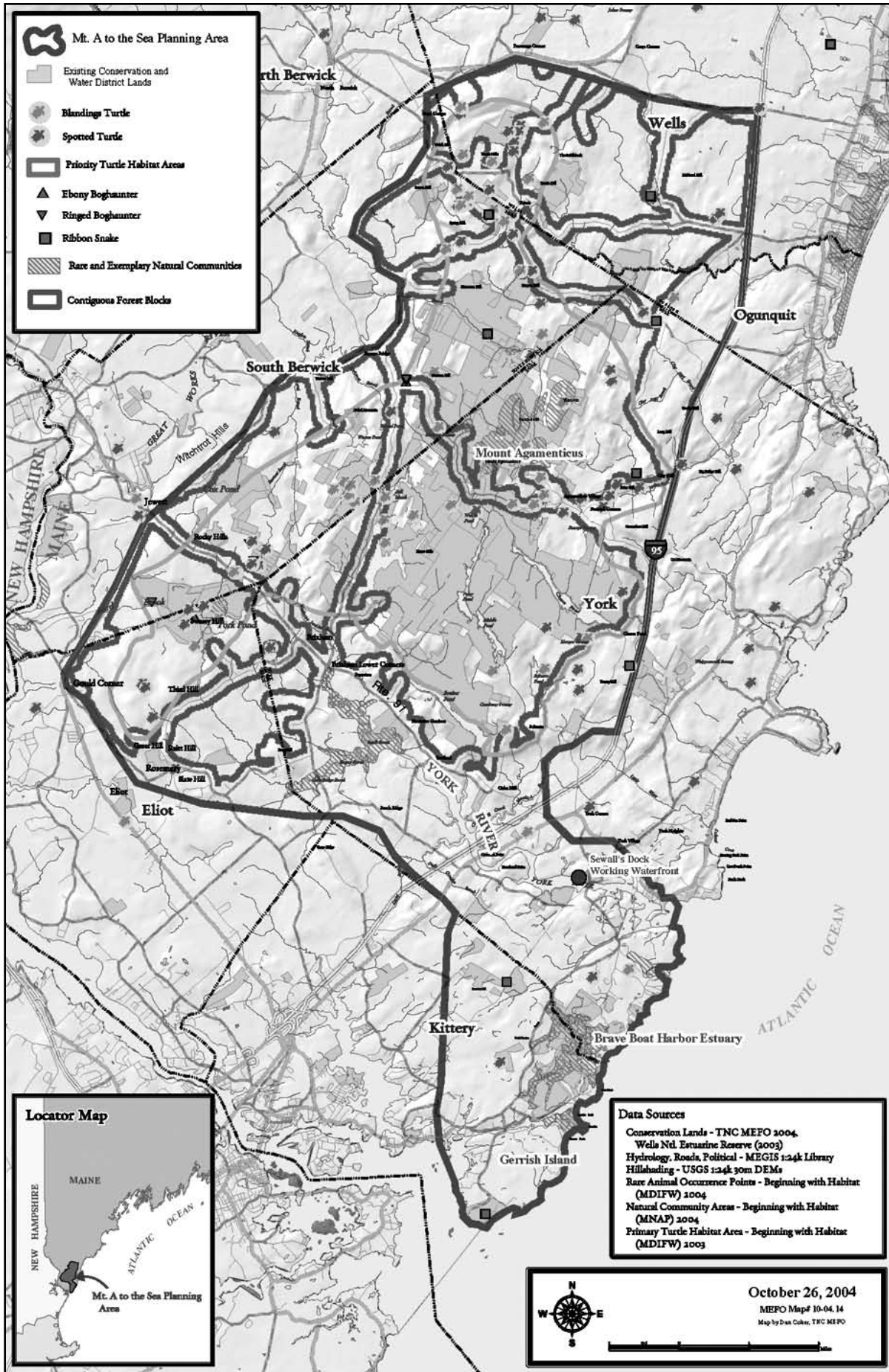
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# MT. AGAMENTICUS TO THE SEA PLANNING AREA AND SELECT RESOURCES



## CASE STUDY I:

### New Partners in Conservation: The Sewall's Bridge Dock Project



*"They pulled it off...they worked it out...." <sup>1</sup>*

On December 1, 2003, Jeffrey Donnell and Mark Sewall, in partnership with the York Land Trust, became owners of a 2,290 square foot dock and an adjacent .15 acre parcel of land along the York River. The total cost of the project was \$750,000. Mark and Jeff purchased the dock with a loan of \$300,000 from the Farm Credit Bureau. The York Land Trust purchased an easement from Mark and Jeff for \$415,000<sup>2</sup> funded by a \$150,000 loan from CEI that was guaranteed by four individuals, \$75,000 in philanthropic support from the Island Foundation, Libra Foundation and Maine Community Foundation, and \$190,000 in private donations that included 17 new donors to the York Land Trust.

The Sewall's Bridge Dock Project and the Mt. Agamenticus to the Sea Conservation (MtA2C) Initiative, though conceived at almost the same time, evolved initially along parallel tracks until they were brought into confluence through the insight and work of many individuals committed to what they saw as a common vision.

This case study is the story of the Sewall's Bridge Dock project that:

- Demonstrates a conservation innovation: the use of the conservation easement to protect waterfront property for commercial fishing.
- Illuminates the early synergy between the MtA2C Initiative and a partner organization: the York Land Trust.
- Provides a tangible project and model to achieve one of the goals of the MtA2C Initiative: To protect working landscapes.

<sup>1</sup>Telephone interview with Elizabeth Sheehan, CEI, April, 2006.

<sup>2</sup> The appraised value of the easement was \$582,500. Mark and Jeff donated a portion of the value of the easement, reducing the cost of the easement to \$415,000.

## Background

Maine's fisheries and the landscape associated with its fishing industry are some of the state's "most cherished icons."<sup>3</sup> However, only 25 miles of the 7,000 miles of coastline between Kittery and Eastport remain in use as working waterfront.<sup>4</sup>

Fishing docks, an important part of the landscape and a vital piece of infrastructure for the commercial fishing industry, are rapidly disappearing. Responses from a survey of 25 coastal Maine towns reported the loss of working waterfront as an "urgent issue."<sup>5</sup> In the town of York alone, three docks were lost to use by fishermen within the last twenty years. One of the docks, used by the local fishermen, was "abruptly lost to them when it was sold for \$1 million and converted to a home that then sold...for \$2.3 million."<sup>6</sup> York's Town Dock #1 was experiencing increasing pressure as it offered one of the only commercial docks available to the fishermen.

The Sewall's Bridge Dock on the York River has always been part of the town's "working waterfront" and is particularly significant as it is one of the only remaining docks on the river with truck access. Local fishermen knew the importance and value of the dock and its vulnerability to conversion to residential or recreational use. The first time the property came on the market, Mark Sewall and Jeff Donnell, two lobstermen from York, made an unsuccessful bid to purchase it. It was sold with adjacent land: building permits were secured for one residence and the dock was rebuilt. Mark commented, "...many of us could already see grass and container trees growing on the pier."<sup>7</sup> When a "For Sale" sign appeared for a second time in the summer of 2002, Mark and Jeff began "...with dogged determination...to change the road chosen for the place..."<sup>8</sup>

By the end of 2003, Mark and Jeff had purchased the dock, and the York Land Trust had secured its use for commercial fishing with the first-ever working waterfront easement. The dock currently serves 14 local fishermen and will be expanded to include a bait shop and potentially a snack bar. If, however, this sounds as if it was a simple act, it certainly was not!

The project required the integration of two very different cultures - a conservation organization and commercial fishing interests. It demanded patience, flexibility and generosity on the part of the lobstermen, the York Land Trust board and staff, donors and financing institutions such as CEI, the lawyers and individuals who negotiated and created the new instrument of a working waterfront easement.

The project required the design of a new kind of easement for working waterfronts. It presented a challenge for an appraiser who had never seen a comparable project. And it represented willingness on the part of a financing institution (Farm Credit Bureau) to loan money on a property with an easement.

Finally, the project represented numerous challenges related to a small land trust's programming and fundraising capacity, and to substantive issues related to easements. For example, an organization cannot purchase an easement unless it can demonstrate public benefit. The York Land Trust had to confirm that the project would pass the IRS's test for public benefit. In addition, a land trust cannot spend more than the appraised value of an easement. The York Land Trust waited (very anxiously, by all accounts) for the appraisal to come back to make sure that it was close to what Mark Sewall and Jeff Donnell needed to make the project work from their end.

Much of this work would occur during an unusually compressed time frame, just 12 months from the first meetings with CEI in January 2003, to the closing on December 1, 2003.

<sup>3</sup> Richard Barringer, ed. *Changing Maine: 1960-2010*. 2004.

<sup>4</sup> CEI. *Preserving Community Fishing Access: A study of working waterfronts in Maine*. 2003.

<sup>5</sup> CEI. *Preserving Community Fishing Access: A study of working waterfronts in Maine*. 2003.

<sup>6</sup> York Land Trust briefing paper

<sup>7</sup> Remarks by Mark Sewall, December 2003.

<sup>8</sup> Remarks by Mark Sewall, December 2003.

## Getting Started

The early stages of this project were facilitated and supported, at every step, by individuals, relationships and networks of association that constitute an extraordinary bank of social capital in York that also served to nurture the early stages of the MtA2C Initiative.

In essence, this stage became the point of confluence for a number of individuals who were committed to designing a path to integrate the goals of conservation with those of sustaining local economies.

The seed of the idea of applying the principles of land conservation to working waterfront issues was planted when the dock came back on the market in 2002. In August 2002, the York Land Trust hosted a field trip for a land conservation project on a piece of farmland on the upper reaches of the York River. Carol Donnelly, President of the York Rivers Association, had arranged for Mark Sewall to take people down the river to Town Dock #1 where Jeff Donnell would talk about the fisheries. At the gathering on the Pier, Mark Sewall commented to Ala Reid, a resident of York and a new member of the Board of the York Land Trust, that the York Land Trust project was great for farmers, but what were they doing for the fishermen? The dock next door was for sale, he said, and he couldn't afford to buy it.<sup>9</sup>

A few weeks later, Jeff Donnell called Joey Donnelly, both because he knew him well as a member of the town's Harbor Board, but also because he knew Joey was well-connected with an extensive network of people in town who might be able to help put a project together and help fund it. Joey contacted Paul Dest from the Wells National Estuarine Research Reserve who, in turn, recommended he contact Coastal Enterprises, Inc. (CEI), a Maine-based Community Development Corporation and Community Development Financial Institution (CDFI)<sup>10</sup> that was working to support the state's commercial fishing industry. Joey contacted Elizabeth Sheehan who, at the time, directed CEI's Marine Fisheries Project. By late January, a partnership was developing.

## Engaging Partners

### *Coastal Enterprises, Inc.*

Elizabeth Sheehan listened to Joey Donnelly describe the situation. CEI had recently completed a study<sup>11</sup> on the loss of commercial dock space and its impact on the fishing industry and had established a Working Waterfront Loan Fund. Elizabeth had been involved in at least three working waterfront projects and, with an extensive background in community development, was very interested in how communities invest in their assets.<sup>12</sup>

Beyond that, CEI wanted to invest in innovation, to support creative models and engage new partners. In describing her reaction to Joey's description about the Sewall's Bridge Dock project, she recalled thinking "what a great creative experiment in bringing new partners to protect commercial waterfront!"<sup>13</sup>

A meeting was arranged for January. On "the coldest day in history [with a wind] howling down [the] river,"<sup>14</sup> Joey Donnelly, Elizabeth Sheehan, Mark Sewall, Jeff Donnell, Ed Bradley (a maritime lawyer who was a part of a CEI team on Working Waterfronts), Gordon Moran (York Land Trust Board), and Scott Stevens (York Historical Society) met at the dock for their first conversation. For Elizabeth the issues were: What is CEI's role and who were other potential partners?<sup>15</sup>

The asking price for the dock and land was \$800,000, but Mark and Jeff indicated that the cash flow from their business would support only \$300,000 of the asking price. CEI could bring a number of possible resources to the project. It had a loan fund to support fisheries and working waterfront projects that offered loans at a fixed interest rate of 6 1/2 % for the life of the loan. In addition, CEI could provide technical assistance in the form of legal and/or business advice to Mark and Jeff. For Elizabeth, though, the challenge was how to cover the gap between the purchase

<sup>9</sup> Interview with Ala Reid March, 2006.

<sup>10</sup> CEI was founded in 1977 and provides financing and support in the development of job-creating small businesses, natural resources industries, community facilities, and affordable housing. [www.ceimaine.org](http://www.ceimaine.org).

<sup>11</sup> CEI. Preserving Community Fishing Access: A study of Working Waterfronts in Maine. 2002.

<sup>12</sup> Telephone conversation with Elizabeth Sheehan, April 2006.

<sup>13</sup> Telephone conversation with Elizabeth Sheehan, April 2006.

<sup>14</sup> Interview with Joey Donnelly, March, 2006.

<sup>15</sup> Telephone conversation with Elizabeth Sheehan, April 2006.

price and what Mark and Jeff could bring to the table. The big question in Elizabeth's mind became, could this project bring a land trust partner to a working waterfront project? And it did. Though CEI offered to loan the York Land Trust \$300,000 towards the purchase of an easement on the dock and the adjacent .15 acre parcel of land, the York Land Trust ultimately requested only a \$150,000 loan.

### ***York Land Trust***

Initially, the York Land Trust Board was skeptical. Although several members of the Board were interested in and committed to the project, Joey Donnelly describes the early discussions with the Board of the York Land Trust as "very difficult." The project was perceived as "not conservation...too expensive...there is a lot we need to do, and we don't know where this fits."<sup>16</sup> Additional concerns were related to the MtA2C Initiative that was just getting underway. Fundraising for the project would have to begin before any staff for the Initiative's Capital Campaign would be hired. Further, the Initiative had not established acquisition priorities so there was concern about whether the project would be compatible with the Initiative's overall goals.

Joey Donnelly persisted. He contacted The Nature Conservancy's Keith Fletcher, who was centrally involved in the MtA2C Initiative. Keith's response, "I know a great story when I see one, and this is a great story...", coupled with his support of the project "as part of, or at least connected to the MtA2C effort,"<sup>17</sup> offered valued encouragement to the York Land Trust Board.

There were other members of the York Land Trust Board who were advocates for the project. In addition to Joey Donnelly, Gordon Moran, and Helen Winebaum, Ala Reid was an early supporter of the project. Though new to the Land Trust Board, Ala was one of the catalysts of the MtA2C Initiative and was committed to identifying and completing projects that would advance the "working landscape" component of the Initiative. She knew fisheries well from her work with the Collaboration of Community Foundations for the Gulf of Maine so was able to frame issues related to the project before the board. Her extensive network both within the town of York and within the foundation community provided invaluable access to early support for the project.

By April, early concerns about the involvement of the York Land Trust in the project yielded to discussions about what the York Land Trust could offer to the project: an easement, expertise and "a couple of donors". On November 3, 2003, the Board, in what Executive Director Doreen MacGillis described as "a leap of faith" voted to become a partner in the Sewall's Bridge Dock. The York Land Trust would purchase, for \$415,000, an easement from Mark Sewall and Jeffrey Donnell.

### ***Private philanthropy: Individuals and foundations***

Initial discussions between the York Land Trust and various foundations illuminated the difficulty of engaging "environmental" funders in a working waterfront project. In addition, there was reluctance on the part of at least one funder to support a land trust because of a concern that if they funded one, they would be inundated with requests. The Island Foundation, however, was very interested in supporting fisheries projects, and ended up making a grant to CEI to cover "loan repayment or interest cost, whatever is needed" on the loan to the York Land Trust. The grant represented a nimble and flexible funding instrument that fit the needs of the organizations trying to help make the project work. Support from the Libra and Maine Community Foundations also emphasized the importance of philanthropic institutions that both recognize the value and the needs of community-based projects that cut across sectors to secure assets that benefit the community.

While the owner of the dock did not play a visible role as the project evolved, his agreement to sell the property for less than the original asking price, coupled with his patience and willingness to bide his time until the parties could develop the easement and put together the financing, were important factors in the success of the project.

Perhaps most compelling to this story are the individuals who contributed to this project.

Four individuals contributed \$150,000 in personal guarantees to secure the loan from CEI. Other individuals, including 17 new donors to the York Land Trust, contributed \$190,000 to the project. In one case, a couple was asked to give a significant gift to the MtA2C Initiative for "forever wild" projects. One person in the couple gave to that, but the other

<sup>16</sup> Interview with Joey Donnelly, March 2006.

<sup>17</sup> Email exchange between Joey Donnelly and Keith Fletcher.

was more interested in the dock and made a contribution to support that project. And several donors who gave to the dock would not have given to other purely land conservation projects.

For those working on the project, the support of individuals and foundations that were early contributors to the project gave them the confidence that they would be successful in raising the necessary funds.

## **Champions of the project**

As important as the financial and institutional support, there were a number of individuals who served as advocates for the project. Certainly Joey and Carol Donnelly were significant advocates and instrumental in engaging the York Land Trust as partners, promoting the project within the larger York community and creating opportunities to showcase and celebrate the project. Ala Reid worked vigorously to articulate the value of the project within the context of larger regional issues, to build the linkage between the MtA2C Initiative and the York Land Trust's work on this project, and to engage foundations in supporting the project. Mark Sewall's wife, Eileen, had a background in planning that helped facilitate discussions with the town. And Cindy Donnell's work in real estate offered particular expertise during the real estate transactions. Ed Bradley, introduced to the project by CEI, counseled Mark and Jeff initially on negotiations with the landowner; developed the first working draft of the pioneering easement; donated much of his time to the negotiation of the easement; and was an enthusiastic and generous supporter of the project. Rob Levin, lawyer for the York Land Trust, and Nick Strater, lawyer for Mark and Jeff, worked through the negotiations to help advance the project while advocating on behalf of their clients.

Finally, and importantly, were the contributions made by Mark Sewall and Jeff Donnell. Both were from long-time York families and both were very active in the community. Their involvement with the project, the York Land Trust, and ultimately with the MtA2C Initiative, was instrumental in engaging a group of people in York who had, heretofore, not been involved in conservation. Mark and Jeff's patience and commitment to the concept of a working waterfront not only kept them engaged at the negotiating table, but enabled them to accept and agree to the "conservation" components of the easement, and ultimately to donate a portion of the cost of the easement in a bargain sale to the York Land Trust. Additionally, Mark proved to be an able salesman for the project. His enthusiasm about the project - his willingness to meet and skill in talking with people in the community, the press and donors, according to Ala Reid, were "indispensable."

## **Negotiating the Easement**

Ed Bradley, who would develop much of the groundbreaking language for the working waterfront easement, produced a draft easement. The process of negotiating the terms of the easement revealed in stark terms how very different the cultures of the land trust and commercial fishing interests are. Doreen MacGillis, Executive Director of the York Land Trust, commented that "Land trusts are really good at protecting working landscapes like farms and forests but working waterfronts was an entirely new realm for us, and we couldn't find any examples of where this had been done before in the land trust community. We knew little about the commercial fishing industry and had to get up to speed very quickly." One participant in the negotiations remarked that it was "just amazing... [if they had gotten] what they (York Land Trust) wanted, one wouldn't have a working waterfront." Another commented that early on it became crystal clear "how much the communities did not know each other."

What were the substantive issues that needed to be reconciled?

### ***Permitted activities on the dock***

Traditional conservation easements for forest and farmland typically list all the activities that cannot occur on the land and whatever is left is what is permissible under the easement. This approach raised red flags for Mark and Jeff as they saw it as limiting rather than promoting the work they were trying to preserve. The easement language, ultimately, included a list of specifically permitted activities related to Mark and Jeff's business enterprise.

## ***Public access***

The Internal Revenue Service requires that conservation easements demonstrate “public benefit.” Typically, “public benefits” for conservation easements are expressed through public access and availability for recreational uses. The York Land Trust knew it had to define “public benefits” beyond fishing. This issue proved to be quite contentious and difficult as Mark and Jeff were clearly concerned that public access might create a liability for them and impact their ability to conduct business. In the end, the easement would demonstrate “public benefit” through limited public access and the protection of scenery or “view sheds.”

## ***Water quality in the York River***

The York Land Trust saw activities related to the care and maintenance of fishing vessels as compromising water quality. From their perspective as a conservation organization, they sought language to ensure protection against activities that would degrade the quality of the river. Mark and Jeff, on the other hand, felt that this was yet another effort to constrain activities that were necessary to their business. The easement would include a section on waste disposal and water protection that addressed the conservation issues the York Land Trust needed while not constraining the activities of the fishermen.

## ***Enforcement***

Enforcement of conservation easements is the responsibility of the holder of the easement. For the York Land Trust, enforcing this new kind of easement, where there would be significant activity including maintenance of boats and the potential for a snack bar was, and continues to be, a concern.

## ***Finding the right language***

More than once, individuals involved in the negotiations wanted to “walk away.” When asked what kept people at the table, one participant recalled that it was the “threat of development” and “the passions of people involved that kept everyone at the table. People really believed in it [the project].” But there were significant components of the negotiation process and watershed moments that resulted in language and an instrument that was particularly suited to this working waterfront dock project. Among the most important were:

- **Conversation:** There was a lot of conversation between representatives from York Land Trust and Mark and Jeff about what it means to be a fisherman in order to create a document that addressed issues related to working waterfronts.
- **Defining working waterfront:** According to Doreen MacGillis, “The easement language which defined what ‘working waterfront’ is, was a huge breakthrough in our negotiations with the fishermen and in reaching agreement on the terms of the easement.”

If the substantive challenges of integrating two very different cultures, reconciling competing and conflicting interests, and negotiating the easement language weren’t sufficiently daunting, the time frame was. All of this had to occur within a six-month period as the closing was scheduled for December 1, 2003. With minutes to spare on December 1, the final i’s were dotted and t’s were crossed - the first Working Waterfront Easement had been drafted. Its opening statement of purpose read:

***It is the purpose of this grant to preserve the Protected Property for scenic and open space values; to limit its private use to “Working Waterfront Uses”; and to assure the opportunity of the general public to access the York River via the Right of Way without charge or fee in order to enjoy recreational use and views of the York River consistent with Grantor’s permitted uses; and to prevent residential uses and those commercial and industrial uses not included within the definition of Paragraph 2 of “Working Waterfront Uses.”***

Below are excerpts from the easement related to the definition of working waterfront, public access and water quality:

## **2. Working Waterfront Uses.**

For the purposes of this Conservation Easement, “Working Waterfront Uses” shall be defined as the use of land and interests in land for commercial fishing activities and uses incidental thereto including, but not limited to, the:

- i. erection, maintenance, operation and repair of docks and floats for vessels used to harvest aquatic (both marine and freshwater) organisms, provided that such docks and floats are used on the Protected Property;
- ii. berthing, landing, loading, unloading, cleaning, maintaining, repairing, supplying, provisioning, and outfitting vessels used to harvest aquatic organisms, provided that such activities do not meet the definition of “Marinas,” and provided that such activities are conducted in a way that minimizes discharges to and pollution of the York River;
- iii. fueling of vessels used to harvest aquatic organisms that are berthed on the Protected Property, except that no fuel pump station will be permitted;
- iv. purchase, fabrication, storage, repair and maintenance of equipment for vessels used to harvest aquatic organisms;
- v. purchase of aquatic organisms for retailing or wholesaling;
- vi. preparation or processing of aquatic organisms for retailing;
- vii. retailing of fresh or processed aquatic organisms for off-site consumption;
- viii. wholesaling of fresh aquatic organisms;
- ix. retail shops, offices, on-site open air snack-bar or take-out service, and administrative services, provided that such facilities shall derive from and relate to the uses described in subparagraphs (i) through (viii);
- x. parking to support uses described in subparagraphs (i) through (viii); and
- xi. uses supportive of or related to uses described in subparagraphs (i) through (viii), except that no such use shall reduce the availability of or access to float or dock space for berthing or other water dependent uses of the property.

“Working Waterfront Uses” uses shall not include indoor restaurants, apartments, residences, condominiums, hotels, lodging, gas stations, yacht clubs and “Marinas.”

“Marina” shall be defined as a facility that repairs vessels for hire or profit, or rents long-term (more than 3 months, including extensions) berthing space for non-Working Waterfront vessels, on the outside (channel side) base of the floats.

## **5. Waste Disposal And Water Protection.**

- A. It is forbidden to dispose of or improperly store rubbish, garbage, debris, unserviceable motor vehicles, recreational vehicles, parts thereof, or other abandoned, unsightly, offensive, toxic or hazardous substances, human waste or waste material of any kind in the York River or anywhere on the Protected Property. Trash receptacles may be placed on the Protected Property for the convenience of its users, to be removed at reasonable intervals, subject to all applicable local, state, and federal laws and regulations.
- B. The use of chemical herbicides, pesticides, fungicides, fertilizers and other agents that may have an adverse effect on wildlife, waters, and other important conservation interests to be protected by this Conservation Easement, must be limited to prevent any demonstrable adverse impact on the conservation values of the Protected Property and nearby waters. This should not be construed to prohibit ordinary use of such agents in the exercise of Grantor’s rights to use the Protected Property for Working Waterfront, as defined in Paragraph 2, and in accordance with manufacturer’s instructions and applicable laws and regulations.
- C. Overboard discharge or direct discharge of black water waste (sewer waste) into surface waters is strictly prohibited.

## **6. Rt Of Way To The River.**

Holder’s rights in right of way. Holder is hereby granted an exclusive Right of Way to the River over the Protected Property, located over a six (6) foot-wide strip of land that runs along the entire southwest perimeter boundary of the Protected Property to a corner boundary stake, then runs along the southeast boundary of the property for forty-eight (48) feet from the corner stake, and has approximately forty-eight (48) feet of shore frontage on the River, together with appurtenant riparian rights sufficient to establish and maintain any of the structures permitted in Paragraph 4.B.(2), as depicted in Exhibit B and as more particularly described in Exhibit C, attached hereto, (hereinafter the Right of Way.)

Holder is granted the affirmative right, but not the obligation, to permit the general public to use the Right of Way for low impact outdoor recreation, such as pedestrian access to the river, sightseeing, nature observation, fishing, swimming, landing and launching kayaks and similar non-motorized personal watercraft; and Holder is granted the further right to construct, maintain, repair, and replace any of the structures permitted in Paragraph 4.B.(2) for such low impact outdoor recreational use by the general public. Holder has the right to control, limit or prohibit or to invite the general public, by posting or other means, to use the Right of Way and its permitted improvements for access to the River and for low impact outdoor recreation, as aforesaid, and to make reasonable rules and regulations for such uses, which shall be provided in writing to Grantor.

## **Benefits of the Project**

### ***A conservation innovation***

The Sewall's Bridge Dock Project represents a new link between conservation and efforts to sustain local economies. Individuals and organizations involved in the project can offer experience, advice and counsel on future projects. The easement offers a template for other working waterfront projects.

### ***Expanded capacity of York Land Trust***

The Sewall's Bridge Project produced 17 new donors who gave a total of \$190,000 to the project, and at least eight new members to the land trust based on the work with the Sewall's Bridge Dock project. Since then the organization has broadened its mission to include conserving and protecting the cultural heritage of the community - including the remaining working waterfronts. The board and staff have expanded both their skills and confidence in completing an innovative project. There is keen awareness of the value of partnering with individuals and groups, such as the fishermen, both to expand the capacity of the organization and to address a range of community issues. The fishermen have now become avid supporters of the Trust and ambassadors for its land conservation work in the community.

### ***Expanded awareness about the need to conserve the working waterfront infrastructure***

The York Land Trust received excellent news coverage in newspapers, on TV, and radio as a result of the Sewall's Bridge Dock project that raised awareness about the loss of working waterfront throughout Maine and its impact on fishermen. New state legislation will reduce property taxes for fishermen who own working docks and establish a fund, through the Land For Maine's Future Program, that is designated for the preservation of working waterfront in the state. In addition, the legislature passed legislation that authorizes working waterfront covenants (easements).

### ***Catalyst for other working waterfront projects***

The Town of York purchased land on Strawberry Island to improve access for fishermen and recreational users. The York Historical Society plans to expand its wharf to include space for a working waterfront. And the York Country Club's planned rebuilding of its wharf incorporates a portion dedicated to working waterfront.

### ***Synergy between the York Land Trust and the MtA2C Initiative***

Early support of the project from members of the MtA2C Coalition offered persuasive recommendation to skeptical members of the York Land Trust. Individuals from the York Land Trust Board who were involved in the MtA2C Initiative worked to link the two efforts. The MtA2C Coalition, retroactively, allocated funds from its capital campaign to support the project and paid off the loan from CEI in thirteen months. The Sewall's Bridge Dock project has become important to the MtA2C Initiative as it provides a tangible step toward the Initiative's goal to protect working landscapes in the MtA2C region.

## **Lessons Learned**

### ***Social networks offer valuable energy in the early stages of a project.***

The complex web of associations between the lobstermen and their families, members of York Land Trust, the MtA2C Coalition, other members of the community, donors, supporting institutions - such as foundations and other financing institutions - not only brought considerable resources to the project table, but enabled the project to move forward and be successful within a very short period of time. Without these networks, there would have been lost time in making appropriate and productive contacts, a steeper learning curve in advancing the project, and less confidence in the successful completion of the project.

***Access to a complex suite of nimble and flexible financial instruments will facilitate a project.***

Donors, financing institutions and foundations can reinforce cross-sectoral projects within a community by offering flexible dollars that can be applied as needed to address the funding requirements of the project partners. The Sewall's Bridge Dock project offers some examples. The loan guarantees by individuals for the CEI loan and the philanthropic grant to cover the interest on CEI's loan to the York Land Trust provided the kind of timely and flexible application of project dollars that the organizations needed to make the project work. Experience from this project and others could inform the development of a full suite of instruments. The project also demonstrated how difficult it is to secure funding for non-traditional projects. For example, it was difficult to raise "environmental " grant money to support a commercial fishing project. Further, while this was surely an economic development project, efforts to secure economic development funding for a project that called for a land trust to purchase an easement proved unsuccessful.

***In working across sectors in a community, take time to understand the different cultures.***

The engagement of partners in the project, the identification of appropriate financing instruments, and the negotiation of the easement could have been facilitated if there had been a better understanding of the language, culture and challenges of each constituency as it related to the project. The time invested in conversation for Mark and Jeff to understand the needs of the York Land Trust, and for the York Land Trust to understand commercial fishing operations was extremely valuable and necessary.

***New relationships between non-traditional partners benefit from facilitation, flexibility and adaptation.***

During the course of the project, it was clear that CEI and the York Land Trust had different operating cultures. Success of the project would depend on reconciling, or at least managing the differences. The CEI loan to the York Land Trust offered a good example of how different the cultures were. For example, CEI practices require detailed personal information, including a personal financial statement, tax returns and an accountant's statement of earnings from loan guarantors. While this requirement is both standard and accepted within CEI's world of community development finance institutions, it almost became a "show-stopper" for an organization such as the York Land Trust where access to donors and financing for projects is often a more private and informally executed arrangement. While the time frame did not allow for cultural changes within either or both institutions, each group adapted and demonstrated the kind of flexibility required to move the project forward. The donors provided a personal financial statement, and CEI accepted less detailed information than was customary.

***Expand participation at the conservation table.***

Inviting participation by non-conservation partners, such as workforce development interests, and investing the time in identifying common issues and objectives, will build broader constituencies as well as create opportunities for more complex and cross-sectoral "conservation" projects.

## **Indicators of long-term impact on Mt. Agamenticus to the Sea Conservation Initiative**

The following indicators can be applied to gauge the influence of the Sewall's Bridge Dock Conservation Project on other projects within the MtA2C region and beyond:

- The Sewall's Bridge Dock project offered a concrete example that CEI and the Working Waterfronts Coalition were able to use to make a successful case for a statewide bond for public investment to fill the financing gaps often posed by these projects.
- New working waterfront projects by member groups of the MtA2C Coalition will be launched.
- Expanded participation in the MtA2C Coalition from fisheries, forestry and agriculture constituencies will be realized.
- Continued growth in the capacity of York Land Trust as measured by membership, donor support, projects completed and constituencies served will occur.
- Other land trusts will replicate projects using the working waterfront easement.
- Projects related to conserving the infrastructure of working landscapes will be launched.

### **Contact**

York Land Trust

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## CASE STUDY II:

### NAWCA<sup>1</sup>: The Power Of Partnerships



*“CONGRATULATIONS!! Below you’ll see our first official e-mail verification of the approval of our \$1 million NAWCA grant for the York River!!”<sup>2</sup>*

The news that Mt. Agamenticus to the Sea Conservation (MtA2C) Initiative would receive a \$1 million NAWCA grant was cause for great celebration. It announced the significance of York River resources beyond the MtA2C region. It meant that land conservation projects critical to the conservation of the York River could move forward. And, it signaled an expanded capacity and efficacy of the partnership represented by the MtA2C Coalition.

The story of the NAWCA application process frames a window through which some of the coordination, synthesizing and synergistic capacity of the MtA2C Coalition can be viewed. In order for the project to be considered by NAWCA the proposal required:

- A partnership.
- The skills and capacity to convince key individuals and partners that conservation projects along the York River had sufficient value to compete for a grants program that supports projects in the US, Canada and in Mexico.
- Access to, and coordination of, data on the conservation biology of the York River to confirm its conservation value within the priorities of NAWCA.
- Coordination of a complex suite of skills, institutional capacity, relationships, land and money to develop the proposal and administer the grant.
- Access to \$2 million in conservation value and cash to fulfill the 2:1 match requirement for the grant program.

## Background

The North American Wetlands Conservation Act (NAWCA) set forth parameters for conserving the nation’s wetlands and established a program to provide monetary support for an international agreement (the North American Waterfowl Management Plan). The Plan offers a strategy for the long-term protection of wetlands and associated uplands that serve as habitat for waterfowl and other migratory birds in North America. The North American Wetlands

<sup>1</sup> NAWCA stands for the North American Wetlands Conservation Act

<sup>2</sup> Email from Lois Winter. July, 2005.

Conservation Act established the US Standard Grants Program. The Standard Grants Program offers grants of up to \$1 million for projects in the US, Canada and Mexico on a 2:1 match basis.

The North American Wetlands Conservation Council reviews the grant proposals and makes recommendations for funding to the Migratory Bird Conservation Commission. The Council is composed of the Director of the US Fish and Wildlife Service (USFWS), the Secretary of the National Fish and Wildlife Foundation, a state fish and game agency director from each flyway<sup>3</sup>, and three representatives of different non-profit organizations participating in projects under NAWCA<sup>4</sup>.

For the MtA2C Coalition, the process from identifying the project to final notification would span a period of almost two years (November, 2003-July, 2005).

## Challenges

Three major challenges faced the MtA2C Coalition as it considered the possibility of applying for a NAWCA grant:

### *Competitiveness of the program*

Appropriations for the Standard Grants Program are allocated on a percentage basis to the US, Canada and Mexico. The US grants support programs of regional, national and international significance. The 2005 program had been level funded at \$38 million. Of that, \$19 million was appropriated for the US and \$12 million in coastal allocations. Proposals are ranked based on the impact of the project on total populations and total number of species (abundance and diversity). The program is very competitive on a national level as the Atlantic Flyway region (within which the MtA2C project would be considered) falls short both in terms of abundance and diversity when compared to other regions of the country, most notably the Prairie Pothole region of the Midwest<sup>5</sup>.

Further, competitive NAWCA proposals require the support of the state agencies. In the case of Maine, the MtA2C application would not only have to gain the support of the State Department of Inland Fisheries and Wildlife (MDIFW); it would also need the support of the Maine Wetlands Protection Coalition (MWPC).

The MWPC was organized in 1992 to identify and establish priorities for wetland protection. Because of its composition of 18 members from federal and non-profit representatives working on wetland habitat conservation, it has a broad overview of the most critical habitat for protection.

### *Complexity of the application process*

The first indicator of the complex and complicated application process was the 13-page application that was accompanied by a 44-page book of instructions. This would not, on its face, be satisfied using the template of a typical foundation proposal. Among other requirements, the proposal asks for technical data on the significance of the resource as it relates to the North American Wildlife Plan and other waterfowl and migratory bird management plans. It requires specific and detailed data on how the proposal relates to “national status and trends of wetland types”, and it requires very specific data on individual species as they relate to the particular parcels proposed for acquisition or match under the grant<sup>6</sup>. It requires detailed explanation of and accounting for all the resources to be offered as match. To say the application budget and work plan, budget table and budget justification was complex is an understatement. “I’ve never seen anything like it”, commented Bev Shadley, “It’s a maze.”<sup>7</sup>

### *Matching requirements*

The NAWCA program requires a 2:1 match. The MtA2C proposal, which was to request \$1 million, would need to assemble \$2 million in cash and conservation values.

<sup>3</sup> A flyway is a regional migratory route for birds.

<sup>4</sup> North American Wetlands Conservation Act, <http://ipl.unm.edu/cwl/fedbook/nawca.html>

<sup>5</sup> Telephone interview with Lois Winter, April, 2006. A separate fund was established for the Atlantic Flyway region to counteract the abundance and diversity imbalance between regions.

<sup>6</sup> NAWCA Application

<sup>7</sup> Telephone interview with Bev Shadley, April 2006.

## The Idea

Members of the MtA2C Coalition had, early on, set their sights on finding a project to propose for funding under the NAWCA grants program. As the MtA2C Coalition developed and grew more organized, the newly formed land committees<sup>8</sup> developed a list of properties that might be recommended for funding by NAWCA. Properties along the York River had been on the Initiative's "A" list to receive top priority for conservation from the MtA2C Initiative. However, there was also some interest in the use of NAWCA funds to support a large project in Kittery. The grant could bring NAWCA funds to the Brave Boat Harbor/Gerrish Island section of the MtA2C region, and it would make a pledge by the Maine Coast Heritage Trust (MCHT) of a substantial cash match for the large Kittery project more attractive to the MCHT Board. Paul Dest, Manager at the Wells National Estuarine Research Reserve and a member of the MTA2C Coalition, was "absolutely key" to this effort. He recommended that the Coalition contact Lois Winter at USFWS's Gulf of Maine Program. Lois's experience with and knowledge of the NAWCA grants program could help identify a competitive project and potentially assist in developing the proposal. She was contacted and signed on as a new partner for this effort. This recommendation proved to be one of the most important relationships for the MtA2C Coalition as Lois played several pivotal roles in the development of the successful proposal.

## Developing the Proposal

In November 2003, Bev Shadley arrived to assume the role of Campaign Director for a capital campaign to support the MtA2C Initiative. As she began to organize prospects for the campaign she focused on the NAWCA grant program and quickly assumed what would be another primary role in the process: coordinator and project manager. The organization process had begun, and it soon developed the clarity and focus of accomplishing three goals:

### *Identifying the best proposal*

Lois Winter became very helpful in analyzing the group's list of proposed projects. During the course of the discussion, Lois was taken on a boat trip up the York River. The boat trip turned out to be instrumental in convincing Lois of the value of a project along the York River. Her account of the trip was that she was "astounded" at the "relatively pristine, amazingly nice" landscape that she saw. She had a chance to "look at this amazing place... with relatively large landholdings...we knew some of the landowners...[we] could see the package...[we could] taste it..."<sup>9</sup>

At one point there was a suggestion to have the acquisition of a conservation easement on a 384-acre property in Kittery be the focus of the NAWCA grant or incorporate it as part of the proposal. Lois offered her analysis and recommendations that were grounded in her thorough understanding of the NAWCA program. She emphasized that NAWCA's focus is on waterfowl and water bird habitat. There are water birds offshore but not on the property. Additionally, the easement would not guarantee public access - an important issue for NAWCA. Finally, if the proposal was to focus on the York River wetlands, the large Kittery project bore no relation to those wetlands. Her recommendation was that the large Kittery project was best suited as part of the match package for the project.<sup>10</sup>

### *Securing support*

MtA2C needed the support of the US Fish and Wildlife Service (USFWS), The Atlantic Coast Joint Venture Program, the Maine Department of Inland Fisheries and Wildlife (MDIFW) and the Maine Wetlands Protection Coalition (MWPC) in order to complete the application and have a competitive proposal.

The full support of the USFWS was conveyed in January 2005 to the Coalition in an email from Lois when she wrote that the project would receive the "enthusiastic attention" of the USFWS regional NAWCA staff and will have "the support of the USFWS service staff."

Much less certain, however, was the support of the MDIFW and the MWPC. The Nature Conservancy (TNC), Maine Coast Heritage Trust (MCHT) and USFWS were all organizational members of the MWPC as well as the MTA2C Coalition. Chris Fichtel (MCHT) and Lois Winter (USFWS) sat on the MWPC, so there were significant lines of

<sup>8</sup> See Mt. Agamenticus to the Sea Conservation Initiative Assessment for description of land committees.

[www.mtatosea.org/mtareportfinal\\_summary.pdf](http://www.mtatosea.org/mtareportfinal_summary.pdf).

<sup>9</sup> Telephone interview with Lois Winter. April, 2006.

<sup>10</sup> Telephone interview with Lois Winter. April, 2006.

communication open and important relationships within the MWPC. Though Keith Fletcher, TNC's representative on the MtA2C Coalition, was not the TNC representative on the MWPC, he worked for over two years to make the case for the York River and, specifically, for the NAWCA proposal. However, there were particular challenges to getting the necessary support.

First and foremost, it was difficult to get individuals within the USFWS and the MWPC to pay attention to the York River. Though there was a formal presentation about the Mt. Agamenticus Initiative to the MWPC, only two members of the MWPC board made a site visit to the properties along the York River.

The second challenge was that the York River was not in one of the MWPC priority areas. The MWPC had worked methodically to establish priorities in Maine in an effort to effectively channel grant dollars and support and had identified Cobscook Bay, Merrymeeting Bay/Kennebec River and the Downeast Coast/Pleasant Bay as the three priority areas. As one MWPC member said "their [MtA2C] challenge was the MWPC did not want to be lobbied... my approach is to look at the habitat values in relation to costs and see how we can get the most high value habitat protected statewide." It would be difficult for the MWPC to support a proposal for a project outside the identified priority areas and one in an area where the land values are so high. In addition, there was interest in submitting a proposal from the MWPC for the Machias River. If it were possible for two proposals to be considered from Maine within the NAWCA program, the MWPC would agree to support the York River proposal in addition to submission of a Machias River proposal. Lois Winter provided a useful intermediary with NAWCA staff who offered some assurance that two proposals could be accommodated and that the rankings would be unaffected unless the MWPC decided to prioritize the proposals.

In retrospect, the support of these two important groups was secured, it seems, primarily through informal conversations, an inherent trust among professional colleagues, and the reassurance from within USFWS that the NAWCA program could support two competitive programs from the same region. In the end, Bev Shadley was able to include the support of the MWPC and the MDIFW among the 16 letters of support.

The successful efforts on the part of MtA2C to secure the support of the USFWS, MWPC and MDIFW were important. Equally significant was the involvement and support of the Atlantic Coast Joint Venture Program, which acts as a regional screen for NAWCA proposals. In November 2004, the MtA2C Coalition hosted a trip up the York River for the Joint Venture Program's Coordinator Andrew Milliken and his staff. The boat trip not only provided the opportunity for the staff to see the landscape, resource values and surrounding pressure, but also offered a valuable way to offer "early" involvement of Joint Venture Program's staff in the MtA2C Initiative's application.

## **Completing the Application**

The application to NAWCA was due on March 5, 2005. By January, work on the application began in earnest. An informal "team" formed and assigned responsibilities for assembling necessary materials. These materials included: information on the partnership and collaboration, details of the land conservation project that would be supported by the grant, technical data related to species and habitats that would be protected as a result of the project, letters of support, and budget details describing the allocation of resources for the land acquisition and matching requirements. The final application was submitted on February 25, 2005. Particularly noteworthy in this process were the following:

### ***Key roles and relationships***

Preparation of the NAWCA proposal benefited from the complementary roles of individuals representing an impressive array of expertise and institutional capacity. The application process illuminated not only the capacity within the Coalition, but also the ability of the Initiative to attract and engage other capacity.

Bev Shadley, Campaign Director for the Initiative, assumed a coordinating role. She drafted a work plan, assigned responsibilities, was communications central and "kept the ball rolling" to get the application "out the door" on time.<sup>11</sup>

Lois Winter contributed in at least four significant ways. She brought expertise in the field of conservation biology, a thorough understanding of the NAWCA grants program and the application process, access to information and

<sup>11</sup> Telephone interview with Bev Shadley, April, 2006.

data within USFWS needed to complete the application, and relationships within USFWS and the NAWCA program, MDIFW and MWPC. For example, Lois brought significant expertise in the field of conservation biology and was equipped to provide the detailed knowledge and data to answer the technical questions related to species diversity and abundance and the impact of the project on those issues. In addition, however, she also engaged the talents and relationships of others within the USFWS for GIS analysis and access to data from the Maine Natural Areas Program.

Individual Coalition members Keith Fletcher, Chris Fichtel, Paul Dest and Ala Reid all played important roles. They were involved from the early stages of identifying a potential project, connecting the MtA2C staff with other resources, advocating support of the York River within the MWPC, and reviewing and editing the final application.

The three Lands Committees of the MtA2C Initiative offered a thorough knowledge of individual parcels of land and had completed the challenging work of establishing priorities, engaging landowners, assigning values, and budgeting project costs. The Committees' work paved the way for the analysis needed to assemble an appropriate and impressive match package.

### ***Analysis and identification of match***

The Coalition was faced with two challenges in analyzing and determining the best match package. First, which package would work for the project (i.e. provide maximum impact in terms of linkage with species and habitat needs and conservation plans) and, second, which would offer the greatest leverage not just for this project but also for other Coalition projects. The Initiative's analysis of land conservation needs, based on the scientific information reviewed for the MtA2C Conservation Plan, the complex and growing portfolio of land deals, and the financial resources available from individuals and Coalition partners (including landowners) reveals the power of the partnership.

### ***Assembling the resources of the Coalition***

While the skills, relationships and experience represented one aspect of the resources of the MtA2C Coalition, the NAWCA grant required substantial resources that had financial and conservation value.

The total value of the proposed project to be supported by the NAWCA grant was \$3,380,200 to support the conservation of 933.9 acres. That total consisted of \$1,000,000 in requested NAWCA funds to acquire, in fee, 188.3 acres of land along the York River. The required match would come from \$500,000 in the value of 259.9 acres of land that were either purchased or donated; and \$1,880,200 in value of easements purchased and/or donated over 449.7 acres of land. Contributions in the form of land value and cash came from landowners, USFWS Gulf of Maine Program, the State of Maine (Land for Maine Futures program and Landowner Incentive Program), the Town of York, York Land Trust, Maine Coast Heritage Trust and Ducks Unlimited.

Of particular note is the capacity within the MtA2C Coalition to leverage resources within its land portfolio and between Coalition partners. A particular example of this is the large Kittery project. The project provides \$1 million in match for the NAWCA grant, leverages \$300,000 in cash from MCHT, and will be used by MCHT as leverage in their capital campaign.

## **Evaluation of the Application**

In addition to passing through the screen of the MWPC and the Atlantic Coast Joint Venture Program, the application needed the recommendation of the North American Wetlands Council before getting final approval by the Migratory Bird Conservation Commission. Evaluation at this stage is based almost entirely on a numerical ranking system.

Applications that have a high score do so primarily because they have high resource value for wetlands and migratory birds, and present projects that have a particular relevance to, or are consistent with, regional, national and international migratory bird conservation plans. Much of the ranking, therefore, is based on the technical data that is required to answer questions related to species abundance and diversity, habitat protection, and consistency with conservation plans. The applications, however, are also scored on the partnership and the value and diversity of resources for the match.

Although the MtA2C application did not score at the top in any of the categories for resource values, it was in at least the top third in each. More importantly, however, the application did a "good job" in linking the proposed projects to

the various conservation plans for which NAWCA grants are intended to support. Additionally, the MtA2C proposal “maxed out” for its partnership with the number of sources, the value and generosity of the partners cited as the reason for the highest ranking.<sup>12</sup>

## **Lessons Learned**

### ***The Mt. Agamenticus to the Sea region has conservation values of national significance.***

The NAWCA grant gave credibility to what the MtA2C Initiative had articulated: the region has significant biological and resource values that merit investment and protection. A corollary to this lesson is the following: never underestimate the impact and influence of field trips. The reaction to, and impression left on people like Lois Winter and Andrew Milliken from boat trips up the York River are reinforcing. In both cases, not only were they impressed with the pristine nature of the landscape and the opportunity that was provided to support what had been documented as important biological and conservation values, they were able to see it within the context of the surrounding development pressure.

One issue that challenges the competitiveness of land conservation projects in the MtA2C region, both with the MWPC and NAWCA, is the relatively small size of the projects in comparison to the cost. Future proposals from the MtA2C region will need to provide, with increasing rigor, the rationale for grant support on small projects that have a high cost.

### ***The Coalition is an efficient vehicle to attract resources requiring large collaborative partnerships.***

No one Coalition partner would have been able to apply for and compete for a NAWCA grant, not only because the program requires applications from partnerships, but because the capacity to complete the application and the resources needed to support the proposed project required an extensive array of skills, data, knowledge, experience, relationships, money and land. The Coalition either provided these through partner organizations or had access through other relationships to organizations that could provide what was needed.

### ***MtA2C’s complex suite of land conservation projects offers significant leveraging opportunities.***

The rigor of the NAWCA program requires parcels of land that can satisfy the biological and conservation imperatives of the program and the financial value and partnership values that are important in the matching component of the application. The work of the MtA2C Coalition in developing a conservation plan, identifying land parcels for conservation that would help meet the goals of the plan, contact with landowners and completion of land conservation projects meant that the Coalition had a diverse portfolio from which it could “package” both a project and matching properties.

### ***Networks of relationships play an important role in building the capacity of an initiative and in attracting and securing resources for support.***

While the Coalition’s 10 partners had an impressive network of relationships and a strong foundation of experience and resources, the NAWCA process highlighted the value of additional networks between the Coalition and other partners drawn in for a particular effort. For example, the connection that Paul Dest made between the Coalition and Lois Winter from the USFWS was critical to the success of the application. The value of the relationship that Keith Fletcher had with his TNC colleague on the MWPC, and the role that Chris Fichtel and Lois Winter played as members of the MWPC were instrumental in securing the important support from that organization.

<sup>12</sup> Telephone interview with Andrew Milliken. May, 2006.

***There is considerable value in having the institutional capacity to assign a person who can coordinate and manage a project the size of the NAWCA grant application***

The application was successful, due in part, to the ability of the MtA2C Coalition to coordinate and manage the application process. Bev Shadley's role of "keeping the ball rolling" and getting the application "out the door" required that she pay attention to deadlines, recognize the pieces of the application that Coalition members could be responsible for and those that required Lois's expertise, identify and organize opportunities to attract key people for site visits and engagement in the process, and be responsible for communicating with and pressing people on important deadlines.

**Indicators of future impact of the NAWCA grant process on the Mt. Agamenticus to the Sea Conservation Initiative**

- The Coalition will complete the land transactions within the necessary time frame (2 years) to satisfy the NAWCA grant requirements.
- The Coalition will secure additional resources of the size and complexity of the NAWCA grant.
- The MtA2C Coalition will develop and implement a strategy for meeting the coordination and management needs of complex grant programs such as NAWCA.

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## CASE STUDY III:

### Engaging Communities in the MtA2C Initiative: The Town of Ogunquit



The boundary line of the Mt. Agamenticus to the Sea Conservation (MtA2C) Initiative encompasses six towns in southern Maine: Eliot, Kittery, Ogunquit, South Berwick, Wells and York. Success of the MtA2C Initiative will be measured, in part, by the extent to which each community embraces the regional vision of the MtA2C Initiative and takes an active role in achieving the goals of the MtA2C Conservation Plan.

While all the towns have different characteristics, demonstrate a broad spectrum of conservation activity, and are, in varying degrees, involved in the MtA2C Initiative, a look at one town offers an opportunity to identify some of the challenges and opportunities facing the MtA2C Initiative in its work with all six communities. The purpose of this case study is to look at the following issues through the lens of one town's experience:

- To what degree will the towns coordinate and cooperate in planning and conservation activities within a regional context?
- What are the principal roles of a town in helping to achieve the goals of the MtA2C conservation plan?
- What capacity exists within the town to assume the roles?
- How can the MtA2C Coalition support the communities?

### Background

The Town of Ogunquit “nestled between the towns of York and Wells” was originally part of the Town of Wells. In 1913 the Maine Legislature established the Ogunquit Village Corporation to oversee some municipal administrative responsibilities. In 1980, the Town of Ogunquit was incorporated as a separate municipality.

The town's major economic activity is related to tourism. As one of Maine's oldest vacation destinations, its population swells from a year round population of 1,226 to 15,180 in the summer.<sup>1</sup>

The importance of and valuable role that Ogunquit's natural assets play in the economic activity of the town is both understood and appreciated. As with most southern Maine coastal towns, Ogunquit is faced with severe development pressure resulting in the fragmentation of its land base, compromised water quality in its rivers and coastal waters and management issues related to the beach.

The Town of Ogunquit faces a number of challenges in advancing the goals of the MtA2C Initiative:

- Ogunquit is a typically independent New England town where the practice of coordinating, collaborating, and/or cooperating with neighboring towns is often the exception rather than the rule. For Ogunquit, this is particularly important as the town's two rivers - the Ogunquit River and the Josias River - are vital to the economic vitality of the town. Less than one-quarter of the Ogunquit River watershed, for example, is in Ogunquit. Most of the watershed is in the Town of Wells.

<sup>1</sup>Page 10, Appendices to Ogunquit: Beautiful Place by the Sea, 2003 Update of the Comprehensive Plan November, 2004. The summer population figure is calculated as follows: 5,520 2nd homeowners; 4,440 summer visitors to overnight accommodations/day; 5,220 day visitors/day.

- Like many towns, Ogunquit operates with limited resources, is faced with growing demands for expanded services and increasing complexity of governing a municipality in the face of development pressures. While there seems to be support and endorsement for conservation efforts, recent changes within the municipal government that have resulted in turnover in town officers and administration are a red flag in thinking about the town's capacity to sustain long-term engagement and investment in conservation
- While specific assets in Ogunquit such as the beach, rivers, Perkins Cove and the Marginal Way are recognized and valued, there is much work to be done to link the appreciation of those assets with an effort to develop support for broader conservation planning and activity both in the town and within the MtA2C region.
- Though the Conservation Commission has established a significant presence over a relatively short period of time, it represents the early phases in establishing a strong infrastructure for conservation within the community.

## Organizing the Town for Conservation

The first inhabitants of the land, the MicMac Indians, named this place Ogunquit for "its natural beauty and charm." It is known as "the beautiful place by the sea."<sup>2</sup> According to the Comprehensive Plan, Ogunquit has long recognized the value of its natural assets not only for the scenic beauty but also as critical infrastructure for its economic activity. Since the early part of the last century, residents of Ogunquit have demonstrated a commitment to conserving particular special places and town assets including:

### *Ogunquit Beach*

This one-and-one-half mile stretch of fine white sand is backed by 20-foot high dunes which protect the Ogunquit River estuary and the natural habitat it provides for many wildlife species. The beach was first accessible by land when a bridge was built from the town to the beach in 1888. In the early 1930's residents became concerned that beach access would be threatened if plans for residential development and an amusement park were ever allowed to proceed. A petition by Ogunquit to the State Legislature for municipal ownership was granted, and at a cost of \$45,000 the beach was acquired, preserving access to the beach for residents and visitors. By 1938, it was one of only two municipally owned beaches in the State of Maine.<sup>3</sup>

### *The Marginal Way*

The Marginal Way is a one-and-one-quarter mile footpath along the town's rock-bound coastal boundary that was offered as a gift to the Town of Ogunquit in 1923. In 1991, after a severe storm washed out portions of the path, a group of residents formed the Committee to Restore the Marginal Way to restore the footpath and to establish a capital fund to ensure the continued preservation and maintenance of the path.<sup>4</sup>

### *Perkins Cove*

Perkins Cove has been an important feature of the town since its early settlement when fishing and shipping were the principal economic activities of the village. Originally unsheltered from the ocean, the cove and adjacent land was vulnerable to storms and flooding. A group of local citizens formed the Fish Cove Association and worked to acquire land, construct a basin connected to the Josias River and reshape the cove to its current configuration, which offers not only protection for fishermen and boaters, but also a scenic harbor that attracts residents and visitors alike.<sup>5</sup>

### *Clam-flats*

In 1988 the town's clam-flats were closed due to water pollution in the Ogunquit River. The town and a group of volunteers worked to address the sources of pollution, and in 1997 the clam-flats were reopened.<sup>6</sup>

<sup>2</sup> [www.ogunquit.govoffice.com](http://www.ogunquit.govoffice.com)

<sup>3</sup> [www.ogunquit.org](http://www.ogunquit.org)

<sup>4</sup> [www.ogunquit.org](http://www.ogunquit.org)

<sup>5</sup> [www.ogunquit.org](http://www.ogunquit.org)

There is less evidence, however, of a long-term and sustained commitment to land-use planning related to the conservation of the town's natural resources. Ogunquit was the last town to establish a Conservation Commission. And, although the town has 14 parks, the only "conservation" land was secured through efforts of the York Land Trust and the Great Works Regional Land Trust (GWRLT). Recently the GWRLT conserved two parcels through fee ownership: Beach Plum Farm (22 acres) in 1998 and Footbridge on the Marsh (.25 acres) in 2000.

### *Comprehensive Planning*

Ogunquit's first planning effort was in 1958 when the Ogunquit Village Corporation adopted a village zoning ordinance. The first Comprehensive Plan was produced in 1989 (updated in 1991 and 1993). These efforts resulted in a land-use plan for the town, revised the zoning ordinances to incorporate the land-use plan and complied with the state Shoreland Zoning Law. There is little evidence, however, of specific wetland or land conservation initiatives.

Most recently, the Town adopted proposed revisions to the Comprehensive Plan in 2003. The revisions include the following recommendations that have particular relevance to the MtA2C Initiative:<sup>7</sup>

- Establish a Conservation Commission.
- Establish and fund a conservation fund for the acquisition of open land.
- Focus open space conservation on the unfragmented lands west of 95 (within the boundary of the MtA2C Planning area).
- Cooperate and collaborate with other conservation organizations, land trusts, and state agencies to achieve conservation of important open space.
- Cooperate and collaborate with other communities and regional organizations to address issues that transcend town boundaries.

### **The Conservation Commission**

The Ogunquit Conservation Commission was established in 2003 as a result of a recommendation in the revised Comprehensive Plan. Mike Horn, a long-time and well-respected resident of the town, sat on the Comprehensive Plan committee, worked to establish the Conservation Commission and was subsequently named its first chair. The evolution of the Commission offers insight into the conservation potential within the community. Significant achievements of the Commission include the following:

#### *Leadership*

The Conservation Commission is composed of individuals in town who are both respected by residents and municipal officials and have the skills and background to contribute substantially to issues related to the conservation of the town's natural resources. The Commission, under the leadership of Mike Horn, set out initially to "get positive recognition from [the] community."<sup>8</sup> Following input and assistance from many local, regional and state organizations, the Commission carefully selected the steps they would take to advance conservation within the town of Ogunquit. Their strategy has been to work on projects that would expand public awareness of and interest in the need for conservation in the town. Thus initial projects focused on the beach (beach clean-up days and dune restoration) and the water quality of the Josias River, both well-recognized and valued natural assets. In so doing, they created projects and activities that worked to conserve valued resources, engage people in conservation activities, and build credibility and confidence in the work of the Conservation Commission. As a result, "people in town know we exist."<sup>9</sup> Even more than that, the Conservation Commission has become the "go to" department in town.<sup>10</sup>

#### *Water quality project*

The Conservation Commission wanted to identify projects that would address issues of concern to Ogunquit residents as a way of building the credibility of the Conservation Commission and engaging support for conservation activities

<sup>6</sup> Page 1-1. Ogunquit Beautiful Place by the Sea, 2003 Update of the Comprehensive Plan. November 2004

<sup>7</sup> Chapter 6, pp 6-1-6-33. Ogunquit Beautiful Place by the Sea, 2003 Update of the Comprehensive Plan.

<sup>8</sup> November, 2004.

<sup>9</sup> Interview with Mike Horn, March, 2006.

<sup>10</sup> Telephone interview with Conservation Commission member, Susan Starobin, April, 2006.

in the town. There was growing concern about water quality in the Josias River. Since water from the Josias River flows into Perkins Cove where lobstermen store their catches and coveside restaurants pump cove water into their shellfish holding tanks, increasing levels of pollution had already engaged public interest. The Conservation Commission saw an opportunity to provide a service that would be both valuable and raise the visibility of the work of the Commission. Commission chair, Mike Horn, contacted Tin Smith at the Wells National Estuarine Research Reserve for assistance. With Tin's help and the resources of the Wells Reserve Labs, the Commission set up a study that included surveys, water sample collection and testing. This phase produced good science that helped identify both the kind of pollution and its sources so that steps could be taken to restore water quality in the Josias River. The project received extensive coverage by the local newspaper, the York County Coast Star, and people began to see the efficacy of the newly-born Conservation Commission.

### *Land acquisition fund*

At the same time (2003) the Conservation Commission was established, the town allocated \$25,000 to a municipal land acquisition fund and has contributed \$25,000/year the last two years. The \$75,000 currently in the land acquisition fund not only represents real resources available to the town to conserve land, but it is an early and tangible expression of the town's commitment to land conservation.

### *Land conservation*

Although Commission members recognize the pressing need for land conservation, they have had their own "learning curve" and have deliberately chosen a thoughtful and strategic process to build the capacity and support for conservation in the town.

When the Commission was first established, there was a sense that they wanted to do everything themselves. As Mike Horn stated, "In the beginning, we were naïve, felt selfishly at the time that if we were out to collect money or acquire conservation easements...[we] wanted to keep it in town...didn't want someone from outside doing it."<sup>11</sup>

When the owner of the Beach Plum Farm property wanted to conserve the land, there was some interest in setting up a local land trust. Tin Smith, who had been working with the Conservation Commission on the Josias River water quality project and was a member of the Great Works Regional Land Trust (GWRLT), suggested that GWRLT would be a good partner and could assist with land acquisition and easements. As a result, "we went 180 degrees," said Mike Horn, "[now] we don't care who is responsible for preserving open space...as long as it gets done."<sup>12</sup> A subsequent project that evolved from a proposed cluster housing subdivision, may result in the donation of 32 acres of prime open space and valuable wetlands by the developer to the town that will be managed by the GWRLT.

In order to support projects to achieve long-range land conservation goals in Ogunquit, the Conservation Commission mailed a letter to every taxpayer in the town asking for support for conservation efforts. Though the solicitation raised \$5,000, 96% of the responses came from out-of-town residents, while only 4% of year-round residents responded. The Commission knew that more outreach and public awareness work needed to be done to engage the year-round population and is responding with the following actions:

- The Commission held a public forum to describe the natural resource values in the town, present the conservation and planning challenges, and to solicit comments from Ogunquit residents on conservation priorities.
- The Commission will send a letter to landowners west of I-95 to raise awareness of the natural resource value of their land, introduce the concept of conservation easements, and solicit interest from landowners interested in partnering with the town in conservation of the land.

Though each of these projects represents important achievements and milestones in the development of the town's infrastructure for conservation, both the Commission and a commitment to conservation activity in the Town are still in a fledgling stage. As with all conservation commissions, Ogunquit's is powered by volunteers. Unlike many, however, the leadership and time commitment by its chair, Mike Horn, has created unusual capacity within the town. When

<sup>11</sup> Telephone interview with Roger Cole. April, 2006.

<sup>11</sup> Interview with Mike Horn. March, 2006.

<sup>12</sup> Interview with Mike Horn. March, 2006.

asked if the Conservation Commission and conservation activity would proceed at the same pace if Mike were to step aside, the answer was generally no. This is a clear indication that more time and work is needed to reinforce both the institutional infrastructure as well as building expanded leadership capacity to sustain conservation activity.

## Ogunquit and the MtA2C Initiative

The boundary of the MtA2C planning area follows Route 95 as it cuts through the Town of Ogunquit. The MtA2C region, as a result, incorporates a wedge-shaped portion of the town to the west of Route 95 that remains relatively undeveloped and includes existing conservation land, as well as a piece of a contiguous block of farms and forestland, portions of which are in York, Wells, Ogunquit and S. Berwick. Of all the communities within the MtA2C region, however, the links that would offer a strong connection between a town and the goals of the MtA2C Conservation Plan are the most tenuous for Ogunquit. The “signature” natural features for Ogunquit residents, such as the beach, Perkins Cove and the Marginal Way, all fall outside of the MtA2C regional boundary. One opportunity to develop links, however, is that the headwaters and much of the watersheds of the town’s two important rivers (Josias and Ogunquit) lie in York and Wells, in the Mt. Agamenticus and the Tatic Hills regions of the MtA2C planning area. The challenge, both for the MtA2C Initiative and for conservation advocates within the town, will be to build awareness of that relationship and to engage residents of Ogunquit in regional coordination, watershed planning and cooperative projects.

Engaging the Town of Ogunquit in the MtA2C Initiative is an evolving process - the first phase of which included information and assistance offered to the newly formed Conservation Commission by individuals from the MtA2C Coalition. Tin Smith who wears multiple hats as MtA2C Coalition member, Honorary Co-Chair of the MtA2C Campaign, Board Member of the Great Works Regional Land Trust (GWRLT) and staff at the Wells National Estuarine Research Reserve, helped the Commission with the Josias River water quality project, linked the owner of the Beach Plum Farm to the GWRLT and provided an important connection to the MtA2C Initiative. Roger Cole, during the earliest stages of his community outreach, would simply show up at meetings with a MTA2C map, offer information and assistance to the Conservation Commission when asked, and was available to attend meetings if requested. Helen Winebaum, a Board member of the York Land Trust, MtA2C Coalition member and MtA2C Campaign Chairman, provided valuable fundraising and donor development advice and experience. Though each of these individuals had, or established, very different relationships within the town, they collectively put a face to the MtA2C Initiative.

The next level of engagement has been the town’s willingness to participate in and commit resources to the goals of the MtA2C Conservation Plan. The town has taken some initial first steps by:

- Supporting the MtA2C Conservation Plan. The full Board of Selectmen in Ogunquit endorsed the MtA2C Conservation Plan. This early support helped not only the fledgling MtA2C Initiative, but helped other towns to consider engaging in the Initiative.
- Becoming a standing member of the Steering Committee for the Maine State Planning Office-Regional Planning Grant project.
- Incorporating a regional perspective into revisions in the Comprehensive Plan.
- Committing \$2,000 of town funds as match to the Southern Maine Regional Planning Commission’s Regional Planning Grant.
- Participating in a Regional Planning project. The objective of the Regional Planning project is to bring together the six towns in the MtA2C region to begin the process of coordinating land-use planning to achieve the objectives of the MtA2C Conservation Plan. The Regional Planning project is funded through a grant from the Southern Maine Regional Planning Commission, but requires a financial commitment by each town.

While the full impact of the MtA2C Initiative on conservation in the Town of Ogunquit has not been fully realized, already there are some important indicators of the value of the growing relationship.

The people and resources represented on the MtA2C Coalition have expanded the capacity of and strengthened the town's Conservation Commission by providing:

- **Technical Assistance:** MtA2C staff and Coalition members, and now the Southern Maine Regional Planning Commission, have provided resources and information to the town's fledgling conservation infrastructure and leadership. Assistance has included help in project design and access to the labs at the Wells National Estuarine Research Reserve for the Josias River Water Quality project and assistance in developing an Impact Fee ordinance.
- **Advice/Mentoring:** MtA2C staff and Coalition members have provided advice and mentoring to the Conservation Commission during project development, engaging residents in support of conservation, land conservation projects, fundraising and donor development.
- **Partnering:** MtA2C staff and Coalition members have helped the town's Conservation Commission develop partnerships with the Wells National Estuarine Research Reserve, the Great Works Regional Land Trust and the Southern Maine Regional Planning Commission.

### **Indicators of Impact of Mt. Agamenticus to the Sea Conservation Initiative**

In order for the goals of the MtA2C Conservation Plan to be achieved, each of the six towns will need to be full partners by developing and revising local ordinances, continuing to identify and complete land conservation projects, and implementing land-use plans and regulations that support the objectives of the Plan. There is every expectation that this process will take a long time. There are, however, some other indicators that will offer evidence of community engagement in the MtA2C Initiative:

- The MtA2C Coalition will continue to provide assistance to and promote cooperation between the six communities in the MtA2C region.
- The Ogunquit Conservation Commission will work collaboratively with the MtA2C Coalition and the Great Works Regional Land Trust to identify land conservation projects.
- The Ogunquit Conservation Commission will complete a land conservation project within the MtA2C planning area.
- The Ogunquit Conservation Commission, with the assistance of the Southern Maine Regional Planning Commission, will develop and ask the town to implement an Open Space Impact Fee ordinance.
- The Ogunquit Conservation Commission will expand its donor base and projects in support of the MtA2C Conservation Plan.
- The Town of Ogunquit will work collaboratively with regional and state organizations to provide letters of support for state and federal land conservation funding programs - such as the Land for Maine's Future and the Land and Water Conservation Fund.
- The Town of Ogunquit will develop collaborative watershed projects with the Towns of York and Wells.

### **Contact**

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## MTA2C CONSERVATION PLAN EXCERPTS AND TABLES

### Conservation Plan Synthesis

This document is a combination of two separate conservation plans developed by working groups of MTA2C partners with extensive community input. The northern plan that includes the Mt. Agamenticus and the Tatnic Hills was coordinated by staff at the Maine Chapter of The Nature Conservancy and is available at [www.tnc.org](http://www.tnc.org). The southern plan, coordinated by Mark Ward, Ecological Consultant, includes York Pond, the York River, Braveboat Harbor and Gerrish Island. It is available from Roger Cole, Mt. Agamenticus to the Sea Conservation Initiative Coordinator, at [MntAtoSea@comcast.net](mailto:MntAtoSea@comcast.net).

In this merged and condensed document, sections of each plan have been combined to include:

- the broad vision,
- the purpose of the plan,
- the methodology used
- tables of conservation values, threats and goals, and
- specific recommendations for towns, land trusts, water districts, land owners, state and federal agencies and others.

### Purpose

The purpose of the plan is to guide and focus conservation efforts throughout the MTA2C area through 2008, building on more than 30 years of conservation work on and around Mt. Agamenticus and Braveboat Harbor. The plan was developed with support and input from over 80 organizations, individuals and municipalities, so that the final document reflects a community vision for the future of the focus area.

### Methodology

The plan follows the 5-S Framework for Site Conservation, developed by The Nature Conservancy, which involves the identification of: 1) systems (conservation targets), 2) stresses, 3) sources of stress (threats), 4) strategies, and 5) measures of success.

The plan was developed using a planning process in which a group of core conservation values (systems/targets) are identified. The major threats (stresses) to these targets are evaluated and strategies to reduce the threats and achieve conservation goals are developed. Conservation goals set minimum standards that must be achieved if efforts are to be deemed a success.

The tables on the following pages list six primary Conservation Targets as well as other conservation values captured under the broader headings. Threats ranked as Very High or High are included under each conservation target and conservation goals are in the right-hand column. Strategies were developed to combat threats.

**I. Significant contiguous forestlands, unfragmented forested uplands and freshwater wetlands**

<b>Conservation Targets &amp; Highest Threats</b>	<b>Other Conservation Targets/Values Captured</b>	<b>Conservation Goals</b>
<ul style="list-style-type: none"> <li>• Land conversion , especially residential development</li> <li>• Road building &amp; road improvements</li> <li>• Improperly insalled or maintained culverts</li> <li>• Invasive species</li> <li>• Poor logging practices</li> </ul>	<ul style="list-style-type: none"> <li>• Non harvested forest (unmanaged) wilderness</li> <li>• Undeveloped/no houses (unfragmented)</li> <li>• Habitat and connectivity for wildlife (moose, bear, bobcat, mink, fisher, otter, and turtles, etc)</li> <li>• Natural events/ecological events</li> <li>• Scenic views</li> <li>• Ecosystem diversity</li> <li>• White pine-red oak (matrix) forest type</li> <li>• Open space</li> <li>• Sensitive wildlife species</li> <li>• Rare turtles (spotted &amp; Blanding’s turtles)</li> <li>• Mole salamanders</li> <li>• Ribbon snake</li> <li>• Ringed bog haunter</li> <li>• Partners In Flight bird species (Black-billed cuckoo, Baltimore oriole, scarlet tanager, wood thrush)</li> <li>• DIFW deer wintering areas</li> <li>• White oak-red oak forest</li> <li>• Rare plants (White wood aster, scarlet oak, etc.)</li> <li>• Freshwater wetlands vernal pools</li> <li>• Freshwater swamps</li> <li>• Peat lands</li> <li>• Rare plants (Spicebush, etc.)</li> <li>• DIFW waterfowl and wading bird habitat</li> <li>• Air quality</li> </ul>	<ol style="list-style-type: none"> <li>1. To protect remaining unfragmented blocks of upland forests and freshwater wetlands in order to preserve exemplary and rare natural communities, rare plants and rare or sensitive wildlife species known/ expected to occur there.</li> <li>2. To preserve corridor connections, where present, between blocks to allow animal movement and maintain genetic variability.</li> <li>3. Increase knowledge of forest stand types, distribution and condition, and populations of animal species dependent on large forested areas.</li> <li>4. Treat and maintain the Mt.A -Second-Third Hill and water district areas as one large block (~ 12,000 acres) of contiguous forestland. Enhance and maintain connectivity between blocks.</li> <li>5. Create functional corridors of contiguous forest between water district lands and the York Pond area and between the Tatnic Hills and the core 12,000 acre block.</li> <li>6. Establish ecological reserve lands, set aside from intensive recreation and forestry, where appropriate.</li> <li>7. Keep all large (&gt;500 acres) unfragmented blocks intact so as to promote viable populations of all native species, particularly those that are wide-ranging or area sensitive.</li> <li>8. Manage forestlands to reflect a natural range and proportion of age classes and types; maintain existing mature or “near old growth” patches unharvested and buffered from human use.</li> <li>9. Prevent development of improvement of roads within the planning area that would increase traffic volume or speed.</li> <li>10. Officially discontinue town roads that are currently unimproved within unfragmented blocks.</li> </ol>

## II. Water quality and quantity, coastal and tidal communities

Conservation Targets & Highest Threats	Other Conservation Targets/Values Captured	Conservation Goals
<ul style="list-style-type: none"> <li>• Land conversion , especially residential development</li> <li>• Road building, road improvements paving of roads and parking areas</li> <li>• Poor recreational practices</li> <li>• Poor logging practices</li> <li>• Improperly installed or maintained culverts, dams &amp; bridges</li> <li>• Restrictons to tidal flow</li> <li>• Invasive plant species</li> <li>• Storm water run-off</li> </ul>	<ul style="list-style-type: none"> <li>• Surface and groundwater quality,</li> <li>• Drinking water reservoirs</li> <li>• Riparian habitats               <ul style="list-style-type: none"> <li>•Swamp darter, anadromous fish runs</li> </ul> </li> <li>• Aquatic plants (e.g. featherfoil, pondweed, beak rush)</li> <li>• Spartina saltmarsh</li> <li>• Migratory birds</li> <li>• Partners in Flight species</li> <li>• Saltmarsh sharp-tailed sparrow</li> <li>• Nelson’s sharp-tailed sparrow</li> <li>• Prairie Warbler</li> <li>• Rare plants (saltmarsh false-foxglove, etc.)</li> <li>•Fish spawning areas</li> <li>• DIFW tidal wading birds and waterfowl habitat</li> <li>• Beaches and dune grasslands</li> <li>• Rare plants (sea-beach sedge)</li> <li>• DIFW shorebird habitat</li> </ul>	<ol style="list-style-type: none"> <li>1. To protect exemplary and rare coastal and tidal natural communities and associated rare plant occurrences.</li> <li>2. To protect coastal and tidal habitats for rare and sensitive species.</li> <li>3. Maintain self-sustaining populations of rare aquatic plants and native fish, including the rare swamp darter.</li> <li>4. Reduce non-point source pollution in the area.</li> <li>5. Expand water-quality monitoring efforts.</li> <li>6. Maintain or improve water quality in all streams and on the York River estuary.</li> <li>7. Keep invasives out of all waterbodies in the greater Mt. Agamenticus area.</li> <li>8. Conserve all available land within the KWD and the YWD watersheds.</li> <li>9. Perpetuate a clean and continuous source of water for local residents while providing for ecological needs as well.</li> <li>10. See that a sustainable water budget/usage plan is developed to address current and future water needs of the communities.</li> </ol>

### III. Rare or sensitive habitat patches

Conservation Targets & Highest Threats	Other Conservation Targets/Values Captured	Conservation Goals
<ul style="list-style-type: none"> <li>• Land conversion, especially residential development</li> <li>• Invasive species</li> <li>• Poor recreational practices</li> </ul>	<ul style="list-style-type: none"> <li>• Oak-pine-hickory forest, Chestnut oak woodland, White oak-red oak forest,</li> <li>• Sensitive species (cavity and ground nesting birds, interior forest dwellers, dennig sites for area-sensitive species) habitat.</li> <li>• Atlantic white cedar swamp, pitch pine peatland, perched hemlock, black gum swamp</li> <li>• Rare plant populations (esp. beak rush, dogwood, featherfoil, Chestnut oak)</li> <li>• Rare dragonfly habitat</li> </ul>	<ol style="list-style-type: none"> <li>1. Increase knowledge of location and current health of location and health of rare plant occurrences.</li> <li>2. Protect viable examples of all S1 and S2 plants or natural communities where they occur. (S1 &amp; S2 plants or natural communities are determined by the Maine Natural Areas Program for rare species and natural communities that are critically imperiled in Maine.</li> <li>3. Maintain or improve condition of all S1 &amp; S2 plants and exemplary natural communities.</li> <li>4. Monitor and prevent the spread of invasives, and eradicate where possible or necessary to protect the native flora and fauna.</li> <li>5. Increase knowledge of the location and health (MDIFW rank) of rare wildlife species. Protect multiple viable examples of the rare dragonflies, New England Bluet, Scarlet Bluet and Ringed Boghaunter.</li> </ol>

#### IV. Early successional habitat, Blanding's Turtles & vernal pools

Conservation Targets & Highest Threats	Other Conservation Targets/Values Captured	Conservation Goals
<ul style="list-style-type: none"> <li>• Land conversion , especially residential development</li> <li>• Road building &amp; road improvements</li> <li>• Lack of active management of land for early successional habitat</li> <li>• Poor logging practices near vernal pools</li> </ul>	<ul style="list-style-type: none"> <li>• New England Cottontail</li> <li>• Blue-winged Warbler</li> <li>• Black Racer</li> <li>• Box Turtle</li> <li>• Wood frogs, spotted and blue-spotted salamanders and fairy shrimp</li> <li>• Wetlands</li> <li>• Rare dragonflies (Ringed boghaunter and ebony boghaunter)</li> <li>• Spotted and other turtles, ribbon snakes</li> <li>• Connectivity with upland habitat</li> </ul>	<ol style="list-style-type: none"> <li>1. Increase knowledge of the habitat requirements of species dependent upon early successional vegetation</li> <li>2. Increase knowledge of the availability and suitability of habitat within the Mt. Agamenticus to the Sea area for supporting viable populations of these species.</li> <li>3. Build on existing habitat and increase connectivity by working with a broad range of landowners to ensure that the land is managed appropriately.</li> <li>4. Maintain 5-7 habitat patches of 30 - 50 acres each for New England Cottontail and other early successional species.</li> <li>5. Increase population of Blandings turtles from current estimate of ~ 250 individuals.</li> <li>6. Provide adequate habitat protection to support a minimum viable population of Blandings and spotted turtles, especially within known priority habitat areas and travel corridors.</li> <li>7. Reduce road mortality of turtles</li> <li>8. Protect multiple viable examples of the rare dragonflies: New England Bluet, Scarlet Bluet and Ringed Boghaunter.</li> <li>9. Maine current population and habitat conditions to support the breeding population of Ringed Boghaunter where they exist.</li> <li>10. Identify, map and protect significant vernal pools in the area and increase public awareness of these important resources.</li> </ol>

## V. Working farms, forests and waterfronts & traditional sustainable uses of the land and waterways

Conservation Targets & Highest Threats	Other Conservation Targets/Values Captured	Conservation Goals
<ul style="list-style-type: none"> <li>• Land conversion , especially residential development</li> <li>• Increasing land values, property taxes and dock fees</li> <li>• Improperly installed or maintained culverts, dams &amp; bridges</li> <li>• Poor recreational practices</li> <li>• Poor logging practices</li> <li>• Posting of private lands</li> <li>• Use of pesticides, fertilizers and herbicides</li> <li>• Storm water runoff</li> <li>• Invasive species</li> <li>• Overharvesting</li> </ul>	<ul style="list-style-type: none"> <li>• Agricultural lands</li> <li>• Working forests/tree farms</li> <li>• Hunting</li> <li>• Commercial shellfish/finfish fisheries</li> <li>• Recreational shellfish/finfish fisheries/ clamming</li> <li>• Freshwater fish, anadromous fish (smelt, alewives, etc), striped bass</li> <li>• Passive recreational boating (kayaking, canoeing, sailing, motor boating)</li> <li>• High water quality</li> <li>• Game and waterfowl hunting</li> <li>• Passive recreational uses</li> <li>• Foot-travel</li> <li>• Horse-riding</li> <li>• X-C-skiing</li> <li>• Snow-shoeing</li> <li>• Birding</li> <li>• Informal network of recreational trails</li> </ul>	<ol style="list-style-type: none"> <li>1. Maintain and support continued traditional sustainable economic and recreational practices on the land.</li> <li>2. Endorse timber management as an appropriate land use.</li> <li>3. Preserve a significant portion of the agricultural resource base particularly in the Brixham-East Eliot area, the Route 91-York River corridor and the lower Great Works-Wichtrot Hills area... Ensure no net reduction of acreage currently in use as working farms.</li> <li>4. Identify and help keep existing working farms and forest viable. Promote broad awareness of their significance to the community.</li> <li>5. Guarantee that lands currently in use as working forests and open to hunting are not irreversibly converted to other land uses.</li> <li>6. Ensure continued availability of a system of formal and informal trails and recreational access appropriate for multiples uses and manage to reduce impacts to each other and to sustain the ecological integrity of the area.</li> <li>7. Maintain official authorized access points and integrate facilities such as parking, toilets and water fountains to match appropriate trail use and density.</li> <li>8. Keep Mountain Road unpaved, narrow and functional as part of the trail network.</li> <li>9. Develop and maintain a long-term stewardship management program that is effective and adequately funded.</li> <li>10. Establish working waterfront areas to provide long-term water access for commercial fishermen.</li> </ol>

## VI. Cultural landscape and historic structures, features & viewsheds

<b>Conservation Targets &amp; Highest Threats</b>	<b>Other Conservation Targets/Values Captured</b>	<b>Conservation Goals</b>
<ul style="list-style-type: none"> <li>• Land conversion , especially residential development</li> <li>• Road building &amp; road improvements</li> <li>• No permanent record of local knowledge/histories of the region's still-living local experts.</li> </ul>	<ul style="list-style-type: none"> <li>• Historic structures &amp; remnants</li> <li>• Rural character of communities</li> <li>• High quality aesthetic features</li> <li>• Rural character</li> <li>• Dirt roads</li> <li>• Historic/archaeological sites               <ul style="list-style-type: none"> <li>- Known pre-historic archaeological sites</li> <li>- Sensitive areas for potential early colonial/pre-historic archaeological sites</li> <li>- Specific important early colonial sites (eligible for National Register of Historic Places.)</li> </ul> </li> </ul>	<ol style="list-style-type: none"> <li>1. Make the communities more aware of their rich local history</li> <li>2. Encourage local history to be recorded and made publicly available.</li> <li>3. Identify, prioritize and develop a protection plan for important historical and cultural resources, including the Punkintown historic area and the Seven Wonders of the Tatnics.</li> <li>4. Protect quality of identifies scenic views from being altered or diminished. Specific viewsheds are listed in both northern &amp; southern plans.</li> <li>5. Create trails to provide access to these identified scenic, historical and cultural sites, including particularly a trail to the Orris Falls overlook.</li> </ol>



## EXECUTIVE SUMMARY (2001-2005): FINDINGS FROM THE INTERIM REPORT

### Summary

**Purpose of the assessment:** The assessment was commissioned as a midpoint review of the Initiative to determine the added value of the ten member Coalition in achieving conservation goals in the region and to assess the role of the Coalition in expanding the capacity of the six towns to assist in advancing the Initiative's conservation goals.

**Assessment process:** The assessment was conducted primarily through the review of information and data supplied by the Coalition including the Conservation Plan, internal organizational documents, two interim reports (2002 and 2003), an operations and capital campaign plan, foundation proposals, interviews of coalition members, funders, and town officials, and visits to the region, each of the towns, and some of the priority conservation sites.

### I. Analysis of the added value of the Coalition

The analysis included a review of the capacity, mission and priorities of the individual organizations, a comparison of the relationship of organizational missions to that of the Initiative, and selection of four indicators that suggest added value:

- the efficacy of conservation
- efficiency of conservation
- expanded resources for conservation
- the expanded capacity of individual organizations

### II. Analysis of the role of the Coalition in engaging the six towns

The analysis consisted of:

- understanding the challenges facing each town's priorities and
- the degree to which towns have active conservation programs (using indicators such as a town funds for conservation, open space committees, conservation commissions, links between planning and zoning boards and conservation committees, conservation in master plans and ordinances)

In order to analyze the impact of the Coalition, interviews were conducted to:

- assess the visibility of the Initiative
- knowledge by town officials of the Mt. Agamenticus to the Sea Conservation Initiative
- knowledge by town officials of the Conservation Plan and
- use of the resources of the Coalition.

### III. Analysis of the coalition as a replicable model

The concept of a coalition working at a landscape scale is not new. Analysis of a successful one offers an opportunity to determine what characteristics are unique and what components are replicable.

### IV. Recommendations for final evaluation

The campaign is designed to sunset in 2006 with no specific sunset requirement for the Coalition or the Initiative. At a minimum, there should be an evaluation of the campaign to determine the efficacy of the campaign in achieving the goals of the Conservation Plan.

Further evaluation of the role of the Coalition in implementation of the community-based planning and development program is recommended. Proposed metrics for evaluation and potential case studies are included.

## Summary of Findings

The Mt. Agamenticus to the Sea Conservation Initiative can be characterized as a capital campaign for land conservation at a landscape scale and a program to promote and implement community-based conservation planning and development by the six towns within the Mt. Agamenticus to the Sea region. The Mt. Agamenticus to the Sea Coalition is a coordinated group of ten individual organizations representing public (federal and state) and private (local, regional and national conservation non-profits) interests that exist to support both efforts.

The Initiative has had notable achievements. It has established an operating model for a land conservation capital campaign at the landscape scale. It has confirmed the important role of conservation planning and development within communities. It has expanded the metrics to evaluate a successful conservation effort from simply “bucks and acres” to incorporate a suite of conservation-related objectives such as protection of unique ecological features, expanding awareness of the region, and promoting a conservation and stewardship ethic.

The principal challenges facing the Initiative are two-fold: defining the future role of the Coalition, and making the transition from a capital campaign for land conservation to a community-based planning and development program.

## Accomplishments:

- Practiced more effective conservation
- Practiced more efficient conservation
- Expanded the capacity of the individual organizations to undertake conservation projects and to steward conserved resources
- Created social capital while conserving natural capital
- Stimulated action within the six towns to coordinate and advance conservation planning

## Lessons learned:

- A shared vision acts as a central organizing mechanism for a coalition
- Creating a flow of monetary benefits from the Coalition to individual coalition members and from individual members back into the Coalition provides tangible evidence of the value of the Coalition
- Fundraising within coalitions presents significant challenges
- Successful coalitions are flexible and adaptable
- Establish clear goals, accountability, and operating protocols early in the Coalition’s development
- Setting priorities based on science and available resources is a difficult, but ultimately invaluable process
- Social capital is an essential asset in successful coalitions
- Volunteer time and expertise is both undocumented and undervalued

## Challenges and opportunities:

- Realizing the full potential of the Coalition
- Defining the future of the Coalition and the Initiative at the close of the capital campaign
- Expanding interest and participation in achieving the conservation goals of the Initiative
- Making the transition from a capital campaign for land conservation to a community-based conservation planning and development program

## Definitions

**Mt. Agamenticus to the Sea Conservation Initiative** is the formal name for a broad effort to conserve the Mt. Agamenticus to the Sea region by protecting land, preserving a working landscape, and expanding a stewardship ethic and conservation practices among individuals, organizations and municipalities.

**Mt. Agamenticus to the Sea Coalition.** The word coalition literally means, “growing together”. The Mt. Agamenticus to the Sea Coalition is a coordinated group of individuals and organizations that have come together specifically for the purpose of advancing the goals of the Mt. Agamenticus to the Sea Conservation Initiative.

**Collaborative:** Collaboration means, “working together”. The word collaboration and collaborative is used throughout the report to reflect the process by which the work of the Initiative is being carried out both within the Coalition and between individuals, Coalition partners, municipal, state and federal agencies, and private philanthropy.

**Capital Campaign:** The Capital Campaign is a structured project of the Coalition to raise \$10 million for land conservation projects in the region defined by the Mt. Agamenticus to the Sea Conservation Initiative.



**COALITION OVERSIGHT COMMITTEE**

	<b>Name</b>	<b>Position</b>
<b>Mt A To The Sea Treasurer</b>	Bill Purinton	Treasurer
<b>Great Works Regional Land Trust</b>	Todd Hoffman	President
	Patricia Robinson	Board member
<b>Kittery Land Trust</b>	Melissa Paly	President
	Rob Nichols	Board member
<b>York Land Trust</b>	Karen Arsenaault	President
	Andrew Beal	Board member
	Marion Fuller Brown	Board member
	Doreen MacGillis	Executive Director
	Helen Winebaum	Board member
	Joey Donnelly	Member
	Ala Reid	Board member
<b>Maine Coast Heritage Trust</b>	Christina Epperson	Land Protection Asst.
	Chris Fichtel	Project Manager
<b>Maine Dept. Of Inland Fisheries &amp; Wildlife</b>	Scott Lindsey	Regional Biologist
<b>Rachel Carson National Wildlife Refuge</b>	Ward Feurt	Refuge Manager
<b>The Nature Conservancy</b>	Keith Fletcher	Mt. A Project Manager
<b>The Trust For Public Land</b>	Wolfe Tone	Project Manager
<b>Wells National Estuarine Research Reserve</b>	Paul Dest	Wells Reserve Manager
	Tin Smith	Stewardship Coordinator
<b>York Rivers Association</b>	Carol Donnelly	Board Member
<b>Staff</b>	Roger Cole	Coordinator
	Elaine Manning	Office Assistant

## **REGIONAL COORDINATION COMPREHENSIVE PLAN AMENDMENT (TOWN OF YORK)**

### **Volume 1: Policy Chapter**

### **Regional Coordination for the Mount Agamenticus to the Sea Conservation Initiative**

**Ballot Language: The following language would appear on the ballot:**

#### *Article X*

The Town hereby ordains amendments to the Comprehensive Plan to endorse the Conservation Plan of the Mount Agamenticus to the Sea Conservation Initiative, specifically amending: Volume 1: Policies, Capital Investment Plan, Regional Coordination Program, and Implementation Program.

#### *Statement of Fact*

Passage of this amendment would incorporate by reference the Conservation Plan prepared for the Mount Agamenticus to the Sea Conservation Initiative. The Plan documents the conservation values of the region, and establishes a framework for management to conserve the resources. State law requires the Town to jointly plan with its neighbors for shared resources such as the Mount Agamenticus region. This plan covers portions of York and 5 neighboring towns. This amendment would adopt the regional Conservation Plan as a component of the Regional Coordination Program of the Town's Comprehensive Plan, thereby endorsing its content and recommendations. This amendment also recommends the other towns follow suit by endorsing the Plan as York is doing.

**Amendment: Insert a new section into the Regional Coordination Program, as follows:**

### **Regional Coordination Program Conservation of the Mount Agamenticus Region**

APPROACH #5: The Mt Agamenticus Advisory Committee reported in 1976, that the Mt A region is "an island in a sea of development." Thirty years since that report, and this assessment is truer than ever. The Mount Agamenticus region remains an oasis of great natural beauty and biodiversity. This, despite the fact that Southern Maine and most of New England have continued to experience massive growth pressures in the decades since that assessment.

To protect and promote greater understanding of the geographical and biological interconnections within the Mt A region, 10 conservation organizations operating in southern Maine launched The Mt Agamenticus to the Sea Conservation Initiative - a landscape-wide conservation and planning effort encompassing the wildlife corridors and habitats and working lands extending from the hardwood forests and freshwater resources in the Tatnics Hills and Mount Agamenticus to the ecologically-rich estuaries and saltwater shorelines. These organizations have established a focus area for conservation efforts that includes parts of six towns: Kittery, Eliot, South Berwick, Ogunquit, Wells and York. A map of the area is included at the end of this Section.

In 2005, Mount Agamenticus to the Sea organization commissioned a Conservation Plan to guide and focus conservation efforts and to build on the decades of conservation work in this region. The Plan was developed with the input of more than 80 individuals, municipal officials, foresters, recreational interests and other stakeholders, so that the Plan reflects a community vision for this shared resource. The document, still an un-adopted draft as of July 2006, is available on the Internet at the following address: [www.mtatosea.org](http://www.mtatosea.org). The Conservation Plan provides an assessment of important resource values, threats to these resources, and priorities for conservation.

Maine's Growth Management Act directs communities to include in their comprehensive plans a regional coordination program. "A regional coordination program must be developed with other municipalities or multi-municipal regions to manage shared resources and facilities, such as rivers, aquifers, transportation facilities and others. The program must provide for consistency with the comprehensive plans of other municipalities or multi-municipal regions for these resources and facilities" (M.R.S.A. Title 30-A §4326.4). Planning for shared resources, such as the Mount Agamenticus region, is mandatory. Statutes also provide for tools to implement multi-municipal plans, most notably in the standards for cooperative growth management activities (see M.R.S.A. Title 30-A §4325).

It is the Town's objective to work collaboratively with other stakeholders to sustain this region's natural values in perpetuity. The Town of York hereby incorporates by reference the Conservation Plan for the Mount Agamenticus to the Sea Conservation Initiative (Draft 2005) into the Comprehensive Plan's Regional Coordination Program Section. The Town requests and encourages that the other 5 communities in the Mount Agamenticus region follow suit and adopt this Conservation Plan as part of their own comprehensive plans. Further, the Town challenges all 10 partner agencies that prepared the Conservation Plan to finalize the document (it is still a draft as of July 2006), officially endorse the Conservation Plan, and to pursue and uphold its policy recommendations.

As the towns in this region endorse the Conservation Plan as part of their comprehensive plans, they should work together to coordinate regulatory and enforcement activities in a manner that is mutually agreeable and permitted under the Growth Management Act.