

Appendix B

State Land Acquisition & Access Programs

Maine Department of Inland Fisheries & Wildlife

The primary mission of the Department of Inland Fisheries and Wildlife (MDIFW) is to conserve, protect, and enhance the fish and wildlife resources of Maine, and to provide appropriate public access and use of these resources. MDIFW pursues many different strategies, including land conservation, to achieve its mission.

MDIFW currently owns and manages 69 Wildlife Management Areas which encompass approximately 112,000 acres of land across the state. The Department also owns and manages 167 water access sites for recreational use of Maine's public inland and coastal waters. Together MDIFW's landholdings protect diverse fish and wildlife habitats including lakes, ponds, streams, riparian areas, islands, large and small wetlands, unfragmented forests, and shrublands. These lands provide habitat for Maine's rare and common species and as well as the state's important game species. Additionally, MDIFW lands provide hunting, fishing, trapping, wildlife watching and boating opportunities to the people of Maine and visitors to the state.

MDIFW supports habitat conservation, management and associated public recreational access efforts of partner organizations (federal and state agencies, towns, and land trusts, etc.) across the state as well. As part of the LMF program, MDIFW serves as a Designated State Agency, sponsoring LMF proposals from cooperating entities to acquire lands and conservation easements where the primary conservation project priorities are focused on fish and wildlife habitat conservation and management or public recreational access to fish and wildlife resources.

MDIFW may sponsor projects containing the following Land Assets as identified by LMF:

- Recreation Lands
- Water Access Lands
- Lands Supporting Vital Ecological Functions and Values
- Rare, Threatened, or Endangered Plants, Natural Communities, Wildlife and their habitat
- Island or undeveloped coastline

When considering requests for Designated State Agency Sponsorship through the LMF Program, MDIFW prioritizes projects which:

- acquire and manage habitats essential for the conservation of endangered or threatened fish and wildlife;
- acquire lands necessary to achieve objectives identified in species management plans;
- acquire and manage lands that contain habitats for other fish and wildlife requiring special management attention, such as Species of Greatest Conservation Need as identified in the State Wildlife Action Plan;

- acquire fish and wildlife habitats that provide opportunities for public use and access and/or to demonstrate wildlife habitat management;
- acquire parcels as additions to existing conservation lands to enhance their conservation values by consolidating or expanding current boundaries;
- acquire lands with fish and wildlife values that complement land acquisitions of other public or private agencies;
- acquire large landholdings in western, northern, and eastern Maine that currently or potentially have high value deer habitat;
- provide access for open water angling, bank and riparian angling, boating, hunting, wildlife viewing and other water-related uses; and/or
- provide access to high value fishery resources, particularly to those waterbodies where access is currently limited.

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Bureau of Parks & Lands

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The Maine Bureau of Parks and Lands (BPL) protects and manages the natural and cultural resources under its care to provide a wide range of recreational and educational opportunities and provide environmental and economic benefits for present and future generations.

As of November 2022, BPL owns approximately 88,000 acres in State Parks, Historic Sites, and Boat Access sites that are managed primarily for public recreation, conservation, or historical and archaeological interest. BPL also manages approximately 630,000 acres of Public Reserved and Non-reserved lands that are managed for multiple uses including wildlife habitat, recreation, ecological reserves, and timber management. BPL also holds conservation easements on over 60 properties encompassing approximately 373,000 acres and is the "Designated State Agency" for over 100 Project Agreements with local "cooperating entities" who have conserved land with LMF funds.

BPL manages several funding programs that are often used as match for LMF, including the Forest Legacy Program, which provides funds through the U.S. Forest Service to protect forest land for its multiple values, and the Land and Water Conservation Fund (LWCF) which directs National Park Service funding to permanently conserve outdoor recreation areas for public use and enjoyment.

BPL sponsors proposals for others to acquire lands and conservation easements in the following LMF categories:

- Recreation Lands
- Water Access Lands
- Lands Supporting Vital Ecological Functions and Values
- Rare, Threatened, or Endangered Plants, Natural Communities, Wildlife and their habitat
- Areas of Scenic Interest and Prime Physical Features
- Open Space

BPL considers the following attributes and priorities when evaluating requests for sponsorship. Projects which:

- offer outdoor recreational opportunities that welcome a range of experiences and abilities;
- increase the understanding of and appreciation for the state's natural and cultural heritage;
- provide benefits to communities statewide and support the state's significant natural-resource-based forest products and outdoor recreation economies;

- ensure the climate resilience and sustainability of wildlife, water, and timber resources;
- promote an ecologically functional landscape with intact and connected forest blocks, riparian areas, wetlands, and other natural communities and aquatic habitats, and
- provide opportunities for hunting, fishing, trapping, and foraging consistent with state rules and policies

Other considerations include:

- the evidence of need for conservation and/or the public recreation opportunity, including proximity to population centers;
- whether the project's attributes are of well-documented significance at local, regional, state, or national levels;
- the level of vehicular and pedestrian public access;
- whether the project provides multiple priority attributes;
- the envisioned management of the property and the capacity of the managing entity to implement that vision over the long term, and
- a successful track record or documentation demonstrating the ability of the applicant and partners to acquire the funds necessary for the acquisition.

Additional Considerations for Water and Boat Access Projects:

- location of the water in relation to population centers and other water access sites;
- size of the water body and the diversity of recreational opportunities it offers;
- level of and proximity to existing public access sites and access needs;
- value of fisheries opportunities based on MDIFW and/or DMR's evaluation;
- expected demand and diversity of uses of the site, current or anticipated, and
- threat of conversion to other uses, such as development.

Additional Conditions for Trails related projects:

- inclusion of a variety of landscapes;
- connections to existing trail routes or trail facilities;
- connections to other public recreation areas or community facilities;
- connections to needed services (parking, food, water, shelter, fuel, repair services), and
- limited impact on sensitive natural features.

Maine Historic Preservation Commission

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The Maine Historic Preservation Commission (MHPC) carries out the provisions of the National Historic Preservation Act in Maine, and various Maine statutes, involving survey, registration, construction project review, comprehensive planning and other activities involving historic, archaeological, and architectural sites and buildings. Staff archaeologists at the MHPC maintain statewide archaeological survey records and files, prepare documents summarizing historic and archaeological information, determine site significance (eligibility to the National Register), and direct some archaeological fieldwork.

The MHPC does not acquire fee interest in land or manage land owned by the State. MHPC does have an active conservation easement program designed specifically to protect archaeological sites. The documents establishing conservation protection are called Preservation Agreements and are enabled by a distinct statute, 33 M.R.S.A. §1551-1555 (and see 27 M.R.S.A. §371-378 which makes it illegal to dig on protected land without a permit).

Since the beginning of the LMF program, land acquisitions have been reviewed for the presence of significant archaeological sites for use in post-acquisition planning of public access and use of the property. In many cases this review is based on maps and archaeological records held by MHPC. The information on archaeological sites on LMF acquired property is provided to the LMF and the land owning or land managing entity for use in protecting significant sites for the future.

MHPC can sponsor an LMF project when the land contains exceptional archaeological value. In 2007 the legislature passed a bill to amend 5 MRSA §6207, LMF land acquisition criteria, to include one or more significant archaeological sites. The land that contains the site(s) must be primarily undeveloped with other landscape or conservation values.

The presence of significant archaeological sites does often overlap with the other land acquisition values of the LMF program. The vast majority (greater than 95 percent) of prehistoric archaeological sites in Maine are habitation/workshop sites where Native Americans both lived and worked. For most of Maine prehistory the state was covered by a dense forest and people tended to live and travel along waterways. They camped for a season or built their villages on areas of low slope adjacent to water shorelines, usually on the best drained area of low slope within a stretch of several hundred yards of shoreline. Thus, any canoe navigable water body shoreline is considered a potential area for a prehistoric archaeological site.