

MAINE STATE LEGISLATURE

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Date: 4/11/06
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(Filing No. H-991)

Report A

3 Agriculture, Conservation and Forestry

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5 STATE OF MAINE
6 HOUSE OF REPRESENTATIVES
7 122ND LEGISLATURE
8 SECOND REGULAR SESSION

9 COMMITTEE AMENDMENT ^A to H.P. 1415, L.D. 2015, "Resolve, Authorizing
10 Certain Land Transactions by the Department of Conservation, Bureau of Parks and
11 Lands "

12 Amend the resolve by striking out all of sections 1 to 8.

13 Further amend the resolve in section 9 in subsection 4 in the last line (page 5, line 36
14 in L.D.) by inserting after the following: "Conservation." the following: 'Authorization
15 for transfer does not include a parcel of land of approximately 143 acres located on the
16 eastern part of the Wyman Lot, on the southerly side of and adjacent to Route 27 and in
17 the vicinity of the Appalachian Trail Corridor. This parcel is to be retained by the Bureau
18 of Parks and Lands; and be it further'

19 Further amend the resolve by inserting after section 9 the following:

20 'Sec. 10. Conditions for transfer of public lots. Resolved: That the
21 conveyance of the public lots authorized in section 1 is contingent upon:

22 1. The transfer of approximately 4,040 acres in the northwestern quadrant of
23 Township 3, Range 8 to the Baxter State Park Authority for inclusion in Baxter State
24 Park;

25 2. The transfer of approximately 1,975 acres in the southwestern quadrant of
26 Township 4, Range 8 to the Department of Conservation, Bureau of Parks and Lands;

27 3. The Bureau of Parks and Lands' securing an option to purchase approximately
28 8,000 acres in Township 3, Range 8 and Township 4, Range 8 owned by the Gardner
29 family and east of the acreage proposed for transfer under subsections 1 and 2;

30 4. The Bureau of Parks and Lands' obtaining a temporary easement allowing public
31 access and recreational use over the approximately 8,000 acres in Township 3, Range 8
32 and Township 4, Range 8 described in subsection 3. This easement must be in effect for
33 the duration of the option to purchase. If the option to purchase is not exercised, the
34 Bureau of Parks and Lands shall seek to acquire a permanent easement allowing public
35 access and recreational use over the approximately 8,000 acres. A 3rd-party appraisal
36 must be used to determine the value of a permanent easement;

1 5. Bureau of Parks and Lands' procuring a signed statement from a grantee receiving
2 the lots authorized for transfer in section 1 stating that the grantee is willing to continue
3 existing independent 3rd-party certification of those lands under the Sustainable Forestry
4 Initiative or Forest Stewardship Council certification programs; and

5 6. Notification to the Bureau of Parks and Lands that the grantee receiving the lots
6 authorized for transfer in section 1 has entered into an agreement with the Department of
7 Inland Fisheries and Wildlife to continue management of winter habitat for white-tailed
8 deer on those lots that is consistent with the management agreement between the
9 Department of Inland Fisheries and Wildlife and the Bureau of Parks and Lands in effect
10 on March 30, 2006 and that the agreement between the grantee and the Department of
11 Inland Fisheries and Wildlife will remain in effect as long as the grantee owns the lots;
12 and be it further

13 **Sec. 11. Strategies to increase snowmobiling opportunities. Resolved:**
14 That the Department of Conservation shall develop a comprehensive plan to increase
15 snowmobiling opportunities in the Katahdin Region. The department shall explore
16 strategies to secure continuing use of existing snowmobile trails through easements or
17 other means and also explore ways to improve existing trails or develop new ones where
18 necessary or preferable. In developing the plan, the department shall work with public
19 and private landowners to explore strategies for improving and expanding snowmobiling
20 in the region. The department shall consider a comprehensive set of strategies and
21 engage local officials and citizens in the development of the plan. The department shall
22 provide a copy of its plan and recommended strategies to all stakeholders, including the
23 Baxter State Park Authority, for their information and consideration. For purposes of this
24 section and section 5, "the Katahdin Region," means the area from Millinocket, East
25 Millinocket and Medway to the south and extending north to Shin Pond and west into
26 Piscataquis County. No later than March 15, 2007, the Commissioner of Conservation
27 shall provide the joint standing committee of the Legislature having jurisdiction over
28 public lands matters with a progress report on actions taken to meet these objectives and a
29 list of officials, landowners and citizens participating in this process; and be it further

30 **Sec. 12. Management of Wyman Lot. Resolved:** That the Director of the
31 Bureau of Parks and Lands within the Department of Conservation shall manage the
32 eastern 143 acres of the Wyman Lot described in section 1 and retained by the Bureau of
33 Parks and Lands. The director shall consult with the Flagstaff Regional Advisory
34 Council in developing a management plan for this acreage; and be it further

35 **Sec. 13. Commissioner of Conservation to convene a working group.**
36 **Resolved:** That the Commissioner of Conservation shall convene a working group on
37 the acquisition of land for multiple uses. The group must include, but is not limited to,
38 representatives of the Katahdin Region. The group shall review possible options for the
39 public acquisition of land or interest in land that is crucial for hunting, snowmobiling and
40 other types of recreation that have a significant impact on the economy of the region; and
41 be it further

42 **Sec. 14. Proceeds from sale of certain public lots. Resolved:** That the
43 proceeds from the sale of the public lots in Penobscot County authorized for transfer in
44 section 1 be applied towards the purchase of the approximately 1,975 acres in the
45 southwest quadrant of Township 4, Range 8 to be transferred to the Department of

COMMITTEE AMENDMENT "A" to H.P. 1415, L.D. 2015

1 Conservation, Bureau of Parks and Lands pursuant to section 2, subsection 2; and be it
2 further

3 **Sec. 15. Maintenance of hiking trail. Resolved:** That the Director of the
4 Bureau of Parks and Lands within the Department of Conservation shall construct and
5 maintain a hiking trail through the 8,000 acres described in section 2, subsection 4. The
6 director shall consult with the Baxter State Park Authority on connecting this trail to trails
7 within Baxter State Park leading to the shore of Katahdin Lake; and be it further

8 **Sec. 16. Appropriations and allocations. Resolved:** That the following
9 appropriations and allocations are made.

10 **CONSERVATION, DEPARTMENT OF**
11 **Land Management and Planning 0239**

12 Initiative: Allocates funds necessary to cover administrative costs associated with the
13 acquisition of certain new properties.

14			
15	OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
16	All Other	\$0	\$100,000
17			
18	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$100,000

19
20 Further amend the resolve by relettering or renumbering any nonconsecutive Part
21 letter or section number to read consecutively.

22 **SUMMARY**

23 This amendment is the majority report of the Joint Standing Committee on
24 Agriculture, Conservation and Forestry. It removes sections 1 to 8 from the resolve. It
25 excludes the eastern 143 acres in the Wyman Lot from the parcel authorized for transfer.
26 It makes transfer of the public lots contingent on certain other transactions and
27 assurances. It requires the Department of Conservation to develop a comprehensive plan
28 for increasing opportunities for snowmobiling in the Katahdin Region. It also requires
29 the Director of the Bureau of Parks and Lands within the Department of Conservation to
30 convene a working group on acquisition of land for multiple uses. It specifies that the
31 proceeds from the authorized sale of public lots in Penobscot County go towards
32 purchasing the 1,975 acres in Township 4, Range 8 that will be transferred to the Bureau
33 of Parks and Lands. It requires the Bureau of Parks and Lands to construct and maintain
34 a trail from the east to connect with trails within Baxter State Park to Katahdin Lake. It
35 also adds an appropriations and allocations section.

36 **FISCAL NOTE REQUIRED**
37 (See attached)

COMMITTEE AMENDMENT



122nd MAINE LEGISLATURE

LD 2015

LR 3129(02)

Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands

Fiscal Note for Bill as Amended by Committee Amendment "A"
 Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Majority Report

Fiscal Note

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
Appropriations/Allocations				
Other Special Revenue Funds	\$0	\$100,000	\$0	\$0
Revenue				
Other Special Revenue Funds	\$0	\$3,023,000	(\$78,000)	(\$78,000)

Fiscal Detail and Notes

The authorization of the conveyance of certain state properties increases Other Special Revenue Funds collected by the Department of Conservation by \$3,101,000 in fiscal year 2006-07 on a one-time basis and decreases the department's collection of annual Other Special Revenue Funds from timber harvesting by \$78,000 beginning in fiscal year 2006-07. In addition, the Bureau of Parks and Lands will require an additional one-time Other Special Revenue Funds allocation of \$100,000 in fiscal year 2006-07 to reflect certain administrative costs that will be incurred to accomplish these land transactions.