



Maine's Public Reserved Lands: a Primer By Catherine B. Johnson

The news is filled these days with Governor LePage's threats to increase logging on Maine's Public Reserved Lands beyond sustainable levels and divert the funds to unrelated purposes. But few people (including, apparently, the governor) understand the origins, unique characteristics, and purpose of these Lands that contradict the governor's plans.

Maine has approximately 600,000 acres of Public Reserved Lands in more than 30 separate parcels scattered across Maine's North Woods and Down East regions. Many people have hiked, camped, birded, fished, or hunted on our Public Reserved Land, including the Bigelow Preserve, Donnell Pond, Little Moose, and Deboullie units. However, few people know the legal and historical distinctions between our Public Reserved Lands system and other public lands such as State Parks, Wildlife Management Areas, lands purchased with funding from the Land for Maine's Future Program, and boat launches.

"Lost" Lands "Rediscovered"

Maine's Public Reserved Lands system, as we know it today, was created in the 1970s and 80s after enterprising *Portland Press Herald* reporter Bob Cummings unearthed the fact that Maine people owned "reserved public lots" (approximately 1,000–1,280 acres) in every unorganized township in Maine. These "reserved public lots" were reserved to the people of Maine when our state was separated from Massachusetts in 1820. Many of these reserved public lots were not actually located on the ground; they were simply a percentage of the entire land in a township. Over the years, these reserved public lots, particularly the un-located ones, had become "lost" and were simply incorporated into the rest of the township and managed by the large landowners and paper companies as if they were their own.

When the lots were "rediscovered" in the 1970s, a complicated process of land trading began. The state focused on consolidating these scattered lots



Maine's Public Reserved Lands, such as Little Bigelow, provide extraordinary opportunities for hiking.

"[These lands] are part of the legacy that our forbearers have passed on...since the 1820s, and we have an obligation to pass it along to future generations."

—Cathy Johnson, NRCM

into larger parcels that had multiple public values, including important wildlife habitat, scenic value, and recreational opportunities, as well as timber. The result is the spectacular system of Public Reserved Lands that we have today.

A unique characteristic of the Lands is that they are subject to a "public trust," which limits how they can be used. This sets them apart from other state-owned lands over which the State of Maine has absolute power. Maine's Supreme Court has determined that this public trust limits the purposes to which the Public Reserved Lands may be used.

As a result of this history, later legal cases and opinions of Maine's Attorney General have made it clear that not only are the uses on the lands limited, but any income derived from timber harvesting or other management of the Public Reserved Lands is likewise subject to the public trust and specific uses.

Management of Maine's Public Reserved Lands is entirely funded by revenues generated from the lands themselves, primarily from timber harvesting. All of the roads, trails, campsites, picnic tables, and other recreational infrastructure, all wildlife habitat and ecological protection activities, and all timber management and harvesting activities on Public Reserved Lands are paid for by the lands themselves. No taxpayer funds are used.

For 40 years, the Bureau of Parks and Lands (formerly the Bureau of Public Lands) has harvested timber in a sustainable manner on our Public Reserved Lands. They have managed the lands in an exemplary fashion, improving both the quality and the quantity of timber on those lands.

Important Wildlife Habitat

Today, Maine's Public Reserved Lands include some of the best, largest, and oldest trees in the state. Having stands with big, old trees is not only economically valuable, but the Lands provide some of the best remaining habitat in Maine's forests (outside of Baxter State Park) for those plant, bird, and mammal species that thrive in older forests.

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Legislature Considers Solar Policy for Maine People

The American dream has long included owning your own home, perhaps owning your own car, too. Why not own your own power? Until recently, that wasn't something many could realistically aspire to. That has changed.

Solar power is undergoing a transformation across the region, country, and even beyond. Prices for solar panels have come way down, and investment in solar at all scales has increased very rapidly. Job growth in the solar sector was 20 times faster than the overall job growth rate last year. In 2014 another home completed a rooftop solar project every 2.8 minutes. The U.S. now has the equivalent of six nuclear power plants worth of installed solar capacity. Some northeastern states are national leaders in solar. So it is especially discouraging that Maine remains the only state in the region without any policies specifically designed to encourage solar power and increase access to solar for homes, businesses, and others. In fact, Maine currently has barriers that actually make it harder for Maine people to get access to solar for their own use.

NRCM has been leading a diverse coalition of organizations to develop and win passage of a solar policy for Maine. Several positive solar bills were introduced this year, but our focus has been on LD 1263, sponsored by Representative Sara Gideon of Freeport. The bill would increase access to solar, from rooftops to community solar farms, by treating solar more fairly and lowering financial barriers.

Our efforts got a boost with the publication of a solar analysis by the Maine Public Utilities Commission (PUC) that quantified many of the benefits solar provides in Maine, including lowering "peak demand" for power and consequently lowering the prices we all pay. Solar is also an increasingly important part of combating climate disruption and reducing dependence on fossil fuels. These benefits far exceed what a Maine homeowner is paid for the solar they produce right

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Solar is not just a clean energy technology, it's a way for Maine people to take control of their energy future.

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• THE BIG PICTURE •

The Deep Roots of Maine's Land Conservation

by Lisa Pohlmann, NRCM Executive Director

Every month, I hike or ski or camp or enjoy the beach on lands in Maine that have been set aside for the public to enjoy. In my neighborhood alone, I can take the family to Dodge Point in Newcastle, Damariscotta Lake State Park, or the Camden Hills. With a longer drive, I can enjoy favorites like the Bigelow Preserve in Stratton, Naticus Lake near Burlington, or Cobscook Bay State Park in Whiting. These places have shaped the quality of my life, and I cherish each and every one.

I am in good company. Support for land conservation in Maine is deeply rooted. Governor Percival Baxter had the wisdom to protect the lands around Mount Katahdin. Inspired by their enjoyment of Mount Desert Island, the policies of Presidents Theodore and Franklin Roosevelt helped to create and maintain Acadia National Park. Mainers have protected—through legislation and referendum—hundreds of thousands of acres of public lands. Management of these lands now serves as a model for states across the country, with a productive and balanced focus on wildlife, recreation, and sustainable harvesting that, in turn, helps fund the care of those lands and our state park system.

Community groups have created 96 land trusts across the state. They have thoughtfully negotiated land purchases and donations that now provide thousands of acres that will be enjoyed for generations to come.

Mainers have also recognized the importance of maintaining land for our traditional nature-based industries like fishing, farming, and forestry. Through working easements, private landowners have been able to preserve their current livelihood while protecting that heritage for their descendants and others.

A study conducted in 2012 demonstrated that for every \$1 invested in land conservation through the Land for Maine's Future (LMF) program, there was a return of \$11 to Maine's economy. LMF land conservation creates jobs and generates tax revenue while also bringing in income via recreational activities.

Maine people care so much about the importance of land conservation that strong, bipartisan majorities have passed the LMF bond year after year in the Legislature and at the voting booth. Our Congressional delegation has also shown strong support for federal funding, such as for the Forest Legacy program and the Land and Water Conservation Fund.

Despite our efforts to date, Maine still lags on the percent of land we have devoted to conservation. There is so much more we can do, and many private sources are available to conserve special lands and waters for future generations.

It is Maine's long-standing commitment to conserving special places that makes the current governor's desire to scuttle future land conservation an aberration—a complete disregard for Maine's past, present, and especially our state's future. Please, talk to your legislators today about the value you place on land conservation. Tell them the stories of where you take your family and how much you enjoy these special places. If you are working on conservation projects in your community, share that as well.

We must stand together to show overwhelming support for all of our public lands. I know of no greater gift to leave our children and grandchildren than the very nature of Maine.

Lisa Pohlmann Receives Women in Conservation Award



Lisa Pohlmann with NWF President Collin O'Mara

NRCM Executive Director Lisa Pohlmann received the National Wildlife Federation's Women in Conservation Award, presented to women who have shown exceptional leadership and dedication to issues related to conservation and climate action. "The National Wildlife Federation and our affiliates are proud to celebrate Lisa's model advocacy and shine a much-deserved spotlight on her ongoing work for NRCM to protect Maine's wildlife and wild places," said NWF President and Chief

Executive Officer Collin O'Mara. Read more at www.nrcm.org/news/nrcm-news-releases/lisa-pohlmann-honored-with-women-in-conservation-award/.

Public Reserved Lands - Continued from page 1

This self-funding mechanism distinguishes our Public Reserved Lands system from other state-owned lands. Maine's State Parks, for example, are funded by taxpayers through Maine's general fund. Management of parcels of land acquired with Land For Maine's Future funds (which are managed by a variety of public land entities such as the Bureau of Parks and Lands [BPL], local land trusts, or the Department of Inland Fisheries and Wildlife) may be funded through endowment funds, revenue generated from harvesting on the lands, or taxpayer funds.



Bay-breasted Warblers are among many bird species that use older forests such as those found on Maine's Public Reserved Lands.

Traditionally, BPL foresters have established harvest levels on Maine's Public Reserved Lands after an inventory of the timber resource. The inventory was updated in 2012 by an independent consultant and forms the basis for the current sustainable harvest level on Public Reserved Lands. Unfortunately, the LePage Administration is now pushing to harvest significantly more than the sustainable harvest level and wants to divert funds from those harvests to unrelated purposes. Under current law, no matter how worthy the proposal for the use of those funds, income from harvesting on Public Reserved Lands may not be diverted to unrelated purposes.

Equally important, overharvesting of the Public Reserved Lands would degrade the important wildlife habitat and recreational values of those lands and must not be allowed. Our Public Reserved Lands are part of the legacy that our forbearers have passed on to our generation since the 1820s, and we have an obligation to pass them along to future generations 200 years from now.

Catherine B. Johnson is NRCM's North Woods Project Director and Senior Staff Attorney

Solar Policy - Continued from page 1

now. That's why Maine is seeing far less investment in solar than the rest of New England. Although almost everyone says they "support solar power" (more than 75 percent of Americans want to see "more emphasis" on solar energy), not everyone is acting that way. The electric utilities as well as the LePage Administration have opposed and obstructed solar policies in the Legislature and at the PUC. Bipartisan support for solar is growing; however, it will take a big collective effort to overcome this opposition.

NRCM will continue to work with solar businesses, workers, municipalities, public health advocates, and others until Maine gets the solar policy its people, businesses, environment, and economy deserve.

Dylan Voorhees is NRCM's Clean Energy Director

LMF FUNDS STILL WITHHELD

For almost 30 years, the Land for Maine's Future program (LMF) has been the primary funding vehicle for conserving land, guaranteeing public access to some of Maine's most spectacular natural areas, from the fish-rich waters of Grand Lake Stream to popular hiking trails on Tumbledown Mountain. Maine voters have overwhelmingly passed five separate bonds, used to fund LMF projects. But now, LMF is caught in Governor LePage's political web. For the second time in his tenure, the governor is withholding \$11.4 million approved by voters to fund projects. Last year, Governor LePage said he would release this funding once the State repaid its debt to Maine's hospitals. The Legislature passed a bill that repaid the debt, but the funds were not released. Projects totaling nearly 50,000 acres of conservation, recreation, forest, and agricultural land hang in the balance. They include more than 30 miles of streams in Somerset County that would conserve important wild brook trout habitat; more than 10,000 acres of forestland northeast of Moosehead Lake; frontage on Knight's Pond in Cumberland and North Yarmouth, and four working farms in southern Maine. These projects are excellent examples of why LMF is such a successful and popular program. On April 28th a bipartisan group of legislators, led by Senator Roger Katz (R-Augusta), announced that they are submitting legislation that would require the governor to issue voter-proved general obligation bonds, absent extraordinary circumstances. This legislation is consistent with the strong message that has been streaming into the Blaine House: Maine voters overwhelming support LMF and holding these funds hostage is unacceptable.



GRONQ BOG BOARDWALK, JEFF WELLS

Eliza Donogue is NRCM's North Woods Policy Advocate and Outreach Coordinator

Spotlight on Three Partners in Maine's Future Donors

Maine is a spectacular place, known and loved for clean waters, vast forests and mountains, iconic wildlife, and famous coastline. Yet threats to Maine's environment can come without notice. NRCM's *Partners in Maine's Future* program provides a special level of protection by ensuring a predictable monthly income stream, allowing donors to give automatically through their checking or credit card account. It also saves paper and mailing costs. Members who are part of the *Partners in Maine's Future* program have taken an exceptional step to show how much they value Maine's environment.



COURTESY PHOTO

Although relatively new to the *Partners in Maine's Future* program, Amy Dietrich is a native Mainer. Her love for the outdoors originated from many years at a Girl Scout camp in Bridgton. As Amy puts it, "When you love something, you naturally want to see it protected." Amy spends the four seasons here in the state, hiking in western Maine, canoeing near Rangeley, and cross-country skiing on the many, many trails easily accessible throughout the state.

Amy says she became a member of NRCM because protecting Maine's lakes, mountains, and rivers is so important. "I want to do whatever I can to ensure these places are available to future generations to enjoy as much as I have." Amy would like to see Maine take meaningful steps toward a clean energy future that includes renewable energy and less dependence on fossil fuels. She appreciates that NRCM is in Augusta day in and day out fighting for this and so much more. "The daily grind isn't glamorous but I believe it's the most important thing NRCM does."

Becoming a *Partner in Maine's Future* allowed Amy to make manageable contributions without thinking about it. The monthly amounts fit within her budget and are more than she would be able to do with one year-end check.



COURTESY PHOTO

Partners in Maine's Future member Liz Hays knows that you don't have to be from Maine to love it. Liz is originally from Los Angeles. "I saw major pollution problems and little green space," she recalls. "Contrasting that environment to what I saw on childhood trips to national parks, like Sequoia and Yosemite, I quickly came to prefer the natural outdoors and felt early on it should be protected."

Through this lens, Liz sees a great need to balance development pressures and protection of natural resources within the state of Maine. She demonstrated her trust in NRCM to help ensure this balance by becoming a member in the mid-1980s. "I felt a need to support an organization that lines up with my values on the importance of environmental protection, and to stay aware of the issues."

Liz puts her values into practice by living energy efficiently, buying local and organic, and recycling and composting as much as possible. Liz says that thanks to NRCM, it is also easy for her to connect with her legislators about issues that matter to her.

Several years ago, Liz opted to become a *Partners in Maine's Future* member so that she could spread a larger donation throughout the year and not have to receive renewal notices. Thanks to the automatic withdrawals, Liz doesn't have to remember to make her donation and can instead focus on enjoying the nature that surrounds her at her home on Flying Pond in Mt. Vernon or hiking around Maine. All the while, she has the good feeling of knowing her monthly gift to NRCM is being put to good use safeguarding the natural world that is so important to her.



COURTESY PHOTO

On any given day, you may also find *Partners in Maine's Future* Callie Wronker and Steve Urkowicz kayaking, photographing, swimming, birding, snowshoeing, biking, gardening, or otherwise immersed in Maine's outdoors.

Callie and Steve see how all of this is threatened when state environmental policies are weakened. "We are very concerned about the political attacks on the regulatory and administrative structures that decide policy," says Callie. They depend on NRCM to fill a unique niche in the effort to protect the nature of Maine: serving as a watchdog at the Legislature. They are also encouraged by NRCM's efforts in support of a new National Park and National Recreation Area in the North Woods.

Through their monthly support, Callie and Steve place tremendous trust in NRCM to be the leading environmental advocates in the state of Maine. And, at the end of the year, says Steve, "The cumulative impact of our monthly donations seems gratifyingly big."

Being a member of NRCM falls in line with the many other ways that Callie and Steve are living their lives more sustainably. They are part of CSAs, buy locally, compost, and live in town to reduce commuting miles.

Like Liz, their early attraction to the outdoors came from the juxtaposition of city life and nature. Both Callie and Steve grew up in New York City. Steve took refuge in running the hills through a mile-square park in the Bronx. Callie enjoyed summer camp in the Catskills. In 1972, Callie purchased a 70-acre woodlot in Waldoboro, which received tree farm status, and became interested in sustainable forestry, another issue NRCM works on.

These remarkable members provide sustainable support throughout the year. Their donations mean so much, and are truly making a difference for the nature of Maine.

To learn more about becoming a *Partner in Maine's Future*, please call or email Joyce Gracie at (207) 430-0128 or jgracie@nrcm.org.

—Stacie Haines, NRCM's Membership and Database Manager



Protect Your Nest Egg While Protecting Theirs

Your support of the Natural Resources Council of Maine helps protect Maine's wild creatures from pollution and loss of habitat. Through a Charitable Gift Annuity, you can make a gift that provides income for your retirement, and at the same time supports our mission to protect Maine's environment.

A Charitable Gift Annuity allows you to make a significant gift of cash or securities to NRCM. In return, you or your spouse receive fixed payments for life.

Tax savings on a Charitable Gift Annuity can be significant. Part of the asset you donate is tax-deductible in the year you make the gift. Funding an annuity with securities can lower your capital gains taxes. And a portion of the payments you receive will be tax-free or taxed at a lower rate for a number of years.

A Charitable Gift Annuity will also give you the satisfaction of knowing that you have played a critical part in protecting the wild places and creatures that make Maine special.

And it's easy to do! To find out more about setting up a Charitable Gift Annuity and to receive a personalized illustration of how an annuity can fit your needs, please contact:

Gretta Wark, Senior Director of Philanthropy
(207) 430-0108 or (800) 287-2345 ext. 208 • gwark@nrcm.org

Sample rates for single life Charitable Gift Annuities through the Natural Resources Council of Maine:

Age	Rate
65	4.7%
70	5.1%
75	5.8%
80	6.8%
85	7.8%
90	9.0%

A big thanks to Aveda and these participating salons for another great EarthMonth!

And thanks to all of you who visited these salons to support NRCM's work to protect clean water in Maine.



SEBAGO LAKE BY KATHY HESELTINE

Been to Our Blogosphere Lately?

Selected recent posts on www.nrcm.org:

- ▶ **Keep Warm AND Keep the Woods** Lisa Pohlmann writes about the governor's scheme to treat Maine's forests like an ATM.
- ▶ **Putting the Value of Solar in Real Terms** NRCM Clean Energy Director Dylan Voorhees shares good news from a new "Value of Solar" study.
- ▶ **Inspired to Decide: A New National Park is a Good Idea** Dora Anne Mills joined NRCM on a ski trip on proposed National Park lands and shares her thoughts on this proposal and her beautiful photos from the trip.
- ▶ **Majority of Mainers Oppose Weakened Mining Rules** Advocacy Director Pete Didisheim shares the results of NRCM's analysis showing how Maine people, including Aroostook County residents, overwhelmingly oppose the proposed new mining rules.
- ▶ **Senator King and I** Dylan shares his experience touring Mt. Abram ski area's solar installment and other clean energy improvements with Senator Angus King.
- ▶ **Keeping Faith** NRCM Board member Tony Owens reflects on what it means to keep faith when it comes to protecting Maine's environment.
- ▶ **Snowy Owl Photos from Around the State** Snowy Owls returned following record numbers last season. Read Public Affairs Director Allison Wells' blog about the "invasion" and view Snowy Owl photos from around Maine.

Maine Environment

Editor / Allison Childs Wells, Senior Director, Public Affairs

Design / brightredbicycle design

Contributors / Eliza Donoghue, Catherine B. Johnson, Dylan Voorhees, Stacie Haines, and Allison Childs Wells

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more than 16,000 members and supporters of the Natural Resources Council of Maine. NRCM is a Maine-based nonprofit membership organization working to protect, conserve, and restore our land, air, wildlife, and water, now and for future generations. Membership starts at \$35/year. Join online at www.nrcm.org.

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Special Memberships Given November 1, 2014 to April 30, 2015

Gift Memberships

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In honor of Tony Owens from his children and grandchildren	Ruth B. Peck in memory of Elsa Martz
Katherine and Richard Berry in memory of H. Woods	Gail Perreault in memory of Elsa Martz
Adrienne Garrahan in memory of Mrs. Nest Clark	William Savedoff and Amy Smith in memory of Elsa Martz
Jeff and Allison Wells in memory of Dana Childs	Deirdre Strachan and Jose R. Mas in memory of Elsa Martz
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New members of **PARTNERS IN MAINE'S FUTURE** Program, our monthly giving club. Members' automatic donations help us save on administrative costs, including paper. Special thanks to these members!

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Bright Ideas: Tips for Home Energy Savings



Taking steps to conserve energy in your everyday life can save you money, reduce pollution, add to your comfort, and improve your sense of well-being. Our new brochure, *Bright Ideas: Tips for Home Energy Savings*, helps you do just that! Around the house, on the road, and in your community, following these tips can help you become more energy efficient today. For a copy, contact us at nrcm@nrcm.org or by calling (800) 287-2345.

My Maine This Week

Send Us Your "My Maine This Week" Do you have a photograph of Maine you'd like to share? A short poem? Send your submissions to beth@nrcm.org. Visit "My Maine This Week" online at www.nrcm.org.



"July 12, 2014 was a lovely day for a ramble along the Appalachian Trail. I forded the West Branch of the Pleasant River and hiked through shady forest, then clambered down into the cool grotto where Gulf Hags Brook tumbles through a slaty notch to form Screw Auger Falls. As I watched sunlight playing on a tree that grew by the brook below the falls, a haiku took shape in my mind: On a cedar trunk/Reflections from the water/Dappled light dances." See this and other photos by NRCM member Wendy Weiger in her new My Maine This Week slideshow at www.nrcm.org.

Green Tip of the Day

Don't Trash Tree Limbs Pile up tree limbs to provide a place where birds can hide from predators (including neighborhood cats) and find shelter during storms. Keep your brush pile in a corner of the yard but within view so you can watch and enjoy the wildlife using this bit of habitat you've created! For a green tip of the day every day, visit NRCM's website at www.nrcm.org. And tune in to WCLZ 98.9 FM on your radio dial (or web stream) to hear a new Maine Green Minute, every week day, four times a day!

