

The Kennebec Land Trust News

No. 4

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More Than 200 Attend Jan. 13 "Conference for Land & Trust"

At a major conference organized and sponsored by The Kennebec Land Trust, two experts of national stature gave talks and afternoon-long workshops on the tax and community aspects of land conservation at CMP's Augusta headquarters on the second Saturday of 1990. Registrants came from 84 Maine communities and 4 other states and represented 45 governmental entities, 13 law firms, 2 banks, and 26 conservation organizations, mostly land trusts. Eight attendees labelled themselves "landowners," while 35 gave no affiliation.

The stage was set in morning talks by Mainewatch Institute President John Fitch, Hallowell Planning Board Chairman Barry Timson, Stephen Small, Esq., and Robert Lemire. Steve Small and Robert Lemire then gave lengthy afternoon work sessions in their special fields.

Mr. Small was in the Office of Tax Counsel of the Internal Revenue Service when the rules governing the tax treatment of charitable gifts of land and easements for conservation were written. Now with the Boston law firm of Powers & Hall, he practices

and lectures nationwide on the subject.

Robert Lemire, a land use consultant from Lincoln, Mass., was a prime mover in the evolution of novel approaches to the usually polarizing issues of land use decisions in growing towns.



technical insight. Transcripts were made of the entire day and are available as described elsewhere in this issue of the **News**. Cosponsors of the conference were, the Maine Coast Heritage Trust, the Mainewatch Institute, and the Maine Municipal Association. Of



Conservation tax attorney Stephen Small (left) and noted land planner Robert Lemire (right) at The Conference for Land and Trust on January 13.

The luncheon speaker was Robert Bendick, Director of the Rhode Island State Department of Environmental Management. His poignant portrayal of a state with most of its conservation opportunities behind it was not lost on his audience.

Every indication since the event suggests that it was very useful, both as a motivating experience and as a source of

particular importance was CMP's grant of the use of its excellent cafeteria and conference spaces, including the provision of several support people. Lloyd Brace of KLT was the principal organizer of the conference. Special thanks are due to Board members Jym St. Pierre, Sara Yindra, Doug Stevenson, Ann Judd, and Jeff Pidot for their work, along with a number of KLT members.

Legislation

Several land conservation bond issues are being considered by the Maine Legislature. Proposals for a \$75 million state and local land acquisition bond, a \$25 million wildlife habitat bond, and a \$15 million farmland bond have been introduced. However, with state revenue problems, it is likely that these will be substantially reduced before any bond questions are sent to the voters in November.

KLT supported a legislative bill directed at securing long term protection of watershed lands

owned by public water utilities, which must comply with federal mandates to safeguard water supplies. Several utilities in our region and in other parts of Maine are facing the prospect of selling thousands of acres that are no longer crucial as reservoir buffers to raise funds to pay for the mandated improvements. We have urged that the Legislature at least allow utilities to sell to municipalities and conservation groups at less than market value, require that utilities give eight months notice before selling lands, and

provide for right of first refusal to communities or other conservation interests such as land trusts.

At the national level, Congress has passed and the President has signed the North American Wetlands Conservation Act. A proposal to create an American Heritage Trust Fund has been stalled for several months. However, it seems doubtful that this session will produce an expansion of federal land acquisition programs to match local initiatives.

Membership Tops 300

As we go to press, three hundred twenty is the tally of those who support land conservation in our area as members of The Kennebec Land Trust. Dues paid average \$48.61. As the second membership year proceeds, members are being solicited to renew their memberships during the month of the anniversary of their joining. We hope that no one will fall by the wayside as we move from the year of founding (1988) and the year of organization and growth (1989) into the first year of landsaving action.

Bylaw Amendment Completed

As requested by the IRS in connection with our tax-exempt status, members have twice voted to change a provision in the Trust's Bylaws that guards against conflict of interest on the part of KLT's officers and directors. Votes were taken twice, as prescribed by the Bylaws, on July 30 and November 7, 1989. The Board wishes to thank members who voted in person and by proxy.

KLT Becomes Land Trust Alliance Sponsor

The national clearing house and network hub for over 200 sponsoring nonprofit land conservation organizations and hundreds of associated organizations is based in Alexandria, Virginia. At its last Board meeting, KLT moved to join as a full sponsor, making us eligible for the "Green Umbrella" land trust liability insurance program.

Slide Program Available

KLT's slide program, "A Voice for the Land," is available for loan to schools and civic and other groups in western Kennebec County. The program includes a carousel of slides and a script to be read with the pictures.

The photos are stunning and the message is a compelling tour of the landscape and history of the Kennebec Lakes region, the changes facing the area, and the Kennebec Land Trust's place in helping landowners and communities balance land development and conservation.

In some cases a speaker from KLT can present the program and answer questions. Write to KLT if you are interested in arranging a showing.

Easement Activity Intensifies

KLT's Lands Committee and more than half a dozen project task teams are hard at work with potential grantors of easements and gifts of land. As this issue's SPECIAL SECTION implies, the process requires attention to detail and policy concerns that does not allow haste. For obvious reasons we cannot describe ongoing negotiations, except those that are public.

The project that has come closest to completion concerns

an easement on 18.5 acres of common land associated with a planned nine-lot residential subdivision in Mt. Vernon. The Trust and Mt. Holly, Inc. of Yarmouth have reached agreement on the terms, and the Mt. Vernon Planning Board has given the project its approval. Actual consummation of the project, and hence the easement, awaits the approval of the plan by the State Department of Environmental Protection. It is noteworthy that this first KLT easement will protect about 550 feet of undeveloped shore frontage on Torsey

Pond. Congratulations are due the ad hoc task force of KLT directors which has been negotiating this easement, including Paula Thomson, Marcia Haigh, and Sue Herman. Attorney Herman and her firm, Clifford, Clifford, & Stone of Lewiston, deserve special thanks for drafting a clear but comprehensive easement.

Also deserving of thanks are the other directors who have been working since May 1989 to bring forward easement and gift proposals in several other towns. We hope to have more good news soon.

President's Message

The business of a land trust involves just that—land, trust, and business.

Land is the tangible thing we want to protect. Land in its natural, unspoiled condition. Call it open space. Call it wild land. It is the good earth—soil, water, and the plants and creatures, all dependent one upon the other.

Trust is the objective. It is the legal vessel for our landsaving endeavors, a safe deposit box to hold our treasured feelings for those areas that still shine with their natural earth tones.

Trust is also the intangible we bring to the good earth. Trust pure and unspoiled. Call it hopeful intentions. Call it shared caring. It is the sense of community we build when we love the land enough to join together in perpetually celebrating it as it is.

Business seems the odd one out in this triad. But a land trust is

a legal corporation with the authority to execute and enforce binding contracts. That is what transmutes our warm shared caring for unspoiled lands into practical action in a cold, tough world.

More and more, too, business is the pragmatic catalyst in the land conservation equation. Many believe that the valuing of land as a commodity, rather than as a community, often gets in the way of land conservation. While we strive to change how a lot of folks view the land by spreading the ethic of land as community, we need to be realistic. The fact is, land does have great value, for its economic worth as well as for its intrinsic natural qualities.

The Conference for Land and Trust, which the The Kennebec Land Trust sponsored in January, demonstrated the growing recognition that it is essential to learn the business of tax regulations and land development to accomplish much landsaving.

In conjunction with the twentieth anniversary of Earth Day, there will be an outpouring in the news media during the coming months admonishing each of us to change our lifestyles and become more in tune with the environmental facts of life on a small planet. I offer a short list for local land lovers:

1. revisit your favorite outdoor place in western Kennebec County;
2. obtain and read Bob Lemire's **Creative Land Development**, Steve Small's **Preserving Family Lands**, and the proceedings of the Conference for Land and Trust;
3. make a commitment to become personally involved in protecting one piece of land—your favorite spot;
4. write to KLT to tell us how you will help us help you place in trust that special land.

Happy Earth Day!

Jym St.Pierre

Calendar

April 7: "How Green is Our Future? Agriculture, Open Spaces and the Planning Process", a conference focussing on preserving agricultural businesses and productive open spaces. Sponsored by, and to be held at, Unity College at the Unity campus. Brochure available by calling the College at 948-3131. A speaker from KLT will explain land trusts.

April 22: The twentieth anniversary of Earth Day, April 22, will be celebrated throughout Maine and around the world during the next several months. For example, there will be an Environmental Fair for legislators in the State House in Augusta on March 28 and an Earth Day Festival in Winthrop on April 22. If you would like information about or can help with KLT booths at either of these events, call 626-5635.

June 16-20: "National Rally 90" of the Land Trust Alliance. The Alliance holds a country-wide meeting of land trusts every eighteen months. This year it will be at Villanova University, just west of Philadelphia. Structured around two intensive days of workshops on a wide range of land trust topics, the Rally will also include field trips to points of conservation interest in nearby Delaware, New Jersey and Pennsylvania. Conference cost (advance registration) is \$120.00, food & lodging at Villanova ranges up to \$225.00 KLT Director Lloyd Brace will be attending, and interested members or Directors may call him at 622-1595 for more details.

July 29 or August 5 are likely dates for KLT's second Annual Meeting of Members. We will announce the firm date in the next **NEWS**.

Board of Directors

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Membership

in The Kennebec Land Trust, which includes a subscription to this newsletter, is available at the following suggested, deductible annual dues levels:

Individual	\$15.00
Family	\$25.00
Supporting	\$50.00
Sustaining	\$100.00
Sponsoring	\$250.00



THE KENNEBEC LAND TRUST

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