

OFFICE OF POLICY AND LEGAL ANALYSIS

To: Members, Joint Standing Committee on Agriculture, Conservation and Forestry
From: Karen S. Nadeau, Legislative Analyst
Date: March 23, 2021
Subj: **LD 486** Resolve, Directing the Bureau of Parks and Lands To Convey Certain Land in Township 12, Range 13 WELS in Exchange for Other Land in Township 11, Range 10 WELS

This bill directs the Director of the Bureau of Parks and Lands (BPL) within the Department of Agriculture, Conservation and Forestry to enter into a land exchange with Clayton Lake Woodlands Holdings, LLC to separate common and undivided interest in a parcel of land in Aroostook County.

TESTIMONY

Proponents: *Resident of Frenchville (former Deputy Director of BPL); Resident of Madison (former Director of MFS)*

- Parts of Maine are considered public lots that fall under the ownership of the State; however, certain lots are held in common and undivided interest with private landowners.
- Consolidation of Maine's public lands has a long history dating back to the early 1970s.
- It has long been the policy of the Bureau to consolidate scattered public lots in order to develop a more unified and manageable land base.
- The southwest corner of T11 R10 was identified by the Bureau in the mid-1980s as a strong candidate for acquisition; due to its natural features, this area is known as the "Little Debouille."
- In 2017, discussions were initiated with Clayton Lake Woodlands, LLC regarding a possible consolidation of T12 R13 and T11 R10. For a variety of reasons, the consolidation discussions were put on hold.
- T12 R13 WELS has the largest concentration of public lot acreage left to consolidate, being about 24% (5,000 acres).
- Without separating the 5,000 acres, it is impossible for the Bureau to initiate its management objectives on these lands, which belong to the people of Maine; management of common and undivided interest falls to the majority owner, in this case Clayton Lake Woodlands.

Opponents: *Deputy Director of BPL; LandVest Timberland Region Manager; Trout Unlimited; Maine Forest Products Council. Written only: Prentiss & Carlisle*

- The landowner does not wish to trade or sell that land; this LD runs counter to the willing-seller-willing-buyer approach that all landowners prefer.
- It is true, the Bureau's minority ownership in T12 R13 provides little value to the residents of Maine in terms of recreational resources or timber revenue.
- The Department believes the best outcome is to sell the State's interest at the appraised value; as required, the resulting proceeds will be held for the purchase of other lands within the same county, in this case Aroostook.
- The Department has ongoing discussions with the landowner's agent, LandVest; this LD is unnecessary and could be counterproductive to reaching an agreement with the landowner.
- LD also poses a significant financial burden on public lands and the residents of Maine who enjoy them by requiring that property tax be paid on the resulting Bureau ownership.

NFNA: *None*

PRELIMINARY FISCAL IMPACT STATEMENT: *Not yet received.*

Constitution of Maine - Article IX

Section 23. State park land. State park land, public lots or other real estate held by the State for conservation or recreation purposes and designated by legislation implementing this section may not be reduced or its uses substantially altered except on the vote of 2/3 of all the members elected to each House. The proceeds from the sale of such land must be used to purchase additional real estate in the same county for the same purposes.