

Forest Society of Maine Conservation Easements

Conservation easements are legal documents that are recorded at the registry of deeds and run with the property forever. The use of conservation easements as a land conservation tool creates a partnership between the landowner who places the easement on their land and the easement holder who is responsible for ensuring that the terms of the easement are adhered to. These documents are crafted to address many things, such as ensuring sustainable forest management, limiting development, and assuring continued public access. It's important to note that not all easements are the same, and that each is crafted for the individual property involved. Easement holders include land trusts, such as the Forest Society of Maine (FSM) and New England Forestry Foundation (NEFF), as well as state agencies such as the Bureau of Parks and Lands.

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The Forest Society of Maine is a statewide land trust, with the mission of maintaining the economic contributions of Maine's forests while also preserving recreational values, important natural areas, and the state's cultural and historical heritage. FSM is responsible for the oversight of 20 conservation easements on more than 585,000 acres of land (much of that is located within the North Maine Woods). When an easement is recorded, the landowner still makes the decisions about forest management activities, however the easement may guide or suggest how those decisions are implemented. Each of our easements has unique characteristics that require us to have an intimate knowledge of the property and the easement language, as well as open and regular communications with the landowner and other stakeholders. We currently work with foresters from both Wagner Forest Management (on the West Branch easement) and Katahdin Forest Management (on the Katahdin Forest easement).

The responsibility to oversee, or steward, conservation easements is one that FSM holds in high regard. In the case of donated easements, a landowner has trusted us to manage their vision and the conservation values of their property in perpetuity. With easements that FSM

purchases with contributions from public and private funding sources, donors of various types have placed that same trust in us. These obligations can be daunting, but by carefully reviewing easement language and crafting plans that address the aspects of the easement that need monitoring, the ability to handle expectations becomes more manageable.

What does it really mean to steward a conservation easement?

Stewarding a conservation easement can mean many things. There are exciting adventures in the woods and waters of Maine looking for signs of loon nesting success, and days spent in the office pouring over legal text such as, "Trails may be allowed as shown on the maps kept at the offices of the Grantor and Holder, except that Grantor at its sole discretion reserves the right to close or relocate trails to locations of less ecological impact on the Protected Property. Other than the relocation of trails permitted in this section, no new trails will be allowed."

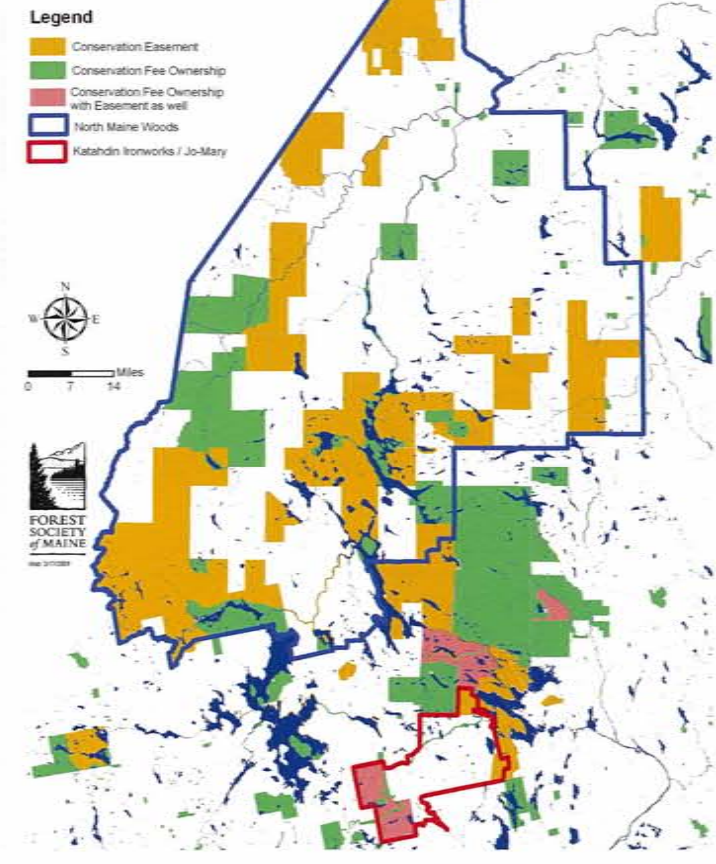
Being a good easement steward means remembering that language and 25-50 pages of similar terminology as you board a small floatplane to fly for hours in early spring, just after the snow melts and before leaves emerge on the hardwoods.

Sometimes stewardship means seeing what looks like a new trail from the air, and then making a note about its location and later a visit to the site to assess it and the other aspects of the easement that can only be monitored on the ground. It means communicating with the landowner about why the trail was created, and communicating with stakeholders with knowledge about the original trail or knowledge about the impacts on the local ecology that would justify the movement of the trail. It may mean communicating with local recreation leaders about why the trail had to be moved, and assuring them that it was replaced with a more appropriately located trail.

Stewardship might mean a 4 a.m. wake-up call to chat with the owners of Pittston Farm about the state of business, and then heading out in 0 degree weather, on snowshoes, through three feet of powdery snow with third-party forest certification auditors to make sure they understand the partnership between FSM and the landowner. Or, it can be a sunny fall day of site visits on multiple easements in the Katahdin region capped off with a swim in a remote pond (to monitor the water quality of course).

Most importantly, beyond the wording of the easement, the ground visits, and monitoring reports, there are the people. The landowners, the donors, the neighbors, the loggers, the wildlife biologists, and the recreationists are all an important part of the stewardship of each and every project. We work hard to ensure that our easements continue to work for them. A well-crafted easement is just the beginning of our work as stewards. We welcome the challenges and expectations that come to us with each new project.

Conservation Lands in Maine



So the next time you travel through the 20-Mile or the Telos gate (both of which are surrounded by conservation easement land) understand that those lands have an extra set of eyes on them as we do our jobs as easement stewards.

If you have further questions about conservation easements within the North Maine Woods, or would like up-to-date information on FSM and our completed and ongoing projects please visit our website, www.fsmaine.org.

Conservation Easements in the North Maine Woods (all or in part contained within)

Pingree Forest Partnership

762,000 acres

Easement held by: New England Forestry Foundation
Land managed by: Seven Islands Land Company and Orion Timberlands LLC

West Branch Conservation Easement

282,000 acres

Easement held by: Forest Society of Maine
Land managed by: Wagner Forest Management

Katahdin Forest Conservation Easement

189,000 acres

Easement held by: Maine Bureau of Parks and Lands
Land managed by: Katahdin Forest Management