

MCHT STEWARDSHIP POLICIES AND PRACTICES (9/2019)

- Background 3
- Stewardship Philosophy..... 3
- Stewardship at MCHT 4
- Stewardship Finances 6
- Conservation Easements 7
 - Practices 7
- Conservation Easement Policies11
 - Violations Policy 12
 - Approvals/Notifications Policy 14
 - Amendment Policy 15
 - Policy for Holding Easements on Land Trust Preserves17
- Fee Properties..... 18
 - Introduction 18
 - Guiding Principles..... 18
 - Core Stewardship Tasks 21
 - Fee Property Management Planning Process 23
 - Process for Developing Carrying Capacity Evaluations on MCHT Lands 27
 - Practice for Payment of Property Taxes31
 - Double Layers of Protection on MCHT Preserves33
 - Trails on MCHT Preserves..... 34

Bog Bridging Standards at MCHT	39
ADA Trail Assessments	43
Boundary Line Marking	45
Equipment Use and Maintenance	48
Chainsaw Operating and Maintenance Procedures	50
Boat Procedures, Training, Safety and Maintenance	52
Stewardship Project Permitting	58
Wilderness First Aid	59
Environmental Hazards (Ticks, Browntail Moth, etc.)	60
Invasive Plant Species Control	61
Herbicide Use Practices	63
Process for Using Signs	66
Policies Related to Fee Lands.....	70
Structures Policy	71
Utility Pole Easement and Boundary Agreement Policy	73
Policy on Historic Sites and Artifacts on MCHT Land	74
Programming and Outreach at MCHT	75
Assessment Process to Determine Program and Activity Suitability and Priority	75
Staffing.....	78
Onboarding Seasonal Staff	79
Appendices	81

Maine Coast Heritage Trust staff uses this document in its land conservation efforts. It is designed for internal MCHT use and is provided here as a reference or guide. Each land trust has its own mission, priorities, and organizational characteristics that should direct how it does its work and what documents it uses. Please feel free to use the ideas, processes, and even specific text contained in this document, but be sure to tailor them for your organization. Land trusts should always consult a lawyer and exercise due diligence in cases of legal significance. MCHT does not guarantee or provide advice as to the tax consequences of any project or action.

MCHT STEWARDSHIP POLICIES AND PRACTICES (2006)

Stewardship of easements and lands held by Maine Coast Heritage Trust has become an increasingly important component of the organization, integral to land protection, development and communications with the public. Outreach and programming are a key piece of this work. This handbook is a compilation of existing policies and practices related to MCHT's stewardship vision and work.

BACKGROUND

During its first dozen years, Maine Coast Heritage Trust facilitated land protection, but declined to hold interests in properties. That changed in late 1982, when MCHT took on its first conservation easement on Swans Island and began its involvement in stewardship. As the organization's holdings increased, land protection staff monitored the easements in their region and handled any necessary work on preserves. By 1995, it was clear that stewardship efforts needed to be increased, and a new position, stewardship coordinator, was created to organize and cover the growing stewardship responsibilities of the organization. The position was part time and responsible for a portfolio of 12 fee properties and 68 conservation easements when staff was hired in 1996. Since that time, the stewardship program has become a separate department and staffing has increased, as have our stewardship responsibilities and budget. MCHT holdings are located along the entire coast, from Kittery to Robbinston. Staff are located regionally, working out of four different offices and/or their homes. In 1998, the Board of Directors voted to establish a Stewardship Policy Committee that works to develop stewardship policies and review practices. The Stewardship Policy Committee quickly developed a Stewardship Philosophy, which has been revised over time, but remains very similar to the original.

STEWARDSHIP PHILOSOPHY

The stewardship arm of MCHT is responsible for continuing the conservation efforts that are begun when a property is acquired, or an easement negotiated. The following stewardship philosophy was developed by the Board's Stewardship Policy Committee and adopted by the Board (11/99, revised 2/06):

"Stewardship is the on-going, long term commitment of time and resources to the conservation of land. Its implementation is essential to MCHT's ability to protect land in the future. MCHT will strive to practice exemplary stewardship of its lands, always protecting ecological values and when appropriate and feasible, providing compatible human uses. Important

components of our stewardship will include encouraging a local land ethic, community involvement, and a focus on the quality of each visitor's experience at our preserves."

As staff develop and implement conservation plans for fee properties and give input on conservation easements and make other commitments regarding land use, it is important to keep this philosophy in mind.

Stewardship staff work with land protection staff in initial whole place planning efforts and as easements are developed, especially on properties where MCHT will hold an interest. Once an easement or fee property is acquired, stewardship steps in to continue the work. Stewardship coordinates with all other departments as it works with landowners, communities and other organizations to manage MCHT lands and to develop programs and activities that enhance their value and connection to people.

STEWARDSHIP AT MCHT

Stewardship at MCHT is broad and can encompass many different aspects of conservation work, including planning, land management, landowner and community relations, educational programming, research activities, and legal issues. Stewards work with Project Managers as they develop conservation plans for different regions of the state (Whole Places), they become involved in pre-acquisition activities including visits to properties, comment on draft conservation easements, the development of the stewardship aspect of project budgets, and various community engagement and planning activities that sometimes need to occur before an acquisition. Post-acquisition, they become the point person for a property, developing relationships with landowners, the community, working on management plans, and of course, the actual care of easements and fee properties in their region. They also may develop and implement various outreach events and programs, including field trips, kids' programs, archeological or ecological research, etc. Each stewardship position is unique, and while there are a variety of core responsibilities of the Department, any individual position may focus on a subset of those responsibilities. For example, over-arching responsibilities for all property management plans, or boat safety, signage, or a particular program. As MCHT's Stewardship responsibilities grow, all positions continue to adapt and change to meet the needs of the land and the organization.

As of the end of 2018, MCHT held 300 conservation easements and owned and managed over 145 preserves located along the Maine coast from Kittery to Robbinston. Over the previous 5 years, holdings increased at an average rate of 9 new easements per year and 12 new fee holdings. Prior to that, the organization took on more easements than fee holdings, but still, close to 20 new holdings in total each year.

In addition, stewards create and coordinate a variety of activities and programs that help connect people with the land and improve community well-being. Many of these programs involve partnerships with other organizations or with individuals. For example, the Kids Can Grow project, held at both Erickson Fields and Babson Creek, relies heavily on the Cooperative Extension Service and volunteer Master Gardeners. The Lubec Outing Club has been a cooperative effort with the Lubec School system

since 1999. Beach cleanups and trail workdays, working with individuals, companies, youth groups (such as the Boy Scouts, the Portland Squash Club), fishermen, LL Bean employees, etc.) are a common activity throughout our properties. Walks on our properties are another common activity – woodcock walks, vernal pools, bird walks, stargazing, full moon snowshoeing, etc. Stewards are always looking for engaging ways to enhance the benefits of conserved lands for people.

Aldermere Farm and Erickson Fields Preserves are unique in that they have dedicated staff and operate many agricultural based programs. Most staff live on site and are involved in a wide range of land, animal and structures maintenance, as well as constant outreach. The volunteer effort at Aldermere is especially robust.

STEWARDSHIP FINANCES

Stewardship activities are funded from the pooled stewardship fund, the general operating budget and temporarily restricted funds generally received from foundation and restricted donor support. Stewardship expenses have increased steadily over the past decade and will likely expand as acquisitions increase and the need for oversight of our lands increases. By 2018, the Stewardship budget accounted for about 34% of organizational expenses (including Aldermere Farm). The Pooled Fee Fund increased as a direct result of the Campaign for the Coast (2000-2006), ongoing project by project fundraising, and the current campaign (2014-2019) which aims to more than double the Fund. Aldermere Farm is funded through a trust fund left by Albert Chatfield when he bequeathed the Farm to MCHT, additional endowment funds, and through annual fundraising.

As each easement and fee project is developed, stewards create a budget for projected costs and staff make every effort to raise the necessary funds up front. See Appendices A and B for the Fee Property Stewardship Budget and Conservation Easement Stewardship Budget templates. There is an alternate, simplified budget form which should only be used by staff with significant experience preparing Conservation Easement budgets.

The annual stewardship budget is created as part of the organizational budget. All stewards develop a budget for their region which is integrated into the larger stewardship budget.

CONSERVATION EASEMENTS

Conservation easements are a method of land conservation that has been used by MCHT since its founding in 1970. MCHT holds conservation easements on land owned by others – private landowners, organizations, towns, etc. We have a responsibility to steward these easements, working with the landowner to uphold the restrictions and purpose of the easement.

Conservation easements require communications with the landowners, monitoring visits at least once each year, review of landowner plans for changes that are addressed in the easement and approval or denial of them, working with our attorney to deal with violations and amendments, and in some cases transferring easements to other organizations. Some easements require very little time and others require lengthy discussions, negotiations, repeated visits, and specific management. Maintaining good communication with landowners is the key factor in avoiding violations and legal quagmires. As original Grantors pass on or transfer their property, it is especially important to quickly make contact and develop relationships with the new landowners and to help them understand the purpose and restrictions of the easement if necessary.

In 2007, the Maine Legislature enacted a series of amendments to the conservation easement law, including the requirement that holders of conservation easements monitor each of their easements at least once every three years. In addition, the Legislature created a central registry of conservation easements to facilitate oversight and to track the use of conservation easements throughout the state. The Conservation Easement Registry is administered by the State Department of Agriculture, Conservation and Forestry. The new legislation requires that the following information about every easement be included in the registry: the easement name; the original donor; the current owner; the acreage; the date the easement was executed; the date, book and page it was recorded at the registry of deeds; the date book and page of any amendments; and, the date of the most recent monitoring.

Another layer of requirements for easement Holders is required by the Land Trust Alliance Accreditation system. All accredited land trusts must demonstrate a set of practices that follow the Standards and Practices identified by LTA. MCHT achieved accreditation in 2009. This is reviewed every 5 years. Accredited organizations must monitor easements every year and follow a long list of practices which are all part of good easement stewardship.

PRACTICES

MCHT adheres to the following practices involving conservation easement stewardship. These have been developed over many years and are aligned with LTA Standards and Practices.

1. Monitoring Procedures

MCHT staff have developed procedures for monitoring easements. These include contacting the landowner, reviewing the easement, timing of monitoring, things to check, equipment to bring, filling out the report. MCHT monitors all of its easements at least once each year. In some cases, we'll monitor more frequently if, for example, there is a particular issue, if construction is ongoing, or if we hold affirmative management rights. A portion of

MCHT held easements are monitored by air, when appropriate. Aerial monitoring occurs no more than two out of every three years. It is an effective way to view especially large properties from a different vantage point. Generally aerial monitoring is done early or late in the field season during leaf-off time. A copy of the CE Monitoring Procedures and the Monitoring Report form are included as Appendices C and D.

2. Landowner Relations and Contacts

Maintaining good communications and relations with conservation easement landowners is crucial to successful stewardship of easements. To achieve this, MCHT does the following:

- A.** The Stewardship Director sends new landowners an initial welcome letter, explaining our procedures and offering help, information, etc. soon after the acquisition of a new easement.
- B.** The Stewardship Director sends every easement landowner a letter each spring letting them know who will be monitoring their easement that year and providing contact information.
- C.** Each Regional Steward contacts their easement landowners in the spring as the monitoring “season” begins, offering to meet with the landowner, or not, if they prefer.
- D.** The Regional Steward contacts landowners again shortly before monitoring visit, usually by phone.
- E.** The Regional Steward sends landowners a letter with a copy of the monitoring report shortly after the visit. Generally, these reports are completed within two weeks of the monitoring visit.
- F.** The Development Department sends all landowners a copy of the MCHT newsletter, Maine Heritage.

3. Stewardship Funds

As conservation easements are acquired, whenever possible a request for a donation to MCHT’s Conservation Easement Fund is made by the project manager. These funds are deposited in a pooled CE fund. The income from these funds is used to steward MCHT’s easement responsibilities. A higher donation is requested for more complex easements that are more likely to create greater stewardship costs. When landowners do not contribute funds for the stewardship of an easement, MCHT tries to raise and allocate the needed funds in alternate ways. In addition to this fund, the MCHT Board (4/4/03) voted to set aside \$250,000 of MCHT’s Special Projects fund to be available at any time for legal defense of our easements and fee lands.

In addition, MCHT participates in the Land Trust Alliance's TerraFirma conservation easement litigation defense program.

4. Files

Filing of easement-related information is critical to tracking changes over time and maintaining an accurate picture of the easement and landowners involved. Most pre-acquisition information is maintained in shared hard copy and digital project files and back files. Monitoring notebooks are the primary file for current and ongoing documentation and information related to MCHT-held easements.

- A. **Baseline Documentation** is created before the CE is signed (with rare exceptions) and is approved and certified by the easement Grantor. The original is filed in the fire proof safe and a digital copy is maintained in the project file on the common drive. Copies of the baseline are part of the monitoring notebook, so the original baseline needn't be opened. We strive to open the baseline only when necessary for legal issues. In addition, accompanying but separate **Baseline Addendum** files are compiled including approvals, acknowledgement of notifications, amendments (in yellow folders) and violations (in red folders) as they occur. The Baseline Addendum files are also kept in the fireproof safe and digital copies are maintained in the project file on the common drive.

- B. The **monitoring notebook** is created at the close of a project and should include copies of the following relevant information: a history of the project, landowner information, directions to the property, maps, photographs, a copy of the easement, baseline documentation, monitoring reports, correspondence, approvals, notifications, amendments and violations, etc. The digital file for a given property includes the same information. This then easily addresses the LTA accreditation standards requirement that we maintain digital copies of the recorded conservation easement, the baseline documentation, monitoring reports and critical correspondence. Mirror copies of monitoring notebooks are maintained by field stewards and at the main office with the exception of the Southern Maine Regional Stewards who use the monitoring notebooks at the main office.

- C. **Field files** hold bare bones information, including the CE, maps, previous monitoring reports, and are designed to be used by stewards in the field for monitoring visits if they choose to.

- D. **Monitoring report** originals are filed in the fire proof safe. Copies are filed in the monitoring notebook, in the digital project files and, if the steward uses them, the field files.

- E. **Monitoring Photos** are filed digitally in the General Photo Library\Monitoring Photo Library\County\Town\Easement Name\Year. Some photos are included in annual monitoring reports. Copies should also be filed with the monitoring report in the monitoring notebook and in the fireproof files.

5. Electronic Databases

Electronic databases are maintained for three types of CE related information.

- A. **Conservation Easement Database.** This tracks basic information about our CE's, including grantor, town, county, acreage, current landowner name and address. This information is used to generate annual correspondence to all easement landowners.

- B. **State Department of Agriculture, Conservation and Forestry Conservation Easement Registry.** The Conservation Easement Registry is administered by the State Department of Agriculture, Conservation and Forestry. The following information about every easement is included in the registry: the easement name; the original donor; the current owner; the acreage; the date the easement was executed; the date, book and page it was recorded at the registry of deeds; the date book and page of any amendments; and, the most recent monitoring date. Beginning in 2018, we are also required to enter information on our fee holdings as well. Specifically, the date of acquisition, the book and page the deed was recorded at the registry of deeds, acreage, town(s) located, primary purpose and current tax status.

- C. **MCHT Stewardship Database.** The Stewardship component of the MCHT Database serves as the database for all stewardship information on MCHT Preserves and Conservation Easements. CE and Preserve information are entered into the database which then generates the annual monitoring report.

CONSERVATION EASEMENT POLICIES

Policies have been developed by MCHT staff, working with the Stewardship Policy Committee. All policies have been approved by the MCHT Board of Directors. Any changes to them must also be approved by the Board.

Violations of easements can be major or minor, and often are the result of a misunderstanding of easement restrictions, forgetfulness, or ignorance. Violations may be observed on monitoring visits, reported by a third party, or reported by the landowner. They may be caused by a landowner, an agent of the landowner, or by a third party over whom the landowner has little or no control. In general, because MCHT has a long-term relationship with the landowner and has the best interests of the land in mind, it is important to work with the landowner to achieve a solution to an easement violation that preserves and upholds the conservation values being protected by the easement. Ideally, mitigation for the violation should be required, which may involve landowner activities such as planting trees, reseeding areas, tearing down a structure, or other compensatory measures that restore the conservation values of the easement. An amendment to the easement might be required to make the remedial measures binding in the future. Every easement and every violation are different, so differing solutions are necessary. MCHT will take action on every violation. If it proves impossible to work with a landowner, then MCHT will consider legal action, including litigation. All initial investigation and documentation of the violation will be conducted carefully, as though in preparation for litigation.

The following procedures will be followed:

1. When a violation is suspected or ongoing, the site will be visited by the regional steward to document conditions in writing and possibly with photos. A review of the easement and consultation with MCHT's attorney and Director of Stewardship will be completed before addressing the issue with the landowner.
2. If stewardship staff and attorney determine that there has been a violation, or that one is imminent, staff will talk to the landowner to learn more about the cause of the violation, the landowner's perception of the issue, and any other circumstances. It is imperative that written notification of a "violation" will not be sent to the landowner until there has been personal contact, unless repeated efforts to contact the landowner fail.
3. The Director of Stewardship and regional staff will reconvene and determine what course of action to take, possible ways to reclaim any lost conservation values, whether or not legal action is required, etc.
4. A letter signed by the Director of Stewardship will be sent to the landowner describing the condition and stating why it is considered "non-compliance" with the easement.
5. Stewardship staff will work with the landowner to find a solution to the violation.
6. Action will be taken by the landowner to rectify the violation and will be encouraged and monitored by the stewardship staff while always consulting with MCHT's attorney.

7. If litigation is required, the Executive Committee of the Board must first authorize, and MCHT's attorney will assist with hiring and supervising litigation counsel.
8. If, however, the violation or threat of violation requires immediate action (i.e. a court order to stop harmful or prohibited activities, or owner is likely to hide the evidence), staff will seek authority from the executive committee to seek a temporary restraining order "*ex parte*," and may proceed, if advisable, before speaking with the landowner.

NOTE: MCHT participates in the Land Trust Alliance's conservation defense program, Terrafirma. All of our conservation easements are covered in the event of a violation. Terrafirma covers attorney's fees and expert fees for lawsuits and mediation for the enforcement and defense of our conservation easements. It is critical that Terrafirma receives timely notice of a potential claim – so as soon as you become aware of a potential violation, even if you think it can be resolved, discuss it with the Director of Stewardship and notify the Assistant to the Director of Stewardship that a placeholder claim should be submitted. In addition, Terrafirma asks for quarterly status updates, so please let the Director of Stewardship and Assistant know of any changes or potential resolution.

MCHT holds many conservation easements that require Holder discretionary approval and/or notification before the commencement of certain activities such as construction of or alterations to major structures, timber harvesting, major surface alterations, etc. MCHT will approve all requests that are consistent with the purposes and intents of the easement, as well as with any specific restrictions. When interpretation is unclear, but a potential activity is not prohibited, discretionary approvals may be appropriate. If the proposed activity is inconsistent with the intent and specific allowances of the easement, it will be denied. In the case of required notifications, the notification information will be reviewed in the same manner as an approval. Acknowledgement of notification will be sent to the landowner with any concerns articulated.

All discretionary approvals must be signed by the Director of Stewardship or the President. If not specified otherwise in the easement, responses to requests for approval and notifications will be considered and responded to within 30 days of receipt whenever possible.

PROCEDURES:

1. Stewardship staff will review an approval/notification request and the easement.
2. Staff will contact the landowner to inform her/him of receipt of the request and to discuss the proposal.
3. Staff will consult with MCHT attorney and other involved staff.
4. A draft approval or disapproval will be developed, reviewed by MCHT's attorney, and finalized.
5. The approval or acknowledgement of notification will be signed by the Director of Stewardship or President.

CONSERVATION EASEMENT AMENDMENT POLICY (BOARD APPROVED 11/11/2017)

Conservation easements are documents intended to last in perpetuity, yet circumstances do come up at times that necessitate considering a change, addition, or interpretation to handle an unforeseen problem. Such circumstances can be handled in a variety of ways, which should be evaluated by field staff in consultation with MCHT General Counsel and brought forward for Board review or approval as needed. Tools for such circumstances include Letters of Interpretation, Easement Addenda, or Easement Amendments.

MCHT will consider making Easement Amendments rarely, and only either for technical reasons (mutual mistake, impossibility of certain intentions, adding necessary IRS boilerplate language), or to make changes to an easement that will result in a net beneficial or neutral conservation effect on the relevant conservation values protected by the easement (such as adding land, granting public access, or eliminating a building right in exchange for less valuable rights conferred on the owner by the amendment). An amendment must clearly serve the public interest, and be consistent with MCHT's mission, as documented in the file.

Whenever doing an amendment, MCHT is prohibited from engaging in "impermissible private benefit" or "private inurement," by state non-profit laws and federal laws on tax exempt entities. This means that we cannot give value away to private parties by increasing the value of their real estate. To this end, an evaluation of the value of the amendment will be made, in a manner appropriate to the circumstances, and any net increase in the value of the landowners' estate resulting from the amendment must be paid over to MCHT, per Title 33 M.R.S. Section 477A(2)(b). Amendments will be crafted to result in a clear net decrease in the value of the landowner's estate, to avoid this necessity, if possible.

MCHT recognizes that state law requires court approval, in an action in which the attorney general is made a party, for any amendment the terms of which will "materially detract from the conservation values intended for protection," or for termination or limitation to the term of the easement, as may be required for a taking by eminent domain. Removal of any land from the easement is considered termination of the easement on that land and requires court approval.

Recognizing the above, MCHT will seek to craft amendments that solve problems in a manner that does not require court approval whenever possible. MCHT has no obligation to negotiate nor to enter into any conservation easement amendment, including those that may require such court approval. MCHT may ask landowners to reimburse MCHT for costs of the amendment.

The following Amendment Principles promulgated by Land Trust Alliance are hereby adopted by MCHT, and will be used to guide it in amending conservation easements:

LAND TRUST ALLIANCE'S AMENDMENT PRINCIPLES

An amendment should meet all the following:

- 1) Clearly serve the public interest and be consistent with the land trust's mission;
- 2) Comply with all applicable federal, state and local laws;
- 3) Not jeopardize the land trust's tax-exempt status or status as a charitable organization under federal law;
- 4) Not result in private inurement or confer impermissible private benefit;
- 5) Be consistent with the conservation purpose(s) and intent of the easement;
- 6) Be consistent with the documented intent of the donor, grantor and any funding source; and
- 7) Have a net beneficial or neutral effect on the relevant conservation values protected by the easement.

With increasing frequency, MCHT is being asked, by local land trusts and landowners, to assume “back-up” oversight on land trust easements and fee properties. Sometimes a landowner is doubtful about the local land trust’s long-term viability, sometimes a land trust seeks an outside watchdog to guard against bad decisions of future directors, or sometimes a funding source requires added protection.

In some cases, a deal won’t go through unless MCHT accepts secondary stewardship responsibility. It is also part of MCHT’s mission to foster as much land protection throughout the state as possible, and to ensure a high quality of stewardship on those lands. Since MCHT cannot be the primary steward for all lands that merit protection, the double layer can leverage more quality land protection at relatively low cost.

For these reasons, MCHT must consider seriously any request to provide a double layer of protection. The positive elements of the added responsibility must be weighed against the cost, and MCHT must be careful not to overload its resources with unnecessary stewardship burdens.

MCHT will consider providing a double layer of protection for lands owned by other conservation entities and for lands protected by easements that are held by such entities when a reasonable number of the following criteria are met. (Note: lands owned by towns and other organizations whose missions are not primarily land conservation are not considered to have *de facto* primary protection.)

- a) The property and the conservation plan for its protection meet MCHT’s land protection criteria necessary to work on a project.
- b) All methods of providing a double layer of protection have been explored with the land trust (including a declaration of trust).
- c) MCHT is the best choice to provide the double layer of protection.
- d) Funds are available for a stewardship endowment.
- e) The project cannot succeed without MCHT involvement.
- f) The easement design is as simple as possible.
- g) The project makes sense to MCHT, i.e. protects conservation values important to MCHT.
- h) For land trust fee properties, a management plan must be submitted before MCHT will hold an easement in order to inform the easement.
- i) Subsequently, MCHT must be notified of any significant changes to the management plan.

FEE PROPERTIES

INTRODUCTION

MCHT began holding fee interests in land in 1983 when its first appurtenant parcel was donated. At that time, the Holder was required to own nearby land that “benefitted” from the conservation easement, so some landowners donated portions of their land – often very small. In 1985, MCHT accepted its first preserve – Witherle Woods in Castine. At that time, and for the next decade, field staff acted as both project managers and stewards of the preserves and easements in their region. By 1996, the organization owned 12 parcels and held 68 easements and decided it was time to hire staff dedicated to stewardship. Ownership of land introduces many long-term responsibilities – to the land, to the community where it is located, to the greater public who may use it. Consequently, fee ownership provides great responsibility and great opportunity.

STEWARDSHIP GUIDING PRINCIPLES AND PRACTICES FOR FEE LAND MANAGEMENT AND USE (4/3/2009)

Maine Coast Heritage Trust acquires fee lands for a variety of conservation purposes, including ecological, public use and access, scenic and for other community benefits. Every property is different, and MCHT makes a commitment to steward each of these lands to protect their conservation values. After an acquisition is complete, a series of steps are taken to assure that MCHT is knowledgeable about the land and its’ community context, and to be sure that we complete our due diligence with regards to tax payments, insurance coverage, adherence to any pre-existing restrictions, and other factors. Within two years of acquisition, a long-term management plan for the property is developed. The stewardship of MCHT conserved lands is guided by several factors, including MCHT’s Stewardship Philosophy, the original intent of the acquisition and the important conservation values established at the time of acquisition, community needs and wishes, MCHT’s Guiding Principles and Practices for its lands, and the unique aspects of each property.

MAINE COAST HERITAGE TRUST STEWARDSHIP PHILOSOPHY

“Stewardship is the on-going, long term commitment of time and resources to the conservation of land. Its implementation is essential to MCHT’s ability to protect land in the future. MCHT will strive to practice exemplary stewardship of its lands, always protecting ecological values and when appropriate and feasible, providing compatible human uses. Important components of our stewardship will include encouraging a local land ethic, community involvement, and a focus on the quality of each visitor’s experience at our preserves.”

GUIDING PRINCIPLES

- Respect and manage MCHT lands for the conservation values identified as important components of the acquisition.
- Protect ecological values of Preserves as the highest priority, unless the original intent of the acquisition focused on a different, conflicting conservation value.

- Create community involvement with and benefit from a Preserve whenever possible. For example: educational uses will be encouraged; community supported agriculture where appropriate could be established; community fuel wood projects could be established on appropriate lands, cut your own Christmas tree opportunities could work.
- Generally, commercial consumptive uses of preserves will be discouraged unless they create a clear community benefit, do not harm the properties' conservation values, do not create unacceptable tax burdens, and do not create an unmanageable stewardship burden.
- Commercial non-consumptive uses, such as outfitters with clients, nature tours, etc., will generally be allowed and sometimes partnered with, as long as they follow established guidelines for public use.
- Recognize that each property and every community is different, so we will customize public use guidelines to each site.
- Generally, conduct timber harvesting on MCHT properties only for ecological, safety, local community benefit and educational reasons, not solely for the purpose of generating income. Where applicable, timber harvesting should be done on a sustainable basis and with a forest management plan.

COMMUNITY INTERFACE

When MCHT first acquires a fee property, Stewardship staff should make every reasonable effort to contact neighbors and other nearby homeowners, town staff, elected officials, the fire chief (to discuss fire expectations), the harbormaster (if a water-access property), and existing or potential user groups. If the property has road frontage, an established landing beach, or a trail, staff should post a temporary sign letting visitors know that MCHT has acquired the property, a solicitation for input, and contact information for the responsible steward.

GUIDELINES FOR PUBLIC USE

- Low impact recreational uses are generally allowed.
- Generally, visitors will be asked to adhere to "carry in/carry out" and "leave no trace" practices.
- Seabird/wading bird/eagle nesting islands have seasonal restrictions prohibiting use during the nesting period.
- Generally, allow hunting on MCHT properties.
- Generally, prohibit motorized vehicles. Horses and wheeled vehicles can often harm soils and trail conditions as well. Their presence will be determined site by site.

- Pets must be kept under control – voice or leash control. They may be prohibited where deemed necessary for ecological or safety reasons.
- Overnight use will be allowed where appropriate, and generally on selected islands where MCHT is the sole owner.
- Generally, on islands and occasionally on the mainland, fires are allowed below mean high water.

CORE STEWARDSHIP RESPONSIBILITIES ON MCHT PRESERVES (10/10)

As we manage MCHT properties, there are basic tasks that need to be completed for every preserve. Some of these are one-time up-front actions, others occur once every 5-10 (or more) years, and others every year. This list identifies these tasks and their timeframe.

Task	Up Front	Ongoing
First Year Plan	X	
Boundaries Marked	X	Every 5 years
NRI	X	
Meet with abutters and stakeholders	X	Annual
Management Plan	X	First review in 5 years; every 10 years thereafter
Trail maintenance		Annual
Prepare DOJ ADA Trail Assessment	If there are existing trails on the preserve	Revise if/when additional trails are completed
Parking lot maintenance		Annual
Structure maintenance, including mooring, dock, houses, sheds		Annual

Property Monitoring/Report		Annual
Taxes/PILOT paid	X	Annual
Insurance	X	Annual
Update Town Manager or equivalent	X	Annual
Celebration	X	
Signs	X	Annual
Visitor Registration Compilation		Annual
Base Map Prepared	X	Update as changes made
Review Preserve Webpages		Annual

MCHT FEE PROPERTY MANAGEMENT PLANNING PROCESS

Maine Coast Heritage Trust manages a wide range of properties, from nesting islands to wooded preserves with walking trails to old farms. As properties are acquired, the following process is followed in order to transfer knowledge about the property, to learn about the property and the community around it, to attend to the many details that property ownership requires, and to plan carefully for the current and future management and conservation of the land.

MCHT develops management plans for all properties that the Trust owns. This is generally a two-year process that has the following steps.

1. **Develop a 1st Year Management Plan.** Within two months of acquisition, a 1st year management plan is developed by the project manager, regional steward and stewardship director. This plan will serve as a checklist and guide to make sure that key tasks are completed to manage the property in the short term and to complete the actions needed to prepare a long-term management plan. These tasks include dealing with taxes and insurance to conducting natural resource inventories and getting to know abutters and the community. **In rare instances, a first-year plan will dictate more robust goals and actions to deal with unusual circumstances (high publicity, major trail or use issues, etc.).** See First Year Management Plan outline at Appendix E.
2. **Develop a Long-Term Management Plan.** Within two years of acquisition year, a long-term management plan is developed by the management plan coordinator and Regional Steward, with input from the Project Manager and input and final review from the Director of Stewardship. **Rarely, a long-term management plan will be fast-tracked to deal with unusual circumstances.** The process includes the following steps:
 1. **Stakeholder Involvement.** For nearly all fee acquisitions except for sea bird nesting islands, input is solicited from other stakeholders, including partners, abutters, community members, town officials, traditional or potential future users of the property, etc. In some cases, select stakeholders become part of the planning team. This involvement is crucial in creating good communication and long-term relationships between the land trust and the community. There may be one-on-one conversations, group meetings, site visits, etc. to achieve this goal.
 2. **Gather Information.** As a precursor to developing the management plan, as much information as possible is gathered about the preserve. This includes natural resources, cultural and historic information, current uses, issues on the property, community concerns and ideas, etc.

3. **Identify Targets, Goals, Threats, Actions.** Working with stakeholders, the targets and goals are identified, as well as threats to those goals, and actions required to achieve the goals.
4. **Carrying Capacity Analysis.** At this time, an initial carrying capacity evaluation is also completed. This is then integrated into the plan. Through this process we identify the important ecological, cultural and historic aspects that we will protect; we identify the desired visitor experience (if any) on the property, and the appropriate levels of publicity for the property.
5. **Create Written Document.** Include all of the above components as well as a description of the property, the intent of the acquisition, a summary of the restrictions. See the Management Plan Outline at Appendix F for details.
6. **Plan Implementation.** Regional Stewards review plans annually, incorporating actions into their annual workplans.
7. **Plan Updates.** Initial long-term plans are reviewed by the Regional Steward after five years and updated by the Plan Coordinator and Regional Steward if needed. After the five-year review, plans are reviewed every ten years. Note: plans may (and should) be reviewed more frequently than that if there are significant changes on the preserve, including natural changes or changes in human use, or if there are significant changes in the context to MCHT ownership (such as new potential partners for preserve-based programming).

DETAILED OUTLINE OF PLANNING PROCESS, WITH RESPONSIBLE STAFF AND TIMEFRAME:

Key:

DS = Director of Stewardship, **RS** = Regional Steward, **PM** = Project Manager, **PC** = Plan Coordinator, **AtoD** = Assistant to the Director of Stewardship

Italics indicate a due date

- Develop First Year Management Plan: **DS, RS, PM**
 - *Within 2 months of closing*
- Complete items in plan as outlined
 - *As dictated by plan*
- Commission/conduct NRI (**DS**)
 - *First year field season as long as there is enough time to schedule; second year field season if acquisition took place too late*
- Gather additional cultural/historical info as warranted (**RS**)
 - *Any point during process, including after management plan is written*
 - May include conversations with local historical societies, Maine Historic Preservation staff, published resources (e.g., McLane's) or others with local knowledge
- Determine how to gather stakeholder input (**DS, RS, PM, PC**)
 - *Within 1 year of closing*
 - Identify stakeholders, including at a minimum
 - Preserve neighbors (or nearby landowners, if an island)
 - Known users (including outfitters/guides)
 - Town officials
 - Local partners
 - Potential partners
 - Determine who will communicate with stakeholders
 - Decide whether or not to have one or more meetings
 - If yes, where to hold it?
 - How to invite people?
 - How big/small is ideal?
 - What staff will attend in addition to **RS** (two is ideal – one to facilitate and one to take notes)
- Gather and compile input
 - *ASAP after stakeholder meeting, and as quickly as reasonable after individual conversations*

- RS, PM, PC (possibly DS) develop agenda topics and questions
 - If meeting, take thorough notes, type, and promptly and file
 - If individual conversations, promptly complete contact report and file
 - Record names and contact info for all contacted stakeholders (ideally in spreadsheet format) and file in Project File under Stewardship Planning
- Determine carrying capacity (RS with input/approval from DS and PM)
 - Desired visitor experience
 - Sensitive features
 - Level of publicity
- Write plan
 - DS, RS, PM, PC debrief stakeholder input and develop targets, threats, and goals
 - RS and PC further refine action items
 - PC writes plan, requesting input from RS and PM (and to a lesser extent DS) as needed
 - RS and PM review plan and submit changes/comments/edits in Track Changes to PC
 - PC submits plan draft to DS for final review
 - If no changes, PC sends to RS and AtoD for filing
 - If small changes, PC edits and sends to RS and AtoD for filing
 - If more substantial changes, PC sends with more input from RS and PM as needed, then returns to DS for final approval. PC then sends to RS and AtoD for filing

See Appendix F which outlines the contents of a Management Plan.

PROCESS FOR DEVELOPING CARRYING CAPACITY EVALUATIONS ON MCHT LANDS

BACKGROUND

Carrying Capacity is a concept that can be used to approach the management of natural resources as well as the human use and experience of protected lands. It assumes that use is equated with some level of impact. This evaluation process provides a framework for:

- establishing baseline data of natural and other resources
- determining key ecological factors needing protection
- determining the desired visitor experience
- developing limits of acceptable change
- creating a mechanism to measure that change
- determining actions to be taken to prevent exceeding the acceptable limits
- determining an acceptable level of publicity for each property

The Board of MCHT has adopted a stewardship policy which states that protection of the natural resources on our lands is of primary importance and recreational use will generally be allowed if it can be accommodated without compromising ecological values. At the same time, there are pressures both within our organization and from external sources to publicize our preserves, and connect more people with our lands, both because of their intrinsic spiritual, physical and emotional value to humans, and to develop ongoing support for these lands in particular and land conservation in general.

To determine the carrying capacity, or the acceptable levels of use and change on MCHT's properties, we have developed the following methodology.

METHODOLOGY

Carrying capacity studies and ongoing monitoring will be done on MCHT preserves in conjunction with developing a management plan. For each preserve, we will consider the intent of the acquisition, any restrictions on the property, identify the sensitive ecological features, the desired visitor experience, and levels of acceptable change. We will then identify appropriate management actions to protect these sensitive resources and visitor experience and determine the appropriate level of publicity.

- I. **Develop baseline documentation.** Include as much of the following list as is reasonable.
 - a. **Natural Resources Inventory** - botanical, geological, historical use, soils, will be included. In particular:
 1. Rare/threatened/endangered species will be identified and mapped.
 2. Invasive species will be identified and mapped (species, extent and aggressiveness).
 3. Soil types will be identified and mapped.

- 4. Existing structures and key features, including trails, access points, and campsites will be identified and mapped.
- b. **Breeding bird survey.**
- c. **Property survey.**
- d. **Original intent of preserve acquisition.**
- e. **Photo documentation and measurements at key locations on the property.**
Locations will be GPS'ed, location markers will be placed. Measurements will be taken at "indicator" locations such as campsites. Measurements will also be taken of bank erosion, trail width and trail compaction depth, as appropriate per each site.

Photos and measurements will be repeated annually or according to a plan and documented in the Preserve Monitoring Report.
- f. **Baseline summary narrative-** a simple and short synopsis of baseline data, and current use will be prepared.

II. Identify Key and/or Sensitive Biological/Historical/Archeological Resources

III. Determine the Tolerance of Biological/Historical/Archeological Resources to stressors, including human use.

- a. **Consider the following questions for each sensitive biological/historical/ archeological feature identified.**

What factors stress the identified features?

Can human use be managed so that the most sensitive features remain intact?

If yes – at what level?

- with what specific management actions?

If no – close to visitors during sensitive periods.

If unsure – allow limited use with monitoring/measurements to determine impacts.

- b. If there are specific resources we are concerned about, identify monitoring plots and include the annual measurement and/or monitoring of those plots in the Actions portion of the management plan matrix.

- c. If there are specific bird species or wildlife to protect, then plan to conduct routine surveys at a specific interval and include in the Actions portion of the management plan matrix.
- d. Integrate specific actions into the management plan to ensure that human impact does not exceed acceptable levels.
- e. Periodically review both the management plan and the carrying capacity assessment criteria to determine whether changes need to be made in the strategies.

III. Determine Desired Visitor Experience

Consider the following questions about the visitor experience.

- a. What is the current level of use?
- b. What is the desired visitor experience and what features contribute to that experience?

Desired experience could include: solitude, quiet, expansive views, aesthetics, interaction with other people.

Contributing factors could include: narrow trails, limited parking, untrampled campsite, size of the property, accessibility of the property.

- c. Can the desired visitor experience be achieved with an increase in use?

If yes - at what level?

- with what specific management actions?

If no - maintain the existing level/type of use, or

- decrease the existing level/type of use

If unsure - allow limited use with annual monitoring

- d. Are there any factors that prevent or limit an increase in public use?
- e. Examples of management actions to control human impact are creating, closing or rerouting a trail, increasing parking and annual monitoring of sensitive features.

IV. Integrate into Management Plan

- a. Once the baseline is completed, a management plan with goals for the property will be established. The management plan will contain an assessment of current use, methods

for evaluating the above criteria, and outline specific actions to ensure that human impact does not exceed the desired level. Staff will take steps to manage usage in an effort to maintain acceptable levels of human impact.

V. **Publicity**

Members will be given information about our preserves. Publicity refers to further promotion and can be divided into two categories: local and unlimited.

Local publicity: would include attempting to limit usage and awareness of the preserve to full time and seasonal residents in the immediate and surrounding communities. Acceptable publicity might include news items in local papers, speaking to local clubs, involving local schools, etc.

Unlimited publicity: would include publicity in national newspapers and magazines and on our and other websites.

PRACTICE FOR PAYMENT OF PROPERTY TAXES

Generally, MCHT applies for tax exemption for properties that the organization is committed to retaining as a preserve. Occasionally, if a property will be transferred to a similar organization with similar intent, exemption will be sought before the transfer. Before doing that, consult with the intended owner. When MCHT holds property with the intent to restrict and resell to a private buyer, or is uncertain of its future ownership, exemption will not be sought. Some tax assessors require a double layer of protection before granting exemption (see practice on Double Layers), while an increasing number of assessors will not grant exemption, asserting that MCHT is not charitable and benevolent or that current use taxation is more appropriate or that MCHT does not provide public benefit.

As a nonprofit, charitable organization recognized by the IRS, MCHT qualifies for property tax exemption based on Maine Statute Title 36 M.R.S.A. §652 (1)(A), applying to “benevolent and charitable institutions.” The recent decision in Francis Small Heritage Trust, Inc. v. Town of Limington 2014 ME 102, decided August 7, 2014, confirmed this. The exceptions are (1) land held for purposes other than nature preserves such as trade lands, and (2) some preserves with private rights withheld, such as the right of a previous landowner to continue to cross the property or maintain a vista across the property.

Since MCHT does qualify for property tax exemption, and because certain tax categories (such as Tree Growth) may not be appropriate given MCHT’s management objectives, and because MCHT believes that it is providing substantial public benefit, the organization will generally apply for tax exempt status. However, recognizing its responsibility to the town as a landowner and the impact of lost revenue, MCHT will make a payment in lieu of taxes equal to or greater than the rate established for “Open Space – Public Access Forever Wild” valuation by state law – a 95% reduction of full assessed value. In addition, MCHT will look for alternative ways in which it can benefit the community.

PROCEDURES

1. When a property is transferred to MCHT, contact will be made with the local land trust, if one exists, to discuss their policies and local issues. Then the town manager and/or tax assessor will be contacted to explain MCHT policy and discuss town tax practices, the land in question, its use by and benefit to the public, its need for town services, the town’s ability to absorb the loss in tax revenues, and other related issues.

At this time, a determination will be made whether or not to apply for tax exemption. In some circumstances, such as short-term ownership, planned transfer to a local entity, a donor’s wishes, unusual financial arrangements, etc., MCHT may decide to maintain the status quo (short- or long-term, maintain or change to Tree Growth or Open Space), or work out other arrangements.

2. Generally, MCHT will apply for tax exempt status well before the yearly deadline of April 1st, so that, should tax exemption not be granted, an application for "Open Space" can be filed.

3. Payments in lieu of taxes will be made by April 1 of each year (or the deadline for filing, should the date be changed), with a letter thanking the Town for acknowledging MCHT's tax exempt status. A number of factors will be considered when determining the amount of any PILOT, including but not limited to: presence or absence and amount of endowment for the property, sustainability of any payment, need to mitigate initial impact of revenue loss to the town, i.e. payments that are initially higher than the long-term amount, level of public use, straight-face test.

DOUBLE LAYERS OF PROTECTION ON MCHT PRESERVES

Double layers of protection mean, simply, that more than one method of protection is employed to safeguard a property's future in the event that the holder of the easement or fee is unable or unwilling to carry out the original intent or restrictions attached to that property. In the case of a fee property owned by a land trust, a double layer can protect it from future pressures, claims of creditors and changing boards. To deal with this issue on MCHT lands, the MCHT Stewardship Policy Committee recommended to the Board, and the Board approved the following statement.

Recognize that every site is different and that, unless imposing a double layer is part of an acquisition agreement, MCHT should first become familiar with a property and its' community, develop a management plan and then determine the best way to preserve our management rights while ensuring that the purpose of acquiring the property is not diminished in the future. This will also serve to provide future boards with legal and moral guidance.

TRAILS ON MAINE COAST HERITAGE TRUST PRESERVES

MCHT has provided public access to its lands via trails since it began acquiring fee lands in the 1980's. A variety of methods have been employed to site and create over 90 miles of trails, using various hardening techniques depending on the site. While it is always important for trails to be created based on the specifics of the site, there are some generalized considerations which are discussed below.

The siting, layout and design of trails has generally been done by the Regional Stewards, making observations over several seasons and various weather conditions. Trails have been constructed by staff, volunteers working with year-round and seasonal staff, Maine Conservation Corps crews, professional landscape crews and our own seasonal crews. For particularly extensive trail systems we have occasionally consulted with trail design professionals.

Specialty trails such as ADA accessible trails, may require additional guidance.

WHEN AND WHERE TO BUILD A TRAIL

Many factors are considered when assessing whether a trail should be created on an MCHT property. The sensitivity of the resource, the cost of the trail, the needs or desires of the community, the deed restrictions on the land, the skill level required to build the trail, and the support of the organization all need to be considered prior to planning and placing or maintaining a trail on an MCHT property. In some cases, we decide not to build a trail after assessing local need, soils and other physical factors, and/or the expense of construction and maintenance. With climate change causing more frequent heavy rain events and rising sea level, future as well as current conditions of a property need to be considered as trail routes and feasibility are being considered.

SENSITIVITY OF THE RESOURCE

Prior to building or upgrading a trail the impact and implications of the work need to be considered. Due to environmental elements, some lands are typically not compatible with trail building such as: nesting sea bird areas, extensive steep inclines consisting of only soils and sand or (more realistically) fine gravel, flood plains, areas with threatened or endangered animals and plants, and excessively wet or fragile soils. Although there may be ways to mitigate the issues associated with any one of these features, it will almost always require more intensive planning and resource allocation for the building process, and additional efforts to mitigate visitor impact once the trail is in use.

When possible, the planning and flagging of a trail should take place a year in advance. It should be walked several times in all weather conditions to assess and address seasonal changes in the landscape before trail builders begin their work. The flow of water and seasonal seeps should be mapped and avoided by adjusting the line of the trail. Elevation changes for the trail should be planned in a way that promote sustainable water flow and soil retention. Wildlife traffic should be tracked and considered. Human interest points should inform the lay of the trail. More than one set of experienced (upper level stewardship staff person) eyes should see the trail route to affirm that it's a good one.

THE DESIRE OR NEED OF THE COMMUNITY THAT THE TRAIL SERVES

Reaching out to stakeholders is an essential part of the process when creating a trail. Neighbor relations need to be respected and will sometimes dictate the lay of the line. Some neighbors will object to the proximity of a trail to their property while others may provide a pedestrian trail easement across their property to better access the MCHT parcel and still others may want to create their own private trail from their land to ours (this can be problematic). Communications ahead of time will help alleviate most issues.

A community that requests or supports a trail is a potential source of volunteer labor. Volunteer events are an excellent way to build community pride in a trail and educate people about the effort it takes to manage land. Additionally, these volunteer efforts can help offset the cost of the initial trail building process as well as recurring maintenance needs. Conversely, it is essential to determine if a trail will actually be used by more than a handful of people. If public benefit is minimal, it may not be worth using MCHT resources to build and maintain a trail. Remember – we don't have to build trails everywhere.

COST AND PERMITTING

Trail building is a costly venture that is not limited to the upfront resources required. The presence of an intentionally placed trail is a covenant with the visitor that assumes a certain standard is maintained for their use. The cost continues as regular stewardship is required. Although not always needed, any structures installed on the trail will require additional maintenance or periodic replacement and should be avoided when possible. Bog bridging is a prime example. MCHT has determined that the average bog bridge costs \$100/8' section including labor and lasts approximately 15-20 years. Therefore, if we make a 1000 foot stretch of bog bridging we can assume that the cost will be greater than the initial \$12,500. Assuming costs remain stable, it will cost \$12,500 every 15-20 years for as long as the trail is in use. Trails should be designed to minimize the number of these structures required.

State, local and federal regulations may dictate what is possible and must always be thoroughly investigated and adhered to. Prior to impacting the resource be sure to obtain all required permits from appropriate officials. This stage typically comes after flagging a route. Pay special attention to structure installation, resource protection zoning and shoreland zoning (and all other pertinent zoning regulations). When in doubt, have a short conversation with the local code enforcement officer prior to flagging a trail to address any issues in advance. If permitting is required, be prepared to deal with time delays and additional costs of trail installation that may result from the permitting process.

DESIGNING A TRAIL

Design your trail with these elements in mind: **INTEREST, SAFETY, SUSTAINABILITY, and HARMONY.**

INTEREST: When laying trail, identify points of interest as well as locations to avoid in advance. Sites of interest enrich the visitor experience and appropriate siting protects sensitive locations. Making your trail interesting to users will help keep them on the trail and not wandering into areas they are not welcome to explore. Employ anchors and gateways to draw the eye forward and keep visitors on the path provided. Create and maintain vistas as destinations.

SAFETY: A trail user will have a more pleasant experience if the trail is safe and they will also be more prone to stay on the trail and minimize their impact. Avoid steep inclines, cliff walks too close to the edge, animal dens and nests, roadways, and rubble piles (to name a few).

SUSTAINABILITY: Trails must be designed with long-term maintenance needs in mind. The fewer structures installed on a trail the less expensive a trail will be to maintain. The more gradual the change in elevation on the trail the better. The harder the natural tread the better. The more obvious the corridor the better. A trail designed without soil retention and stability in mind is a liability as it will cost increasingly more money to maintain as we continue to see increasing major rain events. As critical failures in its design emerge it will require structure installation, reroutes, or other enhancements which will compound the cost of the trail and the impact on the resource.

HARMONY: A harmonious trail is one that aesthetically blends with the environment and balances the elements of interest, safety and sustainability. The differences between a harmonious and disharmonious trail are often subtle. Some features to consider are:

1. The trail leads where people want to go and does not corral them away from points of interest. Look to use patterns. If people are leaving the trail to see a lookout or a feature, consider making a spur trail to relieve the pressure on the trail corridor and contain the impact from wandering visitors.
2. The materials used to make the structures on the trail are natural or resemble the materials found regionally or the materials introduced into the environment are used consistently throughout the trail and create an aesthetic vocabulary for the site.
3. The trail's lay should not have abrupt or sharp angles. Switchbacks are a common exception to this guiding principle. However, switchbacks are most successful when they are built in a way that works with the flow of the trail. This is accomplished by using points of interest and anchors such as large glacial erratics, very large trees, or beautifully built staircases and retaining walls as points to pivot the walker/hiker around and redirect them. Without a feature to anchor the pivot of a switchback visitors will often split the difference and cut across switchbacks leading to a host of erosion and use based issues.
4. The lay of the trail should not have abrupt elevation changes and is gradual on the incline and decline rather than flat for a spell and then straight up a cliff or berm.
5. The corridor is consistent and easy to follow with the eye
6. The trail bed is not prone to dramatic compaction or erosion.

DESIGNING THE TREAD

Keep your trail **HIGH, DRY, HARD** and **VISIBLE** whenever possible. If the trail design is lacking any of these four elements, then additional resources will be required to build and maintain that section of trail. There will inevitably be spots on a trail layout that will lack at least one of these elements, but these areas should be minimized. If too much of the trail layout cannot avoid being soft, low, wet, or hard to follow, then consider abandoning the trail concept.

Soft trail beds often compact or erode creating a low trail (relative to the land on either side of the corridor). This means that water will flow to it and potentially pool there (leading people to walk around the trail or avoid it all together) or will rapidly erode the soils as water funnels across the trail. Structures will need to be installed to raise the tread or drain it (such as bog bridging, check steps, water bars, and turnpiking) and will increase the overall cost of the trail initially as well as increase the frequency and intensity of the required maintenance.

An unplanned wet trail will not be inviting, and people will walk around the wet section and spread the impact on the resource leading to braided trails and trampled vegetation (not to mention an ugly and disharmonious trail). However, a trail planned to feature a bog or one that needs to cross wet sections of land can be beautiful and made to be high, dry, and hard by installing bog bridging or in some cases bringing in fill and turnpiking. These are expensive options for building a trail that will have high recurring costs associated with maintenance.

Finally, a trail that is hard to follow because the corridor is not well defined or is not well signed will be unsafe, uninviting, not sustainable and will lead to increased and unwanted impact on the resource. The appropriate specifications for any given trail corridor will depend on the intended use. For example: a ski trail will need to be at least six feet wide and relatively flat side to side whereas a backcountry walking trail will be variable step to step but generally only four feet wide at chest height and eighteen inches wide on the ground. Signage should be minimal but thorough. Some sites will require blazing and others will be left natural depending on the needs of the community served.

Of note is the fact that most of MCHT's holdings are coastal and many (although not all), have wet, often peaty and organic soils. These soils are naturally more limiting for trail building than are gravel, sandy soils.

THE RIGHT TOOL FOR THE JOB

MCHT Stewardship Staff have long experimented with many different materials and methods for building trail. Though some standards for trail construction and materials have been adopted as standard MCHT procedure (such as the use of pan headed torque lag screws rather than nails and spikes for bog bridging) other decisions must be made on a site by site basis. A list of references to trail building resources commonly referred to and used by MCHT Staff is contained in the addendum below. **Using the right tool or material for the right job** with an eye towards **labor and material cost vs availability, longevity, and effectiveness** is the guiding principle of building trails with MCHT. Refer to the MCHT bog bridging procedures when creating bog bridging.

When a trail is being designed or a renovation is being planned, look to the local materials on site. If there is a wet spot that is near a stone deposit consider putting stepping stones or building a turnpike rather than purchasing, hauling and installing a series of bog bridges that will require replacement in a short 20 years. Stone is nearly always preferable to wood construction on a trail (despite the additional cost of labor often incurred during construction). Once it is set properly it should last indefinitely and if harvested on site, there is likely no cost for the project other than labor.

Should the wet section of trail not have any (or not nearly enough) stone nearby and be considerably removed from easy vehicular access then stone is not typically a viable consideration. It is costly,

physically exhausting, and potentially dangerous to haul in stone, gravel, or fill to a remote site. It is much easier to haul in timber lengths for bog bridging.

It is also worth considering harvesting spruce or cedar trees to create bridging or any other structure for a trail. In some situations, you can save yourself the labor and cost of purchasing and hauling timber into a remote site as well as do the forest a favor by selecting a few trees to remove that will provide more room for their neighbors to grow and make the forest more resilient as forest succession and age diversification is kickstarted. However, harvesting timber for a long length of bridging is often not a viable option as the resource must take precedent. Restrictions on the land must also be considered before any cutting takes place.

The intended use of a trail is also a critical factor in finding the right methods and materials for the job. A front country ADA trail in the center of Rockland will require an entirely different approach than a backcountry walking path on a semi remote island.

To be folksy: the important takeaway is that there are a million ways to cook an egg, but we should all be aiming for a similar end-result. A cost effective, well designed, cohesive, sustainable, pleasant and interesting... ..egg.

ADDITIONAL RESOURCES, MCHT PROCEDURES AND MATERIAL USES

Specifications for trail layout, structure design and installation, and best general trail building practices can be found in the resources listed below. These are not all inclusive and should be used as a helpful guide when assessing and working with facts on the ground. How the SCA says you should build a bridge will be different from ANP's bridge work and neither may be appropriate for a site you are working on. When in doubt, consult with other MCHT Stewardship Staff about best practices and optimal construction techniques for the project at hand.

1. The Student Conservation Association. *Lightly on the Land*. Seattle, Washington: The Mountaineer Books, 2008.
2. Appalachian Mountain Club. *AMC's Complete Guide to Trail Building and Maintenance*. Boston, MA: The Appalachian Mountain Club. 2008.
3. Parker, Troy Scott. *Natural Surface Trails by Design*. Boulder, CO. Naturoshape LLC. 2004
4. USDA. *Trail Construction and Maintenance Notebook*. Missoula, MT. USDA Forest Service. 2007.
5. NPS. *Acadia Trails Treatment Plan*. DC. Department of the Interior. 2006

BOG BRIDGING STANDARDS AT MCHT

Bog bridging is the placement of cedar walkways to span wet, eroded or heavily compacted areas on trails. Often, when a trail retains water or is muddy, trail users will seek the edge of the trail where it appears drier. Ultimately this will compact vegetation and soil thereby enlarging the trouble area resulting in an unsightly and unpleasant walk and an unsustainable

trail. By creating an elevated walkway, or bog bridge, the impact of the trail user is localized and damage to surrounding soils and vegetation is minimized.

It is a labor-intensive process and internal cost analysis has shown that, on average, one eight-foot section of cedar bog bridging costs approximately \$100 and lasts for approximately 15-25 years. Cedar is used because it lasts longer than most other woods and is relatively light, especially when dry. Because of the impermanence, labor and dollar costs, bog bridging should only be installed after all other options have been exhausted. These include finding a different trail route, using stepping stones, drainage or relocating the trail. Please note, relocating an existing trail may lead to the same problem in a different area later, therefore sometimes it may be best just to bog bridge over the existing problem.

There are 2 acceptable bog bridge building preferences used by MCHT staff. Both have the same common principles with the only difference being the use of cut planks or round cedar logs for sills. Cut planks are beneficial because they are easier to transport to the work site and are doubly convenient as they are the same material that is used as stringers. Therefore, only one type of product needs to be accounted for in the implementation of a bog bridging project. However, they lay low to the ground and can be easily absorbed into especially mucky areas requiring the trail builder to create a crib to elevate and support the stringers out of the mud. This process requires more material. Round logs allow for more lift out of the muck for the milled stringers to sit on. They also degrade more slowly than a milled piece of lumber and can sometimes be reused. Whether using planed or round sills, they should be cut into the ground surface, preferably into aggregate soils, to negate up/down and rocking movement.

All MCHT bog bridging sections are made with 2 or more sill pieces at least 2 feet wide topped by 4-inch-thick cedar planks or stringers. Each section is generally no longer than 8 feet long but can be shorter if the space requires it. For very wet trail segments, longer sill pieces or middle sill sections will distribute the weight over a greater area and avoid sinking into the mud. The surface cedar planking should be a minimum of 9" up to 16" wide, which means 2 pieces are laid side by side to create a more stable walking surface. Using 1" mesh chicken wire, closely stapled onto most of the width of the walking surface, will provide long-term traction for areas not in full sun, because the surface planks will eventually get slippery without added surface traction.

Milled planking and cedar logs can be used to build cribs to either level or raise the planking in uneven trail sections or over streams. The cedar cribbing can also be filled with stones to allow their stable placement in waterbodies such as intermittent pools, streams or sections of

emergent wetlands. ¹ Occasionally, in more remote areas, and/or properties with cedar, the planks are milled on site by staff and may deviate from the dimensions discussed here.

Building stretches of consecutive bog bridging sections along a trail is a great group volunteer project because completed results can be seen within a few hours. One of the keys to a successful volunteer day is for the group to see a successful project, or at least significant progress towards the completion of a project and bog bridging fulfills this goal.

INSTALLATION PROCESS:

- The length of the site needing bridging is determined and appropriate lengths of plank or stringers are laid out. The placement of the sills is marked. When laying out bog bridging attention must be paid to the transition from natural tread to bog bridging surface. Be sure to align the bridge in such a way that the trail does not take any jagged turns, does not rise or fall too dramatically (an 8" step should be the maximum) and that the planned bridging will not have any noticeable slope to it.
- The sills are dug slightly into the ground at each end of the plank or stringer to make the walkway level and to mitigate any tendency for the completed bog bridge to move laterally over time. Use a mattock to remove soil and rocks. Roots may need to be cut out with loppers or a hand saw. One advantage of using round, peeled logs in place of plank sills is that it allows for variation in sill size to adjust for slope differences.
- The planks are attached to the sills using 5/16" X 6" star-drive ceramic coated construction lag screws and a battery powered drill. No more than 6 inches should be allowed to overhang the sills at each end as this can act as a lever when stepped on and the entire bog bridge can be lifted out of place. Insert 2 lag screws into each sill; at least 1" from each edge of the planking and aligned over the center of the sill. The flat side of the planking should always be placed facing up because using a curved face can cause slipping off the plank surface.
- When making a bridge with two planks or stringers be sure to allow a fingers width between the two pieces when they are assembled on the sills. Too much space and someone can catch their foot in the gap and fall (it does happen) and too little and the space will gather detritus which will hold moisture and will speed up the decomposition of the wood that makes up the bridge.
- The width end of each section as it rests on the sill should be matched to the width of the next section of bog bridging, creating an aesthetic flow and safe transition from one bridge to the next.
- The odd curved cedar planks can be used to an advantage when matched to curved trail segments.

¹ There may be state or local permitting required for regulated areas such as the State of Maine Mandated Shoreline Zone or MEDEP/ACOE Jurisdictional Wetlands.

- Where 2 relatively straight sections meet at a curve in the trail, the plank ends may need to be cut at matching angles, using a chain saw, to butt bridges together tightly to avoid spaces between the two walking surfaces.
- Where there is slope on the trail, bog bridging sections should resemble long steps rather than be built on a slope if possible. This can be accomplished by setting the stringer or planks on a normal sill on one side and making cribbed baskets at the other end of a bridge to create height thereby bringing the overall walking surface of the bridge to near (or exactly) level.
- Some method of added traction should be added to the walking surface. One method that works well is stapling chicken wire to the plank surface. Chicken wire can be cut to width from a wider roll. Eight inches conserves material and creates a safe walking surface and the cutting can be done ahead of time. An alternative is special ordering 1-foot wide chicken wire eliminating the need for cutting.

MATERIALS:

Planks are 4" thick, at least 9 inches wide at the narrowest end and approximately 8 feet long. Sills can be round peeled cedar logs of various diameters or 4" milled cedar planking cut to at least 24" in length. For wetter areas, divide each log into three 32" sections. It is best to peel the logs before using so they dry faster and therefore last longer. To estimate the total number of linear feet of sill materials needed, it is usually 33-50% of the overall length of the bog bridging being constructed (i.e. twelve 8' sections of bog bridging = 96', therefore at least 48' of sill material will be needed for a total project need of 144'). If working with 8' sections of planking, remember it may be best to round up in total length of bridging section to a divisible of 8.

Cedar in Washington County is obtained from Pembroke Lumber, Tom and Joyce Pottle, Rt. 214, Pembroke, 853-4419(h), 214-7868(c).

Cedar for MDI is purchased from Tweedie Lumber, 188 Brooks Rd., Thorndike, ME 04986, 207-568-3632.

MOVING THE MATERIALS:

Planning ahead can save a lot of labor. The heavy cedar logs and planks need to be transported to the trail site where they are needed, so purchasing the lumber in advance and allowing it to dry a year before transport can cut up to 50% of the initial wet weight. It can be hand carried by one person on their shoulder, or by 2 people with pulp hooks or alternating shoulder and arm carrying methods. It should be brought closer to the trail site by boat, snowmobile or trailer when location and conditions allow.

EQUIPMENT NEEDED:

Planking Materials

Sill Materials

2 Chain Saws with 50:1 Gas, Bar Oil and standard chain saw tools

Personal Safety Gear (Chain Saw Safety Gear, Gloves and Steeled Toed Boots)

2 Mattocks

1 Rock Bar

2 Pairs of Loppers and 2 Small Handsaws, which will get dull quickly being used in the dirt.

(Dedicate these to this and future similar tasks and save the better tools for their prescribed less damaging activities)

1 Flat Bastard File for sharpening loppers as needed

2 Battery-Operated Drills

6 Fully Charged Batteries

3-4 proper sized Star-Drive Bits

5/16" X 6" Star-Drive Construction Lag Screws (2 per each sill)

1" chicken wire, purchased at 1' width or cut at least 8" wide and 8' long for each bog bridge section

2 HD staplers

3/8" staples

In March 2011 the U.S. Department of Justice (“DOJ”) announced new regulations affecting private land owners and operators, such as land trusts, that provide public trail access - whether or not a specific trail was designed, constructed and promoted as an ADA compliant trail.

These regulations are designed to increase accessibility of trails for persons with disabilities. Many of MCHT’s trails are not suitable for this use due to terrain, soils, surface conditions, limitations on location, etc. That said, we are trying to install more accessible trails when possible. Accessibility needs to be a priority as trails are designed and built, and all MCHT trails must have an assessment done to determine their accessibility by OPDMD’s (see Appendix J). These assessments are filed in the ADA Assessment folder in the Stewardship directory as well as the appropriate property file in the L drive. Their conclusions will be posted as needed at specific sites. Note the DOJ requirements re: wheelchairs below. We have developed sign language that, while not prohibiting wheelchairs, will indicate to users that wheelchair use on the trail is very difficult.

BACKGROUND

Wheelchairs: Under the Americans with Disabilities Act Regulations (ADA), MCHT must permit persons with mobility disabilities to use wheelchairs and manually-powered mobility aids on MCHT property that includes “human-made improvements” (including trail improvements) and is open to pedestrian use. “Wheelchair means a manually operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor or of both indoor and outdoor locomotion.”

Other Power Driven Mobility Devices: Under the ADA, MCHT must also allow persons with mobility disabilities to use “other power driven mobility devices” (OPDMDs) (ex. all-terrain vehicles, Segways, golf carts) on MCHT property that includes “human made improvements” and is open to the public if MCHT can make reasonable modifications to our practices to accommodate them. This applies to areas that are open on a limited basis (i.e. only during hunting season), during those open periods. OPDMDs may only be restricted or prohibited based on a site-specific assessment of the five factors listed below. Without such an assessment, the presumption under the law is that OPDMDs are permitted.

- a. The type, size, weight, dimensions and speed of the device;
- b. The volume of pedestrian traffic (which may vary at different times of the day, week, month, or year);
- c. The design and operational characteristics (whether its service, program, or activity is conducted indoors, its square footage, the density and placement of stationary devices, and the availability of storage for the device, if requested by the user);
- d. Whether legitimate safety requirements can be established to permit the safe operation of the other power-driven mobility device in the specific facility; and
- e. Whether the use of the other power-driven mobility device creates a substantial risk of serious harm to the immediate environment or natural or cultural resources or poses a conflict with Federal land management laws and regulations.

To comply with these regulations, we have developed a form to complete an assessment for all preserves that have trails (see Appendix J).

MCHT BOUNDARY LINE MARKING

For land trust fee lands, LTA Standards and Practices suggest that land trusts determine their property line boundaries and physically mark them to the extent possible or necessary. In general, this is a good practice for all landowners so that the landowner, abutters, and users know where the lines are. The following procedures describe MCHT's boundary marking practice.

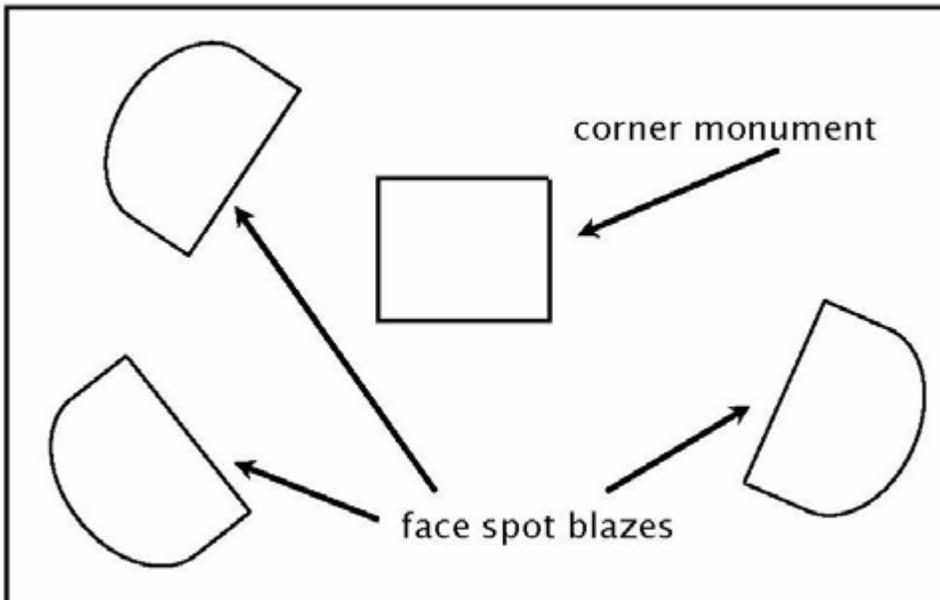
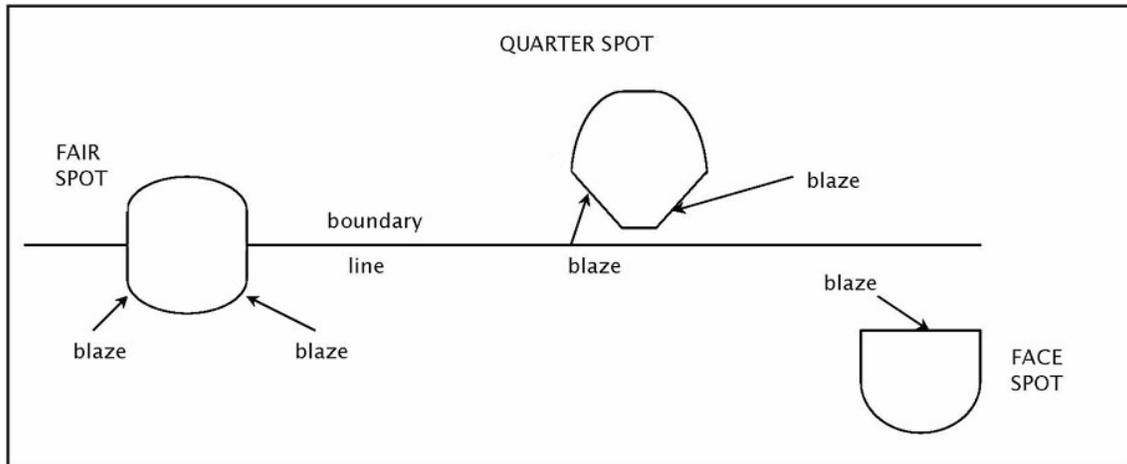
An "established property line" means a line demarcated by monuments, signs, markings, pins, reference points or other markers that denotes a change in ownership between abutting properties. These established property line markers must have been placed upon mutual agreement of the abutting landowners, based on historical physical evidence of a preexisting boundary line or by a licensed professional surveyor. Only a licensed surveyor can establish a property line if there are no existing blazes or monuments. Clearly marked boundaries help avoid encroachment when land management activities occur, such as timber harvesting and roads or trails being constructed. Before permanently marking the boundary by blazing and painting, the line should be walked with the adjoining landowner to ensure its location is mutually understood and agreeable. The abutting landowner's permission is required to blaze and paint individual trees on their side of the line or cut any of the vegetation on their property. Colored plastic ribbon or "flagging" is often used to mark the location of boundary lines, but it is suitable only for temporary use and should be followed by more permanent blazing and painting of trees along or near the line. For easier in field location of monuments, it does help to wrap each monument with one level of surveyor's flagging and maintain that flagging through time. Before permanently blazing a boundary, first be certain of the exact location of the line and seek professional surveying advice if there are any doubts. The general guidelines for MCHT fee land boundary line marking include:

The parcel should be surveyed and monumented in appropriate places by a Maine Licensed Surveyor; all corners must be monumented and other monuments, if practical, placed no more than 600-750' apart. Monuments are relatively permanent features like stone posts, iron bars, etc., that are established by the surveyor. Tree blazes are not monuments, unless referenced in the deed. Unless as just noted, they are only an approximate signifier of where the line lies. The Maine Board of Licensure for Professional Land Surveyors requires new monuments that the surveyor set be identified, which usually is a metal or plastic cap with their license number and name on the monument.

1. Where trees are to be blazed, cut into the tree at about 4 to 5 feet above the ground (DBH) removing only enough bark and outer wood to make it visible. Make the mark 5-6" long and 3-4" wide. Make one or two final cuts to leave a chip of wood firmly attached but sticking part-way out from the trunk. For best results, allow the newly blazed surface to dry before painting.
2. Do not blaze over old blazes. Leave them as supporting evidence of the original location of the line.

3. Paint both the debarked surface and the surrounding 1-2" of bark. This will allow the uncut, painted surface to remain visible longer if the blazed mark becomes covered with callous tissue as the tree grows. Repaint only the outer edge of old blazes to make them more visible. Use a bright red durable brush-on paint, such as a marine-enamel or a polyurethane-based paint. Some hardware supply stores and mail order companies sell paint specially made for marking boundary lines.
4. Use two blazes, called fair spots, when the line goes through the center of a tree (one spot where the line goes "into" the tree and another spot on the opposite side of the trunk, where the line "comes out of" the tree). Two blazes, called quarter spots, can be made on a tree which the line just "grazes," or goes through the edge but not the center of the trunk, with the diagonally-placed spots facing the line. (see diagram below).
5. One blaze, called a face spot, is used on a tree which the line goes by but does not touch. Avoid marking any trees that are farther than three feet from the line. (see diagram below).
6. Mark trees close enough so that from any mark you can see the next blaze in either direction.
7. Property boundary corners or corner monuments should be identified by three witness trees. Witness trees are differentiated from line trees by their three vertical blazes, (one on top of the other), rather than the one or two opposite horizontal face spots on a line tree. To make a witness tree at the corner of a surveyed boundary line, blaze and paint three face spots in a vertical row, (one on top of the other), facing the corner monument, on each of three trees facing the corner monument. Otherwise, follow the same size guidelines as for blazing face spots and the same techniques as painting trees. (see diagram below). If no trees are available to create witness trees, and if possible, wrap the monument with three vertical levels of surveyor's flagging.
8. Blazing is not necessary on boundary lines that run along existing roadways or water edges but is necessary on all other lines including; established field edges, power lines, or otherwise obvious and disturbed shared boundaries between landowners.
9. The lines between blazes are to be brushed in a manner that one can easily walk the line and the blazes are visible from one to the next, in either direction. Pruning limbs to head height and cutting small trees along the line will help.
10. MCHT preserve signs (medallions) should be placed next to blazes every 300' where the line is visible from public vantage points and at all corners regardless of whether the line can be viewed from public vantage points.

If MCHT staff is not performing the work themselves, it may be contracted to a surveyor or subcontracted by the surveyor. If none of those options work, then a forester may be contracted to perform the service. Many surveyors will not blaze or brush out someone else's surveyed line and so when a surveyor is contracted, be sure to have a plan in place to bring the surveyed line up to the standard described above. Ideally, stewardship staff should maintain the lines to the initial standard by clearing the lines of vegetation and ensuring the painted blazes remain clearly visible. This standard should be maintained and will require effort as needed dependent on the site or every five to six years on the outside.



EQUIPMENT USE AND MAINTENANCE

As MCHT's Stewardship Department continues to take on an increasingly diverse portfolio of fee properties, the equipment required to manage these lands efficiently and cost effectively will be operated and maintained by many stewardship staff and volunteers. Due to the demand on shared equipment, staff have determined that procedures must be in place for the safe operation and maintenance of the various equipment used by Stewardship staff.

At all times, we want the right tool to be used for the job, and we want the operator to be well trained in its use. It is the responsibility of the operator's direct supervisor to determine which equipment is needed and if the user is qualified to operate it.

TRAINING:

Prior to operating any equipment, all staff or volunteers need to be initially trained and/or "authorized" by an MCHT staff person with prior experience with said equipment

- Trainer must be proficient in use and maintenance of equipment in question and be accountable to standards set forth by agreed upon MCHT staff practices
- Training must be done in a thorough and considerate way that attends to the needs of the trainee
 - Do not rush the training
 - Emphasize safety first
 - Consider the trainee's prior experience
 - Allow for the fact that the trainee may not reach the skill level required to use the equipment safely and be authorized for use
- Required training will vary by type of equipment and may require the trainer shadowing the trainee multiple times prior to being "authorized" (see: boat operation, chainsaw operation)
- Training must include
 - A basic rundown of how the equipment works
 - Proper operating procedure including:
 - Intended and designed uses
 - Fueling (when applicable)
 - Proper start and stop (when applicable)
 - Safety precautions
 - Body mechanics
 - Insights into efficient uses
 - Equipment limitations
 - How to properly transport the equipment
 - Basic trouble shooting insights
 - Routine maintenance requirements

USE:

As MCHT staff share equipment, regular and excellent communication between users is essential. All long-term use needs must be communicated to and agreed upon by users in a timely manner. Project schedules dependent on specific equipment should not be unexpectedly interrupted. Specific regional protocols will dictate this practice.

In every region, MCHT staff will observe some universal standards while using MCHT equipment and tools. These standards are:

- All equipment will be used with best safety practices in mind
 - Equipment must be used for intended purpose
 - Equipment must be used in accordance with training
 - Wear all appropriate and up to date safety equipment in prescribed manner
 - Proper body mechanics must be observed (see chainsaw use)
- All equipment will be stored properly after use so that the next user will find the equipment operable and in sound condition.
- Any equipment failures or damage will be promptly communicated to regional staff and addressed as soon as possible so that the compromised equipment will minimally impact the project schedules of other staff dependent on it. It is the responsibility of the user, in consultation with their supervisor, to get the gear repaired or to make other arrangements.

MAINTENANCE:

Shared equipment can take an elevated level of abuse. To minimize damage to MCHT tools, equipment and gear, special effort must be made to ensure that it does not suffer a shortened lifespan.

- Gear must be regularly maintained and kept free of taint when placed in storage
- Gear maintenance varies but must be done in accordance with best practices set by manufacturer and MCHT training
- Any equipment failure or maintenance that goes beyond staff abilities must be handled by a professional and communicated to the regional staff affected in a timely manner.

CHAINSAW OPERATING AND MAINTENANCE PROCEDURES

Stewardship staff developed this chainsaw operating and maintenance guideline in 2018 to formalize existing practices. The goal is to ensure the safe operation, and diligent maintenance of MCHT's chainsaws and related equipment. Its creation is a direct response to an increase in regular use of chainsaws by staff and volunteers working to maintain MCHT's lands.

TRAINING:

All staff and volunteers undergo an MCHT training or refresher before using a chainsaw on the trust's lands. Training is to be provided by the MCHT designated staff chainsaw trainer when possible. If the new employee or volunteer has significant chainsaw experience/expertise, then they can be shadowed for a day of chainsaw use by an experienced staff person willing to "authorize" their use. The S212 training, Game of Logging section 1-3, Forest Service Red Card, or a lifetime of verifiable use may be sufficient trainings to warrant someone being authorized rather than required to attend an MCHT training.

To be "authorized" for chainsaw use by MCHT staff the user or trainee must demonstrate:

1. Basic understanding of the individual parts and operations of a chainsaw
2. Conservative use of the equipment and respect for the nature of the tool
3. Understanding of the tool's limitations
4. Proper use of safety equipment
5. Understanding of compression, tension, and twist
6. Proper body mechanics
7. Understanding of kick back, why it happens, and how to prevent it
8. Understanding of maintenance for the engine, the bar and chain, and the safety equipment

OPERATION:

Whenever possible, MCHT staff and volunteers should operate saws with at least one other staff person or volunteer within hearing or sight range. However, a safe distance must be maintained to prevent accidents. A simple rule of thumb is to keep 25' between someone operating a saw and anyone else. Greater distances and considerations should be made while cutting larger piles of dead trees, complex cuts, tree felling, or any cutting that will release a significant amount of kinetic energy. One exception is for swamping. Swampers sometimes work closer to saw operators. It is essential to keep constant communication between operator and swamper through hand gestures, hollering, and eye contact whenever the saw is running.

MCHT staff and volunteers often use chainsaws alone in remote areas. As such it is important that chainsaw operators observe best practices when carrying and operating chainsaws. Some practices to observe are:

1. Never operate the saw in unsafe conditions such as heavy rain or high winds, on a steep icy cliff
2. Never operate the saw when you are tired, sick, injured, or otherwise impaired
3. Never cut something that you are unprepared for or if you cannot track the tension, compression, rebound and twist
4. Only use the saw when it is properly sharp and honed
5. Only use the saw when the chain break and safety throttle are in working order
6. Only use the saw when the chain is properly tensioned, and the clutch cover is on
7. Only use saw when wearing all appropriate safety gear

MAINTENANCE:

A well maintained and finely tuned saw is a safer saw. As MCHT staff in most locations share tools, it is important to be sure that all chainsaws and associated equipment are properly maintained and tuned after each use so that equipment readiness will not interrupt the project schedules of other MCHT staff and volunteers.

A well-maintained saw is less prone to failure and will ultimately cost less to keep in use. A dull chain or flared bar will create friction and dull more rapidly and shorten the life of both components. Increased friction causes the chainsaw engine to work harder and could overwork the machine. By keeping the chain properly sharp and balanced with its rakers it will take less time to hone the chain and it will last longer and cut better which will save time and fuel. By honing and cleaning the bar you ensure that bar oil can be properly distributed, and friction is minimized which will protect the life of both components.

Regular maintenance should include:

1. Sharpening teeth and adjusting rakers
2. Cleaning and de-burring bar
3. Cleaning bar oil eye and underneath clutch cover
4. Clean air filter
5. Cleaning and drying chaps bi-monthly or whenever chaps are gunked up

If issues arise with the saw do not tinker with the engine. Bring it to a professional.

If a saw is going to be unused for an extended period of time, it should be filled with either gas with no added ethanol (airplane fuel) or pre-mixed and treated fuel, sharpened, cleaned and stored in a dry place.

MCHT manages preserves and easements along much of the Maine coast, requiring that staff and volunteers use boats to perform our work. Except for a handful of islands with state or private ferry service, most of our activity is in places requiring access by private boat. These places range from relatively protected river or near shore islands, accessible at times by a small inflatable or sea kayak, to exposed outer islands requiring good weather and more substantial vessels for safe access. In addition to varied areas of operation, the spectrum of our work ranges from simple easement or preserve monitoring to large trail, structure or shore cleanup projects. We may need to move a single steward, a load of materials or trash, or any number of staff, volunteers and equipment. While our need to work on the water is obvious, safe and conservative boating operations take priority over getting stewardship work done. When in doubt, waiting for a better day or the right conditions is usually safer and more efficient.

Maine has frequent localized marine challenges, with increasing tide ranges and associated strong currents as one heads east and frequently fog in summer along most of the coast. There is no substitute for experience when it comes to operating a boat in this environment, and MCHT is careful to make sure that staff are competent for the types of boating operations they may perform in MCHT vessels. Staff arriving at MCHT with considerable marine experience are at least checked out by the most experienced staff. Usually the current staff holding USCG licenses perform that evaluation. Staff with less time on the water, build experience through training and operating with more seasoned staff, and year-round staff may be asked to complete a safe boating course unless already licensed or very experienced. Once checked out to use a boat, staff with low experience first operate with the general oversight of more experienced staff, requiring approval for each trip for at least the first season of solo operations.

MCHT's boat fleet is also evolving to meet our needs, and currently is in a trajectory for more uniform vessel types with lower ongoing maintenance costs. As of spring 2019 we own four welded aluminum Pacific Boats ranging from 19' to 26', all of which have similar systems and general handling tendencies. We also have an 18' Lund, a 17' Whaler and a number of inflatables with small outboards, and sea kayaks. While every boat has specific knowledge points and quirks, the current fleet is about as simple as we can reasonably achieve with none of the vessels requiring significantly more experience or knowledge to operate than any other. The intent is that if staff are competent and safe in one boat, they should be able to operate any of the MCHT boats after an introduction to the differences.

The outline and documents that follow capture the basic process for use of MCHT boats. This includes required training or experience, general operating procedures, and specifics for different

vessels. If questions arise about boat use or operation that don't fit into these procedures, be sure to check with the Director of Stewardship or USCG licensed staff.

1) Operator requirements & training

a) Prior to operating an MCHT vessel, staff must demonstrate adequate experience, knowledge and training for the types of vessel(s) and area(s) where the boat(s) will be used. Experience and knowledge will be evaluated by MCHT's designated staff, who will determine if any additional training, including safe boating course is required. Evaluation should include:

- (1) Trailering, launch and retrieval (if applicable)
- (2) Boat handling and docking
- (3) Specific engine operation and limitations for each vessel used
- (4) Basic boat systems and equipment
- (5) General piloting
- (6) Chart reading and basic navigation
- (7) Anchoring and landing
- (8) Sources of marine weather forecast and conditions (along with go/no go parameters)
- (9) Float plan use
- (10) VHF Marine Radio Use (16/9, 22A, working frequencies, security calls)
- (11) Chart plotter and radar use
- (12) Safety equipment and emergency procedures
 - PFD's wearable and throwable
 - Fire extinguishers
 - Flares and visual signals
 - Sound signals
 - Making a distress call on VHF radio
 - Use of available personal locator beacons

b) Persons with insufficient experience/knowledge may be required to attend an approved safe boating course* and receive in house training on the vessel and area of operation. Training should include:

- (1) Same list for 1a
- (2) Systems, equipment and operation specifics of the actual boat to be used
- (3) Training on specifics of areas of operation

*Experience to be evaluated by Stewardship Director and/or most experienced staff. Experience, type of boat use required, and area of operation will dictate need for outside training.

c) Staff coming to MCHT who hold USCG Master or OUPV credential should also receive training on vessels to be used and review of areas of operation. Training, documentation of prior

experience or USCG license will be recorded on the Staff Boat Training Documentation form, filed with the Director of Stewardship.

- d) For all operators, once adequate experience and training have been verified or received, all operators must be checked out by designated staff and then added to the MCHT Insurance Policy prior to boat use (with approval from Stewardship Director).
- e) Operators in their first season of solo boat use and all seasonal staff shall have oversight of all trips. Either a supervisor or designated staff may fill this role. Oversight must include:
 - (1) Review of applicable marine forecast and conditions
 - (2) Locations to be visited and routes of travel
 - (3) Active float plan with regular check ins (a simple text exchange when starting a significant leg and when arriving at the destination is adequate)
 - (4) Final approval of the planned trip
- f) Volunteers operating MCHT vessels without staff must be USCG licensed with a copy of their credential on file with MHCT. They should also receive training on vessels to be used, review of areas of operation

2) MCHT Boat Use

- a) Once trained and on MCHT insurance, staff will follow any current procedure for signing out a vessel for use, and will:
 - (1) Only use vessels trained on and approved to use
 - (2) If multiple vessels are available, utilize the most time and fuel-efficient vessel for the day/task/payload. Unless a larger boat is essential, smaller boats should be utilized first if available.
 - (3) Verify marine weather forecast for period of trip - No intentional operations with a small craft advisory or warning (without approval). Open boats use must also consider lightning safety, and not operate with approaching or nearby lightning activity.
 - (4) Fog considerations: Fog is a common occurrence along the coast of Maine, and some summers we would not get out for weeks if we waited for good visibility. With modern electronics, operating in thick fog is relatively easy and stress free. However, boating in fog does require experience and training for an operator to be competent and safe. Unlicensed staff need to log actual training and experience in fog prior to solo operations in these conditions, as well as needing to be approved for operating in such conditions. Staff also need to show basic proficiency in navigating without electronics in the event of a systems failure. Operators shall also check the following prior to operating in fog.
 - Verify running lights are working and on

- Sound device available and working
 - Navigation electronics on and functioning
 - Monitor VHF 16 underway for security calls and make such calls if appropriate
- (5) Night Operations: MCHT rarely has a need to operate at night in dark conditions. The high volume of lobster trap gear usually makes this a tedious and slow endeavor. Night operations should be avoided when at all possible, and if needed only done so with approval from designated staff. The combination of fog and night should be avoided except in emergencies. If a night trip is needed, verify the following prior to departure:
- Verify running lights are working and on
 - Navigation electronics on and functioning
 - Utilize waterproof MOB lights attached to PFD's
- (6) File and follow an MCHT float plan
- An annual general float plan will be completed and kept on file for each operator with a copy maintained by the Director of Stewardship in Topsham. Includes:
 - (i) Primary and alternate contacts and info (must include MCHT staff relevant to region, but a personal contact may be included)
 - (ii) Specifics of each vessel that may be used (vessel make/size, registration, description, safety gear)
 - (iii) Summary of daily float plan procedure:
 1. Shared calendar use indicating operator, vessel, locations to be visited, and expected departure and return time
 2. Use of a text group including relevant staff in region: report start of trip, relevant in-between points or timed check in*, and report off the water for the day. *To be determined regionally, but need check in intervals so a boat is not gone for the day without updates
 - (iv) Signed by employee
- (7) Staff with low experience and all seasonal staff will operate with the oversight of a more experienced staff member (verify weather and route, frequent check-ins during day, and approval for each use).
- (8) Follow operation checklist and procedures for the vessel used.
- (9) Vessels are MCHT assets and shared by numerous staff. At the end of each use it is expected that a vessel will be left reasonably clean, fueled if needed, and boat equipment is left stowed and ready for the next user. If unable to fuel when needed or if maintenance is required, prompt communication with the relevant regional staff must be initiated ASAP. Regional staff will then work together to resolve needs to get boat back to service.
- (10) Operator and passengers will all wear USCG approved PFD's while underway.

- (11) Unlicensed operators may not carry passengers for hire (any passenger that has paid a fee to MCHT related to the boat trip – i.e. an MCHT fieldtrip with a fee for participation that includes transportation)

3) MCHT Designated Staff

The Stewardship Director may designate staff experienced in boat operations to oversee training, evaluations, and oversight of boat use. Current staff filling this capacity:

Southern Maine to Rockland: Amanda Devine

Pen Bay to Lubec: Terry Towne and Douglas McMullin

4) Boat and Onboard Equipment Maintenance

MCHT Vessels are kept up and down the coast and fall under the responsibility of staff in each of the regions. Each vessel will likely have specific needs known to its operators, but the following list is meant to cover the major points that need to be covered.

- (1) Annual registration will be completed each spring prior to use by staff in the offices that utilize each vessel. State registration stickers (and if applicable freshwater use stickers) will be affixed to the boat prior to the first operation each spring. The paper registration should be scanned and kept on file, with the original being kept in a waterproof container on the respective vessel.
- (2) Safety equipment shall be evaluated, maintained or replaced prior to the start of each season. This will include evaluation of:
 - PFD's
 - Throwable floatation
 - Flares or visual signaling devices
 - Running lights
 - Sound devices (either built in or handheld horns)
 - Bilge Pumps (electric and/or manual)
 - Fire extinguishers
 - VHF Radio (execute and log an early season radio check)
- (3) General annual maintenance will be the responsibilities of staff using the boats in their respective regions and at a minimum shall include:
 - Engine service by qualified mechanic (annual service, oil change per engines schedule, and winterization)
 - Appropriate bottom painting for vessels kept on moorings
 - Check and/or replace anodes on hull and engine. Make sure you are using the appropriate material for the hull of the vessel.
 - Inventory & inspection of dock lines and fender gear
 - Inventory & inspection anchors, chain and rode

- Confirm boat checklist or operating procedures onboard
 - Confirm current chart book and log onboard
 - Confirm that a set of dividers and parallel rules onboard
 - Check electronics and VHF for functionality and updates
 - Inventory & inspection of tools
- (4) Trailers for boats are also the responsibility of the stewards in each region and maintenance shall include:
- Maintain current state registration and tags. Best to keep trailer registration with boat registration in case a different truck is used to tow.
 - General inspection of frame and roller or bunk system
 - Visual inspection of springs for significant corrosion or breaks
 - Tires kept to listed inflation and inspected for damage or dry rot. Replace as needed.
 - Trailers with brakes need inspection of disks or drums, hydraulic fluid and connections.
 - Trailer lights must be working for night time towing, and should ideally be working for daytime as well.
 - When at all possible, flush trailer brakes with water after each use in saltwater.

STEWARDSHIP PROJECT PERMITTING

Many stewardship projects, such as trails, signs, bog bridging, kiosks, parking lots, etc. may be regulated and therefore may need permitting either from the local municipality, Land Use Planning Commission (LUPC) for unorganized territories, Maine Department of Environmental Protection (ME DEP) and Maine Department of Transportation (ME DOT). Because these regulations differ from one jurisdiction to another, it is impractical to list what may or may not be required. Therefore, the best practice before proceeding, is to contact the local municipality's Code Enforcement Officer or the LUPC Regional Office, ME DEP and ME DOT for an informal discussion of the project to determine if the project may fall within any of their permitting requirements. If the project does fall within any of those entities' jurisdiction, their representatives usually are very helpful in assisting with the permitting process. Contact information for the local municipality, LUPC Regional Office and the ME DEP regional offices all can be found online. These processes can take several months, so allow plenty of time to actually get a needed permit.

WILDERNESS FIRST AID

MCHT Regional Stewards must maintain Wilderness First Aid (WFA) or Wilderness Advanced First Aid (WAFA) certification through Solo, WMA, NOLS, or a similar organization. Given the remote setting of many MCHT properties where Stewards work, WAFA certification is preferable to WFA, but WFA is acceptable in the event WAFA course offerings are not convenient. MCHT will cover the cost of wilderness medical certification up to WAFA standard; Stewards wishing to maintain a higher standard of care (such as WFR or WEMT) must cover the additional cost of these trainings. Stewards are responsible for locating and budgeting for these courses in order to keep their certifications current.

Generally, MCHT will not reimburse seasonal Stewardship staff for wilderness medical training but may require it for leadership positions.

ENVIRONMENTAL HAZARDS (TICKS, BROWNTAIL MOTH, ETC)

Stinging and biting insects, dermatotoxic plants and pests, sunburn/windburn – these are all part of the environment in which stewardship staff work. Ticks spread serious diseases, notably Lyme, anaplasmosis, and Powassan; brown-tail moth, cow parsnip, and poison ivy pose significant skin and respiratory hazards; and excessive sun exposure can have long-term negative health consequences. Stewardship staff are expected to recognize these environmental hazards when and where they are present, and to take appropriate precautionary measures to mitigate them (insect repellent, appropriate clothing, sunscreen, etc.).

At the time of writing, MCHT is supplying permethrin clothing treatment to field staff; this may change in the future.

INVASIVE PLANT SPECIES CONTROL PRACTICES

Non-native invasive plant species are a serious and growing threat to conservation lands throughout most of Maine. These species lead to a host of adverse and often cascading impacts, ranging from displacement of native plants on which other wildlife depend, to changes in soil chemistry, to loss of recreational value, and in many instances to significant ecosystem disruption such as cessation or dramatic alteration of plant succession. Taken as a suite of threats, proliferation of invasive species ultimately reduces conservation values and resilience of protected land. For these reasons, Stewardship staff will seek control of non-native invasive plants on MCHT fee holdings. The word “control” is used intentionally, as elimination is not always an achievable goal.

Where populations are small or very small (under an acre of dense invasives or a few acres of sporadically occurring, isolated plants), elimination should be the goal, further recognizing some species are easier to manage than others.

Where invasives are well-established, long term management to avoid further spread and gradually reduce the level of infestation should be the goal. This could take 5-10 years of incremental work, with an initial large-scale effort (possibly contracted out, and often involving mechanical removal of significant swaths of vegetation), followed by punctuated and carefully-timed chemical treatment.

In some instances, one or more invasive species may be so well established that anything other than containment is cost-prohibitive. In these rare circumstances, staff should seek to map the extent of the invasion, and vigorously monitor for and eliminate species found spreading outside the core. When and if the significant resources required for tackling a large-scale restoration project become available, reducing the size of the core infestation should be the first goal, and a stand-alone plan should be developed.

In general, staff should use the principles of integrated pest management (IPM) and adaptive management to address invasive plants. IPM seeks control of target species while minimizing harm and disruption to the environment, including humans and non-target species. Often, this means accepting low levels of invasives present following a major control effort, as complete elimination often requires a “scorched earth” policy which may do more harm than good. One difference in traditional IPM strategies and MCHT practices is that of thresholds: IPM practices often identify a threshold for a pest population beyond which action is taken; MCHT should instead employ an “early detection, rapid response” practice which seeks immediate elimination of very small populations or isolated individuals. In other words, staff should “terminate with extreme prejudice” the first tendril of any invasive plant detected on an otherwise un-invaded preserve.

As some level of chemical control will almost always be required, please refer to MCHT’s Herbicide Use Practices, which were developed to ensure safe and effective use of herbicides.

A final note: not all non-native plants are a serious threat. Control of “weedy” species like climbing nightshade (*Solanum dulcamara*) is generally not worth the effort. Other species, like Canada (alternately, creeping) thistle (*Cirsium arvense*), may be warranted in some circumstances (such as pasture) but not others. Refer to the Maine Natural Areas Program for a current list of non-native invasive plants that warrant management.

RATIONALE

As a conservation organization, Maine Coast Heritage Trust acknowledges the potential for herbicides to contaminate soil and water, damage or kill desirable organisms and present a possible health risk to both employees and the general public. Through appropriate training, scrupulous herbicide selection, storage, mixing, application and reporting practices; and given the high ecologic costs of inadequate invasive species control, MCHT feels that the relative risk posed by herbicide use is justified. What follows are practices MCHT should follow when utilizing herbicides. These practices should be evaluated and revised periodically.

STAFF TRAINING

Unlicensed MCHT staff using herbicides shall be properly trained by the licensed Master Applicator. Training topics will include regulations, appropriate protective equipment, procedures for mixing and storing products, equipment maintenance, emergency procedures, interface with the public, and application methods.

HERBICIDE SELECTION

MCHT will always seek products and methods that pose the least threat to human health and the environment. This includes choosing products that have low toxicity, low volatility/potential for drift, low residual soil time; formulations that pose the least risk during mixing and storage (e.g., concentrates versus dusts or wettable powders); and low-volume, targeted application methods (e.g., stem injection versus foliar spray).

STORAGE

Herbicides shall be stored according to the product label and to recommendations and requirements imposed by the Board of Pesticide Control. Further, staff will purchase judicious amounts of herbicide so that an unnecessarily large inventory does not accumulate.

Staff shall strive to use all mixed herbicide in the field. In the event that unused herbicide remains in application equipment, it should be used within 1-2 weeks or else poured into a labeled container for future use. **Application equipment must be labeled with product name and concentration (e.g., 5% Rodeo + surfactant).**

TRANSPORT

MCHT shall transport herbicides in secure locations that are separated from driver and passenger – ideally, in the bed of a pickup truck equipped with a locking cap. A Rubbermaid or similar bin works well in the event of any leaks. When transporting pesticides, MCHT staff should have a basic spill kit available at all times, which should consist of suitable gloves (e.g., nitrile), absorbent material (kitty litter), trash bags, a shovel, and appropriate emergency numbers stored in a five-gallon bucket.

SAFETY

When applying herbicides, MCHT staff shall have a spill kit (described above) and first aid equipment immediately available. First aid equipment should include a minimum of saline eye wash and at least 1 gallon of clean water.

Further, MCHT staff shall always have copies of product labels and material safety data sheets (MSDS) and relevant emergency numbers (Maine Department of Environmental Protection, Maine Board of Pesticide Control, Poison Control) whenever applying or transporting herbicides.

NOTIFICATION AND SIGNAGE

MCHT's licensed Master Applicator shall keep track of all persons on the Maine Notification Registry and take responsibility for ensuring appropriate notification.

If un-licensed applicators use general use herbicides on MCHT properties without either a Master or Operator Applicator present, staff shall post all areas treated as "CLOSED" for seven days following application. Licensed applications using cut-and-paint, injection or basal bark treatments do not require posting, nor do licensed applications of general use herbicides (e.g., Round-up).

MIXING

State regulations require that no product be mixed within 50' of any wetland or open water. Staff shall follow all label directions when mixing herbicides.

Mixing procedures should be as follows:

- Calculate quantities of herbicide and water needed to reach desired concentration.
- Fill sprayer about half full with water.
- Measure herbicide in dedicated measuring cup, add to sprayer.
- Measure surfactant in same measuring cup, add to sprayer.
- Triple-rinse measuring cup, pouring rinsate into sprayer each time.
- Finish filling sprayer with water. Note that the higher the water pressure is, the more foaming there will be – go slowly and under low pressure.
- Put top back on sprayer and agitate gently to mix.

APPLICATION

MCHT staff licensed as either Operator or Master Applicators may oversee herbicide use by un-licensed handlers provided the Operator or Master is within continuous visual and voice contact. Un-licensed staff may apply general use herbicides according to label directions without either an Operator or master Applicator present.

CLEANING EQUIPMENT

After applying mixed herbicide, all application equipment should be thoroughly cleaned. When the container is empty, fill with a couple liters of water and re-pressurize. Spray rinsate on undesirable vegetation if possible, or the gravel behind the MDI barn. Refill equipment and repeat this again. For a final rinse, spray down inside and outside of equipment, including handles, nozzles, backpack straps, etc. Remove hoses for storage to let water drain out completely, and so that kinks in the hose don't develop (these can cause leaks over time). Let dry completely with cap off before storing.

DISPOSAL OF EMPTY CONTAINERS

MCHT staff shall triple-rinse all containers and dispose of the rinse liquid in a reasonable application method (e.g., spraying on a target plant). Disposal shall follow label instructions and requirements outlined in Chapter 21: Pesticide Container Disposal and Storage.² See note above about storing unused herbicide.

REPORTING

MCHT's licensed Master Applicator shall ensure that pesticide application records are kept for a minimum of two years following each application. Where applications are made by an Operator and without the supervision of a Master, the Operator shall be responsible for creating records. These records shall follow Chapter 50: Record Keeping and Reporting Requirements. The Master Applicator shall also be responsible for completing annual reporting requirements to the Maine Board of Pesticide Control, also following requirements outlined in Chapter 50.

DECISION MATRIX FOR USING HERBICIDE

MCHT staff shall use herbicides for control of non-native invasive plant species and other problem plant species (e.g., poison ivy) in conjunction with mechanical and manual control when possible. A good method is to cut vegetation in early summer, then return to spray the re-sprouts in late summer or early fall – this reduces the amount of herbicide needed and increases efficacy. Where infestations are small and involve species, whose control may be achieved by cutting or pulling/grubbing (honeysuckle, barberry), those methods shall be attempted first. Where invasives overlay or are immediately adjacent to sensitive resources (public drinking water sources; rare, threatened or endangered plants), limited chemical control should only be undertaken if other methods are ineffective AND inaction poses a serious risk to the ecological integrity of the site. There may be situations where chemical control is never appropriate (e.g., where the public is adamantly opposed or where a local ordinance bans their use); in these circumstances containment is likely the best policy if non-chemical control is ineffective.

² See Maine Board of Pesticides Control Website

MCHT PROCESS FOR USING SIGNS

At most MCHT preserves, some kind of sign is installed. This document reviews the reasons for sign installation, MCHT's philosophy on signs, basic guidelines regarding when and where to install signs, and the types of signs used by the organization. These procedures have been developed over time, with input based on the experience of many staff. It's expected that all staff will consult with others before making final decisions on major sign placements.

WHY INSTALL SIGNS?

Signs are installed on MCHT properties for the following reasons:

- To welcome visitors
- To inform visitors that MCHT is the landowner
- To provide contact information so visitors can communicate with MCHT
- To inform visitors of any use guidelines or restrictions that apply as they use the land
- To inform visitors about history of the property, significant features, sensitive features, acquisition history including donors and partners.

MCHT SIGN PHILOSOPHY.

Over the years, MCHT has tried to use signs that inform but don't dominate the landscape. In the early years, the organization tended to use less rather than more, which in some cases meant no signs at all. This was a result of the desire to maintain a wild, natural feel on our properties, especially on "wild" islands. As public use patterns and expectations have changed, we have realized the need to inform visitors about acceptable uses and the fact that our properties are protected and are open to the public (or if closed, are that way for good reason), and as MCHT has realized the value of visitors knowing who the owner is, we have developed a practice of installing some sign at every property.

Generally, we want our signs to be informative and unobtrusive, but visible for visitors. We do not want our signs to dominate the landscape.

GUIDELINES FOR INSTALLATION

Generally, where possible, some sign will be installed at each property. This can be minimal (a small 4" x 4" diamond that simply contains MCHT's name and contact information) on small and isolated properties, or can entail a full sign build out, including one or more large wooden routed or blue and gray vinyl welcome signs, a large kiosk with a blue and gray vinyl banner, use guidelines, trail maps, registration forms, brochures and other information and signs along trails directing people where to go and informing them of mileage. Every property is different, as is the type and level of public use it receives. We never want to overuse signs, but do want our signs to be clear, inform visitors of any restrictions, and be aesthetically appealing. We assume a certain level of common sense and knowledge on the part of visitors to our lands and expect visitors to find their way with minimal direction. Our trails are typically footpaths through the

woods, rather than posted roads. Our campsites are generally primitive. Visitors are expected to be self-sufficient.

The following guidelines indicate the standard arrays of signs to be used at most properties. Stewards will need to determine which level and type of sign is appropriate for each property. In general, at a new property, we will take a few years to install permanent signs and sometimes wait a year or two to install any sign at all. Most often, an initial “temporary” sign will be installed to simply let folks know that we own it, that it’s open (or not) to the public, and any initial restrictions or guidelines. Once the management plan has been created, more permanent signs will be created. On a typical preserve with trails, there may be a wooden or vinyl welcome sign with the name of the preserve and then, at the entrance to the trail(s), or a short distance down the trail, a kiosk (or something smaller) may be located with guidelines posted, a map, and a sign-in form. Simpler properties might have a subset of the above such as a small welcome sign and instead of a kiosk, one metal sign with guidelines and a map of the property. These can be attached to a tree or posted on a stake.

In 2017, MCHT worked with a designer to develop a new preserve signage standard guide which helps outline the rationale for choosing cedar versus vinyl welcome signs as well as design specs for both. The guide is attached as Appendix G.

MINIMUM SIGN

Small 4” x 4” metal diamond signs posted on trees are the smallest, most minimal sign we use. On small islands or other properties with little or no public use these signs can be posted at access points. Sometimes only one or two are used.

TEMPORARY SIGNS

These are generally sign templates printed in MCHT colors, oriented either on a vinyl stock or paper and then laminated, mounted on plywood and bordered with wood to protect staples and give a more finished look. They may be 8” x 10”, 11” x 17”, or sized to fit the circumstance. The laminated signs generally last one field season and then need to be replaced while the vinyl stock has a significantly longer life span. They are quick, easy and inexpensive to produce, allow changing guidelines when things are in flux, and are not a big loss if damaged or stolen.

WELCOME SIGNS

These signs are routed wooden (usually cedar) signs, with a metal circular MCHT logo imbedded in the sign, with the routed letters painted blue and the remainder left natural cedar to weather or blue and gray vinyl on MDF board. They range in size from 12” x 18” to 16” x 48”, depending on the location. They simply identify the preserve and MCHT.

These are generally mounted on two wooden 4 x 4’s and are located near the road, at a parking lot or at the top of a beach or other landing spot when the kiosk or other signs will be located further away.

WOODEN TRAIL SIGNS

Some trail systems benefit from small signs along the trail. These may be simple arrows, showing the direction of a trail, or may request that visitors stay off fragile vegetation. Similar to the wooden welcome signs, these are routed cedar, with the words/numbers painted blue. They can be sized as needed.

METAL SIGNS

Metal signs are often the permanent version of the basic guidelines and map signs. Sometimes they stand alone, other times they are mounted on a kiosk board. We have developed standard language for these signs regarding the common situations we encounter on our preserves. We also use these signs to post eagle and seabird nesting islands or areas, sensitive features, etc. Standard sizes are 9" x 12", 12" x 12", 12" x 18", 18" x 18" and 18" x 24". Examples of map, guideline and combination map/guideline signs are attached as Appendix H.

REGISTRATION BOXES/SIGN IN SHEETS

We install registration forms at some but not all properties. Generally, if we expect a preserve to have a fair number of visitors, we install them to get a sense of who is visiting, how many are visiting, and to solicit feedback about their experience and conditions on the property. Another deciding factor is whether or not we can retrieve the sign in information in a timely fashion. We often get contact information and can let people know more about MCHT and our activities if we have their address. We would not put a sign in sheet on a small eagle or seabird nesting island but do install them on preserves with trail systems.

BROCHURES

Brochures are sometimes created and installed at preserves when there is a clear need for additional information for visitors. Trail maps can be especially useful. That said, we are increasingly relying on information at the kiosks to provide most information. We have a standard design for brochures. When a brochure is called for, contact the Stewardship Assistant to learn more about our process.

KIOSKS

We have developed 3 basic kiosk designs. The large and small versions have roofs and a third is a board without a roof and although it is generally 4' x 4', it can be sized according to need. Generally, the kiosks are produced in the Barn on MDI by MDI stewardship staff. The information boards on these are populated with use guidelines, maps, registration sheets and other information about the preserve and/or MCHT. Examples of how to populate the various size kiosks is attached as Appendix I.

OTHER SIGNS

Additional signs are occasionally needed, to clarify location or other information. These can be developed with the Stewardship Assistant.

COLOR AND DESIGN

MCHT's standard letter color is MCHT blue (Pantone 301C), with a gray (Pantone Cool Gray 2) background. Sign designs are standard, with templates in the Topsham office. Generally, the Stewardship Assistant helps design and order the signs.

RESPONSIBLE STAFF

Regional stewards determine the sign needs at each property they manage and are responsible for placing orders and coordinating design with the Stewardship Assistant. They are also responsible for determining if local permits are needed to install signs or kiosks.

POLICIES RELATED TO FEE LANDS

As with conservation easements, MCHT has policies for several areas of work that are developed by staff and the Stewardship Policy Committee and then recommended for Board approval.

MCHT STRUCTURES POLICY (APPROVED 4/13/2012)

Occasionally, MCHT acquires lands with major structures such as houses or barns. This policy outlines the process used to determine an outcome for the structures. In a few cases, the decision to remove or retain the structure is determined prior to acquisition. In those instances, staff will implement that decision. If the decision requires removal of a structure that adds value to a property, Board approval will be sought.

Maintenance of existing structures is an ongoing process. If MCHT plans to keep a structure or the organization is undecided about a structure, the structure will be secured so that it is watertight and will be maintained in a status quo condition. MCHT will not allow buildings to deteriorate, unless they are already down, substantially deteriorated and/or in a remote location.

When dealing with a building on a property, MCHT staff will follow these procedures:

1. Determine whether or not the structure must be removed or stay per the acquisition terms.
2. If the terms require removal:
 - a. Look at options for removal and secure estimates (i.e., tear down, removal and reuse by 3rd party, etc.)
 - b. Communicate with stakeholders
 - c. Remove structure in a timely manner (examples include: Jordan's Delight house, Pinkham Island A-Frame, Bill's Island cottage, Marshall Island buildings.)
3. If the terms do not require removal, complete an analysis of the structure and its potential benefits and liabilities by considering the following:
 - a. Inspect the structure and determine its condition and needs.
 - b. Learn local zoning and code requirements.
 - c. Determine the costs to renovate, maintain, or remove.
 - d. Determine if the building provides a benefit to MCHT and/or to the public—does it provide opportunities?
 - e. Determine if the building is a detriment to MCHT – ugly, safety hazard, costly to maintain, an impediment to another goal, etc.
 - f. Is the structure irreplaceable, either due to historical value, expense or current zoning regulations, etc.?
 - g. Are there environmental issues?
4. If these factors point to building removal and local factors (such as property tax ramifications) indicate a quick removal, the Stewardship Director, Regional Steward and Project Manager will make a decision. If the structure has material contributory value to the property and removal will diminish the property's value, staff will take a recommendation for removal to the MCHT Board of Directors for approval.
5. If a decision to remove the structure is not clear, and there is no immediate reason to remove the structure, then a decision will be made as part of the management planning process for the property.

- A. Consider retaining the structure if:
 - 1. There are clearly identified benefits (staff housing, community use, land management uses, historic value, aesthetic value);
 - 2. The condition of the structure is good and is not detrimental to its' conservation values;
 - 3. There are no unsolvable environmental issues; and
 - 4. MCHT can afford to maintain it.

- B. Remove or resell the structure if:
 - 1. There are no clear benefits to MCHT or the community;
 - 2. MCHT cannot afford to keep it; or
 - 3. It has major environmental issues or is otherwise detrimental to the property's conservation values.

As in #4, if the structure has material contributory value to the property and its removal will diminish the value of the property, and the staff decision has been made to remove it, staff will bring a recommendation to the Board.

If the answers to these questions lead to more questions about the future of the structure, spend some additional time trying to answer them. Rarely, MCHT might choose to defer a decision on the outcome of a structure if we can envision a future use.

MAINE COAST HERITAGE TRUST UTILITY EASEMENT AND BOUNDARY LINE AGREEMENT POLICY (APPROVED BY THE BOARD 11/15/2013, REVISION APPROVED BY THE BOARD 11/18/2016)

Maine Coast Heritage Trust holds substantial tracts of land that abut road frontage where utility poles and lines, as well as water lines, run along the road edge. From time to time, as these utility features need to be replaced, slightly new locations of poles or guy wires and anchors are required. Each time this happens, the utility company asks MCHT for a utility easement to allow them to legally install the new equipment. Likewise, on occasion, a neighbor needs to formalize or modify a private utility easement that runs across our preserve boundaries (water lines, above and below ground power lines, driveways, sewer lines). In addition, our easement parcels and preserves sometime require very minor boundary line agreements to settle uncertain lines. In order to facilitate this process, the MCHT President is authorized to approve and sign utility easements that (1) result in a *de minimis* intrusion onto MCHT lands, and (2) have *de minimis* financial impact, based on MCHT staff recommendations. When the utility company or neighbor request is for more intrusive rights, or such rights materially impact the value of the preserve, the request will be brought to the MCHT Board for approval. Likewise, MCHT's President is authorized to approve and sign boundary line agreements for an easement or preserve parcel, on behalf of MCHT, when (1) a *de minimis* boundary line agreement is necessary, and (2) there is only *de minimis* financial impact on the easement or preserve. If substantial land would be lost due to a boundary line agreement, or the changes result in a material reduction in the value of the easement or preserve, the request will be brought to the MCHT Board or Executive Committee for approval.

MCHT POLICY ON HISTORIC SITES AND ARTIFACTS ON MCHT LANDS (APPROVED BY THE BOARD 11-18-2016)

Occasionally, MCHT acquires land that may contain prehistoric and historic cultural sites and resources. MCHT acknowledges that at this time, while we can manage archeologically significant sites, the organization is not qualified to curate, store or display significant archeological artifacts. This policy outlines the process used to determine an outcome for these sites and artifacts.

When dealing with a property that has been identified as containing a significant prehistoric or historic site, MCHT staff will follow these procedures:

1. Consult with the Maine Historic Preservation Commission (MHPC) and other, knowledgeable stakeholders, i.e. tribal experts, University archeologists, etc. to determine next steps, if any.
2. Determine whether the preferred method for protecting the resources is by preserving them in place so as to maintain the archaeological context, or to do a full or partial excavation. If the former;
3. Determine and implement methods to control public use and/or to protect the resource, such as re-routing a trail, developing educational materials, providing barriers to the site, etc.
4. Consider conducting a Phase 1 archeological survey to determine the extent, integrity and significance of the site.
5. If the Phase 1 survey uncovers artifacts of significance, staff will:
 - a. Confer with appropriate stakeholders such as MHPC, Native American tribes, other likely descendants, knowledgeable archeologists, state agencies or museums to determine the appropriate disposition of any artifacts.
 - b. If it is determined that the artifacts should be transferred into the care of another organization, staff will obtain approval by the President, who will report to the Board.

PROGRAMMING AND OUTREACH AT MCHT

Outreach activities are an ongoing aspect of Stewardship work that is vital to its success. The most basic types of outreach are an intrinsic part of all community projects, where project design, fundraising, development of a management plan and activities on the land require ongoing outreach with organizations and individuals. This also includes many core preserve tasks including speaking with a town about tax status, determining public uses of a property and working with users, developing volunteers, etc.

In addition, MCHT develops programs to connect people with land, with conservation, to help with community needs, and to provide public benefit. These can be as simple as an occasional nature walk, to open houses or celebrations on properties, to one time or ongoing programs with schools, other organizations who want to use the land, etc. MCHT's most intensive programs include the Teen Ag Program at Erickson Field, Kids Can Gro at Erickson Fields and Babson Creek, Farm Hands and 4-H Programs at Aldermere Farm, the Internship Program, The Lubec Outing Club, and our ongoing series of field trips.

As we consider new programs and reconsider existing programs, we are using the following assessment tool to determine whether or not they will meet MCHT's goals and are important enough to sink resources into them.

ASSESSMENT PROCESS TO DETERMINE PROGRAM AND ACTIVITY SUITABILITY AND PRIORITY

The following process is designed to guide staff in determining which program and outreach activities will be priorities for MCHT. It will be used as part of the annual budgeting process to evaluate existing and new projects and during the year for any activity that involves staff time only for which funds have been generally allocated such as community conservation funds.

THRESHOLD CRITERIA AND EVALUATION OF THE ACTIVITY:

An Activity will be run through an organizational vetting process (as opposed to working this out with the staff person's Supervisor in their workplans) when any of the following apply:

- The Activity takes more than 5% of an FTE (100 hours) OR
- The Activity will cost more than \$2,500 beyond staff time and travel time OR
- The Activity will impact other staff by: new systems creation, additional financial or personnel tracking, or similar situations.

If the threshold is met the Project Manager or Steward will create a general project description that will include criteria and an evaluation of the activity. The write-up will include:

- inputs (staff, equipment, materials), expenses, processes involved;
- short and long-term desired results;
- organizational goals that will be met;
- an explanation of how the activity meets the criteria below;
- the length of the activity (ex: one day a week for a year)
- what successful completion of the activity looks like

PROCESS FOR EVALUATION:

The Activities will be reviewed by the Project Review Committee (Dir of Stew, Lands, Development), which will schedule monthly meetings. Project descriptions will be sent to All Staff. The PRC will make decisions re viability of a program. The process will be modeled after the Teleland process and will be considered a PILOT for the Land Protection and Stewardship Department.

After a year the process will be evaluated to see if:

- It assists staff in evaluating activities
- It does not take too much time to complete
- It should be used by other Departments

CRITERIA AND EVALUATION FOR SUCCESS:

1. It is in a Whole Place and meets the Whole Place goals OR It is specifically named in the management plan for a property or helps to meet a goal of the plan OR it takes place on an MCHT property OR It meets the goals of the Strategic Plan including internal MCHT Goals.
 - If none of these criteria are met, then we do not proceed.
2. The following minimum number of people will be impacted (best estimate):
 - If the activity is deep (5 touches 3 to 4 hours each) then at least 10 people
 - If wide, then it reaches at least 50 people
 - If neither of these levels of impact are met, then we do not proceed.
 - Activities that reach the most people (wide and deep) will be considered more important than ones that only reach the minimum threshold number
3. There are strong partners or MCHT has the capacity to start the activity and either plans to complete the activity unassisted or plans to develop partners. If partners exist:
 - Can they take over the activity? If so when?
 - Will they provide added value or will MCHT help build their capacity?
 - All things being equal, preference will be given to projects that involve other partners.
4. Must meet a Community Priority:

- Assess community support.
 - Describe it. Define the community.
 - Town consensus or small group?
 - Did activity originate with community?
- Is there local need? Show evidence of that. How can MCHT help meet that need? Does that need match a community conservation goal of MCHTs?

If an Activity meets the criteria above, then we will ask the following:

- What is the financial/fundraising commitment?
- Can the \$ be raised? How much and how much time will it take to raise?
- Does it create a good story?
- Does it bring in new donors/grants?
- What is the time commitment over how long a period? Do staff have time to undertake the activity? If not, will it require additional staffing or, can an existing activity be eliminated?

If the program meets the criteria and is financially viable (including staff time), the PRC will recommend inclusion in the annual budget.

STAFFING

Stewardship needs are increasingly being met by hiring regional staff that work with the Director of Stewardship and provide more of a local presence. Some are part time. Total staffing (as of 2019) equals 21+ FTEs. As new properties and responsibilities increase, so do staffing levels. Stewardship staff positions currently (2019) are:

Director of Stewardship, Topsham

Assistant to Director of Stewardship, Topsham

Regional Stewards (2 part-time positions, 4 full time positions)

Regional Stewardship Manager (2 positions)

Seasonal Stewards (7-8 positions)

General Manager, Aldermere Farm

Outreach and Office Manager – Aldermere Farm, Erickson Fields

Program Manager – Erickson Fields

Operations Manager – Aldermere Farm

Herd Manager – Aldermere Farm

Farm Worker – Aldermere Farm

Agricultural Apprentices – Aldermere Farm (2 positions), Erickson Field (1 position)

ONBOARDING SEASONAL STAFF

Seasonal Staff

For several years, during the busy field season, MCHT has augmented its year-round staff by hiring for several seasonal positions. Most Regional Stewards have hired assistants for periods of 3 to 10 months; and a trail crew consisting of a crew leader and two assistants have been deployed up and down the coast. Seasonal staff help with most aspects of the work, from trail work, building maintenance, invasives control, boundary marking, field trip and events work, equipment maintenance, boat operation, mowing, data base entry and conservation easement monitoring. They are a crucial part of getting the work done and we want to ensure that they learn a lot from their experience. Jobs are generally posted in January by the Assistant to the Stewardship Director and two Regional Stewards act as the hiring committee.

Available Benefits

As a short-term employee, seasonal staff will be entitled to legally required benefits, i.e., Worker's Compensation and Social Security. Work-related travel will be reimbursed at the current Federal rate set annually by the IRS. If a seasonal staff person is hired for a period of 26 continuous weeks or less, they are eligible for any Holidays that occur during their time as employees. They will not be eligible for health insurance. However, if a seasonal staff person is hired as full time for more than 26 continuous weeks they are eligible for health insurance, Holidays and 1-week paid time off. If that same seasonal staff person returns within 6 months (for another season) and they will again work for more than 26 weeks, the waiting period for health insurance will be waived and they will be eligible right away.

Other Items

Depending upon the nature of the position hired for, the Vice President of Finance and Administration should be notified of the start date and end date if the individual should be added to MCHT's Vehicle and Boat Insurance Policies. The IT Administrator should also be notified of the start and end date if they need an MCHT email address and/or phone extension.

Paperwork

Once an employment offer has been accepted the following paperwork must be processed:

- An offer letter outlining the terms of employment: start and end date, pay rate, eligibility (or not) for holidays, paid time off, health insurance.
- A copy of the job description for the position.
- Current Federal and State W4 forms
- MCHT Confidentiality Agreement
- MCHT Conflict of Interest Policy
- Direct Deposit Form (if appropriate)
- Harvard Pilgrim Enrollment Form (if appropriate)
- I-9
- Employee Status Change Form (to be filled out by the employee's supervisor)

The forms that are filled out, particularly the I-9 and the W-4's contain confidential information. When filled out, they should be placed in an envelope marked Confidential and forwarded to the HR Generalist in the Topsham office. The offer letter and job description should both be signed by the newly hired staff and included in the package sent to the HR Generalist. No copies should be made of the I-9 or W-4's.

A few points to note about the I-9:

- You may NOT tell people what documents to bring to complete the I-9. You should provide them with the Lists of Acceptable Documents that is part of the I-9 form and instructions.
- The employee portion of the I-9 must be filled out on the first day of employment – not before.
- The identification forms (not copies) must be reviewed and documented by the employer within three business days of the person's first day of employment.

APPENDIX A - STEWARDSHIP BUDGET			
Preserve Name			
One Time Stewardship Costs			
	Natural Resource Inventory	\$0.00	
	Archeological Research	\$0.00	
	Management Plan	0.00	
	Tax Exempt Application ¹	0.00	
	Tax Payment	0.00	
	Signs	0.00	
	Staff time ²	0.00	
	Infrastructure (parking lots, trail construction)		
	Structures	0.00	
	Trail improvements and creation	0.00	
	Parking	0.00	
	Upfront Program Costs	0.00	
	Upfront equipment costs	0.00	
	Total One Time Stewardship Costs		\$0.00
Annual Stewardship Costs			
	Property Insurance ³	\$0.00	
	Taxes or Payment in Lieu of Taxes ⁴	0.00	
	Staff Time	0.00	
	Boundary Marking	0.00	
	Signage	0.00	
	Travel	0.00	
	Ongoing Equipment maintenance	0.00	
	Ongoing Management Activities		
	Structures	\$0.00	
	Parking and driveway (maintenance and plowing)	\$0.00	
	Mowing	\$0.00	
	Trail maintenance	\$0.00	
	Utilities	\$0.00	
	Programing expenses (gardens, events, supplies)	\$0.00	
	Total Annual Costs		\$0.00
	Amount necessary to cover annual costs @ 4.5% Yield		\$0.00
	Total Costs Associated with owning and Managing Fee Property		\$0.00
Notes			
	¹ Based on 1/2 hour of legal time and 3 hours of staff time		
	² Based on staff time @\$300/8 hr day		
	³ Based on \$.35/acre without structures		
	⁴ MCHT policy is to make payments to the town based on Open Space Classification, which reduces assessed value by 95%		

APPENDIX B - STEWARDSHIP BUDGET FOR A CONSERVATION EASEMENT			
NAME OF PROJECT			
One Time Stewardship Costs			
	Staff time(ce review, property visit, file prep)	\$0.00	
	Travel	0.00	
Total One Time Costs			\$0.00
Annual Stewardship Costs			
	Staff time ¹		
	Annual monitoring visit(s)	\$0.00	
	Affirmative rights costs (mowing, trails, signs, etc)	0.00	
	Correspondence with landowner	0.00	
	Extra time for approvals/subdivision rights	0.00	
	Writing up monitoring report	0.00	
	Filing	0.00	
	Insurance ²	0.00	
	Legal Defense Insurance ³	0.00	
	Travel costs	0.00	
	Postage, copying, etc.	0.00	
Total Annual Costs			\$0.00
Amount necessary to cover annual costs @ 4.5% Yield			\$0.00
Total costs associated with holding CE			\$0.00
	¹ Based on \$300/8 hr day		
	² .04 cents per acre		
	³ \$63 per easement		

APPENDIX C

Maine Coast Heritage Trust

CONSERVATION EASEMENT MONITORING PROCEDURES

1. SCHEDULE THE VISIT

Send letters to easement property owners in April/May (use winter addresses if appropriate) from the Director of Stewardship. Personalize the letters to the extent possible. Points to make in the letters:

- MCHT staff (mention names and contact information) will be monitoring easements throughout the summer and fall, and would welcome accompaniment by owner or representative.
- Please let MCHT know if they definitely want to accompany, and to suggest suitable date(s).
- Please contact MCHT if they have any questions or concerns about the easement.
- If MCHT doesn't hear back, we will plan to monitor the property on our own, but also will call several days in advance of the scheduled visit.

2. REVIEW MATERIALS

Before the visit, review the monitoring notebook materials, specifically the easement, photos, previous years' monitoring reports, and correspondence. Use this review to help determine your plan for the monitoring visit.

3. WHAT TO TAKE WITH YOU

- The field file: make sure it includes a copy of the easement, the summary of restrictions, the previous several years' monitoring reports, any helpful maps, surveys, or sketches, any correspondence relevant to this year's visit, and a blank monitoring report form.
- Note pad and pencil
- Camera and film
- Flagging
- Field tape measure
- Compass

4. THE PROPERTY VISIT

Several weeks before the visit, call the landowners to schedule a time to visit.

Ideally, the monitoring visit should include an inspection of the whole property, including all structures and boundaries, and locating boundary markers.

In reality, this ideal may have to be adjusted by a number of factors: the size of the property, the complexity level of the easement, the monitor's familiarity with the property, the quality of the holder/landowner relationship, and the amount of time available.

During the visit, take pictures as necessary, documenting important changes that relate to the easement restrictions. Note the photo points on a sketch. Take written notes as necessary.

If the landowner is accompanying you, and you see a problem (i.e. what appears to be a violation), be careful not to make hasty comments or pronouncements. Discuss the situation with the landowner, get (and record) as much information as possible, but be non-committal as to the implications. (See MCHT's procedure for dealing with easement violations.)

Use a landowner-accompanied monitoring visit as an opportunity to remind the owner of any important easement provisions, especially any notice/approval requirements.

5. FOLLOW-UP

As soon as possible after the visit, complete the monitoring report form. (Discuss any potential violations with Director of Stewardship first.) Send a copy of the report to the landowner, with a short, cordial letter that includes a reminder to notify MCHT of any address or ownership changes.

The original monitoring report goes into the fire-proof safe; copies go into the field notebook and monitoring notebook.

APPENDIX D

Maine Coast Heritage Trust

EASEMENT MONITORING REPORT

20__

Easement Name: _____

Location: _____

Current Owner: _____

Address and Telephone: . _____

Date of inspection:

Method of inspection: ground / air / boat

Monitor's name and title:

Brief summary of inspection: (note where you went, weather conditions, etc.)

Landowner Contact: (note whether you contacted by phone, email, in person or with another family member or caretaker)

Accompanied by:

(Examine the materials in the monitoring and field notebooks. Note changes from the last visit, or apparent problems: if none, write "no changes observed" or "no problems observed". As appropriate, attach a sketch/map and/or take photos to illustrate your observations.)

1. CONSERVATION EASEMENT PROVISIONS:

Structures:

Surface Alterations:

Vegetation Management:

Waste Disposal:

Other Provisions:

2. NATURAL CHANGES:

3. HUMAN USE:

4. CONSERVATION VALUES:

5. OTHER INFORMATION/COMMENTS:

6. RECOMMENDED FOLLOW-UP, IF ANY:

Monitor's name and title:

Organization: Maine Coast Heritage Trust

Address and Phone:

Signature

Date

<input type="checkbox"/> Photos taken and filed in MDI or Topsham Monitoring Photo Library

APPENDIX E

First Year Management Plan

NAME OF PROPERTY

YEAR

Property Location (including map and lot number(s))

Directions to Property

Previous Owner

Intent of Acquisition (include conservation values)

Narrative Description of Current Condition of Property (including a list of structures [with dimensions], any improvements and notable natural features)

Existing Restrictions

Current Uses and Immediate Threats

Staff Involved in First Year Planning

Task	Responsible	Comments	Completed?
Establish Tax Status			
Secure Property Insurance			
Conduct Natural Resource Inventory			
Conduct Other Studies? (such as bird survey or Arch/Phase 1 work)?			
Develop basic map indicating cover types and significant features and structures			
Locate and mark boundaries			

Learn about local context and stakeholders			
Establish protocol for including partners			
Identify and address issues – i.e. ATV's, boundary disputes, structure removal			
Identify necessary property maintenance			
Identify necessary monitoring protocol			
Determine official preserve name			
Discuss expectations of wildfire response with local fire department			

APPENDIX F

MCHT Management Plan Outline

Cover (include date, scenic photo, MCHT logo)

Table of Contents (large plans only)

Vision Statement

1. Introduction

- a. Location of property
- b. Geographical context
- c. General property description (acreage, primary features, etc.)
- d. Abutters
- e. Open space context
- f. How to access the preserve
- g. MAPS: (1) preserve map with important natural and cultural features, etc. with inset showing regional location; (2) map showing surrounding protected open space

2. Acquisition History (summary including history and intent of acquisition, summary of restrictions)

3. Natural Resources

- a. Water resources, watershed
- b. Topography, geology and soils
- c. Plant Communities
- d. Rare species and rare/exemplary community types
- e. Fish and wildlife (including eagle nesting sites, seabird breeding colonies, etc.)
- f. Invasive species and control options
- g. MAPS: (1) soils, (2) plant communities, (3) invasive plant populations, (4) important wildlife features, e.g., eagle nesting site, seabird breeding colonies, etc.

4. Human Context

- a. Prehistoric use
- b. History of land use
- c. Contemporary community factors that may or will influence management
- d. MAPS: (1) cultural features

5. Current Use and Management

- a. Assessment of public use
- b. Current preserve management including: routine maintenance activities, parking, trails, camping, campfires, waste management, education programs, etc. Other property issues can be discussed here including public safety, fire management, etc.
- c. Summary of easement and deed restrictions
- d. Permitted activities (e.g., hunting, camping, day-use only, etc.)
- e. MAPS: (1) existing and/or proposed infrastructure

6. Carrying Capacity Assessment (summary of preliminary assessment and recommendations for public use, management, and publicity)

7. Preserve Management Targets, Goals, Threats, and Actions

8. Stakeholders Involved in Planning Process, Dates of Meetings

9. References

Tables:

- a. Table 1: Implementation of Actions (including estimated implementation costs, priority and timeframe, staff leads, etc.)
- b. Table 2: Summary Matrix (summary of target, goals, threats and actions)

Maps:

- a. Preserve map: showing important natural and cultural features, topo contours (with regional location inset)
- b. Open Space map
- c. Soils map
- d. Plant community map. If no NRI is available, use orthophoto to show forest, fields, etc. Map should show the location and distribution of invasive plant populations.
- c. Cultural resources map
- d. Existing and proposed infrastructure map

Appendices (if applicable):

- a. Restrictions, such as conservation easement, deed restrictions, declaration of trust
- b. Project agreements (e.g., LMF agreement)
- c. MCHT stewardship philosophy
- d. Acknowledgments

- e. Additional photos
- f. Other?

APPENDIX J

Property Name (Preserve Name or specific trail on Preserve): [Click here to enter text.](#)

Prepared By (*signature*):

Date: [Click here to enter text.](#)

Print Name: [Click here to enter text.](#)

MCHT Title: [Click here to enter text.](#)

Reviewed By (*signature*):
(or attach email approval)

Date: [Click here to enter text.](#)

Print Name: [Click here to enter text.](#)

MCHT Title: [Click here to enter text.](#)

Property Information

Briefly describe the natural landscape characteristics of the Property.

[Click here to enter text.](#)

Describe the current trails, roads and observation areas on the Property (*width, how many miles, and surface type*). *Attach map if available.*

[Click here to enter text.](#)

Is the entire Property open to the public or only portions such as trails, roads or observation areas? Describe.

[Click here to enter text.](#)

If only certain parts of the Property are open to the public, is that made clear by signage? Describe.

[Click here to enter text.](#)

Is there an obvious or designated point of entry to the Property (*i.e. trailhead or parking area*)? Describe.

[Click here to enter text.](#)

Describe any physical restrictions on access to the Property (*e.g. gate, trees, bollards*).

[Click here to enter text.](#)

Describe any binding legal agreements affecting the Property which would have the effect of restricting or prohibiting the use of motorized devices on all or part of the Property (e.g. a conservation easement held by a third party; restrictions held by a funding agency; dedication as a state natural area). Consult CLS as needed. NOTE: If there is such an agreement, please consult your MCHT Attorney.³

[Click here to enter text.](#)

Current Public Use of the Property

Describe the current public uses of the Property (*i.e. walking, biking, hunting, birding, horseback riding, motorized use*).

[Click here to enter text.](#)

³ If the restrictions are based on federal land management laws and regulations; the fifth factor in the regulation would apply. However, any private, or state or local government restrictions are subordinate to ADA regulations.

Describe where such uses occur on the Property (*e.g. on roads, trails, or off-trail*).

[Click here to enter text.](#)

Describe existing motorized vehicle trespass issues on the Property, if any (*types of vehicles, locations of trespass, effects on conservation values, etc.*).

[Click here to enter text.](#)

Describe the current typical volumes and timing of existing public uses.

[Click here to enter text.](#)

MCHT Staff Use of Motorized Vehicles or other Mobility Devices at the Property

Describe typical use of motorized vehicles or OPDMDs by MCHT staff, contractors or volunteers on the Property (*including type of vehicles or OPDMDs, on or off-road use, and frequency of use*).

[Click here to enter text.](#)

Does MCHT close its trails/public access areas for property management or trail maintenance?

Yes No

Describe any restrictions imposed on MCHT use of motorized vehicles or OPDMDs on the Property (*e.g. cleaning for invasives, training requirements, seasonality*).

[Click here to enter text.](#)

Safety

Are there types of OPDMDs that would pose a safety concern for non-motorized users at the Property (*size, weight, width, speed*)? Explain.

[Click here to enter text.](#)

Will the design and characteristics of trails, roads or observation areas make certain OPDMD use unsafe?

Examples

Click here to enter text.

Steep *Blind*
Grades *Intersections*
Sharp *Current Uses*
Curves *Trail Width*
Uneven *Soil type*
Terrain
Natural
Obstacles

Are there any off-trail/road areas open to the public? Yes No

If yes, would any terrain or landscape features in the undeveloped areas make certain OPDMD use unsafe?

Examples

Click here to enter text.

Steep *Blind*
Grades *Intersections*
Sharp *Current Uses*
Curves *Soil type*
Uneven *Flood areas*
Terrain
Natural
Obstacles

Are there man-made features that could make OPDMD use unsafe (e.g. utility lines, oil and gas production wells, fencing, water control structures)? Explain.

Click here to enter text.

Overall evaluation regarding safety relating to the use of OPDMDs at this Property.

Click here to enter text.

Environmental Sensitivity

Are portions of the property sensitive from a biodiversity

standpoint? Yes No

If yes, describe:

[Click here to enter text.](#)

Are public access areas configured so that users are likely to come into contact with sensitive biological areas?

Yes

No

Will OPDMD use create a substantial risk of serious harm to the immediate environment, natural resources or cultural resources (*e.g. sensitive plants and ecosystems, animal habitat, spread of invasives, soil compaction*)? Explain.

[Click here to enter text.](#)

Overall evaluation regarding impact on natural resources relating to the use of OPDMDs at this Property.

[Click here to enter text.](#)

Results of Assessment

The ADA requires that OPDMDs be allowed if MCHT can make reasonable modifications in its policies, practices, or procedures (*e.g. providing a gate lock combination to an otherwise locked gate*) to permit their use. This does not require physical modifications to trails or structures. As you select a choice below, please consider whether reasonable modifications may be possible.

Please select one of the following conclusions for the property being assessed and **explain how this conclusion is supported by this assessment and by one or more of the five factors listed on page one of this Form.**

Select One:

1. All OPDMDs are prohibited.

Explain reasoning based on above assessment and the five factors. Confirm that there are no reasonable modifications to your policies, practices or procedures which could be made to accommodate OPDMDs.

[Click here to enter text.](#)

2. OPDMDs shall be permitted under the following conditions (*e.g. area, vehicle types, speed, seasons. See Appendix B for examples*).

Identify conditions and explain reasoning for any limitations or restrictions based on above assessment and the five factors.

[Click here to enter text.](#)

3. OPDMDs are permitted without restriction.

Explain reasoning based on above assessment and the five factors.

[Click here to enter text.](#)