

Maine

Comprehensive Fish & Wildlife Conservation Strategy Local Conservation Finance Priorities

In an effort to better understand the role that local political jurisdictions may play in the implementation of the Maine state wildlife action plan, TPL has analyzed the potential conservation opportunity areas (i.e. priority, unprotected habitat acres) within town boundaries. In addition to the amount/percentage of priority lands in each town, TPL reviewed the potential towns have to implement a local public finance program to support land conservation.

In order to identify conservation opportunity areas we created GIS maps that overlay local jurisdictional boundaries with priority habitat. Data from these maps produced spreadsheets showing the acreage amount and percent of unprotected, priority habitat present within each town. In addition to these figures, we added growth statistics and revenue generating capacity. Our analysis includes only southern Maine where towns are more densely populated and growth is occurring more rapidly.

Fourteen towns are identified by TPL as areas for a potential public finance measure. In these towns more than 10 percent of the land area is high priority, unprotected habitat; population growth is greater than 10 percent; and bonding capacity is greater than \$400,000. Out of the 14 towns identified, 4 are considered primary targets: Kennebunk, North Berwick, Scarborough and Waterboro. Target recommendations are based on analysis of several factors including tax base, bond capacity at \$30 per household, and population change as illustrated in the following chart.

The Trust for Public Land

Maine Comprehensive Fish & Wildlife Conservation Strategy Analysis

High Priority Conservation Areas with Protected Land Break-outs by Township

	Priority Conservation		Growth		\$\$\$			
Town	Total High Priority Acres Unprotected	% of County High Priority Unprotected	2005 Town Population	% Pop. Growth 2000-2005	2006 Taxable Valuation	2006 Median Home Value	Max Bond @ \$30 / HH	Existing ConFin Program
* Waterboro	4,974	14%	7,233	16%	\$622,850,000	\$181,000	\$1,286,527	
Brownfield	8,158	28%	1,419	13%	\$120,800,000	\$106,300	\$424,862	
Newfield	3,140	15%	1,504	13%	\$201,400,000	\$168,400	\$447,128	
Alfred	3,570	20%	2,818	13%	\$240,450,000	\$206,800	\$434,699	
Georgetown	8,198	20%	1,147	12%	\$383,300,000	\$184,100	\$778,393	
Sidney	3,093	11%	3,948	12%	\$250,950,000	\$172,000	\$545,472	
* North Berwick	2,824	12%	4,802	12%	\$548,750,000	\$216,000	\$949,806	
* Scarborough	4,573	10%	18,897	11%	\$2,873,200,000	\$334,000	\$3,216,129	Bond '03 & '00
Hollis	4,699	22%	4,556	11%	\$343,350,000	\$202,000	\$635,477	
Glenburn	3,842	21%	4,380	10%	\$211,500,000	\$169,900	\$465,405	
Denmark	17,443	55%	1,105	10%	\$235,750,000	\$181,000	\$486,953	
Parsonsfield	5,124	13%	1,742	10%	\$169,450,000	\$156,700	\$404,284	
Lyman	5,410	21%	4,173	10%	\$395,150,000	\$226,000	\$653,684	
* Kennebunk	3,037	11%	11,510	10%	\$1,956,100,000	\$295,000	\$2,479,038	

Of the 174 towns we mapped in the state, 46 towns had fewer than 1,000 acres of unprotected, priority habitat, and 50 had less than 4 percent priority, unprotected habitat and were eliminated from further analysis. Of the remaining towns, TPL focused on those with relatively high population growth (a proxy for development pressure on habitat). The list of towns was further truncated at 10 percent population increase from 2000 – 2005, leaving 14 towns. Of the towns with the highest growth rates (> 10%), the four primary targets have a significant percentage of land area designated as priority habitat and sizable tax base to support public funding for land conservation.

Kennebunk, North Berwick, Scarborough and Waterboro all seem like reasonable targets for a potential conservation finance measure. Scarborough, Waterboro and Kennebunk in particular have a large bonding capacity when compared to most other towns considered. Of note are two ballot measures in 2000 and 2003 passed by Scarborough voters for environmentally sensitive areas, natural areas, parks, recreation and land conservation. Primary target towns are located on the southeastern tip of the state, two of which, Kennebunk and Scarborough are positioned along the major highway, Interstate 195.

Revenue Options

In Maine, state law limits dedicated funding options for land conservation available to local government to a few key sources, primarily general obligation bonds and development impact fees. Local governments are precluded by the state from levying a property tax, real estate transfer tax, sales tax, or income tax for open space land acquisition. Other smaller revenue sources exist, such as donations, bequests, excise tax surcharges and user fees, but are not examined here. Currently, there is one existing dedicated funding program within the town of Scarborough. The town passed two referendum questions, one in 2001 and another in 2003 for parks and land conservation. In total \$4 million dollars was approved (\$1.5 million in first vote and \$2.5 million the second vote). Of that, approximately \$300,000 remains from 2001 and none of the revenue from the 2003 measure has been expended.¹

In Maine, municipalities, rather than counties have largely undertaken conservation finance programs. Budget appropriations and bonds fund most of these efforts. Though a general obligation bond is a potential funding mechanism for conservation in Maine, each municipality would need to be examined to determine their capacity to institute a bond within the debt limits described below.

General Obligation Bonds

Most cities are chartered municipalities while most small towns fall under general law.² A general law town would operate under state law with no charter involved. Therefore, in order to issue debt within the town it must be authorized by town meeting. This can be at an annual or special town meeting.³ A town meeting can be called at the discretion of the town selectmen who post the warrant with any bond issues seven days before the meeting is scheduled to take place.

¹ Conversation with Ron Owens, Scarborough Town Manager

² Telephone conversation with Jim Saffion, Pierce Atwood, LLP.

³ [M.S.A., Title 30-A, Chapter 121, 2521]

If a town or city has a charter, the specific procedural requirements may be written there. In these cases, a voter referendum may be required in order to issue debt. However, in some charters there are no delineated requirements and the state statutes would apply to these municipalities as well.⁴

The debt limit for municipalities in Maine is 15 percent of their state valuation. Under state statute, municipalities have the authority to issue general obligation bonds for any type of capital improvements. The general debt limit for this purpose is 7.5 percent of the municipality's last full state valuation.

Revenue Bonds

Municipalities can also issue revenue bonds not exceeding the total tax levy of the preceding two years.⁵

Impact Fees

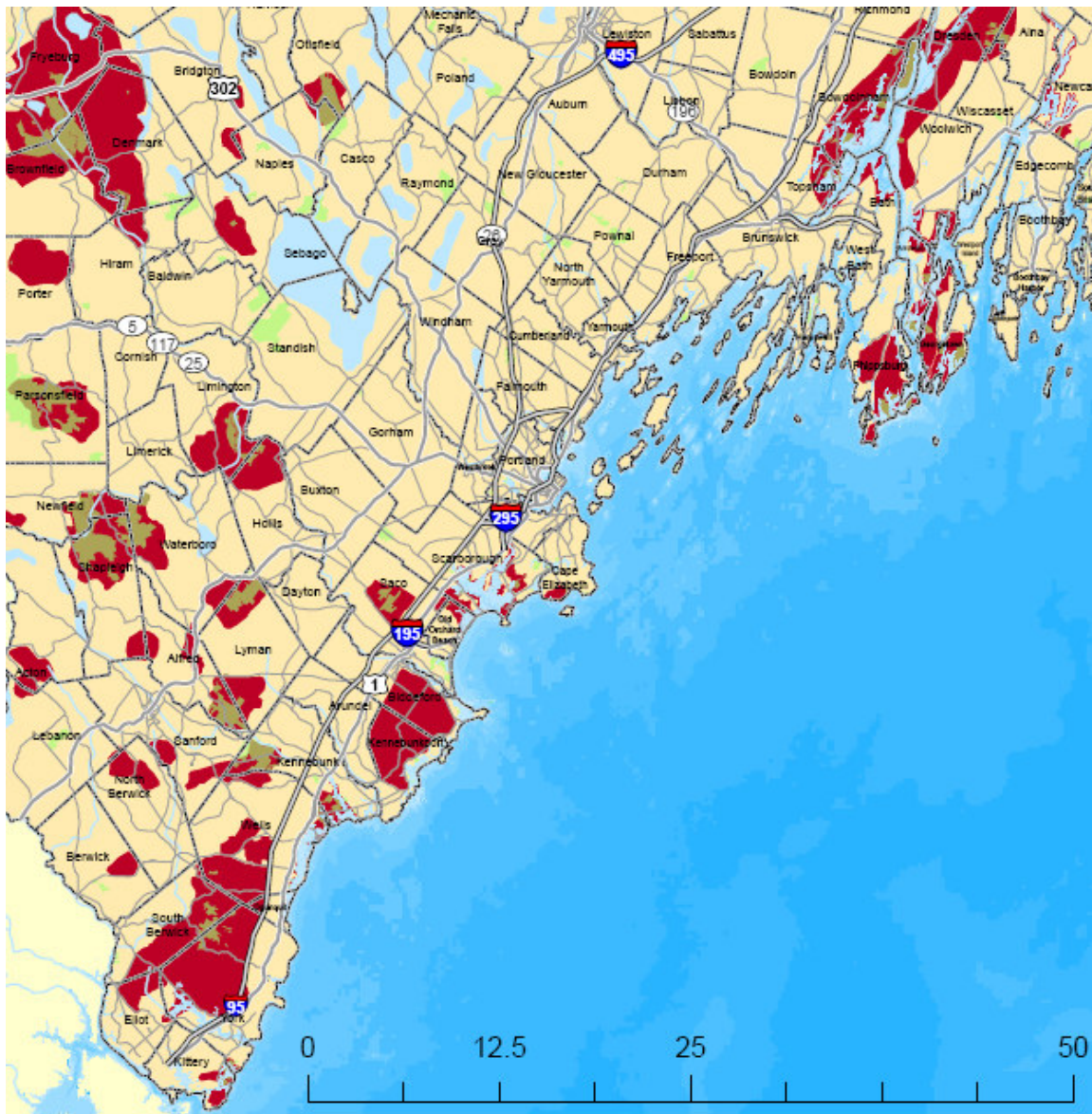
In 1987, the Maine Legislature authorized local governments to impose impact fees on new development for the purpose of financing facility improvements, including parks and open space, due to demand caused by new growth.

There are numerous considerations and legal requirements involved in the establishment of impact fees in Maine, and as such, analysis of this mechanism is beyond the scope of this report.

⁴ Telephone conversation with Jim Saffion, Pierce Atwood, LLP.

⁵ M.S.A., §5771

Maine's Focus Areas of Statewide Ecological Significance Based On Maine's Comprehensive Fish and Wildlife Conservation Strategy



*Focus Areas = Red

Maine Population Year 2000

