

MaineDOT will actively market, solicit proposals and create partnerships for a cargo/container port on Mack Point and/or Sears Island.

3) Establish outdoor recreation, education, and conservation opportunities on Sears Island by creation of a buffer easement: The parties agree that the DOT, with the Town of Searsport and appropriate others will provide for light recreation, education and conservation facilities on a portion of the island by conveyance of an easement covering that area. The terms of that easement will be finalized by the Joint Use Planning Committee within twelve months of the date of its creation (see paragraph 7 below). MaineDOT, the Town of Searsport, the easement holder, the DOC and other interested parties will enter into a Management Agreement consistent with the terms of the buffer easement.

The buffer easement shall initially be applied to 600 acres of the Island, simultaneously reserving 341 acres on the westerly side of the Island for a potential port development. The Joint Use Planning Committee, working with MaineDOT, shall simultaneously delineate the precise boundaries of the two areas within twelve (12) months of the date of this Agreement's approval by the Governor and the Transportation Committee of the Legislature. Those boundaries will be based, in part, on a baseline natural resource analysis of the two areas. Along with the easement terms, the boundaries will be set forth in a Memorandum of Understanding to be drafted by the Joint Use Planning Committee.

The Joint Use Planning Committee will determine whether any portion of the 341-acre area reserved for port development is not required for such a port, in which case that portion will be added to the land subject to the buffer easement under the same terms as the buffer easement. The transportation and utility corridors on Sears Island necessary for any port development are to be included in the set-aside acreage for the potential port.

Uses currently occurring in the area reserved for the port development shall continue to be allowed in that area until such time as a port proposal completes the regulatory process.