

A second problem with Exhibit A is that applicants often do not describe to what extent they will exceed the Standards. Patch clearcuts of 20,000 square feet have an impact quite different from clearcutting 20 acres in the protection zone. Therefore, you should explain to what extent you are going to exceed the Standards and over how large an area. Whenever possible, places where Standards will be exceeded, as well as adjacent areas where they will not be exceeded, should be shown on a map of the harvest area.

A third problem with Exhibit A is inadequate or no description of measures to be taken to reduce the adverse impact of the harvest on the uses and resources which are being protected by the Commission's cutting standards. Here is where you would describe no-cut or limited-cut buffer strips, erosion control measures (including type and exact placement). If you are using a buffer strip, you should indicate its size and location and, whenever possible locate it on the location map. Also, you should describe its condition as opposed to that of the area to be harvested. If the stand is exactly the same as the area to be cut, then why is it being left? Is it subject to the same problems which you are using to justify exceeding the Standards in the adjacent stands? If a buffer strip will just blow down, then maybe it should not be left. On the other hand, if it has a different composition such as a higher component of cedar which eliminates the need for heavier harvesting, this should be explained in the application.

Another form of mitigation is the presence and extent of regeneration. Again, if this is being used then the regeneration must be described.

Finally, whenever possible some thought should be given to wildlife uses in the area. Consideration should be given to mitigating the loss of wildlife habitat (such as with leaving den trees or travel lanes) that the harvest will cause.

In all cases, applicants should avoid the use of the vague and/or general catch words or phrases, such as dead and dying, mature, over-mature, budworm damaged, etc., as these only cloud up the issue. If these terms are used, they should be substantiated by facts and figures. For example, the statement "the fir is all dead" has two different meanings depending on whether the fir is only 10% or 90% of the total stand.

While providing the above information will not totally remove the necessity of getting back to applicants for additional information, it will reduce that need considerably. This will serve to speed up the processing time of permit requests which is a benefit all of us wish to achieve. To further speed up the review process and help us gain a better understanding of your proposed harvest, a member of the Commission's Development Review Staff will contact you soon after your application has been received to arrange a visit to the proposed harvest site with your forester or one of your staff.

If you have any questions or need assistance completing your application, please contact our office.

Instructions for Obtaining a Forestry Operations Permit

1. A Forestry Operations Permit from the Land Use Planning Commission is required for various Forest Management Activities and Land Management Roads and Water Crossings as prescribed by the Commission's regulations, Chapter 10, *Land Use Districts and Standards*.
2. Your application will be assigned a number when it is received at the Commission's office. Upon receipt of your complete application, you will be notified of your application number and the Project Analyst assigned to your application. Please refer all questions to your Project Analyst, and always refer to your application number in any correspondence with regard to your project.
3. BE SURE to complete ALL parts of your application, both Questions, and Exhibits. Please make sure that your name is on ALL documents and diagrams that you submit.
4. Send with your application a check or money order made payable to the Treasurer, State of Maine, for the APPLICATION FEE.

The application fee was established to cover expenses incurred in the processing of your application. In the event your application is withdrawn or disapproved, the application fee is not refundable.

5. Please prepare your application carefully. Incomplete applications may be returned.
6. This application is in two parts:
 - A. Part I consists of questions and exhibits which pertain to all FOP applications. You must complete all questions and submit all exhibits in this section.
 - B. Part II consists of exhibits which pertain to specific zones and to certain of the Commission's Standards. You must complete only those exhibits which pertain to your particular proposed operations.
7. In many cases, Protection Subdistricts overlap each other so that a single piece of ground has more than one zoning designation. The assumption is made that where the Commission's minimum standards are applicable, they will be complied with. If this is not the case, you must complete the appropriate section of this form as an application to exceed the standards.
8. For Deer Wintering Areas zoned as P-4 or P-FW, it is not necessary to complete this application form if:
 - A. The land manager and the Department of Inland Fisheries and Wildlife are in agreement as to how the operation will occur; AND
 - B. In those cases where the P-FW or P-4 are overlapped by other protection zones, the operation will comply with all applicable Commission standards. (If the operation will exceed any applicable standard, a separate permit is required and this form must be completed.

If conditions A and B are met, use the P-FW Notification procedures and forms for BOTH P-4 and P-FW zoned deer yards. In the case of P-4 zoned deer yards, those forms will be utilized as application for a permit.
9. In order to file a complete application, it may be necessary that you have a copy of the Commission's zoning regulations and the zoning map for the location of your operation. If you do not have these items, please contact us, and they will be supplied. You will need to specify the township or plantation in which your operation will be located.

Application for a Forestry Operations Permit

Instructions:

STEP 1: Answer ALL questions and prepare Exhibits 1, 2, 3, and 4 in Part I.

STEP 2: Prepare those exhibits which pertain to your proposal in Part II.

STEP 3: Make out a check or money order for \$100 payable to Treasurer, State of Maine, as the application fee.

STEP 4: Send your completed application to LUPC, see cover page for the proper address.

PART I.

1. Applicant: _____

Address: _____

Telephone: _____ Fax (if applicable): _____

Email (if applicable): _____

Landowner(s): _____

2. Land Manager: _____

4. Timber Harvesting Operator: _____

5. Location: Township/Plantation: _____

Survey Designation: _____ County: _____

6. Period of Operations: _____, 20____ to _____, 20____

7. Season(s) of Operations: Winter (frozen ground conditions, only) Spring
 Fall Summer Year Round

8. Proposed activities include:

- Timber Harvesting
- Land Management Road Construction
- Land Management Water Crossings
- Other, explain: _____

9. Total area of operation for which a permit is required. (Do not include Management Districts).

10. List types of mechanized equipment, other than chainsaws, to be used in cutting and harvesting.

11. Will this be a: salvage operation presalvage operation neither

12. Will this be marked wood cut? Yes No

If YES, describe marking technique: _____

13. Exhibits 1, 2, 3, and 4 must be submitted for all applications. Exhibits A through G must be submitted for certain applications. See Instruction 6B. Please check below.

<u>Exhibit</u>	<u>Included</u>	<u>Not Applicable</u>
A.....	<input type="checkbox"/>	<input type="checkbox"/>
B.....	<input type="checkbox"/>	<input type="checkbox"/>
C.....	<input type="checkbox"/>	<input type="checkbox"/>
D.....	<input type="checkbox"/>	<input type="checkbox"/>
E.....	<input type="checkbox"/>	<input type="checkbox"/>
F.....	<input type="checkbox"/>	<input type="checkbox"/>
G.....	<input type="checkbox"/>	<input type="checkbox"/>

14. Compliance with Section 10.27?

A. Will the operation be conducted in compliance with the Commission's Standards of Section 10.27?
 Yes No

B. If YES, will the operation be conducted under the provisions of Section 10.27,E,7?
 Yes No

C. If you answered Question 14 A "No", see Part II, Exhibit A.

15. State any additional facts regarding this application that you may wish to bring to the attention of the Commission: _____

NOTE: The Land Use Planning Commission may require, in certain cases, additional information not encompassed by this application.

I hereby declare that I have examined this application, including the accompanying exhibits, and to the best of any knowledge and belief, the application is true and complete.

Signature: _____

Title: _____

Date: _____

EXHIBITS

For all exhibits larger than 8 1/2" by 14", submit 5 copies. **DO NOT USE COLORS.** (It is not necessary to return these pages describing exhibits with your application.)

1. Submit as Exhibit 1 a description of the extent and type of timber harvesting. Harvesting within the operations area or sub-areas should be described according to the following two criteria:

A. Volume Removal:

1. Light Cut (0-40%)
2. Heavy Cut (40%-70%)
3. Clear Cut (70% or more)

B. Type of Harvest:

1. Single tree selection
2. Group selection
3. Patch (indicate size)
4. Strip (indicate width and length)
5. Commercial clearcut
6. Total clearcut
7. Other (specify)

The size of each area or sub-area described must be given. For each area specified, explain in detail the reasons for the extent and type of harvest. Where the choice of harvesting is based upon budworm damage, blowdown, overmaturity or similar consideration, you must describe, for each area identified, the extent and distribution of such condition.

All areas identified must be delineated on a map of sufficient scale as to be easily interpretable. To the extent that such delineation may clearly be made on Exhibit 2, the Location map, a separate map submission is not necessary.

2. Submit as Exhibit 2 a Location Map.

This must be a Commission Zoning map or similar map, including forest type map, on which is clearly marked:

1. The bounds of the operations area,
2. Existing and proposed structures, roads, bridges, yarding areas and other man-made features, excluding skid roads and trails,
3. All surface waters in the vicinity of the operation, and
4. Sub-areas, as described in Exhibit 1, if a separate map is not submitted.

The map shall have a key which identifies all symbols used, and which differentiates between existing and proposed features. (DO NOT USE COLORS.)

3. Submit as Exhibit 3 a detailed description of the scenic, aesthetic and recreational impact of the proposed operation. Consideration should be given to:

1. Visibility from public roads.
2. Visibility from roads used by the public.
3. Visibility from populated/developed areas.
4. Visibility from trails, including land and water trails, and other areas regularly used by the public for recreational purposes.
5. Visibility from water bodies.
6. Type and extent of recreational activities occurring in the vicinity, and the impact on the operations on such activities.
7. If shoreland operation, describe extent of development of water body in the vicinity of the operation, and the level and type of use(s) of the lake/pond/river/stream.
8. Type, extent and timing of harvest.

4. For all applications except for operations within P-MA or P-SG zones, complete and submit as Exhibit 4 the attached Soil/Topography Questionnaire. For P-MA and P-SG zones, see Part II, Exhibits B, C and D.

PART II

1. For exceeding the **STANDARDS** of:

1. Section 10.27,E, or
2. P-RR District.

Submit the following as Exhibit A:

1. Reference to the specific subsection(s) to be exceeded, including the extent to which they will be exceeded.
2. The reasons for exceeding each of the standard(s), in detail.
3. Measures to be taken to prevent undue adverse impact on the uses and resources being protect.

PLEASE NOTE: The standards were established as minimum protection for aesthetic, recreation, erosion and sedimentation, and access considerations. Exceeding the standard indicates a potential for adverse impact. This exhibit must demonstrate how adverse impact will be avoided. You should discuss exact location of activities, relative to protected resources and uses, construction specifications, water control, soil stabilization and in the case of Remote Ponds, accessibility. Include plans for stabilization of truck and skid roads and skid trails and log yards during use and upon discontinuance of use. For water crossings not in compliance with standards, explain in detail the erosion and sedimentation control measures to be taken. (Scenic, aesthetic and recreational considerations should have been discussed in Par I, Exhibit3. Make additional comments in this Exhibit as you feel necessary.)

2. For **P-MA** and **P-SG** zones:

1. Submit as EXHIBIT B, a reconnaissance level (Order 3) soil survey map or surficial geology map of the operations area. This map must be prepared by a Maine Registered Soil Scientist or Surficial Geologist. The characteristics of the soils or surficial geology must be described in sufficient detail to allow for preparation of Exhibit C, the analysis of limitations.
2. Submit as EXHIBIT C, a thorough, site specific analysis, of the limitations which the soils or surficial geology and topography identified in Exhibit B have for the activities proposed.

This analysis should discuss limitations caused by slope, depth to bedrock, ground water, surface water, erodibility, potential for sedimentation, and susceptibility to stabilization.

Reference may be made to the criteria and/or ratings of the Soil Suitability Guide for Land Use Planning in Maine.

3. Submit as EXHIBIT D, a thorough and specific plan to overcome the limitations identified in Exhibit C. This plan should include:
 - a. Road and water crossing specifications, and soil stabilization and water control/drainage structure specifications, including the basis for the specifications chosen.
 - b. It is not necessary to submit a map of skid roads and trails, however, the criteria for layout, construction, maintenance and termination of use must be included. Consideration should be given

to maximum slopes to be utilized, type and spacing of water control measures, and interim and final soil stabilization measures.

- c. Rationale for season of operation and scheduling of activities.

3. For P-UA zones:

Submit as EXHIBIT E a description of how the proposed operation WILL and WILL NOT have an adverse impact on the historic, scenic, scientific, recreational, aesthetic or water resources protected by the district.

4. For P-RR zones established to protect TRAILS including water trails:

- a. For timber harvesting activities, submit as EXHIBIT F a description of how the proposed operation WILL and WILL NOT have an adverse impact on recreational uses and values.

5. For P-RR zones established to protect REMOTE PONDS.

- a. For Land Management roads less than 1000 feet from the pond, submit as EXHIBIT G, a description of how the proposal complies with Section 10.16, G, 3, B, 1 of the Commission's Standards.

EXHIBIT 4

Forestry Operations Permit Application

SOIL/TOPOGRAPHY QUESTIONNAIRE

To be completed for all applications except those for operations within P-MA and P-SG districts. (See Exhibits B, C and D instead.)

This Questionnaire must be completed and signed by a Registered Professional Forester.

1. Character of topography: (Check the appropriate categories:)

A.

- Upland
- Bottomland
- Other: specify _____

B.

- Long, gently sloping ridge
- Moderately sloping and hilly
- Steep, mountainous land
- Other, specify _____

2. Percent slope of land area in general: _____ percent

3. Outcrops of ledge present: Yes No

Percent of area covered by outcrops _____ %

4. Microtopography: Land surface is: Smooth Hummocky Sloping with benches

5. General statement about area, based on observations made throughout the project area.

- Soils are:
- Sandy or gravelly
 - Well drained
 - Loamy
 - Moderate well drained
 - Clayey
 - Poorly drained
 - Peat and Muck
 - Other, describe: _____

6. General comments about overall soil - slope - drainage conditions: _____

7. Are swamps or bogs present within the proposed road location areas? Yes No.

If YES, briefly state the character of these areas, including an estimate of their size. If roads will be built through or directly abutting such areas, explain any special construction techniques to be used. _____

8. Signature: _____

Title: _____

Date: _____