

For office use:

48490 Tracking No. GP/SAWLWQC GP 458-6 Permit No.

Expedited Shoreland Alteration Permit Application

\$ 775.20 Fee Received

Permit for Alteration of a P-WL1 Subdistrict and Water Quality Certification

1. APPLICANT INFORMATION Print the legal names and mailing addresses of all persons or organizations with title, right or interest in the property associated with this application. Persons with "title, right or interest" are those listed on any deed, lease or sales contract for the property.

Applicant Name(s) Richard & Elaine Wallingford	Daytime Phone (207) 534-7537	FAX or Email (if applicable) drwallingford@gmail.com
Mailing Address P.O. Box 159	Town Rockwood	State ME Zip Code 04478

2. PROJECT LOCATION AND PROPERTY DETAILS (See Instructions)

Township, Town or Plantation Rockwood Strip, T1R1NBKP	County Somerset
Tax Information (check your tax bill) Map: SO033 Plan: 09 Lot: 18.1	Deed or Lease Information (check your deed or lease) Book: 4645 Page: 191 Lease #:
Lot size (in acres, or in square feet if less than 1 acre) 42,700 sq.ft.	Zoning at Development Site D-RS

Water Frontage. List the name and frontage (in feet) for any lakes, ponds, rivers, streams, or other waters on or adjacent to your lot. Measure water frontage in a straight line between the points of intersection of side property lines and the normal high water mark of the shoreline.

Waterbody: Moosehead Lake Frontage 200 ft.

LUPC Approved Permit. List any permit numbers you are aware of for projects on your property previously approved by the Commission. If your lot is part of an approved subdivision, provide both the subdivision permit number and your lot number. This information is usually included in your deed description. DP 3771

Land Division History. Using your deed as a starting point, trace the ownership history and configuration changes of your property back 20 years from today. List any division of those lots from which your property originated (use an additional sheet of paper or page 3 of the application, if needed).

Grantor and grantee	Date of sale or lease	Lot size
(example - Amy Adams to Rob Roberts)	1/12/97	10 acres
Richard Wallingford, Jr. to Richard, Jr. & Elaine Wallingford	03/29/13	42,700 sq. ft.
Milton & Peggy Fuller to Richard Wallingford, Jr. & John VanBuren	10/24/85	2.9 acres
Land Swap with Neighbor in 2005		
D. Gilbert to Richard Wallingford, Jr. & John VanBuren	08/24/05	1575 sq. ft.
Clementine Moon to Clementine Moon & Darren Gilbert	2/11/97	unk.
Inez Davis to Henry and Clementine Gilbert	6/15/62	unk.

If your property is part of subdivision approved by the Commission, continue to Question 3. If your property is not part of an approved subdivision, please complete the Land Division History. (Check deed or contact the LUPC office that serves your area.)

3. PROPOSED ACTIVITY (check all that apply)

- Dock Reconstruction Shoreline Stabilization Rock Relocation
 Water Intake Pipe (private residential) or Dry Hydrant (public) (NOTE: An application for a dry hydrant may only be made by a public entity or representative, for example a town or fire department.)

If this application is for a Dock Reconstruction, Shoreline Stabilization, Rock Relocation and/o Water Intake Pipe or Dry Hydrant you must complete and attach the appropriate Activity Attachment form.

- Time extension of previously issued Expedited Shoreland Alteration permit (write permit number) _____
 Other amendment of previously issued Expedited Shoreland Alteration permit (write permit number) _____

If this is a permit amendment or a time extension of a previously issued Expedited Shoreland Alteration permit, contact the LUPC office that serves your area to determine which parts of this application form you must complete.

RECEIVED

SEP 21 2015

LUPC - GREENVILLE

4. DEVELOPMENT IN FLOOD PRONE AREAS

(Note: There are questions in the Conditions of Approval activity attachment relevant to work in a FEMA zone, P-FP zone, or an area prone to flooding.)

Is your proposed activity located within a mapped P-FP (Flood Prone Area Protection) Subdistrict, a mapped FEMA (Federal Emergency Management Agency) flood zone, or an unmapped area prone to flooding?	P-FP Subdistrict.....	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
	FEMA Flood Zone	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
	Unmapped Area Prone to Flooding	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

5. APPLICANT SIGNATURE (REQUIRED) AND AGENT AUTHORIZATION (OPTIONAL)

Agent Name Burman Land & Tree Company, LLC c/o Aleita Burman	Daytime Phone (207) 825-4050 / 385-6056	FAX or Email (if applicable) blburman@gmail.com	
Mailing Address P.O. Box 145	Town Orrington	State ME	Zip Code 04474

I have personally examined and am familiar with the information submitted in this application, including the accompanying exhibits and supplements, and to the best of my knowledge and belief, this application is complete and includes all necessary exhibits. I understand that if the application is incomplete or missing any of the required exhibits, this will result in delays in processing my permit. The information in this application is a true and adequate narrative and depiction of what currently exists on, and what is proposed at, the property. I certify that I will give a copy of this permit and the associated CONDITIONS OF APPROVAL to any contractors working on my project. I understand that I am ultimately responsible for complying with all applicable regulations and with all conditions and limitations of any permits issued to me by the Commission. If there is an Agent listed above, I hereby authorize that individual or business to act as my legal agent in all matters relating to this permit application.

I certify that the project will be completed in accordance with the CONDITIONS OF APPROVAL, and the attached Standard Conditions for Shoreland Alterations, and any other applicable Commission requirements and laws. If this is a permit amendment, then all conditions in prior permits issued for this activity will continue to apply unless specifically amended herein.

Please check one of the boxes below: (see "Accessing the Project Site for Site Evaluation and Inspection" on Page ii)

- I authorize staff of the Land Use Planning Commission to access the project site as necessary at any reasonable hour for the purpose of evaluating the site to verify the application materials I have submitted, and for the purpose of inspecting for compliance with statutory and regulatory requirements, and the terms and conditions of my permit.
- I request that staff of the Land Use Planning Commission make reasonable efforts to contact me in advance to obtain my permission to fully access the project site for purposes of any necessary site evaluation and compliance inspection.

All appropriate persons listed on the deed, lease or sales contract must sign below.

Signature(s) <i>Richard Wallingford</i>	Date	09-14-15
<i>Charles Wallingford</i>	Date	09-14-15

IMPORTANT

- This application, once signed by Commission staff and then returned to you, is your permit and authorization to proceed with your project as you have described it and have shown on the Site Plan.
- Your project must be done in compliance with all of the CONDITIONS OF APPROVAL, as you have described in this application and the Activity Attachment.
- The Permit Certificate that will be included with the signed permit must be displayed at the construction site.
- In order to comply with the Conditions of this LUPC Permit and be eligible for authorization under the Corps of Engineers Maine General Permit for work being done in a water of the United States under Federal Jurisdiction, LUPC permittees must submit to the Corps the U.S. Army Corps of Engineers, Category 1 Notification Form that will be attached to the signed LUPC permit. (See COMPLIANCE, on the last page of the Instructions)

LUPC AUTHORIZATION (for office use)

Based on the information you have submitted in the attached application and supporting documents, the staff of the Land Use Planning Commission concludes that, if carried out in compliance with the CONDITIONS OF APPROVAL and Standard Conditions (attached), the project you propose will not affect the water quality classification of the affected waterbody and meets the provisions of the General Land Use Standards for Wetland Alterations, Section 10.25.P of the Commission's Land Use Districts and Standards. Further, the project you propose meets the Criteria for Approval, 12 M.R.S.A. §685-B(4) of the Commission's statutes. Any variation from the project as described in this application and the CONDITIONS OF APPROVAL is subject to the LUPC staff review and approval prior to construction. Any variation undertaken without approval by Commission staff constitutes a violation of Land Use Planning Commission law. In addition, any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.

<i>Ted Wagoner</i>	10-20-15
LUPC Authorized Signature	Effective Date

Use this page to provide any explanations that will help describe your project. If you wrote "n/a" next to any of the questions or CONDITIONS OF APPROVAL in the Attachment or in the application form, if needed please explain why below, and include the number of the question or condition.

The dock to be reconstructed was originally constructed prior to LUPC (or LURC) jurisdiction. It originally served a set of sporting camps formerly located on the property, a commercial use that continued to about 2003. The dock currently serves two private residences, one of which is owned by the Wallingfords, the other is rented to summer vacationers (some continued commercial activity). The project is to reconstruct the easterly approximately one-half of the dock and allow the westerly approximately one-half to naturally degrade.

The dock is rock filled timber crib type construction with wooden facing on the outsides and a planked walking surface. The northern side of the dock is slanted (wider at the bottom than at the top) for minimization of ice damage. The dock was fully reconstructed in about 2003. Since then the dock has been damaged by ice and weather over time. The dock has been in continuous use over the past 2 years, however, much of the western side of the dock and associated ell was only usable during low water.

It should be noted that the 2003 Application to reconstruct the dock showed the walkway out to the dock as approximately 8 ft. wide by 41 ft. long. The 2015 width measurement averaged about 9 ft. wide. The 2003 Application showed the dock as 13 ft. wide (bottom) by 128 ft. long. The 2015 measurement averaged about 12 ft. wide. Since the dock has not been widened, it is assumed that the 2003 measurements were in error, or rounded, at the time of measurement.

It is understood that since the dock is larger than the size limitation for new or expanded docks, the reconstructed dock "must be no more than 90% of the size of the original structure", which includes only the top footprint measurement, not the bottom measurement, which cannot be changed without significant in-water work. The top of the original structure was approximately 2026 sq. ft. in size. The rebuilt dock (proposal with this Application) will be approximately 1188 sq. ft., which is 59% of the original structure. The top of the eastern half of the dock (the proposed portion to be rebuilt) was originally approximately 1256 sq. ft. in size. At 1188 sq. ft., the rebuilt eastern half of the dock will be approximately 95% of this figure. Taking into account that a minimum approximately 220 sq. ft. portion of the western side of the dock was still decked in the past two years (as can be observed in a Google Earth September 2013 aerial photograph and photograph taken in August of 2013 - see Exhibit C), there will be a minimum 20% reduction in the size of the dock.

According to the Activity Attachment: Dock Reconstruction Application, "reconstructed private residential docks must be no wider than 8 feet and no longer than 50 feet. Reconstructed public docks must be less than 10 feet wide and less than 50 feet long". The proposed reconstructed dock will be larger than these size limitations. The Applicant requests that LUPC take into consideration that the dock is still used for limited commercial purposes, was constructed prior to LUPC jurisdiction, and with this reconstruction will be reduced in size by 41%, which is significant. Reducing the top decking footprint is limited by the timber frame size (without significant intrusion into the timber frame below water); therefore, the top decking (at 10.5 feet wide) is the maximum size reduction.

Tracking No.

GP/SAWL/WQC

CP 4588B
Permit No.

Activity Attachment: Dock Reconstruction

Questions and Conditions of Approval

This Attachment must accompany the Expedited Shoreland Alteration Permit Application, and is for reconstruction of:

- A legally existing private residential or public permanent dock; or
- A legally existing private residential or public temporary dock on a waterbody where there is a FEMA or P-FP zone
NOTE: Temporary docks where there is not a FEMA or P-FP zone present do not require a LUPC permit.
- Where the area affected below the normal high water mark would be less than 500 square feet in size;
- The dock is located on an inland water;
- The dock was in usable condition within the two years prior to submittal of the application; and
- The reconstructed dock will be the same size and type, and in the same location as the existing dock, except where relocated to meet the property line setback.

This Activity Attachment cannot be used for reconstruction of docks on coastal waters or for commercial facilities.

This Activity Attachment is only for dock reconstruction where the affected waterbody is bordered by the following zones (Note: The zone your project is located in is listed in Question 2 of the application form.)

- P-GP and P-GP2, including where there is an overlapping FEMA or P-FP zone, or a P-AR zone
- P-SL2 associated with a pond smaller than 10 acres, including where there is an overlapping FEMA or P-FP zone, or a P-AR zone
- P-SL1 and P-SL2 associated with a stream or river (but not where there is a FEMA or P-FP zone)
- P-AL zone
- All development zones (except D-PD and D-MT)

 Projects on waterbodies abutting zones not listed here may be allowed using the standard application form. Consult with your regional representative to determine if your project is an allowed use.

A. PROJECT TYPE (check one)

Private residential permanent dock Public permanent dock

Private residential or public temporary dock where there is a FEMA or P-FP zone

B. LOCATION (check one)

Lake or pond 10 acres or larger Pond smaller than 10 acres (Pond size in acres, if known _____)

River or stream bordered by a P-SL1 zone (major flowing water) Stream bordered by a P-SL2 zone (minor flowing water)

C. PROJECT DETAILS

NOTE: Answering YES to a question indicates that the statement is correct about your project.

1. The total area in square feet of lake, pond, river or stream below the normal high water mark to be impacted by the dock reconstruction will be less than 500 square feet. YES NO
If YES, provide the size of the area within the waterbody to be impacted: 34 sq. ft.

2. The reconstructed dock will be in the same location as the existing dock, unless the dock is being moved to better meet the property boundary line setback to the greatest extent possible. YES NO

3. Has the dock being reconstructed been in place and usable within the last two years? YES NO

If you answered NO to any one of Questions 1, 2 or 3 in Section C, then the expedited permit form cannot be used, STOP HERE.

Contact the LUPC office that serves your area to obtain the standard application form or further assistance.

If you answered YES to all three questions, please continue to Question 4.

4. The dock reconstruction would meet the definition of "normal maintenance and repair" of a docking structure, as defined in Section 10.02 of the Commission's *Land Use Districts and Standards (also see below)*. YES NO

Normal Maintenance and Repair: "Unless otherwise provided, work necessary to maintain an improvement, structure, or docking structure in its original or previously improved state or condition, as long as there is no expansion of a non-conforming structure and less than 50 percent of a structure is replaced. This includes general upkeep, such as painting, fixing portions of the structure that are in disrepair, or the replacement of sill logs, roofing materials, siding, or windows. In-kind and in-place replacement of decking or exterior stairs is considered to be normal maintenance and repair.
 Normal maintenance and repair shall not include reconstruction, or change in design, change in structure, change in use, change in location, or change in size or capacity. Activities involving a permanent docking structure constitute normal maintenance and repair only when less than 50% of those portions of the permanent docking structure that are above the level of the water during normal high water are maintained or repaired." (emphasis added)

- A permit is required for a dock reconstruction located on a waterbody with a FEMA or P-FP zone if the cost of the reconstruction is \$1,000 or more, even if less than 50% of the portion of the dock that is above water is being replaced.
- If there is no FEMA or P-FP zone present, and your dock reconstruction meets the definition of "normal maintenance and repair" for docking structures, then no permit is required.
- Check with the LUPC office that serves your area to determine if a permit is required for your activity.

D. CONDITIONS OF APPROVAL FOR DOCK RECONSTRUCTION

By law, any proposed development must meet certain conditions of approval. Please read each of the following statements carefully. Check 'YES' if your project will be done as described in each statement. You must complete all questions, including those marked as "[P-FP]". **Checking 'NO' to any of the following statements indicates that your project will not comply with that CONDITION OF APPROVAL, and this expedited form cannot be used for your project.** However, projects not qualifying for the expedited permit may still be allowed using a standard permit. If a statement does not apply to your project, check 'N/A' and if needed, explain why on page 3 of the application form, which is provided for this purpose.

PROJECT DESCRIPTION AND CONSTRUCTION MATERIALS

1. The reconstructed dock will be the same type and the same size as, or smaller than, the existing dock. Reconstructed private residential docks must be no wider than 8 feet and no longer than 50 feet. Reconstructed public docks must be less than 10 feet wide and less than 50 feet long. YES NO

If you plan to replace an existing dock on posts with a rock-filled crib dock, it is considered to be an expansion, not a reconstruction, and this form cannot be used for your project.

2. The reconstructed dock will not include other structures, such as sheds, floatplane hangers, boathouses, electric wiring, or fuel storage tanks attached to the dock. YES NO
3. [P-FP] The reconstructed dock will be adequately anchored to prevent flotation (floating docks excluded), collapse or lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. YES NO
4. [P-FP] The construction practices and methods used will minimize the potential for flood damage, and the materials used will be resistant to flood damage. YES NO
5. Only untreated wood or pressure-treated wood or other material approved by the U.S. Environmental Protection Agency for inland waters will be used to reconstruct the dock. CCA pressure-treated wood will only be used if it is dried on land in such a manner as to expose all surfaces to the air for at least 21 days. PCP pressure-treated wood or wood treated with creosote will not be used. YES NO
6. All metal used below the normal high water mark will be rust-proof. YES NO
7. The dock reconstruction will not involve the use of concrete. YES NO
8. Heavy machinery will not be driven in the water or below the normal high water mark (except as provided for flowed lakes, see Question #9). N/A YES NO

Section D Conditions of Approval, continues onto the next page...

9. **For projects on flowed lakes only:** Heavy machinery will be driven below the normal high water mark only where necessary, when the work area is above the level of the water, and only on rocky or gravelly substrate. Mats or platforms will be used as needed to protect the shoreline and lake bottom from damage..... N/A YES NO
10. The dock reconstruction will not require alteration of any other area of wetland [(P-WL) Wetland Protection Subdistrict] other than the waterbody that the activity is located on. YES NO
11. The dock reconstruction will not require construction of an access road..... YES NO
12. All construction debris and residual materials will be removed from the waterbody and disposed of according to the Maine Solid Waste Disposal Rules..... YES NO

PROJECT LOCATION AND TIMING

13. The dock reconstruction will occur during a period of low water conditions, and for flowed lakes when the lake bottom is exposed. YES NO
14. **For projects on streams or rivers:** The dock reconstruction will occur between July 15th and October 1st. N/A YES NO
15. **For projects on streams or rivers:** The dock reconstruction will not interfere with natural flow, will not create an impoundment, and will not block fish passage. N/A YES NO
16. [P-FP] The reconstructed dock will not interfere with navigation or recreation. YES NO
17. The dock reconstruction will not occur when the soil above the normal high water mark is frozen or saturated..... YES NO
18. The dock being reconstructed is not located within 250 feet of mapped Endangered, Threatened, and Special Concern species habitat as designated by the Maine Department of Inland Fisheries and Wildlife. For further information, contact your LUPC regional representative; or MDIFW, 284 State Street, Augusta, ME 04333; (207) 287-8000. YES NO

SOIL AND VEGETATION DISTURBANCE; AND EROSION / SEDIMENTATION CONTROL

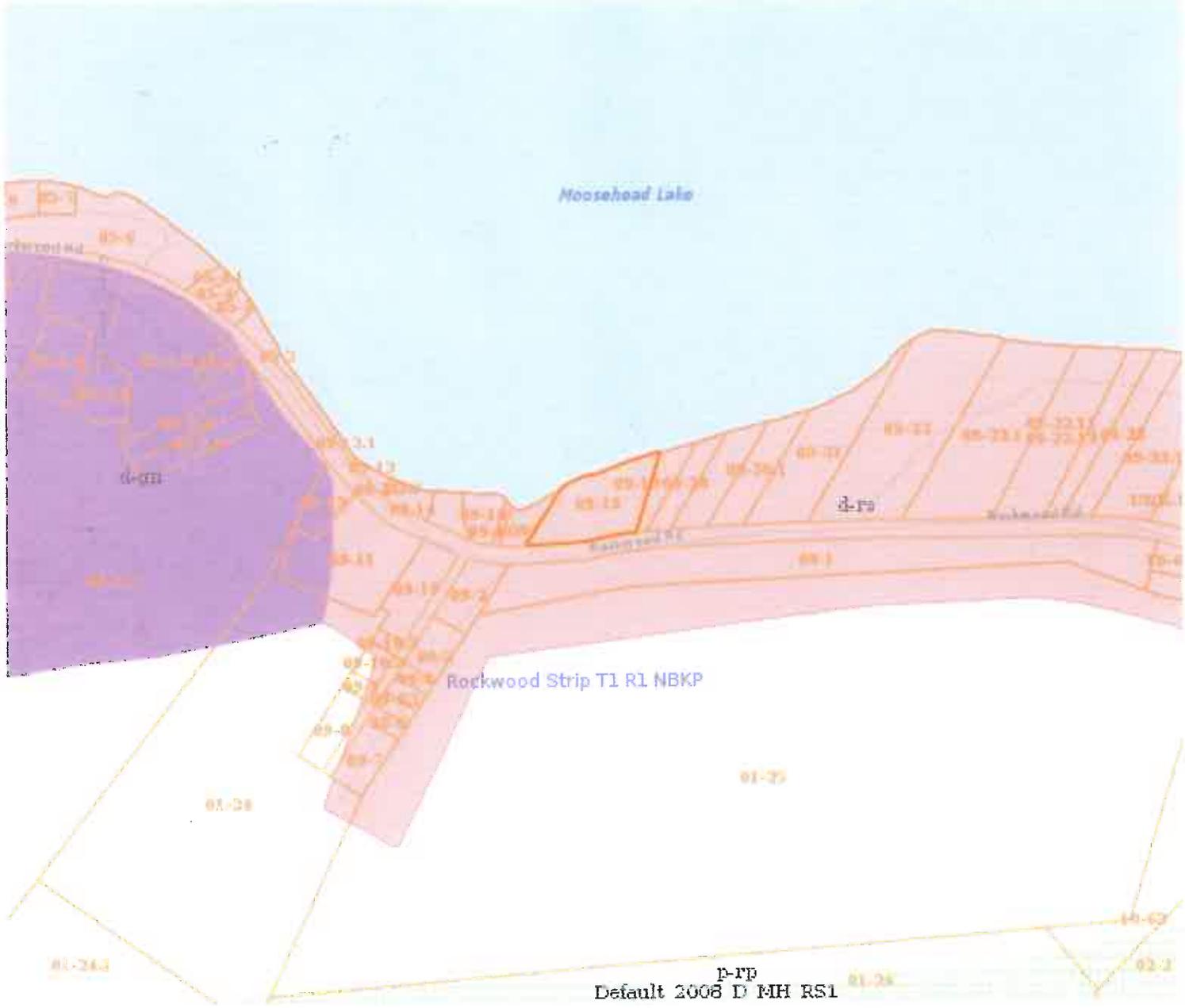
19. The dock reconstruction will not require more than incidental grading, filling or clearing of vegetation within 100 feet of the normal high water mark. The project will meet the LUPC's standards for Vegetation Clearing (10.27, B) and for Filling and Grading (10.27, F). See www.maine.gov/dacf/lupc/laws_rules/ch10.html, Rules and Regulations, Chapter 10 YES NO
20. Prior to construction, measures to control erosion and sedimentation, such as staked hay bales or silt fencing, will be placed between any area above the normal high water mark that will be disturbed and the waterbody to prevent sediment from entering the waterbody. Silt fencing will be removed within 30 days of completing the project, if soil stabilization is complete. YES NO
21. If work will be conducted in the water, prior to construction sedimentation control measures such as a floating silt boom will be installed around the work area below the normal high water mark to contain and isolate turbidity. The silt boom will be removed upon completion of construction. YES NO
22. All areas of disturbed mineral soils above the normal high water mark will be stabilized with hay or bark mulch and replanted within one week of inactivity or completion of the project in accordance with the Commission's Guidelines for Vegetative Stabilization. See www.maine.gov/dacf/lupc/laws_rules/ch10.html, Rules and Regulations, Chapter 10, Appendix B..... YES NO

EXHIBIT A
Site Location Map

Maine Department of Agriculture, Conservation and Forestry - Land Use Planning Commission
 Zoning and Parcel Viewer

EXHIBIT A

Map generated: Tuesday, September 8, 2015



0 510 1020 1530 2040 2550 ft

Parcel number	Town/Geocode	Town Code	Plan	Lot	Zones Intersected	LUPC Region	Contact number
1	Rockwood Strip T1 R1	SO033	09	18	d-rs	GREENVILLE	(207) 695-2466

EXHIBIT C
Photographs



Photo 1: Looking south at dock. August 2013.
Note boat cover and flower pot on west side of dock (to right of photo)



Photo 2: Looking north at dock. August 2013. Note western side is "useable".



Photo 3: Looking northeast at eastern portion of dock. Note that some of decking and facing has been removed in preparation of repair. September 10, 2015.

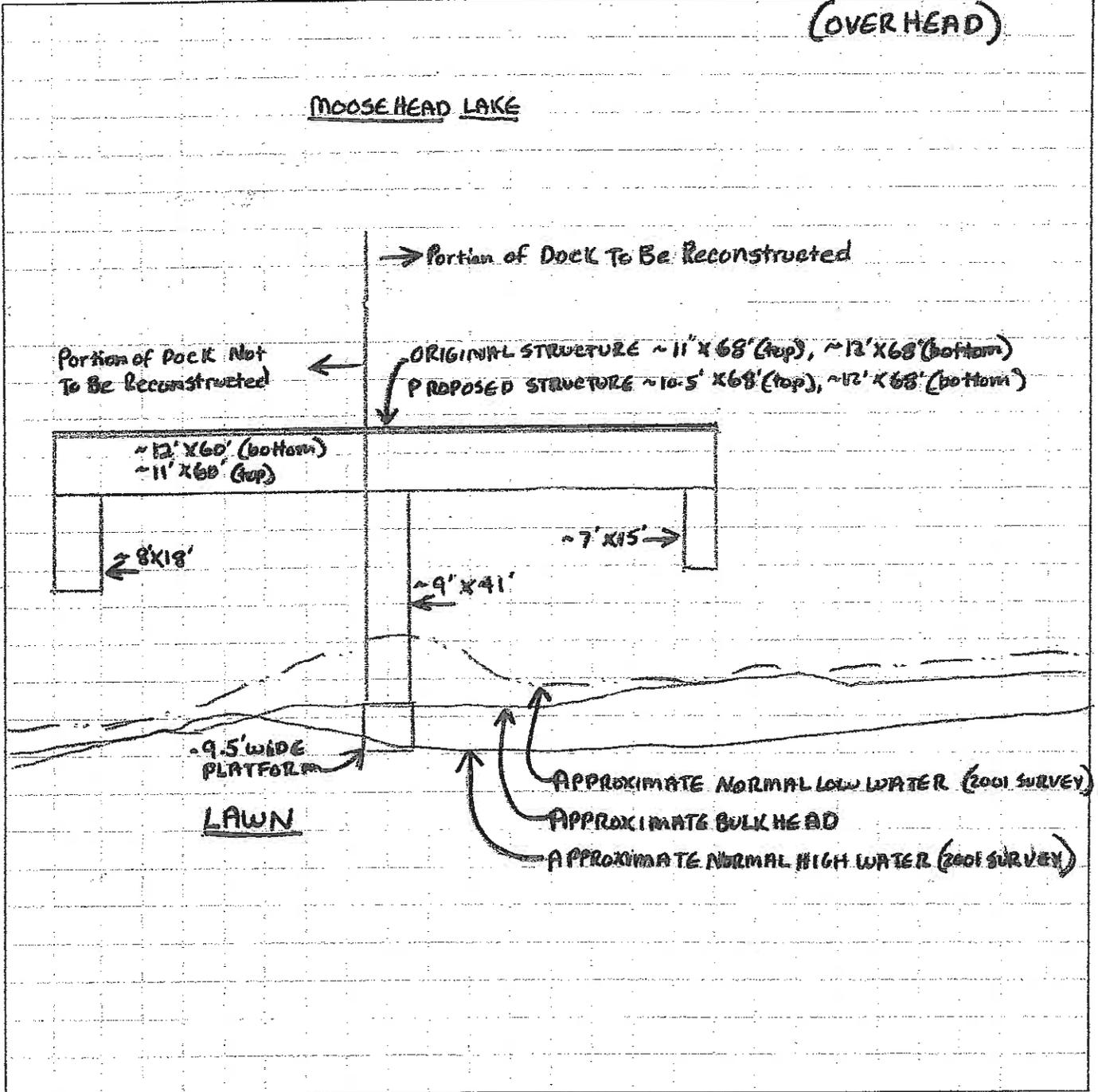


Photo 4: Looking down at degraded timber frame. September 10, 2015.

EXHIBIT D

Plans

EXHIBIT D: SITE PLAN
(OVERHEAD)



Notes/Legend:

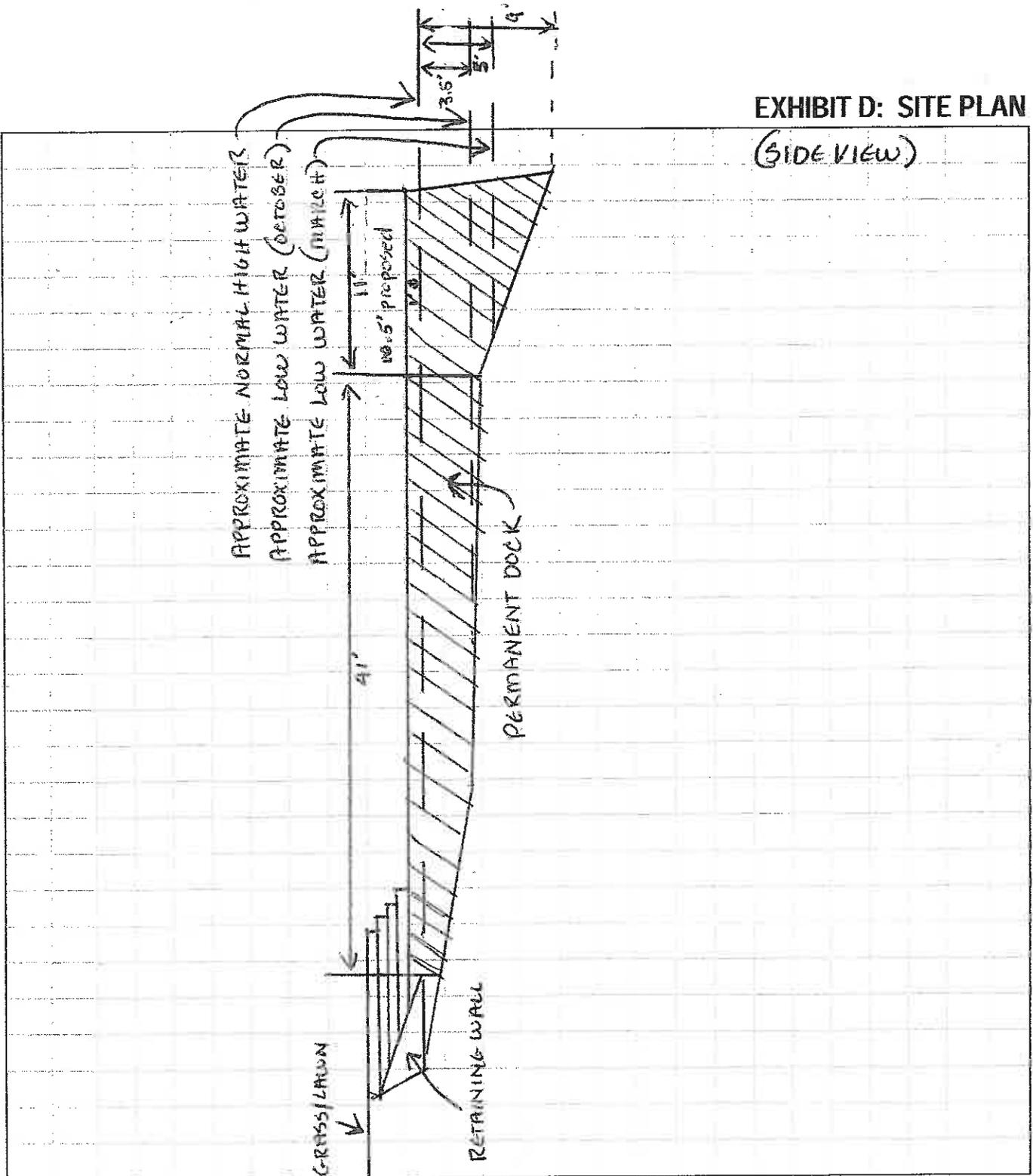
Richard, Jr. ; Elaine Wallingford
Proposed Dock Reconstruction
Rockwood Strip, Maine

Scale: 1" ~ 30'

by: Ann Burman
Burman Land: Tree Company, LLC
9/14/15

EXHIBIT D: SITE PLAN

(SIDE VIEW)



Notes/Legend:

RICHARD, JR. & ELAINE WALLING FORD
PROPOSED DOCK RECONSTRUCTION
ROCKWOOD STRIP, MAINE

scale 1" = 10'



**US Army Corps
of Engineers**
New England District

Appendix B: Category 1 Notification Form
(for all Inland and Navigable Water Projects
in Maine subject to Corps jurisdiction)

Two (2) weeks **before** work commences, submit this to the following mailing address or complete the form at www.nae.usace.army.mil/reg, "State General Permits," "Maine." Call (207) 623-8367 with any questions.

Maine Project Office
U.S. Army Corps of Engineers
New England District
675 Western Avenue #3
Manchester, Maine 04351

State Permit Number: _____
Date of State Permit: _____
State Project Manager: _____

Permittee: Richard, Jr. & Elaine Wallingford
Address, City, State & Zip: P.O. Box 159
Phone(s) and Email: Rockwood, ME 04478

Contractor: Jack Whittier & Sons, Inc.
Address, City, State & Zip: P.O. Box 532, Spruce Street, Greenville, ME 04441
Phone(s) and Email: (207) 695-2649

Consultant/Engineer/Designer: Aleita Burman, Burman Land & Tree Company, LLC
Address, City, State & Zip: P.O. Box 145, Orrington, ME 04474
Phone(s) and Email: (207) 825-4050 blburman@gmail.com

Wetland/Vernal Pool Consultant: Aleita Burman, Burman Land & Tree Company, LLC
Address, City, State & Zip: P.O. Box 145, Orrington, ME 04474
Phone(s) and Email: (207) 825-4050 blburman@gmail.com

Project Location/Description: Dock Reconstruction on Moosehead Lake
Address, City, State & Zip: Route 15, Rockwood Strip, T1R1NBKP, Maine
Latitude/Longitude Coordinates: 45.680000, -69.753171
Waterway Name: Moosehead Lake

Work Description: Project is to repair an existing rock-filled timber frame type permanent dock. Repairs include replacement of the top timber frame, side facing and decking. See attached Applications for plans.

Provide any prior Corps permit numbers: _____
Proposed Work Dates: Start: September 1, 2015 Finish: September 30, 2015

Area of wetland impact: _____ SF (leave blank if work involves structures & no fill in Navigable Waters)
Area of waterway impact: _____ SF (leave blank if work involves structures & no fill in Navigable Waters)
Area of compensatory mitigation provided: _____ SF

Work will be done under the following Appendix A categories (circle all that apply):

- I. Inland Waters and wetlands: a b d e
II. Navigable Waters: a b c d e f g

Your name/signature below, as permittee, indicates that you accept and agree to comply with the terms, eligibility criteria, and general conditions of Category 1 of the Maine General Permit.

Permittee Printed Name: Richard Wallingford, Jr.

Permittee Signature: *Richard Wallingford, Jr.* Date: 09-14-15

MOOSEHEAD LAKE PROJECT PERMIT

Effective this 14th day of October, 2015 Kennebec Water Power Company ("Permitter"), with an address of 26 Katherine Drive, Hallowell, Maine 04347, hereby grants permission to Richard and Elaine Wallingford ("Permittee") with an address of P.O. Box 159 Rockwood, ME 04478 to replace an existing permanent dock along the shoreline and lakebed immediately adjacent to Permittee's land and below the high water line of Moosehead Lake as described and illustrated on the State of Maine Department of Agriculture, Conservation & Forestry Land Use Planning Commission application, impacting approximately 1,188 square feet of lake bottom (the "Activity") below elevation 1029.0 feet United States Geological Survey ("U.S.G.S.") and located on flowed lands below the high water line of Moosehead Lake immediately adjacent to Permittee's land located at the shore of Moosehead Lake, at Map SO033, Plan 09 Lot 18.1, Rockwood, Somerset, ME (the "Area").

WHEREAS Permitter is the owner of flowage rights on all lands below elevation 1029.0 feet U.S.G.S. in and around Moosehead Lake in accordance with FERC License Project No. 2671; and

WHEREAS, Permitter and Permittee both acknowledge that this Permit, while required by Permitter's FERC License, is not a conveyance of any interest in Project Lands or Waters and rather consists of permission to replace and maintain an existing permanent dock along the shoreline and lakebed of Moosehead in an area adjacent to Permittee's shoreland for purposes of recreational boating access; and

WHEREAS, Permitter and Permittee agree that the Activity is not inconsistent with the purpose of protecting and enhancing the scenic, recreational and other environmental values of the Project.

IN CONSIDERATION OF Permitter's grant of permission to Permittee to conduct the Activity identified in this Permit, and other consideration the receipt and sufficiency of which are hereby acknowledged, the Permittee hereby agrees to the following conditions:

1. Permittee acknowledges that this Permit only applies to the Activity authorized by this Permit.
2. Permittee's conduct of the Activity shall comply with all applicable federal, state and local laws, rules, regulations, orders and ordinances, as well as any applicable regulations of Permitter. Permittee shall supply Permitter with documentation of properly obtained state and federal permits prior to commencing the Activity.
3. In the event that any hazardous substance (including but not limited to oil and fuel) as defined under any environmental law, are introduced into the Area and/or into the waters adjacent to the Area in connection with or during the course of the Activity, Permittee shall notify the state, local and federal agencies as required by law and shall, within eight (8) hours of the occurrence of such event, contact a representative of

Permitter at the following telephone number: (207) 629-1890 and provide written notice to Permitter of the occurrence at the address set forth in the first paragraph of this Permit or such other address as Permitter may provide under the terms of this Permit. Failure to do so may result in the immediate revocation of this Permit.

4. In the event that archaeological artifacts are uncovered in the Area during the conduct of the Activity authorized under this Permit, Permittee shall immediately cease the activity and notify the State Historic Preservation Office and Permitter. Permitter shall receive notice from Permittee by telephone at the telephone number provided in paragraph 3 above and in writing at the address set forth in the first paragraph of this Permit or such other address as Permitter may provide under the terms of this Permit.
5. Permittee acknowledges and understands that Permittee's conduct of the Activity does occur within the Project Boundaries of Federal Energy Regulatory Commission ("FERC") licensed Project No. 2671 (the "Project"), and as a result, is subject to FERC's regulation as well as to permission by Permitter.
6. Permittee shall not lease, sublet, license, assign or otherwise grant any rights under this Permit to others without Permitter's prior, written consent which consent may be conditioned, granted or withheld as Permitter deems appropriate in its sole and absolute discretion.
7. During the conduct of the Activity, Permittee shall, at all times, keep and maintain Area in a clean, orderly condition and in good repair and shall not use nor allow others to use of the Area in any disorderly or offensive manner, nor cause or permit a nuisance to exist on the Area, on or within the waters adjacent to the Area, or within the Project boundary or Permitter's adjacent lands. During the conduct of the Activity, Permittee shall not commit waste of the Area, nor cause damage, disfigurement or injury to the Area. Permittee's breach of this condition may result in immediate revocation of this Permit.
8. Permittee shall notify Permitter of the date of commencement of the Activity at the following telephone number: (207) 474-3921 Ext 11. Permitter may inspect the Area at any reasonable time during the conduct of the Activity and upon completion of the Activity.
9. Permittee's conduct of the Activity on the Area and adjacent lands and waters shall be at Permittee's sole risk and expense, and Permittee assumes all risks of the Activity on and adjacent to the Area. Nothing in this Permit shall be construed to create any duty or standard of care on the part of, or impose any liability upon, the Permitter. Permittee hereby releases and discharges Permitter from all claims, demands, or damages which Permittee may have or allege to have against Permitter as a result of this Permit, or created by or arising out of Permittee's conduct of the Activity on the Area and/or this Permit. Permittee shall indemnify, protect, defend and hold harmless Permitter, Permitter's parent, subsidiaries, affiliates and their respective officers, directors and employees (collectively, the "Kennebec Water Power Entities") from and

against any and all claims, actions, damages, costs, taxes, fees, liabilities and expenses of any nature, including injury and/or death of persons, damages to property, court and reasonable attorney's fees, arising from or in connection with the conduct of the Activity under this Permit, any act or omission by Permittee in conducting the Activity, or the use of the Area by Permittee or anyone using the Area under or through Permittee in conducting the Activity. Permittee's obligations under this paragraph shall survive completion of the Activity under this Permit or other termination of this Permit.

10. Permittee acknowledges that the water levels of Moosehead and Brassua Lake are subject to significant fluctuation and agrees that Permittor has the right and discretion to regulate the water levels of Moosehead and Brassua Lake in accordance with its flowage rights and the applicable terms of its FERC license.
11. Permittee agrees that (i) the Activity shall not endanger health, create a nuisance or otherwise be incompatible with overall Project recreational use; (ii) Permittee shall take all reasonable precautions to insure that the Activity will occur in a manner that will protect the scenic, recreational and environmental values of the project; and (iii) the Activity shall not unduly restrict public access to Project Waters.
12. Permittor may revoke this Permit at any time prior to completion of the Activity for cause or if the Activity becomes in conflict with Permittor's License requirements or operations. Upon Permittor's revocation of this Permit, Permittee shall immediately discontinue the Activity (unless otherwise directed, in writing, by Permittor) and leave the Area in good order, condition and repair.

Kennebec Water Power Company

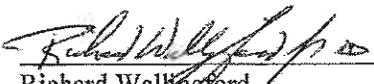
BY: _____

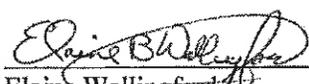
Print Name: Todd Wynn

Title: President, KWPC

Date: _____

The Terms and Conditions of the foregoing Permit are agreed to by: PERMITTEE:


Richard Wallingford


Elaine Wallingford

10-14-15
Date

Exhibit A

