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GOVERNOR

STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
MAINE FOREST SERVICE  
22 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0022

WALTER E. WHITCOMB  
COMMISSIONER

# PERMIT

## FORESTRY OPERATIONS PERMIT FOP 14009

The staff of the Maine Forest Service, after reviewing the application and supporting documents submitted by American Forest Management, Inc. for BBC Land, LLC for Forestry Operations Permit FOP 14009, finds the following facts:

1. Applicant: BBC Land, LLC  
PO Box 320  
Stratton, Maine 04982
2. Agent: Robert Krantz  
American Forest Management, Inc.  
PO Box 320  
Stratton, Maine 04982
3. Date of Completed Application: November 6, 2014
4. Location of Proposal: Massachusetts Gore (T3R6 WBKP), Franklin County
5. Zoning: (P-MA) Mountain Area Protection Subdistrict
6. Approximate Time Period of Operations: December, 2014 through April, 2015

### Proposal

7. The applicant proposes to conduct a timber harvest on approximately 84 acres in a P-MA zone.
8. The harvest will only be conducted during frozen ground conditions.
9. The applicant proposes that a commercial harvest be conducted removing all stems greater than five inches diameter at breast height in the P-MA zone.
10. The applicant proposes to create a Category 3 clearcut in the P-MA zone.
11. There will be no roads constructed in the P-MA but there will be one main skid trail constructed using an excavator.
12. Visibility of the harvest site will be negligible from any populated areas, public roads, or recreational trails.

DOUGLAS P. DENICO  
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## Review Comments

13. There were no comments received from the reviewers.

## Findings

14. A field visit was conducted November 12, 2014. The field visit showed the permit application was complete and accurate.
15. The stands are mature and due to site conditions will not remain standing following a partial harvest.
16. The species and height of the regeneration is highly variable depending on site condition and the existing condition of the overstory.
17. There will be no road or yard construction in the P-MA.
18. The harvest activity will take place on frozen ground and slash will be used as necessary to stabilize skid trails.

The information provided in the application, along with an MFS inspection of the site conditions in the area to be harvested, demonstrate that the petitioner has met its burden of proof and satisfied the requirements of Chapter 27, Section 4.

Based upon the above proposal, the MFS concludes that if carried out in compliance with the conditions below, the proposal will meet the Criteria for Approval, 12 M.R.S. §Section 685-A(1) of the Commission's Statutes, and Maine Forest Service Rules, Chapters 20 and 27.

**Therefore, the MFS staff approves the application of BBC Land, LLC submitted by American Forest Management, Inc. with the following conditions:**

1. The applicant must receive approval from the MFS for the planned Category 3 clearcut in the harvest area prior to commencement of the harvest operation.
2. The operation will be conducted during snow covered or frozen ground conditions.
3. The harvesting authorized in this permit can commence on the effective date of this permit and should be completed within the time outlined in Section 6 above. If such activities are not started and completed within this time period, this permit lapses and no activities may then occur unless and until a new permit or extension to the existing permit has been granted by the MFS.
4. All harvesting activities will be done according to the standards in Chapter 27 Standards for Timber Harvesting and Timber Harvesting Related Activities within Unorganized and Deorganized Areas of the State, Section 4 as applicable.

If no person requests that the Maine Forest Service review the decision of staff within 30 days of the date of this staff decision, this permit becomes final agency action subject to review of the Maine Administrative Procedure Act. Pursuant to 5 M.R.S. §§ 11001 *et seq.*, a person aggrieved by an MFS permit decision may appeal the MFS's final action to Superior Court. As part of such an appeal, a person aggrieved may seek judicial review of the components of MFS's final action and permitting decision.

This permit is approved only upon the above stated conditions and remains valid only if the permittee complies with all of these conditions. In addition, any person aggrieved by this decision of the staff may, within 30 days, request that the Maine Forest Service review the decision.

DONE AND DATED AT OLD TOWN, MAINE, THIS 9th DAY OF DECEMBER, 2014.

A handwritten signature in black ink, appearing to read "James P. Ecker", is written over a light gray rectangular background.

James P. Ecker LPF 612  
Regional Enforcement Coordinator  
Maine Forest Service  
Box 415  
Old Town, Maine 04468