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GOVERNOR

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

WALTER E. WHITCOMB
COMMISSIONER

AFTER THE FACT PERMIT

AFTER THE FACT ROAD CONSTRUCTION PERMIT RP 15002

The staff of the Maine Forest Service, after reviewing the application and supporting documents submitted by The Bureau of Parks and Lands, Lands Division, Eastern Region for Road Construction Permit RP 15002, finds the following facts:

1. Applicant: Bureau of Parks and Lands
Attn: Chuck Simpson
106 Hogan Road, Suite #5
Bangor, Maine 04401
2. Date of Completed Application: August 04, 2015
3. Location of Proposal: Lakeview Plantation, T4 R8 NWP, Piscataquis County
4. Zoning: (P-RR) Recreation Protection Subdistrict
5. Waterbody: Turtle Pond
6. Approximate Time Period of Operation: Completed in 2014

Proposal:

7. The applicant is filing an after-the-fact permit for the extension of a 15 to 16-foot wide logging road using local material obtained from the ditch line to access a timber harvest area. The project consisted of 1650 feet of new road construction in the P-RR Protection Subdistrict. (See Figure 1)

DOUGLAS P. DENICO
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8. The road project specifications are attached to application RP 15002.

Review Comments:

9. None received

Findings

10. The road was constructed in 2014 without a permit and the failure to obtain a permit was brought to the attention of the Maine Forest Service by Parks and Lands staff in 2015.
11. The road was constructed in conformance with the standards for Chapter 27, Section 5, Land Management Roads and Water Crossings of the Maine Forest Service Rules for Timber Harvesting and Timber Harvesting Related Activities within Unorganized and Deorganized Areas of the State with the exception that it is closer than 1000 feet to Turtle Pond.
12. The road is gated at the P-RR boundary to prevent two wheel drive vehicle access as required by CH 27 Section 5 (C).
13. The above findings are based on the representations contained in the Road Project Permit Application RP 15002 and supporting documents which are attached.

Based upon the above proposal, the MFS has concluded that if the Bureau of Parks and Lands had prepared a road construction permit application prior to road construction the road would be in compliance and would have met the Criteria for Approval, 12 M.R.S. § 685-A(1) of the Commission's Statutes, and Maine Forest Service Rules, Chapter 27.

Therefore, the MFS staff approves the after-the-fact application of the Bureau of Parks and Lands, Lands Division, Eastern Region with the following conditions:

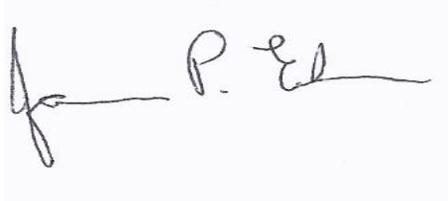
1. All constructed road within the P-RR zone will be monitored to insure that steps taken to prevent access into the P-RR zone are maintained and such non-permitted access is blocked.
2. At the termination of harvesting activities the road system within the P-RR shall be discontinued by utilizing any erosion or water control techniques necessary to prevent soil from moving from the road system into the adjacent forest. Parks and Lands shall notify the Maine Forest Service that the required work has been completed..

3. If land management activities dictate that the road not be discontinued by taking the steps in 2 above then the Bureau of Parks and lands must conduct bi-annual maintenance activities on the road system.

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.

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.

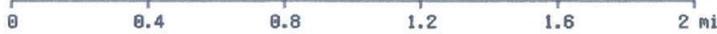
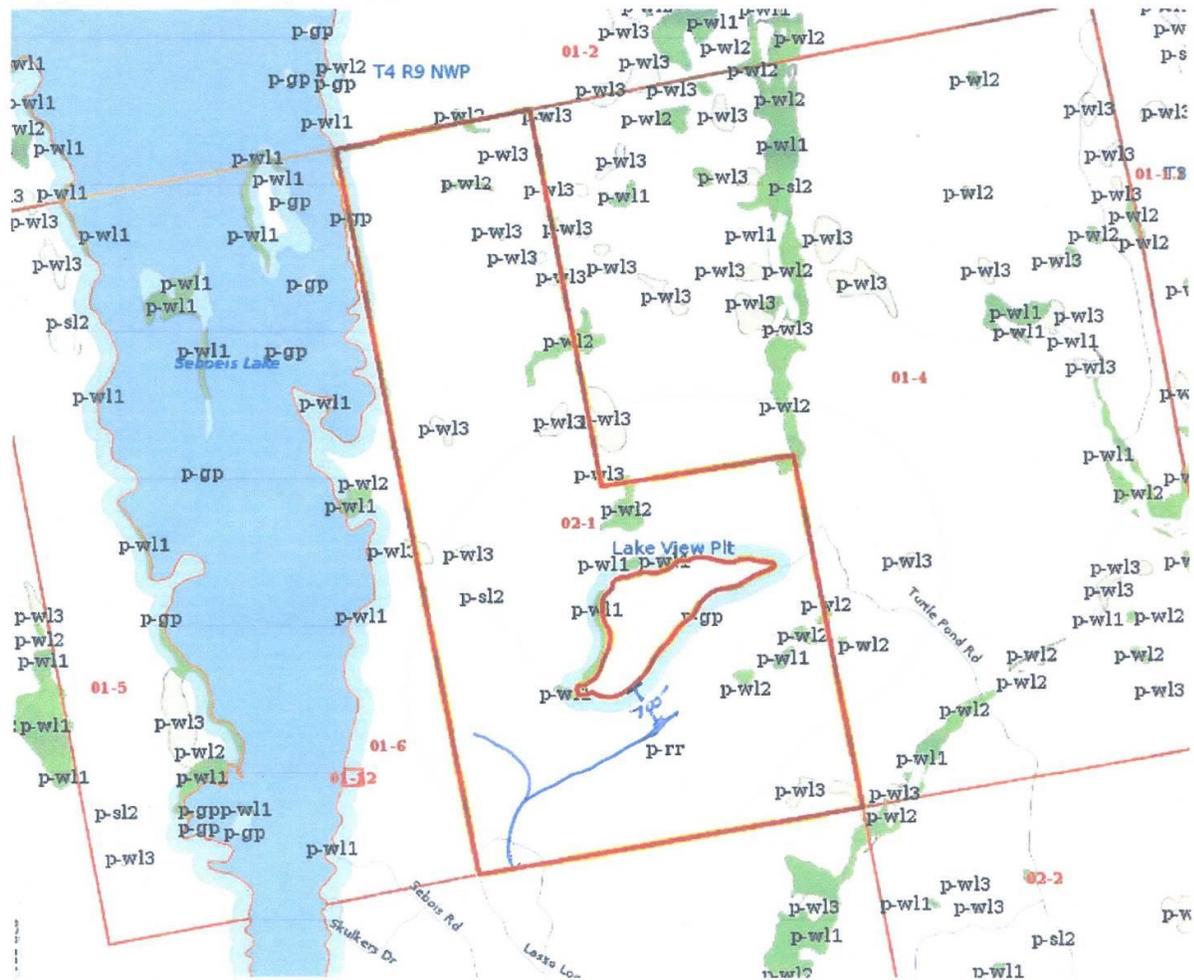
DONE AND DATED AT OLD TOWN, MAINE, THIS 19th DAY OF AUGUST, 2015.

A handwritten signature in black ink, appearing to read "J. P. Ecker", is written on a light-colored background.

James P. Ecker
Regional Enforcement Coordinator
Maine Forest Service
Box 415
Old Town, Maine 04468
LPF 0612

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

Map generated: Tuesday, August 4, 2015



Parcel number	Town/Geocode	Town Code	Plan Lot	Zones Intersected	LUPC Region	Contact number
1	Lake View Plt/21120	PIP03	02 1	p-gp, p-rr, p-sl2, p-wl1, p-wl2, p-wl3	GREENVILLE	(207) 695-2466

Figure 1