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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 15006

The staff of the Maine Forest Service, after reviewing the application and supporting documents submitted by Seven Islands Land Company for Forestry Operations Permit FOP 15006, finds the following facts:

1. Applicant: Rangeley Lakes Heritage Trust  
PO Box 249  
Oquossoc, Maine 04964
2. Agent: Nathan Kay  
Seven Islands Land Company  
PO Box 689  
Rangeley, Maine 04970
3. Date of Completed Application: December 03, 2015
4. Location of Proposal: Rangeley Plantation, Franklin County
5. Zoning: (P-FW) – Fish and Wildlife Protection Subdistrict
6. Approximate Time Period of Operations: January 11, 2016 through April 30, 2017

### Proposal

7. The applicant proposes to conduct a timber harvest on approximately 225 acres of the 525 acres owned by Rangeley Lakes Heritage Trust in P-FW 060043. The applicant proposed to re-use an existing winter road and two existing log landings.
8. The harvest will only be conducted during snow covered or frozen ground conditions.
9. The applicant provided information that the landowner owns a total of 525 acres of P-FW in this area (South Bog). Of that amount, an estimated 109 acres currently meet the standard for Primary Winter Shelter (PWS) for Whitetail deer. The applicant proposes to harvest 11 acres of PWS with the remaining 214 acres being harvested comprised of hardwood or hardwood dominated mixedwood stands. The applicant stated that there are areas within these two stand types that currently meet PWS standards but are less than 5 acres in size and therefore cannot be estimated with any accuracy.
10. The applicant proposes to utilize a small cut-to-length system in the softwood and softwood dominated portions of the mixedwood stands and a feller-buncher in the hardwood dominated stands.

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11. The applicant proposes the removal of mature and over-mature balsam fir, aspen and white birch which will not survive for another 10 to 15 years while at the same time protect and release existing advanced softwood regeneration.

### **Review Comments**

12. The Maine Natural Areas Program has no record of any rare, threatened or endangered plants on the property.
13. The Regional Fisheries Biologist stated that he had no concerns.
14. The Regional Wildlife Biologist commented that this P-FW is on the immediate periphery on one of the largest and most important deer wintering areas in all of Region D. The public in the vicinity has had a long-standing practice of providing supplemental winter food, which has caused deer to artificially concentrate outside of this portion of the deer wintering area. If this human behavior were curtailed, MDIFW would fully expect to see greater use of this P-FW. With the recent adoption of a legal rule to reduce supplemental feeding of wintering deer, MDIFW regional biologists are working with the Warden Service to reduce this practice. When successful, we expect deer to return to traditional habitats such as this P-FW, assuming quality winter habitat is still available.

MDIFW is not supportive of the FOP. It is vague and lacks clear management information and objectives specific to the needs of wintering deer. It is vague in terms of stand treatment and harvest layout. Far more is left to logger's choice than what MDIFW would call for with P-FW Harvest Plan Agreements.

MDIFW would gladly review and comment on any additional information provided by the permit applicant or landowner which might lend to clarifying the management approach and process proposed in the FOP, and specifically how the approach will benefit the resource for which the Land Use Protection Subdistrict was established.

With P-FW Harvest Plan Agreements, MDIFW works to bridge the needs of the landowner with the habitat requirements of wintering deer. Though our involvement with FOPs for P-FWs is rare, our responsibility shifts to solely being an advocate for the wildlife. It is from this position which this assessment and comments are provided.

### **Findings**

15. A field visit was conducted December 14, 2015. The field visit showed that the description of the stand conditions in the permit application was accurate and that two log landings and the entire length of winter road are currently in place as a result of the previous harvest.
16. There will be no new landings or roads constructed in the P-FW.
17. The harvest activity will take place on snow covered or frozen ground, and slash will be used as necessary to stabilize soils in the harvest area.

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 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 submitted by Seven Islands Land Management Company on behalf of the Rangeley Lakes Heritage Trust with the following conditions:**

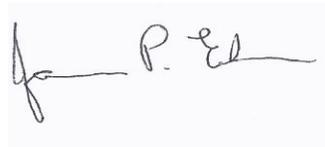
1. All harvest activity must be confined to the area outlined in the FOP and included in this permit in this permit as Exhibit 1.
2. No harvest activity in the P-UA LUPC zoned area of the Rangeley Lakes Heritage Trust property is permitted during this entry.
3. Where such conditions exist, the harvest must not leave any area of existing Primary Winter Shelter with less than 70 percent crown closure of softwood species greater than 35 feet tall unless the species composition of the area is 80% balsam fir larger than 6" in diameter. The harvest must not leave any area of existing Secondary Winter Shelter with less than 50 percent crown closure of softwood species greater than 35 feet tall unless the species composition of the area is 80% or greater balsam fir larger than 6" in diameter. Harvesting in areas with advanced softwood regeneration and hardwood overstory must release advanced regeneration without unnecessary damage.
4. The use of the existing road and two log landings will be permitted; however, the cleared road width between the first and second log landing must not exceed 16 feet. For the remainder of the road, the cleared road width must not exceed 20 feet in width except where log landings are located. The total opening size for both log landings must not exceed 20,000 square feet of open canopy.
5. The second log landing must be relocated down the road approximately 50 to 100 feet to the area that is composed of red maple saplings.
6. All trails in the area harvested utilizing a cut-to-length system must be flagged or painted by the supervising forester and kept to a maximum width of ten feet. Trails in the feller-buncher harvested area must be kept to a maximum of 16 feet in width and spaced to an average of 70 feet apart.
7. This harvest entry must not remove red spruce, white spruce, cedar or white pine from within the harvested area of the DWA with the exception of necessary clearing at the location of the log landings and along the road right-of-way.
8. Single stems or small groups of softwood existing in hardwood or hardwood dominated mixedwood stands must not be harvested regardless of the species of that stem, unless it has less than a 20 percent live crown ratio.
9. All softwood regeneration must be protected from harvest damage as much as practical. Clumps of softwood trees containing stems smaller than 6" must be avoided and left intact.
10. At the end of the harvest operation both log landings and any areas of the road that have exposed mineral soil must be seeded with a herbaceous seed mixture beneficial to deer and mulched with hay or straw.
11. The MFS and the MDIFW Regional Wildlife Biologist must be notified when harvesting begins and when harvesting is concluded both at the end of the harvest season and when the harvest is complete.

12. 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.

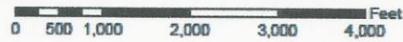
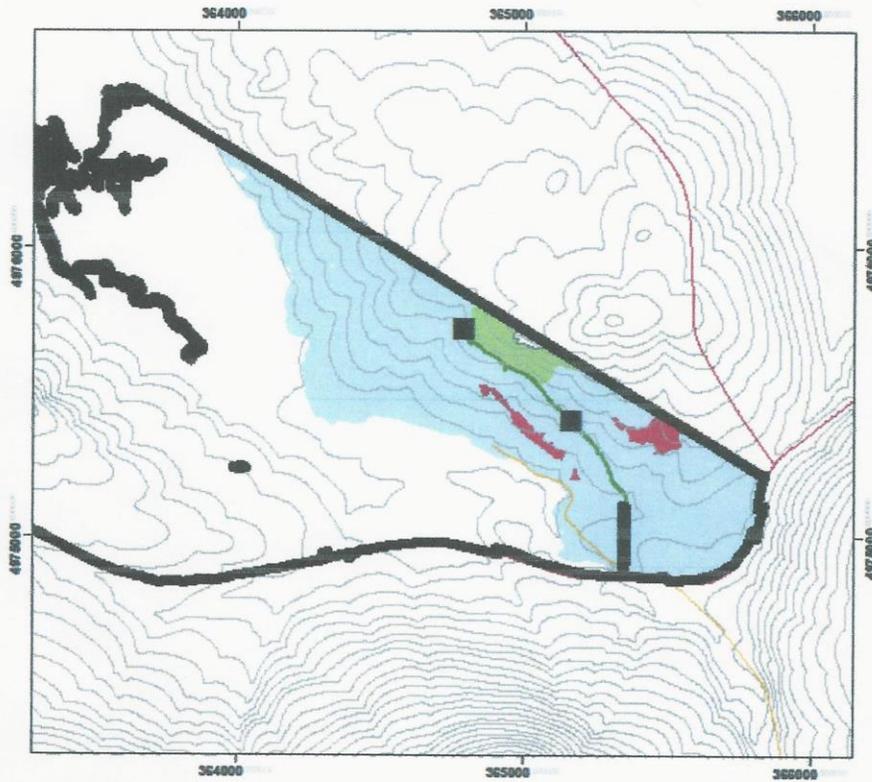
DONE AND DATED AT OLD TOWN, MAINE, THIS 7th DAY OF JANUARY, 2016.

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

# Exhibit 1

Rangley Lakes Heritage Trust  
South Bog P-FW (#060043) Prescriptions By Area  
Nearest All-Weather Road: South Shore Drive  
Rangley Plantation, Franklin County, Maine  
Scale- 1:15,840  
UTM, NAD 83



Legend	
Yards	<b>Prescription Areas</b>
South Bog Parcel	Area A
Existing Winter Road	Area B
	Area C