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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 16016

The staff of the Maine Forest Service, after reviewing the application and supporting documents submitted by Wagner Forest Management, Inc. for Bayroot, LLC for Forestry Operations Permit FOP 16016, finds the following facts:

1. Applicant: Bayroot, LLC
PO Box 121
Errol, NH 03579
2. Agent: Sammie W. Spaulding
Wagner Forest Management, Inc.
PO Box 121
Errol, NH 03579
3. Date of Completed Application: June 06, 2016
4. Location of Proposal: Parmachenee (T5R5 WBKP) , Oxford County
5. Zoning: (P-MA) Mountain Area Protection Subdistrict
6. Approximate Time Period of Operations: July, 2016 through April, 2018

Proposal

7. The applicant proposes to conduct timber harvest operations on approximately 81 acres of P-MA subdistrict on Ledge Ridge.
8. The harvest will consist of three different blocks. Block A is 28 acres; block B is 8 acres; and, block C is 45 acres. (See Exhibit 1)
9. The applicant proposes to conduct a commercial clearcut in all blocks harvested in the P-MA subdistrict. There will be no biomass harvesting. Harvesting will be conducted using a cut-to-length system or a whole tree system depending on site and stand conditions.
10. The applicant proposes to create one Category 3 clearcut, the majority of which is not located in the P-MA subdistrict, which includes Blocks B and C and create one Category 2 clearcut in the P-MA subdistrict which includes Block A.

DOUGLAS P. DENICO
DIRECTOR

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11. There will be no roads constructed in the P-MA subdistrict.
12. The harvest site is behind gates which control access and is not visible from public roads or waterbodies. It will only be visible from internal logging roads which receive little use from hunters and public seeking to view wildlife who can obtain access.

Review Comments

13. The State Soil Scientist: The applicant indicates that they intend to harvest in the winter, summer and fall as the soils are moderately well drained or better in the P-MA subdistrict. According to the soils map, however, there are two large map units of Surplus/Sisk Association which are somewhat poorly drained (seasonal groundwater table at 7" -16" below the soil surface). Surplus/Sisk are cryic soils formed in higher elevations. These soils should not be harvested on in the fall, when the groundwater table is at its highest unless it is unusually dry.
14. The Maine Natural Areas Program indicated that there is no record of rare or unique botanical features in the proposed harvest area.
15. No additional comments were received.

Findings

16. A field visit was conducted June 16, 2016. The field visit showed the permit application was complete and accurate.
17. The stand contains predominately mature to overmature spruce and fir which has not been harvested in more than 50 years. It suffers from poor growth with defective stems routinely noted. The understory is heavily occupied by hobblebush with patchy areas of desirable species.
18. Due to site conditions any residual stand which resulted from partial harvest would be highly susceptible to windthrow.
19. There will be no road or yard construction in the P-MA subdistrict.
20. Tops and limbs will either be returned to skid trails by grapple skidder or left in the trails by the cut-to-length system to minimize adverse site impacts from harvest activities

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 Bayroot, LLC submitted by Wagner Forest Management, Inc. with the following conditions:

1. The harvesting operation will be suspended during extended periods of wet weather to prevent excessive site disturbance.
2. Soils mapped as Surplus/Sisk Association are somewhat poorly drained (seasonal groundwater table at 7" -16" below the soil surface). Surplus/Sisk are cryic soils formed in higher elevations. These soils should not be harvested on in the fall, when the groundwater table is at its highest unless it is unusually dry prior to harvesting.
3. The harvesting operation shall be monitored when operating on steep slopes to ensure that the use of slash in trails is sufficient to prevent erosion. In areas when slash is insufficient, mulched and seeded waterbars shall be utilized to control water runoff.
4. 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.
5. All harvesting activities must 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 21st DAY OF JULY, 2016.



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

Ledge Ridge North- Parmachenee FOP permit application

Exhibit 1 - P-MA Harvest Blocks

