

Note: *This is the tentative Comprehensive Land Use Plan. The Maine Land Use Regulation Commission has approved this draft for the adoption process as required by Maine Statute.*

Comprehensive Land Use Plan



*for Areas within the Jurisdiction of the
Maine Land Use Regulation Commission*



Maine Land Use Regulation Commission
Department of Conservation

Maine has always been proud of its wildlands – the Big Woods, land of Indian and trapper, of white pine tall enough for masts on His Majesty's ships, of mountain lion, moose, and eagle. Much of the wildness was still there when Thoreau went in by birchbark canoe, a little over a century ago. And much of it remains. There is spruce and fir, moose and beaver, lake and mountain and whitewater enough to satisfy generations of Americans. More and more, as northeastern U.S. develops, the Maine woods are becoming an almost unparalleled resource, both for tree production and for recreational opportunity. But who is to come forward to say that this resource must not be squandered? Can we guarantee that the next generations will be able to set out in a canoe and know that adventure is just around the bend?

"Report on the Wildlands"
State of Maine
Legislative Research Committee
Publication 104-1A, 1969

COMPREHENSIVE
LAND USE PLAN

For Areas Within the Jurisdiction of the Maine Land Use Regulation Commission

Department of Conservation
Maine Land Use Regulation Commission

Originally adopted in 1976
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Chapter 1

Vision, Goals and Policies



The Maine Land Use Regulation Commission (LURC or the Commission) is charged with extending the principles of planning and zoning across its jurisdiction, which spans more than 10 million acres of the State of Maine. Known historically as the Wildlands of Maine, this vast landscape is the least populous and least developed portion of Maine and encompasses the largest block of undeveloped forestland in the Northeastern United States. The lands of the jurisdiction are predominantly privately owned, though they also contain many public values and resources. The Commission faces complex and unique challenges in its planning and regulatory responsibilities due to this intermixing of private ownership and public values.

The Commission's responsibilities include planning for the future, not just reacting to present conditions. This Comprehensive Land Use Plan provides the Commission with an opportunity to not only look back at trends and evaluate their effects, but also to develop a future vision of the jurisdiction. The vision, below, describes how the jurisdiction ideally would look in the future if change is successfully accommodated. The goals, policies and implementation measures of this plan, which follow, are aimed at attaining this vision.

The vision is best viewed in the context of the purpose and scope of the Commission's enabling legislation:

The legislature finds that it is desirable to extend principles of sound planning, zoning and subdivision control to the unorganized and deorganized townships of the State: To preserve public health, safety and general welfare; to prevent inappropriate residential, recreational, commercial and industrial uses detrimental to the proper use or value of these areas; to prevent the intermixing of incompatible industrial, commercial, residential and recreational activities; to provide for appropriate residential, recreational, commercial and industrial uses; to prevent the development in these areas of substandard structures or structures located unduly proximate to waters or roads; to prevent the despoliation, pollution and inappropriate use of the water in these areas; and to preserve ecological and natural values.

The Legislature declares it to be in the public interest, for the public benefit, for the good order of the people of this State and for the benefit of property owners and residents of the unorganized and deorganized townships of the State, to encourage the well-planned and well-managed multiple use of land and resources. The Legislature acknowledges the importance of these areas in the continued vitality of the State and to local economies. Finally, the Legislature desires to encourage the appropriate use of these lands by the residents of Maine and visitors in pursuit of outdoor recreation activities, including, but not limited to, hunting, fishing, boating, hiking and camping.

(12 M.R.S.A. § 681)

1.1 *Vision for the Jurisdiction*

.....

The Commission's jurisdiction will retain its unique principal values and will exemplify a sustainable pattern of land uses.

"...retain its unique principal values"

The Commission has identified four principal values that, taken together, define the distinctive character of the jurisdiction:

- **The economic value of the jurisdiction derived from working forests and farmlands**, including fiber and food production, largely on private lands. This value is based primarily on maintenance of the forest resource and the economic health of the forest products industry. The maintenance of farmlands and the viability of the region's agricultural economy is also an important component of this value.
- **Diverse and abundant recreational opportunities**, including many types of motorized and non-motorized activities. Unique opportunities exist for recreational activities which require or are significantly enhanced by large stretches of undeveloped land, ranging from primitive recreation in certain locations to extensive motorized trail networks. Recreation is increasingly an economic driver in the jurisdiction and the State.
- **Diverse, abundant and unique high-value natural resources and features**, including lakes, rivers and other water resources, fish and wildlife resources, plants and natural communities, scenic and cultural resources, coastal islands, mountain areas and other geologic resources.
- **Natural character**, which includes the uniqueness of a vast forested area that is largely undeveloped and remote from population centers. Remoteness and the relative absence of development in large parts of the jurisdiction are perhaps the most distinctive of the jurisdiction's principal values, due mainly to their increasing rarity in the Northeastern United States. These values may be difficult to quantify but they are integral to the jurisdiction's identity and to its overall character.

The four principal values do not exist in isolation of one another. More often than not, they are interconnected and in many instances one value enhances another. The tradition of a working forest not only supports the forest products industry, but provides a landscape with an outstanding variety of outdoor recreational opportunities and an array of wildlife habitats, and also plays an important role in carbon sequestration. Natural character, particularly that of remoteness, and diverse natural resources support and add to the other values, most notably the working forest and recreational opportunities. Natural resources are generally enhanced when they are part of a large, relatively undeveloped area, especially one that encompasses entire watersheds or ecosystems.

Furthermore, while these values collectively define the jurisdiction, they are not represented equally across its towns, plantations and townships. Some areas have abundant high-value natural resources (e.g., numerous pristine ponds) or a unique physical feature (e.g., Gulf Hags). Other areas lack distinctive natural resources, but serve as productive forestlands or contribute to the jurisdiction's natural and cultural character.

“...exemplify a sustainable pattern of land uses”

The Commission recognizes that, in addition to retaining the jurisdiction's unique principal values, a sustainable pattern of land uses is essential to achieving the Commission's vision for the future. Such a pattern of land use should meet present and future needs without compromising the principal values by:

- Retaining extensive forests, undeveloped shorelines, remote woodland character, and a unique collection of natural and cultural resources and values;
- Providing for a continuation of traditional ways of life, rural communities, sustainable economic opportunities and outdoor recreation for the people of Maine, its visitors, and property owners and residents of the jurisdiction;
- Supporting development in places where the principal values of the jurisdiction are least impacted and in areas identified by the Commission as most appropriate for development; and
- Encouraging long-term conservation in places where the principal values of the jurisdiction are most vulnerable to degradation and in areas identified by the Commission as least appropriate for development.

These defining characteristics of a sustainable pattern of land uses are fairly well represented by the jurisdiction's historical land use pattern — vast areas of relatively undeveloped land, with concentrations of development principally near organized areas and relatively few scattered seasonal residential dwellings elsewhere. This land use pattern is long established and is generally conducive to meeting present and future needs, while retaining the principal values of the jurisdiction.

While small ownerships can be well managed, forest management activities are most efficiently conducted on large blocks of undeveloped land without undue interference from other activities. The general lack of development in the interior of the jurisdiction is conducive to the protection of natural resources and associated values. The relative absence of development combined with pristine natural resources in the interior also provides unparalleled opportunities for various forms of primitive recreation, while recreation-related development on the fringes of the jurisdiction supports more intensive recreational activities. The remote undeveloped qualities of the jurisdiction are well served by this pattern of development. These qualities are particularly sensitive to change; the remote character of a lake or river in the interior of the jurisdiction may be eroded long before water quality is threatened. The stewardship of land for forest management purposes on large blocks of land has, in the past, supported the Commission's broad planning goals as enumerated in Section 1.2.

Meeting This Vision

Numerous complex and multi-faceted obstacles exist to meeting the Commission's vision for the jurisdiction. For example, although some of the land use trends evident in the period from 1971 to 2009 are consistent with the vision, the creation and development of scattered lots in the interior, or other areas deemed inappropriate for intensive development, are not. Many aspects of the Commission's policies and regulations are supportive of the vision for the jurisdiction, but limitations to the Commission's ability to guide development to appropriate locations will remain a major obstacle in attaining this vision and ensuring the long-term protection of the jurisdiction's principal values. So will the Commission's largely reactive approach to rezonings and the limitations of the adjacency criterion as it is now applied. These and other issues facing the jurisdiction are discussed in detail in Chapters 4 and 5.

The Commission recognizes, however, that the jurisdiction has room for a wide range of land uses. The challenge is to accommodate these multiple uses while retaining the values that make this area unique. By refining its approach, the Commission can more effectively guide growth and protect the jurisdiction's principal values while providing greater opportunities for reasonable economic development. The goals, policies and implementation strategies that follow are aimed at attaining the Commission's vision for the jurisdiction.

1.2 Goals and Policies

Broad Goals of the Commission

The Commission's policies shall be directed toward the achievement of the vision for the jurisdiction and the following three broad goals:

1. Support and promote the management of all the resources, based on the principles of sound planning and multiple use, to enhance the living and working conditions of the people of Maine and property owners and residents of the unorganized and deorganized townships, to ensure the separation of incompatible uses, and to ensure the continued availability of outstanding quality water, air, forest, wildlife and other natural resource values of the jurisdiction.
2. Conserve, protect and enhance the natural resources of the jurisdiction primarily for fiber and food production, outdoor recreation and plant and animal habitat.
3. Maintain the natural character of certain areas within the jurisdiction having significant natural values and primitive recreational opportunities.

Specific Goals and Policies of the Commission

The Commission's actions shall be guided by the following goals and policies. The Commission recognizes that goals or policies may at times conflict with one another and will, in such cases, balance the various policies so as to best achieve its vision for the jurisdiction.

I. Development Goals and Policies

A. LOCATION OF DEVELOPMENT

(See Chapter 4)

Goal: Guide the location of new development in order to protect and conserve forest, recreational, plant or animal habitat and other natural resources, to ensure the compatibility of land uses with one another and to allow for a reasonable range of development opportunities important to the people of Maine, including property owners and residents of the unorganized and deorganized townships.

Policies regarding the location of development on a jurisdiction-wide level:

1. Provide for a sustainable pattern of development, consistent with historical patterns, which directs development to suitable areas and retains the principal values of the jurisdiction, including a working forest, integrity of natural resources, and remoteness.
2. Guide development to areas near existing towns and communities and in other areas identified as appropriate development centers.
 - a. Identify areas which are the most appropriate for growth when considering: (1) proximity and connectivity by public road to economic centers, organized towns and well established patterns of settlement; (2) compatibility of natural resources with development; (3) demonstrated demand for and public benefit from development; and (4) availability of public infrastructure, facilities and services.
 - b. Outside of areas identified as the most appropriate for growth, identify other areas that are appropriate for some less intensive development or as smaller development centers and encourage compact patterns of development around these areas.
 - c. Guide the location of different types of residential development according to potential impacts, infrastructure needs and the potential for conversion to a more intensive type of residential use.
3. Discourage growth which results in scattered and sprawling development patterns.
4. Guide proposals for new waste disposal and similar facilities to locations near organized communities that have good existing road access, low natural resource values, and are separate from incompatible uses.

Policies regarding the location of development on a community or regional level:

5. Undertake prospective zoning within certain areas of the jurisdiction where there is a need to achieve balance between expected development pressures and high resource values in order to provide greater regulatory predictability.
6. In communities or areas without prospective zoning, encourage orderly growth within and proximate to existing, compatibly developed areas — i.e. existing development of similar type, use, occupancy, scale and intensity to that being proposed, or a village center with a range of uses for which the proposed development will provide complementary services, goods, jobs and/or housing.

7. In areas that are not appropriate as new development centers, allow for (a) planned developments which depend on a particular natural feature, subject to site plan review, and (b) other development, subject to concept plan review.
8. Permit subdivision for the purpose of development only in areas zoned for development or in areas that meet the criteria for Level 2 subdivisions.

B. ECONOMIC DEVELOPMENT

(See Chapter 4)

Goal: Encourage economic development that is connected to local economies, utilizes services and infrastructure efficiently, is compatible with natural resources and surrounding uses, particularly natural resource-based uses, and does not diminish the jurisdiction's principal values.

Policies:

1. Encourage forest, recreation and other resource-based industries and enterprises which further the jurisdiction's tradition of multiple use without diminishing its principal values.
2. Encourage economic development in those areas identified as the most appropriate for future growth.
3. Provide for expansion needs of intensive developments where such expansion will not have an undue adverse impact on the resources of the area.
4. Allow new or emerging technologies, but limit the scale or application of these technologies where necessary to allow time for the Commission to evaluate the technology and its impacts.
5. Continuously review permitting procedures to identify means to expedite the permitting process while accomplishing the agency's purposes.

C. SITE REVIEW

(See Chapter 4)

Goal: Assure that development fits harmoniously into the existing communities, neighborhoods and the natural environment.

Policies:

1. Require that provision be made for fitting development harmoniously into the existing natural environment, including:
 - a. Requiring the use of buffers, building setbacks, height restrictions, design and materials standards, lighting standards, and landscaping to minimize the impacts of land use activities upon one another and to maintain the scenic quality of shorelines, hillsides, ridgelines, and roadways;
 - b. Requiring that developments provide for adequate parking and traffic circulation; and
 - c. Limiting the number and size of signs in order to prevent undue visual impacts or hazardous conditions.
2. Prevent the degradation of natural and cultural values resulting from cumulative impacts of incremental development.

3. Encourage site designs which have a minimal impact on the principal values of the jurisdiction, including clustering or open space preservation, and discourage unnecessarily large lot sizes.
4. Provide an educational program to guide land development in a manner consistent with the goals and policies of this Plan and regulations promulgated pursuant to this Plan.
5. Provide incentives for lot owners to bring nonconforming uses and structures into compliance or closer to conformance with the Commission's regulations.
6. Limit expansions of nonconforming uses and structures.

D. INFRASTRUCTURE

(See Chapter 4)

Goal: Ensure that infrastructure improvements are well planned and do not have an adverse impact on the jurisdiction's principal values.

Policies:

1. Consider the capacity of existing infrastructure and services to accommodate proposed development, as well as the costs associated with the provision of these services to proposed development.
2. Discourage the construction or establishment of major new public roads that would degrade the natural character of remote areas.
3. Require that new utility lines, pipelines and associated facilities be (a) located or co-located within or adjacent to existing utility or public road rights of way to the extent practicable; (b) constructed and landscaped so that they do not degrade natural values; and (c) located so as not to inappropriately encroach upon or change the character of remote areas, or produce an intensity of use that is inappropriate for a particular area.
4. Monitor the installation of new road networks in order to anticipate and plan for future growth and public access and use in appropriate areas.
5. Require that highly visible facilities such as communication towers be dismantled and removed from the site when they are unused for an extended period of time.
6. Require that communication towers be made available for other users where feasible in order to limit the number of such towers.

E. DEVELOPMENT RATE, DENSITY AND TYPE

(See Chapter 4)

Goal: Ensure that development is of a rate, density and type conducive to maintaining the jurisdiction's principal values.

Policies:

1. Monitor the rate and location of development throughout the jurisdiction to ensure it remains at a reasonable pace, particularly outside areas identified as the most appropriate for growth.
2. Establish appropriate guidelines for development (such as density or similar standards) in areas where necessary to prevent the adverse cumulative impacts of incremental development on the principal values of the jurisdiction.
3. Limit development to low-impact structures in areas where the principal values of the jurisdiction are threatened by more intensive development.
4. Limit conversion of low-intensity uses in remote areas to more intensive uses where such conversion would have an undue adverse impact on the principal values of the jurisdiction.
5. Encourage development that is energy efficient and that incorporates best practical technologies to conserve energy.
6. Limit development types and densities on the basis of soil suitability and other site limitations.

F. AFFORDABLE HOUSING

(See Chapter 4)

Goal: Facilitate the provision of affordable housing in appropriate locations to households with a full range of incomes.

Policies:

1. Ensure that dimensional requirements and land use standards for residential structures and subdivisions do not contain unnecessary barriers to the creation of affordable residential lots and construction of affordable dwelling units.
2. Require that permitted affordable housing is overseen by experienced local or regional housing groups or agencies that can assure it is maintained as affordable housing over the long term.
3. Ensure that permitted housing affordable to households with varied incomes is interspersed within residential projects and development subdistricts, as appropriate.
4. Work with local and regional housing groups, plantation and town officials and regional planning agencies to identify the need and appropriate locations for affordable housing.

G. LAND CONSERVATION

(See Chapter 4)

Goal: Encourage the long-term conservation of select areas of the jurisdiction that are particularly representative of its cultural and natural values, including working forests, high-value natural resources and recreational resources.

Policies:

1. Encourage conservation efforts that protect one or more of the following: working forest or farmland; landscape features of statewide, regional or local significance; public access to lakes, rivers or ocean waters; high-value recreational resources; high-value natural resources; and undeveloped, multiple use lands in high-growth areas.
 - a. In areas distant from population centers and infrastructure, encourage conservation of large, landscape-level areas of the jurisdiction, particularly those that allow continued use of the forest for wood products and recreation. Work cooperatively with landowners and conservation organizations to encourage the designation of large tracts of land with these values for limited or no development.
 - b. In areas proximate to population centers and infrastructure, encourage targeted conservation that protects high-value natural and recreational resources, open space and rural character.

II. Natural and Cultural Resources Goals and Policies

A. AGRICULTURAL RESOURCES

(See Section 5.1)

Goal: Conserve and protect working farms, encourage the development of new farming enterprises, and conserve agricultural soil resources.

Policies:

1. Encourage agriculture in appropriate areas.
2. Discourage land uses that can be destructive of prime, highly productive or other significant farmlands.
3. Encourage the use of Maine's best management practices for agriculture.
4. Regulate agricultural practices that can cause accelerated erosion, sedimentation or pollution in order to protect soil and water resources.
5. Encourage the economic viability of agriculture by allowing diversification of farming enterprises where the new uses do not detract from the principal values of the jurisdiction.
6. Discourage activities that are incompatible with existing agricultural enterprises.

B. AIR AND CLIMATE RESOURCES

(See Section 5.2)

Goal: Protect and enhance the quality of air and climate resources throughout the jurisdiction.

Policies:

1. Require compliance with all state and federal air quality standards. Require compliance with more stringent standards where necessary to preserve the air quality or unique values of identified sensitive areas, or to improve the air quality of identified nonattainment areas.
2. Encourage state, federal and international initiatives directed at reducing emissions of air pollutants.
3. Encourage and monitor research on the effects of air pollutants on forest health and productivity.
4. As part of a coordinated state effort, evaluate how the Commission's development policies and standards impact climate change and make appropriate revisions.
5. Maintain efforts to guide the location of development as one of the highest priorities.
6. Support and comply with Maine's initiatives on global climate change and emissions reductions.
7. Support programs and incentives that recognize the carbon sequestration value of working forestlands.
8. Encourage technologies or practices that support efforts related to Maine's global climate change action plan.

C. COASTAL RESOURCES

(See Section 5.3)

Goal: Protect and conserve the special natural and cultural resources of coastal islands and mainland townships, and help sustain the traditional resource-based economies of these areas.

Policies:

1. Encourage and support marine-dependent activities that are compatible with traditional resource-based economies, island ecosystems and other island values.
2. Facilitate the provision of affordable housing opportunities for year-round coastal and island residents.
3. Encourage the maintenance of traditional public access points to the shore.
4. Discourage the construction of dwellings or improvements on undeveloped islands with high natural or scenic values.
5. Encourage buildings of a scale, design and location appropriate to protecting the natural and scenic values of islands and coastal landscapes.
6. Emphasize the concepts of environmental and community carrying capacity in island land use planning and review of proposed projects.
7. Except for commercial uses compatible with traditional resource-based economies, discourage the construction of permanent docks and piers, and promote the use of common temporary docking areas.
8. Ensure that LURC's rezoning and development review standards are appropriate to islands given their special characteristics and constraints.
9. Address the cumulative impacts of incremental island development using strategies such as Resource Plan zoning or encouraging development proposals that provide for permanent conservation of island lands.
10. Encourage the use of voluntary land conservation measures such as conservation easements and cooperative management agreements to protect the special resources of islands.
11. Monitor the impacts of global climate change on these uniquely sensitive coastal resources and respond appropriately.

D. CULTURAL, ARCHAEOLOGICAL AND HISTORICAL RESOURCES

(See Section 5.4)

Goal: Protect and enhance archaeological and historical resources of cultural significance.

Policies:

1. Identify and protect unique, rare and representative cultural resources to preserve their educational, scientific and social values.
2. Collaborate with other agencies, groups and landowners in efforts aimed at the protection of cultural resources.
3. Consistently require the completion of archaeological surveys for large development proposals.

E. ENERGY RESOURCES

(See Section 5.5)

Goal: Provide for the environmentally sound and socially beneficial utilization of indigenous energy resources where there are not overriding public values that require protection.

Policies:

1. Support indigenous, renewable energy resources as part of state and national efforts to promote energy independence, diversity and long-term sustainability.
2. Recognize the importance of providing energy to Maine citizens at the lowest possible cost.
3. Consider the long-term, societal and environmental impacts, both positive and negative, of various types of energy generation, including greenhouse gas emissions.
4. Minimize unnecessary adverse environmental and public health effects of energy production, distribution and use.
5. Recognize that new renewable energy projects displace electrical energy provided by fossil fuels and thus carry the following benefits: reduction of Maine's dependence on imported fuels; improvement of environmental quality; enhancement of state and regional security; and progress toward meeting Maine's renewable energy and greenhouse gas reduction objectives.
6. Accommodate energy generation installations that are consistent with state energy policies, are suitable in proposed location(s), and minimize intrusion on natural and cultural resources and values.
7. Prohibit energy developments and related land uses in areas identified as environmentally sensitive when there are overriding environmental and other public values requiring protection.
8. Allow emerging energy technologies when they will not have an undue adverse impact on existing uses and natural resources.
9. Limit the scale of proposals involving emerging technologies as appropriate, particularly if there is risk of significant adverse impacts to outstanding natural resources and values, to allow time for the Commission to evaluate the technology and impacts prior to its application on a large scale.
10. Require that a decommissioning plan accompany all wind energy development proposals.

11. Prohibit hydropower development on river stretches identified in Maine law as having unparalleled natural or recreational values.
12. Assure that energy generation facilities and associated utilities, including interconnection and transmission lines, are not used as the sole basis to justify other types of new development for which proposed locations are not otherwise appropriate.

F. FOREST RESOURCES

(See Section 5.6)

Goal: Conserve, protect and enhance the forest resource in a way that preserves its important values, including timber and fiber production, ecological diversity, recreational opportunities, as well as the relatively undeveloped remote landscape that it creates.

Policies:

1. Encourage active forest management.
2. Support uses that are compatible with continued timber and wood fiber production, as well as outdoor recreation, biodiversity and remoteness, and discourage development that will interfere unreasonably with these uses and values.
3. Protect areas identified as environmentally sensitive by regulating forestry activities, timber harvesting and construction of land management roads.
4. Review and make appropriate refinements, from time to time, in forest practice standards for protection districts in order to make such standards effective in minimizing environmental degradation. Standards shall be responsive to the needs of private land management and to the public need for adequate timber resources to support the economic base of the state.
5. Support efforts by landowners to manage vehicular access to private roads when necessary to reduce land use conflicts and protect high-value natural resources.
6. Allow harvesting of dead and dying trees resulting from insect or disease outbreaks or other causes, consistent with the Commission's responsibilities for protection of significant natural resource values and uses.
7. Encourage the protection of highly productive forestlands by allowing only those uses essential to forest management or timber production on these lands.
8. Encourage scientific research and management of forest resources in relation to other important resources.
9. Encourage the use of Maine's best management practices for forestry.

G. GEOLOGIC RESOURCES

(See Section 5.7)

Goal pertaining to geologic resources: Conserve soil and geological resources by controlling erosion and by protecting areas of significance.

Policies pertaining to geologic resources:

1. Regulate land uses to protect areas identified as important natural geological formations.
2. Regulate land uses in areas with identified topographical or geological hazards, including areas with fragile soils, steep slopes, high elevations or seismic faults.
3. Administer standards for structural development and other land uses based on soil suitability and site characteristics.
4. Administer performance standards for timber harvesting, road construction, gravel extraction, stream crossings, agricultural practices and other land use activities in order to control potential causes of accelerated soil erosion.
5. Regulate the disposal of sewage, solid waste, manure and septic sludge and prohibit their disposal in flood prone areas, on unsuitable soils or in other inappropriate areas.

Goal pertaining to mineral resources: Allow environmentally responsible exploration and mining of metallic and non-metallic mineral resources where there are not overriding, conflicting public values which require protection.

Policies pertaining to mineral resources:

6. Permit exploration for mineral resources provided no more than minimal disturbance is caused to natural and cultural resources.
7. Provide for small sand, gravel and shale extraction operations used primarily for the construction and maintenance of roads in most areas without rezoning, but subject to compliance with performance standards designed to avoid undue environmental harm.
8. Permit larger sand, gravel and shale extraction operations in areas zoned for industrial development where a benefit to the people of Maine has been demonstrated and the operations are sited and developed in a fashion which minimizes adverse effects on other land uses and natural resources.
9. Permit major metallic mining developments only in areas zoned for planned development, and provide a rezoning procedure for this purpose which broadly considers impacts and benefits, competing uses and public values.
10. Regulate mining operations to minimize water, air, land, noise and visual pollution, to ensure public safety and health, and to avoid undue adverse impacts on fisheries, wildlife, botanical, natural, historic, archaeological, recreational and socioeconomic values.
11. Require effective monitoring and reclamation of mining sites to protect public health and safety and to promote beneficial reuse where feasible.

12. Prohibit excavation of sand, gravel or shale resources below the water table except where it is demonstrated there will be no undue adverse impact to groundwater resources.

Goal pertaining to mountain resources: Conserve and protect the values of high-mountain areas from undue adverse impacts.

Policies pertaining to mountain resources:

13. Regulate high-mountain areas to preserve the natural equilibrium of vegetation, geology, slope, soil and climate, to reduce danger to public health and safety posed by unstable mountain areas, to protect water quality, and to preserve scenic values, vegetative communities, unique wildlife communities and low-impact recreational opportunities.
14. Protect high-mountain resources with particularly high natural resource values or sensitivity which are not appropriate for most development.

H. PLANT AND ANIMAL HABITAT RESOURCES

(See Section 5.8)

Goal: Conserve and protect the aesthetic, ecological, recreational, scientific, cultural and economic values of wildlife, plant and fisheries resources.

Policies:

1. Coordinate with and support agencies in the identification and protection of a variety of high-value wildlife habitats, including but not limited to: habitat for rare, threatened or endangered species; rare or exemplary natural community and ecosystem types; native salmonid fish species; riparian areas; deer wintering areas; seabird nesting islands; waterfowl and wading bird habitats; shorebird nesting, feeding and staging areas; and significant vernal pools.
2. Regulate land use activities to protect sensitive habitats, including but not limited to habitats for fish spawning, nursery, feeding and other life requirements for fish species.
3. Retain connectivity of habitats and minimize road mortality of wildlife by promoting road building practices that facilitate wildlife movement and by directing development to appropriate areas.
4. Encourage retirement of land management roads in areas that provide valuable habitat restoration opportunities.
5. Protect wildlife habitat in a fashion that is balanced and reasonably considers the management needs and economic constraints of landowners.
6. Support landscape-scale planning and habitat management.
7. Consider mechanisms to encourage sustainable land use patterns that contribute to maintenance of large tracts of undeveloped land, particularly those areas having statewide ecological significance that are important to healthy plant and animal populations.
8. Encourage cooperative agreements between landowners and public agencies which enhance protection of high-value habitat and, when appropriate, modify the Commission's zoning to facilitate the execution or strengthen the goals of such agreements.

9. Regulate land use activities to protect habitats, including deer wintering areas and coastal bird nesting sites, ecosystems, food sources and other life requisites for wildlife species to maintain biodiversity in the jurisdiction.

I. RECREATIONAL RESOURCES

(See Section 5.9)

Goal: Conserve the natural resources that are fundamental to maintaining the recreational environment that enhances diverse, abundant recreational opportunities.

Policies:

1. Protect the values of the jurisdiction that provide residents and visitors with a unique array of recreational experiences, especially high-value natural resources and remoteness where they exist.
2. Encourage diverse, non-intensive and nonexclusive use of recreational resources and protect primitive recreational opportunities in certain locations.
3. Accommodate a range of recreational uses and facilities in appropriate locations, based on the level of use, size, scale and compatibility with existing recreational and non-recreational uses. Specifically:
 - a. Direct intensive recreational uses and facilities to areas most appropriate for growth, and near existing services and infrastructure.
 - b. Accommodate less intensive, nonexclusive recreational uses and facilities in other appropriate locations where such uses and facilities will not adversely affect existing uses and resources.
 - c. In more remote locations, accommodate low-impact, small-scale facilities that are most compatible with primitive recreational uses.
4. Consider traditional sporting camps as recreational and cultural resources, worthy of protection from incompatible development and land uses, and give special consideration to sporting camps in the Commission's development standards and in its review of rezoning petitions and development proposals within the immediate vicinity of a sporting camp.
5. Discourage the conversion or expansion of sporting camps located in remote locations to facilities or uses that would unreasonably impact the jurisdiction's natural resources or remote values.
6. Support cooperative efforts that ensure continued public access across, and recreational use of, private lands.
7. Support efforts that ensure continued public access to public waters.
8. Promote respect for and responsible use of private lands.

J. SCENIC RESOURCES

(See Section 5.10)

Goal: Protect the high-value scenic resources of the jurisdiction by fitting proposed land uses harmoniously into the natural environment.

Policies:

1. Encourage concentrated patterns of growth to minimize impacts on natural values and scenic character.
2. Regulate land uses generally in order to protect natural aesthetic values and prevent the incompatibility of land uses.
3. Continue to regulate timber harvesting activities in important recreational and scenic areas to protect aesthetic qualities.
4. Establish, and refine as needed, scenic evaluation methodologies to aid in reviewing development proposals.
5. Identify and protect areas that possess scenic features and values of state or national significance.

K. WATER RESOURCES

(See Section 5.11)

Goal: Preserve, protect and enhance the quality and quantity of surface waters and groundwater.

Policies:

1. Regulate uses of land and water in order to prevent degradation of the jurisdiction's excellent water quality and undue harm to aquatic habitat.
2. Protect the recreational and aesthetic values associated with water resources.
3. In flood prone areas, allow new structures only as an exception when development standards for floodplain development are met in order to minimize the human, environmental and financial costs of floods.
4. Conserve and protect lakes, ponds, rivers, streams and their shorelands, which provide significant public recreational opportunities.
5. Permit a reasonable range of development and land uses on lakeshores in order to accommodate a range of recreational opportunities important to Maine people.
6. Require appropriate setbacks and other development standards to protect water quality, water quantity and the recreational and aesthetic values of lakes and rivers.
7. Encourage cooperative uses of public and private docks, water access points and boat launching sites.
8. Control land uses on identified aquifers and their recharge areas in order to prevent adverse effects on water quality or quantity.

9. Guide lake development based on identified land use characteristics and natural resource values, conserving important values and directing development toward those lakes or lake areas most capable of absorbing new development.
10. Protect ground water quality throughout the jurisdiction through proper controls on potentially polluting activities.
11. In areas with federally designated sole-source aquifers that are the only available potable water supplies, provide a high level of protection from potential groundwater threats.
12. Conserve the quality and quantity of public and certain private water supplies by managing land use in source protection areas.
13. Assess and regulate water withdrawals from groundwater and surface water sources by major users and by other users on a case-by-case basis in order to minimize adverse impacts on natural resources and existing uses and to assure adequate water resources are available.
14. Protect lake water quality from long-term and cumulative increases in phosphorus associated with development in lake watersheds.
15. Support efforts to limit the spread of invasive aquatic plants and animals and adopt prevention measures as appropriate.

L. WETLAND RESOURCES

(See Section 5.12)

Goal: Conserve and protect the ecological functions and social and economic values of wetland resources.

Policies:

1. Support the nationwide goal of no net loss of wetland functions and values through a program that promotes avoidance and minimization of impacts.
2. Require compensation to offset loss or degradation of wetland functions, while recognizing that such losses may not be avoided in every instance.
3. Ensure that development avoids alteration of wetland areas. If avoidance is not feasible, ensure that development minimizes alteration. If loss of wetland functions is unavoidable, require actions to restore, reduce or gradually eliminate lost or degraded wetland functions. If necessary, require compensation for lost or degraded wetland functions through protection of wetlands of equal or greater value.
4. Work cooperatively with state and federal agencies to provide a wetland protection program that is effective and consistent with other programs.
5. Provide periodic training to enable staff to effectively advise applicants and efficiently administer the wetland program.

III. Compliance Goals and Policies

(See Chapter 6)

Goal: Administer an effective education and enforcement program in regard to the laws, regulations and standards of the Commission in order to ensure landowner and public awareness and compliance.

Policies:

1. Carry out a balanced but vigorous enforcement effort to identify, investigate and pursue significant violations of the laws and legal requirements administered by the Commission.
2. Train and utilize the field staff of other state agencies in order to disseminate information to the public and to report compliance problems to the Commission.
3. As a general principle, hold landowners and land managers primarily responsible for land use activities resulting in violations taking place on their land. This principle is subject to appropriate exceptions where the violation occurs entirely by reason of actions by a third party (as in the case of a trespass) or where the landowner has no involvement with the activities and receives no benefit from nor has any contractual or other relationship with the third party.
4. Conduct educational programs for citizens, landowners, land managers, contractors, woods workers, lawyers, realtors and others concerning environmentally sound land use practices and the laws and legal requirements administered by the Commission.
5. Improve adherence to the Commission's regulations through the use of expanded compliance monitoring tools such as Certificates of Compliance for all new dwellings and other appropriate activities.

IV. Cooperative Initiatives

(See Chapter 6)

Goal: Encourage landowner initiatives and cooperative efforts which further the Commission's objectives of protecting natural resources and guiding growth through nonregulatory or voluntary actions.

Policies:

1. Recognize the value and contributions of cooperative approaches to the protection of important resources and values, and provide opportunities for and recognize the achievements of such approaches.
2. Provide creative alternatives to traditional regulatory approaches, such as resource and concept plans.
3. Promote cooperative efforts to substantially limit development on large tracts of land to ensure that these lands will remain available to sustain the state's rural, natural resource-based economies.