



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0022

AMANDA E. BEAL
COMMISSIONER

STACIE R. BEYER
ACTING EXECUTIVE DIRECTOR

JANET T. MILLS
GOVERNOR

Memorandum

To: LUPC Commissioners

CC: Stacie R. Beyer, Acting Executive Director

From: Corinne Michaud-LeBlanc, Senior Planner
Kelly Shores, Senior Regional Representative, East Millinocket Regional Office

Date: October 5, 2022

Re: Amendment A to ZP 671: Staff-initiated petition to rezone lands encompassed by the Resource Protection Plan for the Lower West Branch of the Penobscot River (P-RP 011)

The Resource Protection Plan for the Lower West Branch of the Penobscot River and associated Resource Plan Protection subdistrict (P-RP) will expire on December 26, 2022. When a Resource Protection Plan expires, the Commission must initiate a rezoning process to replace the former Plan area with zoning that provides comparable protection for existing resources. Staff prepared draft replacement zoning for the P-RP subdistrict, which was presented at the August 10, 2022, Commission meeting. The draft zoning was posted to a 30-day public comment period from August 15–September 17, 2022. The replacement zoning, described in the attached decision document and shown on the attached zoning maps, is now ready for consideration by the Commission for a decision on adoption.

Background

The Resource Protection Plan for the Lower West Branch of the Penobscot River (the Plan) and associated custom Resource Plan Protection subdistrict (P-RP) were approved on December 26, 2002, and will expire on December 26, 2022. Land Use Planning Commission (LUPC or the Commission) staff reached out to all current landowners, and there is no desire to renew the Plan at this time. When a Plan expires and is not renewed, the Commission must designate appropriate replacement zoning in accordance with its comprehensive land use plan, statute, and rules. Staff have therefore conducted an LUPC-initiated process to identify and designate replacement zoning.

The Plan area covers a 500-foot-wide buffer along each side of the Penobscot River, from approximately 400 feet below the Ripogenus Dam to where the West Branch enters Ambajejus

Lake. The P-RP includes lands in six townships in Piscataquis County: T3 R11 WELS, Rainbow Township, T2 R10 WELS, T2 R9 WELS, T1 R10 WELS, and T1 R9 WELS (the P-RP only extends into the northeast corner of the Rainbow and T1 R10 WELS townships). The entirety of the Plan area is covered by a permanent conservation easement and Recreation Management Plan administered by the Maine Bureau of Parks and Lands. The expiration of the Plan will not affect these permanent conservation measures, or existing uses. The Commission's intent is to replace the P-RP subdistrict with updated zoning that provides comparable protection for the Penobscot River and other resources, and which recognizes pre-existing, continuing land uses.

Proposed zoning changes are limited to the area currently covered by the P-RP subdistrict.

The Plan area includes:

- Two pre-Plan, privately-owned commercial campgrounds, and one BPL-managed campground.
- Diverse public recreation sites managed by BPL, including seven camping locations, nine water access points, six lunch sites, and two ranger dwellings.
- Nine existing pre-Commission camp lease lots.
- A permanent conservation easement along the 500-foot-wide Penobscot River Corridor, managed by the State of Maine, Bureau of Parks and Lands (Piscataquis County Registry of Deeds, Book 518, Pages 251—259).

Replacement Zoning Process

When a Resource Protection Plan and associated P-RP subdistrict expires, the Commission is tasked with rezoning the area previously covered by the P-RP subdistrict. The process is outlined in Chapter 10, Section 10.23(H)(8):

“The provisions of an approved and recorded Resource Plan shall apply for the duration of the approved time period, except that any conservation measures taken to strike a reasonable and publicly beneficial balance in a lake concept plan shall continue to apply to the extent that they are covered by legal contract, deeded covenants, permit requirements, or other legal instruments. ...At the termination of a plan, the Commission will, in conformity with its comprehensive plan, statutes, and standards, designate appropriate zoning which is reasonably consistent with zoning in accordance with Section 10.08,A.

In the event that a plan is terminated, all transactions initiated as a component of the plan, including without limitation, the granting of conservation easements or restrictive covenants on subdivided lands will continue to apply to the extent that they are covered by legal contract, deeded covenants, permit or other legal requirements.”

Under the provisions of Section 10.23(H), staff have identified appropriate replacement zoning for the Plan area; based on the scenic, recreational, and natural resources present, as well as pre-Plan, existing development in limited locations.

Proposed Subdistricts:

- 1. Recreation Protection subdistrict (P-RR):** As provided in Section 10.23(I)(1), the purpose of the P-RR subdistrict is to provide protection from development and intensive recreational uses to those areas that currently support, or have opportunities for, unusually significant primitive recreation activities. By so doing, the natural environment that is essential to the primitive recreational experience will be conserved. In accordance with the description of the subdistrict in Section 10.23(I)(2), river segments within the Commission's jurisdiction identified as meriting special protection in the Governor's Executive Order on Maine Rivers Policy, issued July 6, 1982, must qualify as flowing water appropriate for protection within this subdistrict.

Because this river segment is identified as meriting special protection in the Maine Rivers Study, the P-RR subdistrict is the most appropriate replacement subdistrict for the Lower West Branch. This subdistrict is proposed for the majority of the former Plan area and would include a 250-foot-deep area along each side of the river. Limited exceptions would occur as described below, in locations where pre-Plan development and existing recreational development require specific zoning considerations.

- 2. General Management subdistrict (M-GN).** In accordance with Section 10.22(A)(1), the purpose of the M-GN subdistrict is to permit forestry and agricultural management activities to occur with minimal interferences from unrelated development in areas where the Commission finds that the resource protection afforded by protection subdistricts is not required. As described in Section 10.22(A)(2), this subdistrict is described as applying to areas that are appropriate for forest or agricultural activities, and that do not require the special protection afforded by the protection subdistricts.

This subdistrict is proposed for lands within the Plan area which are between 250–500 feet from the normal high water mark of the Penobscot River, and that do not otherwise warrant zoning for development or specific resource protections.

- 3. General Development subdistrict (D-GN):** In accordance with Section 10.21(C)(1), the purpose of the D-GN subdistrict includes recognizing existing patterns of development in appropriate areas.

Approximately 1.4 acres of D-GN zoning is proposed at the Abol Bridge Campground, adjacent to the Golden Road, to accommodate existing commercial development that predates the P-RP zoning. This is considered a reversion to prior zoning and is consistent with the zoning that has applied to this location under the terms of the Plan.

- 4. Recreation Facility Development subdistrict (D-RF):** In accordance with Section 10.21(L), the purpose of the D-RF subdistrict is “to allow for development of moderate intensity recreation facilities in locations that would not be suitable for other types of commercial development ... in areas that are distant from other development, but where the location of such a facility would not unreasonably interfere with existing uses such as forestry and agriculture activities, fish and wildlife habitat or other recreation opportunities; and will not substantially increase the demand for public services in areas that are distant from existing patterns of development.” The description of the D-RF

subdistrict includes areas that contain existing recreation facilities that meet the purpose and other provisions of the subdistrict.

This subdistrict is proposed in three locations to accommodate existing, pre-Plan, recreational lodging facilities (Big Eddy Campground, Abol Bridge Campground, and the BPL Horse Race Brook administrative area). The proposed zoning would be around the existing recreational lodging facilities and allow for their continued operation in the Penobscot River Corridor.

- 5. Residential Development subdistrict (D-RS).** In accordance with Section 10.21(M)(1), the purpose of the D-RS subdistrict is to set aside certain areas for residential and other appropriate uses so as to provide for residential activities apart from areas of commercial development. In accordance with Section 10.21(M)(2)(a), the D-RS subdistrict shall include areas where four or more single family dwelling units exist within a 500-foot radius.

This subdistrict is proposed in one location in T2 R10 WELS, around a cluster of five pre-Commission residential camps that meet the purpose and definition described above. This is considered a reversion to prior zoning and is consistent with the zoning that has applied to this location under the terms of the Plan.

- 6. Accessible Lake Protection subdistrict (P-AL).** As provided in Section 10.23(A)(1), the purpose of the P-AL subdistrict is “to maintain and protect the existing natural values of the accessible, undeveloped, high value lakes within the Commission's jurisdiction. This is the class of lakes described as Management Class 2 lakes in the Commission's Comprehensive Land Use Plan. It is the intent of this subdistrict to restrict development.” As described in Section 10.23(A)(2), this subdistrict includes areas surrounding bodies of standing water classified as Management Class 2 Lakes and must extend 500 feet from and around the water body measured from the normal high water mark.

This subdistrict is proposed around the Deabsconeag Deadwater, which is classified as a Management Class 2 Lake and therefore is eligible for the P-AL subdistrict.

- 7. Fish and Wildlife Protection subdistrict (P-FW).** As provided in Section 10.23(D)(1), the purpose of the P-FW subdistrict is to conserve important fish and wildlife habitats essential to the citizens of Maine because of their economic, recreational, aesthetic, educational or scientific value. As described in Section 10.23(D)(2), this subdistrict may include significant fish spawning nursery and feeding areas, critical habitat of endangered and threatened fish and wildlife species ascertained by state or federal agencies, and habitat of fish or wildlife species needing special protection by other means, including by a state fish or wildlife conservation plan; and the shelter portions of deer wintering areas if specific conditions are met.

Existing P-FW subdistricts that overlap the P-RP are proposed to remain. The Maine Department of Inland Fisheries and Wildlife has not recommended any changes to existing P-FW boundaries at this time.

- 8. Shoreland Protection subdistrict (P-SL2).** As provided in Section 10.23(L)(1), the purpose of the P-SL subdistrict is to regulate certain land use activities in certain

shoreland areas in order to maintain water quality, plant, fish and wildlife habitat and in order to protect and enhance scenic and recreational opportunities. As described in Section 10.23(L)(2), this subdistrict includes areas within 75 feet, measured as a horizontal distance landward, of (a) the normal high water mark of flowing waters upstream from the point where such channels drain 50 square miles and (b) the upland edge of those freshwater wetlands identified in Section 10.23(N)(2)(a)(1)(c), (2), and (3).

The proposed zoning includes 75-foot-wide P-SL2 subdistricts for minor flowing waters and applicable wetlands (for example, small streams feeding into a larger river). There are no major flowing waters qualifying as a P-SL1 subdistrict in the Plan area. In areas where P-SL2 resources overlap with the P-RR, the P-RR also applies.

- 9. Wetland Protection subdistrict (P-WL1, 2 & 3).** As provided in Section 10.23(N)(1), the purpose of the P-WL subdistrict is to conserve coastal and freshwater wetlands in essentially their natural state because of the indispensable biologic, hydrologic and environmental functions which they perform.

Proposed zoning includes P-WL1, 2, or 3 subdistrict zoning for all wetland areas depicted on the National Wetland Inventory map, in accordance with definitions in Section 10.23(N)(2). In areas where P-WL resources overlap with the P-RR, the P-RR also applies.

Landowner Review

There are a number of property owners within the Plan area that would be affected by the rezoning. In November of 2021, staff began the process of identifying current landowners and reaching out to discuss the upcoming expiration of the Plan. Throughout the winter, spring, and summer of 2022, staff conducted outreach via phone, email, mail, and in-person meetings with landowners to discuss options for either renewing the Plan or allowing the Plan to expire. Draft proposed zoning maps were sent to all landowners for informal review in June of 2022, and no landowner comments were received. All landowners were notified via email or paper mail of the presentation of the draft zoning maps at the August 2022 Commission Meeting, and subsequently notified via paper mailings of the petition filing and public comment period. Staff corresponded with several landowners regarding general questions, but did not receive any comments regarding changes to the proposed zoning maps.

Resource Agency Review

The draft zoning maps were sent to the Maine Historic Preservation Commission, Maine Natural Areas Program, Maine Department of Inland Fisheries & Wildlife, and the Bureau of Parks and Lands for review in June of 2022. No changes were recommended. All agencies will have an opportunity to review any future development proposals.

Public Notice and Comment Period

On August 11, 2022, Commission staff provided notice of filing of the application for zone change to all persons owning or leasing land within 1,000 feet of the P-RP boundaries, the Piscataquis County Commissioners, the State of Maine Bureau of Parks and Lands, the Appalachian Trail Conservancy, the Maine Appalachian Trail Club, and the Forest Society of

Maine. An electronic GovDelivery notice was sent to the Commission's Piscataquis County subscription list on August 15, 2022. The application for zone change was filed on August 15, 2022, and made available the same day on the Commission's website and electronic permit report.

The public comment period opened on August 15, 2022, and closed on September 17, 2022. Staff received a general inquiry from the Natural Resources Council of Maine, and no other comments or requests for information. No comments regarding changes to the proposed zoning were received, and no requests for a public hearing were received.

Staff Recommendation

Staff recommends that the Commission approve Amendment A to Zoning Petition ZP 671, a staff-initiated petition to replace the expiring Resource Plan Protection subdistrict with other appropriate zoning in T3 R11 WELS, Rainbow Township, T2 R10 WELS, T2 R9 WELS, T1 R10 WELS, and T1 R9 WELS, Piscataquis County, Maine.

Attachment A: Draft decision document for Zoning Petition ZP 671-A

Attachment B: Draft land use guidance maps

Attachment A



JANET T. MILLS
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STATE OF MAINE
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LAND USE PLANNING COMMISSION
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AMANDA E. BEAL
COMMISSIONER

STACIE R. BEYER
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**COMMISSION DECISION
IN THE MATTER OF**

Staff, Maine Land Use Planning Commission

Findings of Fact and Decision

AMENDMENT A TO ZONING PETITION ZP 671

The Maine Land Use Planning Commission (Commission), at a meeting of the Commission held October 12, 2022, at Bangor, Maine, after reviewing the draft land use guidance maps, petition, and supporting documents submitted by the staff of the Maine Land Use Planning Commission for Amendment A to Zoning Petition ZP 671, review agency and staff comments, and other related materials on file, and pursuant to 12 M.R.S. Sections 681 et seq. and the Commission's standards and rules, finds the following facts:

1. *Applicant:* Staff (Attn: Corinne Michaud-LeBlanc)
Maine Land Use Planning Commission
22 State House Station
Augusta, Maine 04333-0022
2. *Complete for processing date:* August 15, 2022
3. *Location of Proposal:* T3 R11 WELS
Rainbow Township
T2 R10 WELS
T2 R9 WELS
T1 R10 WELS
T1 R9 WELS
4. *Current zoning:* Resource Plan Protection Subdistrict (P-RP)
5. *Proposed Zoning:* Recreation Protection Subdistrict (P-RR)
General Management Subdistrict (M-GN)
General Development Subdistrict (D-GN)
Recreation Facility Development Subdistrict (D-RF)

Residential Development Subdistrict (D-RS)
Accessible Lake Protection Subdistrict (P-AL)
Shoreland Protection Subdistrict (P-SL2)
Wetland Protection Subdistrict (P-WL1, P-WL2 and P-WL3)

6. *Affected Water Bodies:* Lower West Branch of the Penobscot River
Debsconeag Deadwater

The Lower West Branch of the Penobscot River is recognized as an A list segment of river meriting special protection, pursuant to the 1982 Maine Rivers Study and 1982 Governor's Executive Order on Maine Rivers Policy.

The Commission has identified Debsconeag Deadwater as a management class 2, resource class 1A, accessible, undeveloped lake with the following resource ratings: outstanding fisheries resources, outstanding wildlife resources, significant physical resources.

I. PROJECT DETAILS AND PUBLIC PROCESS

7. Administrative history:

- A. *Zoning Petition ZP 192.* On June 17, 1981, ZP 192 was approved, establishing a Resource Protection subdistrict (P-RP) along portions of the East and West Branch of the Penobscot River, and the shores of Lobster Lake and Lobster Stream (collectively, the Waterway). Great Northern Paper Company was the sole applicant and owner of the Waterway at the time of approval, and the purposes of the P-RP included "long-term management of timber harvesting, land management, recreation, and other resource management". Components of the Plan included granting permanent conservation easements to the State of Maine for public recreational uses on the Waterway, restrictions on residential and commercial development, and incorporation of a Recreation Management Plan developed and administered by the Maine Bureau of Parks and Lands (BPL). The Resource Protection Plan and associated subdistrict were approved for a term of 20 years.
- B. *Zoning Petition ZP 654.* On May 16, 2001, ZP 654 was approved, modifying several aspects of the existing P-RP subdistrict from ZP 192. The petition granted the removal of lands within Grindstone Township from the Plan area, and granted a one year extension of the Resource Protection Plan on the rest of the Waterway. The purpose of ZP 654 was to remove portions of the East Branch from the P-RP due to new ownership, and allow time for the remaining six landowners to develop an updated resource protection plan. Portions of the P-RP subdistrict that were removed at this time were rezoned to Recreation Protection subdistrict (P-RR), Shoreland Protection subdistrict (P-SL1), Flood Prone Area Protection subdistrict (P-FP), and General Management subdistrict (M-GN).
- C. *Amendment A to Zoning Petition ZP 654.* On June 12, 2002, Amendment A to Zoning Petition ZP 654 was approved, granting an additional six-month extension of the existing Resource Protection Plan and P-RP subdistrict for the Lower West Branch portion of the Waterway. At this time, the rest of the Waterway had either been removed from the P-RP

(Grindstone Township), or incorporated into a separate Resource Protection subdistrict (Zoning Petition ZP 664, a P-RP for the East Branch of the Penobscot; since expired). The purpose of Amendment A to ZP 654 was to grant additional time for landowners on the West Branch of the Penobscot to develop an updated Resource Protection Plan.

- D. *Zoning Petition ZP 671*. On December 11, 2002, Zoning Petition ZP 671 was approved, establishing a Resource Protection subdistrict for the Lower West Branch of the Penobscot River (the Penobscot River Corridor, or PRC). The Plan area included lands within 500 feet of the shoreline, from 400 feet below the Ripogenus Dam to Ambajejus Lake. At the time, the lands within the corridor were owned by five separate landowners, who were co-applicants on the petition. The zoning petition approved an updated Resource Protection Plan, and a Recreation Management Plan managed by the Maine BPL in conjunction with a PRC Advisory Committee. The Resource Protection Plan and associated subdistrict were approved for a term of 20 years, and include the following components:
- 1) *Description of Plan Area*. The Plan area covers a 500-foot wide buffer along each side of the Penobscot River, from approximately 400 feet below the Ripogenus Dam to where the West Branch enters Ambajejus Lake. The P-RP includes lands in six townships in Piscataquis County: T3 R11 WELS, Rainbow Township, T2 R10 WELS, T2 R9 WELS, T1 R10 WELS, and T1 R9 WELS (the P-RP only extends into the northeast corners of Rainbow Township and T1 R10 WELS).
 - 2) *Development within Plan Area*. Existing development includes two pre-Plan, privately-owned commercial campgrounds, one BPL-managed campground, and nine existing pre-Commission camp lease lots. The Plan Area also includes diverse public recreation sites managed by BPL, including seven camping locations, nine water access points, six lunch sites, and two ranger dwellings.
 - 3) *Permanent conservation measures in place*. The entirety of the Plan area is covered by a permanent conservation easement along the 500-foot-wide Penobscot River Corridor, managed by the State of Maine, Bureau of Parks and Lands (Piscataquis County Registry of Deeds, Book 518, Pages 251—259). The Corridor is also covered by a Recreation Management Plan administered by the Maine BPL. The expiration of the Resource Protection Plan will not affect these permanent conservation measures or existing uses.
- E. *Current Ownership*. Since the approval of the 2002 Resource Protection Plan, much of the Plan area has changed ownership. Current landowners include Abol LLC, Acadian Timber, Baxter State Park Authority, Brookfield Renewable, Chewonki Foundation, KCI Aleskanak LLC, and The Nature Conservancy.
- F. *Expiration of Resource Protection Plan*. The Resource Protection Plan for the Lower West Branch of the Penobscot River and associated Resource Plan Protection subdistrict (P-RP) were approved on December 26, 2002, and will expire on December 26, 2022. Commission staff contacted all current landowners beginning in November 2021, and discussions indicated there was no desire or need to renew the Resource Protection Plan. As provided in Chapter 10, §10.23(H)(8), at the termination of a plan, the Commission

will, in conformity with its comprehensive plan, statutes, and standards, designate appropriate zoning which is reasonably consistent with zoning in accordance with Section 10.08(A). Commission staff therefore began the process of identifying appropriate replacement zoning.

Additionally, Chapter 10, §10.23(H)(8) states that in the event that a resource plan is terminated, all transactions initiated as a component of the plan, including without limitation, the granting of conservation easements or restrictive covenants on subdivided lands will continue to apply to the extent that they are covered by legal contract, deeded covenants, permit or other legal requirements. Major landowners have expressed a clear commitment to continuing to manage the former Plan area per the terms of the conservation easement and Recreation Management Plan.

G. *Landowner Review.* In November of 2021, staff began the process of identifying current landowners within the Plan area and reaching out to discuss the upcoming expiration of the Plan. Throughout winter, spring, and summer of 2022, staff conducted outreach via phone, email, mail, and in-person meetings with landowners to discuss options for either renewing the Plan or allowing the Plan to expire. Staff discussed likely replacement zoning options with each landowner. Draft proposed zoning maps were sent to all landowners for informal review in June of 2022, and no landowner comments were received. All landowners were notified via email or paper mail of the presentation of the draft zoning maps at the August 2022 Commission Meeting, and subsequently notified via paper mailings of the petition filing and public comment period. Staff corresponded with several landowners regarding questions, and did not receive any comments about the proposed zoning maps.

8. **Proposal:** The Land Use Planning Commission staff seek to rezone the Resource Plan Protection (P-RP) subdistrict currently applied to the Lower West Branch of the Penobscot Resource Plan area, due to impending expiration of the Plan. Lands within the Plan area are now owned by seven separate parties, who do not collectively wish to renew the Resource Protection Plan and associated zoning. The Recreation Management Plan and permanent conservation easement and will remain in place, allowing landowners and BPL to continue to manage for recreational and natural resource protection. No development or changes in use are proposed. Staff have identified appropriate replacement zoning for the Plan area, based on pre-existing development, and the resources that are present. The proposed zoning changes are described in detail below.
9. **Site visits:** Commission staff conducted site visits on May 9, 2022 and May 16, 2022. Staff visited the existing campgrounds and recreational sites, met with landowners, and documented general conditions and uses along the river corridor.
10. **Public comments and public hearing:** A public comment period was held from August 17, 2022–September 15, 2022. The Commission did not receive any public comments, or requests for a public hearing.

II. RULES OF PRACTICE

11. Notice requirements:

- A. Rule of practice: Notice as described by Sections 4.04(B)(3)(a)(2) and (3) of the Commission's *Rules of Practice*, 01-672 C.M.R. Ch. 4, last revised November 01, 2021 (Chapter 4), is required for applications for zone changes, except those proposing to change a development subdistrict designation to a management or protection subdistrict designation, and applications addressing clerical corrections. Chapter 4, §4.04(B)(3)(a)(1). The Commission staff may provide, or require an applicant to provide, additional notice related to an application in any manner the Commission staff deems appropriate. Chapter 4, §4.04(A)(3)(b).
- B. Analysis: On August 11, 2022, Commission staff provided notice of filing of the application for zone change to all persons owning or leasing land within 1,000 feet of the P-RP boundaries, the Piscataquis County Commissioners, the State of Maine Bureau of Parks and Lands, the Appalachian Trail Conservancy, the Maine Appalachian Trail Club, and the Forest Society of Maine. An electronic GovDelivery notice was sent to the Commission's Piscataquis County subscription list on August 15, 2022. The application for zone change was filed on August 15, 2022, and made available the same day on the Commission's website and electronic permit report.
- C. Finding: Based upon the record and the above analysis, the Commission finds that the application for zone change was properly noticed consistent with the applicable sections of Chapter 4, Sections 4.04(B)(3)(a)(1),(2) and (3), and 4.04(A)(3)(b).

III. GENERAL CRITERIA FOR ADOPTION OR AMENDMENT OF LAND USE DISTRICT BOUNDARIES

A land use district boundary may not be adopted or amended unless there is substantial evidence that the proposed land use district is consistent with the standards for district boundaries in effect at the time, the comprehensive land use plan and the purpose, intent and provisions of Chapter 206-A, and there is substantial evidence that the proposed land use district has no undue adverse impact on existing uses or resources or a new district designation is more appropriate for the protection and management of existing uses and resources within the affected area. 12 M.R.S. §685-A(8-A) of the Commission's statute and restated in Section 10.08(A) of the Commission's *Land Use Districts and Standards*, 01-672 C.M.R. Ch. 10, last revised March 29, 2022 (Chapter 10).

12. Consistency with the *Comprehensive Land Use Plan (CLUP)*:

- A. Criteria: Pursuant to 12 M.R.S. §685-C(1), the Commission has adopted a *Comprehensive Land Use Plan*, ver. 2010 that guides the Commission in developing specific land use standards, delineating district boundaries, siting development, and generally fulfilling the purposes of the Commission's governing statute. The CLUP includes goals, policies and principles that address, among other items, land conservation,

forest resources, recreational resources, scenic resources, and water resources, which the Commission evaluates regarding a proposal's consistency with the CLUP.

B. Analysis:

- 1) *Land Conservation:* The land conservation goal outlined in the CLUP encourages 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. CLUP, pg. 10.

The proposed zoning will not affect the permanent conservation easement along the Corridor, which was put in place as a component of the original Resource Protection Plan, and will continue to support the CLUP goal of long-term conservation of a unique region of working forest, high-value natural resources, and public recreational resources.

- 2) *Forest Resources:* The forest resources goal outlined in the CLUP aims to 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. CLUP, pg. 14. Related policies include:

- a. Supporting 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; and
- b. Protecting areas identified as environmentally sensitive by regulating forestry activities, timber harvesting and construction of land management roads.

Proposed zoning, in combination with the conservation easement and Recreation Management Plan, will allow for long-term forest resource management, and compatibility with outdoor recreation, local biodiversity, and protection of environmentally sensitive areas.

- 3) *Recreational Resources:* The recreational resources goal in the CLUP aims to conserve the natural resources that are fundamental to maintaining the recreational environment that enhances diverse, abundant recreational opportunities. CLUP, pg. 17. Relevant policies include:

- a. Encouraging diverse, non-intensive and nonexclusive use of recreational resources and protection of primitive recreational opportunities in certain locations; and
- b. Supporting cooperative efforts that ensure continued public access across, and recreational use of, private lands; and
- c. Supporting efforts that ensure continued public access to public waters.

In keeping with the designation of the Lower West Branch as an A list river segment meriting special protection, proposed zoning along the majority of the Corridor is a 250-foot Recreation Protection subdistrict (P-RR). The purpose of the P-RR subdistrict is further analyzed in Finding #14(A)(2). Proposed zoning will allow for continued use and maintenance of public access points for a diverse array of primitive recreational uses along the Corridor. Management of the public recreation sites by the Bureau of Parks and Lands, in cooperation with private landowners, will ensure safe and reliable public access for recreation along the Corridor.

- 4) *Scenic Resources*: The scenic resources goal in the CLUP aims to protect the high-value scenic resources of the jurisdiction by fitting proposed land uses harmoniously into the natural environment. CLUP, pg. 18.

Proposed zoning in conjunction with the permanent conservation easement will limit allowed uses and any future development, which will maintain and protect the natural aesthetic values of the Corridor. See Finding #12(B)(3) above, and Finding #14 for additional details.

- 5) *Water Resources*: The water resources goal in the CLUP aims to preserve, protect and enhance the quality and quantity of surface waters and groundwater, with policies including protecting the recreational and aesthetic values associated with water resources, and conserving and protecting lakes, ponds, rivers, streams, and their shorelands, which provide significant public recreational opportunities. CLUP, pg. 18.

Proposed zoning along the Corridor is comprised mainly of the P-RR and Accessible Lake Protection subdistricts (P-AL), which limit waterfront uses along the river and lakeshores, and provide for continued protection of water quality. See Finding #14 below for additional details on the purpose and descriptions of these subdistricts.

- C. Finding: The Commission, having considered the goals and policies of the CLUP, policies and principles highlighted in this decision document, as well as the various provisions of the CLUP more generally, finds the rezoning is consistent with the Commission's *Comprehensive Land Use Plan*.

13. No undue adverse impact:

- A. Criteria: A land use district boundary may not be adopted or amended unless there is substantial evidence that the proposed land use district has no undue adverse impact on existing uses or resources or a new district designation is more appropriate for the protection and management of existing uses and resources within the affected area. 12 M.R.S. §685-A(8-A)(B), restated in Chapter 10, §10.08(A)(2).

- B. Analysis:

- 1) *Existing uses*: As detailed in Finding #7(D), the Plan area includes multiple private and public camping facilities, nine leased camps, and an array of public recreational

sites for fishing, picnicking, and water access. All of the existing developments are considered pre-Plan and have been in continuous use since prior to 1981. Proposed zoning changes will accommodate the continued use of these pre-existing developments. No changes in use or development are proposed, and therefore no impacts to existing uses are expected as a result of the rezoning.

2) *Existing resources:*

- a. *Fish and wildlife resources:* The Maine Department of Inland Fisheries and Wildlife (MDIFW) reviewed the petition and stated that based on the information provided, current MDIFW data sources and maps, their review indicates that the proposed zoning is likely to provide for adequate and appropriate protections for the known resources present. However, MDIFW identified the presence or potential presence of multiple protected species and significant wildlife habitats, and recommended that prior to any future site disturbance, further consultation be conducted to determine if site-specific surveys would be needed to ensure that impacts to protected resources are avoided.
 - b. *Plant species and communities:* The Maine Natural Areas Program (MNAP) reviewed the petition and did not submit any comments on the proposal.
 - c. *Historic resources:* The Maine Historic Preservation Commission (MHPC) reviewed the petition and did not submit any comments on the proposed zoning; but recommended that any future development proposals be reviewed for potential impacts to historic or archaeological resources.
 - d. *Recreational resources:* The Maine Bureau of Parks and Lands reviewed the proposed zoning with regards to existing and anticipated public recreational uses along the Corridor, and did not have any concerns regarding continued management of recreational resources.
- C. Finding: As a result of this initial evaluation of the impacts on existing uses and resources, and given that any future development proposals will likely include consultations with the necessary resource agencies, the Commission finds that there is substantial evidence that the proposed land use districts will have no undue adverse impact on existing uses or resources in accordance with 12 M.R.S. §685-A(8-A)(B), restated in Chapter 10, §10.08(A)(2).

14. Consistency with the standards for district boundaries:

- A. Criteria and standards: A land use district boundary may not be adopted or amended unless there is substantial evidence that the proposed land use district is, among other criteria, consistent with the standards for district boundaries in effect at the time. 12 M.R.S. §685-A(8-A)(A), restated in Chapter 10, §10.08(A)(1).

- 1) *Resource Plan Protection subdistrict (P-RP):* Regarding the duration and termination of a Resource Protection Plan, relevant criteria are provided in Chapter 10, §10.23(H):

“At the termination of a plan, the Commission will, in conformity with its comprehensive plan, statutes, and standards, designate appropriate zoning which is reasonably consistent with zoning in accordance with Section 10.08,A. In the event that a plan is terminated, all transactions initiated as a component of the plan, including without limitation, the granting of conservation easements or restrictive covenants on subdivided lands will continue to apply to the extent that they are covered by legal contract, deeded covenants, permit or other legal requirements.”

- 2) *Recreation Protection subdistrict (P-RR)*: As provided in Chapter 10, §10.23(I)(1), the purpose of the P-RR subdistrict is to provide protection from development and intensive recreational uses to those areas that currently support, or have opportunities for, unusually significant primitive recreation activities. By so doing, the natural environment that is essential to the primitive recreational experience will be conserved. In accordance with the description of the subdistrict in Section 10.23(I)(2), river segments within the Commission's jurisdiction identified as meriting special protection in the Governor's Executive Order on Maine Rivers Policy, issued July 6, 1982, must qualify as flowing water appropriate for protection within this subdistrict.

Because this river segment is identified as meriting special protection in the Maine Rivers Study, the P-RR subdistrict is the most appropriate replacement subdistrict for the Lower West Branch. This subdistrict is proposed for the majority of the former Plan area, and would include a 250-foot-deep area along each side of the river. Limited exceptions would occur as described below, in locations where pre-Plan development and existing recreational development require specific zoning considerations.

- 3) *General Management subdistrict (M-GN)*: In accordance with Chapter 10, §10.22(A)(1), the purpose of the M-GN subdistrict is to permit forestry and agricultural management activities to occur with minimal interferences from unrelated development in areas where the Commission finds that the resource protection afforded by protection subdistricts is not required. As described in Section 10.22(A)(2), this subdistrict is described as applying to areas that are appropriate for forest or agricultural activities, and that do not require the special protection afforded by the protection subdistricts.

This subdistrict is proposed for lands within the Plan area which are between 250–500 feet from the normal high water mark of the Penobscot River, and that do not otherwise warrant zoning for development or specific resource protections.

- 4) *General Development subdistrict (D-GN)*: In accordance with Chapter 10, §10.21(C)(1), the purpose of the D-GN subdistrict includes recognizing existing patterns of development in appropriate areas.

Approximately 1.4 acres of D-GN zoning is proposed at the Abol Bridge Campground, adjacent to the Golden Road, to accommodate existing retail and restaurant commercial development that predates the P-RP zoning. This is considered

a reversion to prior zoning, and is consistent with the zoning that has applied to this location under the terms of the Plan.

- 5) *Recreation Facility Development subdistrict (D-RF)*: In accordance with Chapter 10, §10.21(L)(1), the purpose of the D-RF subdistrict is “to allow for development of moderate intensity recreation facilities in locations that would not be suitable for other types of commercial development ... in areas that are distant from other development, but where the location of such a facility would not unreasonably interfere with existing uses such as forestry and agriculture activities, fish and wildlife habitat or other recreation opportunities; and will not substantially increase the demand for public services in areas that are distant from existing patterns of development.” The description of the D-RF subdistrict includes areas that contain existing recreation facilities that meet the purpose and other provisions of the subdistrict.

This subdistrict is proposed in three locations to accommodate existing, pre-Plan, recreational lodging facilities (Big Eddy Campground, Abol Bridge Campground, and the BPL Horse Race Brook administrative area). The proposed zoning is proscribed around the existing recreational lodging facilities and property boundaries, and will allow for their continued operation in the Penobscot River Corridor.

- 6) *Residential Development subdistrict (D-RS)*: In accordance with Chapter 10, §10.21(M)(1), the purpose of the D-RS subdistrict is to set aside certain areas for residential and other appropriate uses so as to provide for residential activities apart from areas of commercial development. In accordance with Section 10.21(M)(2)(a), the D-RS subdistrict shall include areas where four or more single family dwelling units exist within a 500-foot radius.

This subdistrict is proposed in one location in T2 R10 WELS, to accommodate a cluster of five pre-Commission residential camps that meet the purpose and definition described above. This is considered a reversion to prior zoning, and is consistent with the zoning that has applied to this location under the terms of the Plan.

- 7) *Accessible Lake Protection subdistrict (P-AL)*: As provided in Chapter 10, §10.23(A)(1), the purpose of the P-AL subdistrict is “to maintain and protect the existing natural values of the accessible, undeveloped, high value lakes within the Commission's jurisdiction. This is the class of lakes described as Management Class 2 lakes in the Commission's Comprehensive Land Use Plan. It is the intent of this subdistrict to restrict development.” As described in Section 10.23(A)(2), this subdistrict includes areas surrounding bodies of standing water classified as Management Class 2 Lakes, and must extend 500 feet from and around the water body measured from the normal high water mark.

This subdistrict is proposed around the Deabsconeag Deadwater, which is classified as a Management Class 2 Lake, and by description is eligible for the P-AL subdistrict.

- 8) *Fish and Wildlife Protection subdistrict (P-FW)*: As provided in Chapter 10, §10.23(D)(1), the purpose of the P-FW subdistrict is to conserve important fish and

wildlife habitats essential to the citizens of Maine because of their economic, recreational, aesthetic, educational or scientific value. As described in Section 10.23(D)(2), this subdistrict may include significant fish spawning nursery and feeding areas, critical habitat of endangered and threatened fish and wildlife species ascertained by state or federal agencies, and habitat of fish or wildlife species needing special protection by other means, including by a state fish or wildlife conservation plan; and the shelter portions of deer wintering areas if specific conditions are met.

Existing P-FW subdistricts that overlap the P-RP are proposed to remain. The Maine Department of Inland Fisheries and Wildlife has not recommended any changes to existing P-FW boundaries at this time.

- 9) *Shoreland Protection subdistrict (P-SL2)*: As provided in Chapter 10, §10.23(L)(1), the purpose of the P-SL subdistrict is to regulate certain land use activities in certain shoreland areas in order to maintain water quality, plant, fish and wildlife habitat and in order to protect and enhance scenic and recreational opportunities. As described in Section 10.23(L)(2), this subdistrict includes areas within 75 feet, measured as a horizontal distance landward, of (a) the normal high water mark of flowing waters upstream from the point where such channels drain 50 square miles and (b) the upland edge of those freshwater wetlands identified in Sections 10.23(N)(2)(a)(1),(c) and (2), and (3).

The proposed zoning includes 75-foot wide P-SL2 subdistricts for minor flowing waters and applicable wetlands (for example, small streams feeding into a larger river). There are no major flowing waters qualifying as a P-SL1 subdistrict in the Plan area. In areas where P-SL2 resources overlap with the P-RR, the P-RR also applies.

- 10) *Wetland Protection subdistrict (P-WL1, 2 & 3)*: As provided in Chapter 10, §10.23(N)(1), the purpose of the P-WL subdistrict is to conserve coastal and freshwater wetlands in essentially their natural state because of the indispensable biologic, hydrologic and environmental functions which they perform.

Proposed zoning includes P-WL1, 2, or 3 subdistrict zoning for all wetland areas depicted on the National Wetland Inventory map, in accordance with definitions in Section 10.23(N)(2). In areas where P-WL resources overlap with the P-RR, the P-RR also applies.

- B. Analysis: All proposed zoning has taken into account protection of the identified A list river segment, accommodation of pre-Commission residential and commercial development, and appropriate protection of the resources present. Development zones have been carefully proscribed and proposed around pre-Commission developments. No changes in use or additional allowed uses are proposed as part of the zoning petition.
- C. Finding: Given the descriptions of the proposed subdistricts, existing uses and resources presented in Finding #14, and analysis of the proposal as a whole, the Commission finds that the proposed subdistricts are consistent with the standards for district boundaries in effect at this time in accordance with 12 M.R.S. §685-A(8-A) of the Commission's statute and restated in Chapter 10, §10.08(A).

15. Consistency with 12 M.R.S., ch. 206-A:

- A. Criteria: A land use district boundary may not be adopted or amended unless there is substantial evidence that the proposed land use district is consistent with the purpose, intent, and provisions of 12 M.R.S. ch. 206-A. 12 M.R.S. §685-A(8-A)(A), restated in Chapter 10, §10.08(A)(1). The purpose and scope of 12 M.R.S. ch. 206-A includes principles of sound planning, zoning, and development. Whether a project provides for consistent, effective, and appropriate land management and resource protection are important considerations for large-scale zoning projects such as described herein.
- B. Analysis: As discussed in Findings #12, 13, and 14 above, the proposed rezoning reflects the most appropriate replacement subdistricts, is consistent with the CLUP, and will effectively provide for continued long-term management of the Plan area for forest resources, natural resources, and recreational resources.
- C. Finding: The Commission finds, in general, that its determination on consistency with the CLUP establishes consistency with the purpose and scope of the statute under which the CLUP must be adopted. This finding is based on the following: The purpose and scope of Chapter 206-A are embodied in the broad goals of the CLUP, and, in accordance with 12 M.R.S. §685-C(1), “[t]he [C]ommission must use the [CLUP] as a guide in ... generally fulfilling the purposes of this chapter.” In addition, given the above analysis for this project, the Commission finds that the proposed rezoning is otherwise consistent with the purpose and intent of the statute.

16. The facts are otherwise as represented in the application for Amendment A to Zoning Petition ZP 671 and supporting documents.

IV. FINAL CONCLUSIONS

Based upon the above analysis and findings:

- 1. The Commission concludes that there is substantial evidence in the record (see Finding #12) that the proposed land use districts are consistent with the *Comprehensive Land Use Plan*, satisfying the corresponding portions of 12 M.R.S. §685-A(8-A)(A), restated in Chapter 10, §10.08(A)(1).
- 2. The Commission concludes that there is substantial evidence in the record (see Finding #13) that the proposed land use districts have no undue adverse impact on existing uses or resources, satisfying the corresponding portions of 12 M.R.S. §685-A(8-A)(B), restated in Chapter 10, §10.08(A)(2).
- 3. The Commission concludes that there is substantial evidence in the record (see Finding #14) that the proposed land use districts are consistent with the standards for district boundaries in effect at this time, satisfying the corresponding portions of 12 M.R.S. §685-A(8-A)(A), restated in Chapter 10, §10.08(A)(1).
- 4. The Commission evaluated the petition with respect to consistency with 12 M.R.S. ch. 206-A and the principles of sound planning, zoning, and development. Having considered the

existing uses and resources; the type and intensity of the development that the rezoning is intended to accommodate; the permanent measures in place to protect scenic, natural, and recreational resources; the review agency comments; and the record as a whole, the Commission concludes approval of the petition would be an act of sound land use planning, and that the proposed rezoning is consistent with the purpose, intent and provisions 12 M.R.S. ch. 206-A, satisfying the corresponding portions of 12 M.R.S. §685-A(8-A)(A), restated in Chapter 10, §10.08(A)(1).

Therefore, the Commission approves the petition of the Maine Land Use Planning Commission staff to replace the expiring Resource Plan Protection subdistrict with other appropriate zoning in T3 R11 WELS, Rainbow Township, T2 R10 WELS, T2 R9 WELS, T1 R10 WELS, and T1 R9 WELS, Piscataquis County, Maine.

In accordance with 5 M.R.S. §11002 and Maine Rules of Civil Procedure 80C, this decision by the Commission may be appealed to Superior Court within 30 days after receipt of notice of the decision by a party to this proceeding, or within 40 days from the date of the decision by any other aggrieved person. In addition, where this decision has been made without a public hearing, any aggrieved person may request a hearing by filing a request in writing with the Commission within 30 days of the date of the decision.

DONE AND DATED AT BANGOR, MAINE THIS 12TH DAY OF OCTOBER 2022.

By: _____
Stacie R. Beyer, Acting Executive Director

The changes in subdistrict designations are effective on December 26, 2022.¹

¹In accordance with the Resource Protection Plan approved by the Commission in ZP 671, replacement zoning for those areas encompassed by the resource protection plan subdistrict become effective upon expiration of the plan.

Attachment B

T3 R11 WELS



Piscataquis County



Land Use Guidance Map

Department of Agriculture, Conservation and Forestry
Maine Land Use Planning Commission

Legend

DEVELOPMENT SUBDISTRICTS

D-GN: General

D-RF: Recreation Facility

MANAGEMENT SUBDISTRICTS

M-GN: General

PROTECTION SUBDISTRICTS

- P-AL: Accessible Lake
- P-FW: Fish and Wildlife
- P-GP: Great Pond
- P-MA: Mountain Area
- P-RR: Recreation
- P-SG: Soils and Geology
- P-SL1: Shoreland - 250'
- P-SL2: Shoreland - 75'
- P-WL1: Wetlands of Special Significance
- P-WL2: Scrub-shrub Wetlands
- P-WL3: Forested Wetlands

DRAFT

For complete descriptions of those areas included within the various subdistricts, and the associated regulations, refer to the Commission's Chapter 10 rules: Land Use Districts and Standards. Where any inconsistencies exist between the district boundaries, as shown on this map, and those described by the Commission's Land Use Districts and Standards, the latter shall govern.

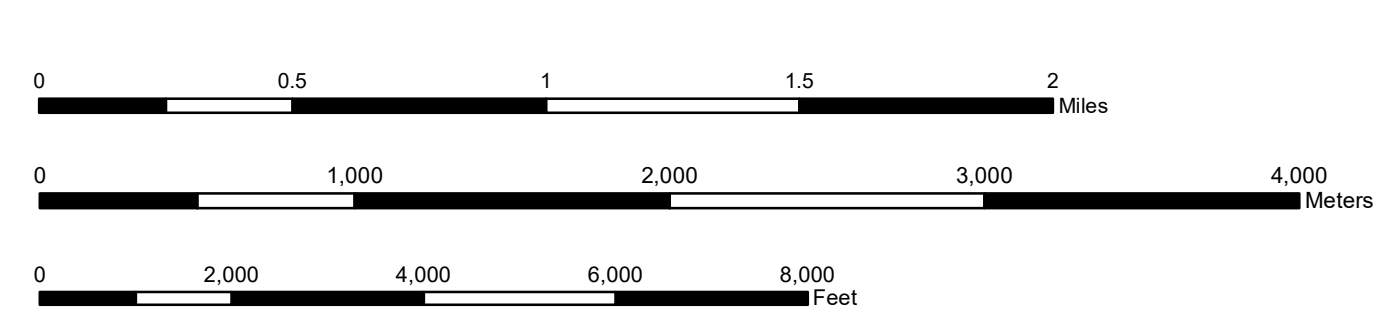
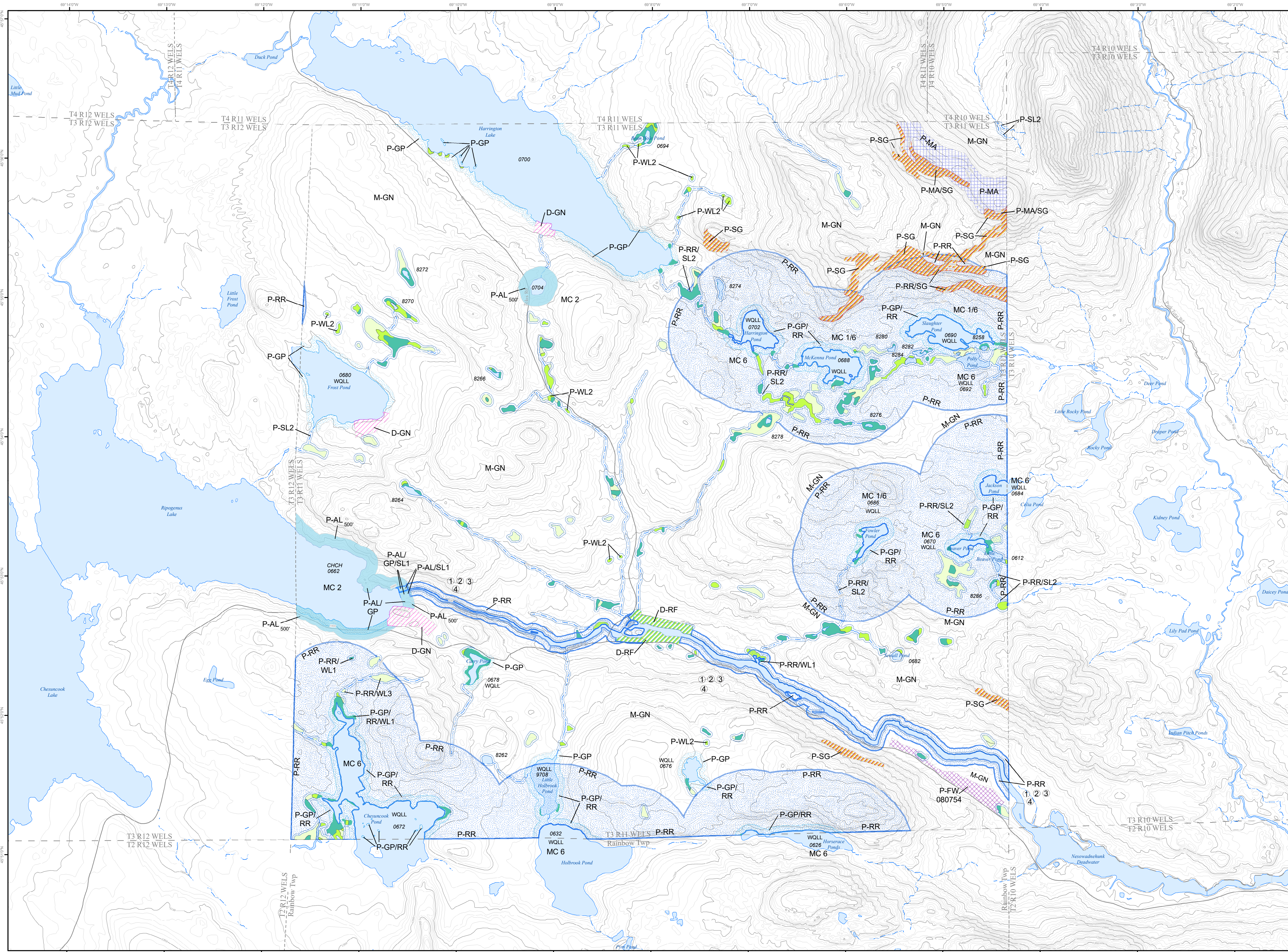
For simplicity, this map does not show all the Wetland Protection Subdistricts for areas identified pursuant to Section 10.23,N,2 such as the beds of rivers, lakes, and other water bodies, and freshwater wetlands within 25 feet of stream channels. Nevertheless, these areas are within P-WL Subdistricts. In addition, this map does not show the Shoreland Protection Subdistricts along stream channels flowing through wetlands. Nevertheless, these areas are within P-SL2 Protection Subdistricts. If the locations of flowing waters or bodies of standing water existing on the ground differ from those shown on the map, then, pursuant to 12 M.R.S., Section 685-A(2)(G), P-GP, P-RR, P-SL, P-WL, and other subdistrict boundaries that are based upon the location of such waters shall, as appropriate, be deemed to follow the flowing water or body of standing water existing on the ground.

This Land Use Guidance Map was adopted by the Maine Land Use Planning Commission on 09/16/1999, and became effective on 10/01/1999.

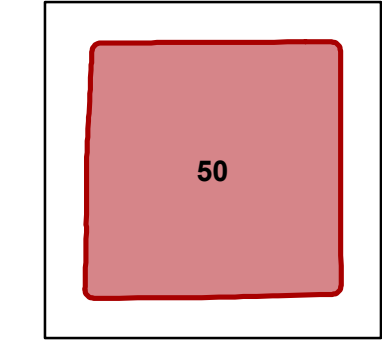
This map is certified to be a true and correct copy of the Official Land Use Guidance Map of the Maine Land Use Planning Commission.

By: *[Signature]*, Director, Maine Land Use Planning Commission.

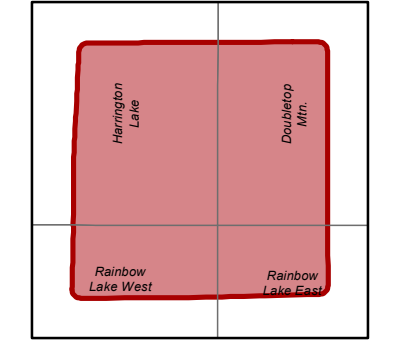
Amendments			
Location #	Zoning Permit	Effective Date	Remarks
1	ZP654	05/31/2001	Time extension
2	ZP654A	06/27/2002	Time extension
3	ZP671	12/26/2002	
4	ZP671A	12/26/2022	P-RP 011 Expires December 26, 2022



DeLorme map locus



USGS 7.5' quad index



- ① Map amendment location
- ▲ Point at which a river drains 25 square miles - symbol points upstream (12 M.R.S. Sec. 682-B(4))
- 9999 MIDAS number: Unique number assigned to each standing body of water in Maine.
- WOLL Water Quality Limiting Lake - Refer to Section 10.23.E.3.g of the Commission's Land Use Districts and Standards.
- MC# Lake Management Classes - Refer to Section 10.02 (Definitions) of the Commission's Land Use Districts and Standards.

T2 R10 WELS



Piscataquis County



Land Use Guidance Map

Department of Agriculture, Conservation and Forestry
Maine Land Use Planning Commission

Legend

DEVELOPMENT SUBDISTRICTS

- D-GN: General
- D-RF: Recreation Facility
- D-RS: Residential

MANAGEMENT SUBDISTRICTS

- M-GN: General

PROTECTION SUBDISTRICTS

- P-AL: Accessible Lake
- P-FW: Fish and Wildlife
- P-GP: Great Pond
- P-RR200: Recreation - 200'
- P-RR: Recreation
- P-SG: Soils and Geology
- P-SL1: Shoreland - 250'
- P-SL2: Shoreland - 75'
- P-UA: Unusual Area
- P-WL1: Wetlands of Special Significance
- P-WL2: Scrub-shrub Wetlands
- P-WL3: Forested Wetlands

DRAFT

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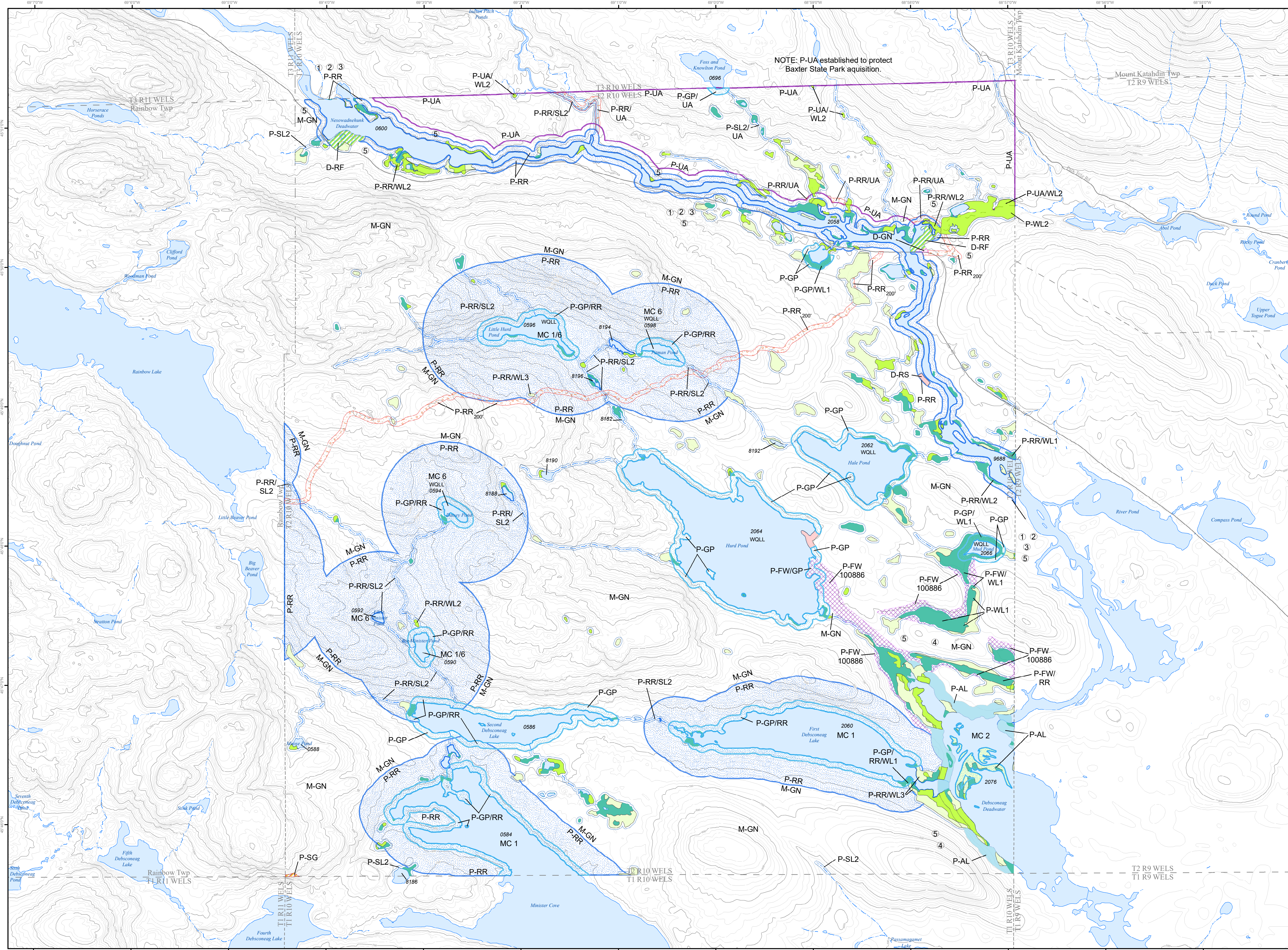
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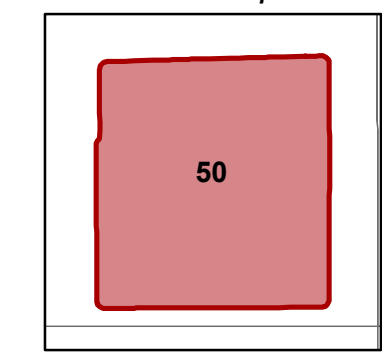
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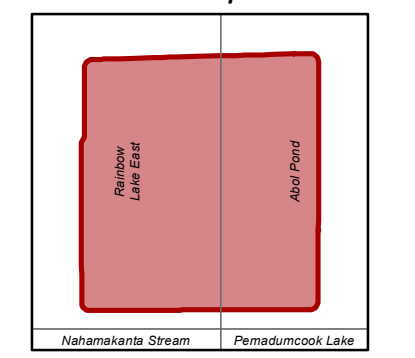
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2	ZP654A	06/27/2002	Time extension
3	ZP671	12/26/2002	
4	ZP720	09/25/2008	
5	ZP671A	12/26/2022	P-RP 011 Expires December 26, 2022



DeLorme map locus



USGS 7.5' quad index



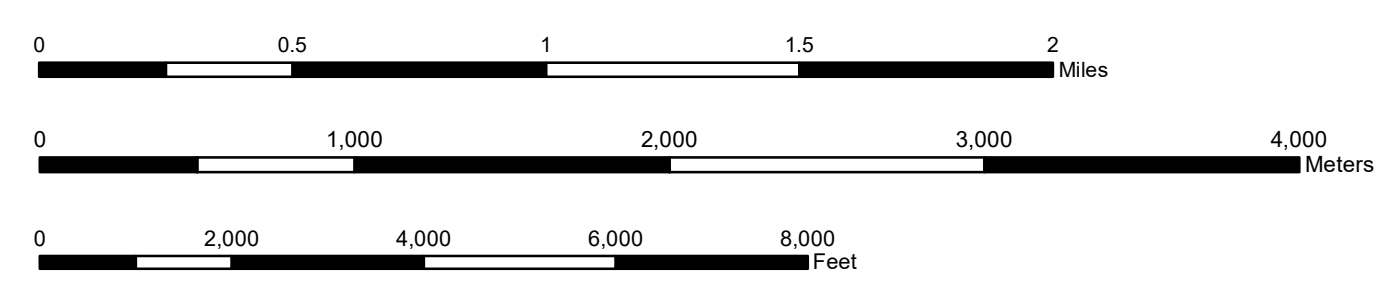
① Map amendment location

▲ Point at which a river drains 25 square miles - symbol points upstream (12 M.R.S. Sec. 682-B(4))

9999 MIDAS number: Unique number assigned to each standing body of water in Maine.

WQLL Water Quality Limiting Lake - Refer to Section 10.23.E.3.g of the Commission's Land Use Districts and Standards.

MC# Lake Management Classes - Refer to Section 10.02 (Definitions) of the Commission's Land Use Districts and Standards.



SOURCES: Maine Land Use Planning Commission, USGS

T2 R9 WELS



Piscataquis County



Land Use Guidance Map

Department of Agriculture, Conservation and Forestry
Maine Land Use Planning Commission

Legend

DEVELOPMENT SUBDISTRICTS

- D-GN: General
- D-RS: Residential

PROTECTION SUBDISTRICTS

- P-AL: Accessible Lake
- P-FW: Fish and Wildlife
- P-GP: Great Pond
- P-RR: Recreation
- P-SL2: Shoreland - 75'
- P-UA: Unusual Area
- P-WL1: Wetlands of Special Significance
- P-WL2: Scrub-shrub Wetlands
- P-WL3: Forested Wetlands

DRAFT

For complete descriptions of those areas included within the various subdistricts, and the associated regulations, refer to the Commission's Chapter 10 rules: Land Use Districts and Standards. Where any inconsistencies exist between the district boundaries, as shown on this map, and those described by the Commission's Land Use Districts and Standards, the latter shall govern.

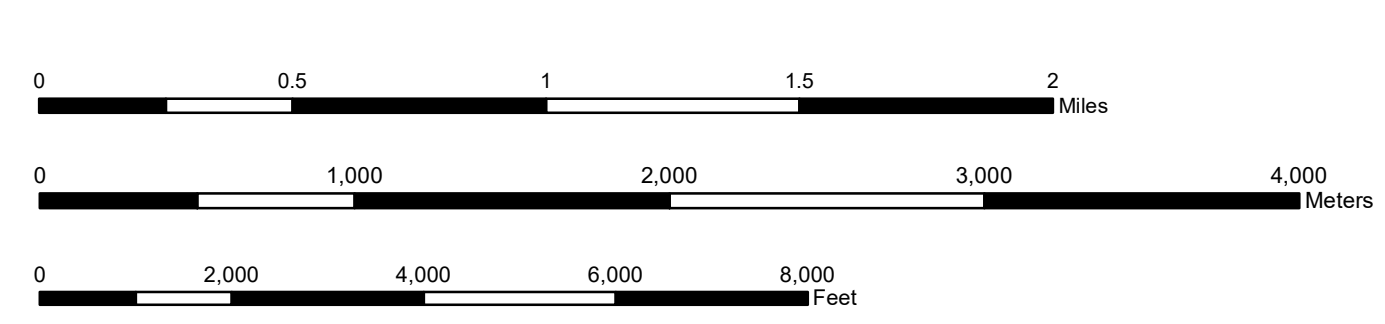
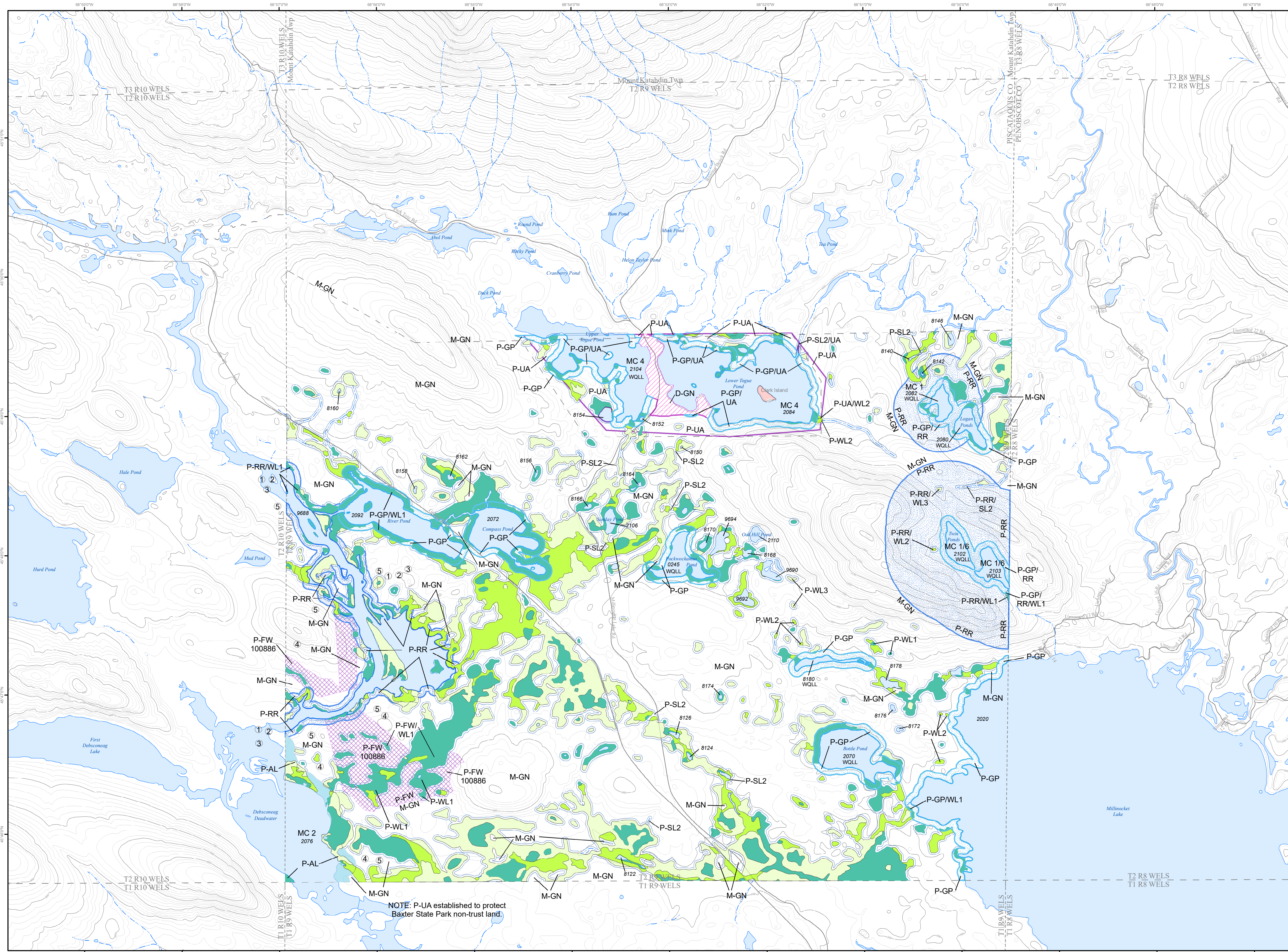
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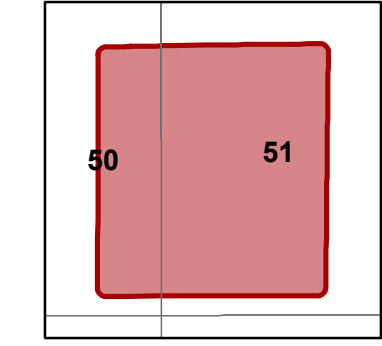
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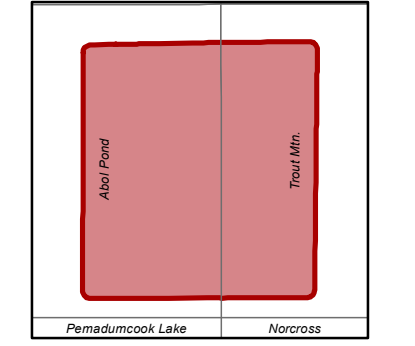
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DeLorme map locus



USGS 7.5' quad index

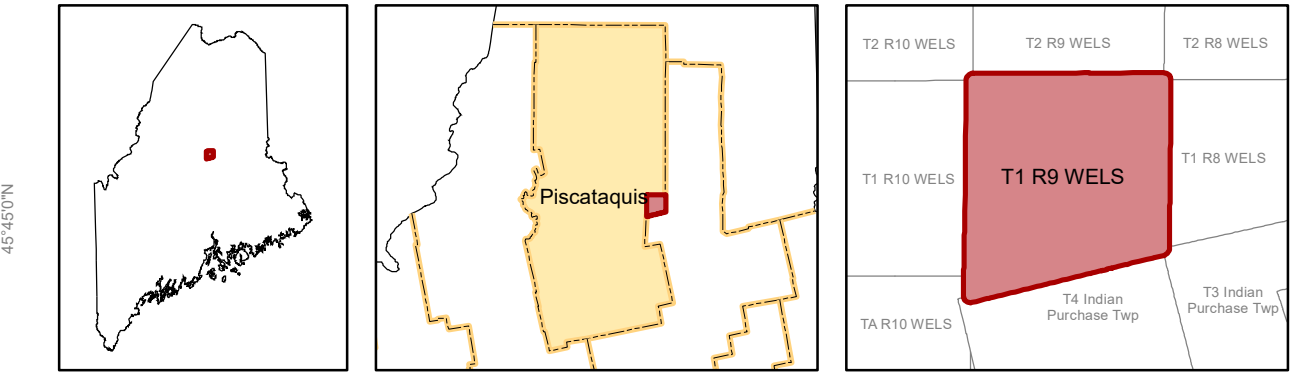


- Map amendment location
- Point at which a river drains 25 square miles - symbol points upstream (12 M.R.S. Sec. 682-B(4))
- 9999 MIDAS number: Unique number assigned to each standing body of water in Maine.
- WOLL Water Quality Limiting Lake - Refer to Section 10.23,E,3.g of the Commission's Land Use Districts and Standards.
- MC# Lake Management Classes - Refer to Section 10.02 (Definitions) of the Commission's Land Use Districts and Standards.

T1 R9 WELS



Piscataquis County



Land Use Guidance Map

Department of Agriculture, Conservation and Forestry
Maine Land Use Planning Commission

Legend

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MANAGEMENT SUBDISTRICTS

- M-GN: General

PROTECTION SUBDISTRICTS

- P-AL: Accessible Lake
- P-GP: Great Pond
- P-RR: Recreation
- P-SL1: Shoreland - 250'
- P-SL2: Shoreland - 75'
- P-UA: Unusual Area
- P-WL1: Wetlands of Special Significance
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- P-WL3: Forested Wetlands

DRAFT

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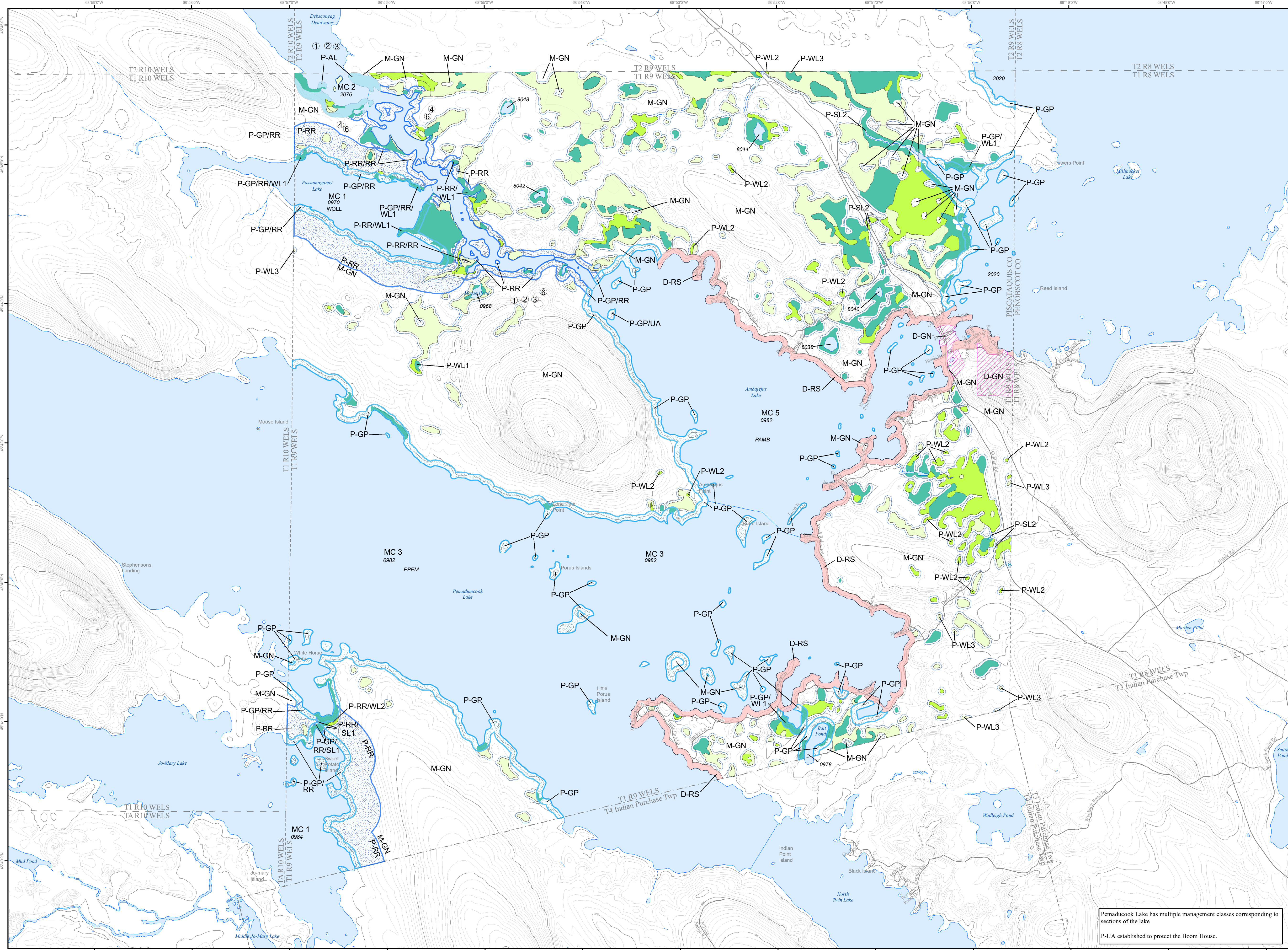
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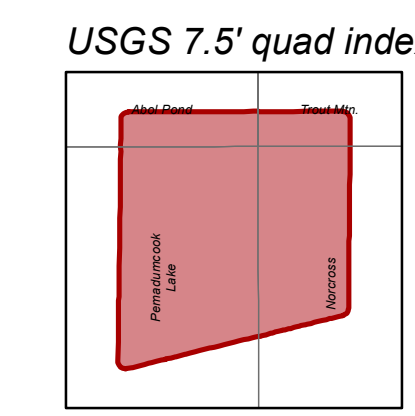
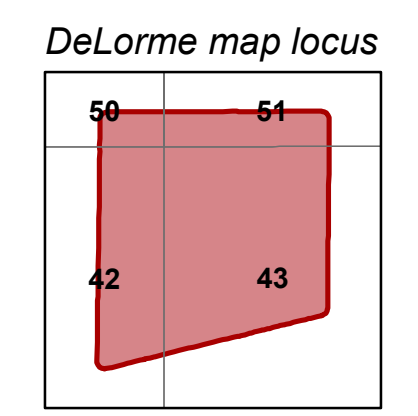
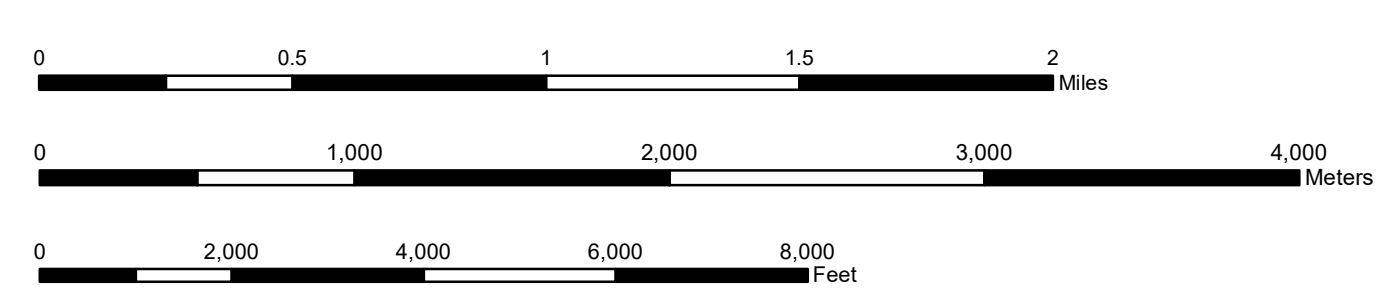
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By: *[Signature]*, Director, Maine Land Use Planning Commission.

Amendments			
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4	ZP720	09/25/2008	
6	ZP671A	12/26/2022	P-RP 011 Expires December 26, 2022



Pemaduncook Lake has multiple management classes corresponding to sections of the lake
P-UA established to protect the Boom House.

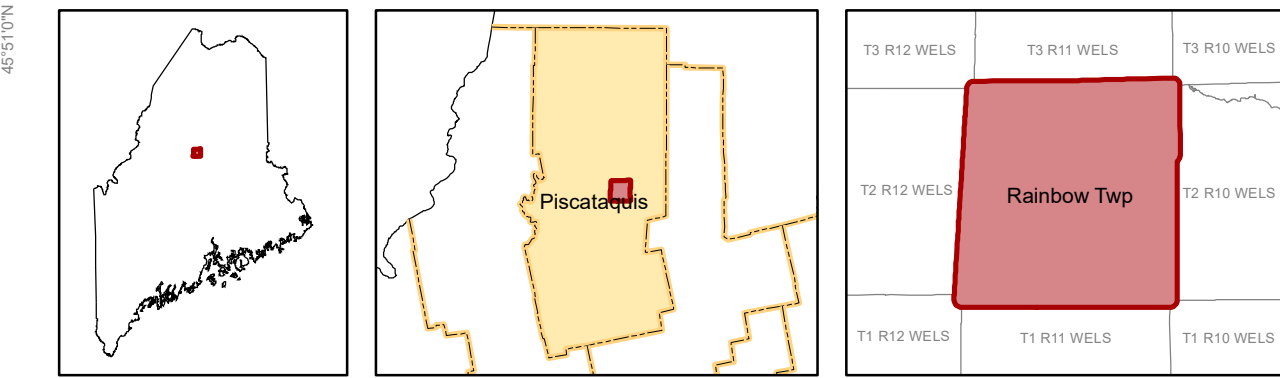


- ① Map amendment location
- ▲ Point at which a river drains 25 square miles - symbol points upstream (12 M.R.S. Sec. 682-B(4))
- 9999 MIDAS number: Unique number assigned to each standing body of water in Maine.
- WQLL Water Quality Limiting Lake - Refer to Section 10.23,E,3.g of the Commission's Land Use Districts and Standards.
- MC# Lake Management Classes - Refer to Section 10.02 (Definitions) of the Commission's Land Use Districts and Standards.

Rainbow Twp.



T2 R11 WELS
Piscataquis County



Land Use Guidance Map

Department of Agriculture, Conservation and Forestry
Maine Land Use Planning Commission

Legend

DEVELOPMENT SUBDISTRICTS

D-GN: General

MANAGEMENT SUBDISTRICTS

M-GN: General

PROTECTION SUBDISTRICTS

- P-AL: Accessible Lake
- P-FW: Fish and Wildlife
- P-GP: Great Pond
- P-RR200: Recreation - 200'
- P-RR: Recreation
- P-SG: Soils and Geology
- P-SL1: Shoreland - 250'
- P-SL2: Shoreland - 75'
- P-WL1: Wetlands of Special Significance
- P-WL2: Scrub-shrub Wetlands
- P-WL3: Forested Wetlands

DRAFT

For complete descriptions of those areas included within the various subdistricts, and the associated regulations, refer to the Commission's Chapter 10 rules: Land Use Districts and Standards. Where any inconsistencies exist between the district boundaries, as shown on this map, and those described by the Commission's Land Use Districts and Standards, the latter shall govern.

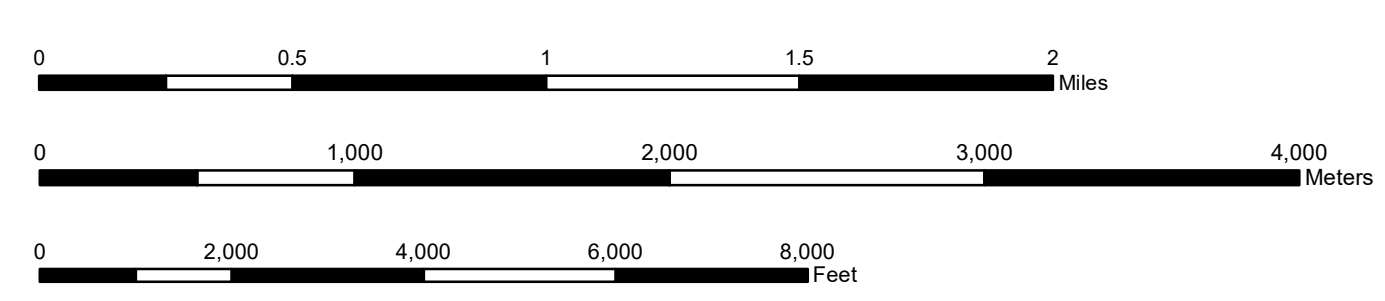
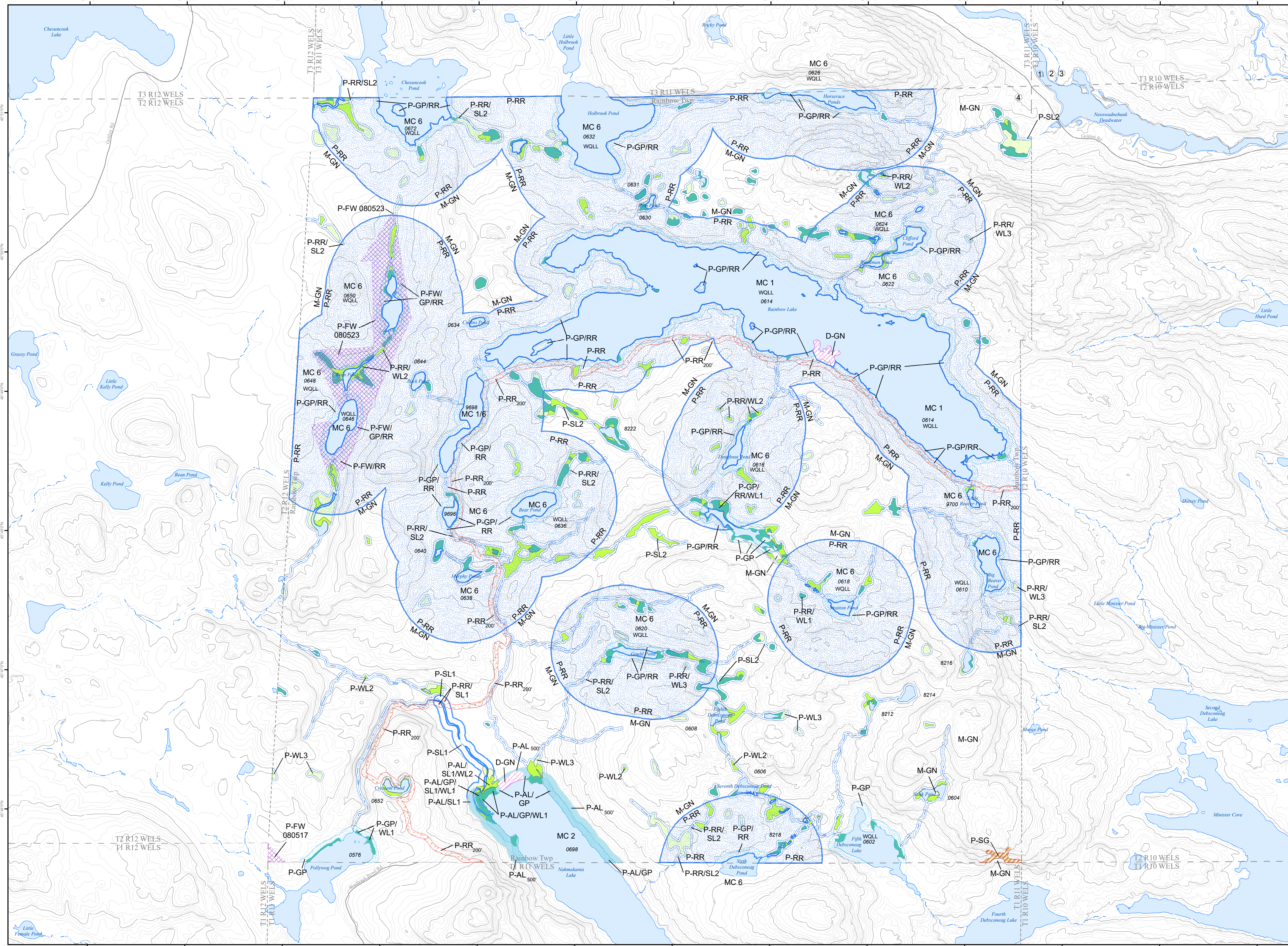
For simplicity, this map does not show all the Wetland Protection Subdistricts for areas identified pursuant to Section 10.23.N,2 such as the beds of rivers, lakes, and other water bodies, and freshwater wetlands within 25 feet of stream channels. Nevertheless, these areas are within P-WL Subdistricts. In addition, this map does not show the Shoreland Protection Subdistricts along stream channels flowing through wetlands. Nevertheless, these areas are within P-SL2 Protection Subdistricts. If the locations of flowing waters or bodies of standing water existing on the ground differ from those shown on the map, then, pursuant to 12 M.R.S., Section 685-A(2)(G), P-GP, P-RR, P-SL, P-WL, and other subdistrict boundaries that are based upon the location of such waters shall, as appropriate, be deemed to follow the flowing water or body of standing water existing on the ground.

This Land Use Guidance Map was adopted by the Maine Land Use Planning Commission on 09/16/1999, and became effective on 10/01/1999.

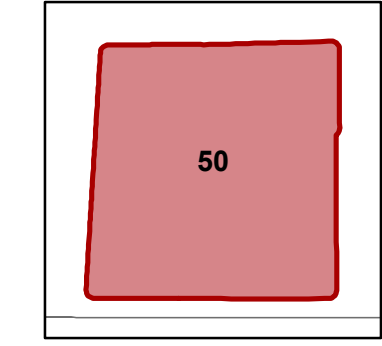
This map is certified to be a true and correct copy of the Official Land Use Guidance Map of the Maine Land Use Planning Commission.

By: *[Signature]*, Director, Maine Land Use Planning Commission.

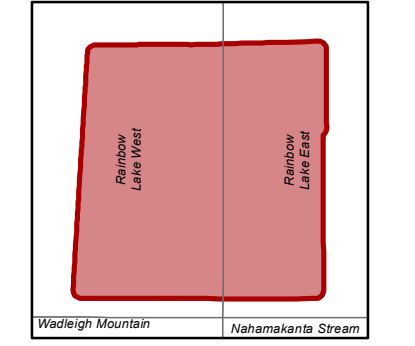
Amendments			
Location #	Zoning Permit	Effective Date	Remarks
1	ZP654	05/31/2001	Time extension
2	ZP654A	06/27/2002	Time extension
3	ZP671	12/26/2002	Removal of P-RR zone
		08/18/2005	Adoption of digital NWI wetlands
4	ZP671A	12/26/2022	P-RR 011 Expires December 26, 2022



DeLorme map locus



USGS 7.5' quad index

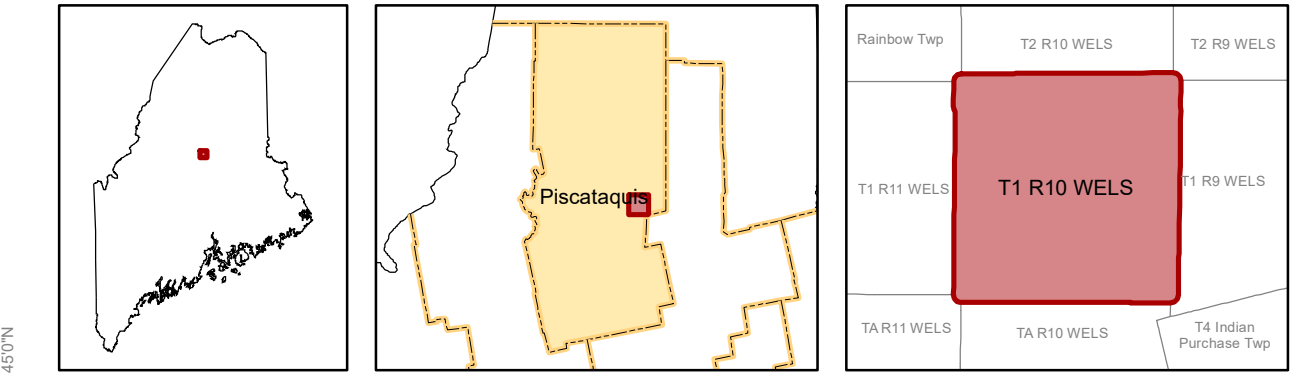


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T1 R10 WELS



Piscataquis County



Land Use Guidance Map

Department of Agriculture, Conservation and Forestry
Maine Land Use Planning Commission

Legend

DEVELOPMENT SUBDISTRICTS

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MANAGEMENT SUBDISTRICTS

M-GN: General

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DRAFT

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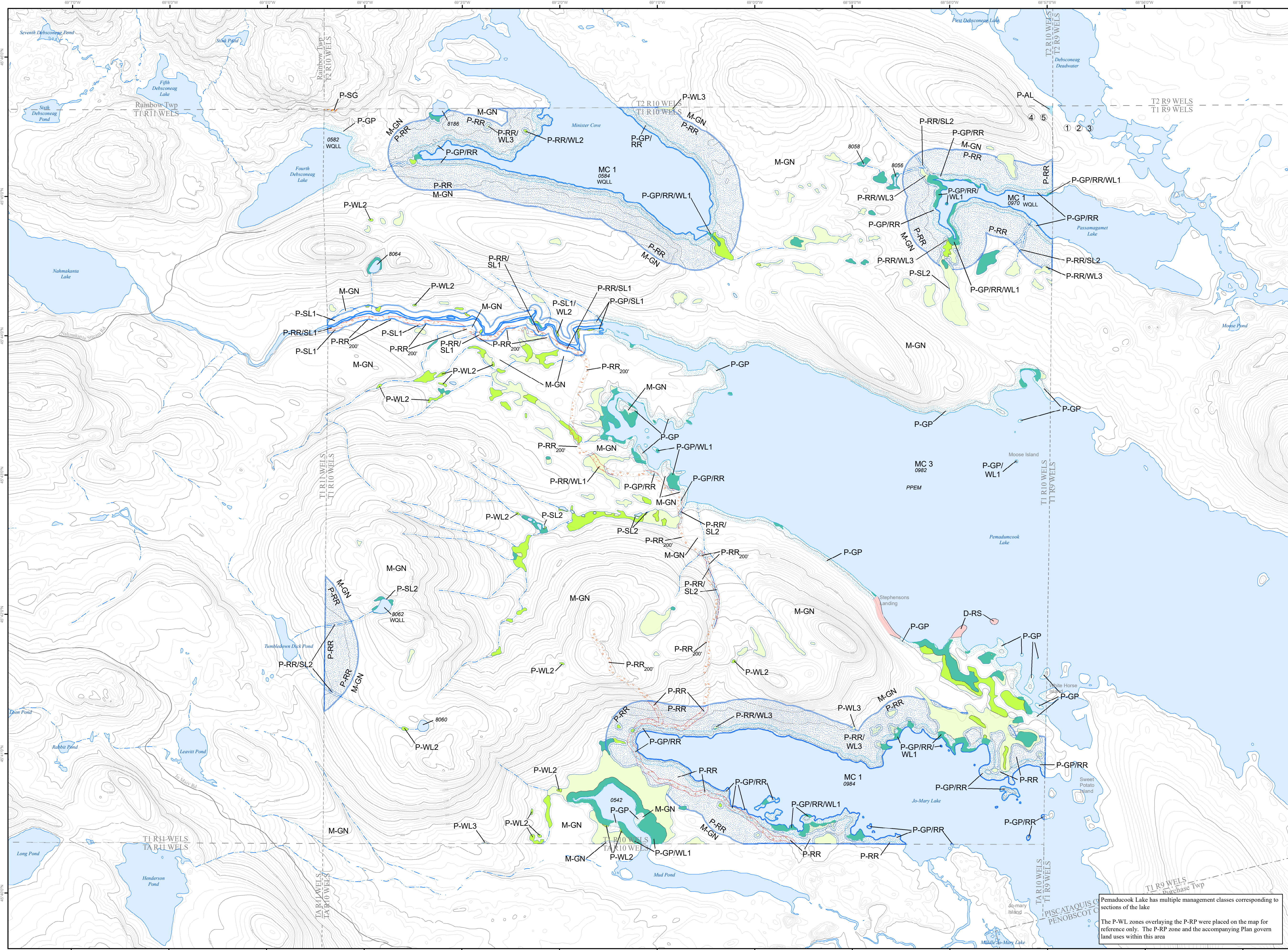
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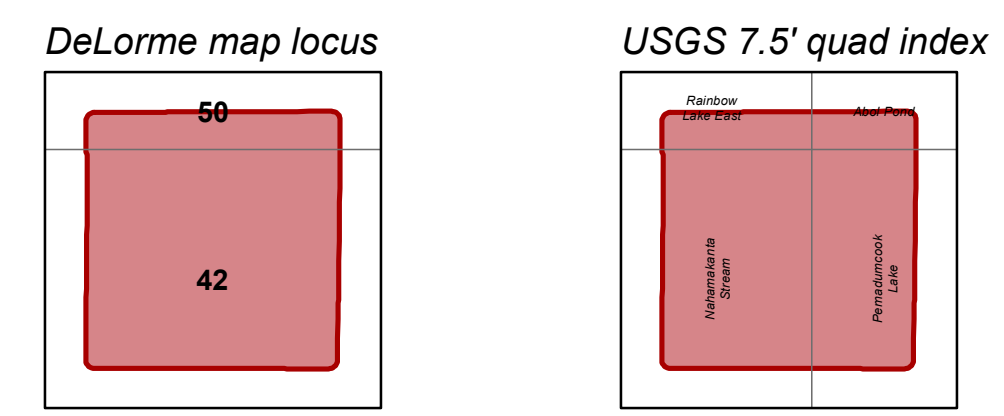
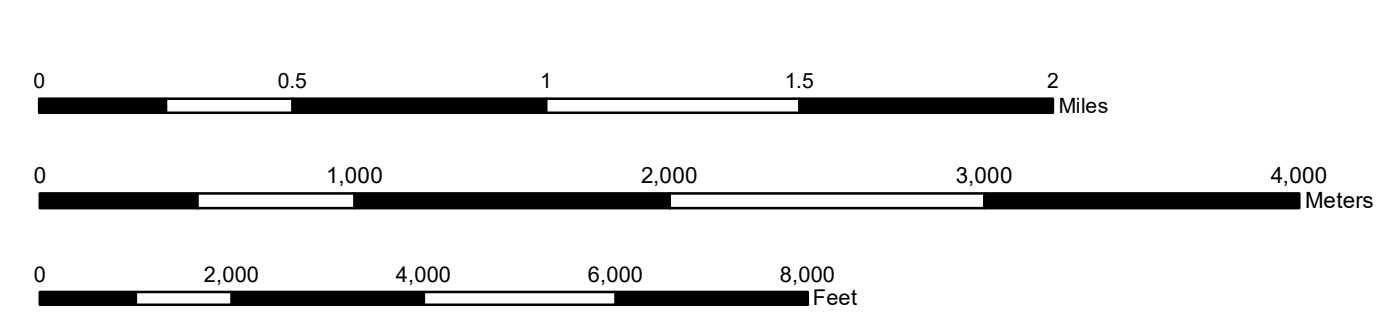
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Amendments			
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2	ZP654A	06/27/2002	Time extension
3	ZP671	12/26/2002	
4	ZP720	09/25/2008	
5	ZP671A	12/26/2022	P-RP 011 Expires December 26, 2022



Pemaducook Lake has multiple management classes corresponding to sections of the lake
The P-WL zones overlaying the P-RP were placed on the map for reference only. The P-RP zone and the accompanying Plan govern land uses within this area



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