



ST. JOHN RIVER RESOURCE PROTECTION PLAN

Effective July 28, ~~2012~~2022

ST. JOHN RIVER

RESOURCE PROTECTION PLAN



Baker Branch of the St John River at Brailey Brook, Christopher Stone, The Nature Conservancy

Originally adopted in 1982 and renewed in 1992, ~~and 2002~~, and 2012

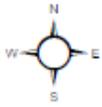
~~2022~~ renewal adopted by the Maine Land Use ~~Regulation~~ Planning Commission,
Department of Agriculture, Conservation and Forestry, ~~July 13~~, 2012

Effective July 28, 2012

Cover and above photo courtesy of Christopher Stone, The Nature Conservancy

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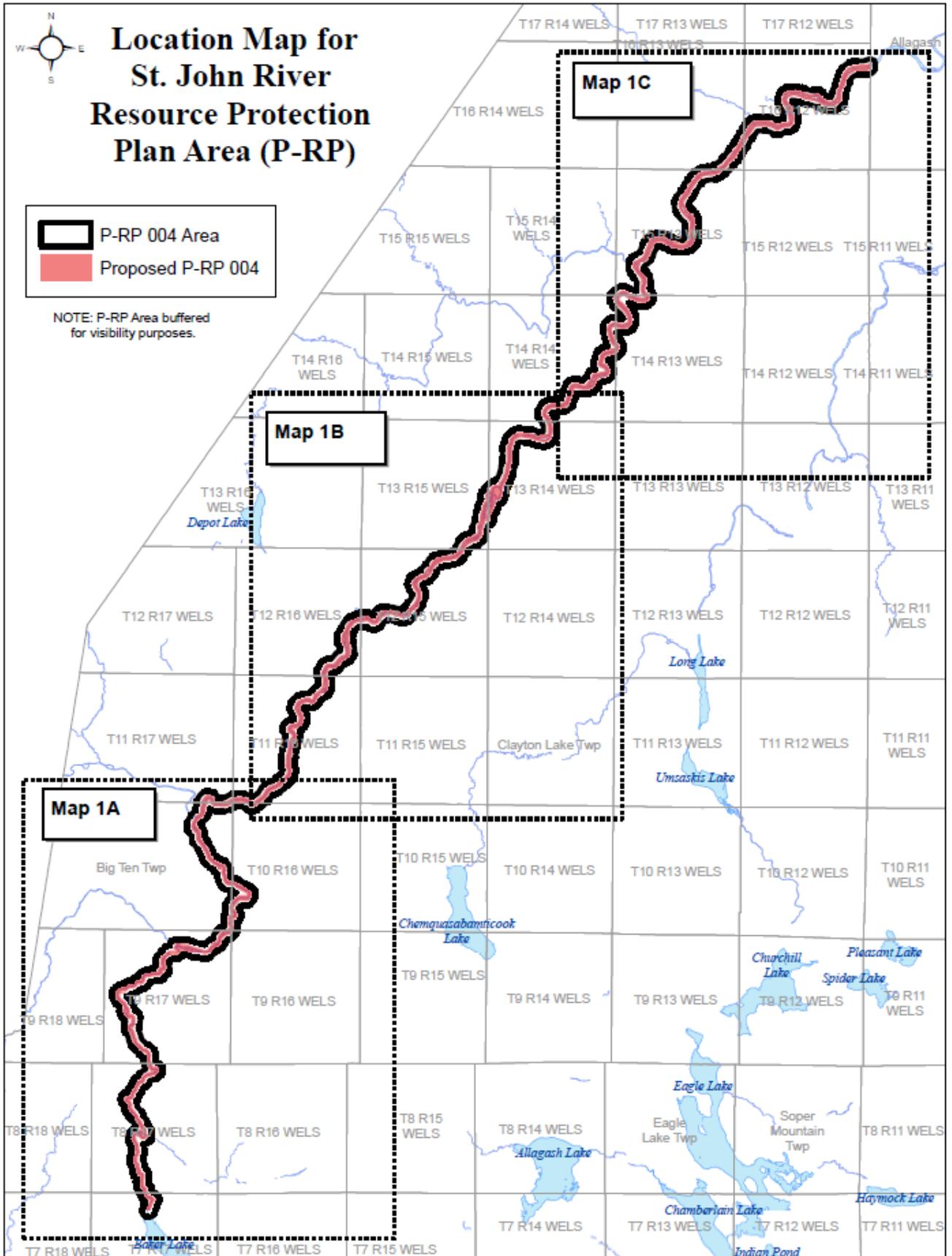
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Location Map for St. John River Resource Protection Plan Area (P-RP)

 P-RP 004 Area
 Proposed P-RP 004

NOTE: P-RP Area buffered
for visibility purposes.



RESOURCE PROTECTION PLAN

ST. JOHN RIVER

A. OVERVIEW AND INTRODUCTION

1. Introduction

The St. John River, along with several of its major tributaries, has long been known to be of exceptional recreational value. Various management schemes have been suggested to maintain the special character of the river corridor, while allowing continued commercial forestry activities. In January 1979, the staff of the Land Use ~~Regulation-Planning~~ Commission proposed special recreation protection zoning for the St. John River and Baker Branch between Baker Lake and Allagash, as well as for other major rivers in the unorganized areas. At the request of several major landowners, the Commission agreed to give the landowners the opportunity to voluntarily develop a resource protection plan for these rivers.

Great Northern Paper Company proposed the first resource protection plan for its land along the Penobscot Waterway. In 1981, the Commission approved that plan. Following that milestone, the major corporate owners and managers of lands along the St. John cooperatively proposed to the Commission a resource protection plan for the St. John main stem and Baker Branch.

Preparing the original resource protection plan for the St. John involved extensive negotiations between the Maine Department of Conservation, other State agencies, and the major landowners. Finally, in 1982 the landowners proposed their resource protection plan. Public hearings were held on the proposal and the Commission approved a final plan on September 15, 1982. The Plan was revised and renewed in 1992, ~~and 2002,~~ and 2012. This Plan is an update of the 20102 Plan, proposed by the landowners for approval by the Commission.

The intent of the St. John River Resource Protection Plan is to safeguard the natural values and traditional uses of the river. The St. John River and its shores support a rich diversity of natural and cultural resources, including areas of historical interest, archaeological remains, and several rare plants. The plan does not allow commercial and residential development, subdivisions, water impoundments (dams), and utility projects. However, camps existing when the plan was approved are not affected and are subject to the rules in place when this Plan became effective.

The resource protection plan also provides for continued management of non-intensive public recreational activities by North Maine Woods, Inc. The recreation management section outlined in Section II includes standards by which campsite and related development may be undertaken. According to this plan, recreational management decisions are to be guided by the St. John River Advisory Committee, a committee composed of private and public representatives.

This plan accomplishes the Commission's goal of encouraging landowner initiatives and cooperative efforts at furthering the Commission's objectives of protecting natural resources and guiding development.

2. Resources of the River

- **Water Resources:** The Maine Rivers Study identified the St. John as one of seven rivers in Maine (representing a total of 303 river miles) possessing the greatest variety of outstanding natural and recreation values.

While the use of the St. John's water resources in the 19th and early 20th centuries was primarily for timber harvesting and transport with several logging depots along the river and with spring log drives, the principal uses of the river's water resources now are for recreation – particularly for summer fishing and spring canoeing.

- **Recreational Resources:** The St. John is perhaps most widely recognized for its spring canoeing. The Maine Rivers Study noted it is remote, natural, free flowing, and extensive, factors which make this a river unequalled in the eastern U.S. The 105-mile trip from Baker Lake outlet to the Allagash town line offers both easy canoe touring and white water. Big Rapids and Big Black Rapids (both class III) are recognized as significant white water. The St. John is consistently rated by Maine boating interests as one of the state's highest quality canoeing rivers and is of economic importance to commercial guides and outfitters.
- **Cultural, Archaeological and Historical Resources:** The St. John River is rich with lumbering history, folklore and remnants of early settlements. The first people in the region were Micmac and Maliseet. They were followed by Scotch, Irish and Acadian settlers who migrated upriver from New Brunswick and Nova Scotia in the early 1930's.

Geography and water resources for human transportation and floating forest products shaped the history of the region. Although the river was excellent for driving logs, there was no chance to gather them into a boom until Van Buren. This, along with the cultural ties to Canada, contributed to the lack of mill development in the upper regions of the St. John valley. Logging depots and homesteads, however, flourished between the 1830's and the late 1930's. Farming in the summer and logging in the winter went hand-in-hand as homesteaders grew extra crops to supply the logging operations.

After the depression, competition increased between Maine and Canada for markets and wood, and roads began to be built from settlements along the Quebec boundary. Log drives on the St. John ended in the 1960's as landowners sought both a more reliable way to transport wood and ways to assure the health of the river. Without the dependence on water transport, new markets were developed in Maine. Roads were expanded from the east and north, as well, eventually creating the multi-directional transportation opportunities that exist today.

Almost every North Maine Woods campsite along the river is a place of historical interest. Many of the campsites were once logging depots, farms/ homesteads or landings where logs were piled in preparation for the river drives in the spring. Native American campsites have also been documented. At one time, nearly 1,300 acres were cleared at Seven Islands, all the islands were farmed, and up to 300 men would be there before heading into the woods for winter operations. Knowles Brook and Priestly were logging depots, and Nine-Mile was a busy settlement and river crossing. Other homesteads included the Simmons, Castonia, St. John, Ouellette and Bishop farms.

Historic buildings and other signs of past development patterns have existed along the banks of the St. John River for a long time and are an important visual reminder to today's paddlers, and other visitors to the river, of its rich cultural heritage. While most buildings have disappeared over time, there are currently 14 camps within the St John River P-RP Subdistrict, including the camps at Ledge Rapids, Flaws Bogan, and Nine Miles, which are open to use by visitors to the North Maine Woods. Today, paddlers and visitors can still view these structures, and can even choose to stay in them overnight, enjoying an experience similar to that had by previous generations of residents and visitors to the area, and one that is unique in the North Maine Woods.

- **Forest Resources:** The St. John River flows through the heart of Maine's privately-owned commercial spruce-fir forest. Forest stands are primarily softwood, with some mixed wood and very little pure hardwood on the plateau that encompasses the river basin. The climate is harsh, but rich soils are conducive to forest growth. Most of the area has been under commercial forest management since the mid-1800's. Continuous efforts have been made to improve markets and enhance forest quality through sustained yield management, development of access and markets, and protection from fire, insects, disease and trespass.

The forest resource provided ~~the for~~ stable land ownership along the St. John River, ~~to~~ allowing it to stay relatively undeveloped. Historically, ownership has been a long-term investment in raw material for manufacture, with the majority in non-industrial family ownership. Aside from the farms and logging depots necessary to manage the land, the landowners discouraged settlement and recreational development that would conflict with a working forest.

The forest resource also provided the incentive to create the access system that is critical to the movement of forest products in the region, as well as access for the majority of the recreationists that use the river today. Once the dominant travel-way itself, the river is now reached and crossed by major and secondary roads that allow forest management including inventory, research, protection and timber harvesting.

The upper St. John basin continues to play a significant role in Maine's forest economy today, providing wood products, jobs, tax revenue and other opportunities for Maine and beyond.

Special Natural Areas: The upper St. John River is the longest free-flowing river segment in the eastern United States, and the most remote. It is an excellent example of a natural boreal river ecosystem, undammed and relatively undeveloped from its headwaters to a large river state (7th order at the confluence with the Allagash), without the discontinuities of most large river systems. The large and uninterrupted nature of the river that historically supported one of the largest interconnected systems of native brook trout, now supports the expansion of muskellunge and smallmouth bass. Brook trout remain abundant in the small, coldwater tributaries but the natural river ecosystem for the native brook trout has been greatly altered by these introduced exotic fish species. The isolated, protected nature of the headwaters supports an unrivaled collection of headwater ponds with intact communities of native minnows. The unique combination of rare plants and natural communities found along the St. John constitute a rivershore ecosystem of national significance. Along these shores, exemplary natural communities include numerous high quality occurrences of riverside seeps, high energy riverbank and circumneutral shoreline communities providing habitat for 20 rare plant species, including the endemic and federally listed Furbish's lousewort (*Pedicularis furbishiae*). Apart from Katahdin, this represents the highest known concentration of rare plants in Maine. Within the St. John River protection zone are further high quality examples of rare natural communities such as old growth northern white cedar swamps, red pine woodlands, and black spruce-heath-barrens. The rivershore and nearby forests also provide critical habitat for a substantial population of wood turtle.

The riverbank community reaches its best expression, with the greatest abundance of lousewort and highest diversity of other rare plants, in the 28-mile river section from the junction with the Big Black River downstream to the junction with the Allagash.

Wildlife and Fisheries Resources: The St. John River watershed contains indigenous fish populations of brook trout, lake trout (togue), lake whitefish, round whitefish and burbot (cusk). Landlocked salmon and rainbow smelts, native to the state of Maine, have been introduced and provide resident populations in various waters in the drainage.

Muskellunge were introduced by the Quebec government in 1970 into Lac Frontier, a 260 acre headwater lake of the Northwest Branch St. John River. This was in response to local requests for a viable sport fishery in marginal habitat for coldwater fish species. More recently, an unauthorized stocking of smallmouth bass occurred to a tributary of the St. John River in New Brunswick that is located above Grand Falls. These 70 foot falls had been a natural barrier to smallmouth bass getting into the upper St. John River. Bass are now colonizing major portions of the St. John River drainage in Maine.

These two species have had a deleterious effect on the historic brook trout fishery which is now primarily restricted to small coldwater streams and headwaters of the larger tributaries. Muskellunge, attaining sizes up to 30+ pounds have created a unique and popular sport fishery in the St. John River watershed. Currently, smallmouth bass are being targeted by

~~anglers but the fishery is restricted mainly to the St. John mainstem downstream of St. Francis. The bass fishery is characterized by exceptionally large fish. As smallmouth bass increase in abundance, they will also be targeted by anglers.~~

The shores of the river provide habitat for the usual array of wildlife in northern Maine including moose, deer and black bear. There are several identified deer wintering areas along the river where whitetail deer find shelter from winter winds, cold temperatures and deep snow.

3. The Plan in Context with Other Conservation Efforts

In December of 1998, The Nature Conservancy acquired 185,000 acres in northwestern Maine, including about 40 river miles within the jurisdiction of the St. John River Resource Protection Plan. At the time of this acquisition, The Nature Conservancy confirmed its long-term goal of enhancing protection of the river corridor, from its headwater ponds to Allagash. Since the original acquisition, the Conservancy has worked in cooperation with other landowners to create additional levels of protection along another 35 miles of the St. John River corridor. The 2001 Pingree Forest Partnership (easement) with the New England Forestry Foundation prohibits development on the Pingree parcels through which the St. John River flows, and imposes additional management restrictions within 1000 feet of the river. In 2009, The Conservancy added an additional 5 miles of mainstem river corridor ownership in Big Ten Township as part of a land swap with Stetson Timberlands. In 2018 and 2019, The Conservancy added another 20 miles of river corridor ownership from Seven Islands north through T14 R13 WELS, with additional ownership in T15 R13 WELS, and in T16 R13 WELS. Discussions continue between the Conservancy and the remaining landowners; at the same time, the protections provided through the St. John River Resource Protection Plan continue to afford significant safeguards for both the outstanding natural values and the traditional recreational uses of the river.

B. GOALS AND OBJECTIVES

This Resource Protection Plan is proposed by the following owners/managers of interests in real estate along the St. John River (hereinafter called the "Landowners"¹): Seven Islands Land Company (Pingree family), ~~Orion Timberlands LLC~~ North Ridge Services, LLC (Dunn family), ~~Prentiss & Carlisle Management Co., Inc.~~, Irving Woodlands LLC., Solifor Timberlands, Blanchet Logging and Lumber Company, the State of Maine, and The Nature Conservancy. These land managers hereby represent the landowners identified in Appendix F. The terms landowner and land manager are used interchangeably in this document. The purpose of this Plan is to prohibit certain commercial, industrial and residential development, provide for the continued management of recreational activities, regulate timber harvesting, and restrict new road, bridge and water impoundment construction, in order to protect the natural values of the St. John River.

The Plan seeks to ensure the continued availability of forest resources to support the forest products industries, protect scenic, natural, and recreational values for present and potential uses and to provide a degree of continued protection consistent with activities permitted in this Plan.

North Maine Woods, Inc., a cooperative organization made up of representatives of private landowners and government agencies of the State of Maine, will remain responsible for managing and protecting recreational uses within the Resource Protection Plan area. That area ~~shall~~ must consist of a 250-foot corridor on either side of Baker Branch and the main stem of the St. John River, starting at a point 400 feet downriver from Baker Branch Bridge, T7 R17 WELS, and ending at the western boundary of the town of Allagash. A Plan for recreation management is provided in Section II, ~~and which, it shall~~ regulate all recreational uses within the Resource Protection Plan boundaries (hereinafter sometimes called the "Corridor").

C. AREA INCLUDED IN THE RESOURCE PROTECTION PLAN

This Resource Protection Plan incorporates Sections I-III of this document and all Appendices thereto. The location map at the beginning of the document shows the land area covered by the Resource

¹ The term "landowner" and "land manager" are used and referred to interchangeably.

Protection Plan. All land wholly owned by the Landowners that falls within 250 feet of the normal high water mark of Baker Branch and the St. John River (measured as the horizontal distance landward of such mark) is included within the Resource Protection Plan.

All subdistricts shown on the Land Use ~~Regulation-Planning~~ Commission Land Use Guidance Maps as of the date this Plan was originally approved in 1982 are included in the Resource Protection Plan Subdistrict (P-RP), up to but not exceeding the 250-foot outer boundary of said subdistrict. These overlapping subdistricts are shown on the Commission's Land Use Guidance maps for this area. The area enclosed by the normal high water mark of any stream or brook running into the Corridor will be included in the Resource Protection Plan's Subdistrict, up to but not exceeding the 250-foot outer boundary of said Subdistrict.

Islands lying within those sections of the Baker Branch or St. John River covered by the Resource Protection Plan ~~shall be~~ included in their entirety in this Plan.

D. MANAGEMENT

The land managers will be the principal administrators responsible for this Resource Protection Plan. They will ensure that the various activities described in the Plan are carried out in conformance with the standards and procedures described herein, with oversight by the Commission. Ultimately the landowners and their agents are responsible for maintaining compliance.

North Maine Woods, Inc. will assist in the administration of recreational aspects of the Plan and will be the principal ~~agency-entity~~ responsible for managing and protecting recreational uses pursuant to the Recreational Management plan described in Section II. Annual updates on access and campsite locations can be found at <http://www.northmainewoods.org/>.

Maine Forest Rangers, as provided by 12 M.R.S.A, §8901 (D), have the authority to enforce laws of the Land Use ~~Regulation-Planning~~ Commission. Rangers ~~shall~~ must inspect activities within the Plan area and report their findings to the appropriate party and ~~LURCLUPC~~ staff.

Nothing shall limit or prohibit the Land Use ~~Regulation-Planning~~ Commission from enforcing statutory provisions enacted while this Plan is in effect.

E. DURATION OF PLAN

This revised Resource Protection Plan will be in force for a period of ten years from the date of Commission approval, so long as the ~~LURCLUPC~~ law or any amended or replacement version thereof remains in effect. This Resource Plan may be renewed and extended upon approval of the Commission and Landowners in accordance with the provisions of Section 10.23,H of the Commission's Land Use Districts and Standards. The proposed Plan renewal must be substantially complete 6 months prior to the current Plan's expiration date, to provide the Commission with adequate notice of the Landowners' intentions so that it may prepare alternative zoning, if necessary. If the Landowners do not wish to renew the Plan, the Commission will, in conformity with its comprehensive plan, statutes, and standards, designate appropriate zoning, which is reasonably consistent with zoning of equivalent areas.

SECTION I. RESOURCE MANAGEMENT

A. LAND USE ACTIVITIES

The following land use activities will be allowed in the P-RP subdistrict upon the terms and within the limitations specified herein. Definitions of terms used herein are contained in Section III. Nothing herein ~~shall~~must be construed as limiting the Landowners' rights to prohibit any land uses described in this Section.

1. The following uses ~~shall~~are be-allowed without a permit from the Land Use ~~Regulation~~Planning Commission:
 - (a) Primitive recreational uses including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, tent and shelter camping, canoe portaging, cross country skiing and snowshoeing;
 - (b) Level A road projects;
 - (c) Motorized vehicular traffic and snowmobiling on roads and snowmobiling on trails;
 - (d) Wildlife and fishery management practices;
 - (e) Service drops;
 - (f) Level A mineral exploration activities;
 - (g) Surveying and other resources analysis;
 - (h) Forest management activities, except for timber harvesting;
 - (i) Non-permanent docking and mooring structures;
 - (j) Emergency operations conducted for the public health, safety, or general welfare, such as resource protection, fire protection, law enforcement, and search and rescue operations;
 - (k) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
 - (l) Normal maintenance and repair activities;
 - (m) Boating; and
 - (n) Use of ski and seaplanes and helicopters.
2. Subject to the provisions of paragraphs 4 and 5, the following uses ~~shall~~bear allowed without a permit when in conformance with the standards hereinafter set forth:
 - (a) Timber harvesting, when in conformance with the standards in Section I.B.1;
 - (b) Land management roads, water crossings of minor flowing waters, and Level B road projects, when in conformance with the standards in Section I.B.2;
 - (c) Mineral extraction for road purposes, affecting an area of less than two acres in size, when in conformance with the standards in Section I.B.3;
 - (d) Filling and grading, when in conformance with the standards in Section I.B.4;
 - (e) Signs, when in conformance with the standards in Section I.B.5.
3. Uses set forth in paragraph 2 above which exceed the standards set forth therein ~~shall~~bear allowed when in conformance with the following procedures:
 - (a) Written notification will be submitted to the ~~LUR~~LUPC staff whenever an activity is proposed which will exceed the standards set forth in paragraph 2. All notifications will

be made, on the appropriate LURCLUPC form, at least 45 days prior to the commencement of the activity. The activity will be allowed during or following the 45-day period provided that one of the following has occurred:

- (1) Written approval of the proposed activity has been received from LURCLUPC staff; or
 - (2) A written agreement has been reached between the particular landowner and LURCLUPC, resolving concerns expressed by LURCLUPC about the proposed activity and specifying how the activity ~~shall~~must be carried out; or
 - (3) Notice of receipt of the notification by the LURCLUPC staff has been received and no comments were received from the LURCLUPC staff regarding the proposed activity prior to expiration of the 45-day period.
- (b) In the event that questions are raised by LURCLUPC which are not resolved to its satisfaction during the 45-day period, no action will be taken by the landowner to implement the proposed activity for an additional 20 days or until a satisfactory agreement is reached between the LURCLUPC staff and the landowner.
 - (c) In the event that a satisfactory agreement cannot be reached by the end of the additional 20-day period, the landowner ~~shall~~must make formal application for a permit issued by the Commission and the appeals procedures then in effect under the LURCLUPC regulations ~~shall~~must be followed in order to resolve the issue. Under these circumstances, the landowner ~~shall~~must not implement the proposed activity until the issue has been decided by the Commission.
 - (d) In the event of natural disaster, including but not limited to fire or windthrow, LURCLUPC ~~shall~~must make its best efforts to promptly process properly completed notifications or applications to allow for appropriate salvage.
4. Subject to the provisions of paragraph 5, the following uses ~~shall be~~are allowed only upon the issuance of a permit from the Land Use ~~Regulation-Planning~~ Commission:
- (a) Campsites and campgrounds owned or operated by public or private entities, excepting those allowed without a permit under the Recreational Management Plan described in Section II;
 - (b) Permanent docking or mooring structures;
 - (c) Administrative structures or areas, excepting those allowed without a permit under the Recreational Management section described in Section II;
 - (d) Mineral extraction for road purposes affecting an area of two acres or more in size, and mineral extraction for road purposes in any area zoned P-FW prior to approval of this Plan by the Commission.
 - (e) Other structures, uses, or services that are essential to the exercise of uses allowed by this Plan, consistent with the purposes of this subdistrict, the Comprehensive Land Use Plan, and the Commission's statutes, and are not detrimental to resources or uses, as determined by the Commission.
 - (f) Level B mineral exploration activities.
 - (g) Water crossings of rivers and streams (other than the Baker Branch and St. John River) which were zoned P-SL1 prior to the Commission's approval of this Plan.
 - (h) New or replacement bridges. It is anticipated that water crossings of the Baker Branch and St. John River will be limited to the current number and general location of such crossings. If a new or replacement bridge is necessary, it will be located at, or within a reasonable distance of, one of the established crossing sites listed in Appendix D. A permit is required to construct new bridges. Ice bridges ~~shall be~~are allowed with a permit at any location.

- (i) Reconstruction of historic camps or associated accessory structures within administrative areas must be consistent with Chapter 10, Land Use Districts and Standards, Section 10.11.C.2, unless the following requirements are met:
 - (1) The building is open to the public for day use or overnight stays and is listed in Table 1 of this plan as an administrative area;
 - (2) The camp or associated accessory structure is legally existing nonconforming and was in regular active use within a two-year period immediately preceding damage, destruction, or removal;
 - (3) Reconstructed structures must replicate, to the maximum extent possible, the original structure, and must be within the same footprint and in the same location as the original structure, except that minor modifications of dimensions to the structure and relocation to a site that is less non-conforming in regards to the minimum setback requirements for new structures in administrative areas as described in Section II.F.1.b of this Plan is allowed;
 - (4) Reconstruction is completed within two years of damage, destruction, or removal, except that the Commission may waive this requirement upon finding that unusual circumstances prevented the applicant from filing a permit application within the two-year period; and
 - (5) Reconstruction or relocation of structures is in keeping with the purpose of this Plan.
- (j) Subdivisions. The Commission may approve the creation of a noncommercial or nonresidential subdivision without the need for rezoning to a Development Subdistrict. For the purpose of this subsection, lots created solely for the purpose of bridge construction or other forest management activities ~~shall~~ are ~~not~~ be considered commercial.

5. The uses set forth in paragraphs 2 and 4 ~~shall~~ bear subject to the following further requirements:

- (a) In those areas zoned P-FW prior to the Commission's approval of this Plan², timber harvesting, roads, and water crossings will be allowed when carried out in conformance with the following:
 - (1) The Landowner ~~shall~~ must confer with the appropriate biologist of the Department of Inland Fisheries and Wildlife as to how the proposed activity is to occur within the area.
 - (2) If a plan acceptable to both parties cannot be reached, stating how the proposed activity should occur, the Landowner ~~shall~~ must notify the Commission in writing of its plan and may proceed only upon written notice from the Commission that it has approved the plan.
 - (3) If a plan acceptable to the parties can be reached, the Commission ~~shall~~ must be notified in writing with a copy of the biologist's field investigation report which ~~shall~~ must state how and over what time period the activity is to occur. The notification letter ~~shall~~ must be signed by the person responsible for the proposed activity and the field investigation report ~~shall~~ must be signed by the biologist.
 - (4) The biologist ~~shall~~ must confirm agreement on how activity is to occur.
 - (5) The Landowner may proceed with the activity in conformance with the plan ~~ten~~ (10) days after notification to the Commission, unless within such time period, the Commission disapproves the Plan.
 - (6) The Landowners ~~shall~~ must notify the Commission upon completion of activity so that a follow-up field investigation may be carried out by the Commission or its designee.

² See Land Use Guidance Maps for locations of these areas.

(7) Water crossings ~~shall~~must be built in compliance with the standards set forth in Section I.B.2.

(b) In those cases of existing leases, the lessee or occupant of land, excepting the Landowners, ~~shall~~must be governed by the Land Use Districts and Standards which were in effect at the time of approval of this Plan.

6. Prohibited Uses.

(a) All residential or commercial subdivision of land, as defined, ~~shall~~beare prohibited, except as specified in Section A.4 above. Leases to the State or North Maine Woods, Inc. for administrative structures and areas ~~shall~~do not constitute a subdivision for the purposes of this Plan;

(b) All uses not expressly allowed under this Plan, with or without a permit, ~~shall~~are be prohibited, including, without limitation, all residential and commercial development, water impoundments, Level C road projects, water crossings of major flowing waters at locations other than or not within a reasonable distance of those listed in Appendix D, and motorized vehicular traffic on trails except for snowmobiling and except as may be required for emergency purposes.

DRAFT

B. GENERAL STANDARDS

1. TIMBER HARVESTING STANDARDS

The following requirements apply to timber harvesting within the Resource Plan Protection Subdistrict.

- (a) Except when surface waters are frozen, skid trails and skid roads ~~shall~~must not utilize stream channels bordered by areas which were zoned P-SL1 prior to the approval of this plan by ~~LURCLUPC~~, except to cross such channels with a culvert or bridge according to the water crossing requirements of Section I.B.2, subparts (b), (c) and (d).
- (b) Timber harvesting operations ~~shall~~must be conducted in the following manner:
 - (1) Within 50 feet of the normal high water mark, and/or within 50 feet of where forest cover begins along the river shore, ~~no~~ clearcutting ~~shall be~~is not allowed and harvesting operations ~~shall~~must be conducted in such a manner that a well-distributed stand of trees is retained so as to maintain the aesthetic and recreational value and water quality of the area and to reasonably avoid sedimentation of surface waters.
 - (2) At distances greater than 50 feet from the normal high water mark, harvesting activities may not create single openings greater than 14,000 square feet in the forest canopy. In such areas, single canopy openings of over 10,000 square feet ~~shall~~must be no closer than 100 feet apart.
 - (3) Harvesting ~~shall~~must not remove, in any ten year period, more than 40 percent of the volume on each acre involved of trees 6 inches in diameter and larger measured at 4 1/2 feet above ground level. Removal of trees less than 6 inches in diameter, measured as above is permitted if otherwise in conformance with these regulations. For the purpose of these standards, volume may be determined as being equivalent to basal area.
 - (4) No accumulation of slash ~~shall~~can be left within 50 feet of the normal high water mark of surface waters. At distances greater than 50 feet from the normal high water mark of such waters, all slash larger than 3 inches in diameter ~~shall~~must be disposed of in such a manner that no part thereof extends more than 4 feet above the ground.
- (c) Except as provided in ~~sub~~section g of these harvesting standards, skid trails and other sites where the operation of machinery used in timber harvesting results in the exposure of mineral soil, ~~shall~~must be located such that an unscarified filter strip of at least the width indicated below is retained between the exposed mineral soil and the normal high water mark of surface water areas:

Average slope of land between exposed mineral soil and normal high water mark	Width of strip between exposed mineral soil and normal high water mark
<u>PERCENT</u>	<u>FT ALONG GROUND SURFACE</u>
0	25
10	45
20	65
30	85
40	105
50	125
60	145
70	165

The provisions of this subpart (c) apply only on a face sloping toward the water, provided, however, no portion of such exposed mineral soil on a back face ~~shall be~~ closer than 25 feet; the provisions of this subpart (c) do not apply where skid roads cross such waters.

- (d) Timber harvesting operations ~~shall~~must be conducted in such a manner that slash is not left below the normal high water mark of standing waters or, below the normal high water mark of stream channels downstream from the point where such channels drain 300 acres or more.
- (e) Except when surface waters are frozen, skid trails and skid roads ~~shall~~must not utilize stream channels of minor flowing waters except to cross the same by the shortest possible route; unless culverts or bridges are installed in accordance with Section I.B.2, such crossings ~~shall~~must only use channel beds which are composed of gravel, rock or similar hard surface which would not be eroded or otherwise damaged. The requirements of this subpart (e) may be modified according to the provisions of subpart (g) of these harvesting standards.
- (f) Except as provided in subpart (g) of these harvesting standards, skid trail and skid road approaches to stream channels ~~shall~~must be located and designed so as to divert water runoff from the trail or road in order to prevent such runoff from directly entering the stream.
- (g) Timber harvesting operations within 75 feet of stream channels upstream from the point where they drain 300 acres or less, may be conducted in a manner not in conformance with the requirements of the foregoing subparts (c), (e), and (f) provided that such operations are conducted so as to avoid the occurrence of sedimentation of water in excess of 25 Jackson Turbidity Units as measurable at the point where such stream channel drains one square mile or more. Jackson Turbidity Units are a standard measurement of the relative amount of light that will pass through a sample of water compared with the amount of light that will pass through a reference suspension; the Jackson Turbidity Unit Measurement for water without turbidity is 0.
- (h) Harvesting operations along stream channels downstream from the point where they drain 300 acres or more and along standing bodies of water ~~shall~~must be conducted in such a manner that sufficient vegetation is retained to maintain shading of the surface waters.
- (i) In addition to the foregoing minimum requirements, except as provided for in subpart (g), provision ~~shall~~must otherwise be made in conducting timber harvesting operations in order to reasonably avoid sedimentation of surface waters.
- (j) Cutting within 50 feet of any administrative structure or area or any sensitive area identified as an archeological site or within 100 feet of the normal high water mark of any sensitive area identified as rare plant habitat, may be conducted only after consultation with LURCLUPC, and ~~shall~~can proceed only if adequate protection is afforded the recreational or sensitive resource or use as designated.
- (k) Written notice of all timber harvesting activities ~~shall~~must be given to the Commission prior to the commencement of any such activities within the P-RP subdistrict. Such notice ~~shall~~must be provided on the ~~Department of Conservation notification-Commission's~~ General Notification forms used for such purposes.

2. ROAD AND WATER CROSSING STANDARDS

The following requirements ~~shall~~ apply to roads and water crossings in the Resource Plan Protection Subdistrict:

- (a) Roads ~~shall~~must be laid out, designed, constructed and maintained so that they (i) are not visible from the Baker Branch or St. John River, (ii) do not provide new vehicular access to the River, (iii) avoid use of the P-RP zone except where necessary to gain access to timber harvesting or other permitted management operations therein, except that timber ~~shall~~must be skidded out of the zone to roads lying outside of the P-RP zone wherever

possible, (iv) are not located within 200 feet of any administrative structure or area³ as defined in the Plan, (v) are not located within 50 feet of a sensitive area⁴ identified as an archeological site or within 100 feet of the normal high water mark of any sensitive area identified as rare plant habitat, and, (vi) enter and exit the zone by the shortest practicable route consistent with the other standards herein.

(b) The following requirements ~~shall~~ apply to construction and maintenance of roads:

- (1) All cut or fill banks and areas of exposed mineral soil outside the roadbed within 75 feet of a flowing or standing body of water ~~shall~~must be revegetated or otherwise stabilized so as to prevent erosion and sedimentation of water bodies; seeding will be done to the extent feasible with native species to avoid the introduction of invasive plants;
- (2) Road banks ~~shall~~must have a slope no steeper than 2 horizontal to 1 vertical;
- (3) Drainage ditches ~~shall~~must be provided so as to effectively control water entering and leaving the road area. Such drainage ditches will be properly stabilized so that the potential for unreasonable erosion does not exist;
- (4) In order to prevent road surface drainage from directly entering water bodies or wetlands, roads and their associated drainage ditches ~~shall~~must be located, constructed, and maintained so as to provide an unscarified filter strip, of at least the width indicated below, between the exposed mineral soil of the road and the normal high water mark of a surface water body, or upland edge of a wetland:

Average Slope of Land Between
Exposed Mineral Soil and
Normal High Water Mark

Width of Strip Between Exposed
Mineral Soil and Normal High
Water Mark

<u>PERCENT</u>	<u>FT ALONG GROUND SURFACE</u>
0	25
10	45
20	65
30	85
40	105
50	125
60	145
70	165

This requirement ~~shall~~does not apply to road approaches to water crossings or wetlands.

- (5) Drainage ditches for roads approaching a water crossing or wetland ~~shall~~must be designed, constructed, and maintained to empty into an unscarified filter strip, of at least the width indicated in the table set forth in paragraph (4) above, between the outflow point of the ditch and the normal high water ~~mark~~line of the water or the upland edge of a wetland. Where such filter strip is impracticable, appropriate techniques ~~shall~~must be used to reasonably avoid sedimentation of the water body or wetland. Such techniques may include the installation of sump holes or settling basins, and/or the effective use of additional ditch relief culverts and ditch turnouts placed so as to reasonably avoid sedimentation of the water body or wetland.
- (6) Ditch relief (cross drainage) culverts, drainage dips and water turnouts will be installed in a manner effective in getting drainage onto unscarified filter strips before

³ See Table 1 and Map 1 for lists and locations of administrative structures and areas.

⁴ See Map 2 for lists and locations of sensitive areas.

the flow in the road or its drainage ditches gains sufficient volume or head to erode the road or ditch.

- i. Drainage dips may be used in place of ditch relief culverts only where the road grade is 10% or less;
- ii. On roads having slopes greater than 10%, ditch relief culverts ~~shall~~must be placed across the road at approximately a 30-degree angle downslope from a line perpendicular to the center line of the road;
- iii. Ditch relief culverts, drainage dips and water turnouts ~~shall~~must direct drainage onto unscarified filter strips as required in paragraphs (4) and (5) above;
- iv. Ditch relief culverts ~~shall~~must be sufficiently sized and properly installed in order to allow for effective functioning, and their inlet and outlet ends ~~shall~~must be stabilized with appropriate materials; and
- v. Ditch relief culverts, drainage dips and associated water turnouts ~~shall~~must be spaced along the road at intervals no greater than indicated in the following table: Spacing between ditch relief culverts, drainage dips and associated water turnouts decreases with increasing slope. For example, the spacing for 0% grade is 500 feet; the spacing for 2% grade is 300 feet.

Road Grade (Percent)	Spacing (Feet)
0-2	500-300
3-5	250-180
6-10	167-140
11-15	136-127
16-20	125-120
21+	100

- (c) The following requirements ~~shall~~ apply to water crossings when surface waters are unfrozen:
 - (1) Bridges and culverts ~~shall~~must be installed and maintained to provide an opening sufficient in size and structure to accommodate 100 year frequency water flows or with a cross-sectional area at least equal to ~~23~~23.5 times the cross-sectional area of the stream channel.
 - (2) Culvert and bridge sizes may be smaller than provided in paragraph (1) if techniques are employed such that in the event of culvert or bridge failure, the natural course of water flow is reasonably maintained and sedimentation of the water body is reasonably avoided; such techniques may include, but are not limited to, the effective use of any or all of the following:
 - i. removing culverts prior to the onset of frozen ground conditions;
 - ii. using water bars in conjunction with culverts; or
 - iii. using road dips in conjunction with culverts.
 - (3) Culverts utilized in water crossings ~~shall~~must:
 - i. be installed at or below stream bed elevation;
 - ii. be seated on firm ground;
 - iii. have soils compacted at least halfway up the side of the culvert;
 - iv. be covered by soil to a minimum depth of 1 foot or according to the culvert manufacturer's specifications, whichever is greater; and

- v. have a headwall at the inlet end which is adequately stabilized by rip-rap or other suitable means to reasonably avoid erosion of material around the culvert.
- (d) The design and construction of land management road systems through wetlands, other than those areas below the normal high water mark of standing or flowing waters, must avoid wetlands unless there are no reasonable alternatives, and must maintain the existing hydrology of wetlands.

To maintain the existing hydrology of wetlands, road drainage designs ~~shall~~must provide cross drainage of the water on the surface and in the top 12 inches of soil in wetlands during both flooded and low water conditions so as to neither create permanent changes in wetland water levels nor alter wetland drainage patterns. This ~~shall~~must be accomplished through the incorporation of culverts or porous layers at appropriate levels in the road fill to pass water at its normal level through the road corridor. Where culverts or other cross-drainage structures are not used, all fills ~~shall~~must consist of free draining granular material.

To accomplish the above, the following requirements apply:

- (1) Road construction on mineral soils or those with surface organic layers up to 4 feet in thickness:
 - (a) Fill may be placed directly on the organic surface compressing or displacing the organic material until equilibrium is reached. With this method, culverts or other cross-drainage structures are used instead of porous layers to move surface and subsurface flows through the road fill material.
 - i. For road construction on mineral soils or those with surface organic layers less than 16 inches in thickness, culverts or other cross-drainage structures ~~shall~~must be appropriately sized and placed at each end of each wetland crossing and at the lowest elevation on the road centerline with additional culverts at intermediate low points as necessary to provide adequate cross drainage. Culverts or other cross-drainage structures ~~shall~~must be placed at maximum intervals of 300 feet;
 - ii. For road construction on surface organic layers in excess of 16 inches but less than 4 feet in thickness, cross drainage must be provided by placing culverts at each end of each wetland crossing and at the lowest elevation on the road centerline with additional culverts at intermediate low points as necessary to provide adequate cross drainage. Culverts or other cross-drainage structures ~~shall~~must be placed at maximum 300-foot intervals. Culverts ~~shall~~must be a minimum of 24 inches in diameter, or the functional equivalent, and buried halfway below the soil surface.
 - iii. Where necessary to maintain existing water flows and levels in wetlands, ditches parallel to the road centerline ~~shall~~must be constructed along the toe of the fill to collect surface and subsurface water, carry it through the culvert(s) and redistribute it on the other side. Unditched breaks ~~shall~~must be left midway between culverts to prevent channelization.
 - (b) Alternatively, a porous layer may be created to move surface and subsurface flows through the road fill materials. If a porous layer is used, geotextile fabric must be placed above and below fill material to increase the bearing strength of the road and to preserve the bearing strength of fill material by preventing contamination with fine soil particles.
- (2) Road construction on soils with organic layers in excess of 4 feet in thickness:

- (a) Such construction shall may only take place under frozen ground conditions.
- (b) Geotextile fabric shall must be placed directly on the soil surface. Road fill or log corduroy shall must then be placed on the geotextile fabric.
- (c) Cross drainage shall must be provided by either a continuous porous layer or appropriate placement of culverts or other cross-drainage structures and ditching as specified below:
 - i. A continuous porous layer or layers shall must be constructed by placement of one or more layers of wood corduroy and/or large stone or chunkwood separated from adjacent fill layers by geotextile fabric placed above and below the porous layer(s) such that continuous cross drainage is provided in the top 12 inches of the organic layer; or
 - ii. Cross drainage culverts or other cross-drainage structures shall must be placed at points where they will receive the greatest support. Culverts or other cross-drainage structures shall must be a minimum of 24 inches in diameter, or the functional equivalent, and buried halfway below the soil surface. Where necessary to maintain existing water flows and levels in wetlands, ditches parallel to the roadbed on both sides shall must be used to collect surface and subsurface water, carry it through the culvert(s) and redistribute it on the other side. Such ditches shall must be located three times the depth of the organic layer from the edge of the road fill. Unditched breaks shall must be left midway between culverts to prevent channelization.
- (e) Ditches, culverts, bridges, dips, water turnouts and other water control installations associated with roads shall must be maintained on a regular basis to assure effective functioning.
- (f) Maintenance of the above required water control installations shall must continue until the road is discontinued and put to bed by taking the following actions:

(1) water bars shall must

- i. be constructed and maintained across the road at intervals established below. Spacing between water bars decreases with increasing slope. For example, the spacing for 3% grade is 200 feet; the spacing for 5% grade is 135 feet.

Road Grade (Percent)	Distance Between Water Bars (Feet)
0-2	250
3-5	200-135
6-10	100-80
11-15	80-60
16-20	60-45
21+	40

- ii. be constructed at approximately 30 degrees downslope from the line perpendicular to the center line of the road;
 - iii. be constructed so as to reasonably avoid surface water flowing over or under the water bar; and
 - iv. extend sufficient distance beyond the traveled way so that water does not re-enter the road surface.
- (2) Any bridge or water crossing culvert in such road shall must satisfy one of the following requirements:

- i. it ~~shall~~must be designed to provide an opening sufficient in size and structure to accommodate ~~25~~100-year frequency water flows;
 - ii. it ~~shall~~must be designed to provide an opening with a cross-sectional area at least 3.5 times the cross-sectional area of the stream channel; or
 - iii. it ~~shall~~must be dismantled and removed in a fashion so as to reasonably avoid sedimentation of the water body.
- (g) Extension, enlargement or resumption of use of presently existing roads, which are not in conformance with the provisions of these standards, will be done only after the requirements of these standards have been satisfied.

(h) Provided they are properly applied and used for circumstances for which they are designed, methods including but not limited to the following are acceptable as means of calculating the 100-year frequency water flows and thereby determining crossing sizes:

- (1) The USDA Natural Resources Conservation Service (NRCS) Method: “Urban Hydrology for Small Watersheds” (Technical Release #55). USDA Soil Conservation Service (June 1986).
- (2) The USDA NRCS Method: “TR-20 – Computer Program for Project Formulation – Hydrology,” Second Edition, U.S. Department of Agriculture, Soil Conservation Service (March 1986).
- (3) Provided that the only design storm used for sizing the crossing is a 100-year frequency storm event, the Commission may also allow use of the United States Geological Survey (USGS) method: StreamStats, a Web-based Geographic Information Systems application [Geological Survey, U.S. (2019, April 19). USGS. Retrieved from StreamStats: <https://streamstats.usgs.gov/ss/>].

- (i) In addition to the foregoing minimum requirements, provision ~~shall~~must otherwise be made in the construction and maintenance of roads and water crossings in order to reasonably avoid sedimentation of surface waters.
- (j) Written notice of all road and water crossing activities ~~shall~~must be given to the Commission prior to the commencement of any such activities within the P-RP subdistrict. Such notice ~~shall~~must be provided on the ~~Department of Conservation notification Commission’s General Notification~~ forms used for such purposes.

3. MINERAL EXPLORATION AND EXTRACTION STANDARDS

The following requirements ~~shall~~ apply to mineral exploration and extraction activities within the Resource Plan Protection Subdistrict.

- (a) Mineral extraction operations ~~shall~~must be located, designed, carried out and maintained so that they (i) are not visible from the Baker Branch or St. John River, (ii) do not provide new vehicular access to the River, (iii) avoid use of the P-RP zone except where necessary to provide gravel for local land management operations where alternative sources are unavailable or impractical, (iv) are not located within 200 feet of any administrative structure or area⁵ as defined in the Plan, (v) are not located within 50 feet of a sensitive area⁶ identified as an archeological site or within 100 feet of the normal high water mark of any sensitive area identified as rare plant habitat, and (vi) do not exceed 2 acres in size;
- (b) The following requirements ~~shall~~ apply to mineral exploration activities:

⁵ See Table 1 and Map 1 for lists and locations of administrative structures and areas.

⁶ See Map 2 for lists and locations of sensitive areas.

- (1) All excavations, including test pits and holes, shall be promptly capped, refilled or secured by other equally effective measures so as to reasonably restore disturbed areas and to protect the public health and safety;
- (2) Mineral exploration activities or associated access ways where the operation of machinery used in such activities results in the exposure of mineral soil, shall be located such that an unscarified filter strip of at least the width indicated below is retained between the exposed mineral soil and the normal high water mark of surface water areas flowing water, body of standing water, or wetland identified as a P-WL1 subdistrict:

Average Slope of Land Between Exposed Mineral Soil and Normal High Water Mark	Width of Strip Between Exposed Mineral Soil and Normal High Water Mark
<u>PERCENT</u>	<u>FT ALONG GROUND SURFACE</u>
0-29	75
30-39	85
40-49	105
50-59	125
60-69	145
70 or more	165
0	25
10	45
20	65
30	85
40	105
50	125
60	145
70	165

The provisions of this subpart (2) apply only on a face sloping toward the water, provided, however, no portion of such exposed mineral soil on a back face shall be closer than 75 feet; the provisions of this paragraph do not apply where access ways cross such waters;

- (3) Except when surface waters are frozen, access ways for mineral exploration activities shall not utilize stream channels bordered by areas zoned P-SL2 prior to the Commission's approval of this Plan except to cross the same by the shortest possible route unless culverts or bridges are installed in accordance with Section I.B.2, subparts (b) and (d), such crossings shall only use channel beds which are composed of gravel, rock or similar hard surface which would not be eroded or otherwise damaged;
 - (4) Access way approaches to stream channels shall be located and designed so as to divert water runoff from the access way in order to prevent such runoff from directly entering the stream;
 - (5) In addition to the foregoing minimum requirements, when conducting mineral exploration activities and creating and maintaining associated access ways provision shall be made to effectively stabilize all areas of disturbed soil so as to reasonably avoid soil erosion and sedimentation of surface waters. These measures shall include seeding and mulching if necessary to insure effective stabilization. Avoid seeding with non-native species.
- (c) The following requirements shall apply to mineral extraction activities:
- (1) A vegetative buffer strip must be retained between the ground area disturbed by the extraction activity and:

- i. 75 feet of the normal high-water line of any body of standing water less than ten acres in size, any flowing water draining less than 50 square miles, tidal water, or wetland identified as a P-WL1 subdistrict; and
- ii. 100 feet of the normal high-water line of any body of standing water ten acres or greater in size or flowing water draining 50 square miles or more.

(1) ~~No portion of any ground area disturbed by the extraction activity on a face sloping toward the water, shall be closer to the normal high water mark of a flowing or standing body of water than is indicated by the following table provided, however, no portion of such ground area on a back face shall be closer than 50 feet:~~

Average Slope of Land Between Exposed Mineral Soil and Normal High Water Mark	Width of Strip Between Exposed Mineral Soil and Normal High Water Mark
<u>PERCENT</u>	<u>FT ALONG GROUND SURFACE</u>
0	50
10	90
20	130
30	170
40	210
50	250
60	290
70	330

- (2) ~~No portion of a~~Any ground area disturbed by the extraction activity ~~shall~~must be ~~farther~~ closer than 250 feet from any property line in the absence of the prior written agreement of the owner of such adjoining property;
- (3) Within 250 feet of any water body the extraction area ~~shall~~must be protected from soil erosion by ditches, sedimentation basins, dikes, dams, or such other control devices which are effective in preventing sediments from being eroded or deposited into such water body. Any such control device ~~shall~~must be deemed part of the extraction area for the purposes of paragraph (1), above;
- (4) If any mineral extraction operation located within 250 feet of any administrative structure or area as defined in the Plan or a facility intended primarily for public use, excluding privately owned roads, is to be terminated or suspended for a period of one year or more, the site ~~shall~~must be rehabilitated by grading the soil to a slope of 2 horizontal to 1 vertical, or flatter. Seeding will be done to the extent feasible with native species to avoid the introduction of invasive plants.

4. FILLING AND GRADING STANDARDS

The following requirements for filling and grading ~~shall~~ apply to activities within the Resource Plan Protection Subdistrict, except as provided herein. The purpose of this section is to allow minor filling and/or grading of land without a permit, provided the performance standards set forth below are met. If the standards are not met, a permit is required.

These standards do not apply to filling or grading activities which constitute forest or agricultural management activities or the construction, reconstruction, and maintenance of roads. Such activities are separately regulated.

- (a) Filling and grading ~~shall~~must be conducted in a manner so that it: (i) is not visible from the Baker Branch or St. John River; (ii) does not provide new vehicular access to the River; (iii) is not located within 200 feet of any administrative structure or area⁷, as defined by this Plan; (iv) is not located within 50 feet of any sensitive area⁸ identified as an archeological site or within 100 feet of the normal high water mark of any sensitive area identified as rare plant habitat.
- (b) Within 250 feet of water bodies and wetlands, the maximum size of a filled or graded area, on any single lot or parcel, ~~shall~~must be ~~5,000~~4,300 square feet. This ~~shall~~must include all areas of mineral soil disturbed by the filling or grading activity; and
- (c) Imported fill material to be placed within 250 feet of water bodies ~~shall~~must not contain debris, trash, rubbish or hazardous or toxic materials. All fill, regardless of where placed, ~~shall~~must be free of hazardous or toxic materials; and
- (d) Where filled or graded areas are in the vicinity of water bodies and wetlands, such filled or graded areas ~~shall~~must not extend closer to the normal high water mark of such water body than the following:

(1) For a minor flowing water, body of standing water less than 10 acres or greater in size not including constructed ponds, or freshwater wetland located in a P-WL1 subdistrict: 75 feet; and

(2) For a major flowing water and body of standing water 10 acres or greater in size: 100 feet. distance indicated in the following table:

<u>Average Slope of Land</u>	<u>Width of Strip Between Exposed</u>
<u>Between Exposed Mineral</u>	<u>Mineral Soil and Normal High</u>
<u>Soil and Normal High Water Mark (Feet Along Surface</u>	
<u>Water Mark (Percent)</u>	<u>of the Ground)</u>
<u>0</u>	<u>25</u>
<u>10</u>	<u>45</u>
<u>20</u>	<u>65</u>
<u>30</u>	<u>85</u>
<u>40</u>	<u>105</u>
<u>50</u>	<u>125</u>
<u>60</u>	<u>145</u>
<u>70</u>	<u>165</u>

⁷ See Table 1 and Map 1 for lists and locations of administrative structures and areas.

⁸ See Map 2 for lists and locations of sensitive areas.

(e) All filled or graded areas ~~shall~~must be promptly stabilized to prevent erosion and sedimentation.

~~(f)~~ Filled or graded areas, including all areas of disturbed soil, within 250 feet of water bodies and wetlands, ~~shall~~must be stabilized according to the Guidelines for Vegetative Stabilization contained in Appendix B of ~~LUR~~LUPC's ~~the LUPC's~~ Land Use Districts and Standards.

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5. SIGN STANDARDS

The following requirements apply to activities within the Resource Plan Protection Subdistrict.

(a) On-Premise Signs

Subject to the provisions of this Plan, the Landowners and North Maine Woods, Inc. may erect and maintain on-premise signs advertising activities being conducted thereon. Such signs ~~shall~~are ~~be~~ subject to the regulations set forth below:

- (1) On-premise signs ~~shall~~must not exceed in size the area limitations set forth below:

Maximum size for each individual sign	Maximum aggregate area of all signs for facility being advertised
8 sq.ft.	16 sq.ft.

- (2) On-premise signs ~~shall~~must not be located more than 1,000 feet from the building or other particular site at which the activity advertised is conducted;
- (3) Signs attached to a wall ~~shall~~must not extend above the top of the wall;

On-premise signs which are not in conformance with the preceding requirements may be allowed only under the provisions of a permit from the Commission.

(b) Exempt Signs

The following signs are exempt from the requirements of this Plan, except as indicated in the following:

- (1) Signs erected and maintained outside the highway right-of-way, by a governmental body, showing places of interest (other than commercial establishments). Not more than two such signs may be erected and maintained which are readable by traffic proceeding in any one direction on any one highway in any one township;
- (2) Residential directional signs, each of which does not exceed 4 square feet in area, along roadways other than limited access highways;
- (3) Traffic control signs or devices;
- (4) Signs displayed for the direction, instruction or convenience of the public, including signs which identify rest rooms, posted areas property boundaries, trails, fire precautions, campsites, or the like, with a total surface area not exceeding 12 square feet;
- (5) Memorial signs or tablets;
- (6) Directional signs visible from a public roadway with a total surface area not to exceed 4 square feet providing directions to places of business offering for sale agricultural products harvested or produced on the premises where the sale is taking place;
- (7) Signs displayed in building windows, provided that the aggregate area of such signs does not exceed 25% of the area of the window and
- (8) Official business directional signs as defined and authorized by 23 M.R.S.A., Chapter 21.

The preceding dimensional and/or time limitations may be exceeded only under the provisions of a permit from the Commission.

(c) Regulations Applying to All Signs

Notwithstanding any other provisions of this Plan, no sign may be erected or maintained visible from a roadway which:

- (1) Interferes with, imitates or resembles any official traffic control sign, signal or device, or attempts or appears to attempt, to direct the movement of traffic;
- (2) Prevents the driver of a motor vehicle from having a clear and unobstructed view of official traffic control signs and approaching or merging traffic;
- (3) Contains, includes or is illuminated by any flashing, intermittent or moving lights, moves or has any animated or moving parts, except that this restriction ~~shall~~does not apply to a traffic control sign;
- (4) Has any lighting, unless such lighting is shielded so as to effectively prevent beams or rays of light from being directed at any portion of the main traveled way of a roadway, or is of such low intensity or brilliance as not to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with the operation thereof;
- (5) Is in violation of, or at variance with, any federal law or regulation, including, but not limited to, one containing or providing for conditions to, or affecting the allocation of federal highway or other funds to, or for the benefit of, the State or any political subdivision thereof;
- (6) Is in violation of, or at variance with, any other applicable State law or regulation;
- (7) Advertises activities which are illegal under any State or Federal law applicable at the location of the sign of the activities;
- (8) Is not clean or in good repair, or;
- (9) Is not securely affixed to a substantial structure.

Any sign which is a combination of exempt and/or non-exempt signs ~~shall be~~ is regulated by the most protective standards applicable.

C. MANAGEMENT

The landowners will be the administrators of the Resource Management plan outlined in Section I, each responsible for resource management activities on his/her respective land.

D. AMENDMENTS

This Resource Management plan, and procedures implemented pursuant to it, may be amended from time to time as needs change. Any participating landowner or land manager may propose amendments to the Resource Management plan. Prior to implementation, the amendments will be reviewed and approved by the landowners, and the Land Use ~~Regulation-Planning~~ Commission.

SECTION II. RECREATION MANAGEMENT

A. INTRODUCTION

North Maine Woods, Inc., a non-profit Corporation incorporated to manage the recreational resource of the area through which the St. John River flows, will be responsible for managing and protecting recreational uses within the Plan area. The Recreation Management section sets forth policies and procedures to govern recreational uses within the Plan area.

B. GOALS AND OBJECTIVES

The following goal ~~shall~~ guides recreational management activities in the area covered by this Plan:

To maintain and enhance the present types of recreational opportunities, consistent with the maintenance of the natural character and the traditional uses of the free-flowing St. John River, and the management objectives of the owners of the adjacent commercial forest land.

The following objectives will govern recreational management activities.

1. Significant increases in public uses will not be encouraged.
2. Access points and campsites will be modest, primitive, and kept to the minimum number necessary to carry out the above stated goal.
3. Emphasis will be placed on the traditional uses of the area.

C. RECREATIONAL RESOURCES

Within the area covered by the Plan, the primary recreational activity is concentrated on the Baker Branch and St. John River and their immediate shoreline area and includes canoeing, camping, sight-seeing hunting and fishing. Other activities of secondary importance are trapping, cross-country skiing, picnicking, hiking, swimming and snowmobiling. The more popular recreation activities will require certain facilities for their management such as water access points, parking areas, campsites, and picnic areas. There already exists in the Plan area certain facilities which are being managed by North Maine Woods, Inc. (See Tables 1 and 2.) These will continue to be managed by North Maine Woods, Inc.

D. MANAGEMENT AUTHORITY

North Maine Woods, Inc. ~~shall~~ be the entity agency primarily responsible for managing ~~the~~ recreational use in the Plan area. Procedures for the management of the Plan area will be consistent with the terms of the Resource Protection section and Recreation Management section which govern the overall land use of the Plan area.

North Maine Woods, Inc. will coordinate matters relating to recreational use for the landowners which share an interest in or who are affected by the recreational use of the Plan area.

There ~~shall~~ must be created a committee (The St. John River Advisory Committee) composed of representatives of all landowners owning land covered by the Plan and representatives from ~~LURCLUP~~ the Land Use Planning Commission, Department of Inland Fisheries and Wildlife, Bureau of Parks and Lands, and Bureau of Forestry. Both the "Lands" division and the "Parks" division of the Bureau of Parks and Lands ~~shall~~ must be represented on the Committee. The St. John River Advisory Committee and invited non-committee member landowner representatives will meet at least annually with the Executive Director of North Maine Woods, Inc. to develop consensus recreation operating plans for the Plan area. Meetings ~~shall~~ must include a field component on the river (e.g., canoe trip, site inspection, etc.) at a minimum of every other year. Recommendations for implementation of these plans will be made to the Board of Directors of North Maine Woods, Inc. that will direct the Executive Director on all matters relating to the recreational use of the Plan Area. The Chairman of the St. John River Advisory Committee ~~shall~~ must make a report to the North Maine Woods Board of Directors at the Directors' Annual Meeting. Prior to issuing a permit for the reconstruction of existing camps, the Commission must give the St. John River Advisory Committee an

opportunity to comment on such reconstruction. Those comments may include, but are not limited to, suggestions to minimize the visual impact from the river.

Maine Forest Rangers, as provided by ~~12 MRSA, §8901 (D)~~ 12 M.R.S. §8901(D), have the authority to enforce laws of the Land Use ~~Regulation-Planning~~ Commission. Rangers ~~shall~~ must inspect activities within the Plan area and report their findings to the appropriate party and ~~LURC-LUPC~~ staff.

E. MANAGEMENT POLICIES

Subject to the requirements of Section II.F, the following policies will guide the management of recreational facilities and uses within the Plan area:

1. Campsites

- (a) Campsites will be maintained and managed to retain a natural character. They will, with few exceptions, be accessible by water routes only. No campsites will be designed or enlarged to accommodate more than 30 overnight visitors.
- (b) If necessary, group size may be limited and special campsites may be designated for group use. Permanent campsite structures which do not require a ~~LURC-LUPC~~ permit will be limited to privies, fireplaces, picnic tables, shelters, tent platforms, and hand pumps which are built in accordance with the standards and policies of this Plan.
- (c) Spacing between campsites will be maintained to seclude camping groups from one another as much as possible.

2. Access

- (a) Existing access sites are identified in Table 2.
- (b) Camping and open fires will not be allowed at access and parking facilities unless specific sites are provided for these purposes.
- (c) All road and parking facility construction activities will be carried out in full compliance with the standards set forth in Section II.F as well as the applicable regulations of State agencies.
- (d) Access and parking facilities will be situated so as not to interfere with the landowner's road use.
- (e) Parking facilities will not be visible from the water and will be screened with vegetative buffers.

3. Maintenance and Improvements

- (a) Administrative areas will be visited regularly by those responsible for maintenance to assure that litter is removed, fireplaces are safe, erosion and soil compaction are being prevented, and privies and tables, if present, are in safe, usable condition.
- (b) Facilities, including privies and signs, will be provided at areas where they are deemed essential to reduce erosion, control litter and waste, or remove a hazardous situation.
- (c) Permits will be obtained from the Land Use ~~Regulation-Planning~~ Commission for the expansion or enlargement of existing structures and installation of new structures except as otherwise provided in this Plan.
- (d) Administrative areas will be stabilized as needed to prevent accelerated erosion.

4. Waste and Litter Control

- (a) Where needed, privies will be provided at campsites, water access points, parking areas and picnic sites. The installation of privies will be carried out in full compliance with the

Maine Subsurface Wastewater Disposal Rules, and the regulations of the Land Use Regulation-Planning Commission.

- (b) A carry-in/carry-out policy for solid wastes will be enforced at all sites through the use of signs and enforcement of the State's litter law.

5. Fires

- (a) Open fires will be limited to fireplaces in official NMW campsites, determined to be firesafe by the Maine Forest Service.
- (b) Lands within the Plan area have been withdrawn from the fire permit program. Fire permits will not be granted.
- (c) No open fires will be permitted during periods of a Governor's ban. Open fires may be prohibited when fire danger is extreme or fire activity is taxing available resources. North Maine Woods access points will notify users as appropriate.
- (d) Cutting of living trees for fuel is prohibited.

6. Signs

- (a) Modest, rustic signs may be used to indicate areas of designated use, to interpret sites of historic or natural importance, or to warn of dangers (e.g., uncanoeable falls, canoe portage routes, campsites, carry in - carry out solid waste policy, Maine Forest Service Ranger Stations, rules and regulations established for the management of administrative areas).
- (b) All new signs will conform to the sign standards listed in Section I.B.5.

7. Administrative Lodging

- (a) In the event it becomes necessary to establish a lodging facility in the Plan area for the proper administration and control of recreation management activities, a permit will be obtained from the Land Use Regulation-Planning Commission for such facility. The design and construction of the requisite lodging facility will be modest and consistent with the goals and objectives of this Plan.

8. Monitoring of Use

- (a) North Maine Woods, Inc. will monitor recreational use of the St. John River. Data will be made available to the St. John River Advisory Committee by North Maine Woods, Inc.

9. Sensitive Areas

- (a) Habitats of plant species identified as sensitive areas will be protected as mutually agreed upon by the Natural Areas Program, the landowner, and North Maine Woods, Inc.
- (b) Sites identified by the Maine Historic Preservation Commission as important for their historical or archaeological values will be protected as mutually agreed upon by the Maine Historic Preservation Commission, the landowner, and North Maine Woods, Inc.

F. MANAGEMENT STANDARDS

The following standards will guide the development and maintenance of administrative structures and areas in the Plan area. Except as otherwise provided in this Plan, if these standards and the other applicable policies of this Plan are followed, permits from the Land Use Regulation-Planning Commission will not be required. If it becomes necessary to exceed the standards, then the managing agency will apply for a LURC-LUPC permit.

1. Development and Improvement of Administrative Areas

- (a) Except with the permission of the lessee, no administrative area ~~shall~~must be located within 500 feet of any existing lease granted to a person or other entity.
- (b) All new structures, campsites, picnic sites, parking areas, and other facilities will be set back a minimum of 75 feet from the normal high water mark of any flowing or standing body of water, and a minimum of 50 feet from any road used for public access. Remote campsites ~~shall~~must be set back at least 50 feet from roads and 25 feet from shorelines except where a greater setback from shorelines for remote campsites is necessary due to site conditions in order to avoid accelerated soil erosion or sedimentation of surface waters.
- (c) Expansion or enlargement of existing structures, campsites, picnic sites, parking areas, and other facilities will be undertaken in such a manner that setback requirements are met. In those instances where existing structures, campsites, picnic area and other facilities do not currently meet setback requirements, expansions or enlargements will not decrease or otherwise lessen existing setbacks.
- (d) Timber harvesting around administrative areas will be governed by the timber harvesting standards described in Section I.B.1.
- (e) Clearing for trails will be kept to the minimum width necessary for safe passage.

2. Sewage Disposal

Sewage disposal ~~shall~~must be carried out in conformance with the provisions of the Maine Subsurface Wastewater Disposal Rules and any applicable rules of the Land Use ~~Regulation~~Planning Commission.

3. Roads and Water Crossings

Roads and water crossings ~~shall~~must be constructed and maintained in accordance with the terms of this Plan and the standards set forth in Section I.B.2.

4. Signs

Signs ~~shall~~must be constructed in accordance with the terms of this Plan and the standards set forth in Section I.B.5.

G. IMPLEMENTATION

The implementation of the Plan is the responsibility of North Maine Woods, Inc. To facilitate the management of recreation along with the interests of the Landowners, North Maine Woods will:

1. Provide the Board of Directors and Committees of North Maine Woods, Inc. with the proposed annual operating plan containing the schedule of any construction or maintenance activities, changes in procedures, fees and other information which will be reviewed by the appropriate committees and approved by the Board of Directors.
2. Provide an annual report at the end of each operating season which will summarize use, income, and accomplishments.

Effective multiple use of the Plan area will necessitate close communication and cooperation between the Landowners, land managers, State agencies, and the general public.

H. AMENDMENTS

This Recreation Management section, and procedures implemented pursuant to it, may be amended from time to time as needs change. Any participating landowner, and/or the St. John River Advisory Committee may propose amendments to the Recreation section. Prior to implementation, the amendments

will be reviewed and approved by the Board of Directors of North Maine Woods, Inc., the Landowners, and the Land Use ~~Regulation~~Planning Commission.

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TABLE 1
ADMINISTRATIVE AREAS:
CAMPSITES AND VEHICLE STORAGE

<u>Township</u>	<u>Name</u>	<u>Type of site</u>	<u># of sites</u>	<u>Access</u>
T8 R17	Turner Bogan	Campsite	2	Canoe
	Flaws Bogan	Campsite	2 <u>1</u>	Canoe
	Flaws Bogan	Camp	1	Canoe
T9 R17	Southwest Branch	Campsite	1	Canoe
	Morrison Depot	Campsite	2	Canoe
T10 R17 <u>Big Ten</u>	Doucie Brook	Campsite	3	Canoe
	Northwest Branch	Campsite	2	Canoe
T10 R16	Knowles Brook	Campsite	2 <u>1</u>	Canoe
T11 R16	Ledge Rapids	Campsite	2	Canoe
	Ledge Rapids	Camp	1	Canoe
	Moody	Campsite	3	Canoe <u>or vehicle access</u>
	Red Pine	Campsite	3	Canoe, <u>or vehicle, or plane</u>
	Burntland Brook	Campsite	2	Canoe
T12 R16	Nine Mile	Campsite	2	Canoe or vehicle <u>Vehicle</u>
	Nine Mile East	Campsite	1	Canoe or vehicle <u>Vehicle</u>
	Nine Mile Beaulieu	Camp	1	Canoe or Vehicle
T13 R15	Connors Farm	Campsite	1	Canoe
	Seven Islands	Campsite	3 <u>4</u>	Canoe
T13 R14	Priestly	Campsite	2	Canoe or vehicle <u>Vehicle</u>
	Priestly	Vehicle storage		Vehicle
T14 R14	Simmons Farm	Campsite	3 <u>2</u>	Canoe (until June 10th) Vehicle (June 10th +)
T14 R13	Basford Rips	Campsite	1	Canoe
T15 R13	Big Black	Campsite	3	Canoe or Vehicle
	Ferry Crossing	Campsite	1	Canoe or Vehicle
	Seminary Brook	Campsite	2	Canoe or Vehicle
	Boom Chain	Campsite	1	Canoe
T16 R13	Long Rapids	Campsite	2	Canoe or Vehicle
T16 R12	Castonia	Campsite	2	Canoe or Vehicle
	Ouellette	Campsite	3	Canoe or Vehicle
	Fox Brook	Campsite	2	Canoe or Vehicle

TABLE 2
ADMINISTRATIVE AREAS:
RIVER ACCESS POINTS

<u>Township</u>	<u>Map Key</u>	<u>Name</u>	<u>Intensity of use</u>	<u>Type</u>	<u>Status</u>	<u>Access</u>
T9 R17	RA-1	St. Camille Rd.	Low	Road	2W drive Permanent	East
	RA-2	Sunset	Med	Rd/Br.	Permanent	E/W
T11 R16	RA-4	Moody	Med	Rd	Permanent	E/W
	RA-5	Red Pine	High	Air/Rd.	Permanent	East
T12 R16	RA-6	Nine Mile	Med	Road	2W drive Semi/Perm.	East
T13 R14	RA -7	Blanchet/Maibec	High	Rd/Br.	2W drive Permanent	E/W
	RA-8	Priestly	Med	Road	2W drive Permanent	E/W
T15 R13	RA-9	Big Black	High	Rd/Br.	2W drive Permanent	N/W
	RA-10	Ferry Crossing	Low	Road	2W drive Permanent	E/W
	RA-11	Seminary Bk.	Low	Road	2W drive Permanent	N/W
T16 R13	RA-12	Long Rapids	Med	Road	2W drive Permanent	N/W
T16 R12	RA-13	Castonia	Med	Road	2W drive Permanent	N/W
	RA-14	Ouellette	Med	Road	2W drive Permanent	N/W
	RA-15	Fox Brook	Med	Road	2W drive Permanent	N/W

SECTION III. DEFINITIONS

The following definitions apply to terms used in this Plan:

1. Administrative Lodging Facilities:
Lodging facilities that house administrative personnel actively involved in the necessary maintenance of administrative structures and areas in the Plan area.
2. Administrative Structures and Areas:
Administrative structures and areas ~~shall bear~~ those structures and areas which may be operated, managed or leased by the State or North Maine Woods, Inc., from the Landowners. They ~~shall~~ include, but not be limited to: caretaker quarters, service or storage buildings, camps available for public use and that are identified in Table 1, service and access roads, power and communication lines, sanitary stations or privies, gates, entry contact stations, water taps, parking lots, directional signs, waste disposal areas, campsites, access sites, and picnic areas.
3. Body of Standing Water:
A body of surface water that has no perceptible flow and is substantially permanent in nature. Such bodies of water are commonly referred to as man-made or natural lakes or ponds, or water impoundments.
4. Building:
"Any structure having a roof or partial roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals or objects regardless of the materials of which it is constructed." 12 M.R.S.A., ~~Section~~ § 682. The Commission finds that temporary camping tents constructed of fabric or similar materials ~~do not comprise buildings as so defined~~ are not considered a building.
5. Campground:
Any area, other than a campsite, designed for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes or similar facility designed for temporary shelter.
6. Campsite:
Any area designed for transient occupancy by camping primarily in tents or lean-tos; under this definition, no campsite ~~shall~~ must be designed to accommodate more than 30 overnight visitors and permanent structures ~~shall~~ must be limited to privies, fireplaces, picnic tables (with or without roofs), lean-tos and water pumps.
7. Commission:
The Land Use ~~Regulation-Planning~~ Commission.
- ~~8. Compatible Use:
A land use which is capable of existing in harmony with other uses or resources in its immediate vicinity because that use does not adversely affect such other uses or resources.~~
9. Cross-Sectional Area:
The cross-sectional area of a stream channel ~~shall~~ must be determined by multiplying the stream channel width by the average stream channel depth. The stream channel width is the straight line distance from the normal high water mark of one side of the channel to such mark on the opposite side of the channel. The average stream channel depth ~~shall~~ must be the average of the vertical distances from a straight line between the normal high water marks of the stream channel to the bottom of the channel.
10. Deer Wintering Areas:
Areas used by deer during winter for protection from deep snows, cold winds, and low temperatures.
11. Development:
Any land use activity or activities directed toward using, reusing, or rehabilitating air space, land, water or other natural resources, excluding, however, such specific uses or classes and categories of uses which by the terms of this Plan do not require a permit.

12. Docking Structure:

A structure placed in or near water primarily for the purpose of securing and/or loading or unloading boats and float planes, including but not limited to docks, wharfs, piers, and associated anchoring devices, but excluding boat houses and float plane hangars. ~~The term is further distinguished as follows: When associated with this phrase, the term “permanent” shall mean a structure in place for longer than 7 months in any calendar year or which is so large or otherwise designed as to make it impracticable to be removed on an annual basis without alteration of the shoreline.~~

Permanent Docking Structure:

A docking structure in place for longer than 7 months in any calendar year or which is so large or otherwise designed as to make it impracticable to be removed on an annual basis without alteration of the shoreline, and associated on-shore structures used to secure a temporary dock or mooring.

Temporary Docking Structure:

A docking structure in place for less than seven months during any calendar year upon or over any body of standing water, coastal wetland, or flowing water and which is of such a size or design that it can be removed on an annual basis without requiring alteration of the shoreline, and associated temporary on-shore structures used to secure a temporary dock or mooring.

13. Dwelling Unit:

A structure or any part thereof that is intended for use or is used for human habitation, consisting of a room or group of rooms designed and equipped for use primarily as living quarters, including any home-based business occupations, for one family. Accessory structures intended for human habitation that have plumbing are considered separate dwelling units. ~~The term Dwelling Units shall must not include buildings or parts of buildings used as a hotel, motel, commercial sporting camp or other similar facility which is rented or leased on a relatively short term basis; provided, however, the term shall include a tourist home operated as a home occupation. Staff housing in such facilities is not considered to be a dwelling unit. However, the term shall include accommodations utilized by guests for transient occupancy that qualifies as a home-based business.~~

14. Fishery Management Practices:

Activities engaged in for the exclusive purpose of management of freshwater and anadromous fish populations by manipulation of their environment for the benefit of one or more species. Such practices may include but not be limited to the construction of traps and weirs, barrier dams, stream improvement devices, fish ways, and pond or stream reclamation, provided that any such activities are specifically controlled and designed for the purpose of managing such species and are conducted or authorized by appropriate state or federal fishery management agencies in compliance with the water quality standards contained in 38 M.R.S.A. §465.

15. Flowing Water:

~~A surface water within a stream channel that has a perceptible flow and is substantially permanent in nature.~~ channel that has defined banks created by the action of surface water and has two or more of the following characteristics:

- a. It is depicted as a solid or broken blue line on the most recent edition of the U.S. Geological Survey 7.5 minute series topographic map or, if that is not available, a 15-minute series topographic map.
 - b. It contains or is known to contain flowing water continuously for a period of at least six months of the year in most years.
 - c. The channel bed is primarily composed of mineral material such as sand and gravel, parent material or bedrock that has been deposited or scoured by water.
 - d. The channel contains aquatic animals such as fish, aquatic insects, or mollusks in the water or, if no surface water is present, within the stream bed.
 - e. The channel contains aquatic vegetation and is essentially devoid of upland vegetation.
- Such waters are commonly referred to as rivers, streams, and brooks. Flowing water does not mean a ditch or other drainage way constructed, or constructed and maintained, solely for

the purpose of draining storm water or a grassy swale. The term is further distinguished as follows:

Major Flowing Water:

A flowing water downstream from the point where such water drains 50 square miles or more.

Minor Flowing Water:

A flowing water upstream from the point where such water drains less than 50 square miles.

16. Footprint:

The measure of the area in square feet within the exterior limits of the perimeter of a structure. This includes any overhangs or attached porches or decks whether or not enclosed.

176. Forest:

A plant community predominantly of trees and other woody vegetation growing more or less closely together.

187. Forest Management Activities:

Forest management activities include timber cruising and other forest resource evaluation activities, pesticide or fertilizer application, timber stand improvement, pruning, timber harvesting and other forest harvesting, regeneration of forest stands, and other similar or associated activities, but not the construction, creation, or maintenance of land management roads nor the land application of septage, sludge and other residuals and related storage and composting activities.

198. Forest Product:

Any raw material yielded by a forest.

2049. Land Management Road:

A route or track consisting of a bed of exposed mineral soil, gravel, or other surfacing material constructed for, or created by, the repeated passage of motorized vehicles and used primarily for forest management activities including associated log yards but not including skid trails, skid roads, and winter haul roads.

~~20. Land Use Subdistrict:~~

~~The area located within the boundaries of air, land and water delineated vertically or horizontally by the Commission to provide for distinct categories of uses or resources.~~

21. Lean-to:

A three-sided, roofed structure used for transient occupancy and commonly constructed for campsites.

~~22. Level A~~ Mineral Exploration Activities, Level A:

Mineral exploration activities ~~engaged in~~ conducted for purposes of determining the location, extent and composition of mineral deposits, provided that such activities are limited to test boring, test drilling, hand sampling, the digging of test pits having a maximum surface opening of 100 square feet, or other test sampling methods determined by the Commission, and which cause minimum disturbance to soil and vegetative cover. ~~Level A mineral exploration activities shall not include bulk sampling of mineral deposits.~~

Access ways for Level A mineral exploration activities shall include only access ways the creation of which involves little or no recontouring of the land or ditching, and does not include the addition of gravel or other surfacing materials. Clearing of the vegetative cover shall be limited to the minimum necessary to allow for the movement of equipment and shall not exceed 1 acre of total disturbed area.

~~23. Level B~~ Mineral Exploration Activities, Level B:

Mineral exploration activities which exceed those defined as Level A mineral exploration activities having a maximum surface opening of 300 square feet per test pit or trench. Level B mineral exploration activities shall not include bulk sampling techniques.

Access ways for Level B mineral exploration activities shall include only access ways the creation of which involves little or no recontouring of the land, or ditching, and does not include the addition of gravel or other surfacing materials. Clearing of the vegetative cover shall be limited to the minimum necessary to allow for the movement of equipment.

~~involving the bulk sampling of mineral deposits, or any mineral exploration activities which exceed those defined as Level A mineral exploration activities, and which are not defined as Level C Mineral Exploration Activities.~~

~~24. Level C Mineral Exploration Activities:~~

~~Metallic mineral exploration activities involving the disturbance of a site, by excavation, of more than two (2) acres of surface area or the excavation or removal of more than ten thousand (10,000) cubic yards of soil, overburden, ore or other earthen materials from the site of exploration.~~

~~245. Level A Road Projects, Level A:~~

~~Reconstruction within existing rights-of-way of public or private roads other than land management roads, and of railroads, excepting bridge replacements. Examples of such activities include, without limitation, culvert replacements, resurfacing, ditching, and bridge repair. When there is no existing layout of right-of-way, the right-of-way- should be assumed to extend 33 feet on either side of the existing centerline.~~

~~256. Level B Road Projects Level B:~~

~~Minor relocations, and reconstructions, involving limited work outside of the existing right-of-way of public roads or private roads other than land management roads and of railroads; bridge reconstruction and minor relocations whether within or outside of existing right-of-way of such roads; "Minor relocations: as used herein may not exceed 300 feet in horizontal displacement of centerline. "Reconstruction" as used herein may involve widening of existing rights-of-way not to exceed 50 feet on either side.~~

~~267. Level C Road Projects, Level C:~~

~~Construction of new roads, and relocation or reconstruction of existing roads, other than that involved in level A or level B road projects; such roads shall include both public and private roadways excluding land management roads.~~

~~28. Major Flowing Water:~~

~~A flowing water downstream from the point where such water drains 50 square miles or more.~~

~~29. Metallic Mineral Mining Activity:~~

~~"Metallic mineral mining activity" means any activity or process that is for the purpose of extraction or removal of a metallic mineral or minerals, and includes processes used in the separation or extraction of that mineral or minerals from other material including, but not limited to: crushing, grinding, beneficiation by concentration (gravity, flotation, amalgamation, electrostatic, or magnetic); cyanidation; leaching; crystallization; or precipitation or processes substantially equivalent, necessary, or incidental to any of the foregoing, or treatment or disposal facilities for mine waste. Metallic mineral mining or metallic mineral mining activity does not include Level A, B, or C exploration activities, roasting processes, or thermal or electric smelting.~~

~~2730. Mineral Deposit:~~

~~Any deposit of peat, sand, gravel, rock, topsoil, limestone, slate, granite, coal, gems, metallic or non-metallic ores or other minerals.~~

~~2834. Mineral Extraction:~~

~~Any extraction of a mineral deposit, other than peat extraction, metallic mineral mining activities or level A, or B, ~~or~~ C mineral exploration activities.~~

~~2932. Mineral Extraction for Road Purposes:~~

~~Mineral extraction where at least 75% by volume of the minerals extracted over any three-year period are used for the purposes of construction or maintenance of land management or other roads.~~

~~303~~. Mineral Soil:

Soil material in which inorganic (mineral) constituents predominate.

~~34. Minor Flowing Water:~~

~~A flowing water upstream from the point where such water drains less than 50 square miles.~~

~~315~~. Mooring:

A structure for securing a vessel or aircraft that consists of a line and buoy that is fixed to the bottom of a waterbody, or attached to a weight which rests on the bottom of a waterbody.

~~36. Non-Permanent Docking Structure:~~

~~Docking or mooring structures which are in place for less than seven months during any calendar year upon or over submerged lands and which are of such a size or design that they can be removed on an annual basis without requiring alteration of the shoreline.~~

~~32. Non-conforming Structure:~~

~~“A structure, lawfully existing at the time of adoption of district regulations or subsequent amendment made thereto, that does not conform to the district regulations.” 12 M.R.S. §682. More specifically, a non-conforming structure is legally existing, but does not meet one of the following dimensional requirements: setback, lot coverage, or height requirements.~~

~~337~~. Non-Tidal Water Bodies:

All water bodies or portions thereof which do not customarily ebb and flow as the result of tidal action, including bodies of standing water and flowing waters.

~~348~~. Normal High Water Mark of Non-Tidal Waters:

That line on the shores and banks of non-tidal waters which is discernible because of the different character of the soil or the vegetation due to the influence of surface water. Relative to vegetation, it is that line where the vegetation changes from predominately aquatic to predominately terrestrial (aquatic vegetation includes but is not limited to the following plants and plant groups - water lily, pond lily, pickerel-weed, cat tail, wild rice, sedges, rushes, marsh grasses; and terrestrial vegetation includes but is not limited to the following plants and plant groups - upland grasses, aster, lady slipper, wintergreen, partridge berry, sasparilla, pines, cedars, oaks, ashes, alders, elms, spruces, birches, beeches, larches and maples.) In places where the shore or bank is of such character that the normal high water mark cannot be easily determined (as in the case of rockslides, ledges, rapidly eroding or slumping banks) the normal high water mark ~~shall~~must be estimated from places where it can be determined by the above method.

~~359~~. Normal Maintenance and Repair:

Unless otherwise provided, any work necessary to maintain an improvement or structure in its original or previously improved state or condition. This includes general upkeep, such as painting, fixing portions of the structure that are in disrepair, or the replacement of sill logs, roofing materials, siding, or windows, as long as there is no expansion of the nonconforming structure and less than 50 percent of the building is replaced. In-kind and in-place replacement of decking or exterior stairs is considered as normal maintenance and repair. Normal maintenance and repair ~~shall~~must not include reconstruction, change in design, change in structure, change in use, change in location, change in size or capacity, or any land use activity that is a shoreline alteration. Activities involving a permanent docking structure constitute normal maintenance and repair only when less than 50% of those portions of the permanent docking structure that are above the level of the water during normal high water are maintained or repaired. -

~~3640~~. On-Premise Sign:

A sign which is located upon the same lot or parcel of real property where the business, facility, or point of interest being advertised is located.

~~4137~~. Person:

"An individual, firm, association, organization, partnership, trust, company, corporation, state agency or other legal entity. 12 M.R.S. ~~A., Section~~ §682.

4238. Pesticide:

A chemical agent or substance employed to kill or suppress pests (such as insects, weeds, fungi, rodents, nematodes or other organisms) or intended for use as a plant regulator, defoliant or desiccant.

439. Primitive Recreation:

Those types of recreational activities associated with non-motorized travel, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing.

~~44. Principal Building:~~

~~Any building other than one which is used for purposes wholly incidental or accessory to the use of another building on the same premises. All buildings on one land parcel related to forest management activities, including without limitation the dwelling(s) of the owner or lessee of land used for forest management activities, his employees engaged in such use and members of their immediate families, shall be considered as one principal building.~~

405. Projecting Sign:

A sign which is attached to a wall of a building and extends more than 15 inches from any part of the wall.

416. Property Line:

Any boundary between parcels of land owned or leased by different persons or groups of persons.

427. Public Road or Roadway:

Any roadway which is owned, leased, or otherwise operated by a governmental body or public entity.

43. Reconstruction:

Unless otherwise provided, the addition of a permanent foundation or the rebuilding of a structure after more than 50 percent by area of its structural components, including walls, roof, or foundation, has been destroyed, damaged, demolished or removed. Leaving one or two walls or the floor of a structure in place while rebuilding the remaining structure, is considered reconstruction, not normal maintenance and repair or renovation.

448. Recreation Management Section:

That section, developed by the Landowners and implemented by North Maine Woods, Inc. with the agreement of the State of Maine, which provides for the management of recreation within the areas subject to this P-RP subdistrict. The Recreation Management section is part of the Resource Protection Plan and must be approved by LURCLUPC.

459. Remote Campsite:

Campsites which are not part of commercial campgrounds and which are characterized by their remoteness, limited scale, dispersed nature, and limited usage. More specifically, remote campsites include sites which:

- a. are designed to be accessible and generally are only accessible by water or on foot;
- b. are comprised of not more than four individual camping areas designed for separate camping parties, and are designed for a total of not more than 30 overnight campers;
- c. have permanent structures limited to privies, fireplaces or fire rings, picnic tables, and picnic table shelters consisting of a roof without walls; and
- d. require no other construction or grading and only minimal clearing of trees.

4650. Residential:

~~An off premise sign erected and maintained by an individual or family to indicate the location of his or its residence. Pertaining to a dwelling unit.~~

4754. Residential Directional Sign:

An off-premise sign erected and maintained by an individual or family to indicate the location of his or its residence.

4852. Roadway:

A public or private road including any land management road.

~~53. Roof Sign:~~

~~A sign which is attached flat to, painted on, or pinned away from the roof of a building.~~

4954. Sensitive Areas:

Sensitive areas **shall** include those areas within the P-RP zone which are (1), identified within the Biological and Conservation Database (BCD) of the Natural Areas Program (of the Department of Conservation) as supporting plants that are ranked as S1 or S2 or (2) identified by the Maine Historic Preservation Commission as important for their historic or archaeological values and (3) whose protection has been mutually agreed upon as provided for in Section II, E, 9,(a) and (b) of this Plan.

S1 ranking within the BCD shall mean critically imperiled in Maine because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extirpation from the State. S2 ranking within the BCD shall mean imperiled in Maine because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.

505. Service Drop:

Any utility line extension which does not cross or run beneath any portion of a body of standing water provided that:

a. in the case of electric service:

- (1) the placement of wires and/or the installation of utility poles is located entirely upon the premises of the customer requesting service or upon a roadway right-of-way, and
- (2) the total length of the extension within any 5 year period is less than 2,000 feet.

b. in the case of telephone service:

- (1) the extension, regardless of length, will be made by the installation of telephone wires to existing utility poles, or
- (2) the total length of the extension within any 5--year period, requiring the installation of new utility poles or placed underground, is less than 2,000 feet in length.

516. Sign:

Any structure, display, logo, device or representation which is designed or used to advertise or call attention to any thing, person, business, activity, or place and is visible from any roadway, river or other right-of-way. It does not include the flag, pennant, or insignia of any nation, state or town.

Visible shall mean capable of being seen without visual aid by a person of normal visual acuity.

The size of a ground, roof, or projecting sign shall be the area of the smallest square, rectangle, triangle, circle or combination thereof, which encompasses the facing of a sign, including copy, insignia, background and borders; the structural supports of a sign are to be excluded in determining the sign area; where a supporting structure bears more than one sign, all such signs on the structure shall be considered as one sign, and so measured; only one face of a double-faced sign is included as the area of such sign. The area of a wall or window sign shall be the area of a regular geometric form enclosing a single display surface or display device containing elements organized, related, and composed to form a unit; where matter is displayed in a random manner without organized relationship of elements, or

where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.

527. Stream Channel:

A channel between defined banks, created by the action of surface water and characterized by the lack of terrestrial vegetation or by the presence of a bed, devoid of topsoil, containing waterborne deposits or exposed soil parent material or bedrock.

538. Structure:

"Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on or in the ground, including, but not limited to, buildings, mobile homes, retaining walls, , billboards, signs, piers and floats." 12 M.R.S.A. ~~Section 682.~~ For purposes of regulating development in flood prone areas, a walled and roofed building. A gas or liquid storage tank that is principally above ground is also a structure.

549. Subdivision:

The term "subdivision" shall have the meaning given it under 12 M.R.S.A. ~~Section §-682; subsection (2)(2-A), and Chapter 2 of the Commission's rules.; Section 2.02 of the Commission's Rules. and Sections 10.02 and 10.17, B, 9 of the Commission's Land Use Districts and Standards.~~

5560. Timber Harvesting:

The cutting and removal of trees from their growing site, and the attendant operation of mobile or portable chipping mills, and of cutting, delimiting and skidding machinery, including the creation and use of skid trails, skid roads, and winter haul roads, but not the construction or creation of land management roads.

5664. Traffic Control Sign or Device:

A route marker, guide sign, warning sign, sign directing traffic to or from a bridge, ferry or airport, or sign regulating traffic, which is not used for commercial or advertising purposes.

5762. Trail:

A route or path other than a roadway, and related facilities used primarily for recreational activities, which passes through or occurs in a natural environment ~~and involves the disturbance of the land's surface in its construction or use.~~ Related facilities may include but not be limited to subsidiary paths, springs, ~~campsites, view points~~ viewpoints, and unusual or exemplary natural features in the immediate proximity of the trail which are commonly used or enjoyed by the users of the trail.

~~63.~~ Wall Sign:

~~A sign which is attached flat to, painted on or pinned away from the wall of a building and does not project more than 15 inches from such wall.~~

5864. Water Bar:

An obstruction placed across a roadway which effectively diverts surface water from and off the road.

5965. Water Crossing:

A roadway crossing of any body of standing or flowing water (including in its frozen state) by means of a bridge, culvert, or other means.

606. Water Impoundment:

Any body of water created, or elevation of which is raised, by man through the construction of a dam.

617. Wildlife:

All vertebrate species, except fish.

628. Wildlife Management Practices:

Activities engaged in for the exclusive purpose of management of wildlife populations by manipulation of their environment for the benefit of one or more species. Such practices may include, but not be limited to, harvesting or removal of vegetation, controlled burning,

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planting, controlled hunting and trapping, relocation of wildlife, predator and disease control, and installation of artificial nesting sites, provided that such activities are specifically controlled and designed for the purpose of managing such species. This term does not include impounding water.

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APPENDICES

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APPENDIX A

CAMP BUILDINGS & LEASES WITHIN 250' ZONE

<u>TOWNSHIP</u>	<u>MAP KEY</u>	<u>LESSEE</u>	<u>LANDOWNER/MANAGER</u>
T8 R17	1	North Maine Woods	The Nature Conservancy
T11 R17	2	Martin/DeGoyler	The Nature Conservancy
T11 R16	3	RouillardPelletier	The Nature Conservancy
	14	North Maine Woods	The Nature Conservancy
T12 R16	4	North Maine Woods	The Nature Conservancy
	5	<u>U.S. Geological Survey</u>	The Nature Conservancy
	6	Schaninger	The Nature Conservancy
	7	<u>StandishRice</u>	The Nature Conservancy
	8	Peschko	The Nature Conservancy
T12 R15	9	U.S. Geological Survey	Seven Islands
	10	O'Malley	Seven Islands
	11	CaronNadeau	Seven Islands
T13 R14 <u>Conservancy</u>	12	Five Fingers, Inc.	Prentiss & Carlisle <u>The Nature</u>
T15 R13	13	U.S. Immigration	<u>IrvingSolifor Timberlands</u>

APPENDIX B

WHITEWATER RAPIDS

<u>TOWNSHIP</u>	<u>NAME</u>
T10 R16	Ledge
T12 R16	Nine Mile
T14 R14	Priestly
T15 R13	Big Black
T16 R13	Long
T16 R12	Castonia School House Fox Brook

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APPENDIX C
GRAVEL PITS

<u>Township</u>	<u>Map Key</u>	<u>Acres</u>
T15 R13 WELS	GP-1	2

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APPENDIX D
WATER CROSSINGS

<u>Township</u>	<u>Map Key</u>	<u>Name</u>	<u>Type</u>
<u>ACTIVE</u>			
T9 R17	RA-2	Sunset	Bridge - Permanent
T13 R14	RA-7	Blanchet/Maibec	Bridge – Permanent
<u>INACTIVE</u>			
T9 R17	RA-1	St. Camille	Bridge (piers & abutments)
T10 R17 <u>Big Ten Twp</u>	RA-3	Northwest Branch	Bridge (piers & abutments)
T8 R17	RA-17	Turner Brook	Bridge (pier)
T11 R16	RA-4	Moody	Bridge (piers & abutments)
T12 R16	RA-6	Nine Mile	Bridge (piers & abutments)
T15 R13	RA-11	Morrel Shed	Ice Bridge/Ferry
T12 R15	RA -16	Six Mile	Ice Bridge

APPENDIX E

AREAS OF HISTORIC AND CULTURAL INTEREST

<u>TOWNSHIP</u>	<u>MAP KEY</u>	<u>NAME AND LOCATION</u>	<u>INTEREST</u>
T8 R17	H-1	Flaws Bogan	Site of old camp
T9 R17	H-2	Morrison Depot	Site of former logging camp and river driving depot
	H-3	S. W. Branch junction	Site of former logging camp and river driving depot. <u>Fire-cracked Rocks along the shoreline from early settlement.</u>
T10 R16	H-4	Knowles Brook	Site of old logging camp
T11 R16	H-13	Moody Bridge	Site of old logging camps and logging bridge
T12 R16	H-5	Nine Mile Bridge remains	Pilings remain of logging bridge constructed in 1926. Location of former post office, U.S. Customs office and remains of other historical settlement buildings
	H-6	Nine Mile Warden camp on west shore	Logs are last trace of Game Warden Curly Hamlin's home. Lived in the area in the 1930s.
T13 R14	H-14	Priestly Bridge	Historical crossing
T13 R15	H-7	Seven Islands	Once the location of several productive 19th & 20th century woods farms (170.2)
	H-8	Cemetery point on west shore	Only known cemetery on P-RP
T14 R14	H-9	Simmons Farm	19th Century Farm site
T15 R13	H-10	Big Black junction	U.S. Border Patrol camp used during log driving era
T16 R12	H-11	Castonia Farm	19th century farm site and abandoned air strip
	H-12	Ouellette Farm	19th century farm site

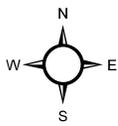
APPENDIX F

LAND OWNERSHIP AND MANAGEMENT INTERESTS

<u>LAND MANAGER</u>	<u>LAND OWNER(S)</u>
Blanchet Logging and Lumber Company	Blanchet Logging and Lumber Company
Huber Resources Corp.	<u>Solifor Timberlands</u>
Irving Woodlands LLC.	Allagash Timberlands, and Aroostook Timberlands
Maine Bureau of Parks and Lands	State of Maine
Orion Timberlands <u>North Ridge Services, LLC</u>	Dunn family
Prentiss and Carlisle Management Co.	
Seven Islands Land Company	Pingree family (Six Rivers Limited Partnership, Pingree Associates Inc., Phillips), and Dunn family
The Nature Conservancy / Huber Resources Corp.	The Nature Conservancy

MAPS

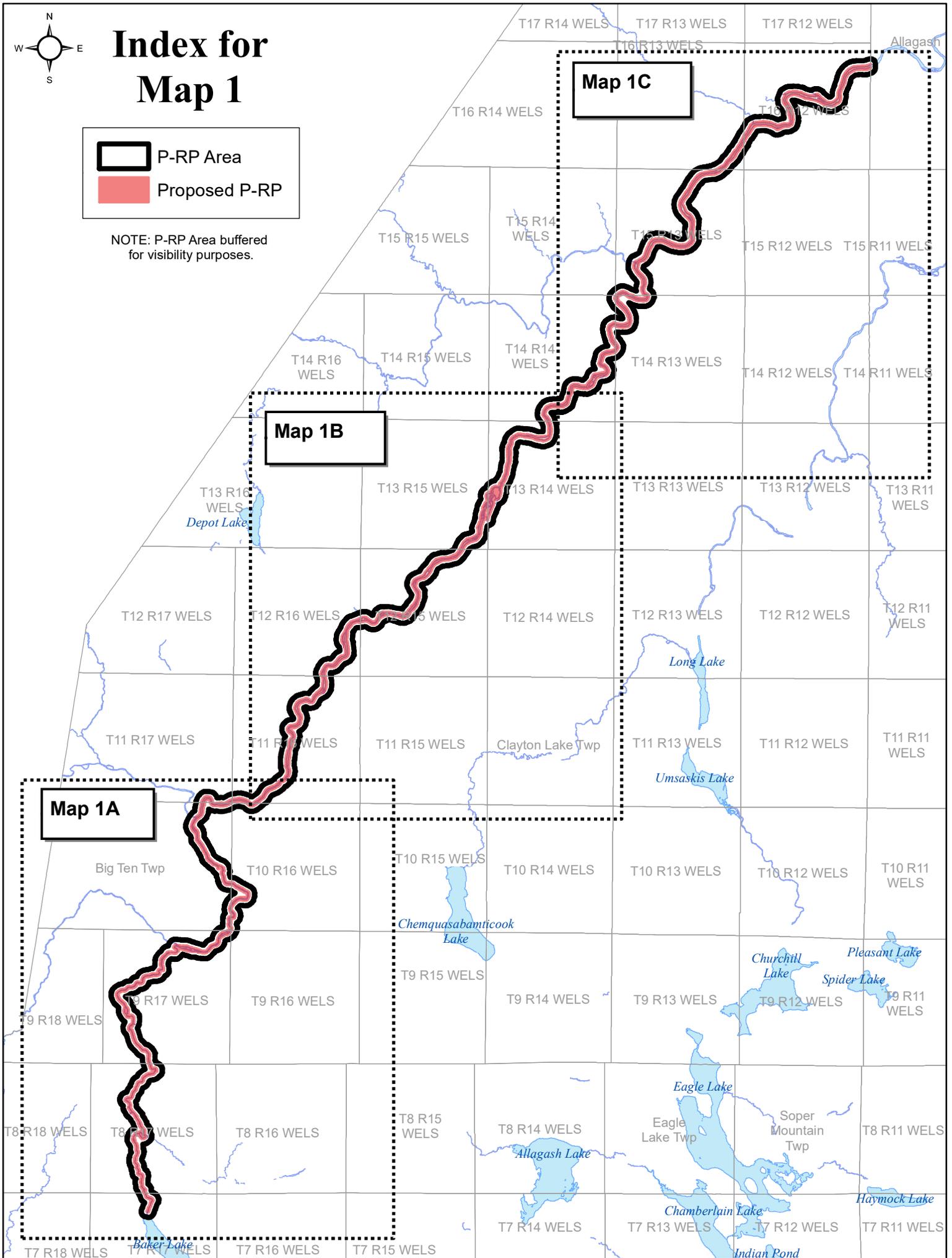
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Index for Map 1

 P-RP Area
 Proposed P-RP

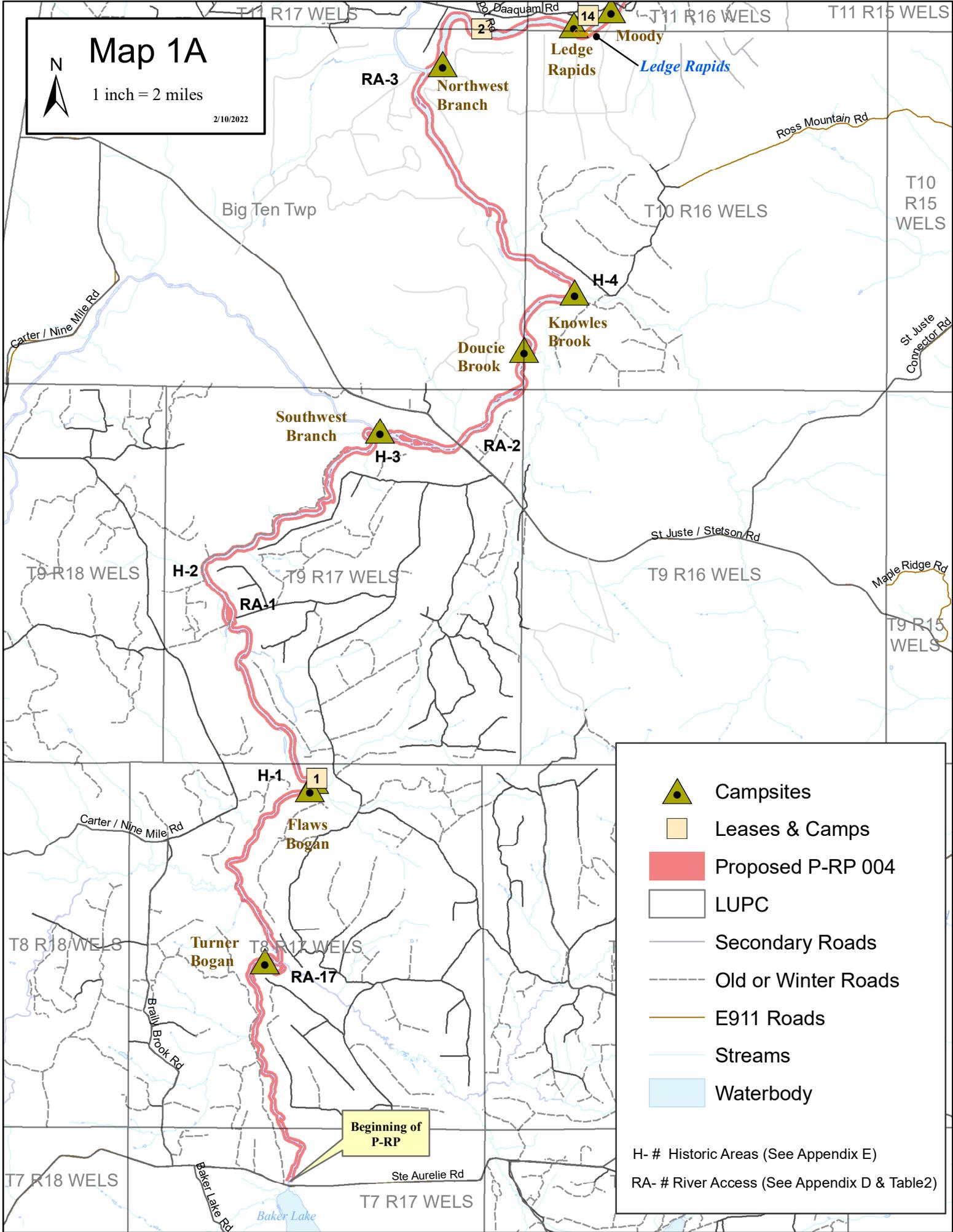
NOTE: P-RP Area buffered for visibility purposes.



Map 1A

1 inch = 2 miles

2/10/2022



- Campsites
- Leases & Camps
- Proposed P-RP 004
- LUPC
- Secondary Roads
- Old or Winter Roads
- E911 Roads
- Streams
- Waterbody

H- # Historic Areas (See Appendix E)
RA- # River Access (See Appendix D & Table2)

Map 1B

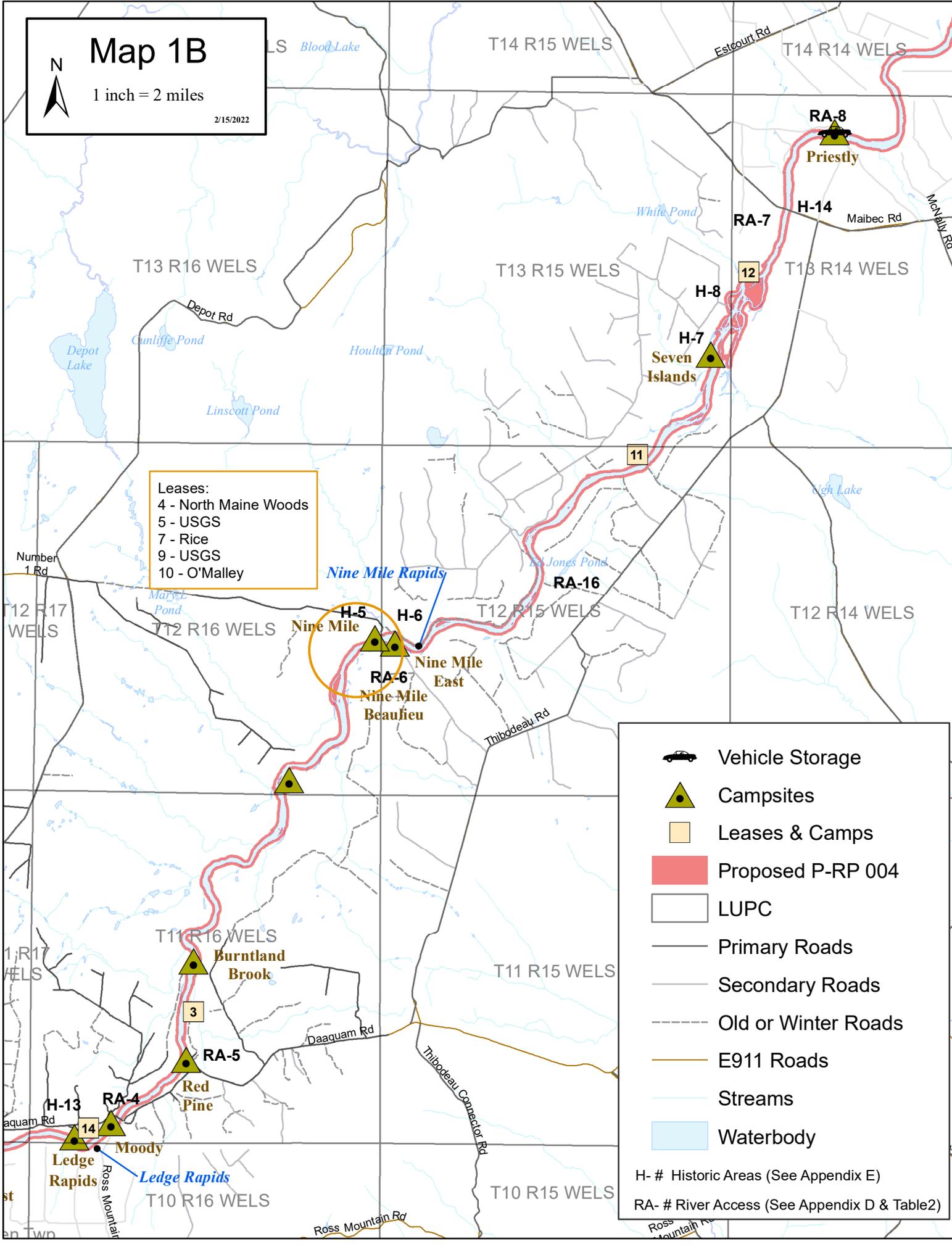
1 inch = 2 miles

2/15/2022

Leases:
 4 - North Maine Woods
 5 - USGS
 7 - Rice
 9 - USGS
 10 - O'Malley

	Vehicle Storage
	Campsites
	Leases & Camps
	Proposed P-RP 004
	LUPC
	Primary Roads
	Secondary Roads
	Old or Winter Roads
	E911 Roads
	Streams
	Waterbody

H- # Historic Areas (See Appendix E)
 RA- # River Access (See Appendix D & Table2)

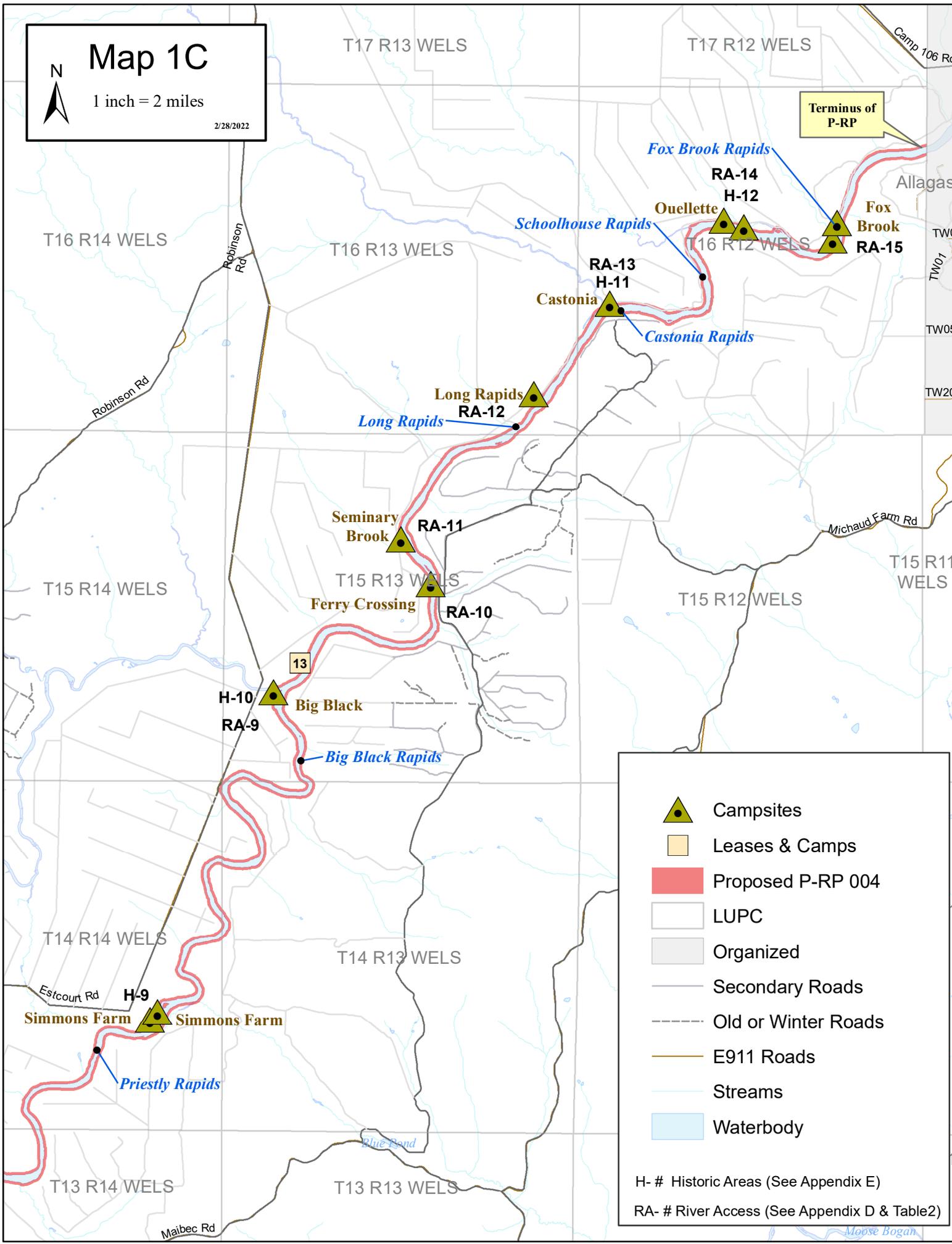


Map 1C



1 inch = 2 miles

2/28/2022



Terminus of P-RP

- Campsites
- Leases & Camps
- Proposed P-RP 004
- LUPC
- Organized
- Secondary Roads
- Old or Winter Roads
- E911 Roads
- Streams
- Waterbody

H- # Historic Areas (See Appendix E)
RA- # River Access (See Appendix D & Table2)

Attendees at Annual St. John River Advisory Committee Meeting, May 2019:



Photo Courtesy of Al Cowperthwaite, The North Maine Woods

(Left to Right) Bill Patterson, The Nature Conservancy; Ben Godsoe, Land Use Planning Commission; Sean Lizotte, Irving Woodlands; Justin Soucy, Irving Woodlands, LLC; Brandon Lerner, Seven Islands Land Company; Chris Stone, The Nature Conservancy; Naomi Kirk-Lawlor, Land Use Planning Commission; Robby Gross, Maine Forest Service; Jim O'Malley, Landvest; Marc Deschene, Bureau of Parks and Lands; Hannah Stevens, Seven Islands Land Company; Frank Frost, Inland Fisheries and Wildlife; and Bill Sylvester, WCS Forestry