



# CONCEPT PLAN *for* PLUM CREEK'S LANDS *in the* MOOSEHEAD LAKE REGION

APRIL 2007



Petition for Rezoning



Plum Creek



STATE OF MAINE  
DEPARTMENT OF CONSERVATION  
LAND USE REGULATION COMMISSION  
22 STATE HOUSE STATION  
AUGUSTA, ME 04333-0022



FOR OFFICE USE

ZP \_\_\_\_\_  
P-RP \_\_\_\_\_  
Date Rec'd \_\_\_\_\_  
App Fee \_\_\_\_\_

AMENDED APRIL 27, 2007

**PETITION FOR REZONING**  
**TO IMPLEMENT A RESOURCE PLAN PROTECTION (P-RP) SUBDISTRICT**  
**UNDER THE PROVISIONS OF A CONCEPT PLAN**

1. **Petitioner:** Plum Creek Maine Timberlands, L.L.C. and Plum Creek Land Compar  
**Mailing Address:** P.O. Box 297  
Greenville, Maine 04442  
**Daytime Telephone:** (207) 695-2241  
**E-mail Address:** lmuzzy@plumcreek.com

2. **Petitioner's Status:**  
☐ Individual or sole proprietorship (d/b/a): \_\_\_\_\_  
☐ Partnership (Provide names of partners): \_\_\_\_\_  
☒ Corporation (Provide name of corporation): (Corporation) Plum Creek Land Company  
☒ Other entity (Please explain): (LLC) Plum Creek Maine Timberlands, L.L.C.

3. **Agent Authorization:** If you have an agent, such as a realtor, lawyer or contractor, acting on your behalf regarding this petition, complete the following authorization:

**Name of Agent:** Virginia E. Davis  
**Mailing Address:** P.O. Box 1058  
Augusta, ME 04332-1058  
**Daytime Telephone:** 207-623-5300  
**E-mail Address:** vdavis@preti.com

*I hereby authorize the above-listed individual to act as my legal agent in all matters relating to this Petition for Rezoning. I understand that I am ultimately responsible for compliance with all conditions and limitations of any permit issued to me by the Land Use Regulation Commission.*

Petitioner's Signature:

Luke Muzzy  
Luke Muzzy

Date: 4/26/07  
4/26/07



4. **Exhibits:** Please ensure that this rezoning petition includes the following required exhibits prior to submission:

N/A **Application Fee:** \$50.00, payable to "Treasurer, State of Maine". This application fee is not refundable.

N/A

X **Notice of Filing:** Attach a copy of a completed Notice of Filing form that was sent to landowners and officials. Please review the instructions to determine which persons must be provided notice of this rezoning petition.

X **Exhibit A: Corporate Good Standing.** If petitioner's status is a Corporation, submit a Certificate of Good Standing from the Secretary of State, State of Maine.

See Tab Labeled "Exhibit A"

X **Exhibit B: Right, Title or Interest.** The law requires that a petitioner (other than a state or federal agency) must own or lease all of the property for which rezoning is being petitioned. To demonstrate right, title or interest, submit complete, signed copies of all deed(s) or lease(s) which document the petitioner's right, title or interest in all of the land addressed in this rezoning petition.

See Tab Labeled "Exhibit B"

X **Exhibit C: Location Map.** Submit a large Land Use Guidance Map on which you have clearly marked the boundaries of the property for which rezoning is petitioned, using the same scale as shown on the guidance map.

See Tab Labeled "Exhibit C"

X **Exhibit D: On-Site Soils Mapping.** Submit on-site soils mapping conducted by a soil scientist for all areas proposed for development, including roads. Soils information should be at a minimum scale of 1:62,500 or 1" to the mile, with 40 acre minimum mapping units. Soils mapping should include:

- the location of all test pits and/or borings,
- a description of all soil mapping units referring to soil grouping designations according to both the USDA soils series names and the Maine State Plumbing Code profile and condition,
- the boundary lines of all proposed subdivisions, roads and other development areas,
- topographic contour lines at a minimum of five foot intervals,
- the percent and direction of slopes, and
- the location of all streams and waterbodies.

The map must be drawn to the same scale as any other site plans that are submitted and must be dated and include the signature and license number of the soil scientist responsible for the work.

See Tab Labeled "Exhibit D"

X **Exhibit E: Letters Evaluating Impacts.** Submit letters from town, plantation, county and/or other officials describing what they anticipate as impacts, both favorable and unfavorable, of the proposed use of the land on the local community and surrounding area. If the property is located in a town or plantation, contact the selectmen or assessors for such a letter. If the property is located in a township, contact the regional planning commission, county commissioners or similar officials.

See Tab Labeled "Exhibit E"

X **Exhibit F: Letters Confirming Availability of Services:** If the proposed rezoning and subsequent use of the land will require municipal services, submit letters from town, plantation, and/or county officials and school administrative districts indicating that needed municipal or county services (i.e. solid waste disposal, fire and police protection, schools and school transportation, etc.) will be available. The letters should describe any special circumstances or conditions that must be met prior to providing such services.

See Tab Labeled "Exhibit E"

X **Exhibit G:** Submit a copy of all documents demonstrating that the proposed easement holder meets the Commission's *Guidelines for Selection of Easement Holders*.

See Tab Labeled "Exhibit G"

X **Concept Plan:** Submit a written concept plan that, at minimum, identifies (1) all areas where new, lake-related development is to be located; (2) resource values or shoreland areas to be protected; (3) mechanisms that will be used to conserve important resources or areas; and (4) the life span of the plan. Additional details about the proposal may be necessary to include within the plan. Please refer to the Commission's *Guide to Preparing a Concept Plan* for more information.

See Volume One

Please respond to the following questions about your proposal either on a separate sheet of paper or, preferably, within the text of the concept plan.

5. **Location of Property:** List all towns, townships, and plantations that include land proposed for rezoning to the P-RP subdistrict. Include the number of acres that you own or lease, the number of acres proposed for rezoning, and the names of waterbodies and roads located on or adjacent to land proposed for rezoning.

Town, Township or Plantation	County	Acres Owned	Acres to Rezone	Waterbodies	Roads
		See Tab 5			
Total Acres:					

6. **Notice of Filing:** Provide the names and mailing addresses of all individuals, companies or others who own land within 1,000 feet of the property for which you seek rezoning and any other persons to whom notice of this rezoning petition was provided. Also provide the date such notice was provided. **Failure to submit a complete list of landowners may invalidate this petition, even if otherwise approvable.**

Name	Mailing Address	Notice Date
	See Tab 6	

7. **Existing Zoning:** List the zones currently applied to the area(s) proposed for rezoning.

See Tab 7

8. **Current Use:** Describe the current and historical use of the land proposed for rezoning.

See Tab 8

9. **Surrounding Uses and Resources:** Describe the uses and resources of the area/region surrounding the land proposed for rezoning (i.e. commercial forest, farm land, seasonal/year-round residential use, commercial uses, etc.).

See Tab 9a

9. **Existing Development:** Describe existing development in the area/region and within the area proposed for rezoning, including type, amount, density, and proximity (by road) to the area proposed for rezoning. If the plan includes only a portion of a lake, describe existing development on the rest of the lake in sufficient detail to understand the context of the proposed plan.

See Tab 9b

10. **Proposed Uses:** Describe all proposed uses of the land involved in this rezoning petition. If any subdivisions are proposed, describe the types of subdivisions (seasonal, year-round, residential, commercial, etc.) and the numbers and sizes of lots within each subdivision (including any common areas or lots designated to remain undeveloped). Attach a site plan that shows all locations of the proposed subdivisions within the concept plan. If structural development is proposed, describe its type, size and use and attach a preliminary site plan that shows how such structural development and support facilities will be located. If any other use is proposed, describe in detail what that use will be and why it is being proposed.

See Tab 10

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Under provisions of the Commission's statute, 12 M.R.S.A. §685-A(8), no change in a district boundary may be approved unless:

1. There is substantial evidence that the change would be consistent with the standards for district boundaries in effect at the time, the Comprehensive Land Use Plan, and the purpose, intent and provisions of Chapter 206-A (the Land Use Regulation Law); and
2. The change in zoning will satisfy a demonstrated need in the community or area and will have no undue adverse impact on existing uses or resources or is more appropriate for the protection and management of existing uses and resources within the affected area.

*[Note: In the instance of a concept plan, the latter provision, "is more appropriate...", is the applicable standard of approval.]*

The following questions are intended to generate information that will be useful in assessing whether the proposal meets the Commission's statutory rezoning criteria.

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11. **Consistency with the Comprehensive Land Use Plan:** The Commission's plan includes specific goals to guide the location of new development; to protect and conserve forest, recreational, plant or animal habitat and other natural resources; to ensure the compatibility of land uses with one another; and to allow for a reasonable range of development opportunities important to the people of Maine.

Carefully read and refer to the Commission's Comprehensive Land Use Plan (particularly the objectives and policy statements found on pages 134-143). Explain how the proposed change in zoning will be consistent with the Commission's Comprehensive Land Use Plan.

See Tab 11

12. **Adjacency Criterion:** The Commission's plan encourages orderly growth within and proximate to existing, compatible developed areas. This is referred to as the "adjacency" criterion. When considering any petition for rezoning, the Commission places considerable weight on this objective. However, the Commission may consider adjusting the adjacency criterion when assessing concept plans, provided any such relaxation is matched by comparable conservation measures.

Does your proposal fit the adjacency objective? If so, describe in detail the type and amount of existing nearby development. Include the distance (by straight line and by road) of such development from your proposed area(s) of development.

Does the proposal require adjustment of the Commission's adjacency policy? If so, explain why such adjustment is justified in the context of the Commission's policies, and describe how the development gained through the adjustment is matched by comparable conservation measures.

See Tab 12

13. **Protection Zoning:** Is the P-RP zone that you propose more appropriate for the protection and management of *existing* uses and resources in the area? If so, describe how the P-RP zone is more appropriate.

See Tab 13

14. **Shoreland Criteria:** The Commission's lake management program contains policy statements that include review criteria for permit applications (including petitions for rezoning prior to such activities) that could affect the shoreline. These special review criteria for intensive development proposed on lakes are included in the Commission's Land Use Districts and Standards under provisions of Section 10.13,B,2.

If your petition for rezoning includes any shoreland areas, carefully read and refer to the Review Criteria for Shoreland Permits in Appendix C of the Comprehensive Land Use Plan (pages C-4 and C-5) and the Review Standards for Structures Adjacent to Lakes in Section 10.13,B,2 of the Commission's Land Use Districts and Standards. Explain how the proposed rezoning is consistent with the following criteria:

- a. **Natural and Cultural Resource Values:** The proposal will not adversely affect natural and cultural resource values identified as significant or outstanding in the Wildland Lakes Assessment;
- b. **Water Quality:** The proposal will not, alone or in conjunction with other development, have an undue adverse impact on water quality;
- c. **Traditional Uses:** The proposal will not have an undue adverse impact on traditional uses, including without limitation, non-intensive public recreation, sporting camp operations, timber harvesting, and agriculture;
- d. **Regional Diversity:** The proposal will not substantially alter the diversity of lake-related uses afforded within the region in which the activity is proposed;
- e. **Natural Character:** Adequate provision has been made to maintain the natural character of shoreland;
- f. **Lake Management Goals:** The proposal is consistent with the management intent of the affected lakes classification; and
- g. **Landowner Equity:** Where future development on a lake may be limited for water quality or other reasons, proposed development on each landownership does not exceed its proportionate share of total allowable development. See Tabs 14a through 14g

15. **Anticipated Favorable Impacts:** Do you anticipate that your proposed use of the land would result in any favorable impacts on any of the surrounding land, resources, and/or uses in the community or area? If so, describe in detail the anticipated favorable impacts.

See Tab 15

16. **Anticipated Unfavorable Impacts:** Do you anticipate that your proposed use of the land would result in any unfavorable impacts on any of the surrounding land, resources, and/or uses in the community or area? If so, describe in detail the anticipated unfavorable impacts and any measures proposed to control or minimize them.

See Tab 16

17. **Public Services:** What municipal, county, or other services (i.e. solid waste disposal, fire and police protection, schools and school transportation, etc.) will your proposed use of the land require? Describe by what means these public services will be obtained.

See Tab 17  
Petition for Rezoning to P-RP  
Page 7



18. **Compliance with Laws and Standards:** If your proposal includes a subdivision or development proposal, provide information in response to the following questions concerning whether the land is likely to be suitable for the proposed use.
- a. Describe what provisions will be made to comply with the Commission's development standards and other environmental laws.
  - b. Water Supply: What provisions will be made for securing and maintaining a healthy water supply to the area?
  - c. Soil Conditions: Are soil conditions appropriate for proposed uses, particularly in areas proposed for development?
  - d. Traffic: what provisions will be made for parking and safe traffic flow?
  - e. Erosion Control: What provisions will be made for stabilization and erosion control of the site?
  - f. Subsurface Waste Water Disposal: What provisions will be made to comply with the requirements of the Subsurface Waste Water Disposal Rules of the Maine State Plumbing Code?
  - g. Harmonious Fit: What measures will be taken to fit the proposal into the existing surroundings? Include any special considerations given to siting, design, size, coloring, landscaping or other factors that will lessen the impact of the proposal on the surroundings.
  - h. Scenic Impacts: What measures will be taken to minimize impacts of the proposal on the scenic quality of the area? Consideration should be given to visibility from roads and water bodies.
  - i. Wildlife Habitat: What measures will be made to minimize impacts on wildlife habitat including birds and water fowl? Consideration should be given to riparian zones along waterbodies.

See Tabs 18a through i

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*Note: Should your petition for rezoning be approved, the Commission will require more detailed information about any proposed development within the concept plan area in the specific subdivision or development permit application.*

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Under provisions of Section 10.16.F.6 of the Commission's Land Use Districts and Standards, the Commission may approve a concept plan only if it finds that the following criteria are also satisfied:

1. The plan conforms with the Commission's Land Use Districts and Standards, where applicable.
2. The plan, taken as a whole, is at least as protective of the natural environment as the subdistricts which it replaces. In the case of lake concept plans, this means that any development gained through any waiver of the adjacency criterion is matched by comparable conservation measures.
3. The plan includes in its purpose the protection of those resources in need of protection.
4. The plan strikes a reasonable and publicly beneficial balance between appropriate development and long-term conservation of lake resources.
5. Conservation measures apply in perpetuity, except where it is demonstrated by clear and convincing evidence that other alternative conservation measures fully provide for long-term protection or conservation.

The following questions are intended to generate information that will be useful in assessing whether the proposal meets the Commission's criteria associated with rezoning to the P-RP subdistrict.

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19. **Conformance with the Commission's Standards:** Does the proposal meet or exceed the Commission's normal standards for site suitability, including the Commission's minimum dimensional requirements? If the plan includes any provisions that deviate from the Commission's Land Use Districts and Standards, explain in detail how the provisions differ from the Commission's rules and provide reasons for the proposed deviations.

See Tab 19

20. **Resource Protection:** Is the proposal at least as protective of the natural environment as the Commission's existing protections? How does the proposal maintain or enhance the protection of the natural resources and public values within the areas involved?

See Tab 20

21. **Balance between Development and Conservation:** How does the proposal strike a reasonable and publicly beneficial balance between appropriate development and long-term conservation of lake resources? Please keep in mind that proposed conservation measures must provide clear and significant public benefits.

See Tab 21

22. **Conservation Measures:** If conservation easements are proposed, describe their substantive provisions (e.g. area of easement, allowed uses, access, special restrictions). Describe how the proposed easement holder meets the Commission's *Guidelines for Selection of Easement Holders*. If alternative conservation measures are proposed, describe their substantive provisions and describe how these measures fully provide for long-term protection or conservation.

See Tab 22

23. **Additional Information:** State any additional facts regarding this petition for rezoning that you feel may further explain your proposal or assist the Commission in its review of your petition. Address any important issues identified by the public and other interested parties during the initial project planning.

See Tab 23

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Please read and sign the certification, below and attach a copy of the completed *Notice of Filing of Zoning Petition*.

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***By signing this petition, I certify that notice of this petition has been given to all owners of abutting property and those within 1000 feet of the subject property and, if applicable, to Town or Plantation officials and County Commissioners.***

***I have personally examined and am familiar with the information submitted in this petition for rezoning, including all attachments, and I believe the information to be true, accurate and complete. I further certify that I will comply with all applicable statutes and with rules adopted by the Maine Land Use Regulation Commission.***

Petitioner's Signature:

Luke Muzzy

Date: 04/27/2007

Printed Name and Title:

Luke Muzzy,

Senior Land Asset Manager

***Application Fee***  
**(Previously Submitted)**



***Exhibit A***

**Corporate Good Standing**

# State of Maine



## Department of the Secretary of State

***I, the Secretary of State of Maine, certify*** that according to the provisions of the Constitution and Laws of the State of Maine, the Department of the Secretary of State is the legal custodian of the Great Seal of the State of Maine which is hereunto affixed and of the reports of qualification of foreign limited liability companies in this State and annual reports filed by the same.

***I further certify*** that PLUM CREEK MAINE TIMBERLANDS, L.L.C., formerly SDW TIMBER II, L.L.C., a DELAWARE limited liability company, is a duly qualified foreign limited liability company under the laws of the State of Maine and that the application for authority to transact business in this State was filed on October 29, 1998.

***I further certify*** that said foreign limited liability company has filed annual reports due to this Department, and that no action is now pending by or on behalf of the State of Maine to forfeit the authority to transact business in this State and that according to the records in the Department of the Secretary of State, said foreign limited liability company is a legally existing limited liability company in good standing under the laws of the State of Maine at the present time.

***In testimony whereof***, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta, Maine, this twenty-second day of April 2007.



A handwritten signature in black ink, appearing to read "Matthew Dunlap".

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**MATTHEW DUNLAP**

***Secretary of State***

# State of Maine



## Department of the Secretary of State

***I, the Secretary of State of Maine, certify*** that according to the provisions of the Constitution and Laws of the State of Maine, the Department of the Secretary of State is the legal custodian of the Great Seal of the State of Maine which is hereunto affixed and of the reports of qualification of foreign limited liability companies in this State and annual reports filed by the same.

***I further certify*** that PLUM CREEK MAINE TIMBERLANDS, L.L.C., formerly SDW TIMBER II, L.L.C., a DELAWARE limited liability company, is a duly qualified foreign limited liability company under the laws of the State of Maine and that the application for authority to transact business in this State was filed on October 29, 1998.

***I further certify*** that said foreign limited liability company has filed annual reports due to this Department, and that no action is now pending by or on behalf of the State of Maine to forfeit the authority to transact business in this State and that according to the records in the Department of the Secretary of State, said foreign limited liability company is a legally existing limited liability company in good standing under the laws of the State of Maine at the present time.

***In testimony whereof***, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta, Maine, this twenty-second day of April 2007.



A handwritten signature in black ink, appearing to read "Matthew Dunlap".

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**MATTHEW DUNLAP**

***Secretary of State***

***Exhibit B***

**Right Title and Interest**

**(Letter Attached)**



April 24, 2007

Maine Department of Conservation  
Land Use Regulation Commission  
22 State House Station  
Augusta, Maine 04333-2631

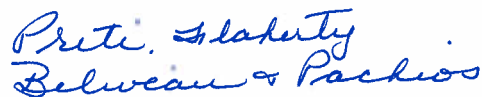
**RE: Exhibit B - Right, Title or Interest**

Dear Sir or Madam:

On April 27, 2006, we provided you with our opinion concerning Plum Creek Maine Timberlands, L.L.C. and Plum Creek Land Company's (collectively, "Plum Creek") ownership in the Concept Plan Area. We have done a preliminary review of the titles since we submitted our April 27, 2006 opinion. Based on our review and inquiries to Plum Creek, there have been three outconveyances. The first outconveyance was approximately 140 acres; the deed is attached as Exhibit A. The second outconveyance was for approximately 31 acres; the deed is attached as Exhibit B. The third outconveyance was for approximately .4 acres; the deed is attached as Exhibit C.

This opinion letter may be relied upon by you in connection with Plum Creek's Petition for Rezoning. It may not be used or relied upon by you or any other person for any other purpose whatsoever, without in each instance our prior written consent.

Sincerely yours,



PRETI, FLAHERTY, BELIVEAU &  
PACHIOS, LLP

VED:pjn  
Attachments

1217588.1

**Preti Flaherty Beliveau & Pachios LLP** Attorneys at Law

45 Memorial Circle | Augusta, ME 04330 | TEL 207.623.5300 | FAX 207.623.2914 | Mailing address: P.O. Box 1058 | Augusta, ME 04332-1058

## **EXHIBIT A**

File No. 560-5.06-1310

**QUITCLAIM DEED WITH COVENANT**  
(Maine Statutory Short Form)

KNOW ALL BY THESE PRESENTS, that PLUM CREEK MAINE TIMBERLANDS, L.L.C., a limited liability company organized and existing under the laws of the State of Delaware and having an address of 999 Third Avenue, Suite 4300, Seattle, Washington 98104, for consideration paid, GRANTS to FERNANDO A. CANDELORO and MARIE A. CANDELORO, husband and wife as joint tenants with right of survivorship, whose address is 3424 Lily Bay Road, Greenville, Maine 04441 ("Grantee"), with QUITCLAIM COVENANTS, all that certain real estate located in Smithtown Township, County of Piscataquis and State of Maine, which is more particularly described in Exhibit "A" attached hereto and made a part hereof (the "Property").

TO HAVE AND TO HOLD the same, together with all rights, easements, privileges and appurtenances thereunto belonging, to the Grantee, their heirs, personal representatives, successors and assigns forever.

The Property is conveyed subject to real estate taxes and assessments not yet due and payable; and

SUBJECT FURTHER TO an easement in the public for any public roads heretofore laid out or established and now existing over, along or across any portion of the Property; and to all additional easements, reservations, restrictions, encumbrances and water rights, if any, apparent or of record; and further

SUBJECT TO Grantee's acknowledgement and agreement that any application for subdivision or change in use and any application filed with the Maine Land Use Regulation Commission, relating to all or any portion of the Property, prior to the third anniversary of recording this deed, must first meet the precondition's described in the Real Estate Purchase and Sale Agreement dated May 22, 2006, as amended by Amendment No. 1 dated June \_\_, 2006. Failure of this condition precedent shall entitle Grantor to exercise all remedies in law or equity, specifically including but not limited to enjoining Grantee from pursuing such application. Grantee agrees to inform any potential buyer of the Property of this restriction. This covenant shall run with the Property until the third anniversary of recording this deed.

The Property is a portion of the real estate conveyed to Grantor herein pursuant to deed recorded in Book 1165, Page 34, records of Piscataquis County, Maine.

ME REAL ESTATE TRANSFER  
TAX PAID

Jensen Band Hardware + Heavy  
Co. Box 4510  
Portland 04112

IN WITNESS WHEREOF, PLUM CREEK MAINE TIMBERLANDS, L.L.C.  
has caused this instrument to be executed on its behalf by its duly authorized undersigned  
representative, this 14<sup>th</sup> day of June, 2006

GRANTOR:

PLUM CREEK MAINE TIMBERLANDS, L.L.C.

By Thomas M. Lindquist  
Thomas M. Lindquist,  
Executive Vice President

Attest:

By Kathleen S. Sims  
Kathleen S. Sims, *Authorized Rep.*  
~~Director, Real Estate Law~~

GRANTEE:

We have read the foregoing and understand and accept the terms described herein.

By Fernando A. Candeloro  
Fernando A. Candeloro

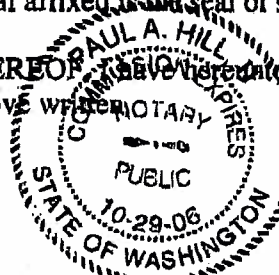
By Marie A. Candeloro  
Marie A. Candeloro

ACKNOWLEDGMENT

STATE OF WASHINGTON     )  
  )ss  
COUNTY OF KING         )

On this 14<sup>th</sup> day of June, 2006, before me personally appeared Thomas M. Lindquist and Kathleen S. Sims, to me known to be the Executive Vice President and the ~~Director, Real Estate Law~~ *authorized rep.*, respectively, of Plum Creek Maine Timberlands, L.L.C., the limited liability company that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said limited liability company for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument on behalf of the limited liability company and that the seal affixed is the seal of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal  
the day and year last above written



Paul A. Hill  
Notary Public in and for the  
State of Washington  
Residing at Renton  
My Commission Expires 10/29/06  
Paul A. Hill II



### ACKNOWLEDGMENT

STATE OF MAINE                    )  
  )ss  
COUNTY OF PISCATAQUIS        )

On this 23 day of June, 2006, before me personally appeared Fernando A. and Marie A. Candeloro, to me known to be the persons that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said persons for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Thomas W. Roberts  
Notary Public in and for the  
State of Maine  
Residing at Greenville  
My Commission Expires: 1/29/06  
Printed Name: Thomas W. Roberts

**N.P.  
SEAL**

## **EXHIBIT "A"**

### **Legal Description**

#### **T1 R13 WELS (Smithtown) Township, Piscataquis County, Maine**

A Tract of land being described in that certain survey recorded April 6, 2006 in Plan File No.2006, Page 17, records of Piscataquis County, Maine. Said survey is attached hereto as Exhibit "B".

TOGETHER WITH a permanent, non-exclusive easement in common with Grantor, its successors and assigns, along and across an existing roadway extending from Lily Bay Road in a Northeasterly direction to the Property and more particularly described below (the "Easement Grant"). The Easement Grant shall be subject to the terms, provisions, and conditions applicable to Grantee and its successors and assigns described on Exhibit "C" attached hereto and by this reference made a part hereof.

#### **The Easement Grant:**

A Sixty-six foot wide right of way and easement over an existing gravel road known as Silas Hill Road being along the Southerly boundary of the Property being conveyed in this transaction and being described as follows:

Beginning at a capped iron rebar set in the ground at the Southeast corner of the Property; Thence, South 13-53-31 West a distance of 212.12 feet to a point; Thence along a curve to the left having a radius of 475.00 feet and an arc length of 408.21 feet to a point, said curve having a tie line of South 61-06-39 West a distance of 395.77 feet; Thence, South 36-29-26 West a distance of 184.91 feet to a point; Thence, along a curve to the right having a radius of 475.00 and an arc length of 545.77 feet more or less to the Northerly bound of Lily Bay Road.

Grantor does not convey to Grantee any other easement for access, utilities or any other purpose except as expressly provided herein, and Grantee hereby waives any claim, now or in the future, for any easement by implication, necessity or estoppel, except as expressly set forth herein. The terms and conditions stated herein shall be binding upon and insure to the benefit of the respective successors and assigns of the parties.



## EXHIBIT "C"

Piscataquis County, Maine

### Terms, Provisions, and Conditions of the Easement Grant:

1. Purpose. The Easement Grant described herein is for ingress, egress, and reconstructing, maintaining, repairing, and using existing roads for all lawful purposes over, upon, along and across said easement and right of way.
2. Relocation. Grantor reserves unto itself and to its successors and assigns the right at its expense to relocate said road(s) subject to the condition that, except for distance and curvature, such relocated roadway provides the same type and quality of unpaved roadway as may be established and maintained at the time of such relocation.
3. Road Crossing. Grantor and its successors and assigns, reserves the right at all times and for any purpose to go upon, across and recross, at any place on grade or otherwise, said right-of-way road in a manner that will not unreasonably interfere with the rights granted hereunder.
4. Third Parties. Grantor may grant to third parties, upon such terms as it chooses, access rights over the Easement Grant; provided, that use by such third party shall be subject to the terms and conditions of this easement and shall not unreasonably interfere with the rights granted hereunder.
5. Road Damage. Grantee shall repair or cause to be repaired at its sole cost and expense that damage to said road caused by Grantee and/or its Permittees.
6. Construction and Improvement. Unless the parties hereto agree in writing to share the cost of improvements to said roads in advance of such improvements being made, said improvements shall be solely for the account of the improver. Grantee must submit to Grantor road Specifications and Standards to be approved by Grantor, prior to construction of or reconstruction of any roadway. All road construction or reconstruction must conform to Maine Best Management Practices and the provisions of the Sustainable Forestry Initiative.
7. Right-of-Way Timber. Grantor reserves to itself all timber now on or hereafter growing within said right-of-way. Grantee shall have the right to cut timber upon the premises to the extent necessary for constructing, reconstructing, and maintaining the roads. Timber so cut shall be cut into logs of lengths specified in advance by Grantor and decked along the road for disposal by the Grantor.
8. Exercise of Rights. Grantee may permit its contractors, licensees, lessees, purchasers of timber and other valuable materials, and their agents, hereinafter individually referred to as "Permittee" and collectively referred to as "Permittees," to exercise the rights granted to it herein.

9. Insurance. Before using said Easement Grant for commercial purposes, Grantee, or its permittees shall obtain and, during the term of such use, maintain a policy of liability insurance. Coverage requirements shall be as follows:

(a) A policy of Commercial General Liability Insurance to include limits of \$1,000,000 combined single limit Bodily Injury and Property Damage each occurrence. Extensions of coverage to include Contractual Liability, Broad Form Property Damage, Completed Operations, Cross Liability and Pollution arising out of heat, smoke or fumes from a Hostile Fire. Additionally, the policy shall not exclude X, C or U (Explosion, Collapse or Underground.)

(b) Automobile Liability insurance with minimum limits of \$1,000,000 per occurrence combined single limit Bodily Injury and Property Damage coverage. Coverage shall extend to all owned, hired or non-owned vehicles.

(c) The policies specified in (a) and (b) above shall include an endorsement which shall name the other party as additional insureds on a primary basis for the duration of the contract term. The additional insured endorsement must be ISO CG20 10 11 85 (or other form with like wording) or Contractor must maintain completed operations coverage with additional insured extension for a period of two (2) years after completion and acceptance of the work performed.

(d) The policies specified in (a), (b), and (c) above shall include an endorsement which shall provide that Grantor will be given a 30-day written notice prior to cancellation or material change in the policy.

(e) All liability coverages must be on an "occurrence" basis as opposed to "claims made."

Prior to commencement of commercial operations, each party or its contractor or Permittee shall furnish to Grantor a certificate of insurance, dated and signed by the stated, authorized agent for the insuring company or companies, containing a representation that coverage of the types listed above is provided with the required limits and the stated endorsements.

(f) In addition to the above requirement for commercial operations, all persons using said easement and right-of-way for any purpose shall obtain and maintain a policy of Automobile Liability Insurance in a form generally acceptable in the State of Maine and customary in the area of said right-of-way.

10. Indemnification. Grantee shall assume all risk of, and indemnify and hold harmless, and at Grantee's expense defend Grantor from and against any claims, loss, cost, legal actions, liability or expense on account of personal injury to or death of any persons whomsoever, including but not limited to employees of Grantor, or damage to or destruction of property of Grantor, or any fire, resulting partly or wholly, directly or indirectly from Grantee, its customers or Permittees; provided, however, that Grantee's undertaking herein contained shall

not be construed as covering personal injury to or death of persons, or damage to or destruction of property resulting from the sole negligence of Grantor.

11. Liens. Grantee shall keep Grantor's property free from liens arising in any manner out of the activities of itself and shall promptly discharge any such liens that are asserted.

12. Taxes. Grantee shall pay all taxes and/or assessments that may become chargeable against this easement, if separately assessed by statute. Grantee shall also pay for all damages including but not limited to timber, crops and grazing lands located within such easement or adjacent thereto arising out of the use or maintenance of this easement.

13. Termination. If Grantee determines that the road, or any segment thereof, is no longer needed, the easement traversed thereby shall terminate. The termination shall be evidenced by a statement in recordable form furnished by Grantee to Grantor or its successor(s) or assign(s) in interest.

14. Rights and Obligations. The rights and obligations hereunder shall inure to the benefit of and be binding upon the successors and assigns of the Grantee.

15. Governing Law. This Agreement shall be interpreted, construed and enforced according to the laws of the State of Maine.

## **EXHIBIT B**



File No. 560-5.06-3220

**QUITCLAIM DEED WITH COVENANT**  
(Maine Statutory Short Form)

KNOW ALL BY THESE PRESENTS, that PLUM CREEK MAINE TIMBERLANDS, L.L.C., a limited liability company organized and existing under the laws of the State of Delaware and having an address of 999 Third Avenue, Suite 4300, Seattle, Washington 98104, for consideration paid, GRANTS to FRANK L. LEROY and MARIE S. LEROY, husband and wife as joint tenants with right of survivorship, whose address is HCR 76 P.O. Box 592, Greenville, Maine 04441 ("Grantee"), with QUITCLAIM COVENANTS, all that certain real estate located in Shawtown Township, County of Piscataquis and State of Maine, which is more particularly described in Exhibit "A" attached hereto and made a part hereof (the "Property").

TO HAVE AND TO HOLD the same, together with all rights, easements, privileges and appurtenances thereunto belonging, to the Grantee, their heirs, personal representatives, successors and assigns forever.

The Property is conveyed subject to real estate taxes and assessments not yet due and payable; and

SUBJECT FURTHER TO an easement in the public for any public roads heretofore laid out or established and now existing over, along or across any portion of the Property; and to all additional easements, reservations, restrictions, encumbrances and water rights, if any, apparent or of record.

The Property is a portion of the real estate conveyed to Grantor herein pursuant to deed recorded in Book 1165, Page 17, records of Piscataquis County, Maine.

IN WITNESS WHEREOF, PLUM CREEK MAINE TIMBERLANDS, L.L.C. has caused this instrument to be executed on its behalf by its duly authorized undersigned representative, this 26th day of July, 2006

GRANTOR:

PLUM CREEK MAINE TIMBERLANDS, L.L.C.

By *Rick R. Holley*  
Rick R. Holley,  
President and CEO

Attest:

By *Sheri L. Ward*  
Sheri L. Ward,  
Assistant Secretary

CORP.  
SEAL

Jensen Baird Gardner & Henry  
PO Box 4510  
Portland 04112-4510

ME REAL ESTATE TRANSFER  
TAX PAID

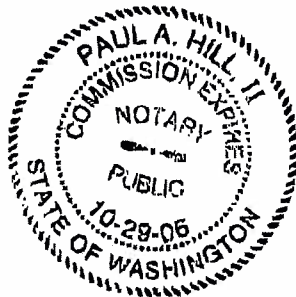


# ACKNOWLEDGMENT

STATE OF WASHINGTON     )  
                                  )ss  
COUNTY OF KING         )

On this 26th day of July, 2006, before me personally appeared Rick R. Holley and Sheri L. Ward, to me known to be the President and CEO and the Assistant Secretary, respectively, of Plum Creek Maine Timberlands, L.L.C., the limited liability company that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said limited liability company for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument on behalf of the limited liability company and that the seal affixed is the seal of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Paul A. Hill II  
Notary Public in and for the  
State of Washington  
Residing at Renton  
My Commission Expires 10/29/06  
Printed Name: Paul A. Hill II

EXHIBIT "A"

**Parcel of land to be conveyed to abutters  
Frank L. and Marie S. Leroy  
T1 R12 WELS and TA R 12 WELS, Maine**

A certain lot or parcel of land abutting land currently now owned by the Grantees situated in T1 R12 WELS and TA R12WELS (Shawtown), Piscataquis County, State of Maine being bounded and described as follows; to wit:

Beginning at a capped iron rebar set in the ground at the southeast corner of Area "A" being land now owned by Frank L. and Marie S. Leroy (reference deed Book 1496 Page 209);

Thence, along the southerly bound of Area "A" N 70-45-08 W a distance of 844.29 feet to a capped iron rebar set in the ground at the southwest corner of Area "A", said capped iron rebar also being along the normal high water of the stream from Second Roach Pond;

Thence, along the normal high water line of said stream the following courses:

N 27-52-45 E a distance of 25.45 feet to a point;

N 76-29-17 E a distance of 99.76 feet to a point;

N 21-48-56 E a distance of 54.52 feet to a point;

N 06-31-17 W a distance of 31.98 feet to a point along the southerly edge of an old dam abutment;

Thence, along the said old dam abutment S 60-36-47 E a distance of 157.34 feet to a point;

Thence, along the said old dam abutment N 48-44-45 E a distance of 37.31 feet to a point where the old dam abutment meets the old high water level of Second Road Pond, said point also being the southeast corner of Area "B" as shown on the above described plan;

Thence, along the southerly bound of Area "B" N 52-40-57 W a distance of 149.73 feet to a point;

Thence, across said outlet stream of Second Road Pond N 50-49-16 W a distance of 366.33 feet to a point;

Thence, S 76-36-45 W a distance of 674.88 feet to a point along the easterly bound of a sixty-six foot wide right of way and thirty-three feet approximately from the centerline of a gravel road;

Thence, the following courses along said right of way:

S 23-29-13 E a distance of 475.45 feet to a point;

S 28-09-56 E a distance of 587.49 feet to a point;

S 31-43-36 E a distance of 252.95 feet to a point;

S 51-02-19 E a distance of 148.46 feet to a point;  
S 80-45-37 E a distance of 434.33 feet to a point;  
S 70-17-39 E a distance of 78.95 feet to a point;  
S 56-00-25 E a distance of 103.24 feet to a point;

Thence, N 16-17-44 E a distance of 934.24 feet to the capped iron rebar set at the Point-of-Beginning. Area of the described parcel is 30.78+/- acres. Described within this area is 1.9+/- acres for the outlet stream from Second Roach Pond. All capped iron rebar set in the ground are 5/8 inch in diameter and have a red plastic cap scribed "JAMES E MOORE PLS 2281". The above described parcel of land is subject to any easements or right if any that may be had for the Yoke Pond Road, the Old Dam Abutments, and to the outlet stream from Second Roach Pond.

Reference to a survey plan entitled "Additional land to be conveyed to Frank L. and Marie S. Leroy" as surveyed by Pickett Land Survey Inc. dated June 26, 2006 and signed by James E. Moore III P.L.S. 2281.

## **EXHIBIT C**

File No. 560-5.06-9170

TRANSFER TAX PAID

**QUITCLAIM DEED WITH COVENANT**  
(Maine Statutory Short Form)

KNOW ALL BY THESE PRESENTS, that PLUM CREEK MAINE TIMBERLANDS, L.L.C., a limited liability company organized and existing under the laws of the State of Delaware, formerly known as SDW Timber II, LLC, and having an address of 999 Third Avenue, Suite 4300, Seattle, Washington 98104, for consideration paid, GRANTS to JOHN J. GALLANT JR., VERA F. GALLANT and TIMOTHY R. POMERLEAU, all as joint tenants with rights of survivorship, their heirs and assigns, whose address is 1850 Missleview Avenue, Merritt Island, Florida 32952, ("Grantee"), with QUITCLAIM COVENANTS, all that certain real estate located in the town of Taunton and Raynham, Somerset County, State of Maine, which is more particularly described in **Exhibit "A"** attached hereto and made a part hereof (the "Property").

TO HAVE AND TO HOLD the same, together with all rights, easements, privileges and appurtenances thereunto belonging, to the Grantee, their heirs and assigns forever.

The Property is conveyed subject to real estate taxes and assessments not yet due and payable; and

SUBJECT FURTHER TO an easement in the public for any public roads heretofore laid out or established and now existing over, along or across any portion of the Property; and to all additional easements, reservations, restrictions, encumbrances and water rights, if any, apparent or of record.

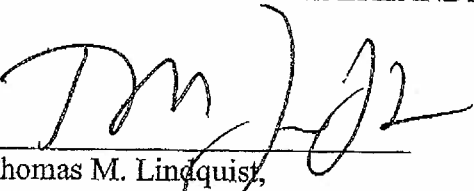
The Property is a portion of the real estate conveyed to Grantor herein pursuant to deed recorded November 9, 1998 in Book 2491, Page 40, records of Somerset County, Maine.

IN WITNESS WHEREOF, PLUM CREEK MAINE TIMBERLANDS, L.L.C. has caused this instrument to be executed on its behalf by its duly authorized undersigned representative, this 2nd day of January, 2007

GRANTOR:

PLUM CREEK MAINE TIMBERLANDS, L.L.C.

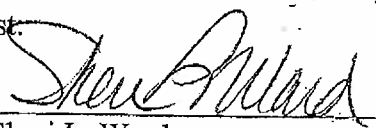
By

  
Thomas M. Lindquist,  
Executive Vice President

SEAL

Attest:

By

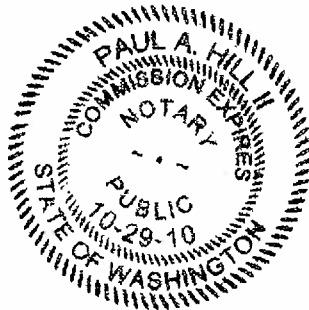
  
Sheri L. Ward,  
Assistant Secretary

## ACKNOWLEDGMENT

STATE OF WASHINGTON     )  
                                      )ss  
COUNTY OF KING         )

On this 2nd day of January, 2007, before me personally appeared Thomas M. Lindquist and Sheri L. Ward, to me known to be the Executive Vice President and the Director, Assistant Secretary, respectively, of Plum Creek Maine Timberlands, L.L.C., the limited liability company that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said limited liability company for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument on behalf of the limited liability company and that the seal affixed is the seal of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.




  
\_\_\_\_\_  
Notary Public in and for the  
State of Washington  
Residing at Renton  
My Commission Expires 10/29/2010  
Paul A. Hill II

EXHIBIT "A"

Doc #: 558  
-Bk: 3798 Pg: 283

A certain lot or parcel of land situated in the Town of Taunton and Raynham, Somerset County, State of Maine being bounded and described as follows to wit;

Beginning at a point at the southeast corner of the Grantee, John J. Gallant Jr. and Timothy R. Pomerleau (reference deed Book 2441 Page 26) said point also being the southwesterly corner of land now or formerly owned by Michael Witecy (reference Deed Book 1270 Page 307). Said point is also the southwesterly corner of Lot #11 of Brassua Lake lease area "D". Prepared by L.M. Crossman. Dated December 30, 1970 and is attached to the deed from Scott Paper Co. to Skylark Inc. (reference Deed Book 807 Page 976) and being S 33-42-08 E a distance of 100.00 feet from a "u" shaped pin found in the ground along the westerly bound of Witecy and the easterly bound of land of the Grantee;

Thence, along land to be retained by the Grantor, S 31-26-23 E a distance of 18.00 feet to a capped iron rebar set;

Thence, along land to be retained by the Grantor, S 31-26-23 E a distance of 132.00 feet to a capped iron rebar set;

Thence, along land to be retained by the Grantor, S 54-48-24 W a distance of 111.00 feet to a capped iron rebar set;

Thence, along land to be retained by the Grantor, N 31-42-08 W a distance of 150.00 feet to a capped iron rebar set at the southeasterly corner of Lot #13 now or formerly owned by Edward & Gloria Bruce (reference Deed Book 1004 Page 69).

Thence, N 54-49-43 E a distance of 111.68 feet to the point at the Point of Beginning.

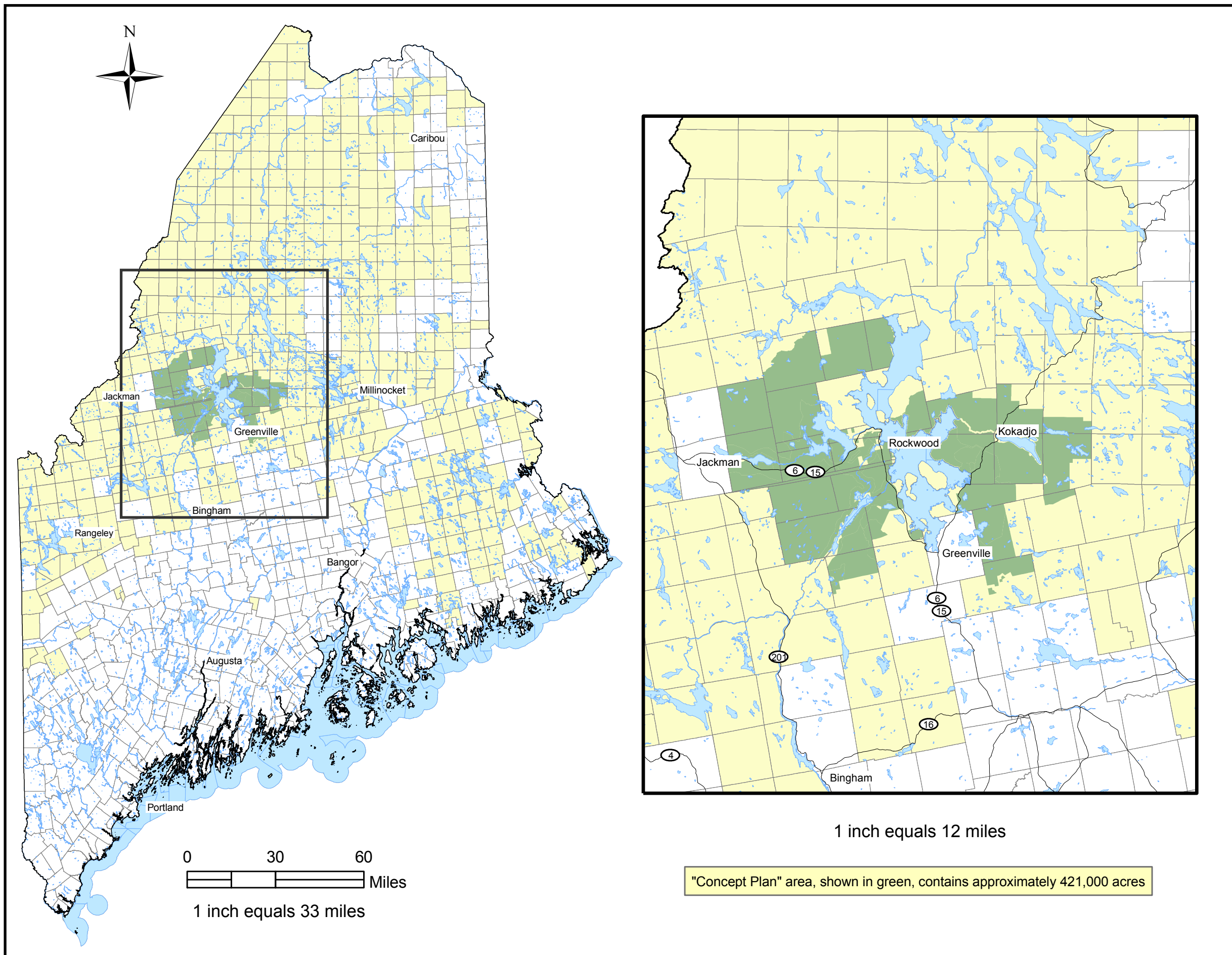
Area of the described parcel is 0.38 acres. All capped iron rebar set are 5/8 inches in diameter and have a red plastic cap scribed James E. Moore PLS #2281. Bearings have been rotated to an observed magnetic north. Reference to a survey plan entitled "Parcel of land to be conveyed to John J. Gallant Jr. and Timothy R. Pomerleau" as surveyed by Pickett Land Survey Inc. dated November 13, 2006. The above described parcel of land is subject to certain right over the existing gravel road as used by other lot owners and to utility lines that exists over the above described parcel of land. Meaning and intending to describe an addition of land abutting southerly of lot #12 of the above referenced plan.

Received  
Recorded Register of Deeds  
Jan 16 2007 09:56:49A  
Somerset County  
Diane M Godin

***Exhibit C***

**Location Map**





Petition for Rezoning

**Concept Plan Location**

**CONCEPT PLAN**  
for  
**PLUM CREEK'S**  
**LANDS**  
in the  
**MOOSEHEAD LAKE REGION**

- Legend**
- Plum Creek Ownership Subject to Concept Plan
  - Rivers - Lakes - Ponds
  - Major Road
  - Town lines
  - LURC Jurisdiction

***Exhibit D***

**On-Site Soils Mapping**

**PLUM CREEK LAND COMPANY  
SOIL INVESTIGATION SERVICES  
SOILS MAPPING AND EVALUATION  
MOOSEHEAD LAKE REGION, MAINE**

**03-0466.4    APRIL 19, 2007**

## **EXECUTIVE SUMMARY**

S. W. COLE ENGINEERING, INC. assessed the feasibility of the proposed Plum Creek Concept Plan area in accordance with soil suitability guidelines set forth by the Maine Land Use Regulation Commission (LURC). We used a combination of methods to determine suitability: detailed field mapping, verification of Natural Resources Conservation Service (NRCS) mapping, and analysis of existing NRCS mapping. In general, our detailed mapping revealed a higher percentage of soils suitable for development than shown with NRCS mapping. In addition, we were able to delineate small inclusions of soils not shown in NRCS mapping.

Based on our work, seven of the nine areas proposed as development zones are dominated by soils suitable for development. Where areas are not dominated by suitable soils, unsuitable soils can be avoided during the subdivision design process. Where unsuitable areas cannot be avoided, we have identified corrective measures to mitigate soil limitations. We understand the Concept Plan will restrict development to only those areas suitable for development.

Soils in the areas proposed as development zones are dominated by moderately well drained and somewhat poorly drained deep loamy or silty glacial tills. At higher landscape positions, ridge tops and knobs, slopes are more steep, soils are shallow to moderately deep, somewhat excessively to well drained glacial till soils. At middle landscape positions, soils are moderately deep to deep, and well to moderately well drained and slopes tend to be more moderate. Most development areas also have drainage features, areas of nearly level slope, where soils are somewhat poorly to poorly drained.

On areas that are dominated by soils unsuitable for development, we understand that unsuitable areas will be avoided and proposed development will be restricted to soils with high and medium suitability for development during the subdivision design process. Where unsuitable soils cannot be avoided, roads, buildings and associated improvements should be designed to minimize alteration of the natural hydrology.

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METHODOLOGY.....	4
EXPLORATIONS AND INVESTIGATIONS .....	5
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### Appendix A – Limitations

Exhibit 1 – Soil Suitability Maps

Exhibit 2 – Soil Potential Ratings for Low Density Development in the Unorganized Area of  
Maine (pgs. 1-19)

Exhibit 3 – Soil Potential Ratings

Exhibit 4 – Typical Low Density Development Area Footprint

Exhibit 5 – Site Photographs

Table 1 - Summary of Findings/Summary of Soil Suitability Ratings, Soil Limitations and  
Corrective Measures by Development Area

Table 2 - Summary of Soil Suitability Ratings by Development Area



• Geotechnical Engineering • Field & Lab Testing • Scientific & Environmental Consulting

03-0466.4

April 19, 2007

Plum Creek Land Company  
Attention: Mr. Luke Muzzy  
P.O. Box 297  
Greenville Jct., ME 04442

Subject: Plum Creek Land Company  
Soil Investigation Services  
Soils Mapping and Evaluation  
Moosehead Lake Region, Maine

Dear Mr. Muzzy:

As requested as a part of our ongoing soil investigation services, we conducted preliminary soil and wetland investigations on potential development areas identified on Sheets 1-11 of a Concept Plan for Plum Creek's Land in the Moosehead Lake Region provided by DeLuca-Hoffman Associates. The purpose of our investigations was to evaluate the suitability of soils for subsurface wastewater disposal and low density residential or commercial development through on-site soil investigations and evaluation of published soil mapping.

Sheets 1-11 in Exhibit 1 contain color coded suitability maps. These maps are based on U.S. Department of Agriculture, Natural Resource Conservation Service (NRCS) Class D – Medium Intensity Soil Maps and detailed soil mapping on selected areas by S. W. COLE ENGINEERING, INC. for approximately 408,000 acres owned by Plum Creek in the Moosehead Lake Region. A Summary of our Findings and a Summary of Soil Type Potential Ratings, Soil Limitations, and Corrective Measures are shown in Table 1. Table 2 is a Summary of Soil Suitability Ratings by percentage and acreage for each proposed development area.

This report is subject to our limitations attached in Appendix A.

## **PURPOSE OF INVESTIGATIONS**

The purpose of our investigation was to assess the feasibility of the proposed Plum Creek Concept Plan development areas following Maine Department of Conservation Land Use Regulation Commission (LURC) standards.

## **FEASIBILITY OF DEVELOPMENT**

As directed under Chapter 10, Section 10.25, G.2 of the standards, evaluation of potential development areas is based on the NRCS guidance document Soil Potential Ratings for Low Density Development in the Unorganized Area of Maine (2004) (Exhibit 2). A determination of soil suitability is based on soil potential ratings established for the soil map units and soil types described in this document. As directed by LURC, a soil with a low or very low development potential rating shall not be developed unless the Commission determines that adequate corrective measures will be used to overcome the limitations that resulted in a low or very low rating. Table 1 summarizes the major soil limitations and typical corrective measures for soils with low or very low potential for development in the areas of investigation. A summary of our evaluation of feasibility for development of the various development areas is found under the Findings section of this report.

According to LURC standards, an area can be considered feasible for development by meeting one of the following two options:

1. Soil potential ratings are high or medium for the proposed use as defined by NRCS, or
2. Soils potential ratings are low or very low, but adequate corrective measures are taken to overcome those limitations to the satisfaction of the Commission.

Where the first option cannot be met, we have presented or identified typical soil limitations and corrective measures for those limitations in Table 1.

Also included in our evaluation of development feasibility are recommendations from Mr. David Rocque, the State Soil Scientist for the Maine Department of Agriculture, who is the Lead Soils Reviewer for this project. Based on discussions with Mr. Rocque at a

March 13, 2007 meeting, we understand feasibility of development will be evaluated using the following two parameters:

1. Is the zone in question generally suitable for development? Put another way, is the zone dominated by more than 50% suitable soils for development? Suitable being defined as soils with medium or better potential for development as rated by NRCS (see Exhibit 3).
2. If the zone is not dominated by suitable soils, then what other specific information will the applicant provide to overcome the soil limitations?

For the purposes of this project, a rating system for soil feasibility for development was developed in coordination with David Rocque. The feasibility of development ratings take into consideration NRCS soil potential ratings, LURC soil suitability guidelines, our knowledge of the proposed project areas and soil characteristics. Suitability ratings are correlated to NRCS soil potential ratings in Exhibit 3.

### **SOIL POTENTIAL**

As is outlined in the NRCS guidance document Soil Potential Ratings for Low Density Development in the Unorganized Area of Maine (2004) soil potential ratings are based on the cost of overcoming limiting soil properties (construction costs) and costs to overcome continuing limitations (maintenance costs). These ratings are relative to a soil in the area that is determined to have the least limitations, and is best suited for development.

A soil type or map unit with a very low rating is not necessarily impossible to use; it would be most costly to develop. Conversely, a soil with a high rating is typically less expensive to develop and more feasible for development. Refer to pages 16 to 19 of the NRCS document for a detailed explanation of this rating system.

Based on NRCS Soil Potential Ratings as is shown in Table 1, many of the soil associations and complexes on NRCS published soil mapping have one or more soils that may have very low to low potential for development. Exhibit 3 outlines the criteria used to develop soil suitability ratings for map units with more than one soil type.



## **METHODOLOGY**

Our assessment of the feasibility of the proposed development was accomplished through a combination of methods. S. W. COLE ENGINEERING, INC. performed detailed field mapping on a portion of the proposed development areas. Detailed field mapping was prioritized to areas with high development potential. Where detailed field investigations were not possible, we field-verified NRCS published soil maps of the proposed development areas. Finally, in areas where neither detailed mapping nor field verification of NRCS Soil Survey Maps was possible, we used existing NRCS soils data to determine the feasibility of development in the project areas.

### **Detailed Soil Mapping**

Our detailed field investigations consisted of traversing proposed development areas, excavating and describing test pits, and identifying wetland boundaries. This mapping was conducted at Class B intensity on isolated areas such as potential vernal pools, selected wetlands, and on upland bench areas, and at Class C on all other areas. The Class B areas were mapped at a 1/8- to 1/2-acre minimum size delineation and Class C at 1 to 5-acre minimum size delineation. This investigation was conducted, compiled and reported in general accordance with guidelines described in the Guidelines for Maine Certified Soil Scientists for Soil Identification and Mapping (2004) for a Class B to C High to Medium High Intensity Soil Survey and Version 3 of the Field Indicators for Identifying Hydric Soils in New England (2004). The conclusions and recommendations presented in this report are based in part upon the data obtained from the areas explored.

On most areas where detailed field investigations were not conducted, we verified the published NRCS Soil Survey Maps. Our verification of NRCS published soils mapping was completed by traversing the area and comparing on-site soils to the published soil survey mapping. For our field investigations, all test pit locations, wetland boundaries encountered, and other site features were located onto a base plan using a Trimble GPS Pro XR or GEOXT receiver with sub-meter accuracy. In general, our detailed mapping revealed a higher percentage of soils with high to medium soil suitability for development than NRCS mapping. Also, our detailed mapping identified and delineated small areas of dissimilar soils that are inclusions in NRCS mapping. A good example of this is the detailed mapping shown on the soil suitability map for Moose Bay Village.

**Published Soil Maps**

In addition to on-site field work, we reviewed NRCS published soil maps for most of the development areas, which included Somerset and Piscataquis Counties. NRCS published soil maps are Class D soil surveys. In Somerset and Piscataquis Counties, soil mapping is at a 1" = 5280' scale where the minimum map unit size is 40 acres or more. That is, at the scale of mapping, the smallest map unit that can be shown on a map is about 40 acres.

NRCS describes the purpose of the published soil mapping "to assist land owners, state planners, developers, engineers, and others in their planning activities." In addition, NRCS states "soil maps should only be used for general planning purposes. This is because the smallest map unit delineated is commonly 16 to 40 acres and is composed of two or three soil types due to the scale of mapping."

Based on NRCS Soil Potential Ratings as is shown in Table 2, some development areas have a significant percentage of soils with low suitability for development. However, even on areas that are dominated by soils with low suitability, a small percentage of soils with medium or high potential soils can provide a development area footprint, or building envelope, large enough to support 1 acre lots with a well planned lot layout. For example, a soil map unit with inclusions of only 15 percent medium to high potential soil could support development of 1 acre lots using a typical development footprint (building envelope) of 6,550 square feet shown in Exhibit 4. Exhibit 4 illustrates how a suitable building site with only about 6,500 square feet of medium to high potential soils can easily accommodate a typical 1 acre lot and building envelope. In addition, on published NRCS soil mapping at a Class D scale, areas as large as 16 to 40 acres of suitable soils can occur in areas rated as having low suitability for development.

**EXPLORATIONS AND INVESTIGATIONS**

We have been conducting ongoing field investigations since the spring of 2004. During that time, we have collected several thousand data points ranging from landscape and test pit descriptions to site features such as rock outcrops, steep slopes, and wet areas. On June 22, 2004, July 06 and 07 and September 28 and 29, 2005, and November 02, 03

and 14, 2006, we conducted site visits with Dave Rocque of the Maine Department of Agriculture to review general soil suitability for development.

## **FINDINGS**

Soils in most of the proposed development areas are dominated by the moderately well drained and somewhat poorly drained deep fine grained glacial till Chesuncook and Telos series. At higher landscape positions, ridge tops and knobs, slopes are more steep, soils are typically shallow to moderately deep, somewhat excessively to well drained glacial till Elliottsville and Monson soils. At middle landscape positions, soils are typically moderately deep to deep, and well to moderately well drained Chesuncook and Elliottsville soils and slopes tend to be more moderate. Most development areas also have drainage features, areas of nearly level slope, where soils are somewhat poorly to poorly drained Telos and Monarda series.

Some areas such as Upper Wilson Pond and Beaver Cove are dominated by coarse grained glacial till ranging from the very deep well drained Marlow soil on ridge top and slopes; the very deep and moderately well drained Dixfield at mid to lower slopes; very deep and somewhat poorly drained Colonel on toe slopes; and very deep poorly drained Brayton in lower flat or concave position.

Of lesser extent are the very shallow well drained organic Ricker soils on bedrock controlled ridges on the north side of Long Pond and the deep well drained Danforth soils on the South Shore of Long Pond.

Also observed are the very deep somewhat excessively well drained Masardis soil in sandy glaciofluvial deposits in the Brassua Lake area and the south side of Long Pond and the very deep well drained Berkshire soil in the Upper Wilson Pond area.

Of very limited extent and only the north slopes of Big Moose Mountain in the Big Moose area are the very deep somewhat poorly drained Daigle soils that are derived from clayey glacial till.

The following is a brief description of our findings for each proposed development area. Soil potential ratings discussed for each development area are based on Soil Potential Ratings for Low Density Development in the Unorganized Area of Maine (2004) by the NRCS. A copy of this document is included as Exhibit 2. Our findings are organized by development area with brief descriptions of selected areas where we conducted detailed soil mapping. Our findings are summarized below.

## **Long Pond**

### **Feasibility for Development**

Based on evaluation of published NRCS mapping of the North and South Shore areas, the proposed development area is dominated by soils with medium to high suitability for development (70%, approximately 1,137 acres).

### **General Soil and Site Conditions**

#### **Northeast and Northwest Shores**

The shoreline in this area is generally gently sloping and dominated by uplands. Except for a few narrow drainages, access to the shore is across gently sloping bouldery uplands (see photo #1 in Exhibit 5) and the shore typically has deep water. The area consists of nearly level to strongly sloping Telos and Chesuncook soils. Areas of Monarda soils occur mostly in drainages. There are several areas, mostly on the extreme western and eastern sides of the site, where Ricker soils, large rock outcrops or very bouldery areas occur. Areas of Monarda soils occur in drainages. Monarda soils have very low potential for development and are associated with wetlands. In general, the area has a medium potential for low density residential development and subsurface wastewater disposal systems.

#### **Southeast Shore**

Detailed investigations were not conducted on proposed shoreland development area, South Shore. According to NRCS, soils on the ridges are Danforth, which have high potential for low density residential development and subsurface wastewater disposal systems. Overall, the site is dominated by Telos and Elliottsville soils. Elliottsville soil

has medium potential and Telos soil has low potential for the proposed use. There are some glaciofluvial deposits that are dominated by Masardis soils. There are some wet areas and shallow soils on the east side of this proposed area that have very low potential for development.

### **Southwest Shore**

Detailed investigations were not conducted on this area. Based on NRCS soil mapping, the area is dominated by the Danforth soil with Monarda soils on the east side. Danforth soils have high potential for the proposed use. Monarda soils have very low potential for the proposed use.

## **Brassua Lake**

### **Feasibility for Development**

Based on evaluation of S. W. COLE ENGINEERING, INC. detailed mapping in the north half of South Peninsula and NRCS mapping in the south half, the proposed development area is dominated by soils with medium to high suitability for development (62%, approximately 1,822 acres).

### **General Soil and Site Conditions**

#### **Brassua Lake South Peninsula & Northeast Shore**

The shore is generally gently sloping and dominated by uplands. Except for a few narrow drainages, access to the shore is across gently to strongly sloping bouldery uplands (see photo #2 in Exhibit 5). The shore typically has shallow water. The area is dominated by a series of bedrock controlled ridges with east-west trends. The northwestern headland is a 20 foot to 40 foot ledge escarpment with its base at the lake. The northerly portion of the peninsula generally slopes to the north and east from its high point adjacent to the headland to the lake. The soils at the top are strongly sloping Elliottsville and Monson, becoming deeper Chesuncook soils as slopes moderate. Foot slopes are generally strongly to gently sloping, with Chesuncook and Telos soils, or

Monarda in the lowest spots. Drainages are controlled by the general bedrock strikes and associated seeps or depressional features.

Chesuncook and Elliottsville soils have medium potential, Monson low potential, and Monarda very low potential for development.

## **Rockwood/Blue Ridge**

### **Feasibility for Development**

Based on evaluation of published NRCS mapping, the proposed development area is dominated by soils with medium to high suitability for development (81%, approximately 3,178 acres).

### **General Soil and Site Conditions**

Overall, the area, at its highest topographic points, is connected by a series of bedrock controlled knobs with a northeasterly trend and associated benches. The area is strongly sloping with Elliottsville and Monson soils along the ridge crest, and strongly to gently sloping Chesuncook soil on the lower slopes. This transitions into a strongly to gently sloping Chesuncook or Telos soil. The lowest areas have gently sloping to nearly level Monarda soil and associated wetland areas. Chesuncook and Elliottsville soils have medium potential, Telos and Monson low potential, and Monarda very low potential for development. The following information is from detailed mapping of selected areas:

### **Rockwood Village**

This area is located along the lower slope on the north side of Blue Ridge and has northwesterly orientation toward Brassua Lake. The area is strongly to gently sloping Telos and Chesuncook soils. Lower slopes become gently sloping to nearly level, deep, somewhat poorly drained Telos to Monarda soils associated with drainage features. Low areas contain Burnham soils that are usually associated with wetland areas.

**Brassua Lake Southwest Shore**

This area is located along the lower slope on the north side of Blue Ridge and has northerly orientation toward Brassua Lake. It is strongly sloping with deep, moderately well drained Chesuncook to somewhat poorly drained Telos soils. Lower slopes, where they become gently sloping, or areas associated with drainage features are deep, somewhat poorly drained Telos or poorly drained Monarda soils.

**RTE 6/15 Corridor****Feasibility for Development**

Based primarily on an evaluation of NRCS mapping, with the exception of an area of detailed mapping on Moosehead Lake in Sapling TWP, the proposed area is not dominated by soils with medium to high suitability for development (44%, approximately 1,392 acres). When we exclude those areas that are already zoned as P-WL (Wetland Protection Zone) and LURC Jurisdictional Wetlands, about 59% of the non-wetland areas are suitable for development. Limitations associated with the low potential soils in this area can be overcome by avoiding wet areas. An exception to this could be the existing access road to the Sapling TWP area which crosses several narrow wetlands. Table 1 summarizes how limitations to wetness can be overcome for these soils.

**General Soil and Site Conditions**

Overall, this area is dominated by Telos and similar soils. Soils higher on the landscape are typically Chesuncook. Low areas are Monarda. Chesuncook soils have medium, Telos has low, and Monarda has very low potential for development.

**Sapling TWP (Proposed D-RS3M Zone)**

Detailed mapping was conducted in this area. The upland portion of the site adjacent to Moosehead Lake is dominated by gently sloping Chesuncook and Telos soils. There are narrow areas of wetter soils adjacent to the shoreline with some wetlands associated with lower areas. Access to the shore typically requires crossing a narrow band of wetlands between an ice berm and the upland slope (see photo #3 in Exhibit 5). The shore typically has shallow water. In these areas, Monarda and Burnham soils

occur. In general, the northern and easterly portions of the site are wetter and have the lowest potential for development. Chesuncook soils have high suitability and Telos soils have medium to low suitability for development.

## **Big Moose Mountain Village Resort**

### **Feasibility for Development**

Overall, based on a combination of detailed and NRCS mapping, this area is dominated by soils that have high or medium suitability for development (51%, approximately 1,946 acres). Some areas, such as Big Moose Mountain, Burnham Pond, Indian Pond Shoreline and Deep Cove, have detailed mapping that shows large areas which are suitable for development. Based on NRCS mapping, other areas outside probable development areas are dominated by soils with low to very low suitability for development.

### **General Soil and Site Conditions**

#### **Big Moose Mountain**

This area consists of glacial till slopes directly north of Big Moose Mountain. On the northeast side of the mountain, the upper slopes are strongly sloping Daigle and Aurelie soils. On the northwest side of the mountain, slopes are strongly to gently sloping with Marlow to Dixfield soils. These areas also have inclusions of Elliottsville and Monson soils. The lowest areas, associated with drainages, have gently sloping to nearly level Aurelie and Monarda soils.

#### **Burnham Pond South Shore**

This area is characterized by gently to strongly sloping Telos and Chesuncook soils. Access to the shoreline in most areas requires crossing a very narrow area of wetland that occurs between the ice berm and the toe of upland slopes (see photos #4 and #5 in Exhibit 5). The shore is generally shallow water. This area has medium potential for low density residential development and subsurface wastewater disposal systems. Significant wet areas were observed on the west and east shore areas.



**Burnham Pond North Highlands**

This area is a bedrock controlled ridge with associated benches that trends northwest/southeast. Access to the shoreline in most areas requires crossing a very narrow area of wetland that occurs between the ice berm and the toe of upland slopes (see photos #4 and #5 in Exhibit 5). The shore is generally shallow water. The area is dominated by strongly to gently sloping Elliottsville and Chesuncook soils. Wetter soils occur on the west and east shore areas.

**Indian Pond Northeast Shoreline**

This area is generally a series of low undulating bedrock controlled ridges trending northerly. Soils along the shoreline are generally dominated by uplands with few narrow wet soils in drainages and narrow wetlands. Access to the shore is across gently to strongly sloping bouldery uplands (see photo #6 in Exhibit 5). The shore typically has deep water. Soils on the tops of the low ridges are strongly to gently sloping Elliottsville and Monson soils. Side slopes are strongly sloping Elliottsville to Chesuncook soils.

The intermediate areas between the ridges act as drainages and contain the transition from non-hydric to hydric soils. Where slopes moderate to gently sloping, soils are Telos or Monarda soils, which occur along the pond shoreline and drainages. In local depressional areas of level and nearly level slope are Burnham soils, associated with wetland.

**Deep Cove**

The area is dominated by a bedrock controlled ridge with a northeast-southwest orientation, which slopes on the east toward Moosehead Lake and on west toward Route 15. The shoreline was not investigated in this area. The west side of the ridge is strongly to gently sloping Elliottsville and Monson soils. Mid slope soils are gently sloping Chesuncook to Telos soils. Lower slopes become gently sloping to nearly level Telos to Monarda soils associated with drainage features. Where natural depressions occur, Burnham soils are usually associated with wetland areas.

## **Moose Bay Village**

### **Feasibility for Development**

Based on a combination of S. W. COLE ENGINEERING, INC. detailed mapping and published NRCS mapping, the proposed development area is dominated by soils that have medium and high suitability for development (60%, approximately 732 acres).

### **General Soil and Site Conditions**

The area, at its summit, is a bedrock controlled landform with associated benches. The area consists of lodgment and recessional glacial till. Soils are strongly to gently sloping Elliottsville and Chesuncook soils. There are extensive gently sloping Elliottsville and Monson soils. Large inclusions of a Chesuncook soil exist on the ridge top area. Several well defined drainage features are present and consist of Monarda or similar soils.

The southern and southwestern slopes are steep to very steep with Marlow, Dixfield, or Lyman soils.

The western slopes are steep to moderately steep with Chesuncook to Elliottsville soils. The upper section of the north slope has Chesuncook and Elliottsville soils that are strongly sloping, becoming steep to moderately steep Elliottsville and Monson soils.

The lower slope on the north side is strongly sloping Chesuncook to Telos soil. Also observed are Telos and Monarda soils in associated drainage wetland areas.

There is an area along the northern portion of shore that is generally gently sloping and upland. Access to the shore is across gently to strongly sloping bouldery uplands. The shore typically has deep water. Some low areas have narrow wetlands along the shoreline.

## **Lily Bay Township**

### **Feasibility for Development**

Based primarily on S. W. COLE ENGINEERING, INC. detailed mapping, with some areas of NRCS mapping, the proposed Resort, Growth, and Highlands areas are not dominated by soils suitable for development (43%, approximately 1,894 acres). When we exclude those areas that are already zoned as P-WL (Wetland Protection Zones) and LURC Jurisdictional Wetlands, about 58% of the non-wetland areas are suitable for development. The limitations associated with the low potential soils in these areas can be overcome by avoiding wet, steep, or shallow to bedrock areas and proposing development only on the most suitable areas. Areas with very low potential can be avoided, except where existing access roads need to be utilized or the preferred alternative for new road construction is in wet, steep or shallow to bedrock areas. Table 1 summarizes how limitations will be overcome for each soil type.

### **General Soil and Site Conditions**

#### **Lily Bay (Proposed D-RS3M Zone)**

The general site topography of the area surveyed is a series of upland ridges interrupted by drainage features.

The soils within the project area are typically moderately sloping, moderately deep, well drained Elliottsville at the ridgetop, gently to moderately sloping Chesuncook soil along the sideslopes, grading into a moderately sloping Telos soils on the lower ridge slopes. The shoreline was not investigated in this area. The lowest drainage areas have nearly level to moderately sloping Burnham and Monarda soils, which are usually associated with wetland areas.

At the highest topographic point, there is a bedrock controlled knob and associated benches. Soils on the highest topographic positions are strongly sloping Elliottsville and Monson soils. The lowest areas have gently sloping to level Monarda soil and associated wetland areas.

**Lily Bay (Proposed D-RS2M Zone)**

At the highest topographic point, the area is intersected by a series of bedrock controlled knobs with a northerly trend and associated benches. Slope trends to be easterly or westerly. The area is strongly sloping Elliottsville and Monson soils along the ridge, a strongly to gently sloping Chesuncook soil on the lower slopes, grading into a strongly to gently sloping Telos soil. The lowest areas have gently sloping to nearly level Monarda soil and associated wetland areas.

**Lily Bay Resort (Proposed D-GN2M Zone)**

The area, at its highest position, is a bedrock controlled ridge and associated benches. The area has a southwest orientation. The general slope trend is from northeast to southwest. The soils are strongly to gently sloping Elliottsville and Monson soils in the higher elevation northeastern corner and a Chesuncook soil grading into a Telos soil in the southwestern area of the zone. Two large ridges along the south side are dominated by gently sloping Masardis or similar soils. Drainage features and level or nearly level base slopes contain Telos and Monarda soils, usually associated with wetland areas.

**Beaver Cove****Feasibility for Development**

Based on S. W. COLE ENGINEERING, INC. detailed mapping, this proposed development area is dominated by soils with high or medium suitability for development (91%, approximately 110 acres).

**General Soil and Site Conditions**

Detailed investigations were conducted on the proposed Beaver Cove development area. Soils range from gently to strongly sloping Colonel and Dixfield soils, which have low to medium potential for the proposed use. Of lesser extent are Lyman soils typically occurring on ridge tops. The southern portion of this area is dominated by steep slopes that will need to be avoided for the proposed use. Lyman soils have low potential for the proposed use.

## **Upper Wilson Pond**

### **Feasibility for Development**

Based on S. W. COLE ENGINEERING, INC. detailed mapping, the proposed development area is dominated by soils with medium to high suitability for development (79%, approximately 145 acres).

### **General Soil and Site Conditions**

The area is dominated by a bedrock controlled ridge which slopes on the north, west and south sides. Access to the shore is across gently to strongly sloping very bouldery uplands (see photo #7 in Exhibit 5). The shore typically has deep water. The east side of the ridge has a 20 foot to 40 foot ledge escarpment which, at its base, slopes east toward the Pond. The general slope trend on the upper section is north or south, with the westerly side at the top being the property line. The soils are strongly to gently sloping Tunbridge and Lyman soils with Marlow or Dixfield soil inclusions at the north area of the zone.

There are sizeable, irregularly shaped terrace areas at the base of the escarpment and continuing along the shore of Upper Wilson Pond. These are strongly to gently sloping Marlow, Berkshire, or Dixfield soils.

The northern portion of the west shoreline is strongly to gently easterly sloping to the Pond with Dixfield to Colonel soils. Adjacent to the Pond, there are gently sloping to nearly level area with Monarda and Burnham soils. The southern section of the west shoreline is generally a steep to moderately steeply sloping Dixfield to Colonel soils with several strongly sloping benches of Marlow to Dixfield soils.

Tunbridge, Dixfield, Marlow and Berkshire soils have medium potential for development. Lyman and Colonel soils have low potential and Monarda and Brayton soils have very low potential for development.

## **SUMMARY**

Our preliminary soil and wetland investigations and review of existing NRCS soil mapping confirm that the areas proposed as development zones are generally suitable



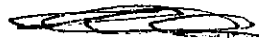
03-0466.4  
April 19, 2007

for the proposed use of residential dwellings and mixed use resort areas. Most areas observed are dominated by soils suitable for development that have medium potential for the proposed uses. In those areas that are not dominated by soils suitable for development, limitations should be overcome by avoidance of unsuitable areas or by use of corrective measures. In general, where detailed investigations were conducted, large suitable areas for development were identified. With proper road and development layout, unsuitable soils or soil limitations should not significantly restrict development or access.

Please contact me at (207) 848-5714 if you have any questions.

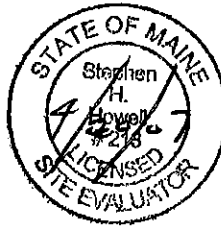
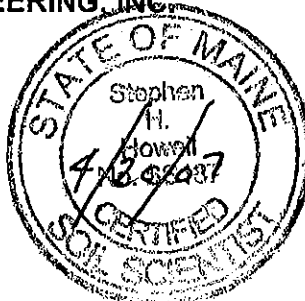
Very truly yours,

**S. W. COLE ENGINEERING, INC.**



Stephen H. Howell  
Project Manager

SHH:slh



cc: Brian Kent, Kent Associates  
Randy Hamblin, Plum Creek Land Co., Seattle, WA  
Carlie Tuggey, Preti-Flaherty

## APPENDIX A

## **APPENDIX A**

### **Limitations**

This report has been prepared for the exclusive use of Plum Creek Land Co. for specific application to the Maine Land Use Regulation Commission (LURC). S. W. COLE ENGINEERING, INC. has conducted the work in accordance with generally accepted soil science practices. No warranty, expressed or implied, is made.

This investigation was conducted, compiled and reported in general accordance with guidelines described in the Guidelines for Maine Certified Soil Scientists for Soil Identification and Mapping (2004) for a Class B to C High to Medium High Intensity Soil Survey and Version 3 of the Field Indicators for Identifying Hydric Soils in New England (2004). The conclusions and recommendations presented in this report are based upon the data obtained from the areas explored.







It should be noted that soil map unit design is at least in part influenced by the intended use of the soil survey and information provided may not always be adequate for uses other than that for which the soil survey was originally developed. Soils which are considered non-limiting for one use may be considered limiting for another use.

The analyses performed during this investigation and recommendations presented in this report are based in part upon the data obtained from subsurface explorations made at the site, and published information from the USDA Natural Resources Conservation Service. Variations in subsurface conditions may occur between explorations and may not become evident until construction. If variations in subsurface conditions become evident after submission of this report, it will be necessary to evaluate their nature and to review the recommendations of this report.



**EXHIBIT 1**



LEGEND	
	PC CONCEPT PLAN
	HIGH SOIL SUITABILITY
	MEDIUM SOIL SUITABILITY
	LOW SOIL SUITABILITY ***
	VERY LOW SOIL SUITABILITY
	NMI

1. NEGOS SOL'S DATA PROVIDED BY DELUCA-HOFFMAN ASSOCIATES, INC., ADDITIONAL SOL'S DATA WAS OBTAINED FROM NEGOS SOL'S DATA MART AND MERGED WITH THE OTHER SOL'S DATA PROVIDED BY DELUCA-HOFFMAN ASSOCIATES, INC.

2. DETAILED SOILS INFORMATION PROVIDED BY S.W. COLE ENGINEERING, INC. SEE REPORT ENTITLED "PLUM CREEK LAND COMPANY, SOIL INVESTIGATION SERVICES: SOILS MAPPING AND EVALUATION, MOSBEE-LAKE REGION", DATED APRIL 19, 2007.

3. SOIL BATHYMETRY WAS OBTAINED FROM A "1-2007 SCALE PLAN OF THE SITE ENTITLED "TOPOGRAPHIC PLAN OF PLUM CREEK SITE, BEAVER CO., IOWA", PREPARED BY AERIAL SURVEY & PHOTO, INC., DATED 10/14/05. ADDITIONAL SOILS INFORMATION USED IN PREPARING THIS SOIL SUSTAINABILITY MAP WAS PREPARED FROM DIGITAL DATA OBTAINED FROM THE IOWA DEPARTMENT OF NATURAL RESOURCES AND THE IOWA DEPARTMENT OF LAND AND WATER. OFFICE OF GEOGRAPHIC INFORMATION SYSTEMS (MISGIS) AND PLUM CREEK LAND COMPANY. MOSBEE-LAKE CENSUS PLAT ZONES PROVIDED BY DELUCA-HOFFMAN ASSOCIATES, INC.

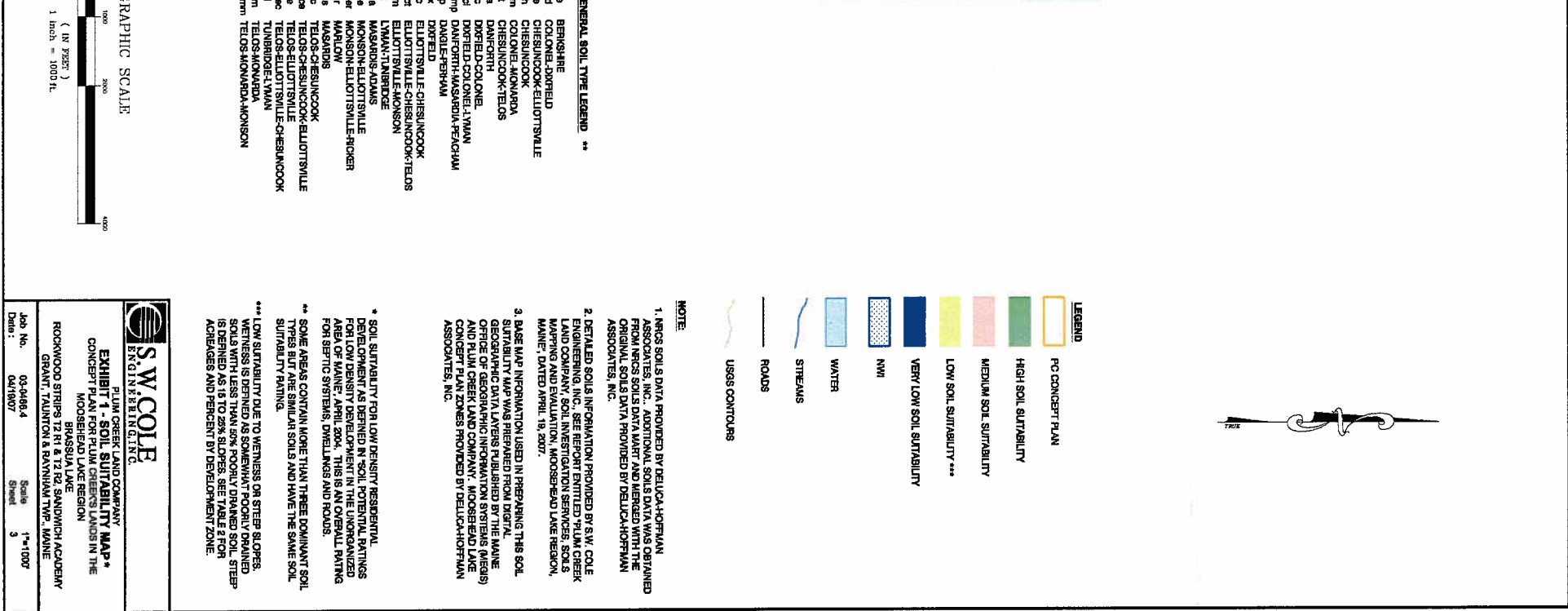
**EXHIBIT 1 - SOIL SUITABILITY MAP\***

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Date:	04/19/07	Sheet	1





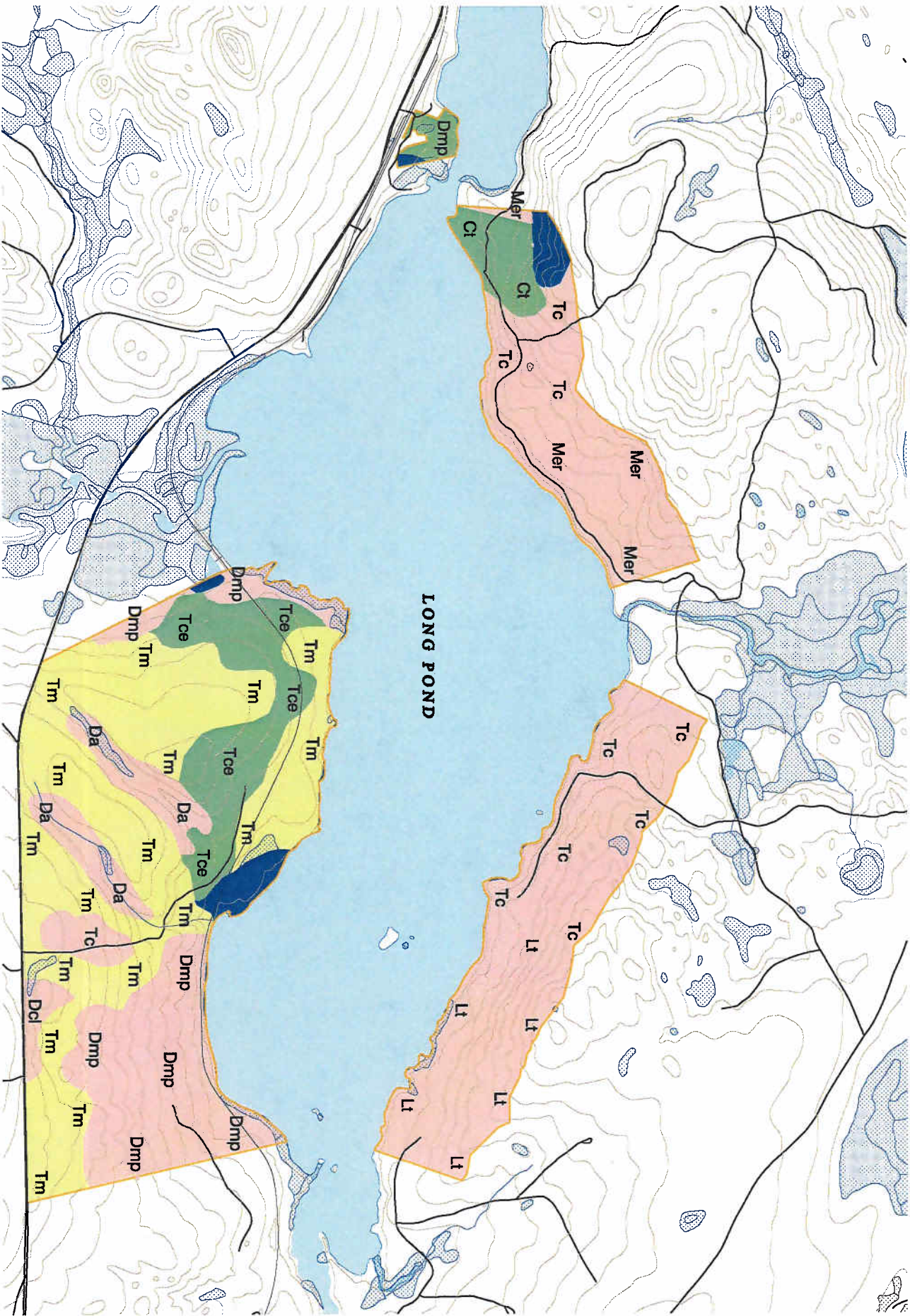












GENERAL SOIL TYPE LEGEND \*\*

- Bs BERNSE HRE
- Cd COLONEL-DWFIELD
- Cc CHESLINCOK-ELLIOTTSVILLE
- Ch CHESLINCOK
- Ci CHESLINCOK-TELDS
- Ct CHESLINCOK-TELDS
- Dc DANFORTH
- Dd DWFIELD-COLONEL
- Dp DWFIELD-MANASQUA-PENCHAM
- Dp DWFIELD
- Ea ELLIOTTSVILLE-CHESLINCOK
- Em ELLIOTTSVILLE-MONSON
- Et ELLIOTTSVILLE-TELDS
- Li LYMANN-TWIBRIDGE
- Ma MANASQUA-JONES
- Me MONSON-ELLIOTTSVILLE
- Mf MARLOW
- Ms MASARDS
- Tc TELDS-CHESLINCOK
- Td TELDS-CHESLINCOK-ELLIOTTSVILLE
- Te TELDS-ELLIOTTSVILLE
- Tf TELDS-TELDS
- Tm TELDS-MONASQUA
- Tm TELDS-MONASQUA-MONSON

LEGEND

- PC CONCEPT PLAN
- HIGH SOIL SUITABILITY
- MEDIUM SOIL SUITABILITY
- LOW SOIL SUITABILITY \*\*\*
- VERY LOW SOIL SUITABILITY
- NMI
- WATER
- STREAMS
- ROADS
- USGS CONTOURS

NOTE

1. NICS SOIL DATA PROVIDED BY DELUCA-HOFFMAN ASSOCIATES, INC. ADDITIONAL SOILS DATA WAS OBTAINED FROM NICS SOILS DATA WART AND MERGED WITH THE ORIGINAL SOILS DATA PROVIDED BY DELUCA-HOFFMAN ASSOCIATES, INC.
2. DETAILED SOILS INFORMATION PROVIDED BY S.W. COLE ENGINEERING, INC. SEE REPORT ENTITLED "PLUM CREEK LAND COMPANY, SOIL INVESTIGATION SERVICES, SOILS MAPPING AND EVALUATION, MOOSEHEAD LAKE REGION, MAINE, DATED APRIL 18, 2007."
3. BASE MAP INFORMATION USED IN PREPARING THIS SOIL SUITABILITY MAP WAS PREPARED FROM DIGITAL GEOGRAPHIC DATA LAYERS PUBLISHED BY THE MAINE OFFICE OF GEOGRAPHIC INFORMATION SYSTEMS (MGIS) AND PLUM CREEK LAND COMPANY. MOOSEHEAD LAKE CONCEPT PLAN ZONES PROVIDED BY DELUCA-HOFFMAN ASSOCIATES, INC.



PLUM CREEK LAND COMPANY

EXHIBIT 1 - SOIL SUITABILITY MAP \*

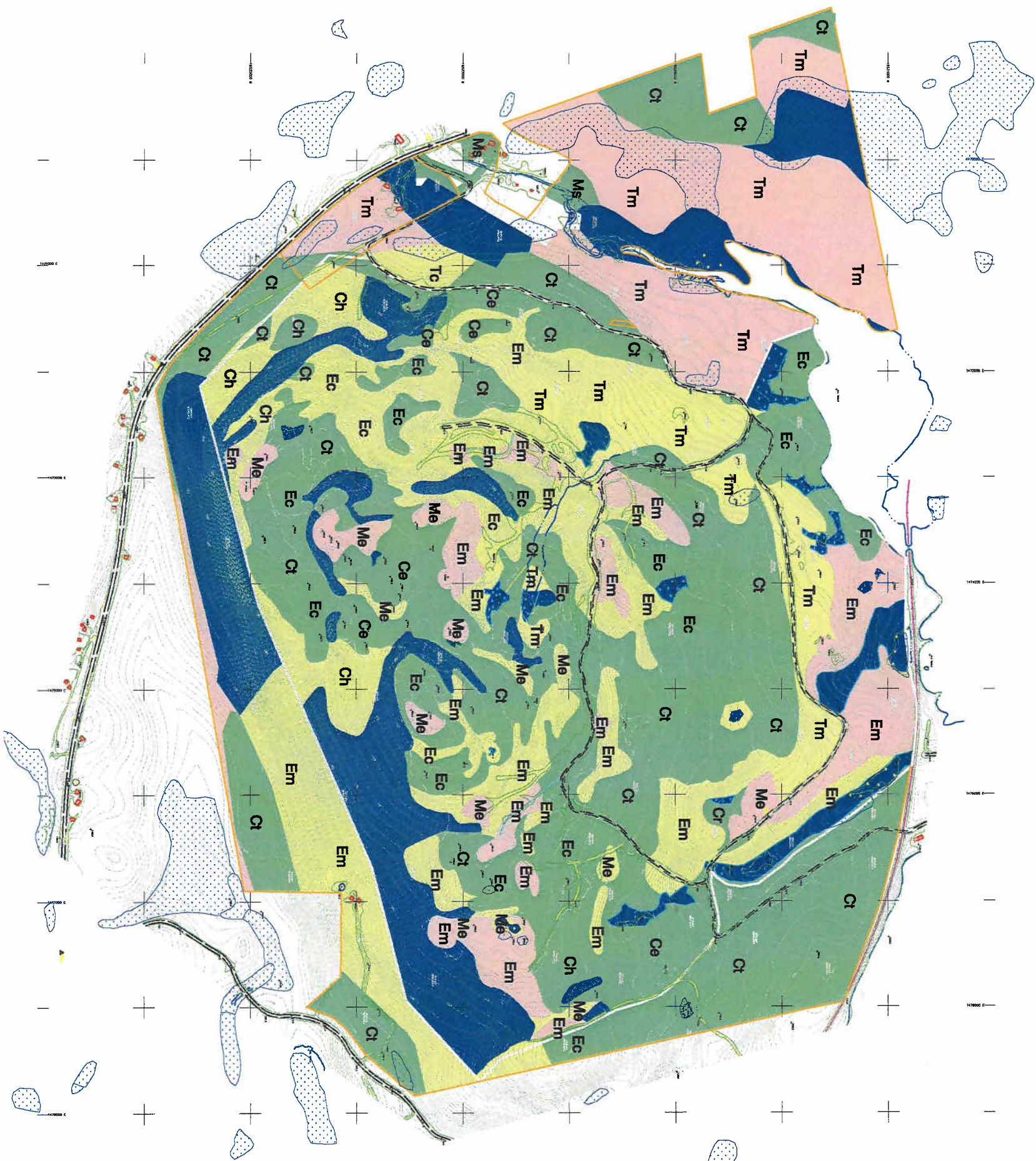
CONCEPT PLAN FOR PLUM CREEK LANDS IN THE

MOOSEHEAD LAKE REGION

LONG POND TWP, MAINE

Job No.	03-0404	Scale	1"=100'
Date	04/18/07	Sheet	5











#### **GENERAL SOIL TYPE LEGEND**

Ba	BENJAMINE
Bc	COLONEL, DFIELD
Cd	CHESSINCOOK, ELLIOTTSVILLE
Ce	CHESSINCOOK
Cf	CHESSINCOOK, WARD
Cg	CHESSINCOOK, TELUS
Da	DANFORTH
Db	DFIELD, COLONEL
Dc	DFIELD, COLONEL, WYAN
De	DANFORTH, WARD, TELUS
Df	DANFORTH, WARD, TELUS, WYAN
Dg	DFIELD
Dh	DFIELD
Ed	ELLIOTTSVILLE, CHESSINCOOK
Ee	ELLIOTTSVILLE, CHESSINCOOK, TELUS
Ef	ELLIOTTSVILLE, MONSON
Ll	WYAN, TURNBIDE
Mb	MONSON, TELUS
Mc	MONSON, ELLIOTTSVILLE
Me	MONSON, ELLIOTTSVILLE, HICKER
Mf	WYAN
Mg	WYAN
Ma	WYAN
Ms	WYAN
Te	TELUS, CHESSINCOOK
Tf	TELUS, CHESSINCOOK, ELLIOTTSVILLE
Tg	TELUS, CHESSINCOOK, ELLIOTTSVILLE, WYAN
Tb	TELUS, ELLIOTTSVILLE, CHESSINCOOK
Tc	TURNBIDE, WYAN
Td	TURNBIDE, WYAN
Tf	TELUS, MONARD, MONSON
Tm	TELUS, MONARD, MONSON

### LEGEND

	PC CONCEPT PLAN
	HIGH SOIL SUITABILITY
	MEDIUM SOIL SUITABILITY
	LOW SOIL SUITABILITY ***
	VERY LOW SOIL SUITABILITY
	NM

**NOTE:**

1. NCS SOLS DATA PROVIDED BY DELTA/OFFHORN ASSOCIATES, INC. ADDITIONAL SOLS DATA WAS OBTAINED FROM NCS SOLS DATA MART AND MERGED WITH THE ORIGINAL SOLS DATA PROVIDED BY DELTA/OFFHORN ASSOCIATES, INC.
2. DETAILED SOLS INFORMATION PROVIDED BY S.W. COLE ENGINEERING, INC. SEE REPORT ENTITLED "PLUM CREEK LAND COMPANY, SOIL INVESTIGATION SERVICES, SOILS MAPPING AND EVALUATION, MOSCOWS LAKE REGION, WASH., DATED APRIL 19, 2007."
3. SOIL SURVEY MAP WAS PREPARED FROM A "1-400" SCALE PLAN OF THE SITE ENTITLED "TOPOGRAPHIC PLAN OF MOSCOWS LAKE, WASHINGTON COUNTY, WASH., HAPPEBROS POINT SITE, HAPPEBROS POINT TWP, MAINE, PREPARED BY KENAL SURVEY & PHOTO, INC., DATED 11/2002. ADDITIONAL BUREAU INFORMATION USED IN PREPARING THIS SOIL SURVEY MAP WAS OBTAINED FROM THE DELTA/OFFHORN ASSOCIATES, INC. (DELTA/OFFHORN ASSOCIATES, INC. SEE REPORT ENTITLED "PLUM CREEK LAND COMPANY, SOIL INVESTIGATION SERVICES, SOILS MAPPING AND EVALUATION, MOSCOWS LAKE REGION, WASH., DATED APRIL 19, 2007."

**S.W. COLE**  
ENGINEERING, INC.

PLUM CREEK LAND COMPANY

**EXHIBIT 1 - SOIL SUITABILITY**

**EXHIBIT 1 - SOIL SUITABILITY MAP\***  
CONCEPT PLAN FOR PLUM CREEKS LANDS IN THE

**BIG MOOSE TWP, MAINE**

Date : 04/18/07 Sheet 6

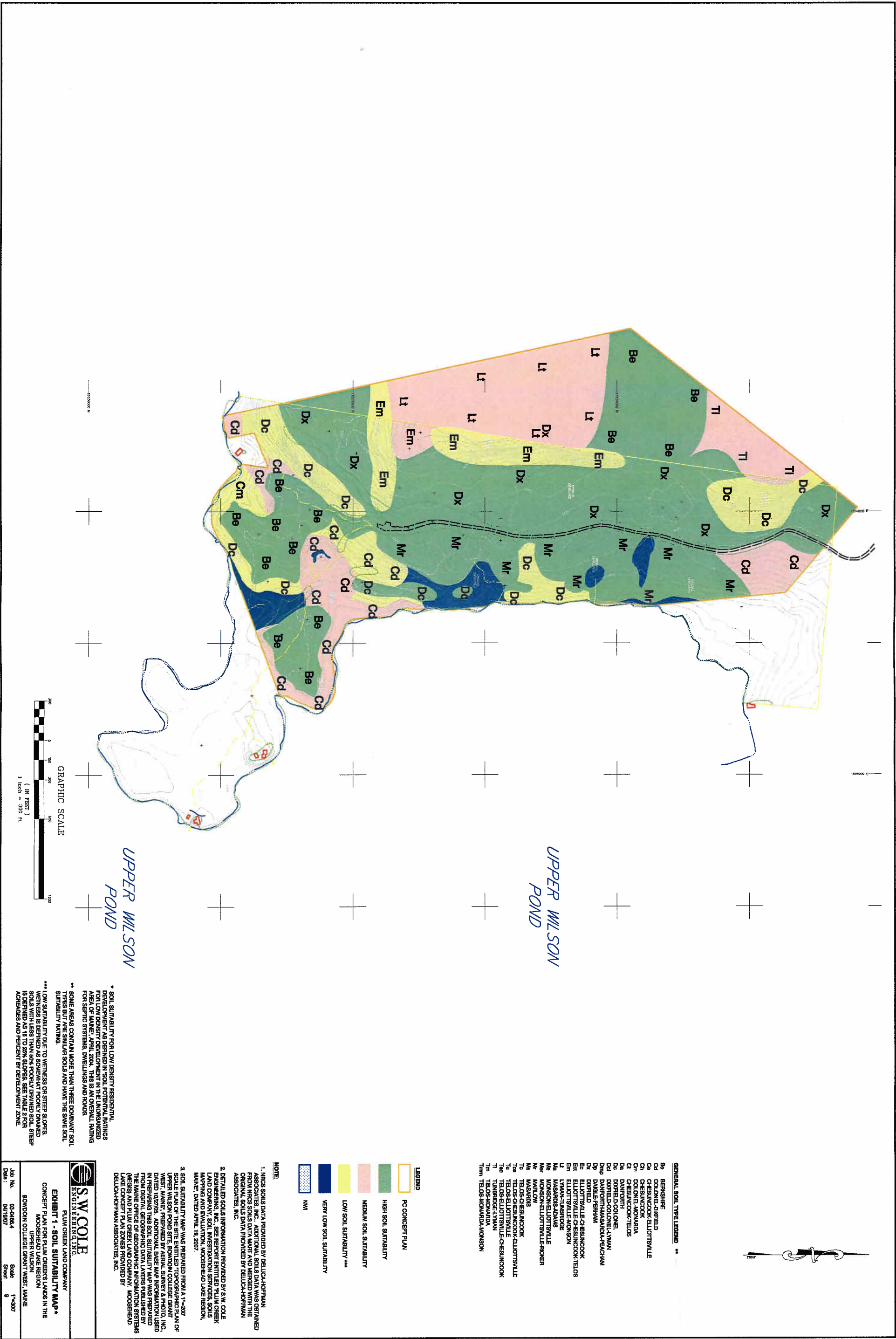










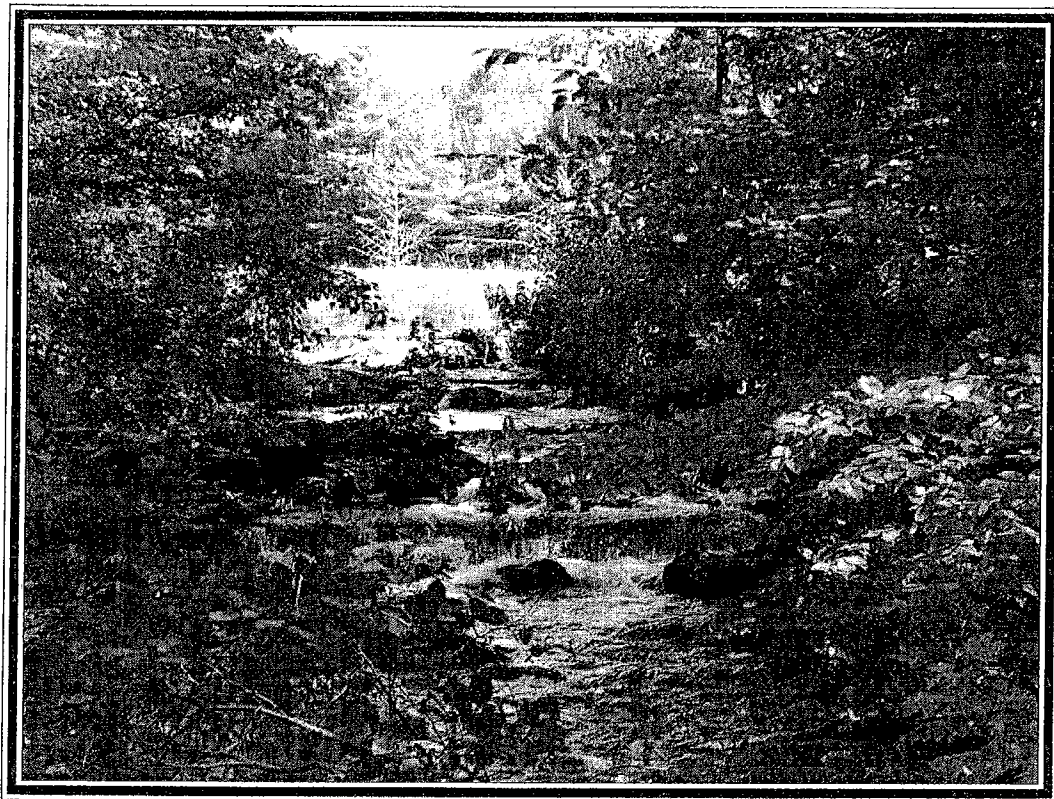


## **EXHIBIT 2**

# Soil Potential Ratings

for Low Density Development  
in The Unorganized Area Of Maine

April 2004



 **NRCS** Natural Resources  
Conservation Service

967 Illinois Ave, Suite #3  
Bangor, ME 04401

Tel: (207) 990-9100 • Fax: (207) 990-9599

## FOREWORD

The Unorganized Area of Maine is facing changes in land use which have placed enormous pressure on land and water resources. As parts of the Unorganized Area are converted from forestry to urban, large lot subdivision and summer camp uses, soil and water resources can be threatened. The construction of homes, septic tank absorption fields, wells, and roads, if not properly planned, can negatively affect the quality of life. In many cases, soil conditions such as wetness, depth to bedrock and steep slopes can be the catalyst for environmental degradation. Many potential soil related problems can be avoided by sound land use planning before development begins.

Costs for overcoming soil limitations increase as the degree of soil limitations becomes more severe. These increased costs to make an area suitable for development are passed on to the landowner. Soil Potential Ratings for Low Density Development in The Unorganized Area of Maine is a planning tool for state planners, and others, to address soil limitations by rating soils as to the costs of corrective measures and the long term maintenance costs needed to satisfactorily overcome soil problems.

The purpose of this publication is to assist landowners, state planners, developers, engineers, and others in their planning activities. Information obtained from Natural Resources Conservation Service soil maps in the Unorganized Area of Maine should only be used for general planning purposes. This is because the smallest map unit delineated in these areas is commonly 16 to 40 acres and is composed of 2 or 3 soil types due to the scale of mapping. For site specific decisions, more detailed soil information such as a High Intensity Soil Survey done by a Maine certified Soil Scientist is needed. This index has been designed to be used with a variety of scales of soil mapping. It has general ratings for broad map units and more specific ratings with individual soil series within these map units if more detailed mapping is available. State officials, land use planners, land users, and other are encouraged to contact the local Soil and Water Conservation District Office for assistance when using this information. Other information concerning land use in agricultural and forestry planning also is readily available in this office.

This publication is designed for use with soil survey maps and information available from the local Soil and Water Conservation Districts as well as more detailed certified mapping. The district office addresses are:

Androscoggin/Sagadahoc  
Androscoggin Valley SWCD  
P.O. Box 1938 (254 Goddard Rd.)  
Lewiston, ME 04241-1938  
Phone: (207) 783-9196

Aroostook-Southern  
Southern Aroostook SWCD  
RR3, Box 45  
Houlton, ME 04730  
Phone: (207) 532-2087

Aroostook-Central  
Central Aroostook SWCD  
744 Maine Street  
Presque Isle, ME 04769  
Phone: (207) 764-4770

Knox/Lincoln  
Knox/Lincoln SWCD  
191 Camden Road  
Warren, ME 04866  
Phone: (207) 273-2005

Oxford  
Oxford County SWCD  
1570 Main Street Suite 10  
Oxford, ME 04270  
Phone: (207) 743-5789

Penobscot  
Penobscot County SWCD  
28 Gilman Plaza, Suite 2  
Bangor, ME 04401  
Phone: (207) 947-6622

Aroostook  
St. John Valley  
St. John Valley SWCD  
96 Market Street  
Fort Kent, ME 04743  
Phone: (207) 834-3311

Cumberland  
Cumberland County SWCD  
201 Main Street, Suite 6  
Westbrook, ME 04092  
Phone: (207) 856-2777

Franklin  
Franklin County SWCD  
107 Park Street  
Farmington, ME 04938  
Phone: (207) 778-4279

Hancock  
Hancock County SWCD  
190 Bangor Road  
Ellsworth, ME 04605  
Phone: (207) 667-8663

Kennebec  
Kennebec County SWCD  
9 Green Street (3<sup>rd</sup> Floor)  
Augusta, ME 04330  
Phone: (207) 622-8250

Piscataquis  
Piscataquis County SWCD  
42 Pine Crest Drive  
Dover-Foxcroft, ME 04426  
Phone: (207) 564-2321

Somerset  
Somerset County SWCD  
7 High Street  
Skowhegan, ME 04976  
Phone: (207) 474-8324

Waldo  
Waldo County SWCD  
266 Waterville Road  
Belfast, ME 04915  
Phone: (207) 338-3069

Washington  
Washington County SWCD  
Federal Bldg., & Post Office  
51 Court Street  
Machias, ME 04654-0121  
Phone: (207) 255-3995

York  
York County SWCD  
P.O. Box 819 (8 Waterboro Road)  
Alfred, ME 04002  
Phone: (207) 324-7015

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## **INTRODUCTION**

Soil interpretations are made by identifying the type of soil within an area by using a soils map either from a published soil survey report, an interim soil survey report, an individual soil survey field sheet or from a soil map developed by a Maine Certified Soil Scientist.

The soils in an area are identified in the field and delineated on aerial photographs by soil scientists. The aerial photograph with the delineations of soil types becomes the soil map. After the soil type has been determined, interpretations can be made by using soil interpretation sheets containing information on the characteristics of the soil, ratings based on the limitations of the soil for various uses, and expected yields of certain crops and woodland species.

## **SOIL LIMITATION RATINGS**

Soil survey interpretations have been prepared for and provided to users of soil surveys for many years. They have been provided in the form of land capability classes for agriculture and soil limitation ratings for various other land uses. An example of these is rating a soil as having slight, moderate, severe, or very severe limitations for the installation of septic systems. They do, however, have a few shortcomings.

- They are based on the limiting soil property rather than a combination of restrictive features.
- They are based on a national system of rating soils using criteria developed nationally and do not reflect state laws, local ordinances, and criteria.
- They do not indicate corrective measures or alternatives needed to overcome restrictive soil features or the relative costs of overcoming these features.
- They do not array the soils within a specified area from highest to lowest potential for a given use.
- They tend to rate soils in a negative context.

## **SOIL POTENTIAL RATINGS**

Soil potential ratings have been developed and adopted as a more useful form of soil interpretations. These ratings are based on local conditions, local experience and expertise, and laws, codes, and rules governing the use of soils for various purposes. They include the feasibility of a soil for a particular use relative to other soils within a given area. These ratings reflect the potential of use rather than the limitations of use and are designed to meet local needs and conditions. Factors considered in preparing soil potential ratings are the feasibility of using certain technology and practices to overcome limiting factors and the relative cost of implementing these practices and the adverse effects and costs of any continuing limitation during the projected lifetime of use.

Soil potential ratings:

- provide a common set of terms applicable to all kinds of land use for rating the quality of a soil for a particular use in an area.
- use local criteria to meet local needs.
- provide information about soils that emphasizes feasibility of use rather than avoidance of problems.
- strengthen planning and management through more feasible and effective use of the information provided in soil surveys and on-site soils evaluations by properly relating the information to modern technologies.
- approach the process of rating soils in a more positive context.

Soil potential ratings are used with other resource information to facilitate resource planning and for making land use decisions.

Soil potential ratings are only one factor to be considered in a complete evaluation of an area and are used with other resource information in determining land feasibility and use. Table 1 displays the major steps in determining soil potential ratings.

1	Determine Development Uses To Be Rated.	Septic Systems, Dwellings, Roads, etc.			
2	Determine Soil Properties Important For Rating Each Selected Use.	Texture, Permeability, Slope, Drainage, Water Table, Flooding, Depth To Bedrock			
3	Review Soils From Unorganized Area Soil Survey Data.	Site Specific Danforth Shirley Elliottsville	General Planning 34C		
4	Select Reference Soil For Selected Use.	Site Specific Danforth	General Planning Danforth Part		
5	Determine Soil Limitations and Corrective Measurers For Each Use	Depth to Water Table Slopes, etc. Site Preparation, Fill, stoniness,etc.			
6	Determine Soil Potential Index (SPI) For Each Soil, For the Selected Use.	Site Specific Soil Danforth Shirley Elliottsville	SPI 100 53 71	Map Unit 34C	SPI 83
7	Determine Rating Classes For Soil Potential Index Ranges. Determine Rating Class For Each Soil Map unit or Soil Series.	Site Specific SPI 100 60-82 40-59  Danforth Shirley Elliottsville	Rating Class Very High (VH) Medium (M) Low(L)  Very High (VH) Low (L) Medium (M)	General Planning Map Unit 34 C	Rating Class High (H)

Table 1 - The Major Steps in Determining Soil Potential Ratings

## **PURPOSE**

Soil potential ratings were developed to provide soil survey users and land use planners a tool in determining the relative qualities of soils and their feasibility for use and development.

Soil potential ratings are intended to be used as a guide to planning and to help planners and users to better understand problems which may be encountered and corrective measures needed to overcome these problems.

## **DEVELOPMENT OF SOIL POTENTIAL RATING**

Local people knowledgeable of the use and development of the land resource of the Unorganized Area were contacted to help develop soil potential ratings. They consisted of consultants, land appraisers, site evaluators, site plan evaluators, Natural Resources Conservation Service personnel, state personnel, and land developers.

They determined that the primary need for soil potentials is to rate soils for development occurring in the Unorganized Area, especially in the area of low density development. The development uses considered are septic tank absorption fields, dwellings with basements, and local roads and streets.

They also determined the uses for which the soils should be rated, the soil factors affecting development, and the methods and relative costs of corrective measures and of continuing limitations compared to the costs for the reference soil.

## **FACTORS FOR DETERMINING SOIL POTENTIAL RATINGS FOR DEVELOPMENT**

The ratings of soils in terms of their potential for development are based on their natural properties. The important soil properties considered in development are texture, permeability, depth to seasonal high water table, depth to restricting layer, depth to bedrock, slope, flooding, stone cover, and natural drainage class.

Soil potential ratings and corrective measures designed for NRCS soil map units are not site specific. When the ratings are used in conjunction with an NRCS soil survey map, a specific site within the map unit may perform better or not as well as indicated by the map unit rating. If during an on-site investigation it is possible to identify the soil series, the potential rating of that series within the map unit should be used. If this is not possible, the rating for the map unit should be used. If a higher intensity (more detailed) soil map is available, the rating for the individual series within the map unit should be used.

## **SOIL PROPERTIES**

The following soil properties have been considered when rating soils for development potential.

## **TEXTURE**

Texture is an important property of the soil to consider when rating the soil. Soils are made up of particles or separates of various sizes. Soil separates which make up texture are sand, silt, and clay. Gravel, cobblestones, stones and boulders are not textures.

Sand particles are visible to the naked eye. They do not have significant interparticle attraction. The pore spaces between particles are usually large and continuous.

Clay particles are so small they cannot be seen without a microscope. The pore spaces are very small and are frequently discontinuous which slows the movement of air and water.

Silt particles are between sand and clay in size.

Most soils contain more than one separate and most often a combination of all three. The amount of each separate contained within a soil will determine its texture. For instance, the fine sandy loam textural class is a combination of sand, silt, and clay with a larger percentage of fine sand and silt. Also, particles larger than sand and smaller than 3 inches (gravel) are recognized by modifiers of the textural class name such as gravelly fine sandy loam.

IN GENERAL SOIL POTENTIAL FOR DEVELOPMENT IS HIGH FOR SOIL THAT:

- Does Not Flood
- Has Adequate Permeability
- Has Suitable Texture
- Has a Relatively Deep Water Table
- Has Adequate Depth to Bedrock
- Has a gentle Slope

IN GENERAL SOIL POTENTIAL FOR DEVELOPMENT IS LOW FOR SOIL THAT:

- Floods
- Is Not Very Permeable
- Has Unsuitable Texture
- Has High Water Table
- Has a Shallow Depth To Bedrock
- Has a Steep Slope

## **PERMEABILITY**

Permeability is the rate at which water moves vertically through the soil. Texture and structure of the soil affect its rate of permeability. Sandy (coarse textured) soils transmit water faster than clay (fine textured) soils. Platy structure, which is the horizontal alignment of soil particles or groups of particles within the soil, impedes the vertical movement of water and therefore reduces soil permeability. Water tends to move horizontally within soils having platy structure. Soils with granular structure tend to

readily transmit water vertically. Very porous soils or gravelly soils transmit water vertically very rapidly, causing a concern of having nutrients and microbes carried into ground water. Problems can result when soil permeability is too slow or too fast.

FOR SEPTIC SYSTEMS, PERMEABILITY OF SOIL MUST BE ADEQUATE TO PREVENT:

- Seepage from septic tank systems onto road or system slopes
- Backup of sewage
- Shortened life of septic systems
- Groundwater contamination

## **SLOPE**

Slope is defined as the inclination of the surface in relation to the horizontal and is one of the most noticeable of soil properties. The slope is usually stated as the ratio of vertical rise to horizontal distance and expressed as a percentage. For example, a 10 foot vertical rise in a 100 foot horizontal distance is a 10 percent slope.

Slope is a major component of the landscape and is one of the most significant soil properties governing land use. Most land use and development takes place on the less sloping areas. Figure 1 relates slope conditions to changes in the landscape.

Areas with slopes less than 15 percent generally do not present as many problems as areas that are steeper. Areas with slopes over 3 percent require additional costs to fit development on the slopes, more detailed designs, and more considerations of other soil properties.

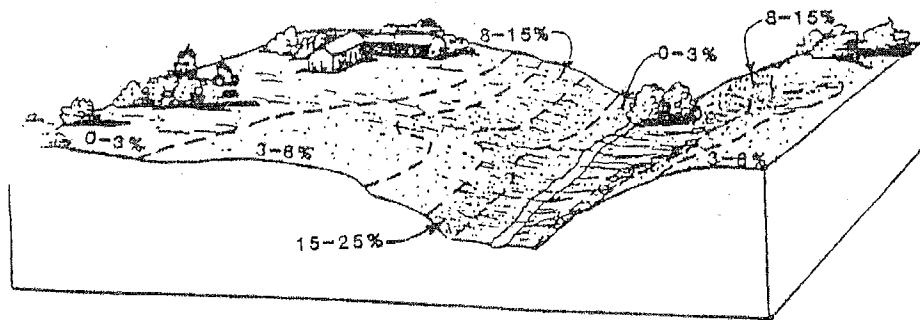


Figure 1 - Soil Slope Related to the Landscape

## **SURFACE STONES**

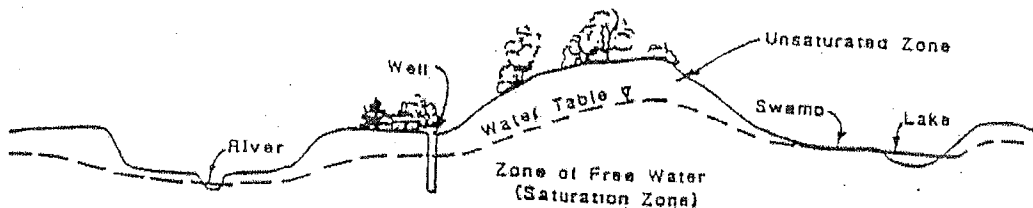
Surface stones are rock fragments ten inches or larger in diameter which lie on the soil surface or which are partially imbedded in the soil. The amount of surface stoniness is referred to as the percent of area covered by stones. For example, a three percent stone

cover means that three percent of the total area is covered by stones ten inches or larger. Boulders are those rock fragments larger than 24 inches.

Surface stones affect the use of a soil by being a nuisance during operations which disturb the soil surface. In some cases, depending on the size and amount of surface stones, special equipment may be necessary for stone removal.

## **WATER TABLE**

The water table is defined as the water surface within a soil where all voids or spaces are completely filled with water (saturated). The water table in the soil rises and falls with respect to time and the extent of saturation of the soil and varies according to its drainage characteristics and the supply of water to the soil (figure 2). The water table fluctuates by season and also can vary over a period of years. Water tables in soils fluctuate more or less in a regular pattern during the course of the year.



**Figure 2 - Diagram Showing the Relation of the Water Table to the Earth's Surface**

Maximum heights in soils with a seasonal water table can be expected in April or May, just after the snow melts and the frost comes out of the ground and again in the late fall. Water tables also fluctuate within a season depending on precipitation. Seasonal high water table can be determined by soil color or the presence of spots of varying color (mottles) within the soil. Generally yellowish and reddish colors indicate a dry, well oxygenated soil. Grayish colors indicate an absence of oxygen caused by wet conditions.

## **FLOODING**

Some soils are flood prone. Flooding refers to the inundation by water from river or stream overflow (figure 3). This soil property indicates a very serious condition for development. Where soils are subject to flooding, it is not desirable to locate normal types of structures. Many uses, such as septic sewage waste disposal systems can be adversely affected by flooding and may be prohibited by local or state laws.

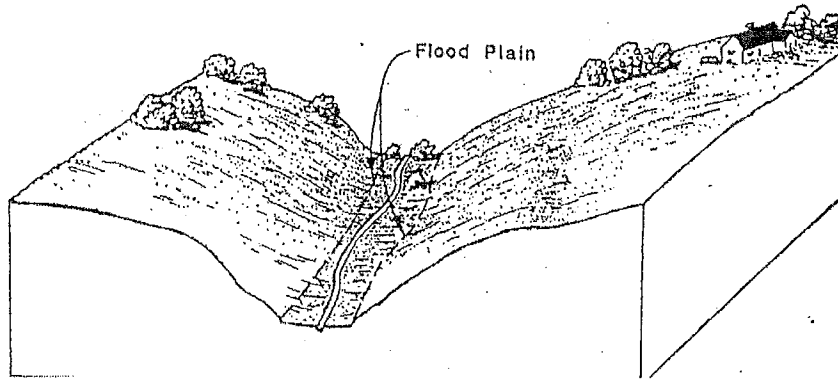


Figure 3 - Soils in the Flood Plain are Subject to Flooding

## **DEPTH TO BEDROCK**

The depth of soil above the bedrock has a great influence on development. Generally, it is expensive to excavate and remove bedrock for house foundations or roads. Shallow depth to bedrock may prohibit or greatly increase the costs of construction of septic tank systems. Depth to bedrock varies greatly over a relatively short distance as shown in figure 4.

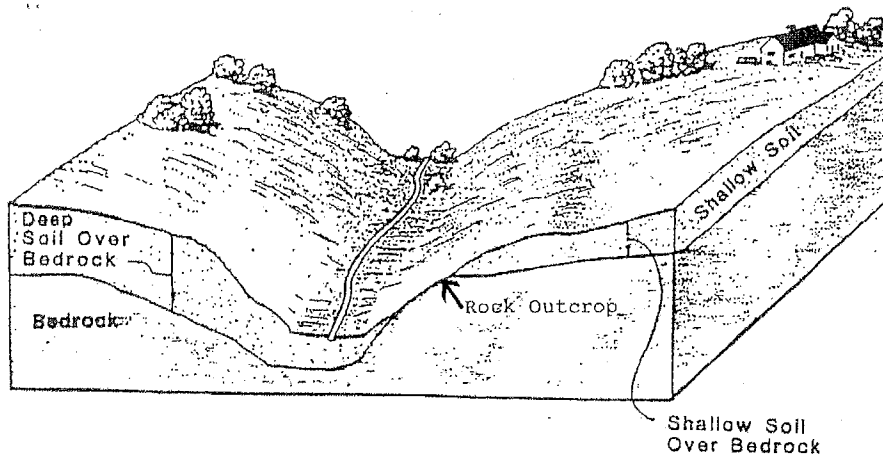


Figure 4 - Depth to Bedrock

## RESTRICTIVE LAYER

Some soils have a restrictive layer that begins at a depth of 10 to 40 inches. The restrictive layer is commonly a firm substratum in glacial till soils or lake and marine sediment soils. This restrictive layer impedes the natural drainage of the soil by restricting the downward movement of water. A perched or intermittent water table is often created above the restrictive layer.

## NATURAL DRAINAGE CLASS

Natural drainage refers to the rapidity and extent of the removal of water from the soil in relation to the flow of incoming water, and is closely associated to the seasonal high water table. The natural drainage class of a soil refers to the drainage class of a soil in its natural state without artificial drainage. With artificial drainage, such as underground tile lines or open surface drains, the depth of the water table can be altered. Natural drainage classes range from very poorly drained in the wettest soils to excessively drained on the driest soils. Figure 5 idealizes the changes in soil drainage as topography changes.

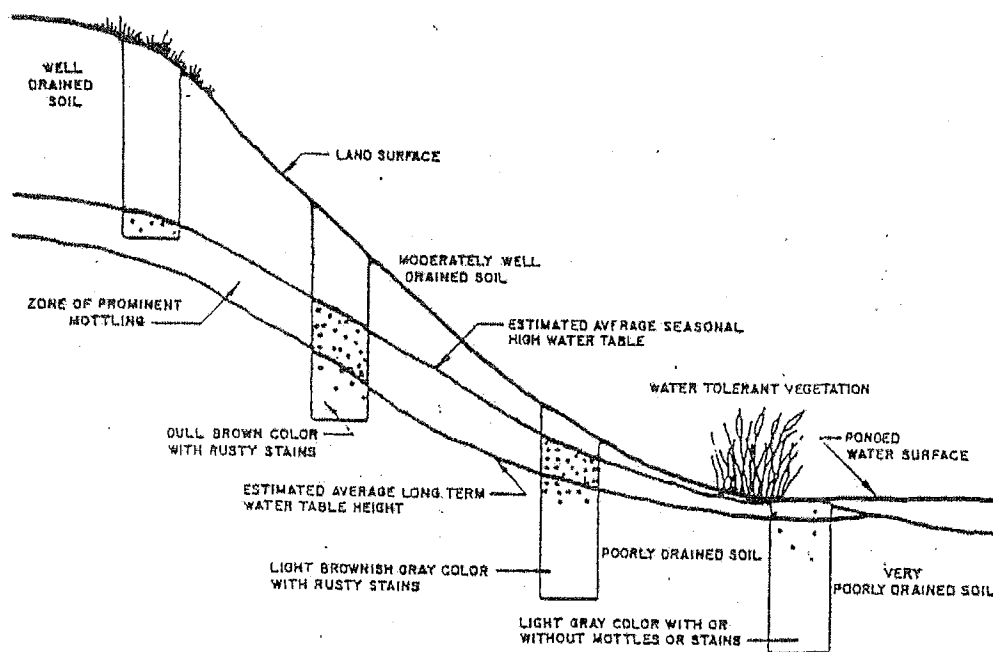


Figure 5 - Soil Drainage Class

## DEFINITION OF LOW DENSITY DEVELOPMENT

For the purpose of this document, low density development includes single family unit residences with basements and comparable buildings and septic tank absorption fields, with an on-site source of water. Residences may be a single unit or a cluster of units in a development. Gravel roads in developments are also included. In developing this rating



system, a specific model of a house, septic system and road were used (as described below) with the cost of construction at the time. This was necessary to assign index points. Although costs change over time, the relative relationship of the rating system will not change, thus eliminating the need for a cost factor when using these ratings. Once established, the rating system gives a relative measure of the suitability of a site for development that is not tied to a specific model of a house, septic system or road.

### **SEPTIC TANK ABSORPTION FIELD SYSTEM**

The model single family home sewage disposal system consists of a 1000 gallon septic tank and an absorption field that distributes effluent from the septic tank into the soil. The system is designed for 270 gallons per day of effluent from a three bedroom house. The system is expected to function year-round at the designed capacity without surfacing of effluent, backing up of the system, or pollution of the groundwater. It is assumed that septic tanks and absorption fields will be installed according to the Subsurface Wastewater Disposal Rules, Chapter 241, Department of Human Services, Division of Health Engineering, State of Maine. It is also assumed the septic tanks will be maintained properly.

### **DWELLINGS WITH BASEMENTS**

The model dwelling with basement is a single family year-round residence less than three stories high with a full basement and garage covering 1500 square feet of land. The foundation consists of spread footings with an eight foot, poured concrete wall built on undisturbed soil. All dwellings have minimal foundation drains. There is on site sewage disposal and water supply.

### **LOCAL ROADS AND STREETS**

The model local road or street is one that is designated for purposes of vehicular traffic designed to handle 25 to 100 vehicles per day. These roads generally have a gravel surface about 20 feet wide including shoulders. Base material is about 15 inches of gravel. Surface water drainage is minimal. Cost figures are based on 100 foot segments of road.

### **RATING FACTORS**

**DEPTH TO WATER TABLE** - The depth to water table affects the natural drainage of the soil which in turn affects the soils potential for development. A soil with a shallow depth to the seasonal high water table requires construction methods such as added fill and artificial drainage to overcome this limitation. A soil with a seasonal high water table deeper than 6 feet below the soil surface would have higher potential than a soil with a seasonal high water table at 18 inches.

**FLOODING** - Soils are rated on the basis of whether they are subject to flooding or not. Flooding is separated into three categories: none, occasional (floods at least once in ten years), and frequent (floods at least once every two years). Soils subject to flooding have less potential for development than those that do not flood.

**SLOPE** - Soils are rated on the basis of slope. The less sloping areas require less corrective measures than the steeper areas and thus have a greater potential for development.

**DEPTH TO BEDROCK** - The presence of bedrock affects the use of soil for development. Soils with shallow depth over bedrock have less potential for development than deep soils.

**SURFACE STONES** - The presence of stones and boulders on the soil surface affect the use of the soil for development. In preparing a site for a dwelling or septic sewage disposal area surface stones have to be removed.

**DEPTH TO RESTRICTIVE LAYER** - Some soils have a restrictive layer that begins at a shallow depth. This layer can impede natural drainage and permeability. This soil factor is important when designing a septic sewage disposal system.

**SOIL PROFILE AND CONDITION** - The Maine State Plumbing Code provides a table by which each soil can be categorized by profile group and soil condition. The profile group is based on parent material or origin of the soil, texture of the soil, and the presence of any restricting layer within the soil profile. The soil condition refers to the depth to bedrock or drainage class.

## **REFERENCE SOIL**

In order to establish soil potential ratings for low density development, a reference soil for the area was established. The reference soil has the most favorable characteristics for all the uses rated in this document. All of the soils are evaluated relative to the reference soil and arrayed in descending order of relative quality. The reference soil condition for development is a soil with the following properties:

- A water table level greater than 6 feet.
- The soil does not flood.
- The slope is 10 percent.
- The soil lacks a restrictive layer.
- The depth to bedrock is more than 5 feet.
- Surface stone cover is 0.1 to 15 percent.
- The soil requires a medium sized rating for a septic sewage disposal field.
- There is low potential for groundwater contamination from septic field effluent.

The Danforth soil has been established as the reference soil for the unorganized areas. It has all of the desirable properties for low density development uses. A Danforth soil on a slope of 2 to 8 percent would have a Soil Potential Index of 100. However, on soils legends for NRCS soil survey maps in the unorganized areas, there is no Danforth map unit with a 2 to 8 percent slope. The closest map units are 3IXC Danforth - Masardis - Peacham association, 1 to 16 percent slopes and 34C Danforth - Shirley - Elliottsville association, 3 to 15 percent slopes. In these map units, Danforth averages about 10 percent slopes which would rate slightly less than 100 but an area of Danforth soils identified by a more detailed soil survey on a slope of 2 to 8 percent would rate 100.

Most other soils in the Unorganized Area will have an index lower than the Danforth soils. Hermon and Monadnock soils have the same rating as Danforth, but Danforth was chosen as the reference soil because it is the most extensively mapped soil in the Unorganized Area. This was determined by communication with NRCS soil scientists that have extensive mapping experience in the Unorganized Area. Figure 6 shows an idealized profile of the Danforth soil.

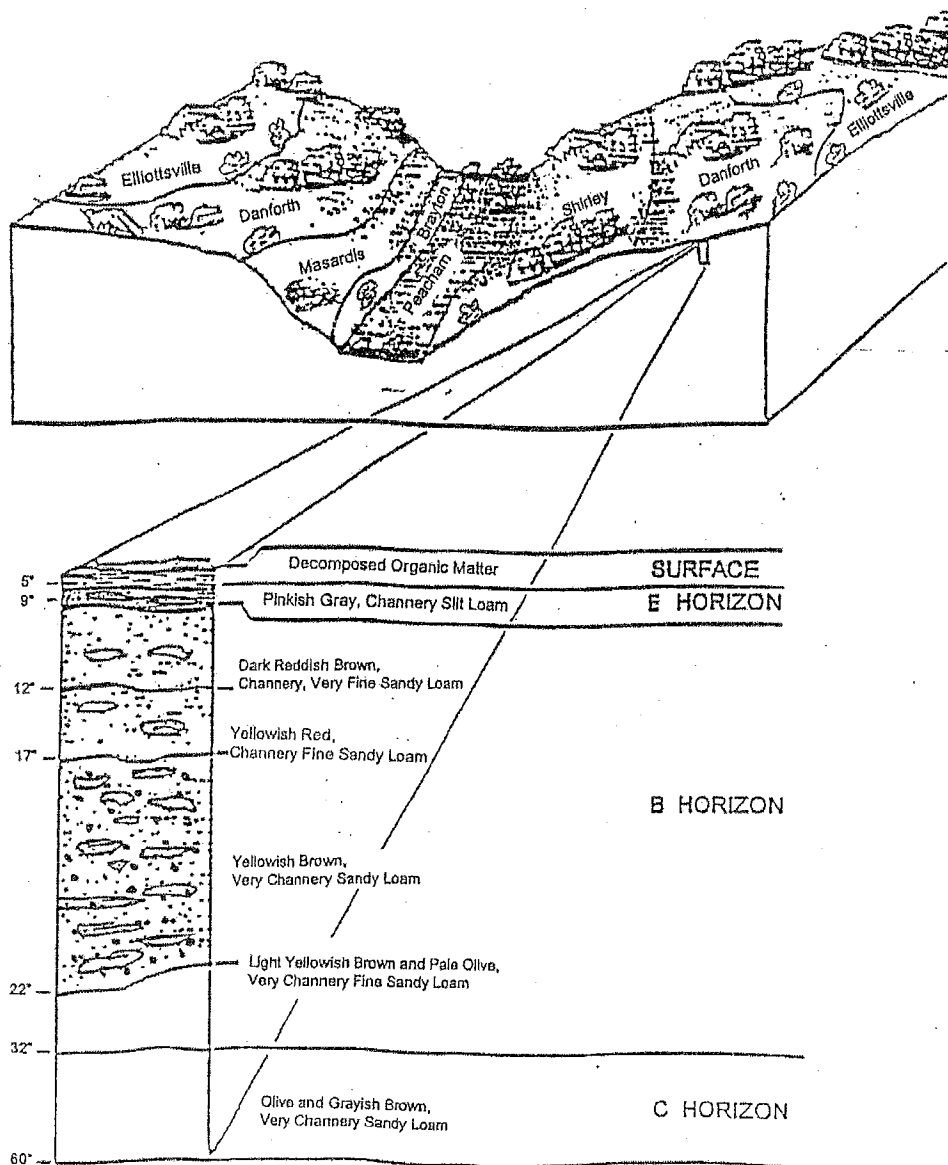


Figure 6 - Profile of Danforth Soil, Each Soil Has a Unique Profile

## SOIL POTENTIAL INDEX

The Soil Potential Index is derived by calculating values for soil performance. All soils start out with values of 100 and then deductions are made for costs of corrective measures to overcome limiting soil properties, and costs established to overcome continuing limitations.

No highly detailed economic analysis of costs has been determined. Corrective measures represent indices of added costs over the basic cost of the reference soil needed to obtain the desired level of performance. No corrective measures are required for the reference soil; therefore, no deductions would be made in deriving the soil potential index. Soils with less favorable properties would have ratings less than 100 to account for deductions taken to obtain the desired performance level.

Example:

For a soil with a seasonal high water table at 2 feet below the ground surface the corrective measure for a septic sewage absorption field would be added fill to raise the level of the field. The cost of added fill is indexed and becomes part of the Soil Potential Index Equation.

Limitations existing after all corrective measures have been made are referred to as continuing limitations. These may include negative effects on social, economic, or environmental values. Continuing limitations are indices of costs resulting from unfavorable soil properties remaining after corrective measures are made. An example would be erosion control on steep slopes in order to prevent siltation of road ditches or plugging of storm drains. The cost of periodic erosion control measures would be indexed and used in the Soil Potential Index equation.

The Soil Potential Rating is based on the index value obtained after the corrective measure index and continuing limitation index have been subtracted from 100.

The Soil Potential Index is a mathematical expression of a soil's position in the overall range of potentials which goes from a high of 100 to a low of 0. Since the entire range is large, these numerical ratings are separated into Soil Potential Rating Classes. These classes are based on the expected performance of a soil if feasible measures are taken to overcome its limitations, the cost of such measures, and the magnitude of the limitations that remain after measures have been applied. The development rating (fourth column in the rating tables) is a weighted sum of the septic, dwelling and road indices. The septic system has the most restrictive site requirements and the dwelling has the least restrictive site requirements. Therefore, to get the composite development index, 45 percent of the septic index, 20 percent of the dwelling index and 35 percent of the local road index are added together.

Example: 38C2 Skerry part;

Septics Index	$69 \times .45(45\%) =$	31.05
Dwellings Index	$81 \times .20 =$	16.20+
Roads Index	$66 \times .35 =$	23.10+
Development Index		70 rounded

Table 2 – Figuring the Development Index

**Table 3 - Soil Potential Rating Class**

SOIL POTENTIAL INDEX	RATING CLASS
100	VERY HIGH(VH)
83-99	HIGH (H)
60-82	MEDIUM (M)
40-59	LOW (L)
0-39	VERY LOW (VL)

**VERY HIGH POTENTIAL** - Site conditions and soil properties are favorable. Installation costs are lowest for that use and there are no soil limitations. Soils in the group have soil properties similar to the reference soil. The Soil Potential Index for this rating class is 100 for each soil use.

**HIGH POTENTIAL** - Site conditions and soil properties are not as favorable as the reference soil condition. The cost of measures for overcoming soil limitations are slight. The index for this rating class ranges from 83 to 99 for each soil use.

**MEDIUM POTENTIAL** - Site conditions and soil properties are below soils with high potential. Costs of the measures for overcoming soil limitations are significant. The Soil Potential Index for this class ranges from 60 to 82.

**LOW POTENTIAL** - Site conditions and soil properties are significantly below soils with medium potential. Costs of measures required to overcome soil limitations are very high. The Soil Potential Index for this rating class ranges from 40 to 59 for each soil use.

**VERY LOW POTENTIAL** - There are severe soil limitations for which economical corrective measures are prohibitive or unavailable and costs of these measures are extremely high. Also, soil limitations which detract from environmental quality may continue even after installation of corrective measures. The Soil Potential Index for this rating class is less than 40. They may also be prohibited for use by local or state laws.

#### **CRYIC SOILS**

Both the Maine Land Use Regulation Commission and the Maine Department of Environmental Protection list fragile mountain areas as "resources of state significance". Activities in these areas may require a permit. Fragile mountain areas are defined as "areas above 2700 feet in elevation from mean sea level".

Soils are considered cryic (cold) if their mean annual temperature is between 32 and 47 degrees Fahrenheit. The mean annual summer (June, July, August) temperature must be below 59 degrees Fahrenheit. In the unorganized areas, cryic soils are mapped above 2500 feet in elevation from mean sea level. Therefore, cryic soils can indicate fragile mountain areas

Special precautions must be taken when working in cryic soils. Because of the short growing season, projects must be timed carefully so that time is allowed for revegetation of disturbed areas. High proportions of organic materials in the upper layers make soils

slippery, unstable and difficult to compact, presenting problems for equipment and vehicle operations.

## ADDITIONAL NOTES

1. The Maine Subsurface Wastewater Disposal Rules, 144A CMR 241, dated October 1, 2002 was the reference for developing the soil potential indices and ratings for the septic sewage disposal fields. These rules govern siting, design, construction, and inspection of subsurface wastewater disposal systems. Table 600.1 of the Rules recommends disposal area ratings for the soils in Maine based on parent material, texture and soil classification, depth to bedrock, and drainage. Every soil being rated has to be identified in the table based on these soil properties to determine disposal area size and depth of the separation distance between the bottom of the bed and the most limiting factor (seasonal high groundwater table, restrictive layer, or bedrock).  
  
Assumptions made for determining the disposal area size are for a three bedroom single family home with a design flow of 270 gallons of wastewater per day with a medium rated crushed rock disposal area of 700 square feet on a soil meeting the minimum standards for a first time system. Costs include the tank, pipe, rock fill, and any other fill and materials needed to meet the standards of the plumbing code.
2. Costs of corrective measures and continuing limitations are approximated and based on 1995 prices. For soil and site conditions that have no typical corrective measures or where no actual costs could be determined, penalty points were assigned as a factor.
3. These soil potential ratings for development may need to be updated in the future to reflect new technology and new ordinances and rules. These changes may affect the soil potential of a soil for a particular use over a period of time.
4. Some soil characteristics have numerical ranges. The third paragraph on page 78 describes how values were determined that are used with the work sheets to calculate a soil potential index value.
5. Outwash soils have rapid or very rapid permeability. The Maine Subsurface Wastewater Disposal Rules lists these soils as profile numbers 5 and 6. The rapid rate of permeability creates the potential for increased groundwater contamination. Due to this condition, these soils are penalized 60 index points and have a rating class of low or very low. The footnote on the Septic Tank Absorption Field; Soil Profile and Condition Work Sheet page 84 lists some but not all the possible methods to reduce the potential for groundwater contamination. If one of these measures is used and the depth to seasonal high water table and slope are suitable, the rating class may improve to better than very low or low. The soils that may meet these criteria are Adams, Allagash, Agwam, Au Gres, Colton, Croghan, Deerfield, Duane, Duxbury, Finch, Hinckley, Machias, Madawaska, Marlow, Masardis, Masardis Variant, Merrimac, Moosilauke, Naumberg, Ninigret, Saugatuck, Scarboro, Sheepscot, Skowhegan, Stetson, Walpole and Windsor.
6. Somewhat poorly drained soils that have a seasonal high water table deeper than 12 inches from the mineral soil surface may have a higher soil potential rating if they are outside of the shore land zone.

## REFERENCES

- Carroll County Conservation District, New Hampshire, Soil Potential Ratings for Low Density Development November 1987.
- Maine Department of Human Services, Division of Health Engineering, Augusta, Maine, Site Evaluation for Subsurface Wastewater Disposal Design in Maine June 1987.
- Maine Department of Human Services, Division of Health Engineering, Augusta, Maine, Subsurface Wastewater Disposal Rules. Chapter 241 Rev. 2002.
- U.S. Department of Agriculture, Soil Conservation Service, National Soil Handbook. 1983.
- U.S. Department of Agriculture, Soil Conservation Service, Soil Interpretation Records (SCS-SOILS-5)
- U.S. Department of Agriculture, Soil Conservation Service, Soil Survey Manual

## SOIL SURVEY PROJECT AREAS

In the interest of providing a higher quality soil survey product for the public, the Natural Resources Conservation Service and the National Cooperative Soil Survey have divided the United States, including the Unorganized Area of Maine, into soil survey projects. This promotes the timely completion of mapping in smaller geographical areas. The finished maps and supporting written information are available to the public more quickly. The product will be more cohesive and consistent as it is more likely that the survey was or will be completed by a more stable, personnel wise, mapping crew. The Unorganized Area of Maine is divided into four soil survey projects (Figure 7). Area 619 includes northern parts of Somerset, Franklin and Oxford Counties. In this area, the mapping is completed so it has its own soil potential ratings. Area 622 includes parts of northern Hancock and Western Washington Counties. Mapping is completed in well over half this area. It also has its own soil potential ratings. Area 620 includes northern parts of Somerset and Piscataquis Counties. A limited amount of mapping has been completed in this area. Area 621 is western Aroostook County. Mapping has started as a soil survey project but only a limited amount of work is completed. Due to the limited amount of mapping completed in areas 620 and 621, they have been combined into one soil potential rating.

### **EXHIBIT 3**

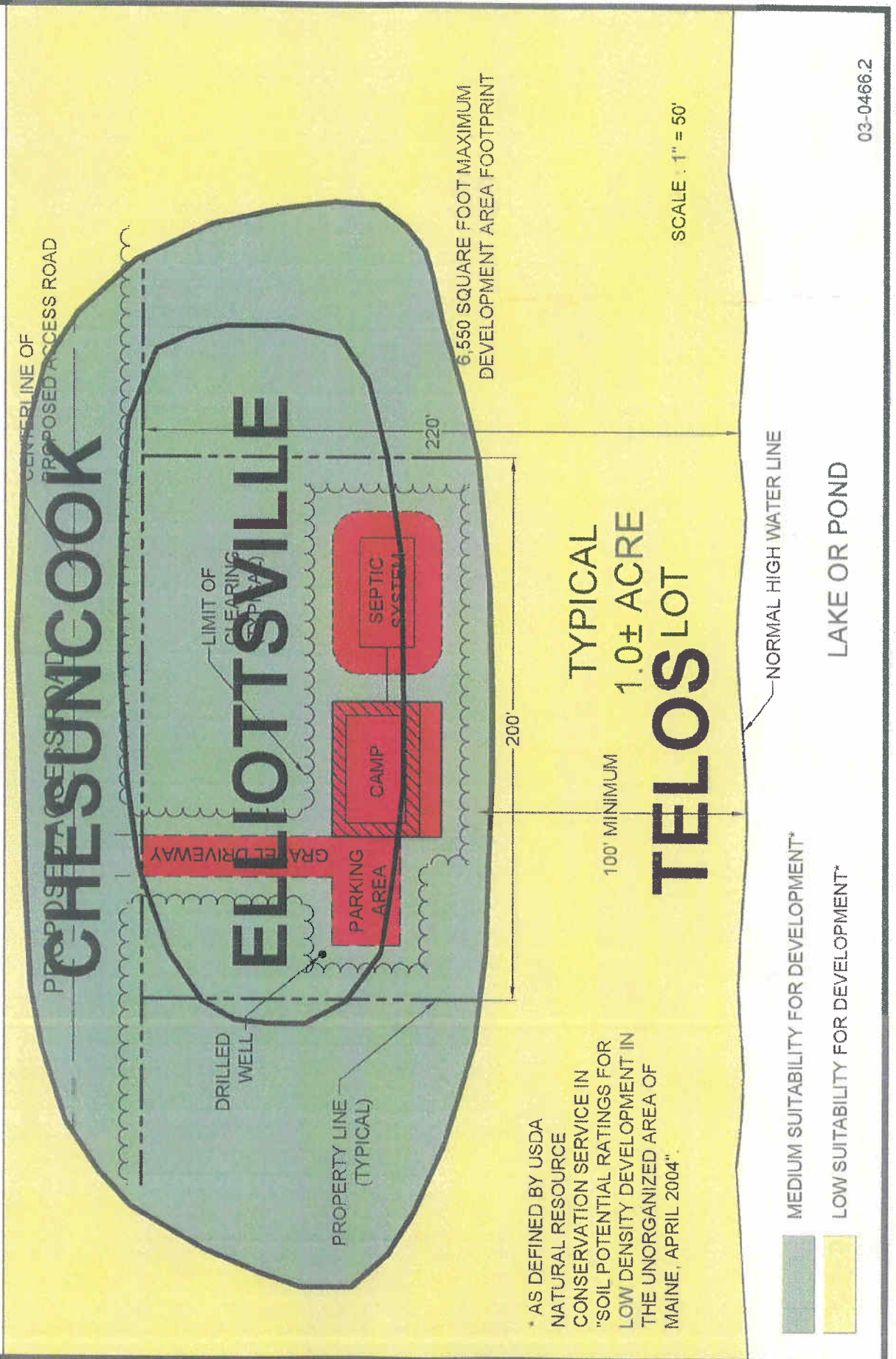


### EXHIBIT 3

<b>SOIL SUITABILITY CRITERIA TABLE</b>	
<b>NRCS Soil Potential Rating</b>	<b>S. W. COLE ENGINEERING, INC. Feasibility for Development Rating</b>
Map Units Dominated by High and Medium Potential Soils	Feasible for Development (High Suitability)
Map Units Dominated by Medium with Some Low or with Equal Amounts of Medium and Low Potential Soils	Potentially Feasible for Development (Medium Suitability)
Map Units Dominated by Low Potential Soils	Marginally Feasible for Development (Low Suitability)
Map Units Dominated by Very Low Potential Soils	Unsuitable for Development (Very Low Suitability)

## **EXHIBIT 4**

# EXHIBIT 4: TYPICAL LOW DENSITY DEVELOPMENT\* AREA FOOTPRINT



## **EXHIBIT 5**



**Photograph 1:**

View of north shore of Long  
Pond looking east  
Photograph taken by S. W.  
Cole Engineering, Inc.



**Photograph 2:**

View of east shore of  
Brassua Lake South  
Peninsula  
Photograph taken by S. W.  
Cole Engineering, Inc.





**Photograph 3:**

View of Sapling Shore  
looking south  
Photograph taken by S. W.  
Cole Engineering, Inc.



**Photograph 4:**

View of north side of  
Burnham Pond looking  
west. This is also typical of  
the South shore of the  
pond.  
Photograph taken by S. W.  
Cole Engineering, Inc.



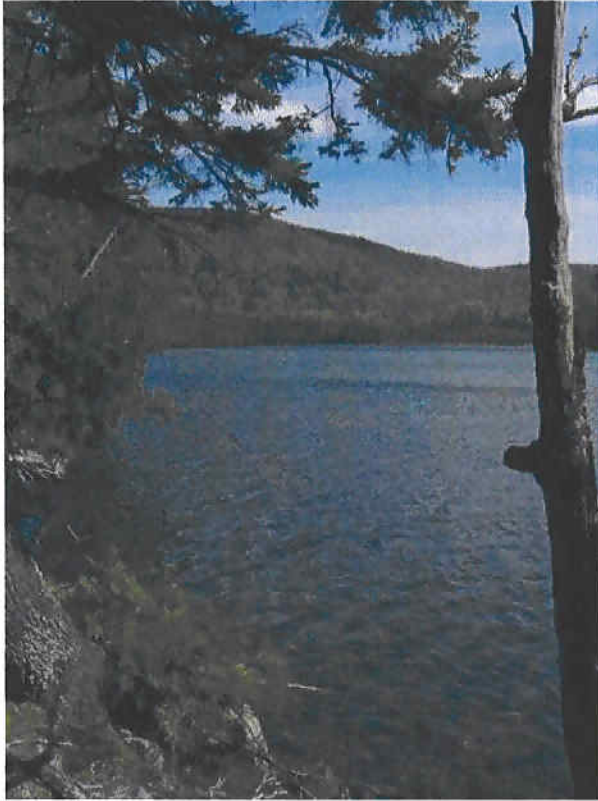
**Photograph 5:**

Example of a narrow wetland between an ice berm and an upland slope that typically occurs along the shore of Burnham Pond. Ice berm in background. Photograph taken by S. W. Cole Engineering, Inc.



**Photograph 6:**

View Indian Pond shore looking east. Photograph taken by S. W. Cole Engineering, Inc.



**Photograph 7:**

Typical view of Upper  
Wilson Pond shore  
Photograph taken by S. W.  
Cole Engineering, Inc.



**TABLE 1**

TABLE 1

## SUMMARY OF FINDINGS

Plum Creek Land Company Soils Investigation  
Soils Mapping and Evaluation  
Moosehead Lake Region, Maine

AREA	SOIL POTENTIAL RATING [a]	MAJOR SOIL TYPE [b]	SOIL LIMITATIONS [a]	CORRECTIVE MEASURES [a]
Long Pond	Very Low	Ricker	1,2,9,11	1,3,4,6,8,9
	Medium	Elliottsville	1,2,9	1,4,8,9
	Very Low	Monarda	Not Suitable	Not Suitable
	Low	Telos	2,3,4,7,9,10	1,2,3,5,7,8,9
	Medium	Chesuncook	2,3,4,7,9,10	1,2,3,5,7,8,9
	High	Danforth	2,9	1,7,8,9
	Medium	Masardis	2,9,11,12	1,8,9,10
Brassua Lake	Low	Telos	2,3,4,7,9,10	1,2,3,5,7,8,9
	Medium	Chesuncook	2,3,4,7,9,10	1,2,3,5,7,8,9
	Very Low	Monarda	Not Suitable	Not Suitable
	Medium	Masardis	2,9,11,12	1,8,9,10
	Medium	Elliottsville	1,2,9	1,4,8,9
	Low - Medium	Monson	1,2,9,11	1,3,4,6,8,9
RTE 6/15	Low	Telos	2,3,4,7,9,10	1,2,3,5,7,8,9
	Very Low	Monarda	Not Suitable	Not Suitable
	Medium	Elliottsville	1,2,9	1,4,8,9
	Low - Medium	Monson	1,2,9,11	1,3,4,6,8,9
	Medium	Chesuncook	2,3,4,7,9,10	1,2,3,5,7,8,9
Big Moose Mountain	Medium	Elliottsville	1,2,9	1,4,8,9
	Low - Medium	Monson	1,2,9,11	1,3,4,6,8,9
	Low	Telos	2,3,4,7,9,10	1,2,3,5,7,8,9
	Medium	Chesuncook	2,3,4,7,9,10	1,2,3,5,7,8,9
	Very Low	Monarda	Not Suitable	Not Suitable
	Medium	Elliottsville	1,2,9	1,4,8,9
	Medium	Daigle	2,3,4,7,9,10,12	1,2,3,5,7,8,9
Lily Bay Township	Low	Telos	2,3,4,7,9,10	1,2,3,5,7,8,9
	Medium	Chesuncook	2,3,4,7,9,10	1,2,3,5,7,8,9
	Very Low	Monarda	Not Suitable	Not Suitable
	Medium	Masardis	2,9,11,12	1,8,9,10
	Medium	Elliottsville	1,2,9	1,4,8,9
	Low - Medium	Monson	1,2,9,11	1,3,4,6,8,9
	Very Low	Burnham	Not Suitable	Not Suitable
Beaver Cove	Low	Colonel	2,3,4,7	1,2,5,8,9
	Medium	Dixfield	2,3,7	1,2,5,8,9
	Low	Lyman	1,2,11	1,3,4,6,8,9
	Medium	Tunbridge	1,2,9,11	1,3,4,8,9
Upper Wilson Pond	High	Marlow	NA	NA
	Medium	Dixfield	2,3,7	1,2,5,8,9
	Very Low	Monarda	Not Suitable	Not Suitable
	Very Low	Burnham	Not Suitable	Not Suitable
	Medium	Berkshire	2,9	1,7,8,9
	Medium	Elliottsville	1,2,9	1,4,8,9
Moose Bay Village	Low	Telos	2,3,4,7,9,10	1,2,3,5,7,8,9
	Medium	Chesuncook	2,3,4,7,9,10	1,2,3,5,7,8,9
	Medium	Elliottsville	1,2,9	1,4,8,9
	Low	Monson	1,2,9,11	1,3,4,6,8,9
	Very Low	Monarda	Not Suitable	Not Suitable

Notes:

- [a] Soil Potential Ratings from "Soil Potential Ratings for Low Density Development in the Unorganized Area of Maine," Natural Resource Conservation Service, (USDA-NRCS, 2004).
- [b] Major soil types observed as determined by on-site investigations and/or USDA-NRCS published soil maps.

[a] Major Soil Limitations:

- 1 Shallow Depth to Bedrock
- 2 Steep Slopes
- 3 Wetness
- 4 Frost Action
- 5 Flooding
- 6 Excess Organics
- 7 Restrictive Layer
- 8 Excessive Surface Stones
- 9 Susceptibility to Accelerated Erosion
- 10 Low Strength
- 11 Droughtiness
- 12 Poor Septic System Performance
- 13 Possible Permitting Considerations Due to Hydric Soils

[b] Possible Corrective Measures:

- 1 Additions of Granular Fill
- 2 Ditching, Culverts, Riprap, Filter Fabric or Building Roads Aboveground
- 3 Appropriate Erosion Control Plan and Measures
- 4 Removal of Ledge
- 5 Footing and Under Slab Drains, Sump Pump, Waterproofing, and/or Larger Footings
- 6 Proper Soil Preparing and Watering During Growing Season
- 7 Minimize Soil Disturbance
- 8 Proper Design and Layout of Site Improvements Such as Driveways, Buildings, Trails, and Accessory Structures
- 9 Avoid Steep Areas
- 10 Installation of Septic System Pretreatment Units, Loam Liners, etc.

**TABLE 2**

Table 2 - Summary of Soil Suitability Ratings by Development Area

Development Area	Proposed Zoning	Soil Suitability Ratings					GIS Soil Data Source	Soil Suitability Ratings					Proposed Zoning	Development Area
		High (acres)	Medium (acres)	Low-Steep (acres)	Low-Wet (acres)	Very Low (acres)		High (%)	Medium (%)	Low-Steep (%)	Low-Wet (%)	Very Low (%)		
Beaver Cove	D-RS3M	102.8	6.9			10.3	SWCE	85.7	5.7	0.0	0.0	8.5	D-RS3M	Beaver Cove
Beaver Cove Zone Summary		102.8	6.9			10.3	SWCE	85.7	5.7	0.0	0.0	8.5		Beaver Cove Zone Summary
Big Moose - Central	D-GN2RM	591.3	1163.2	130.4	889.8	672.4	SWCE&NRCS	17.2	33.7	3.8	25.8	19.5	D-GN2RM	Big Moose - Central
Big Moose - No	D-GN2RM	52.3	82.5		62.6	24.2	SWCE&NRCS	23.6	37.2	0.0	28.2	10.9	D-GN2RM	Big Moose - No
Big Moose - W	D-GN2RM	37.8	18.8		60.0		SWCE	32.4	16.1	0.0	0.0	51.4	D-GN2RM	Big Moose - W
Big Moose Zone Summary		681.5	1264.5	130.4	952.4	756.6	SWCE&NRCS	18.0	33.4	3.4	25.2	20.0		Big Moose Zone Summary
Brassua Lake	D-RS2M	899.3	837.4	221.1	352.6	445.1	SWCE&NRCS	32.6	30.4	8.0	12.8	16.2	D-RS2M	Brassua Lake
Brassua Lake	D-RS3M				15.8	44.0	NRCS	0.0	0.0	0.0	26.5	73.5	D-RS3M	Brassua Lake
Brassua Lake - No	D-GN3M	12.2	18.0		3.6	0.7	SWCE	35.4	52.1	0.0	10.3	2.1	D-GN3M	Brassua Lake - No
Brassua Lake - So	D-GN3M	55.6			0.4	0.0	NRCS	99.3	0.0	0.0	0.7	0.0	D-GN3M	Brassua Lake - So
Brassua Lake Summary		967.1	855.4	221.1	372.4	489.9	SWCE&NRCS	33.3	29.4	7.6	12.8	16.9		Brassua Lake Summary
Lily Bay	D-RS2M	122.9	27.5		77.2	129.4	SWCE	34.4	7.7	0.0	21.6	36.2	D-RS2M	Lily Bay
Lily Bay	D-RS3M	1010.3	334.1	176.9	825.6	876.7	SWCE&NRCS	31.3	10.4	5.5	25.6	27.2	D-RS3M	Lily Bay
Lily Bay - E	D-GN2RM	37.1	0.2	14.7			NRCS	71.3	0.4	28.3	0.0	0.0	D-GN2RM	Lily Bay - E
Lily Bay - W	D-GN2RM	272.9	89.4		271.8	139.4	SWCE	35.3	11.6	0.0	35.1	18.0	D-GN2RM	Lily Bay - W
Lily Bay Summary		1443.2	451.2	191.6	1174.6	1145.5	SWCE&NRCS	32.8	10.2	4.3	26.7	26.0		Lily Bay Summary
Long Pond - NE	D-RS3M		427.3			0.8	NRCS	0.0	99.8	0.0	0.0	0.2	D-RS3M	Long Pond - NE
Long Pond - NW	D-RS3M	39.9	206.6			3.0	NRCS	16.0	82.8	0.0	0.0	1.2	D-RS3M	Long Pond - NW
Long Pond - SE	D-RS3M	128.4	322.5		437.9	23.2	NRCS	14.1	35.4	0.0	48.0	2.5	D-RS3M	Long Pond - SE
Long Pond - SW	D-RS3M	12.6	0.2			1.8	NRCS	86.4	1.3	0.0	0.2	12.2	D-RS3M	Long Pond - SW
Long Pond Summary		181.0	956.6		438.0	28.8	NRCS	11.3	59.6	0.0	27.3	1.8		Long Pond Summary
Moose Bay	D-GN3M	0.5	18.2	0.9			SWCE&NRCS	2.4	92.9	4.7	0.0	0.0	D-GN3M	Moose Bay
Moose Bay	D-RS3M	338.2	374.4	262.3	77.5	126.5	SWCE&NRCS	28.7	31.8	22.3	6.6	10.7	D-RS3M	Moose Bay
Moose Bay Summary		338.6	392.7	263.3	77.5	126.5	SWCE&NRCS	28.3	32.8	22.0	6.5	10.6		Moose Bay Summary
Rockwood Village	D-RS2M		83.4		72.0	25.9	NRCS	0.0	46.0	0.0	39.7	14.3	D-RS2M	Rockwood Village
Rockwood-Blue Ridge	D-GN3M	108.6	114.7		12.1		NRCS	46.1	48.7	0.0	5.1	0.0	D-GN3M	Rockwood-Blue Ridge
Rockwood-Blue Ridge	D-RS3M	562.4	876.3	138.4	129.1	1.5	NRCS	32.9	51.3	8.1	7.6	0.1	D-RS3M	Rockwood-Blue Ridge
Rockwood-Blue Ridge	M-GNM	58.5	120.0	58.6		52.9	NRCS	20.2	41.4	20.2	0.0	18.2	M-GNM	Rockwood-Blue Ridge
Rockwood-Blue Ridge - NE	D-RS2M	71.4	341.2	23.3	183.2	8.6	NRCS	11.4	54.4	3.7	29.2	1.4	D-RS2M	Rockwood-Blue Ridge - NE
Rockwood-Blue Ridge - SW	D-RS2M	235.4	606.7	8.4		4.0	NRCS	27.5	71.0	1.0	0.0	0.5	D-RS2M	Rockwood-Blue Ridge - SW
Rockwood-Blue Ridge Summary		1036.3	2142.3	228.6	396.4	92.8	NRCS	26.6	55.0	5.9	10.2	2.4		Rockwood-Blue Ridge Summary
Rte 6/15 Corridor	D-CIM					94.1	NRCS	0.0	0.0	0.0	0.0	100.0	D-CIM	Rte 6/15 Corridor
Rte 6/15 Corridor	D-GN3M					86.7	NRCS	0.0	0.0	0.0	0.0	100.0	D-GN3M	Rte 6/15 Corridor
Rte 6/15 Corridor - No	D-RS3M	693.0	654.5		841.9	483.7	NRCS	25.9	24.5	0.0	31.5	18.1	D-RS3M	Rte 6/15 Corridor - No
Rte 6/15 Corridor - So	D-RS3M	40.3	5.0		105.0	154.2	SWCE&NRCS	13.2	1.6	0.0	34.5	50.7	D-RS3M	Rte 6/15 Corridor - So
Rte 6/15 Corridor Summary		733.3	659.5	0.0	946.9	818.7	SWCE&NRCS	23.2	20.9	0.0	30.0	25.9		Rte 6/15 Corridor Summary
Upper Wilson	D-RS3M	100.5	44.5	30.4	0.8	7.4	SWCE	54.7	24.2	16.6	0.4	4.0	D-RS3M	Upper Wilson
Upper Wilson Summary		100.5	44.5	30.4	0.8	7.4	SWCE	54.7	24.2	16.6	0.4	4.0		Upper Wilson Summary

***Exhibit E***

**Letters Evaluating Impacts**

April 27, 2007

Kathy MacKenzie  
Jackman Town Manager  
365 Main Street  
PO Box 269  
Jackman, ME 04945-0269

**SEE ATTACHED LIST OF  
ADDITIONAL RECIPIENTS**

Dear Ms. MacKenzie:

Plum Creek Maine Timberlands, L.L.C. and its affiliate, Plum Creek Land Company (collectively "Plum Creek") is submitting an amendment to its Concept Plan and Rezoning Petition for its lands in the Moosehead Lake Region.

The significant changes include:

- a fresh "zoning" approach (based on the Rangeley prospective zoning model) which abandons the precision of an envelope by envelope approach and applies a more flexible zoning approach that permits a greater mix of land;
- less shorefront development;
- concentrated, contained development;
- a greater mix of residential dwelling types;
- elimination of the 30 year buffer zones;
- more donated conservation;
- a different configuration of the donated conservation that will contain sprawl and protect special places;
- a stronger focus on resort/nature based tourism opportunities.

The positive values of the Plan that have not changed:

- over 400,000 acres of permanent conservation;
- opportunities to revitalize the regional economy;
- opportunities to provide nature based tourism and recreation;
- sustainable forestry and wildlife management.

This letter asks for your comments, on Plum Creek's 2007 Amendment. As before, we request your comments on what you anticipate as impacts - both favorable and unfavorable - of the proposed use of the land on the local community and surrounding area; and whether needed municipal and county services (such as solid waste disposal, fire and police protection, schools

and school transportation, etc.) would be available, and any special circumstances or conditions that must be met prior to providing such services.

Enclosed for your reference is a CD that contains the Petition for Rezoning, Plan Description and all associated documents including maps.

Please send your written comments to LURC for inclusion in the record. LURC's address is 22 State House Station, Augusta, ME 04333-0022. Also, please forward a copy of your comments to me.

If there is any other information you require please do not hesitate to contact me at [luke.muzzy@plumcreek.com](mailto:luke.muzzy@plumcreek.com), tel. no. 695-2241, ext. 17.

Sincerely,

Luke Muzzy  
Project Manager  
Plum Creek Maine Timberlands, L.L.C.



**ADDITIONAL RECIPIENTS:**

Wallace Williams  
Selectman  
Black Point Road  
Beaver Cove, ME 04401

John Simko  
Greenville Town Manager  
PO Box 1109  
Greenville, ME 04441

Mike Henderson  
Piscataquis County Administrator  
159 East Main Street  
Dover-Foxcroft, ME 04426

Geno Murray  
President and CEO, C.A. Dean Memorial Hospital & Nursing Home  
PO Box 1129  
Pritham Avenue  
Greenville, ME 04441

Bob Dunphy  
Somerset County Commissioner  
41 Court Street  
Skowhegan, ME 04976

Heather Perry  
Superintendent, Greenville School Department  
PO Box 100  
Greenville, ME 04441

Richard Curtis  
Superintendent, Jackman School Department  
PO Box 239  
Jackman, ME 04945

***Exhibit F***

**Letters Confirming Availability of Services**

**(Waived per Email from LURC Staff Dated April 19, 2007)**

***Exhibit G***

**Easement Holder**



FOREST  
SOCIETY  
of MAINE

Mailing address:  
P.O. Box 775  
Bangor, ME 04402

115 Franklin Street (207) 945-9200  
Bangor, Maine 04401 (207) 945-9229 fax  
[www.fsmaine.org](http://www.fsmaine.org)

August 29, 2005

Catherine M. Carroll, Director  
Land Use Regulatory Commission  
Maine Department of Conservation  
22 State House Station  
Augusta, ME 04333-0022

Dear Ms. Carroll:

I send this letter to inform the Land Use Regulatory Commission (LURC) that the Forest Society of Maine is interested in being considered as the holder of conservation easements resulting from LURC's action on Plum Creek's concept plan proposal for the Moosehead Lake Region. The Forest Society of Maine expresses this interest because of our extensive easement holdings and experience in the Moosehead Lake region and extensive expertise and specialized abilities with conservation easements.

The mission of the Forest Society of Maine is to protect and conserve Maine's forestlands, including important natural areas such as lakes, rivers, and mountains. FSM has pioneered the use of conservation easements within working forest landscapes and has more than 20 years of experience and success in negotiating, holding, monitoring, and enforcing easements. A summary of our credentials is enclosed.

The Forest Society of Maine is a land trust, not an environmental advocacy organization. As such, we do not anticipate taking a position either for or against the Plum Creek proposal. We recognize that Plum Creek's proposal has, to date, proven controversial with strong supporters and opponents. We anticipate there will be a full and vigorous discussion as the LURC process moves forward. Moreover, we anticipate that there may be modifications to the proposal, including that portion of the plan providing for conservation easements. Once a final proposal emerges through the LURC process, FSM's board of directors will review the conservation easement component(s) of the project and determine whether the proposed easements are consistent with FSM's mission and easement policies and guidelines.

The Forest Society of Maine looks forward to working with LURC staff and others in the months ahead as Plum Creek's application works through the process. FSM recognizes that this application and LURC's deliberations will be a defining moment for Maine's North Woods and the communities dependent on them, and we hope to be able to contribute to this important process.

Sincerely,

Alan Hutchinson  
Executive Director

## **The Forest Society of Maine's Qualifications to Hold Easements Resulting From LURC's Actions**

The following information and enclosed documentation is provided to the Land Use Regulation Commission (LURC) by the Forest Society of Maine (FSM) in support of its August 29, 2005 letter indicating interest in being considered as the holder of the conservation easements resulting from LURC's action on Plum Creek's concept plan proposal for the Moosehead Lake Region. FSM has extensive easement holdings and conservation experience in the Moosehead Lake region and across Maine. Our credentials are presented herein, organized following the categories of LURC's "Guidelines for Selecting Conservation Easement Holders". Various supporting documents are enclosed.

### **Legal Qualifications:**

The Forest Society of Maine is a nonprofit organization incorporated in Maine for the purpose of "protecting and conserving the forests of Maine". FSM qualifies under 33 MRSA to hold conservation easements. (Articles of Incorporation, IRS Letter of Determination, and Bylaws are enclosed)

### **Compatible Goals and Purpose**

The following is excerpted from the Forest Society of Maine's strategic plan and demonstrates the organization's focus on conserving natural values in Maine's forestlands and our compatibility, in goals and purpose, with the contemplated easements:

***The Mission** is to protect and conserve Maine's forestlands, including important natural areas such as lakes, rivers, and mountains. Working cooperatively with owners of working forestlands, FSM seeks to sustain the economic, ecological, cultural, and recreational values of the Maine woods.*

***The Strategy** to achieve this mission is to conserve tracts of productive forestland and promote the effective stewardship of these lands, using conservation easements and, when appropriate, strategic land acquisitions. FSM is a statewide, Maine-based, nonprofit land trust focused on working forestlands, with a special emphasis on conservation and stewardship of large tracts in the North Maine Woods.*

***Our Niche** - FSM fills a unique niche by providing a balanced approach to conserving the special nature of Maine's working forestlands.*

***Our vision** is that the cultural, ecological, and economic character of Maine has been shaped by its more than 17 million acres of forestland, which represent the largest block of undeveloped forestland east of the Mississippi River. After centuries of remarkable stability, ownership and management of these lands are changing at an unprecedented scale and pace, however, thoughtful action can sustain not only these lands, but also their unique ecological values, the economic vitality of the surrounding communities, and traditional public recreational opportunities provided by productive working forests.*

To date, the Forest Society of Maine has helped conserve nearly 400,000 acres of forestlands in Maine, primarily using conservation easements. In 1984, FSM pioneered the use of large, multi-faceted forestland conservation easements, nationally, with the 18,000-acre Attean easement. In December 2004, in partnership with the state, we completed the 329,000-acre West Branch project, abutting Moosehead Lake and encompassing the headwaters of the West Branch of the Penobscot and the St. John rivers. Most recently, we completed the 20,000-acre Boundary Headwaters project near Coburn Gore. Other notable accomplishments include the 21,000-acre Niatous Lake project and the Big Spencer Mountain-Moosehead Lake project, both done in close collaboration with the state. Forest Society of Maine-led projects have conserved more than 175 lakes and ponds, more than 500 miles of lake and pond shoreline,

nearly 1,000 miles of river and stream shore, and nearly 400,000 acres of productive forests, wildlife habitats, and important recreational lands. (Fact sheets and newsletters are enclosed.)

### **Board Accountability**

By policy and practice, the board is responsible for and must approve every land transaction – fee or easement. The board will be actively engaged in our involvement with the Plum Creek proposal as it moves through the LURC process. The board will make the final decision regarding acceptance of any easements resulting from LURC action, in full recognition of the legal responsibilities for monitoring and enforcement that would be assumed with holding the easements. (A list of the board of directors and officers is enclosed.)

### **Conflict of Interest**

The Forest Society of Maine was established to operate in the public interest by protecting and conserving forestlands in Maine. It is not an “advocacy” organization. FSM also follows a board-adopted policy on conflicts of interest. The policy requires that any board member who is a landowner or agent of a landowner with whom FSM is involved in negotiations to acquire an interest in real estate must resign from the board. There are no representatives or employees of the applicant, Plum Creek, on FSM’s board, either currently or in the past. FSM’s policy also requires disclosure of any potential conflicts by board members at all meetings, and board members with conflicts must remove themselves from board actions on related issues. Regarding financial conflicts, Plum Creek is not and has not been a donor to the Forest Society of Maine. Two of FSM’s 500+ members/supporters are known to be consultants to Plum Creek on this project and there likely are a few other Plum Creek employees or contractors within our membership. (A list of FSM board of directors and officers and a copy of our latest annual report, including budget summaries and a list of donors are enclosed.)

### **Financial Resources**

The Forest Society of Maine is an organization dedicated to the long-term conservation of forestlands and with a strong commitment to the perpetual responsibilities of easement monitoring and enforcement. FSM has a staff of six, two of whom are fully focused on FSM’s stewardship program that includes easement monitoring and enforcement. Other staff members, board members, and consultants are also involved. FSM policy requires a stewardship fund for each easement we accept, of a size adequate to serve as an endowment to perpetually support the cost of overseeing the easement. FSM’s stewardship endowments for its existing easements currently total about \$500,000, and are scheduled to reach more than \$1 million in the near future. A policy is followed that guards the principal and allocates annual disbursements toward the stewardship and monitoring program. FSM would require that a contribution be made to a stewardship endowment in support of any easement it accepted via decisions on Plum Creek’s proposal, of an amount FSM deemed necessary to meet ongoing costs of stewarding the easements.

### **Commitment to Monitoring**

FSM has more than 20 years of successful experience in monitoring large and complex easements, and is committed to continuing as a leader in this area. FSM develops and follows a systematic approach to monitoring each of its easements. Activities are conducted at least annually. Our monitoring activities involve an array of coordinated actions, including: on the ground visits; regular meetings and communications with landowners and managers; reviews of forest management plans and activities; aerial over-flights; satellite and geo-spatial data analysis, and thorough record keeping. A committee of the board of directors oversees and guides the work of the stewardship staff and reports regularly to the full board. FSM monitors nearly 400,000 acres of easements annually, including easements held by FSM and easements held by others with FSM providing easement-monitoring services.

Filing Fee \$20.00

Exhibit A-1

For Use By The Secretary of State	
File No. . . . .	850064ND . . . . .
Fee Paid . . . . .	\$20.00 . . . . .
C. B. . . . .	-----
Date . . . . .	9-20-84
	3

NONPROFIT CORPORATION

STATE OF MAINE

ARTICLES OF INCORPORATION

Pursuant to 13-B MRSA §403, the undersigned, acting as incorporator(s) of a corporation, adopt(s) the following Articles of Incorporation:

For Use By The Secretary of State	
FILED	
August 10, 19 84	
<i>Elmer A. Bowen</i> Deputy Secretary of State	
A True Copy When Attested By Signature	
<i>L. Evelyn Brown</i> Deputy Secretary of State	

FIRST: The name of the corporation is Forest Society of Maine

SECOND: The corporation is organized for all purposes permitted under Title 13-B, MRSA, or, if not for all such purposes, then for the following purpose or purposes:

See Exhibit A, attached.

THIRD: The name of its Registered Agent and address of registered office: (The Registered Agent must be a Maine resident, whose business office is identical with the registered office or a corporation, domestic or foreign, profit or nonprofit, having an office identical with such registered office.)

Name David E. Hunt

Street & Number Pierce, Atwood, Scribner, et al; One Monument Square

City Portland, , Maine 04101  
(zip code)

FOURTH: The number of directors (not less than 3) constituting the initial board of directors of the corporation, if they have been designated or elected, is \_\_\_\_\_.

The minimum number of directors (not less than 3) shall be three and the maximum number of directors shall be fifty.

FIFTH: Members: ☐ There shall be no members.  
("X" one box only)

☒ There shall be one or more classes of members, and the information required by §402 is as follows:

There shall be one class of members consisting of such persons and corporations, foreign and domestic, as the incorporator shall appoint or as shall be elected by the membership. No member or members shall be entitled to vote on the matter of the dissolution of the corporation.

SIXTH: ☒ (Check if this article is to apply)

No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office.

EXHIBIT A

PAGE 1001

This corporation is formed exclusively for charitable, scientific and educational purposes, within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954, as amended, including, without limitation, for the purposes of protecting and conserving the forests of Maine, increasing public awareness and understanding of temperate forests as ecosystems and promoting appreciation and use of forests and other natural habitats as renewable resources.



Internal Revenue Service

Department of the Treasury

P. O. Box 2508  
Cincinnati, OH 45201

Date: December 18, 2001

Forest Society of Maine  
P.O. Box 775  
Bangor, ME 04402-0775

Person to Contact:

Mrs. Coghill 31-07426

Customer Service Representative

Toll Free Telephone Number:

8:00 a.m. to 9:30 p.m. EST

877-829-5500

Fax Number:

513-263-3756

Federal Identification Number:

02-0413555

Dear Sir or Madam:

This letter is in response to your request for a copy of your organization's determination letter. This letter will take the place of the copy you requested.

Our records indicate that a determination letter issued in May 1986, granted your organization exemption from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

Based on information subsequently submitted, we classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Code because it is an organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

This classification was based on the assumption that your organization's operations would continue as stated in the application. If your organization's sources of support, or its character, method of operations, or purposes have changed, please let us know so we can consider the effect of the change on the exempt status and foundation status of your organization.

Your organization is required to file Form 990, Return of Organization Exempt from Income Tax, only if its gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000, when a return is filed late, unless there is reasonable cause for the delay.

All exempt organizations (unless specifically excluded) are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more paid to each employee during a calendar year. Your organization is not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, these organizations are not automatically exempt from other federal excise taxes.

Donors may deduct contributions to your organization as provided in section 170 of the Code. Bequests, devises, transfers, or gifts to your organization or for its use are deductible for federal estate and tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

**BYLAWS**  
**OF**  
**FOREST SOCIETY OF MAINE**

**ARTICLE I**  
**NAME**

The name of the Corporation is Forest Society of Maine.

**ARTICLE II**  
**PURPOSES**

This corporation is organized and operated exclusively for charitable, scientific, and educational purposes within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986, as amended, including, without limitation, for the purposes of protecting and conserving the forests of Maine, increasing public awareness and understanding of temperate forests as ecosystems, and promoting appreciation and use of forests and other natural habitats as renewable resources.

**ARTICLE III**  
**NONPARTISAN ACTIVITIES**

This corporation has been formed under the Maine Nonprofit Corporation Law for the purposes described above, and it shall be nonprofit and nonpartisan.

**ARTICLE IV**  
**MEMBERS**

The Corporation shall have no members. The Board of Directors, when meeting as the Board of Directors, may exercise the rights and powers of members.

**ARTICLE V**  
**BOARD OF DIRECTORS**

Section A. General Powers. The business and affairs of the Corporation shall be conducted and managed by its Board of Directors, which shall exercise all of the powers of the Corporation. The Board of Directors may by general resolution delegate to committees and officers of the Corporation such powers as it sees fit.

Section B. Duties. Every Director in exercising his or her powers and discharging his or her duties shall: (a) act honestly and in good faith with a view to the best interests of the Corporation; and (b) exercise the care, diligence, and skill that a reasonably prudent person would exercise in comparable circumstances.

Section H. Special Meetings. Special meetings of the Board of Directors may be called by the President or by the Secretary and must be called by either of them on the written request of any two (2) members of the Board. Special meetings may be held at such place, either within or outside the State of Maine, and at such time as shall be specified in the notice of meeting.

Section I. Notice of Meetings. Notice of all Directors' meetings, except as herein otherwise provided, shall be given by mailing the same at least three (3) days before the meeting, or by sending notice by email or facsimile transmission at least one (1) day before the meeting to the usual business or residence address of the Director. Any Director may waive notice of any meeting. The attendance of any Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any meeting of the Board need be specified in the notice or waiver of notice of such meeting, unless specifically required by law or these Bylaws.

Section J. Quorum; Voting. At all meetings of the Board of Directors a majority of the Directors shall be necessary and sufficient to constitute a quorum for the transaction of business, and the act of a majority of the Directors present at any meeting at which there is a quorum shall be the act of the Board of Directors. If at any meeting there is less than a quorum present, a majority of those present may adjourn the meeting from time to time without further notice to any absent Director.

Section K. Informal Action by Directors. Any action required or permitted to be taken at any meeting of the Board of Directors or of any committee thereof may be taken without a meeting, if a written consent to such action is signed by all members of the Board or of such committee, as the case may be, and such written consent is filed with the minutes of the proceedings of the Board or committee.

Section L. Telephone Meetings. Members of the Board of Directors or a committee of the Board may participate in a meeting by means of a conference telephone or similar communications equipment if all persons participating in the meeting can hear each other at the same time. Participation in a meeting by these means constitutes presence in person at the meeting.

## ARTICLE VI OFFICERS

Section A. Executive Officers. The Executive Officers of the Corporation shall be a President, a Secretary, a Treasurer, and such other officers with such powers and duties not inconsistent with these Bylaws as may be appointed and determined by the Board of Directors. Any two offices may be held by the same person, provided that the President shall not also be a Vice-President if a Vice-President is appointed. A Director may be elected an officer.

Section G. Other Officers. The Board of Directors may elect or appoint one or more Vice-Presidents and such other officers and assistant officers as they may deem necessary, who shall have such authority and perform such duties as from time to time may be prescribed by the President or by the Board of Directors.

Section H. Agents and Employees. The Board of Directors may appoint agents and employees who shall have such authority and perform such duties as may be prescribed by the Board. The Board may remove any agent or employee at any time with or without cause. Removal without cause shall be without prejudice to such person's contract rights, if any, and the appointment of such person shall not itself create contract rights.

Section I. Compensation of Agents and Employees. The Corporation may pay compensation in reasonable amounts to agents and employees for services rendered, such amount to be fixed by the Board or, if the Board delegates power to any officer or officers, then by such officer or officers.

## **ARTICLE VII** **COMMITTEES**

Section A. Committees. The Board of Directors also may appoint from their number, or from among such other persons as the Board may see fit, such committees as the Board may determine, which shall in each case have such powers and duties as shall from time to time be prescribed by the Board. The President shall be a voting member ex officio of each committee appointed by the Board of Directors.

Section B. Executive Committee. The Board of Directors, by majority vote of the full Board of Directors, may appoint from its members an Executive Committee consisting of two or more Directors to serve at its pleasure and to the extent permitted by applicable law; and may delegate to such Executive Committee all the authority of the Board of Directors, except that the Executive Committee shall have no authority to elect officers or to enter into any transaction or activity which it knows to be contrary to the wishes of the Board of Directors.

Section C. Rules; Record of Proceedings. Each Committee may prescribe rules and procedures to call and conduct its meetings. Each Committee shall keep regular minutes of its proceedings and shall report the same to the Board of Directors and the President when required.

## **ARTICLE VIII** **CORPORATE ASSETS AND EARNINGS**

Section A. Investments. The Corporation shall have the right to retain all or any part of any securities or property acquired by it in whatever manner, and to invest and reinvest any funds held by it, according to the judgment of the Board of Directors, without being restricted to the class of investments which a director is or may hereafter be permitted by law to make or any similar restriction; provided, however, that no action

Section C. Records and Reports. The Corporation shall keep correct and complete books and records of account and of its transactions and minutes of the proceedings of its Board of Directors and of any committee. The President or the Secretary of the Corporation shall prepare or cause to be prepared annually a full and correct statement of the affairs of the Corporation, including a balance sheet and a financial statement of operations for the preceding fiscal year, which shall be submitted at the annual meeting of the Board of Directors and filed within twenty days thereafter at the principal office of the Corporation.

## ARTICLE X INDEMNIFICATION AND INSURANCE

Section A. Indemnification. The Corporation shall, to the full extent of its power to do so provided by law, including without limitation Section 714 of Title 13-B of the Maine Revised Statutes Annotated, indemnify any and all present and former officers, Directors, employees, committee members, and agents of the Corporation against expenses, including attorneys' fees, judgments, fines, and amounts paid in settlement actually and reasonably incurred by them in connection with any action, suit, or proceeding in which they, or any of them, are made parties or a party by reason of their being or having been officers, directors, employees, committee members, or agents of the Corporation; except in relation to matters as to which any such person shall be finally adjudicated in any such action, suit, or proceeding not to have acted in good faith in the reasonable belief that his or her action was in the best interest of the Corporation, or, with respect to any criminal action or proceeding, where such person is finally adjudged to have had reasonable cause to believe that his or her conduct was unlawful. Such indemnification shall be made in accordance with the procedures set forth in Maine Revised Statutes Annotated, Title 13-B, Section 714, subsection 3, as the same may be amended from time to time. Such indemnification shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any other Bylaw, agreement, or otherwise.

Section B. Insurance. The Corporation may purchase and maintain insurance on behalf of any person who is or was a Director, officer, employee, or agent of the Corporation, or who is or was serving at the request of the Corporation as a Director, director, officer, employee, or agent of another corporation, partnership, joint venture, trust or other enterprise, against any liability asserted against him or her and incurred by him or her in any such capacity, or arising out of his or her status as such, whether or not the Corporation would have the power to indemnify him or her against such liability under the provisions of this Article X.

Section C. Certain Limitations on Indemnification. In no case shall the Corporation indemnify or reimburse any person for any taxes on such individual under Chapter 42 of the Internal Revenue Code of 1986 as it presently exists or may hereafter be amended (the "Code"), or under the comparable or corresponding provisions of any future United States internal revenue laws. Further, at any time the Corporation is deemed to be a private foundation within the meaning of section 509 of the Code, then, during such time, no payment shall be made under this Article X if such payment would



**FOREST  
SOCIETY  
of MAINE**

*Mailing address:*  
P.O. Box 775  
Bangor, ME 04402

115 Franklin Street (207) 945-9200  
Bangor, Maine 04401 (207) 945-9229 fax  
[www.fsmaine.org](http://www.fsmaine.org)

**FOREST SOCIETY OF MAINE  
BOARD OF DIRECTORS  
September 2005**

**Jerry Bley**  
Creative Conservation  
Readfield, ME

**Bob Burr**  
Pride Manufacturing  
Burnham, ME

**Aram J.K. Calhoun**  
University of Maine  
Orono, ME

**Ed Clift**  
Merrill Bank  
Bangor, ME

**Dan Corcoran**  
Millinocket, ME

**Marylee Dodge, Vice  
President**  
Gorham, ME

**Carole Dyer**  
Bowdoinham, ME

**Dave Edson**  
James W. Sewall Co.  
Old Town, ME

**Sally Farrand, Secretary**  
Greenville, ME

**Robert H. Gardiner**  
Cumberland Foreside, ME

**Dino Glamatti**  
Portland, ME

**Gordon Hall III**  
Marblehead, MA

**Bob Hintze, Vice President**  
South Freeport, ME

**Sherry Huber, President**  
Falmouth, ME

**Max McCormack, Jr.**  
Deer Isle, ME

**Fred Morton, Treasurer**  
Farm Credit of Maine, ACA  
Auburn, ME

**Bucky Owen**  
Orono, ME

**John K. Pierce**  
Falmouth Foreside, ME

**Roy VanVleck**  
The Lyme Timber Company  
Lyme, NH

**Rick Warren**  
Bangor Daily News  
Bangor, ME

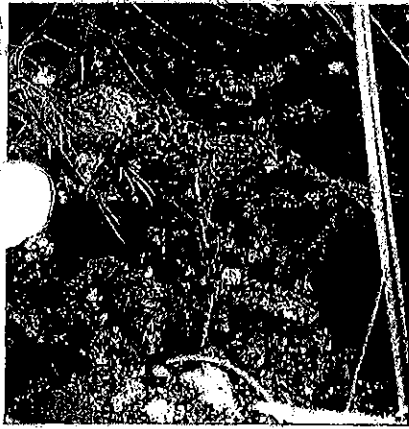
**Henry Whittemore**  
Readfield, ME

•

**John M. Kauffmann**  
Honorary Director  
Yarmouth, ME

**Ralph Knoll, ex officio**  
Bureau of Parks and Lands  
Augusta, ME

Note: FSM board members serve as individuals and do not represent their affiliated companies or organizations.



Mink frog

FSM file photo



# Annual Report

Fiscal year ending July 31, 2005

## Statement of Financial Position

	July 31, 2005*	July 31, 2004
<b>Assets</b>		
Current assets	403,122	248,070
Property & equipment	572,635	572,635
West Branch campaign assets	315,571	341,664
Other assets & receivables**	2,340,142	2,899,761
<b>Total assets</b>	<b>3,631,470</b>	<b>4,062,130</b>
<b>Liabilities</b>		
Current liabilities	14,565	64,516
Campaign liabilities	2,221,783	4,606,240
Long-term debt	0	0
<b>Total liabilities</b>	<b>2,236,348</b>	<b>4,670,756</b>
<b>Net assets***</b>	<b>1,395,122</b>	<b>(608,626)</b>
<b>Other</b>		
Items not carried as assets****	113,909	0

\* Note: Current year figures are unaudited

\*\* Majority of these figures are campaign pledges

\*\*\* Closing on the West Branch easement and acquisition in December 2003 required bridge financing; The final phase of the fundraising campaign, ending in October 2004, secured pledges to offset the loans.

\*\*\*\* Newly established fund at the Maine Community Foundation dedicated to FSM's stewardship program.

- ### Fiscal Year Highlights
- Celebrated successful completion of \$35 million West Branch Campaign
  - Placed conservation easement on the 22,000-acre Boundary Headwaters property in northwestern Maine
  - Completed baseline documentation for West Branch conservation easement and developed the adaptive management plan for use in monitoring the easement
  - Expanded stewardship staff and GIS capabilities to support increased responsibilities
  - Established charitable gift annuity program
  - Worked with a long-term supporter to establish an FSM stewardship fund at the Maine Community Foundation

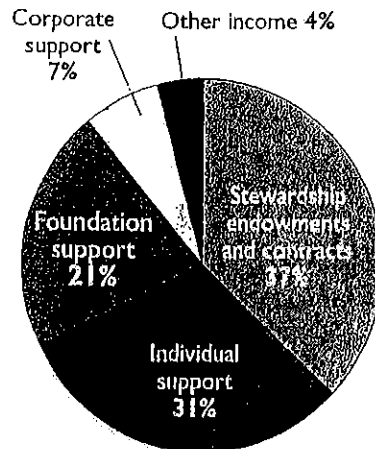
The Forest Society of Maine continues to build a solid financial foundation by broadening our sources of annual support. Individual and corporate support will always remain vital elements in our ongoing conservation work. However, this past year the demand for our stewardship services led to an increase in that source of revenue. The charts below show a breakdown of our diversified support and how it was spent.

## Wish List

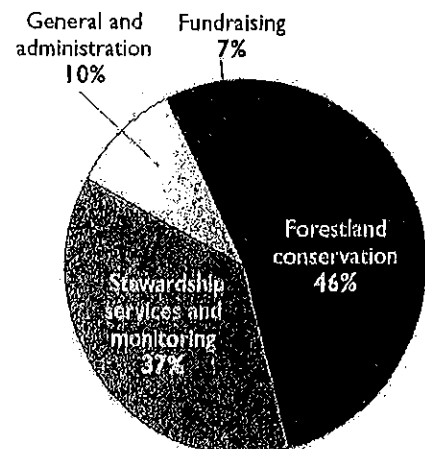
Below are some items we have identified that would help us to carry out our work. If you are able to help us acquire any of these items, please contact the FSM office.

- Laptop computer
- LCD projector
- Magazine rack
- Flat map case
- Binoculars
- Truck (suitable for North Woods)

### Sources of Revenue



### Uses of Revenue



## ***Concept Plan***

**(See Volume 2, Plan Description)**



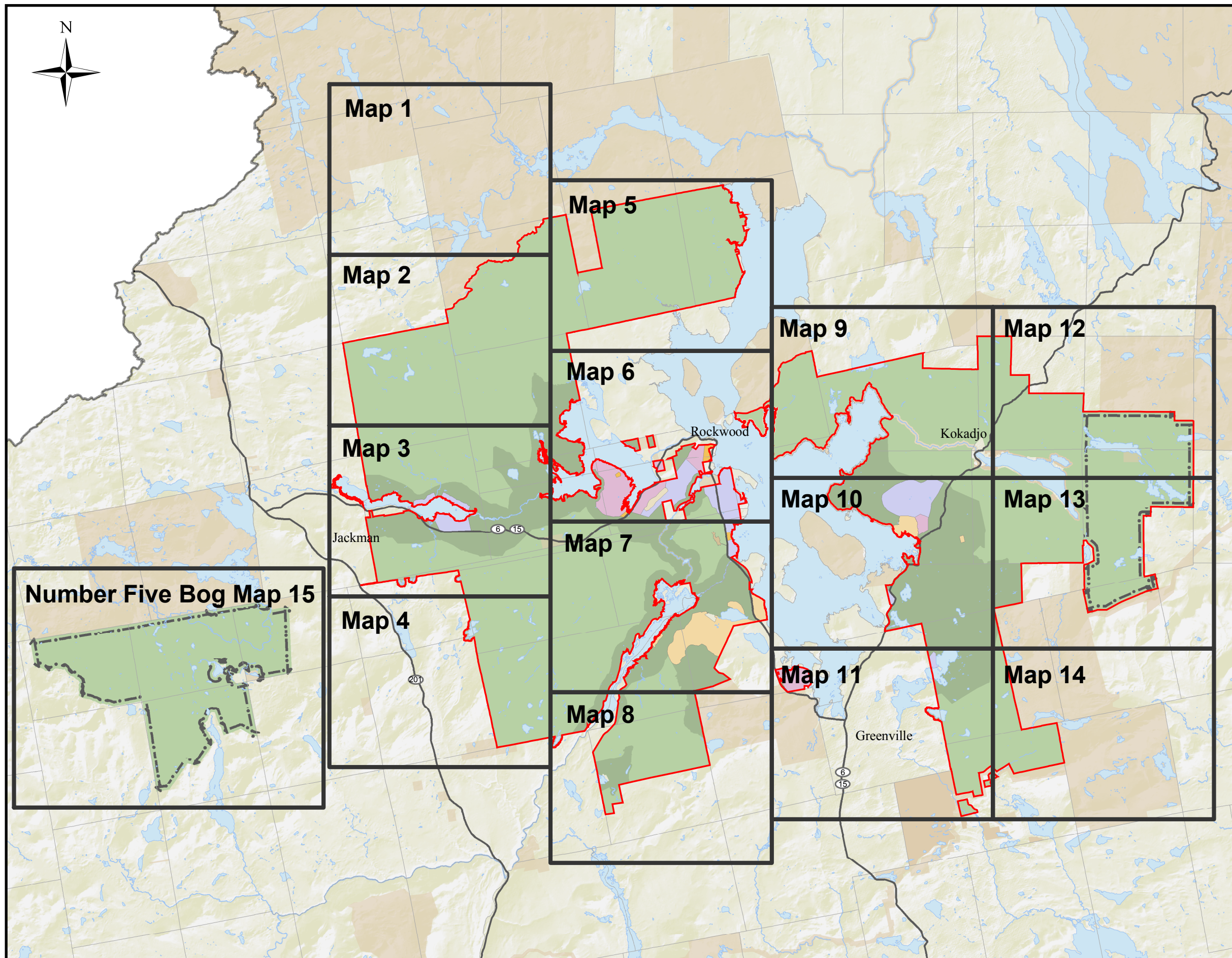
5. Location of Property:

Township	County	*Acres Owned Per State Tax Records (includes Great Ponds)	Acres to Rezone	Waterbodies	Roads
Beaver Cove	Piscataquis	12,569	12,569	Mountain Pond, Mud Pond, Prong Pond	REFER TO DETAIL MAPS
Big Moose (T2 R6 BKP EKR)	Piscataquis	11,234	11,234	Burnham Pond, Indian Pond	REFER TO DETAIL MAPS
Big W, NBKP	Somerset	11,492	11,492	Moosehead Lake	REFER TO DETAIL MAPS
Bowdoin College East (T7 R10 NWP )	Piscataquis	2,728	2,728	None	REFER TO DETAIL MAPS
Bowdoin College West (T8 R10 NWP )	Piscataquis	17,497	17,497	Brown Pond, Cranberry Pond, Fogg Pond, Hedgehog Pond, Horseshoe Pond, Indian Pond, Notch Pond, Rum Pond, Upper Wilson Pond	REFER TO DETAIL MAPS
Brassua (T2 R2 NBKP)	Somerset	25,636	25,636	Fletcher Pond East, Fletcher Pond West, Brassua Lake, Leith Pond	REFER TO DETAIL MAPS
Chase Stream (T1 R6 BKP WKR)	Somerset	24,276	24,276	10,000 Acre Pond, Bates Pond, Chase Stream Pond, Chub Pond, Ellis Pond, Flat Iron Pond, Hoseshoe Pond, Island Pond, Knights Pond, Long Pond, Mud Pond, Round Pond, Squirtgun Flowage, Dead Stream Pond	REFER TO DETAIL MAPS
Days Academy Grant	Piscataquis	8,477	8,477	Moosehead Lake	REFER TO DETAIL MAPS
Elliotsville	Piscataquis	9,470	9,470	Secret Pond, Long Pond	REFER TO DETAIL MAPS
Frenchtown (TA R13 WELS)	Piscataquis	21,345	19,882	Bluff Pond	REFER TO DETAIL MAPS
Indian Stream (T1 R6 BKP EKR)	Somerset	9,672	9,672	Indian Pond	REFER TO DETAIL MAPS
Lily Bay (TA R14 WELS)	Piscataquis	21,989	21,989	Moosehead Lake	REFER TO DETAIL MAPS
Long Pond (T3 R1 NBKP)	Somerset	24,607	24,607	Long Pond, Fogg Pond, Upper Paradise Pond, Lower Paradise Pond	REFER TO DETAIL MAPS

5. Location of Property:

Misery Township (T2 R7 BKP WKR)**	Somerset	24,628	24,628	Chase Stream Pond, Cold Stream Pond, Little Chase Stream Pond, Misery Pond, Upper Misery Pond, Smith Pond	REFER TO DETAIL MAPS
Rockwood Strip-EAST (T1 R1 NBKP)	Somerset	1,206	1,206	Brassua Lake	REFER TO DETAIL MAPS
Rockwood Strip-WEST (T2 R1 NBKP)	Somerset	5,004	5,004	Brassua Lake, Demo Pond	REFER TO DETAIL MAPS
Sandbar Tract	Somerset	117	117	Moosehead Lake	REFER TO DETAIL MAPS
Sandwich Academy Grant (T2 R1 NBKP)	Somerset	14,536	14,536	Little Otter Pond, Otter Pond, Rodrique Pond, Brassua Lake, Moose River	REFER TO DETAIL MAPS
Sapling (T1 R7 BKP WKR)***	Somerset	17,410	17,410	Indian Pond	REFER TO DETAIL MAPS
Shawtown (TA R12 WELS)	Piscataquis	20,497	20,497	First West Branch Pond, Second West Branch Pond, Third West Branch Pond, Third Roach Pond, Fourth Roach Pond, Fourth West Branch Pond, Beaver Pond, Long Bog, Trout Pond	REFER TO DETAIL MAPS
Smithtown (T1 R13 WELS)	Piscataquis	15,275	15,275	Lazy Tom Bog	REFER TO DETAIL MAPS
Soldiertown (T2 R3 NBKP)	Somerset	22,576	22,576	Center Pond	REFER TO DETAIL MAPS
Spencer Bay (T1 R14 WELS)	Piscataquis	20,106	20,106	Jewett Pond, Lucky Pond, Spencer Pond	REFER TO DETAIL MAPS
Squaretown	Somerset	12,873	12,873	Knights Pond, Scribner Bog	REFER TO DETAIL MAPS
T1 R12 WELS	Piscataquis	7,581	7,581	Second Roach Pond, Penobscot Pond	REFER TO DETAIL MAPS
Taunton & Raynham (T1 R1 NBKP)	Somerset	13,043	13,043	Moosehead Lake, Brassua Lake	REFER TO DETAIL MAPS
Thorndike (T3 R2 NBKP)	Somerset	23,046	23,046	Fish Pond, Lost Pond, Luther Pond, Mud Pond, Muskrat Pond	REFER TO DETAIL MAPS
W. Middlesex Canal Grant (T1 R3 NBKP)	Somerset	21,405	21,405	Tomhegan Pond	REFER TO DETAIL MAPS
* Statements of Acreage are based on state property tax records and are therefore approximate.					
** Misery Gore acreage located north of Misery Township is included with Misery Township Acreage					
*** Misery Gore acreage located north of Sapling Township is included with Sapling Township Acreage					



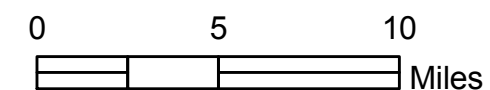


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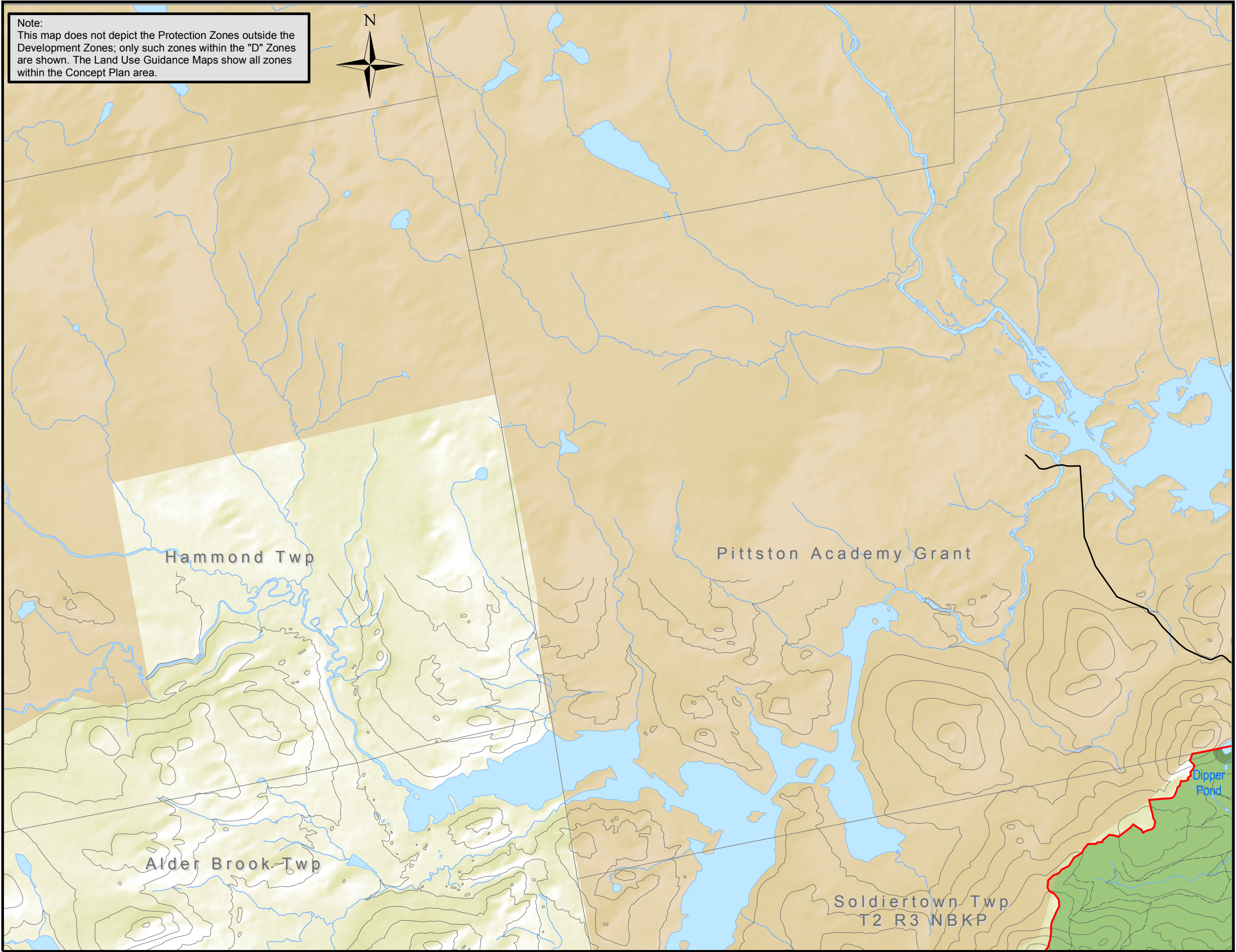
## Detail Map Index

### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

- Legend**
- Plum Creek Ownership Subject to Concept Plan
  - Private, State, Federal Land in Conservation
  - Conservation framework
  - Balance Conservation Easement
  - Rural Mixed-Use Development Zone (D-GN3M)
  - Residential Recreation Development Zone (D-RS3M)
  - Residential-Community Development Zone (D-RS2M)
  - Resort Development Zone (D-GN2M)
  - Management Zone (within Development Zone) (M-GNM)
  - Existing Commercial / Industrial Zone (D-CIM)







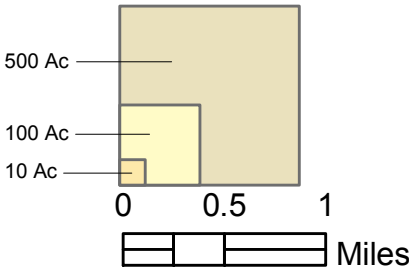
Appendix

## Detail Map 1

# CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

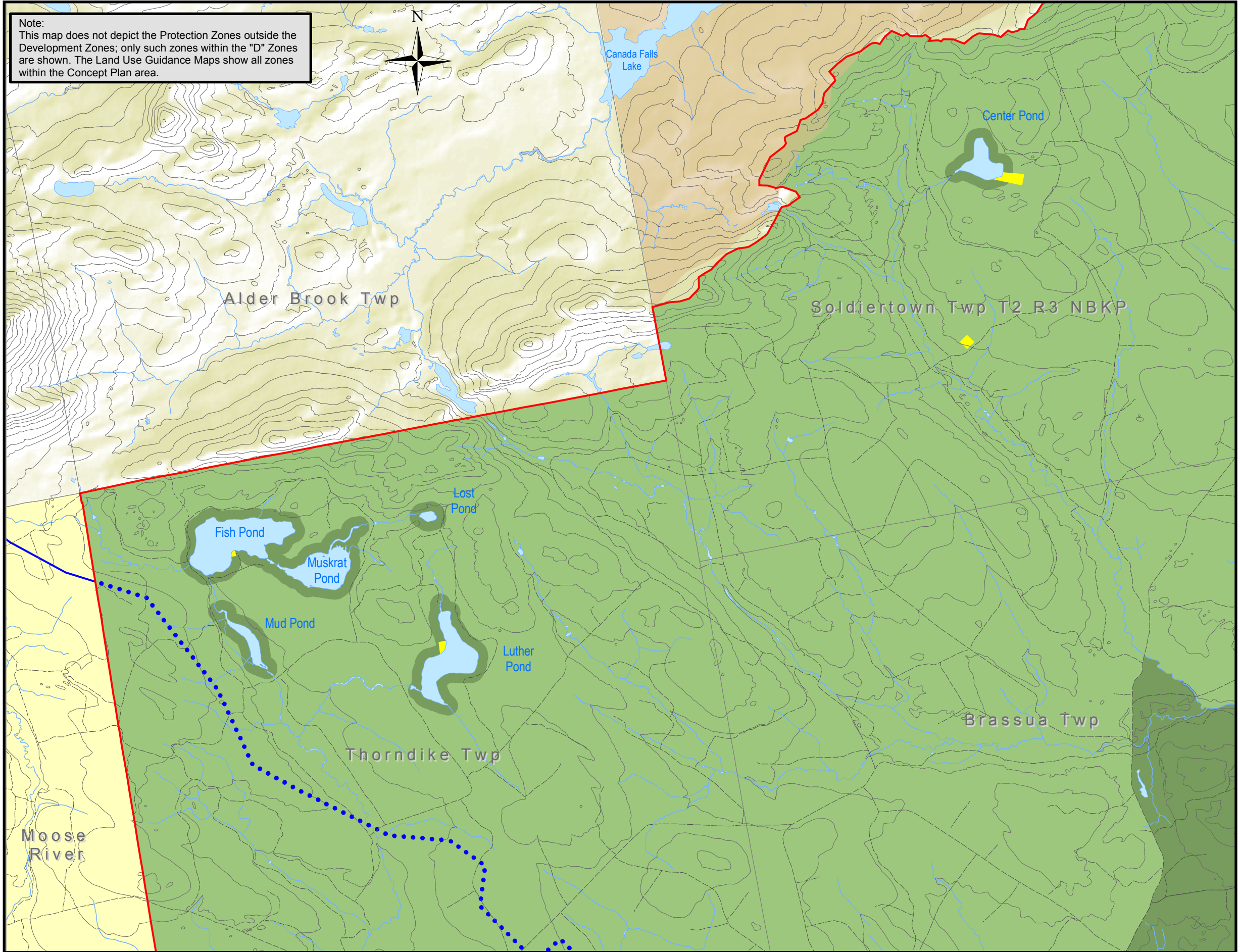
### Legend

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- Moosehead-to-Mahoosucs Trail Easement (cross country ski/hiking/bike trail)



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Appendix

## Detail Map 2

# CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

### Legend

- Plum Creek Ownership Subject to Concept Plan
- Private, State, Federal Land in Conservation
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500 Ac

100 Ac

10 Ac

0

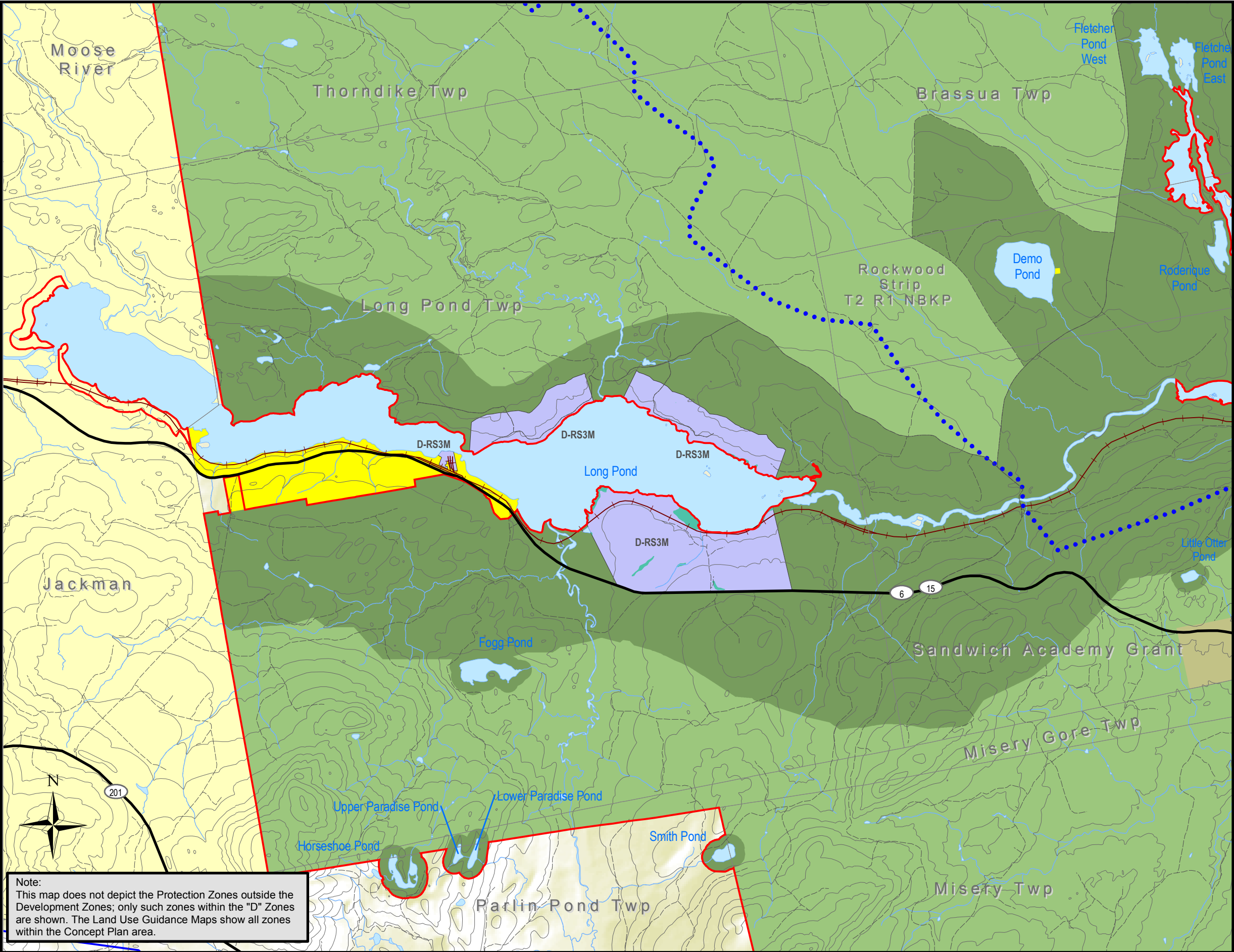
0.5

1

Miles

APRIL 2007





**CONCEPT PLAN**  
for  
**PLUM CREEK'S**  
**LANDS**  
in the  
**MOOSEHEAD LAKE REGION**

**Legend**

- Plum Creek Ownership Subject to Concept Plan
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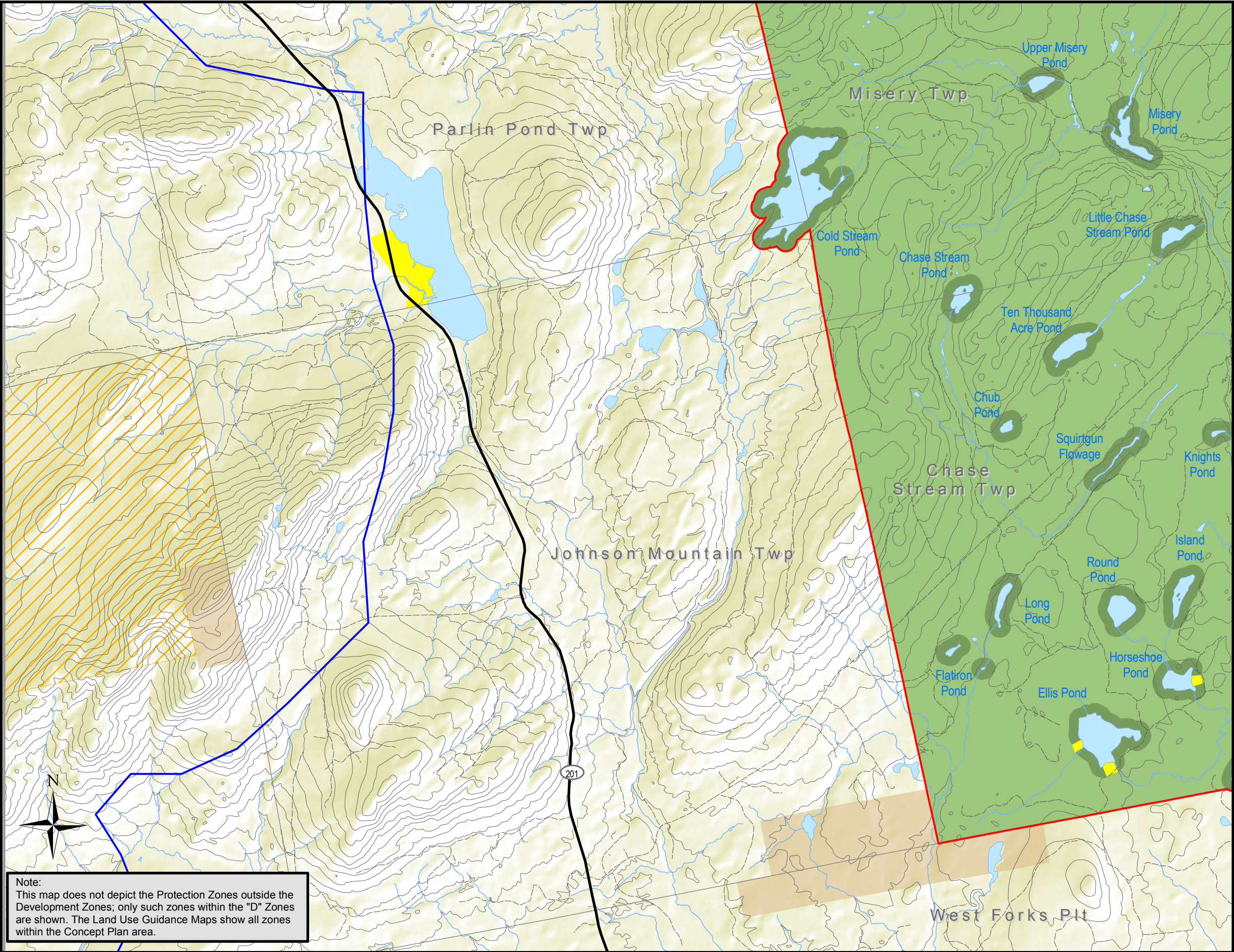
500 Ac  
100 Ac  
10 Ac

0 0.5 1 Miles

APRIL 2007

Note:  
This map does not depict the Protection Zones outside the Development Zones; only such zones within the "D" Zones are shown. The Land Use Guidance Maps show all zones within the Concept Plan area.





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Appendix

## Detail Map 4

# CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

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500 Ac

100 Ac

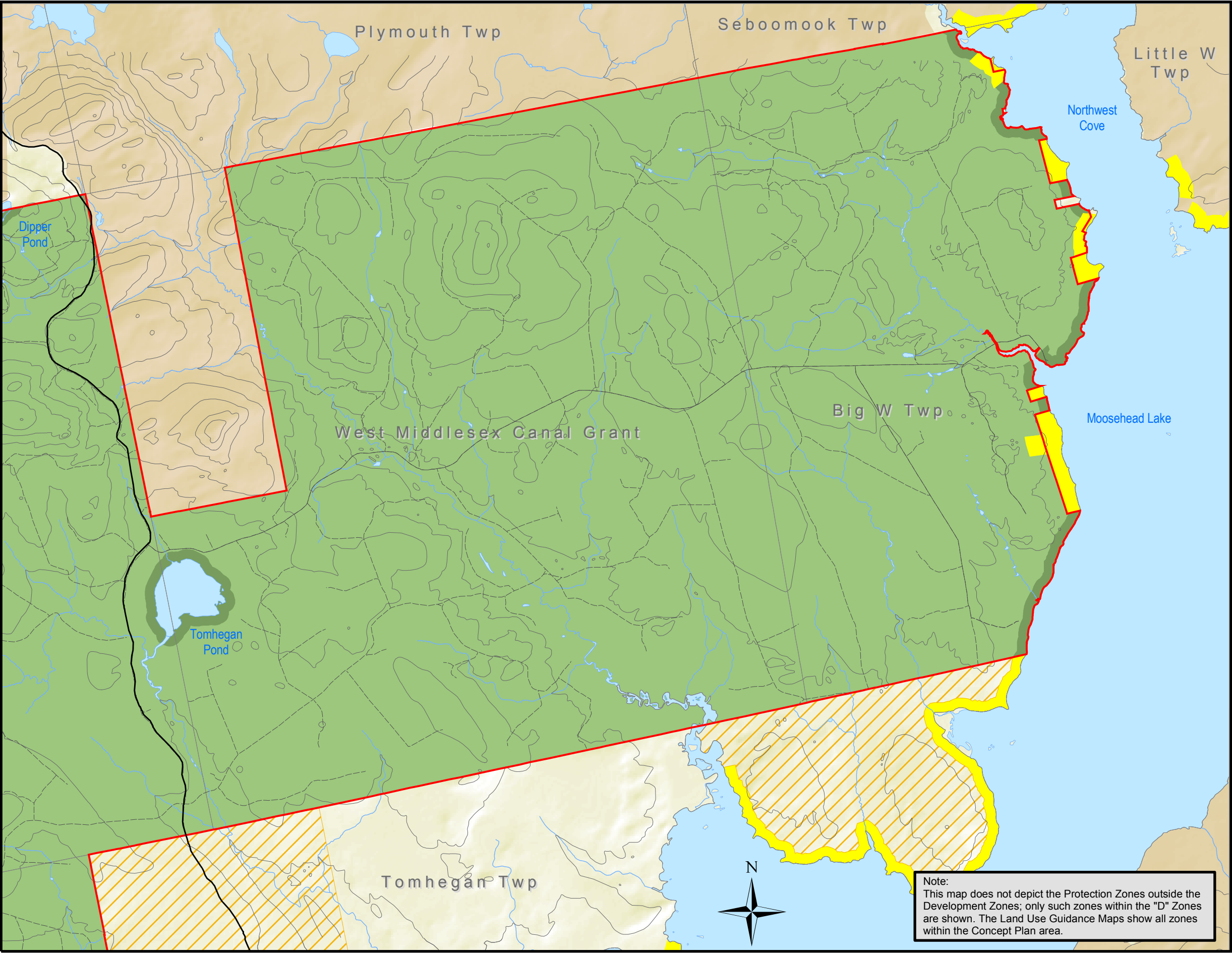
10 Ac

0 0.5 1

Miles

APRIL 2007





**CONCEPT PLAN**  
**for**  
**PLUM CREEK'S**  
**LANDS**  
**in the**  
**MOOSEHEAD LAKE REGION**

**Legend**

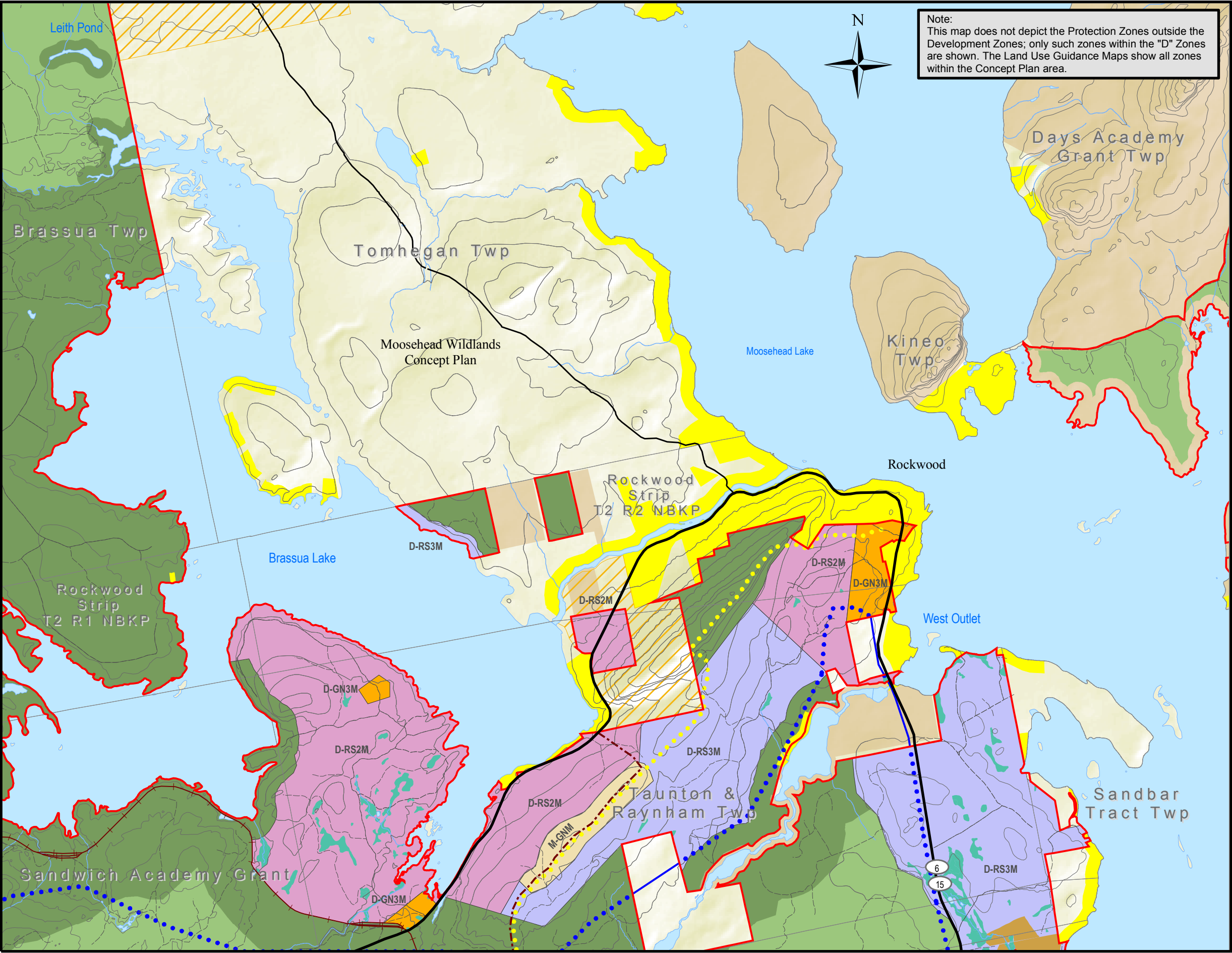
- Plum Creek Ownership Subject to Concept Plan
- Private, State, Federal Land in Conservation
- Conservation Framework
- Balance Conservation Easement
- Rural Mixed-Use Development Zone (D-GN3M)
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500 Ac  
100 Ac  
10 Ac

0 0.5 1 Miles

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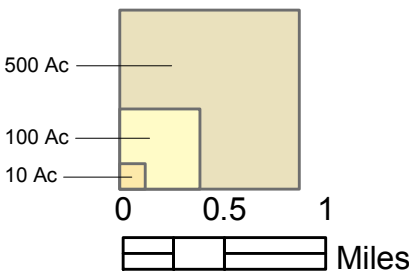
Appendix

## Detail Map 6

# CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

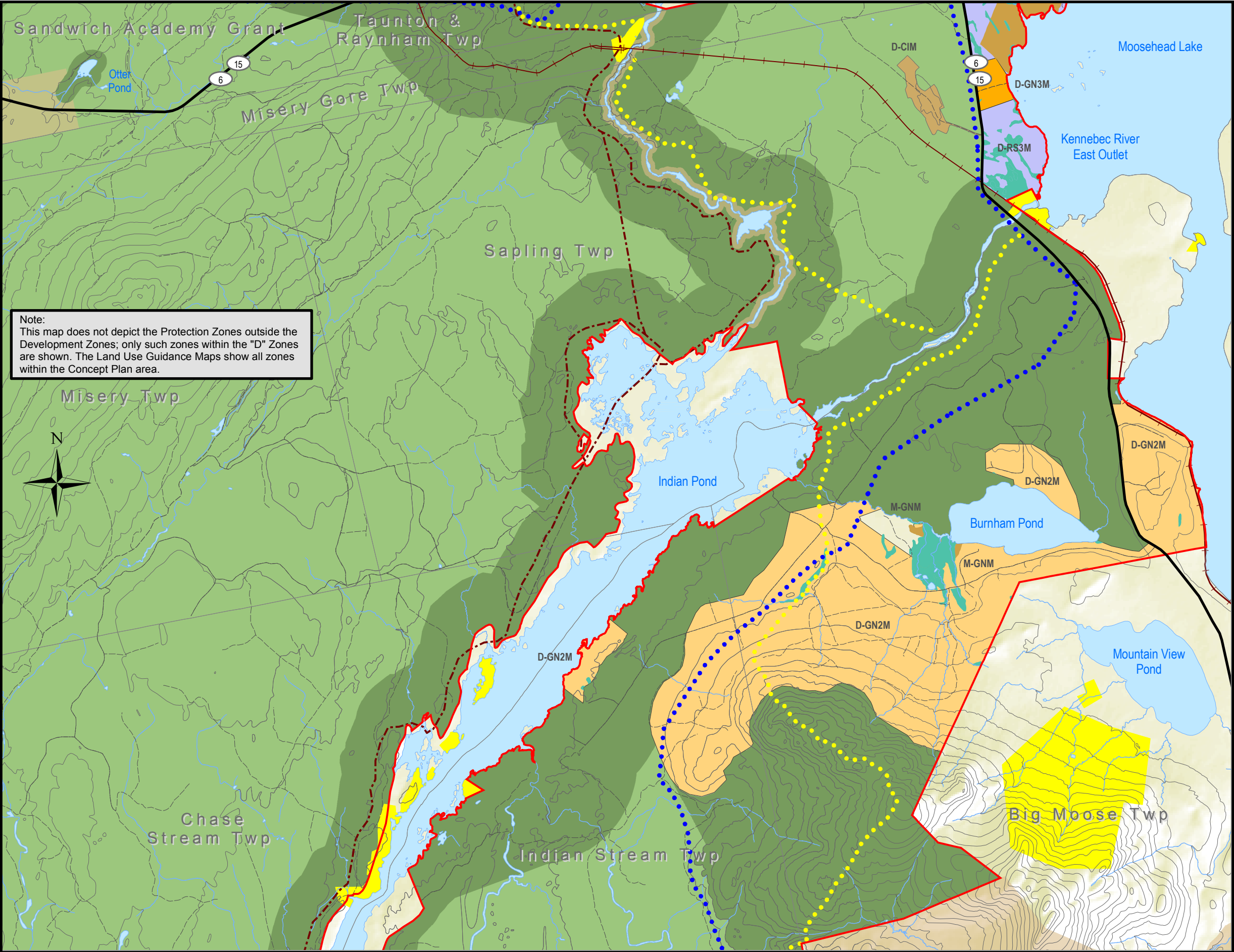
### Legend

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**CONCEPT PLAN  
for  
PLUM CREEK'S  
LANDS  
in the  
MOOSEHEAD LAKE REGION**

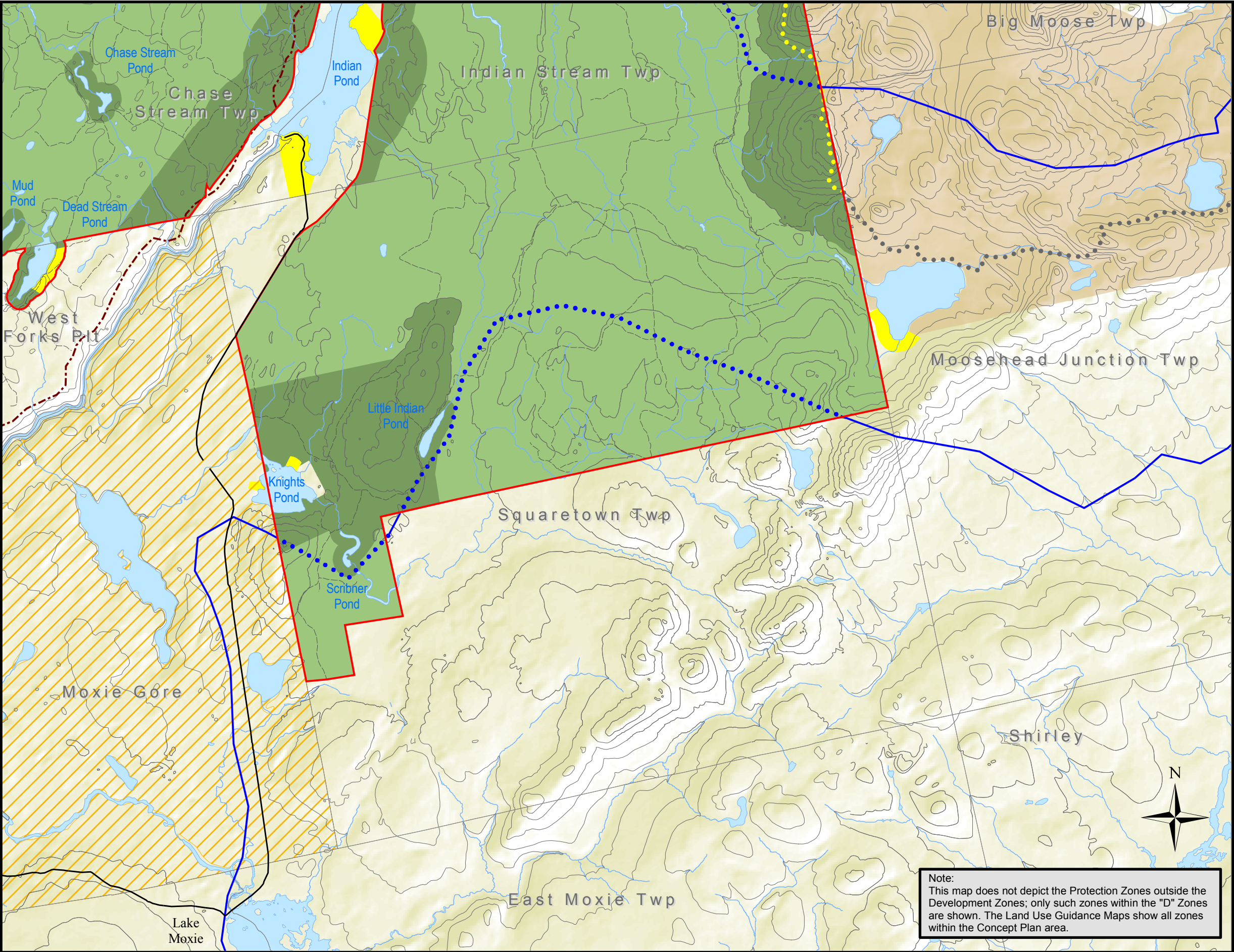
**Legend**

- Plum Creek Ownership Subject to Concept Plan
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**Scale:**  
500 Ac  
100 Ac  
10 Ac  
0 0.5 1 Miles

APRIL 2007





**CONCEPT PLAN**  
**for**  
**PLUM CREEK'S**  
**LANDS**  
**in the**  
**MOOSEHEAD LAKE REGION**

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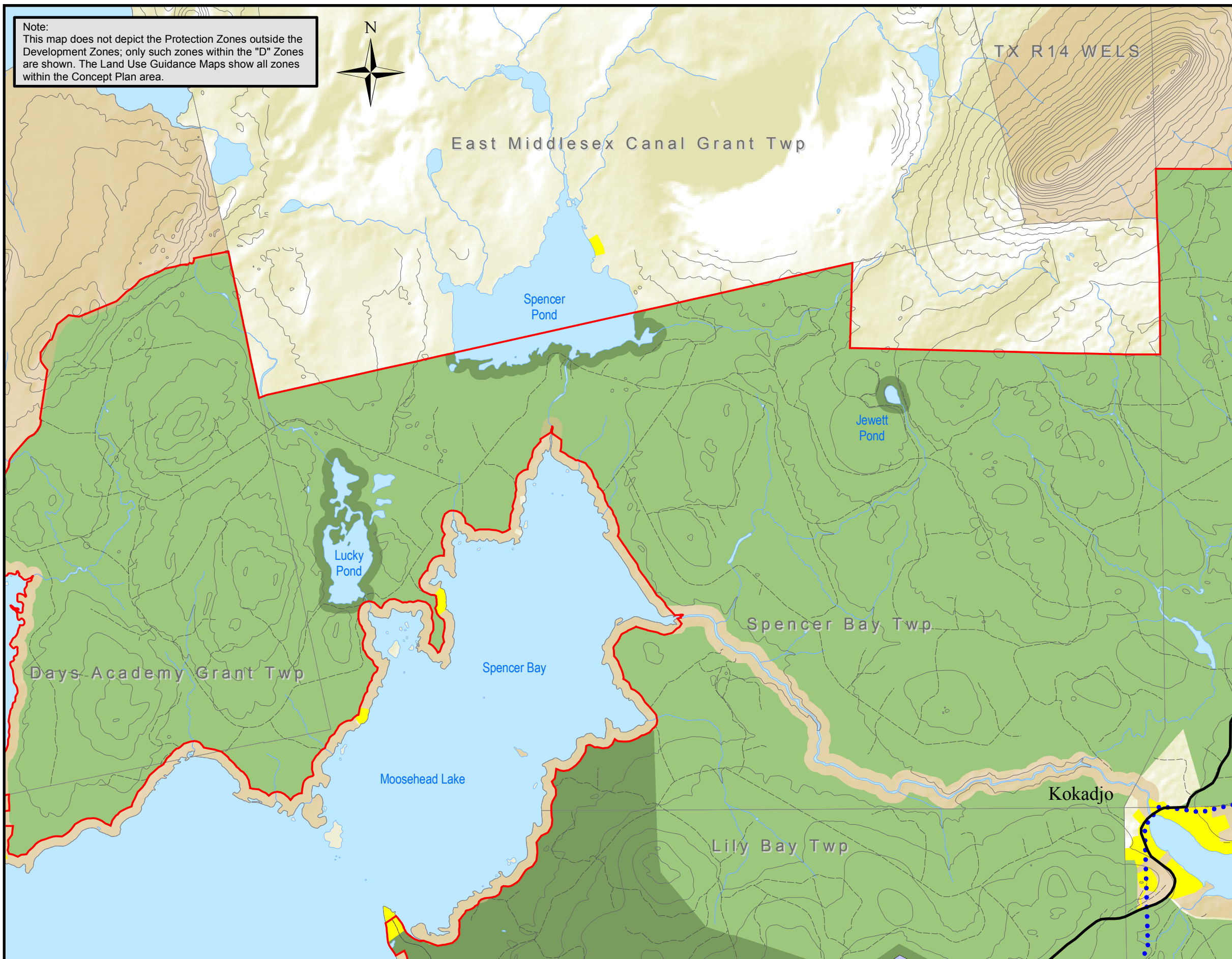
500 Ac  
100 Ac  
10 Ac

0 0.5 1

Miles

APRIL 2007





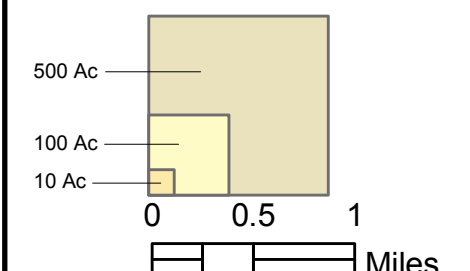
Appendix

## Detail Map 9

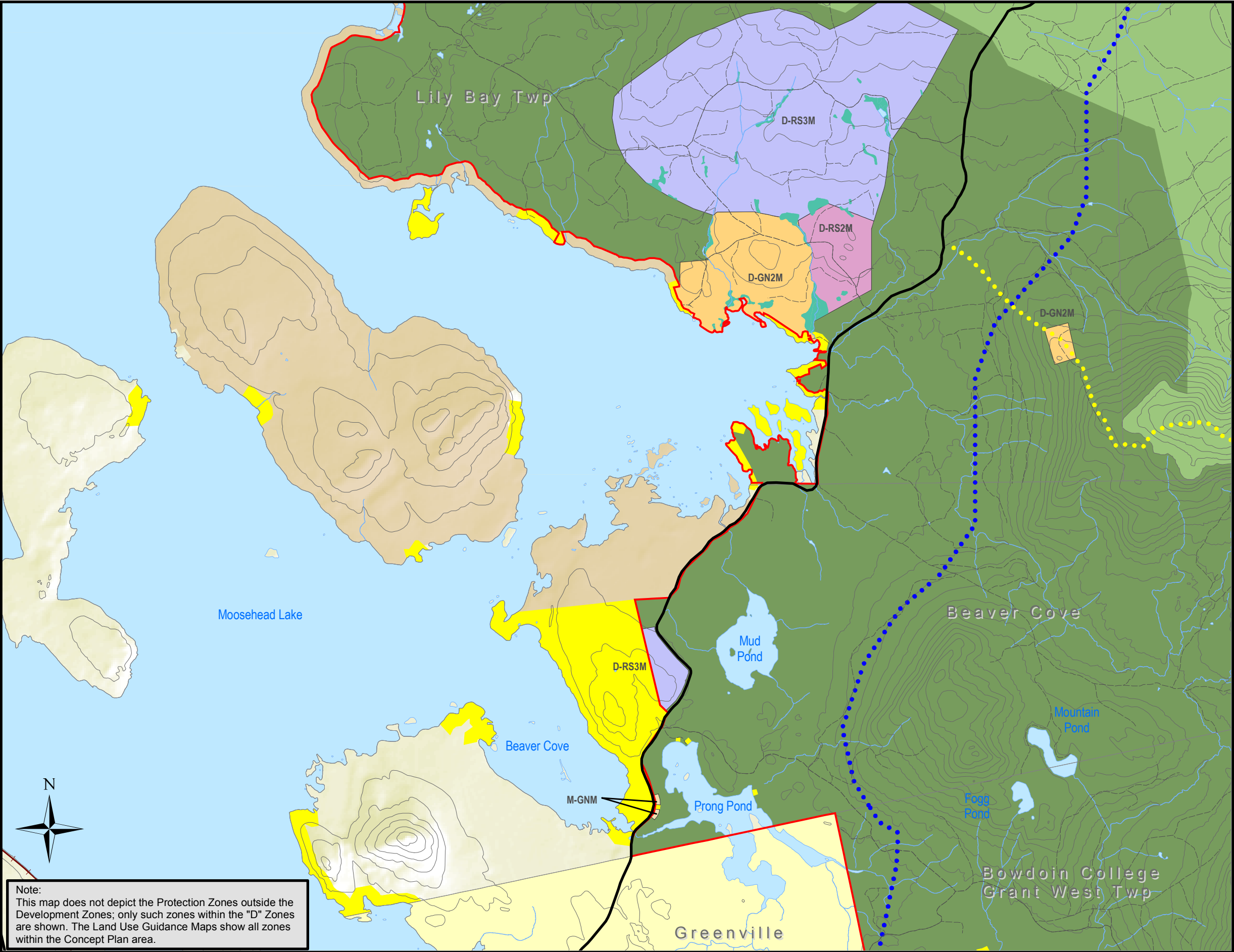
### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

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Note:  
This map does not depict the Protection Zones outside the Development Zones; only such zones within the "D" Zones are shown. The Land Use Guidance Maps show all zones within the Concept Plan area.

Appendix

**Detail Map 10**

**CONCEPT PLAN**  
for  
**PLUM CREEK'S**  
**LANDS**  
in the  
**MOOSEHEAD LAKE REGION**

**Legend**

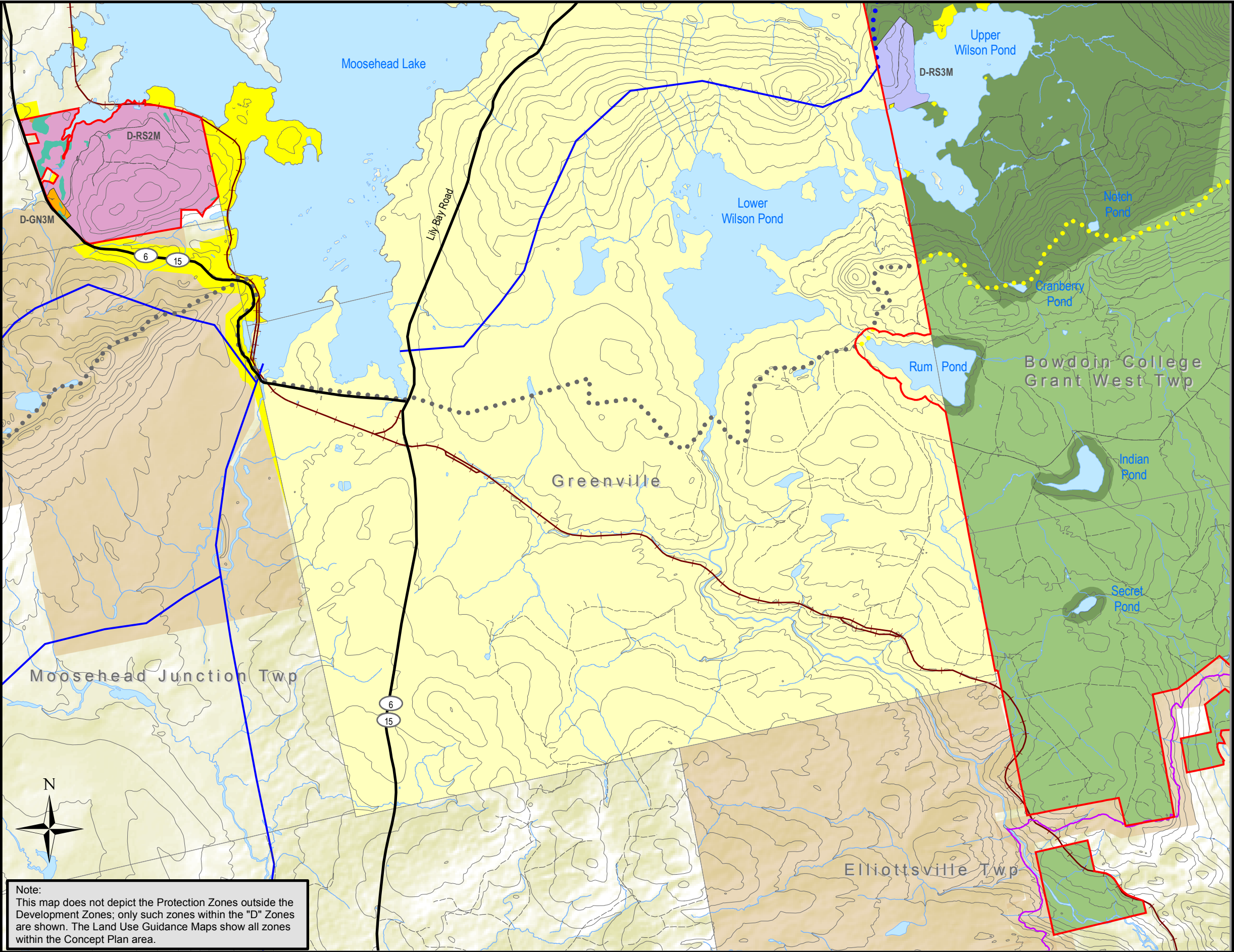
- Plum Creek Ownership Subject to Concept Plan
- Private, State, Federal Land in Conservation
- Conservation Framework
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- Rural Mixed-Use Development Zone (D-GN3M)
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- Proposed Hiking Trail outside Plan Area
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500 Ac  
100 Ac  
10 Ac

0 0.5 1 Miles

APRIL 2007





Note:  
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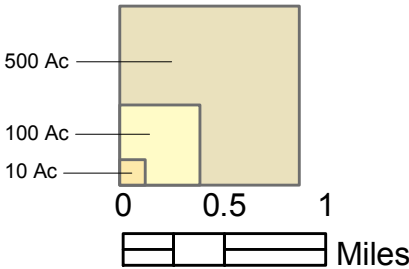
Appendix

## Detail Map 11

# CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

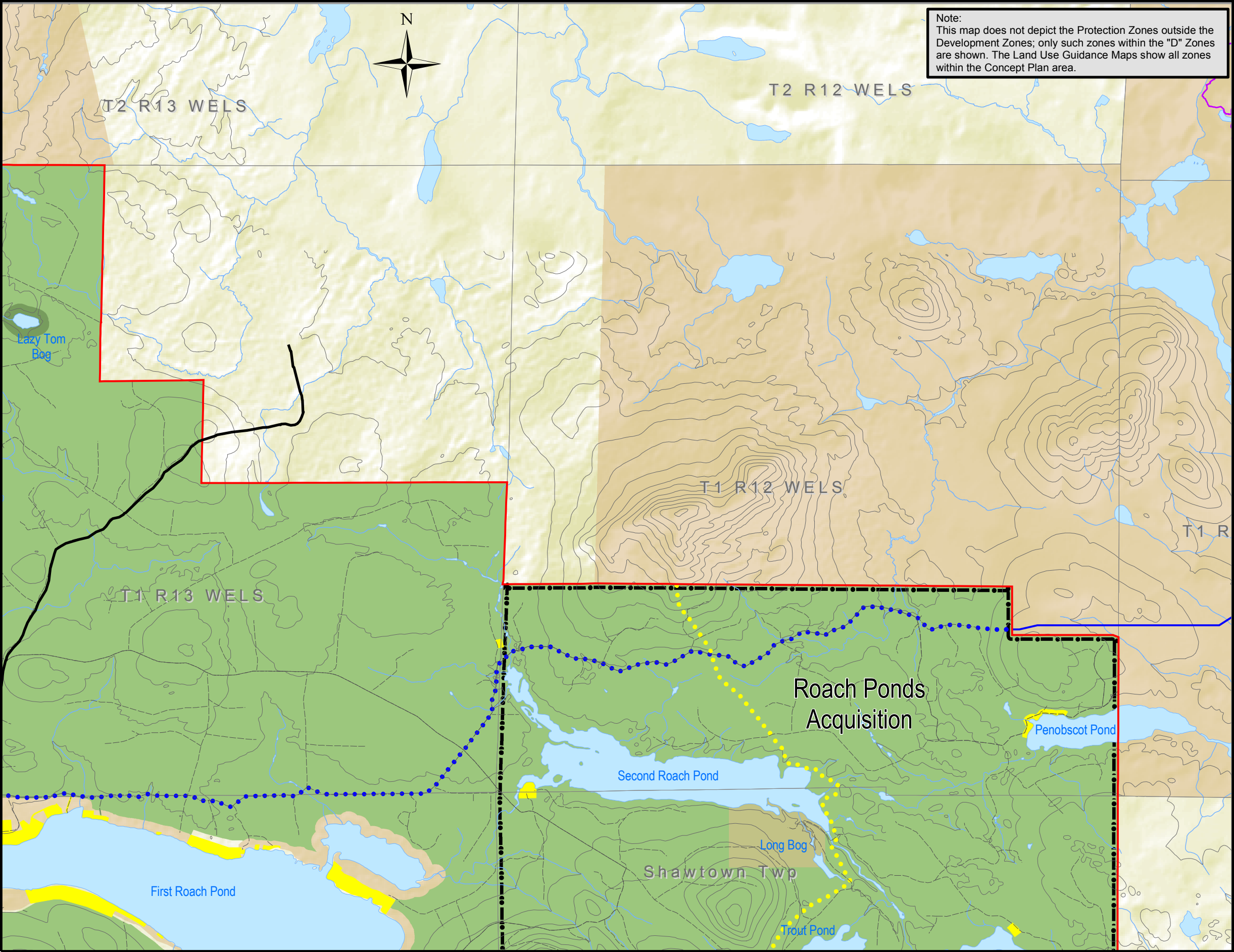
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Appendix

## Detail Map 12

### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

#### Legend

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500 Ac

100 Ac

10 Ac

0

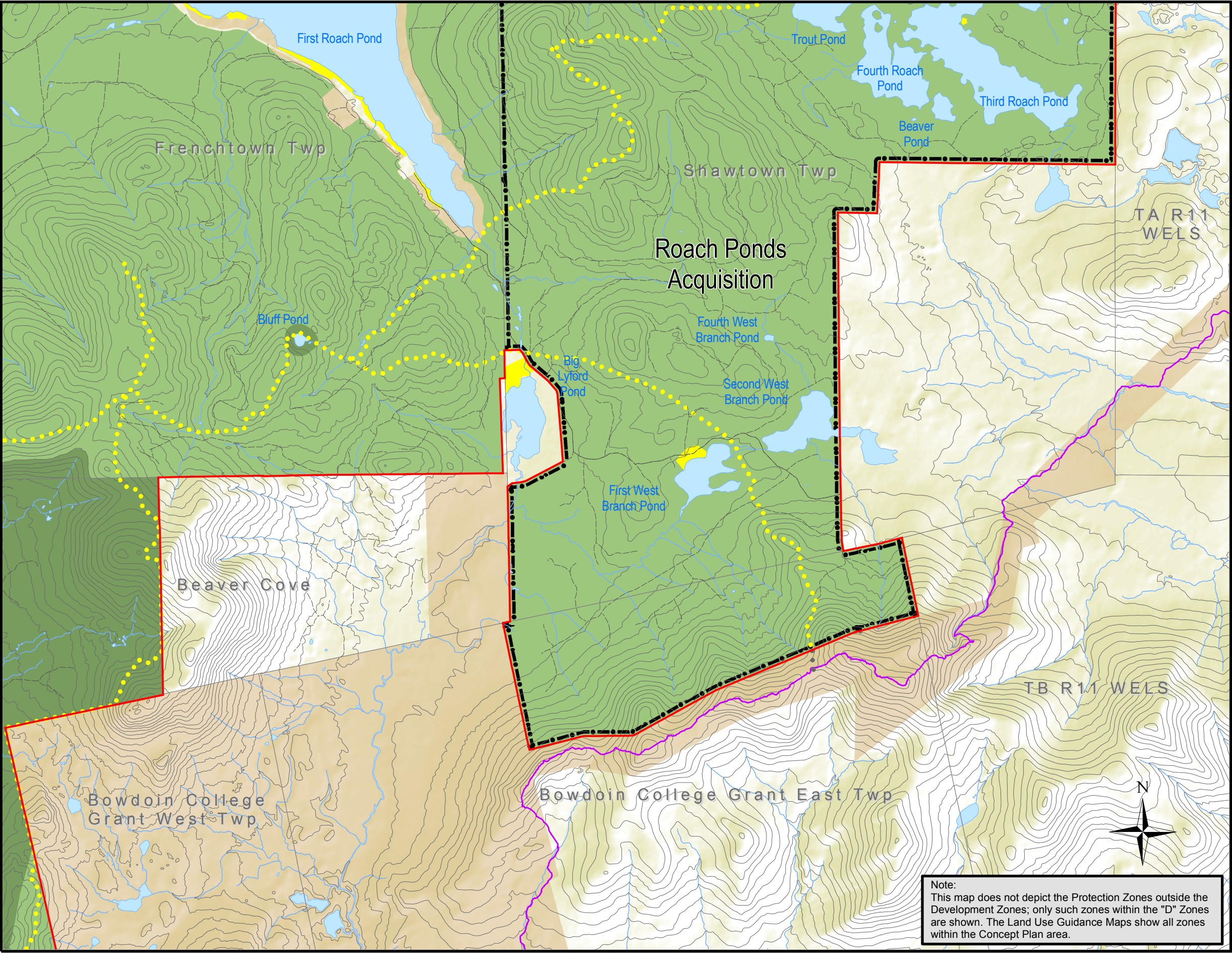
0.5

1

Miles

APRIL 2007





**CONCEPT PLAN**  
for  
**PLUM CREEK'S**  
**LANDS**  
in the  
**MOOSEHEAD LAKE REGION**

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500 Ac  
100 Ac  
10 Ac

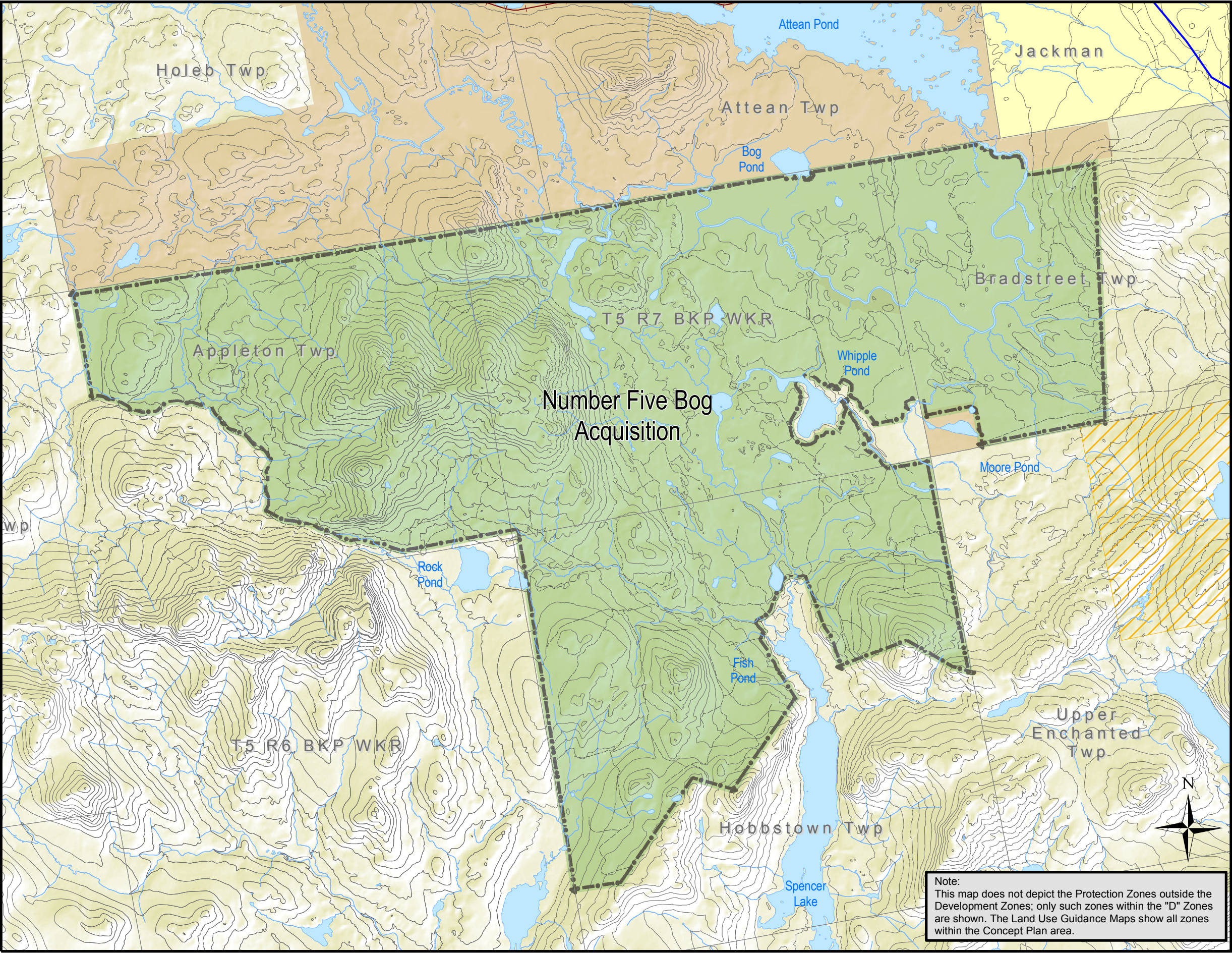
0 0.5 1 Miles

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Appendix

# Number Five Bog Detail Map 15

## CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

**Legend**

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**Note:**  
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500 Ac  
100 Ac  
10 Ac

0 0.7 1.4  
Miles

APRIL 2007



# ***Notice of Filing***

**(Waived per Letter from LURC Staff)**

Plum Creek – Petition for Rezoning

**From:** Pinette, Agnieszka [Agnieszka.Pinette@maine.gov]  
**Sent:** Tuesday, April 24, 2007 11:13 AM  
**To:** Davis, Virginia E.  
**Subject:** RE: Guidance for PC's anticipated Petition amendment filing

Dear Ginger,

I'm writing in response to your question related to filing requirements pertaining to Exhibit B, per your April 19<sup>th</sup> e-mail correspondence, as well as your voice mail inquiry to me last week as to whether PC will need to provide notice pursuant to Section 4.05(4) of LURC's Rules of Practice as part of PC's filing of amendments to its Petition.

Regarding Exhibit B, LURC staff will accept a letter identifying the changes to the the plan area's configuration, as per your suggestion below, for the purpose of evaluating whether sufficient information related to right, title and interest exists to accept the Petition for processing. However, PC should anticipate that LURC staff will request an update of the legal opinion summarizing the petitioner's RTI to all property affected by the proposal prior to scheduling public hearings. To that extent, I encourage PC to file with LURC an updated legal opinion as soon as possible, and certainly no later than July 23.

Regarding LURC's notice requirement, it is LURC staff's opinion that the public notice provided by PC previously is sufficient to meet LURC's requirements of Section 4.05(4) and therefore PC is not required to provide any additional notice to abutters or via newspaper publication. I have spoken with Jerry Reid at the AG's office regarding this matter, and Jerry agrees with staff on this matter. As a courtesy, LURC staff will notify all interested parties of PC's filing with LURC of the amended Petition.

Please let me know if you have any further questions or need any clarification with respect to the above items.

Sincerely,  
Aga

***Agnieszka Pinette***

Senior Planner, Planning & Administration Division  
Land Use Regulation Commission  
22 State House Station, Augusta, Maine 04333-0022  
Tel. (207) 287-8786 E-mail: agnieszka.pinette@maine.gov

## **7. Existing Zoning. List the zones currently applied to the area(s) proposed for rezoning.**

---

The following is a list of the zones currently applied to the area proposed for rezoning.

### **Protection Zones**

- Wetland Zone (P-WL) Encompasses all submerged lands and other areas meeting wetland criteria.
- Great Pond Zone (P-GP) Applies to a 250 foot wide strip around all lakes and ponds greater than 10 acres in size. There are about 67 such lakes and ponds in the Plan Area.
- Wildlife Habitat Zone (P-FW) Covers important deer winter shelter areas and other significant fisheries and wildlife habitat.
- High Mountain Area Zone (P-MA) Covers all mountainous areas above 2,700 feet elevation.
- Recreation Zone (P-RR) Covers areas along existing hiking trails (such as the Appalachian Trail) as well as around unspoiled, remote fishing ponds and other areas of recreational significance.
- Soils and Geology Zone (P-SG) Covers areas of steep slopes and unstable soils.
- Flood Prone Zone (P-FP) Covers areas within the 100 year frequency flood.
- Aquifer Zone (P-AR) Covers important ground water resources.
- Unusual Area Zone (P-UA) Applies to unusually significant scenic, historic, scientific, recreational and natural areas not adequately protected by other zoning.
- Resource Plan Zone (P-RP) Permits landowners to develop their own resource management plan for an area. There are two approved P-RP plans in the Moosehead region: Plum Creek's First Roach Pond plan and the Moosehead Wildlands plan on Brassua Lake.
- Shoreland Zone (P-SL) Protects shorelands of rivers and streams, ocean, and small ponds.



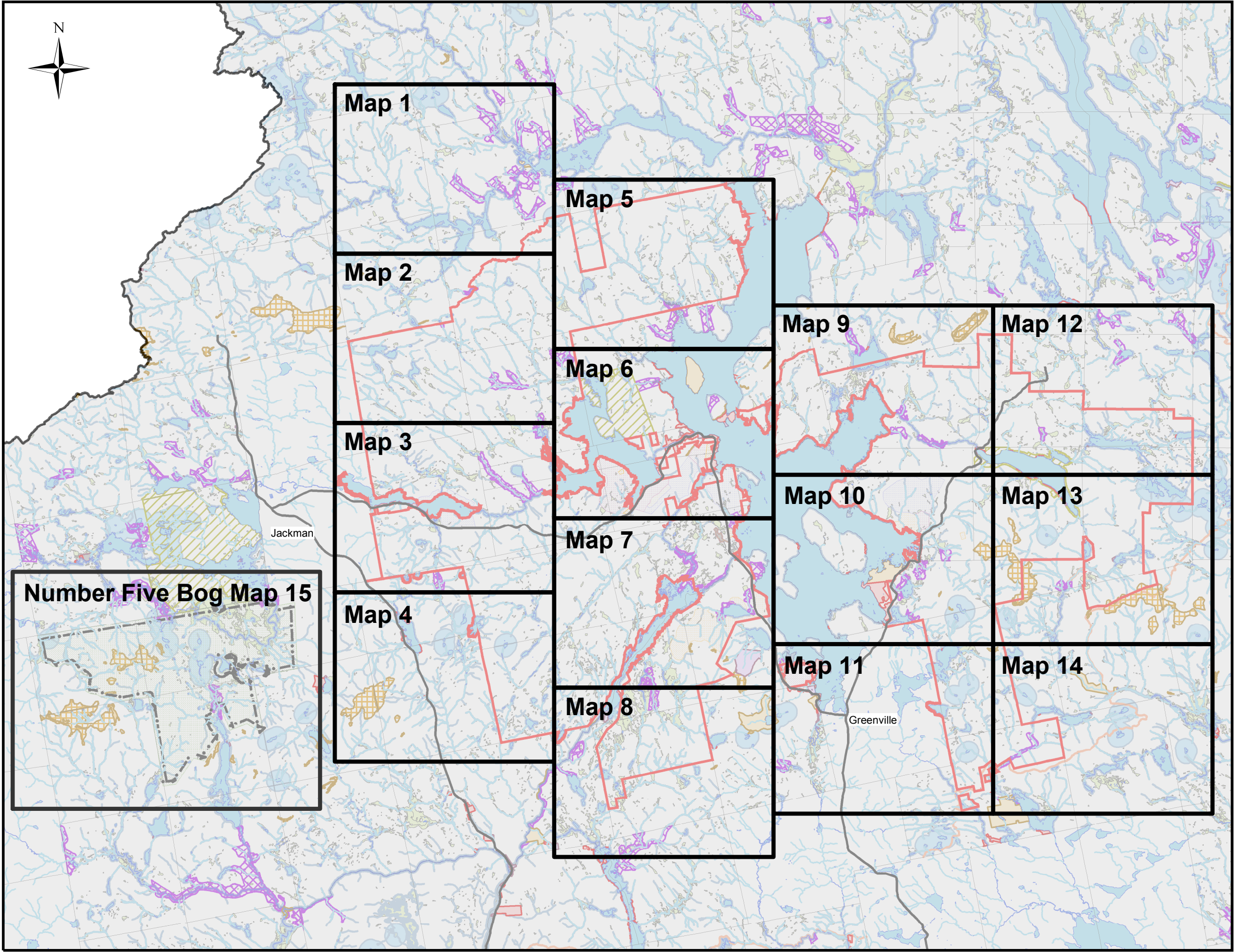
### **Development Zones**

- Residential Development Zone (D-RS) Covers areas around existing patterns of residential development. The primary locations are Rockwood, Harfords Point, and Beaver Cove, as well as the shoreland of the more developed lakes, such as Moosehead, Long Pond, Brassua, Upper Wilson and Prong Pond.
- General Development Zone (D-GN) Covers areas around existing patterns of mixed, residential and small scale, commercial development, such as at Rockwood, Beaver Cove and Kokadjo.
- Commercial and Industrial Development Zone (D-CI) Covers areas proposed for major commercial or industrial development, such as the recently zoned site near the rail-line west of Route 15.

### **Management Zones**

- General Management Zone (M-GN) Covers the rest of the Plan Area, where forest (and agricultural) activities are allowed and encouraged without significant restriction.

The following maps indicate the locations of the existing zones.



Petition for Rezoning

**Land Use Guidance Map Index**

**CONCEPT PLAN**  
for  
**PLUM CREEK'S**  
**LANDS**  
in the  
**MOOSEHEAD LAKE REGION**

**Legend**

Plum Creek Ownership Subject to Concept Plan

Rivers - Lakes - Ponds

Major Road

**Proposed Zones**

Rural Mixed-Use Development Zone (D-GN3M)

Residential Recreation Development Zone (D-RS3M)

Residential-Community Development Zone (D-RS2M)

Resort Development Zone (D-GN2M)

Management Zone (within Development Zone)(M-GNM)

Existing Commercial / Industrial Zone (D-CIM)

**Existing LURC Subdistricts**

General Development

Residential Development

Commercial / Industrial

General Management

Resource Plan Protection

Fish and Wildlife Protection

Mountain Area Protection

Soils and Geology Protection

Unusual Area Protection

Wetlands

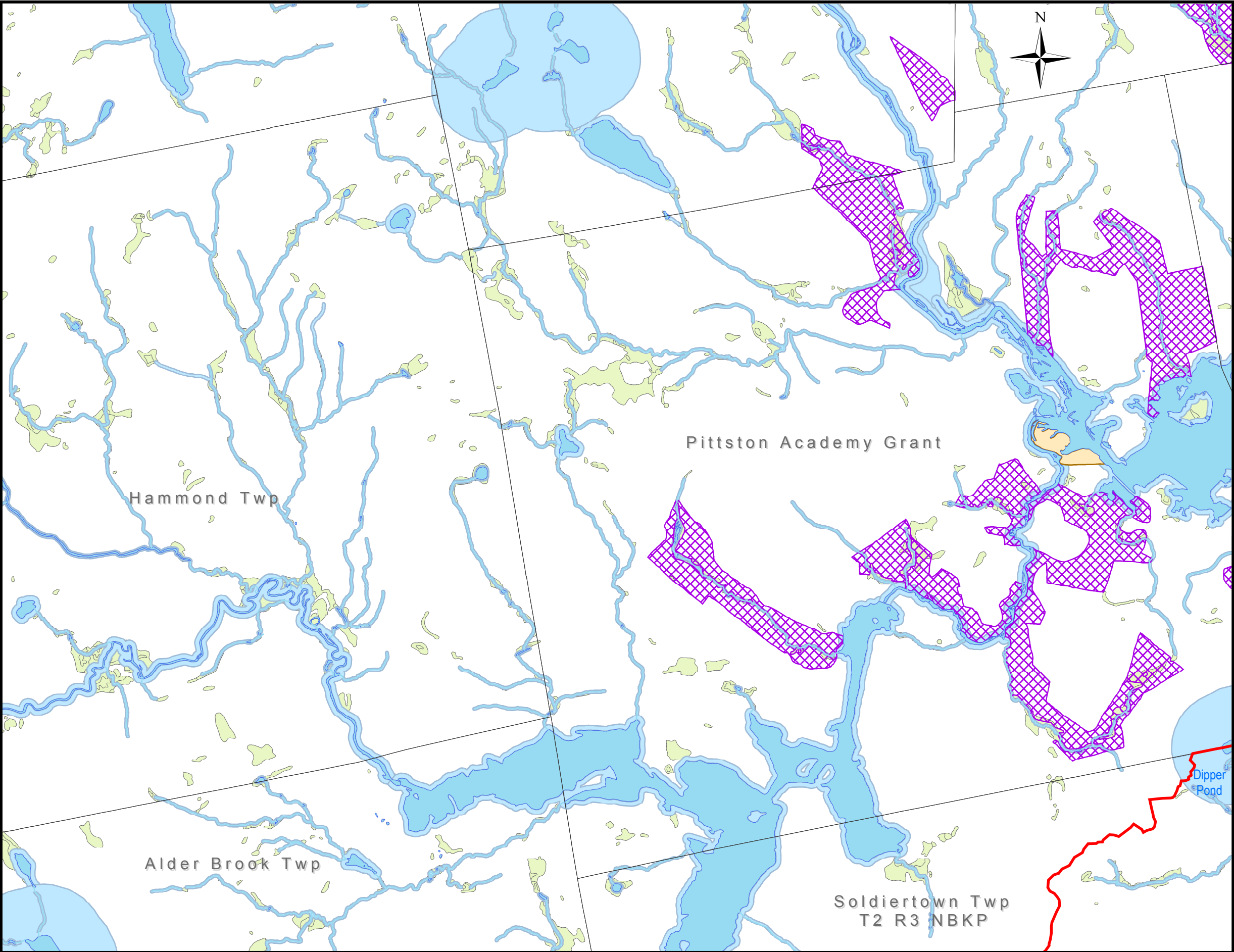
Floodplains, Pond, River, and Stream Protection

Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 5 10 Miles

April 2007





Petition for Rezoning

# Land Use Guidance Map 1

## CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

**Legend**

- Plum Creek Ownership Subject to Concept Plan
- Rivers - Lakes - Ponds
- Major Road

**Proposed Zones**

- Rural Mixed-Use Development Zone (D-GN3M)
- Residential Recreation Development Zone (D-RS3M)
- Residential-Community Development Zone (D-RS2M)
- Resort Development Zone (D-GN2M)
- Management Zone (within Development Zone)(M-GNM)
- Existing Commercial / Industrial Zone (D-CIM)

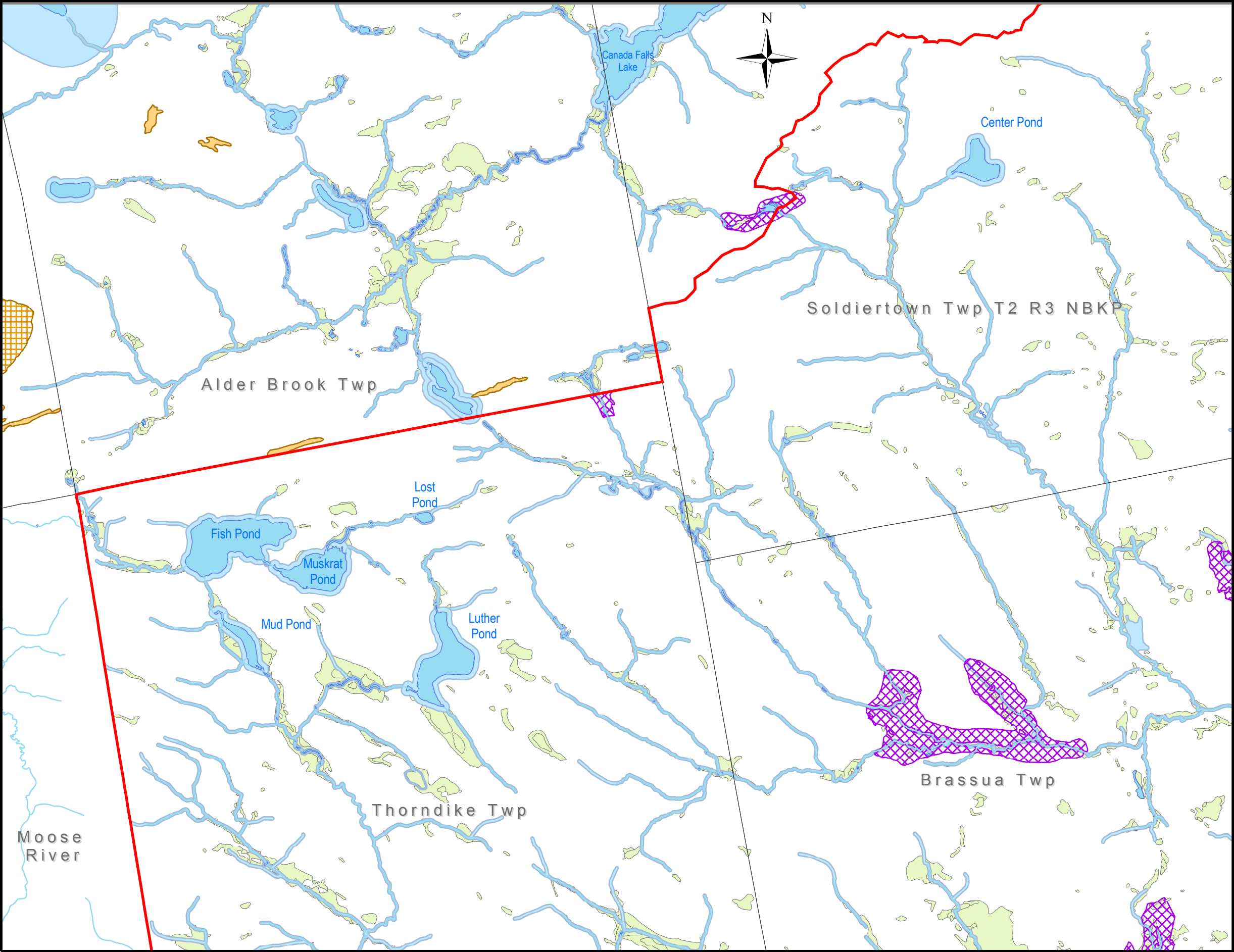
**Existing LURC Subdistricts**

- General Development
- Residential Development
- Commercial / Industrial
- General Management
- Resource Plan Protection
- Fish and Wildlife Protection
- Mountain Area Protection
- Soils and Geology Protection
- Unusual Area Protection
- Wetlands
- Floodplains, Pond, River, and Stream Protection

Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 5,000 10,000 Feet

April 2007



Petition for Rezoning

## Land Use Guidance Map 2

### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

#### Legend

- Plum Creek Ownership Subject to Concept Plan
- Rivers - Lakes - Ponds
- Major Road
- Proposed Zones**
  - Rural Mixed-Use Development Zone (D-GN3M)
  - Residential Recreation Development Zone (D-RS3M)
  - Residential-Community Development Zone (D-RS2M)
  - Resort Development Zone (D-GN2M)
  - Management Zone (within Development Zone)(M-GNM)
  - Existing Commercial / Industrial Zone (D-CIM)
- Existing LURC Subdistricts**
  - General Development
  - Residential Development
  - Commercial / Industrial
  - General Management
  - Resource Plan Protection
  - Fish and Wildlife Protection
  - Mountain Area Protection
  - Soils and Geology Protection
  - Unusual Area Protection
  - Wetlands
  - Floodplains, Pond, River, and Stream Protection

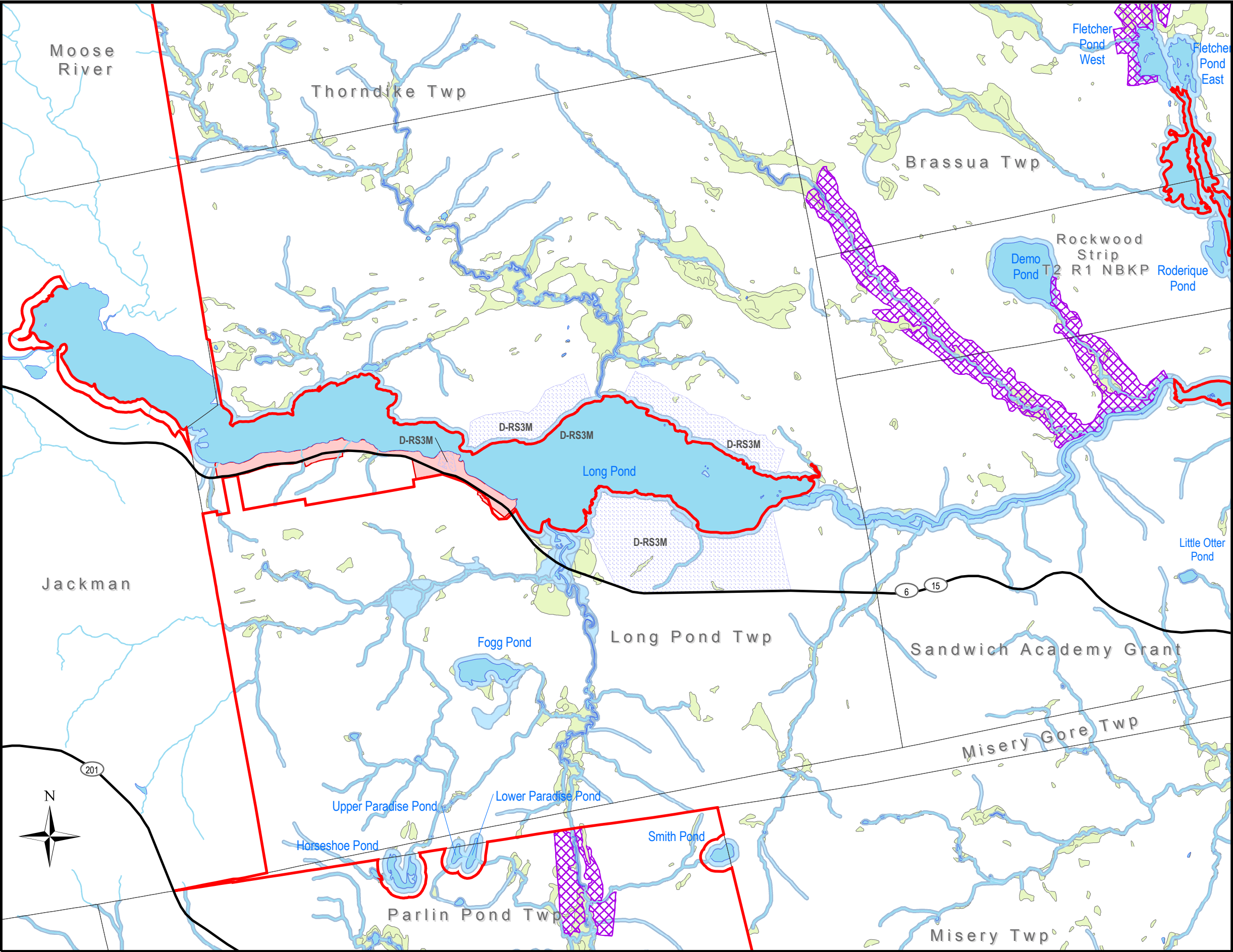
Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 5,000 10,000

Feet

April 2007





Petition for Rezoning

# Land Use Guidance Map 3

## CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

### Legend

- Plum Creek Ownership Subject to Concept Plan
- Rivers - Lakes - Ponds
- Major Road

#### Proposed Zones

- Rural Mixed-Use Development Zone (D-GN3M)
- Residential Recreation Development Zone (D-RS3M)
- Residential-Community Development Zone (D-RS2M)
- Resort Development Zone (D-GN2M)
- Management Zone (within Development Zone)(M-GNM)
- Existing Commercial / Industrial Zone (D-CIM)

#### Existing LURC Subdistricts

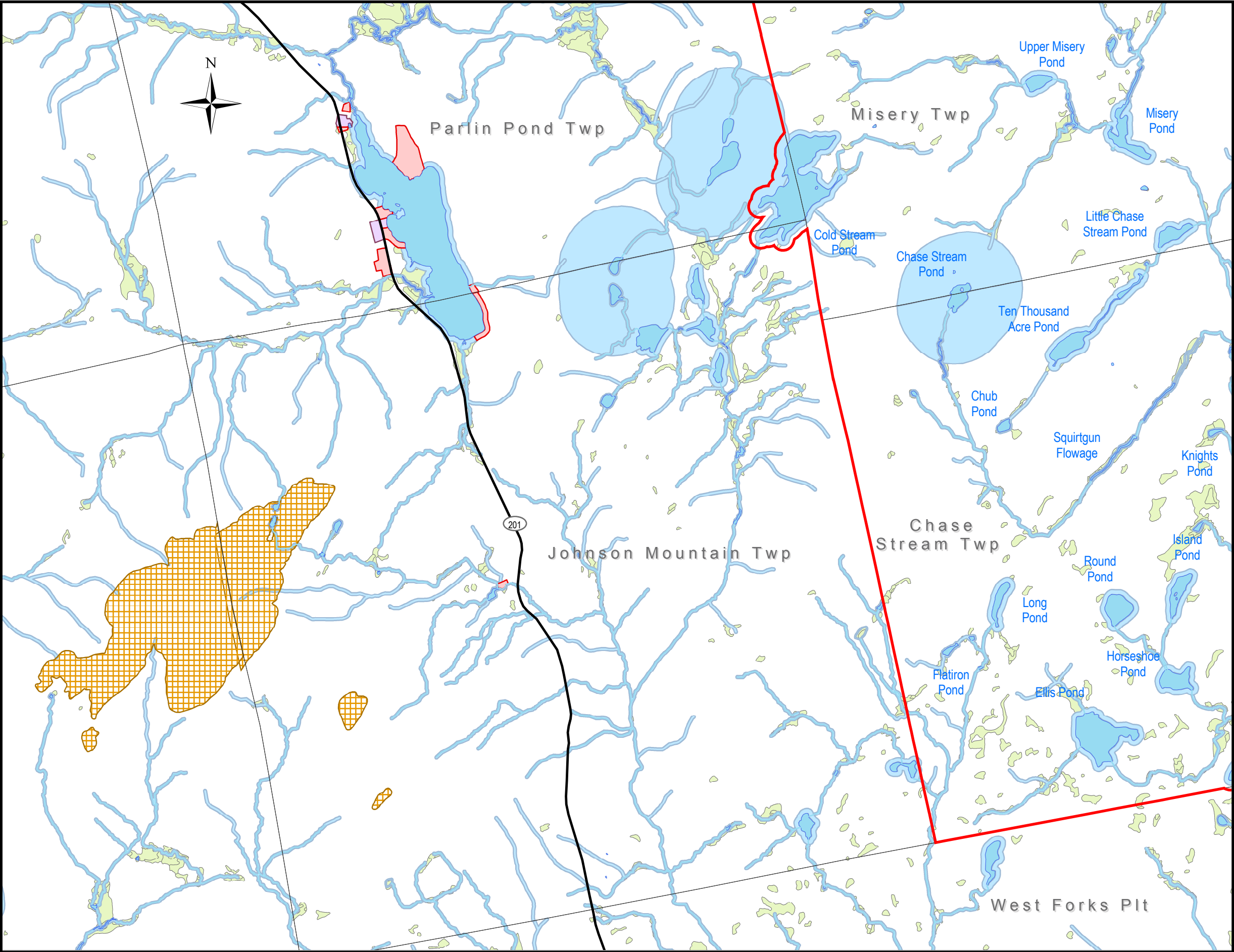
- General Development
- Residential Development
- Commercial / Industrial
- General Management
- Resource Plan Protection
- Fish and Wildlife Protection
- Mountain Area Protection
- Soils and Geology Protection
- Unusual Area Protection
- Wetlands
- Floodplains, Pond, River, and Stream Protection

Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 5,000 10,000 Feet

April 2007





Petition for Rezoning

## Land Use Guidance Map 4

### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

#### Legend

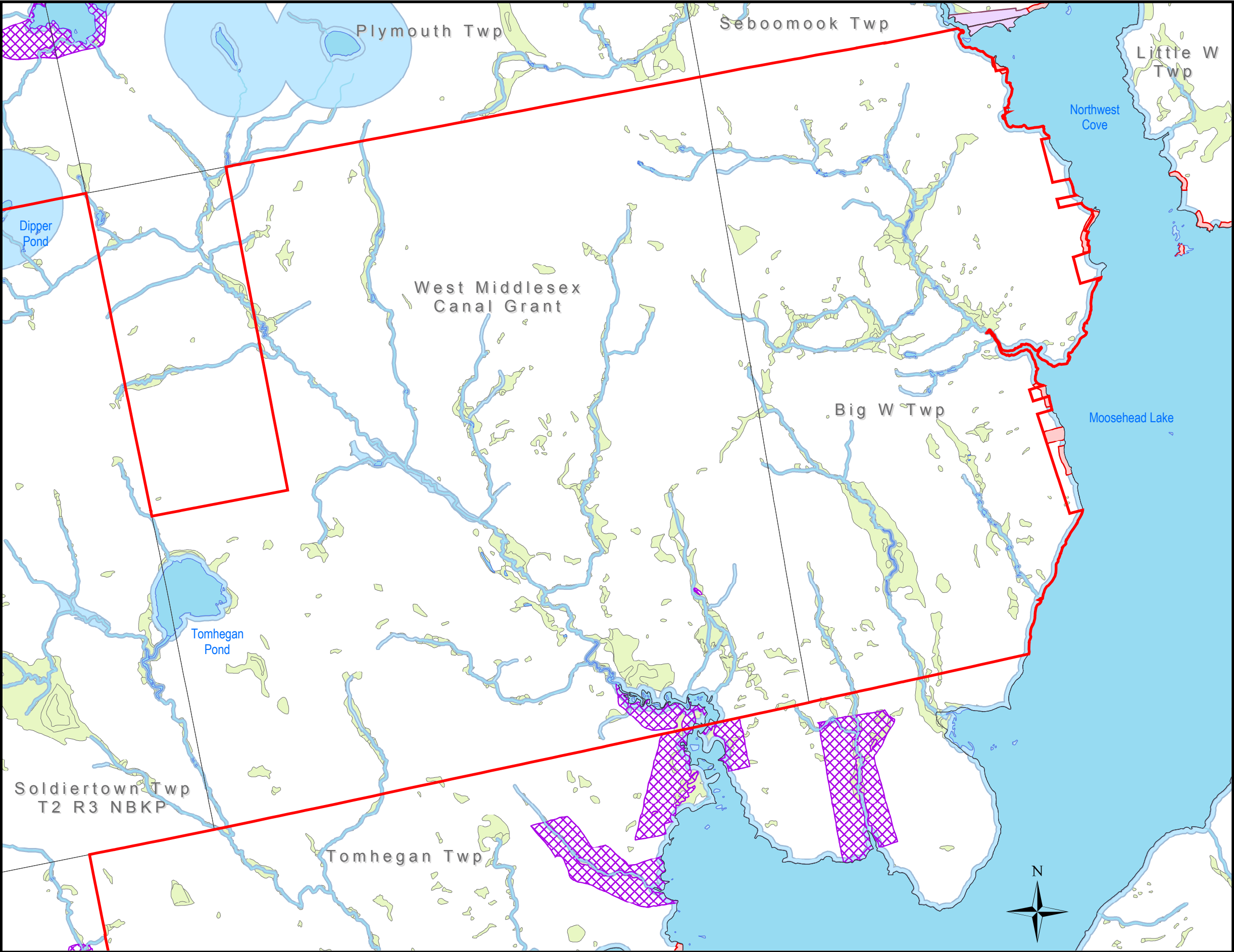
- Plum Creek Ownership Subject to Concept Plan
- Rivers - Lakes - Ponds
- Major Road
- Proposed Zones**
  - Rural Mixed-Use Development Zone (D-GN3M)
  - Residential Recreation Development Zone (D-RS3M)
  - Residential-Community Development Zone (D-RS2M)
  - Resort Development Zone (D-GN2M)
  - Management Zone (within Development Zone)(M-GNM)
  - Existing Commercial / Industrial Zone (D-CIM)
- Existing LURC Subdistricts**
  - General Development
  - Residential Development
  - Commercial / Industrial
  - General Management
  - Resource Plan Protection
  - Fish and Wildlife Protection
  - Mountain Area Protection
  - Soils and Geology Protection
  - Unusual Area Protection
  - Wetlands
  - Floodplains, Pond, River, and Stream Protection

Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 5,000 10,000

Feet

April 2007



Petition for Rezoning

## Land Use Guidance Map 5

### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

#### Legend

- Plum Creek Ownership Subject to Concept Plan
- Rivers - Lakes - Ponds
- Major Road
- Proposed Zones**
  - Rural Mixed-Use Development Zone (D-GN3M)
  - Residential Recreation Development Zone (D-RS3M)
  - Residential-Community Development Zone (D-RS2M)
  - Resort Development Zone (D-GN2M)
  - Management Zone (within Development Zone)(M-GNM)
  - Existing Commercial / Industrial Zone (D-CIM)
- Existing LURC Subdistricts**
  - General Development
  - Residential Development
  - Commercial / Industrial
  - General Management
  - Resource Plan Protection
  - Fish and Wildlife Protection
  - Mountain Area Protection
  - Soils and Geology Protection
  - Unusual Area Protection
  - Wetlands
  - Floodplains, Pond, River, and Stream Protection

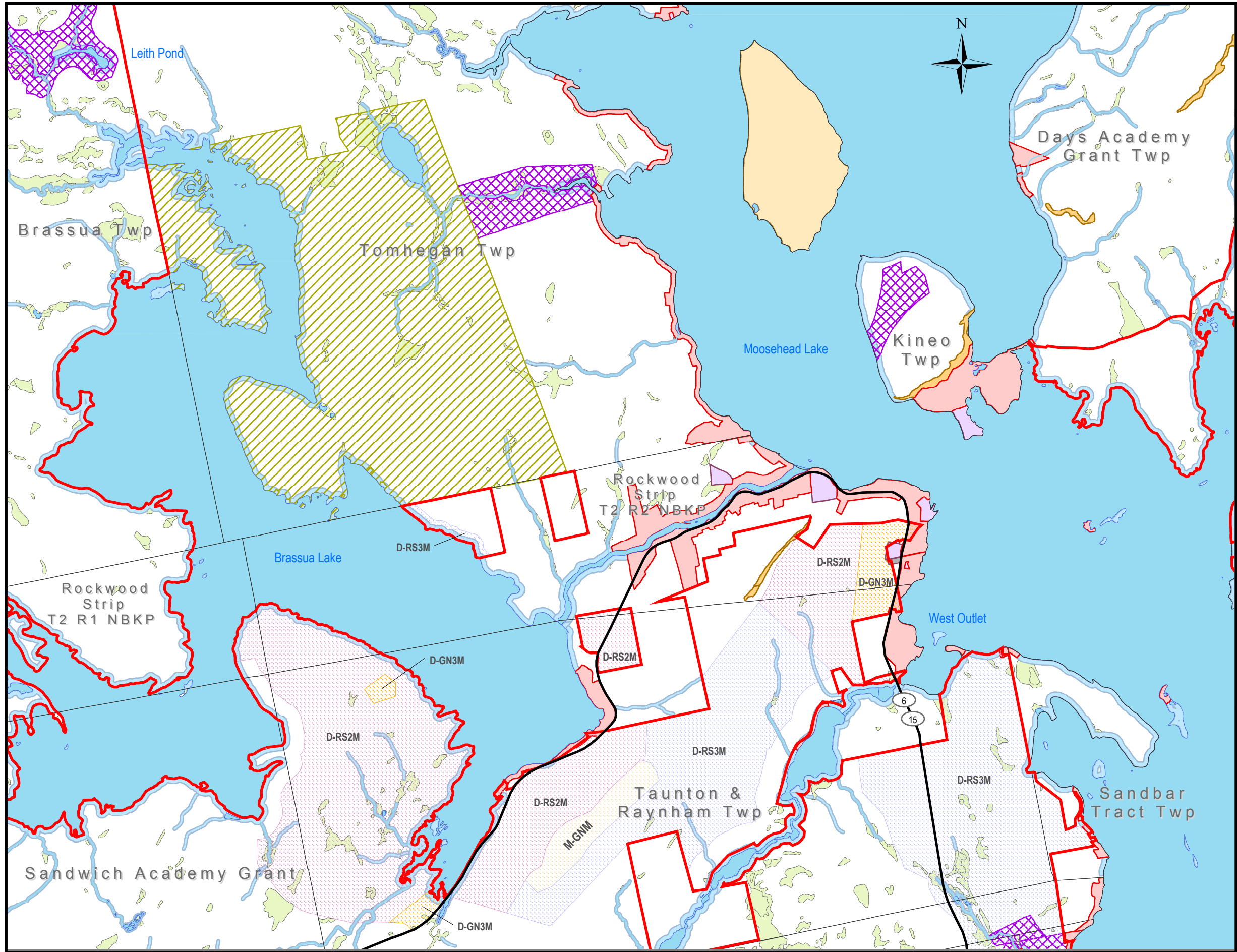
Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 5,000 10,000

Feet

April 2007





Petition for Rezoning

## Land Use Guidance Map 6

### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

#### Legend

- Plum Creek Ownership Subject to Concept Plan
- Rivers - Lakes - Ponds
- Major Road

#### Proposed Zones

- Rural Mixed-Use Development Zone (D-GN3M)
- Residential Recreation Development Zone (D-RS3M)
- Residential-Community Development Zone (D-RS2M)
- Resort Development Zone (D-GN2M)
- Management Zone (within Development Zone)(M-GNM)
- Existing Commercial / Industrial Zone (D-CIM)

#### Existing LURC Subdistricts

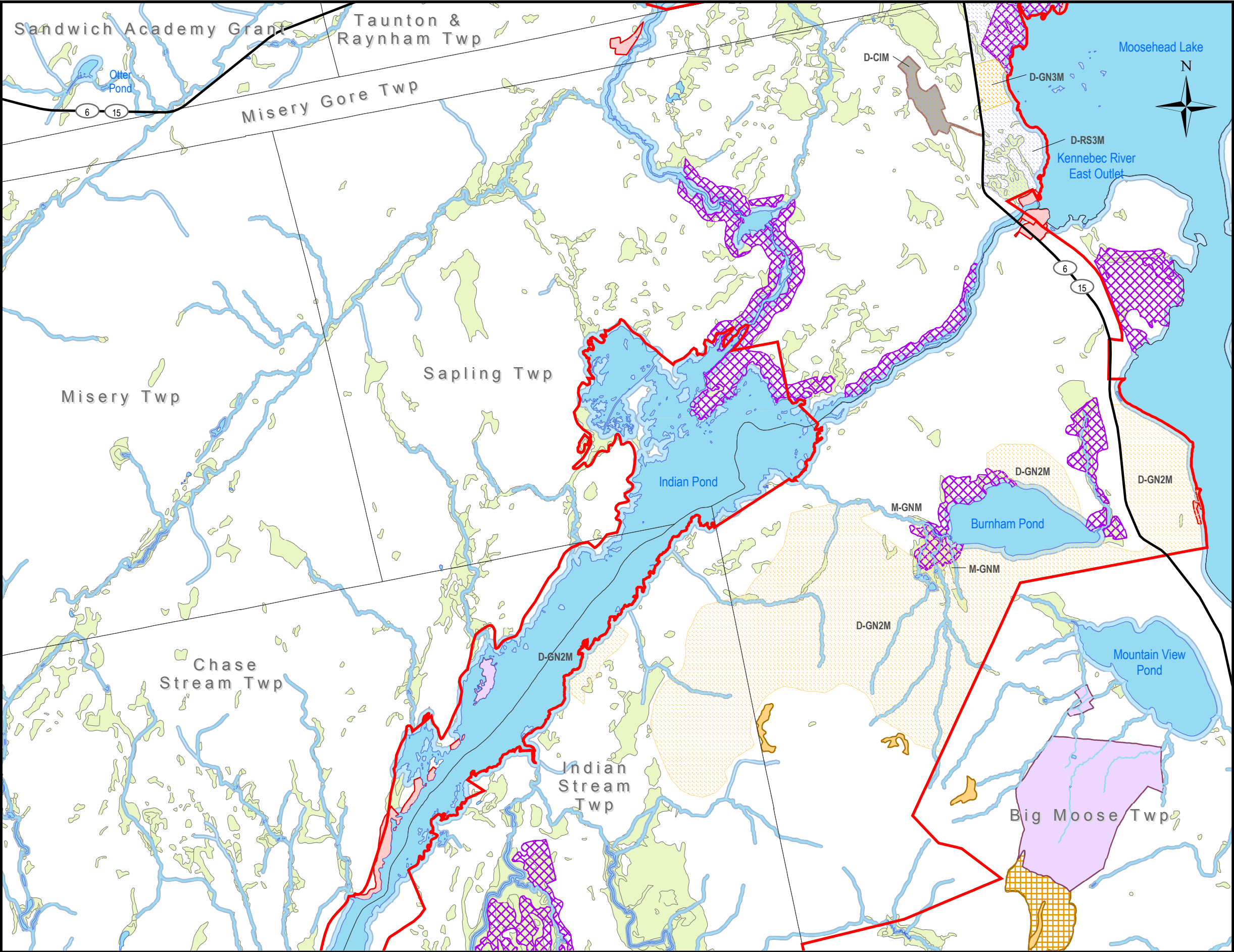
- General Development
- Residential Development
- Commercial / Industrial
- General Management
- Resource Plan Protection
- Fish and Wildlife Protection
- Mountain Area Protection
- Soils and Geology Protection
- Unusual Area Protection
- Wetlands
- Floodplains, Pond, River, and Stream Protection

Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 5,000 10,000 Feet

April 2007





Petition for Rezoning

# Land Use Guidance Map 7

## CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

**Legend**

Plum Creek Ownership Subject to Concept Plan

Rivers - Lakes - Ponds

Major Road

**Proposed Zones**

- Rural Mixed-Use Development Zone (D-GN3M)
- Residential Recreation Development Zone (D-RS3M)
- Residential-Community Development Zone (D-RS2M)
- Resort Development Zone (D-GN2M)
- Management Zone (within Development Zone)(M-GNM)
- Existing Commercial / Industrial Zone (D-CIM)

**Existing LURC Subdistricts**

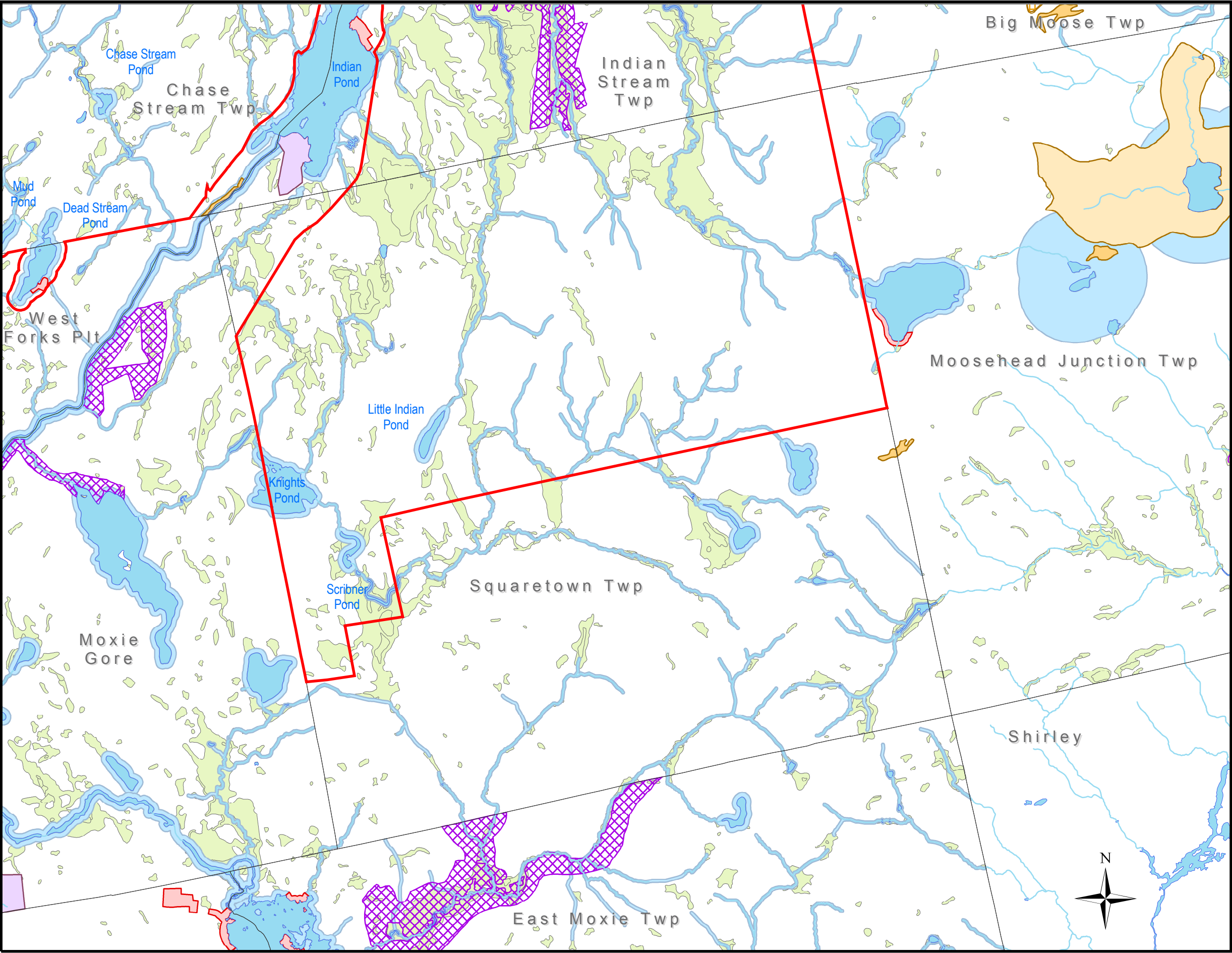
- General Development
- Residential Development
- Commercial / Industrial
- General Management
- Resource Plan Protection
- Fish and Wildlife Protection
- Mountain Area Protection
- Soils and Geology Protection
- Unusual Area Protection
- Wetlands
- Floodplains, Pond, River, and Stream Protection

Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 5,000 10,000 Feet

April 2007





Petition for Rezoning

## Land Use Guidance Map 8

### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

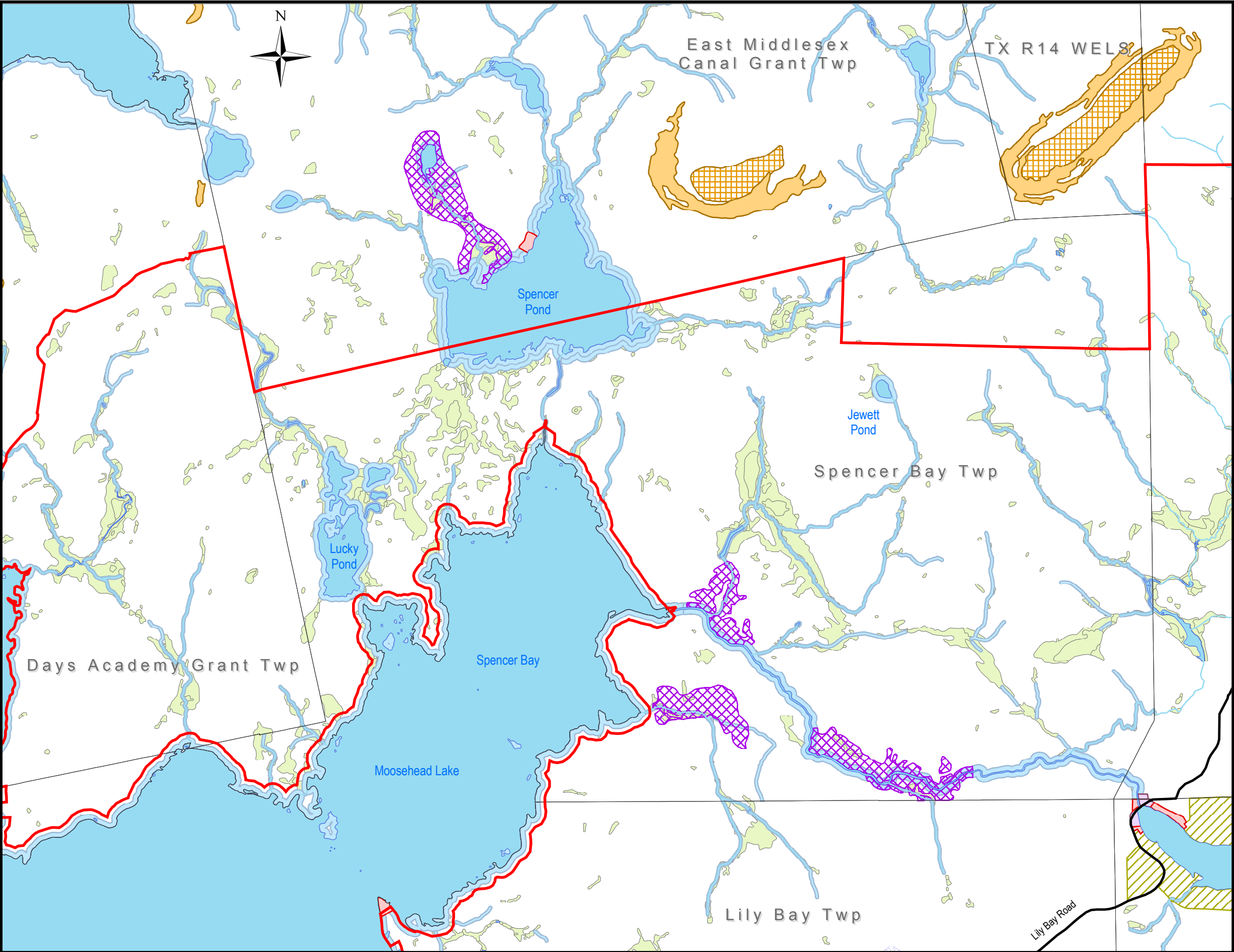
#### Legend

- Plum Creek Ownership Subject to Concept Plan
- Rivers - Lakes - Ponds
- Major Road
- Proposed Zones**
  - Rural Mixed-Use Development Zone (D-GN3M)
  - Residential Recreation Development Zone (D-RS3M)
  - Residential-Community Development Zone (D-RS2M)
  - Resort Development Zone (D-GN2M)
  - Management Zone (within Development Zone)(M-GNM)
  - Existing Commercial / Industrial Zone (D-CIM)
- Existing LURC Subdistricts**
  - General Development
  - Residential Development
  - Commercial / Industrial
  - General Management
  - Resource Plan Protection
  - Fish and Wildlife Protection
  - Mountain Area Protection
  - Soils and Geology Protection
  - Unusual Area Protection
  - Wetlands
  - Floodplains, Pond, River, and Stream Protection

Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 5,000 10,000 Feet

April 2007



Petition for Rezoning

## Land Use Guidance Map 9

### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

#### Legend

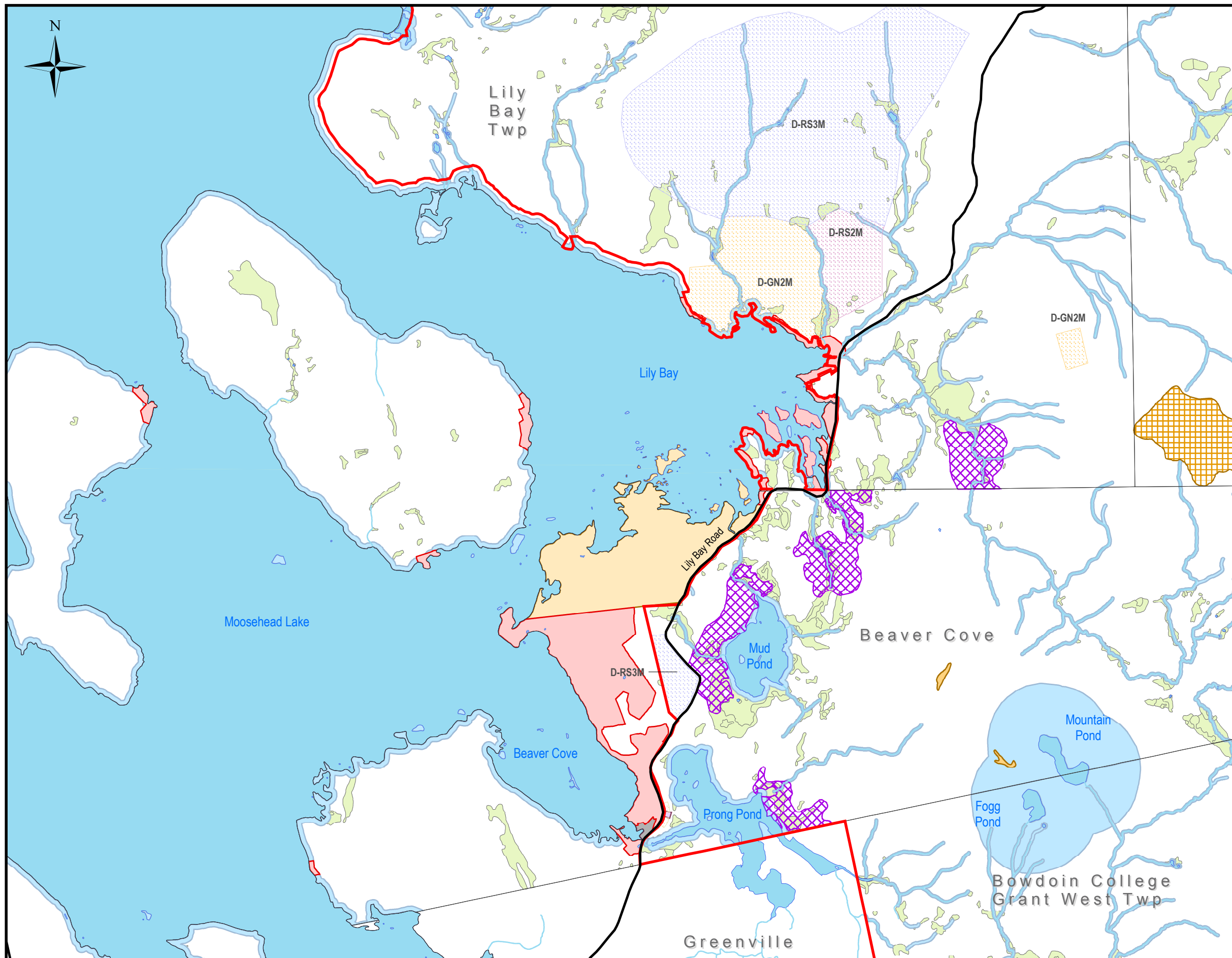
- Plum Creek Ownership Subject to Concept Plan
- Rivers - Lakes - Ponds
- Major Road
- Proposed Zones**
  - Rural Mixed-Use Development Zone (D-GN3M)
  - Residential Recreation Development Zone (D-RS3M)
  - Residential-Community Development Zone (D-RS2M)
  - Resort Development Zone (D-GN2M)
  - Management Zone (within Development Zone)(M-GNM)
  - Existing Commercial / Industrial Zone (D-CIM)
- Existing LURC Subdistricts**
  - General Development
  - Residential Development
  - Commercial / Industrial
  - General Management
  - Resource Plan Protection
  - Fish and Wildlife Protection
  - Mountain Area Protection
  - Soils and Geology Protection
  - Unusual Area Protection
  - Wetlands
  - Floodplains, Pond, River, and Stream Protection

Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 5,000 10,000

Feet April 2007





Petition for Rezoning

## Land Use Guidance Map 10

### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

#### Legend

- Plum Creek Ownership Subject to Concept Plan
- Rivers - Lakes - Ponds
- Major Road

#### Proposed Zones

- Rural Mixed-Use Development Zone (D-GN3M)
- Residential Recreation Development Zone (D-RS3M)
- Residential-Community Development Zone (D-RS2M)
- Resort Development Zone (D-GN2M)
- Management Zone (within Development Zone)(M-GNM)
- Existing Commercial / Industrial Zone (D-CIM)

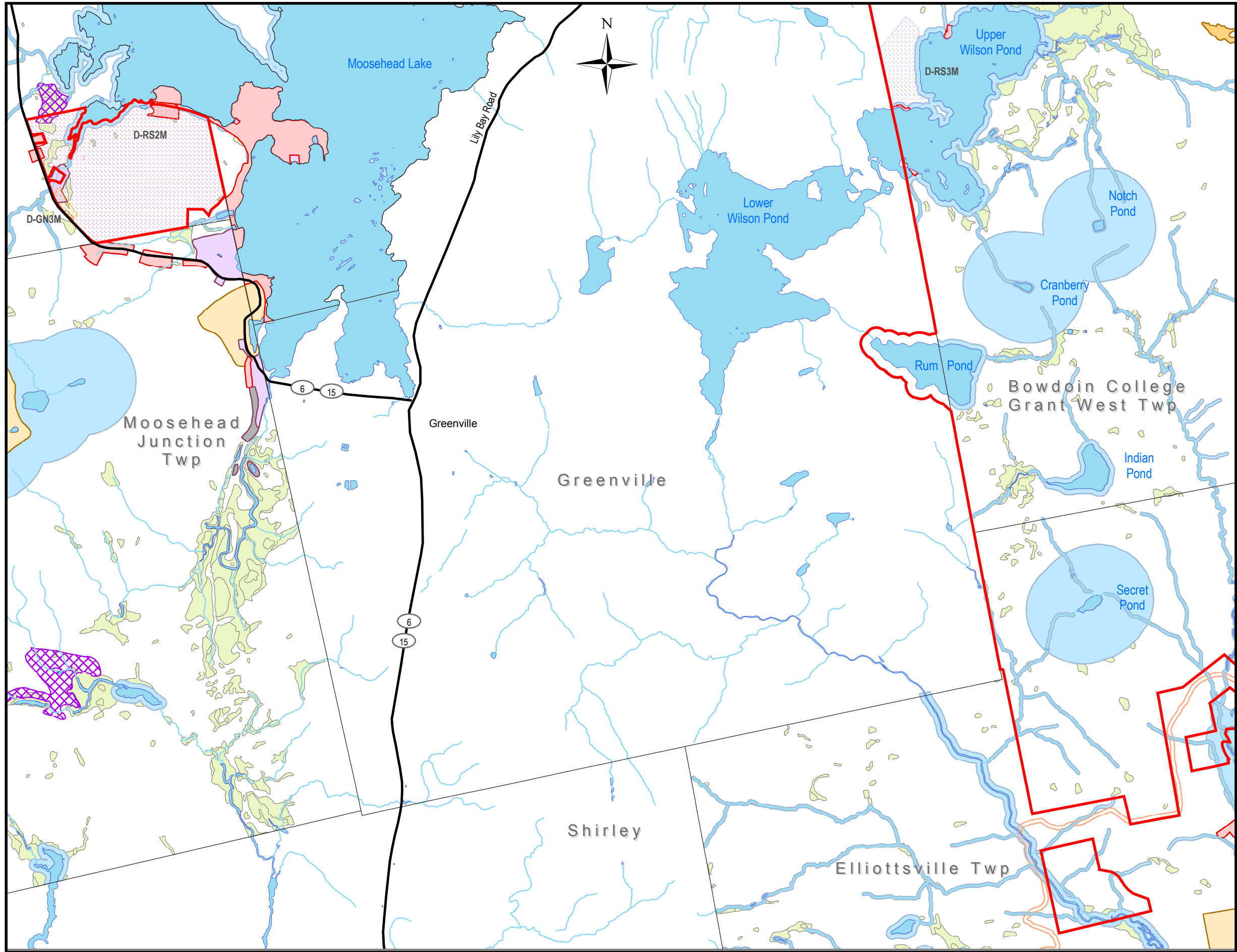
#### Existing LURC Subdistricts

- General Development
- Residential Development
- Commercial / Industrial
- General Management
- Resource Plan Protection
- Fish and Wildlife Protection
- Mountain Area Protection
- Soils and Geology Protection
- Unusual Area Protection
- Wetlands
- Floodplains, Pond, River, and Stream Protection

Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 5,000 10,000 Feet

April 2007



Petition for Rezoning

## Land Use Guidance Map 11

### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

#### Legend

- Plum Creek Ownership Subject to Concept Plan
- Rivers - Lakes - Ponds
- Major Road
- Proposed Zones**
  - Rural Mixed-Use Development Zone (D-GN3M)
  - Residential Recreation Development Zone (D-RS3M)
  - Residential-Community Development Zone (D-RS2M)
  - Resort Development Zone (D-GN2M)
  - Management Zone (within Development Zone)(M-GNM)
  - Existing Commercial / Industrial Zone (D-CIM)
- Existing LURC Subdistricts**
  - General Development
  - Residential Development
  - Commercial / Industrial
  - General Management
  - Resource Plan Protection
  - Fish and Wildlife Protection
  - Mountain Area Protection
  - Soils and Geology Protection
  - Unusual Area Protection
  - Wetlands
  - Floodplains, Pond, River, and Stream Protection

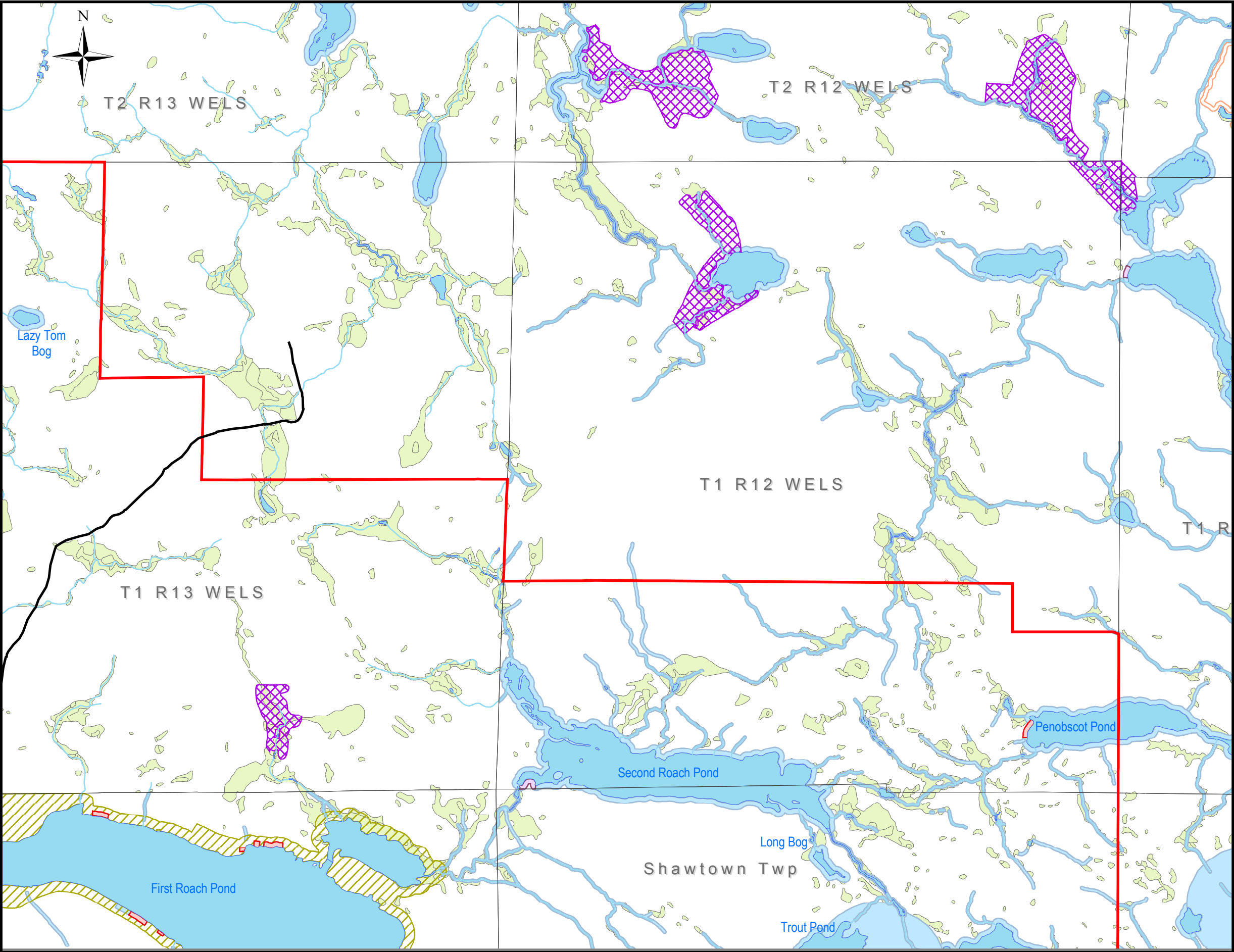
Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 5,000 10,000

Feet

April 2007





Petition for Rezoning

# Land Use Guidance Map 12

## CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

**Legend**

- Plum Creek Ownership Subject to Concept Plan
- Rivers - Lakes - Ponds
- Major Road

**Proposed Zones**

- Rural Mixed-Use Development Zone (D-GN3M)
- Residential Recreation Development Zone (D-RS3M)
- Residential-Community Development Zone (D-RS2M)
- Resort Development Zone (D-GN2M)
- Management Zone (within Development Zone)(M-GNM)
- Existing Commercial / Industrial Zone (D-CIM)

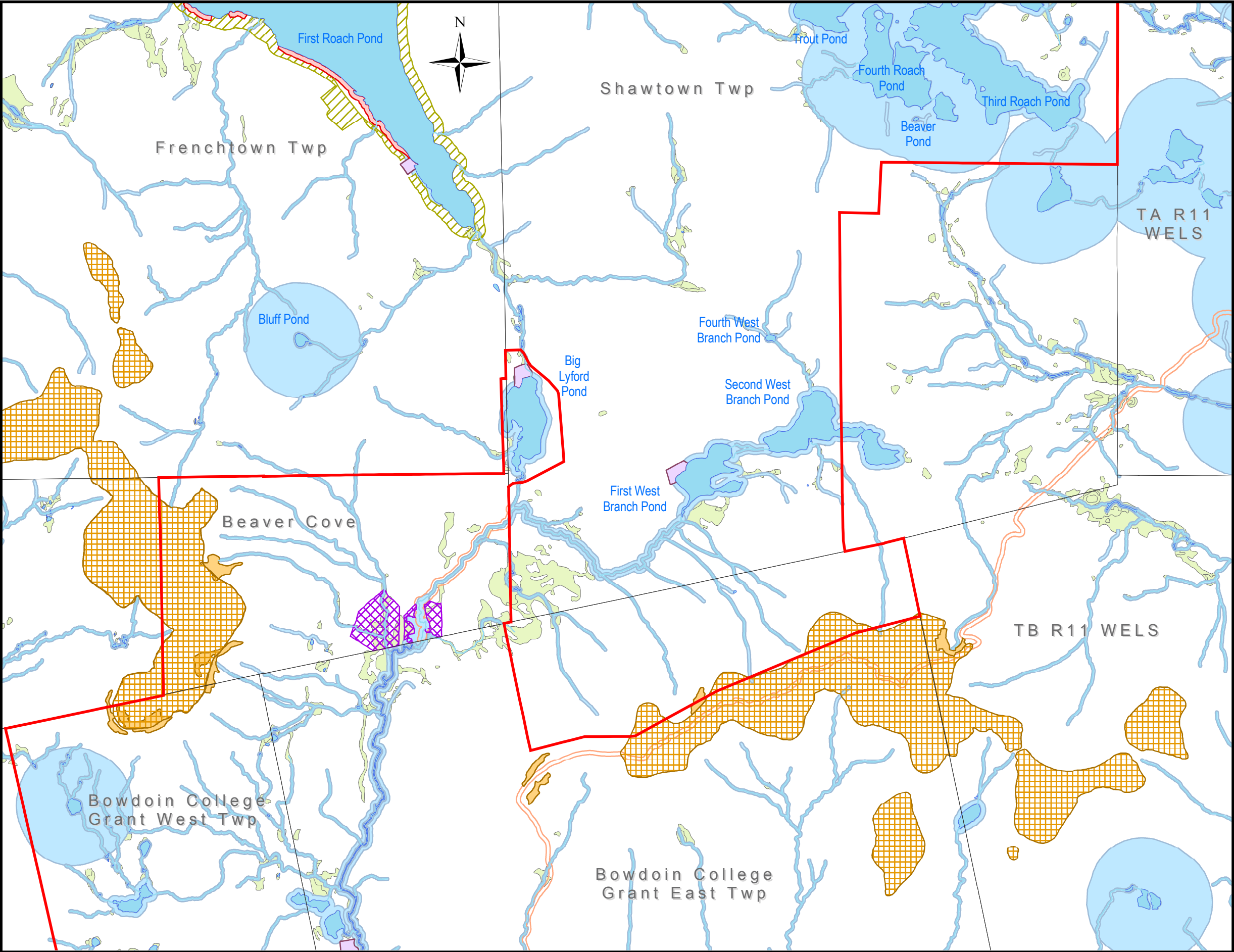
**Existing LURC Subdistricts**

- General Development
- Residential Development
- Commercial / Industrial
- General Management
- Resource Plan Protection
- Fish and Wildlife Protection
- Mountain Area Protection
- Soils and Geology Protection
- Unusual Area Protection
- Wetlands
- Floodplains, Pond, River, and Stream Protection

Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 5,000 10,000 Feet

April 2007



Petition for Rezoning

# Land Use Guidance Map 13

## CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

**Legend**

- Plum Creek Ownership Subject to Concept Plan
- Rivers - Lakes - Ponds
- Major Road

**Proposed Zones**

- Rural Mixed-Use Development Zone (D-GN3M)
- Residential Recreation Development Zone (D-RS3M)
- Residential-Community Development Zone (D-RS2M)
- Resort Development Zone (D-GN2M)
- Management Zone (within Development Zone)(M-GNM)
- Existing Commercial / Industrial Zone (D-CIM)

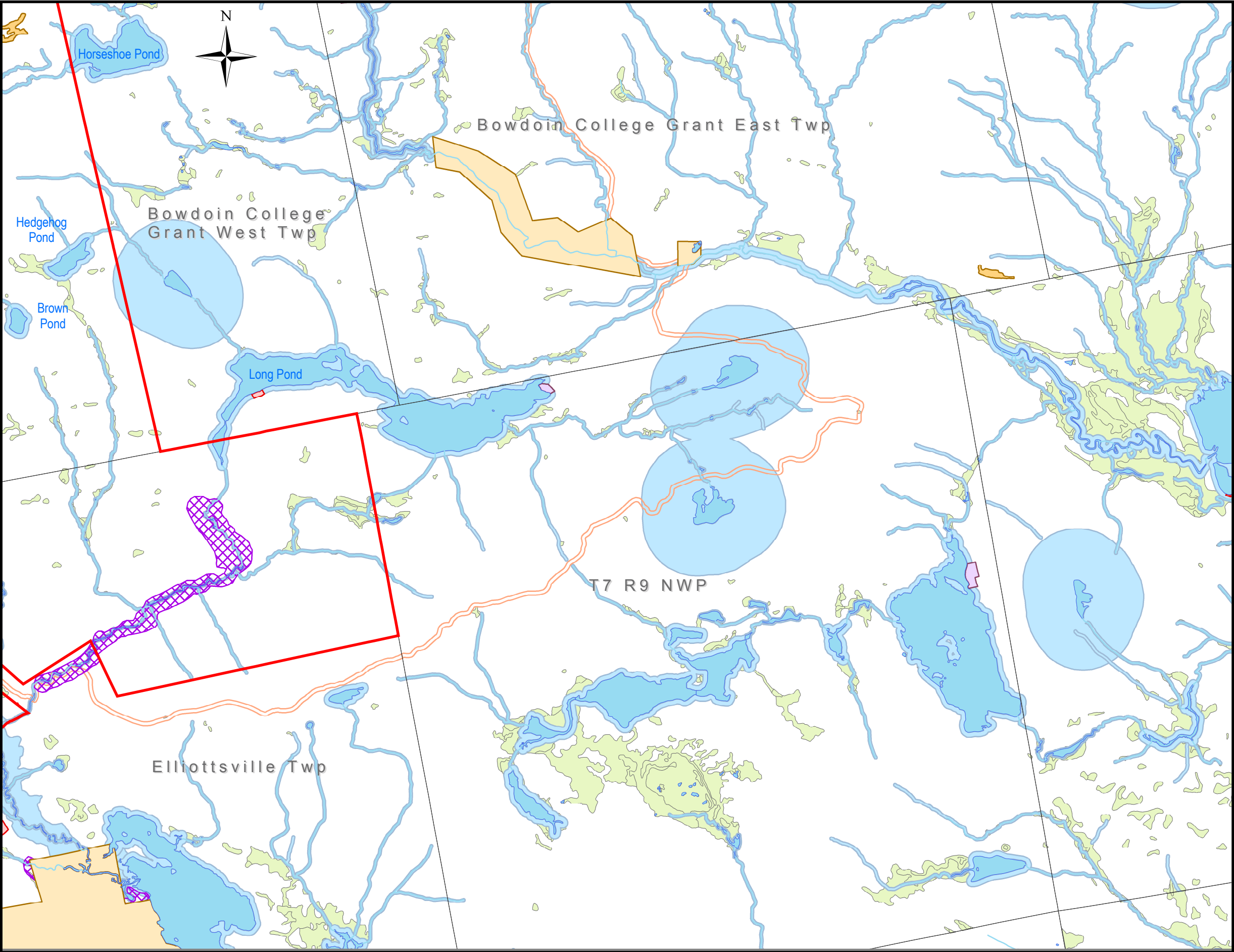
**Existing LURC Subdistricts**

- General Development
- Residential Development
- Commercial / Industrial
- General Management
- Resource Plan Protection
- Fish and Wildlife Protection
- Mountain Area Protection
- Soils and Geology Protection
- Unusual Area Protection
- Wetlands
- Floodplains, Pond, River, and Stream Protection

Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 5,000 10,000 Feet April 2007





Petition for Rezoning

## Land Use Guidance Map 14

### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

#### Legend

- Plum Creek Ownership Subject to Concept Plan
- Rivers - Lakes - Ponds
- Major Road
- Proposed Zones**
  - Rural Mixed-Use Development Zone (D-GN3M)
  - Residential Recreation Development Zone (D-RS3M)
  - Residential-Community Development Zone (D-RS2M)
  - Resort Development Zone (D-GN2M)
  - Management Zone (within Development Zone)(M-GNM)
  - Existing Commercial / Industrial Zone (D-CIM)
- Existing LURC Subdistricts**
  - General Development
  - Residential Development
  - Commercial / Industrial
  - General Management
  - Resource Plan Protection
  - Fish and Wildlife Protection
  - Mountain Area Protection
  - Soils and Geology Protection
  - Unusual Area Protection
  - Wetlands
  - Floodplains, Pond, River, and Stream Protection

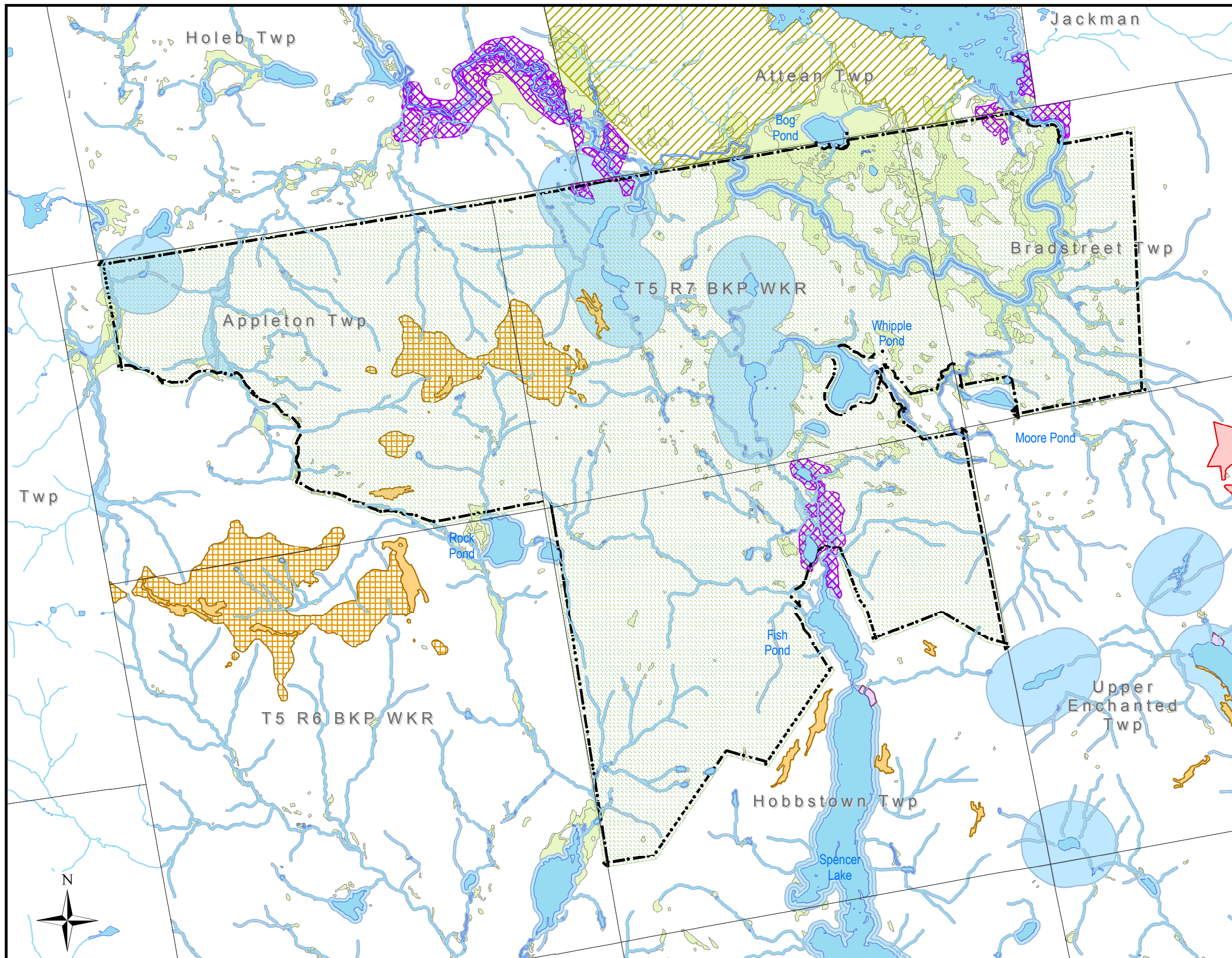
Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 5,000 10,000

Feet

April 2007





Petition for Rezoning

# Number Five Bog

## Land Use Guidance Map 15

### CONCEPT PLAN

for  
**PLUM CREEK'S**  
**LANDS**  
in the  
**MOOSEHEAD LAKE REGION**

#### Legend

- Plum Creek Ownership Subject to Concept Plan
- Rivers - Lakes - Ponds
- Major Road

#### Proposed Zones

- Rural Mixed-Use Development Zone (D-GN3M)
- Residential Recreation Development Zone (D-RS3M)
- Residential-Community Development Zone (D-RS2M)
- Resort Development Zone (D-GN2M)
- Management Zone (within Development Zone)(M-GNM)
- Existing Commercial / Industrial Zone (D-CIM)

#### Existing LURC Subdistricts

- General Development
- Residential Development
- Commercial / Industrial
- General Management
- Resource Plan Protection
- Fish and Wildlife Protection
- Mountain Area Protection
- Soils and Geology Protection
- Unusual Area Protection
- Wetlands
- Floodplains, Pond, River, and Stream Protection

Note: Where a shoreland envelope covers a Great Pond Protection (P-GP) subdistrict, it extinguishes the P-GP subdistrict

0 7,000 14,000 Feet

April 2007



## **8. Current Uses: Describe the current and historical use of the land proposed for rezoning.**

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Recreation and the forest industry have coexisted for over one hundred and fifty years in the Moosehead region. These are still the primary uses of the land within and around the Plan Area today.

### **Area History**

The history of this region has a general theme: utilization of natural resources for forestry and recreation. Native Americans prized the area for fish and game, as well as for flint for their tools and weapons. The first white settlers in the early 1800s came to prospect for silver, farm, and cut timber. As logging roads became stage coach routes, the region began to be frequented by tourists who had heard of the area's natural beauty. Lodging houses that had been established to serve the loggers began to serve tourists – and the wood and tourism industries have developed side by side in the region ever since.

Surveying parties from Massachusetts first arrived in 1764, but the first road to the shore of Moosehead Lake was not cut until 1825. Farmers used this road to supply the logging operations that were underway. A second road from the foot of the lake was cut in 1830; this one running south to Monson. That same year, Eleazer Coburn and his sons began cutting their timberlands and sending logs down the Kennebec River. At one point, the Coburns owned 700 square miles of land, including the best timber on Brassua Lake. As roads were cut, commerce increased, and in 1835, the area's first hotel, Seboomook House, was built. Farms served as way stations for loggers and grew hay to feed the oxen and horses that pulled the logs out of the woods.

Rockwood, despite having no road access, was the primary settlement on Moosehead Lake in the early 1800s. The 1830 census lists 316 residents in Rockwood and 193 in Tomhegan. Transportation to Kineo or Greenville was by boat or by stage coach over a road plowed on the lake ice. The Town of Greenville was incorporated in 1836, but was comparatively sparsely populated: the 1840 census records 128 residents.

Steamboats first appeared on Moosehead in 1836, but the first boat to be used to tow boomed logs is not recorded until 1846. Three years later, the *Moosehead* was built to accommodate passenger traffic up and down the lake. Twice a week, the boat would transport people between Northeast Carry and Greenville, stopping at Kineo and other points along the way.

Throughout the latter half of the 19<sup>th</sup> century, the Moosehead Lake region of Maine saw a steady increase in tourism, particularly in the Greenville and Mount Kineo areas, and at points around Moosehead Lake itself. Greenville's population grew steadily throughout the mid- to late-1800s, reaching 1,117 by 1900. Rockwood, on the other hand, lost year-round residents. Its population dwindled to a low of 30 in 1890, but then started to rebound. This is probably a consequence of the economy shifting from logging

to tourism - Rockwood was becoming home to guides and employees of the Mt. Kineo resort.

Several factors contributed to the rise of the tourism and wood products industries between 1850 and World War II, not the least of which was the railroad. Greenville became a junction for the Bangor & Piscataquis and Canadian Pacific Railroads in the 1880s. The effect on both the tourism and wood products industries was to significantly broaden their respective marketing areas. Now tourists were traveling by rail to the Moosehead area from as far away as California, but particularly from New York and Boston, spending weeks, and sometimes months. The tourism facilities in the region ranged from sporting camps and boarding houses, to lodges and large hotels.

The turn of the 20<sup>th</sup> Century heralded great things for the wood products industry. In 1891, the Veneer Products Company (later Stover Plywood) was established in Greenville. 1895 saw the first paper company established in the region: Hollingsworth & Whitney Company. H & W owned 161,000 acres along the shores of Moosehead Lake, supplying wood to three mills on the Kennebec River. Great Northern Paper Company was established east of Moosehead Lake, in 1900. Northeast Carry became a major base for the company, transferring men and supplies that came up the lake from Greenville over land to the Penobscot River, where logs were floated down to the Millinocket mill.

The region's heyday was during the first third of the 20<sup>th</sup> century. It is this period that residents think of when asked to describe the historic character of the area. Both the forest products and tourism industries were burgeoning. During this time, the region sustained a significantly larger population than exists today. Many townships that today have little or no year-round population had small but significant communities then. Bowdoin College Grant East had a population of 115 in 1920; the 2000 census lists 2 people for that township. Day's Academy Grant had 113 people then, and 4 now. Long Pond — once a plantation with a sawmill employing 275 men, a boarding house, movie theater, post office, church and stores — had 216 residents in 1910. Long Pond has 54 residents today.

## **Tourism**

The area's first hotel, Seboomook House, was built in 1835 and was part of a large complex of buildings located at the Northwest Carry of Moosehead Lake. Steamers from Greenville and Kineo brought passengers to the dock at Seboomook House for decades. (The location is now the site of the Seboomook Wilderness Campground located at the northeast corner of Big W Township.)

Five hotel buildings have been located on the Mt. Kineo peninsula adjacent to Days Academy Grant Township. The most famous, Mt. Kineo House, could accommodate more than 500 guests. Most guests arrived by way of the Maine Central Railroad and unloaded at the Kineo Depot in Rockwood where they were transported the mile or so across Moosehead Lake by steamboat. Thousands of summer visitors were transported from the Rockwood railroad station to the Mount Kineo Hotels over the

decades. Men from Greenville and Rockwood were employed to guide visitors on hunting and fishing expeditions.

The Roach River House was, for years, located on the shore of the Roach River at the outlet of First Roach Pond in Kokadjo.

Traditional sporting camp operations in or near the Concept Plan Area included the Gilbert & Coombs Camps at the West Outlet (south of Rockwood) and West Outlet Camps (known in the 1900s as MacKenzie's West Outlet Camps on Moosehead Lake). The East Outlet House would later become Wilson's Camps; the site is now known as Wilson's on Moosehead Lake. In the first half of the 20<sup>th</sup> century, Camp Caribou (now a private camp) was a sporting camp operation located in the small settlement at Ogontz, in Big W Township. Marr's Sporting Camps at Indian Pond was another popular sporting camp operation in the early 1900s, at the spot where the East and West outlets of the Kennebec River converge. In 1952, Marr's Sporting Camps were sold to Central Maine Power and the site was flooded when the Harris Dam was built.

The tourism industry and population of the region declined after the 1940s due to several factors including the Depression, World War II and the rise of the automobile. As the Depression and World War II diminished the amount of expendable time and money people had for "sport," the region was, in effect, becoming less accessible due to the decline of railroad service and relative lack of roads.

In terms of population, the region has never recovered from the loss of jobs in tourism and forestry. The current population of the region is 19% lower than it was at its height in 1940. This represents 666 fewer residents in the towns of Greenville, Jackman, Moose River, The Forks and West Forks Plantations. The current census for these towns stands roughly where it was 90 years ago.

As a result of the end of river log drives in 1976, there are thousands of miles of logging roads throughout the unorganized territory. These roads made the deep woods far more accessible. Now anyone with a car or truck could reach areas of the Maine forests that previously required significant time and effort to visit. But by then, the resorts and hotels were gone. To date, this tourism infrastructure has not been restored.

The Big Squaw Mountain Resort and Ski Area, on Big Moose Mountain is in decline. The business had been through two bankruptcies when the current owner bought it in the mid-1990s. In the 1980s, the ski area was the largest employer in the region. However, a chair lift accident in 2004 shut down the lift and there is only a small crew operating the business now.

The only bright spot in the tourism picture has been the development of the snowmobile industry. Statewide snow sled registrations have risen 30% between 1995 and 2004, with non-resident registrations growing from 10% to 29% of the total. Jackman, in particular, has benefited from this type of tourism. Winter, now, is the Town's primary tourist season.

The Tourism industry has remained in decline. Despite the area's rich natural resources and history, the area has not attracted the level of investment necessary to develop the tourism infrastructure necessary to attract tourists and support the area's economy.

### **The Concept Plan Area Today**

The current year round population in the Concept Plan Area has been shrinking and continues to decline in the communities and service centers in the area. As a result of the declining population, public infrastructure is being underutilized such as schools and health care facilities. In addition, unemployment is prevalent and two of the poorest counties in Maine are located in the Concept Plan Area. These economic and infrastructure issues are addressed more specifically in the Question 17, Public Services. Suffice to say the Concept Plan Area has been losing people, services and opportunities for several decades.

Outdoor recreational opportunities are vital to the heritage and economy of the Region. Plum Creek's open lands policy allows public access to its lands for many types of outdoor recreational uses. Visitors frequent the Concept Plan Area, to hike, hunt, fish, camp, canoe and enjoy its multiple lakes and ponds, woods, mountains and trails. The following is a partial list of recreational and tourist opportunities in the Concept Plan Area:

- ? *Canoeing and Kayaking.* There are numerous opportunities for canoeing and kayaking. The Roach River, located in Spencer Bay Township, is a well-known canoeing route within the Concept Plan Area. The trip, beginning at Kokadjo ends at Moosehead Lake, 10 miles downriver and is enjoyed by numerous visitors each year.
- ? *Fishing.* Moosehead Lake, central to the Concept Plan Area is a popular destination for anglers, both winter and summer. East of Jackman, fishermen utilize the Moose River. Salmon and brook trout provide the major fisheries in these waters.

Many of the 60 pristine ponds that dot the Concept Plan Area support native brook trout fisheries and offer a unique fishing experience.

The Roach River drainage area, particularly the six miles of river between First Roach Pond and Moosehead Lake offer seasonally excellent fly-fishing.

The East Outlet is well-known among fisherman, again for salmon and brook trout. The East Outlet is one of the waters in the Moosehead Region open in October to catch and release fishing, and anglers are beginning to utilize this area for late season fishing. The West Outlet, open to general law fishing, offers both



brook trout (yearlings are stocked in the upper reaches each spring) and smallmouth bass fishing.

- ? *Boat Launches.* There are currently 26 boat launches within the Concept Plan Area. The majority of these are hand carry launches and are located on private property.
- ? *Hiking.* There are numerous hiking trails utilized within the Concept Plan Area. Among the most popular are the Number 4 Mountain Trail in Frenchtown and Elephant Mountain Trail in Bowdoin College Grant West.
- ? *Camping.* According to the DeLorme Atlas and Maine Gazetteer, there are 65 primitive and 24 maintained campsites in the 29 townships where the Concept Plan Area is located. In addition, there are four campgrounds within the Concept Plan Area.
- ? *Snowmobiling.* Snowmobiling is a major economic force in the region. The Interconnected Trail System (ITS) connects Canada with Maine.
- ? *Hunting.* The Concept Plan Area is open to hunters and the forest management roads provide access to the woods for game such as deer, moose, grouse and snowshoe hare.

## **Lease Lots**

Currently, the Concept Plan Area also contains multiple lease lots, which are used primarily for second homes or sporting camps. In Taunton & Raynham there are also two lease sites for telephone rights. There are four commercial campground lease sites, two in Big Moose, one in Bowdoin College Grant and another in Frenchtown. Additionally, there are also four leased rights of way within the Concept Plan Area.

## **Conclusion**

The Concept Plan Area is used today in much the same way as it always has been: for its timber product and nature-based tourism. The majority of the Concept Plan Area has remained a working forest. Although the critical mass necessary to support the resorts and hotels of the early part of the 1900s is gone, the Jackman and Moosehead region and the Concept Plan Area still attract outdoor enthusiasts throughout the year.

**9a. Surrounding Uses and Resources: Describe the uses and resources of the area/region surrounding the land proposed for rezoning (i.e. commercial forest, farm land, seasonal/year-round residential use, commercial uses, etc.).**

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### **Surrounding Uses and Resources**

Uses of the region surrounding the Concept Plan Area reflect the region's location within the jurisdiction, and its rich natural and cultural resources. The Concept Plan Area lies within the west-central part of the State, on either side of Moosehead Lake.

The west central region is noted for its mountains and water resources. The Boundary Mountains lie to the west, and the northern terminus of the Appalachian Range lies to the northeast. The Kennebec River headwaters flow through the region, and this area is rich in lakes and ponds, wildlife and forest ecosystems.

The Moosehead region is a place where recreation and the forest industry have coexisted for over one hundred and fifty years. These are still the primary uses of the land surrounding the Concept Plan Area.

Major recreational uses just outside the Concept Plan Area include rafting, hiking, camping, canoeing or kayaking, fishing, hunting, snowmobiling and ATV use. Significant recreation and conservation lands surrounding the Concept Plan Area are:

- The Appalachian Trail which borders the Concept Plan Area on the southeast;
- The Appalachian Mountain Club's lands in Bowdoin College Grant East and West;
- The Nature Conservancy's Katahdin Forest lands, and Baxter State Park bordering the Concept Plan Area on the northeast;
- The state's ownership of Spencer Mountain, the major islands in Moosehead Lake, Lily Bay State Park, the Nahmakanta Public Reserve Unit, Days Academy Grant, Little Moose Mountain, and (on the other side of Jackman) Attean and Holeb Townships; and
- The West Branch fee and easement lands just to the north of the Concept Plan Area (including the Seboomook area), and the West Branch Penobscot River itself.

Altogether, there are more than one million acres of conservation land within the West-central region of Maine.

The Forks and West Forks, just to the southwest of the Concept Plan Area is the whitewater rafting center of Maine. Jackman and Greenville are service centers immediately adjacent to the Concept Plan Area where recreation dollars contribute significantly to the economy of the municipalities. Seasonal homes, rental cabins and sporting camps are located throughout the area.

Forest management is practiced throughout all these areas, with the exception of the ecological reserves on public and Appalachian Mountain Club lands, and outside the Scientific Management Area of Baxter State Park. Forestry management operations utilize a variety of tree species, and cutting practices to take advantage of the growing knowledge of ecosystem management. A network of logging roads has been built throughout the forests in order to bring the logs to the mills. The industry moves pulp and forest products via routes 201 and 6/15, and by the railroad that runs from Greenville, along the Moose River, through Jackman, and on to Canada.

## **Surrounding Zoning**

The land surrounding the Concept Plan Area, while primarily designated M-GN, are affected by nearly all of LURC's unique zoning designations at one location or another.

### **Easterly of Moosehead Lake:**

Minor Civil Divisions which surround that portion of the Concept Plan Area which is located *easterly* of Moosehead Lake (from North to South) are:

1. Days Academy Grant Township. That portion of Days Academy Grant Township adjoining (but not included within) the Concept Plan Area is a 6,769-acre parcel of conservation land, which is currently assessed<sup>1</sup> to the State of Maine. (Map PI072, Plan 01, Lot 1) Those areas of this Lot 1, which are not designated M-GN are affected by 8 subdistricts: D-RS, P-GP, P-SG, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.
2. East Middlesex Canal Grant Township. The Concept Plan Area is abutted on the North by East Middlesex Canal Grant Township – no portion of the Concept Plan Area lies within this township. The adjoining area consists of a 19,109-acre lot currently assessed to East Middlesex Canal, LLC and classified under Maine's Tree Growth Tax Law. (Map PI071, Plan 01, Lot 1.1) Those areas not designated M-GN are affected by 11 subdistricts: D-RS, P-AL, P-FW, P-GP, P-MA, P-SG, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.
3. Spencer Bay Township. Nearly all of Spencer Bay Township is owned by the Petitioner and located within the Concept Plan Area - with the exception of a 2,369-acre parcel of land in the northeast corner of the Township. That lot is currently assessed to Northern Woodlands and classified under Maine's Tree Growth Tax Law. (Map PI061, Plan 01, Lot 02) Those portions of the Northern Woodlands lot not designated M-GN are affected by 5 subdistricts: P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.
4. TX R14 WELS. A small portion of the southeast corner of TX R14 WELS abuts the Concept Plan Area. The adjoining lot, which is currently assessed to the State of Maine, is a 2,289-acre parcel that is part of the Big Spencer Mountain conservation.

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<sup>1</sup> All assessment information was acquired from the Maine Bureau of Revenue Services 2005 Taxpayer Valuation.

(Map PI062, Plan 01, Lot 1) 1,823 acres are classified under Maine's Tree Growth Tax Law. Those areas not designated M-GN are affected by 6 subdistricts: P-MA, P-SG, P-SL2, PWL1, PWL2, and PWL3.

5. T2 R13 WELS. The southwest portion of T2 R13 WELS abuts the Concept Plan Area along the northern bound of T1 R13 WELS. The adjoining lot is a 1,742-acre conservation parcel currently assessed to Great Lakes Hydro America, LLC. (Map PI050, Plan 01, Lot 1.2) This lot is classified under Maine's Tree Growth Tax Law. Those portions not designated M-GN are affected by 6 subdistricts: P-MA, P-SG, PWL1, PWL10W, P-WL2, and PWL3.

6. T1 R13 WELS. The largest portion of T1 R13 WELS is owned by the Petitioner and situated within the Concept Plan Area. Not included is an adjoining 7,274-acre tract currently assessed to Great Northwoods, LLC and which is bifurcated by Route 6/15. (Map PI049, Plan 01, Lot 1) The parcel is classified under the Tree Growth Tax Law. Those portions of the Great Northwoods parcel not designated M-GN are affected by 6 subdistricts: P-GP, P-SL2, P-WL1, P-WL10W, P-WL2, and P-WL3.

7. T1 R12 WELS. The Petitioner's ownership within T1 R12 WELS consists of the lower one-third (or so) of the Township with the ITS Snowmobile Trail running east to west across the northern portion of the parcel. (The Petitioner's entire ownership is located within in the Concept Plan Area.) The upper portion of the Township consists of 2 parcels, which adjoin the Concept Plan Area. The eastern parcel, a 2,403-acre lot is currently assessed to Great Northwoods, LLC and classified under the Tree Growth Tax Law. (Map PI037, Plan 01, Lot 1) Those areas of this Lot 1 not designated M-GN are affected by 5 subdistricts: P-SL2, P-WL1, P-WL10W, P-WL2, and P-WL3.

The western parcel, a 12,975-acre tract, which is part of the Nahmakanta Public Reserve Unit, is conservation land and currently assessed to the State of Maine. (Map PI037, Plan 01, Lot 1.1) Those areas not designated M-GN are affected by 7 subdistricts: P-FW, P-GP, P-SL2, P-WL1, P-WL10W, P-WL2, and P-WL3.

8. T1 R11 WELS. The Concept Plan Area adjoins T1 R11 WELS along a portion of the western boundary of T1 R12 WELS where Penobscot Pond is located. The whole of T1 R11 WELS is conservation land (part of Nahmakanta) currently assessed to the State of Maine and classified under Maine's Tree Growth Tax Law. (Map PI026, Plan 01, Lots 1 and 1.2) Those areas of the township not designated M-GN are affected by 13 subdistricts: D-GN, P-FW, P-GP, P-RR, P-RR200, P-SG, P-SL1, P-SL2, P-WL1, PWL10W, P-WL2, P-WL3 and P-AL.

9. TA R11 WELS. The Concept Plan Area abuts TA R11 WELS along the western bound of Shawtown Township. The adjoining portion of TA R11 WELS, a 12,506-acre lot, is currently assessed to Cassidy Timberlands LLC, *et al* and classified under Maine's Tree Growth Tax Law. (Map PI024, Plan 01, Lot 1) Those areas of this Lot 1 not



designated M-GN are affected by 9 subdistricts: D-GN, P-GP, P-RR, P-RR200, P-SL2, PWL1, P-WL10W, P-WL2 and P-WL3.

10. Shawtown Township. The Petitioner's ownership in Shawtown Township consists of roughly three-quarters of the Township, with the Petitioner's entire ownership being within the Concept Plan Area. That southeast (roughly) quarter of the township adjoining the Concept Plan Area is a 5,236-acre lot currently assessed to McCrillis Timberlands Inc. and classified under the Maine Tree Growth Tax Law. (Map PI036, Plan 01, Lot 2) The Appalachian Trail runs more or less parallel to the southeast boundary of the McCrillis lot. Those portions not designated M-GN are affected by 7 subdistricts: P-GP, P-RR, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.

11. TB R11 WELS. A small portion of the Concept Plan Area abuts TB R11 WELS at the eastern bound of Bowdoin College Grant East Township. The parcel adjoining the Concept Plan Area consists of 390 acres and is assessed to McCrillis Timberlands, Inc., *et al.* It too is classified under the Tree Growth Tax Law. Those portions of the McCrillis Lot not designated M-GN are affected by 2 subdistricts: P-SL2 and P-WL1.

12. Bowdoin College Grant East Township. The Petitioner owns a relatively small portion of Bowdoin College East Grant Township, all of which is within the Concept Plan Area. That portion of Concept Plan Area located within this township is abutted on the west by a 7,711-acre parcel of conservation land and currently assessed to AMC Woods, Inc. (Map PI005, Plan 01, Lot 2) Those areas of the AMC parcel not designated M-GN are affected by 12 subdistricts: P-FP, P-FW, P-GP, P-RR, P-RR200, P-SG, P-SL2, P-UA, P-WL1, P-WL10W, P-WL2, and P-WL3.

In the south the Concept Plan Area is adjoined by a 3,010-acre parcel of the Appalachian Trail. This is conservation land assessed to the United States of America. (Map PI005, Plan 01, Lot 6) That is, the Appalachian Trail. That portion of this Lot 6 not designated M-GN is affected by 10 subdistricts: P-MA, P-RR, P-RR200, P-SG, P-SL2, P-UA, P-WL1, P-WL10W, P-WL2 and P-WL3.

13. Beaver Cove. Not all of the Petitioner's ownership in Beaver Cove is located within the Concept Plan Area. The parcel that adjoins the Concept Plan Area to the East is a 3,077-acre parcel owned by the Petitioner. (Map PI047, Plan 01, Lot 3) Those portions of the 3,077-acre lot, which are not designated M-GN are affected by 11 subdistricts: P-FP, P-FW, P-MA, P-RR, P-RR200, P-SG, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.

That portion of Beaver Cove, which adjoins the Concept Plan Area to the west is characterized by existing development and Lily Bay Park. A discussion of shorefront development at Beaver Cove can be found at Question 9b: Existing Development.

14. Bowdoin College Grant West Township. The eastern (roughly) one-third of Bowdoin College West Grant Township is outside the Petitioner's ownership and therefore outside the Concept Plan Area. The 10,053-acre lot abutting the Concept Plan Area is conservation land and is currently assessed to AMC Maine Woods, Inc. It is

classified under the Maine Tree Growth Tax Law. Those portions of the AMC lot, which are not designated M-GN are affected by 10 subdistricts: D-RS, P-GP, P-MA, P-RR, P-SG, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.

15. T7 R9 NWP. T7 R9 NWP abuts the Concept Plan Area at the eastern bound of Ellitsville. The 3,666-acre lot adjoining the Concept Plan Area is also conservation land assessed to AMC Maine Woods, Inc. It is classified under the Maine Tree Growth Tax Law. (PI081, Plan 01, Lot 4) Those portions of the AMC lot, which are not designated M-GN are affected by 8 subdistricts: D-GN, P-GP, P-RR, P-SL2, P-WL1, P-WL10W, P-WL2, and P-WL3.

16. Ellitsville. Ellitsville Township for the most part has been divided into small lots, particularly in the area surrounding Lake Onawa. The Plum Creek ownership (approximately 7,719 acres) is the largest single tract within the township. The Appalachian Trail lies immediately south of (and in some places divides) the Concept Plan Area. Those areas not designated M-GN include, but are not limited to, P-FP, P-FW, P-GP, P-RR, P-RR200, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.

17. Greenville. The Town of Greenville, Maine is an incorporated township, which does not fall under the jurisdiction of the Land Use Regulation Commission. Land use in the Town of Greenville is is governed by its Comprehensive Plan and Town Zoning Ordinance. The Concept Plan Area adjoins Greenville along the southern bound of Beaver Cove and the western bounds of Bowdoin College West Grant Township and Ellitsville. Those adjoining portions of Greenville are zoned either “Rural” or “Rural Development.” Permitted Uses within the Rural District are agriculture, timber harvesting, single and multi-family housing as well as home occupations. The same uses are permitted within the Rural Development District. Both designations have a variety of conditional uses, which include natural resource activities, outdoor recreational facilities; recreational accommodations, motels and restaurants. Greenville has year-round and seasonal housing along the shores of Prong, Sawyer, Lower Wilson, and Upper Wilson Ponds, as well as Moosehead Lake. There are subdivisions located throughout the interior of the town. Mixed development follows along Pritham Avenue, the Lily Bay Road and Route 6/15 corridors. The town center serves the surrounding region with various services and commercial establishments, including the C.A. Dean hospital and Greenville School system.

#### **Westerly of Moosehead Lake:**

Minor Civil Divisions which surround the portion of the Concept Plan Area located *westerly* of Moosehead Lake are (from North to South):

1. Seboomook Township. Seboomook Township abuts the Concept Plan Area at the northern bound of Big W Township. The 11,482-acre lot, which abuts the Concept Concept Plan Area is conservation land currently assessed to the State of Maine. (Map SO048, Plan 01, Lot 1.5) Those areas of this Lot 1.5, which are not, designated M-GN

are affected by 11 subdistricts: D-GN, D-RS, P-FW, P-GP, P-RR, P-SL1, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.

2. Plymouth Township. Plymouth Township adjoins the Concept Plan Area along the northern bound of West Middlesex Grant. There are two abutting parcels totaling 12,886 acres. Both these parcels are part of the West Branch conservation lands, and are assessed to Merriweather, LLC (Map SO049, Plan 01, Lot 4). Those portions of Lot 4 not designated M-GN are affected by 8 subdistricts: P-FW, P-GP, P-RR, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3. All or some of these parcels are classified under Maine's Tree Growth Tax Law.

3. West Middlesex Canal Grant Township. The Petitioner owns most of the West Middlesex Canal Grant Township with the exception of a 2,943-acre parcel located in the northwest corner. (Map SO043, Plan 01, Lot 3) This parcel is another part of the West Branch conservation lands and is currently assessed to the State of Maine. Those portions of this Lot 3 not designated M-GN are affected by 5 subdistricts: P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.

4. Soldiertown Township. The northeast portion of Soldiertown Township is not owned by the Petitioner and not within the Concept Plan Area. The parcel of land adjoining the Concept Plan Area at Soldiertown is a 5,724-acre lot assessed to Merriweather, LLC (Map SO044, Plan 01, Lot 2) and is classified under the Maine Tree Growth Tax Law. Those portions of the Merriweather lot, which are not designated M-GN are affected by 8 subdistricts: P-FW, P-GP, P-RR, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.

5. Alder Brook Township. Alder Brook Township abuts the Concept Plan Area along the northern bound of Thorndike Township. The portion of Alder Brook Township adjoining the Concept Plan Area is a 10,635-acre parcel currently assessed to Cassidy Timberlands, LLC and is classified under Maine's Tree Growth Tax Law. Those portions of the Cassidy Timberlands parcel not designated M-GN are affected by 9 subdistricts: P-AL, P-FW, P-GP, P-SG, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.

6. Moose River. The Concept Plan Area abuts the western bound of Moose River, an incorporated town not within the jurisdiction of the Land Use Regulation Commission. Moose River adjoins Jackman and has businesses and services. The housing is predominantly year-round residential homes.

7. Jackman. The Town of Jackman, Maine is an incorporated township, which does not fall under the jurisdiction of the Land Use Regulation Commission. Land use in the Town of Jackman is regulated by Planning Board under their 2004 Comprehensive Plan.

The Concept Plan Area adjoins Jackman along the western border of Long Pond Township. Those adjoining portions of Jackman are designated either "Resource Production Area" or "Rural Area." The Resource Production Area is characterized by tracts of land, which are either a) currently listed under tree growth, or b) are subject to

conservation easement. Most of the land adjoining the Concept Plan Area is designated as Resource Production Area and owned by the Petitioner. The Rural Area consists of those lands, which are not in public ownership, tree growth or otherwise constrained by floodplain or wetland.

8. Parlin Pond Township. Parlin Pond Township abuts the Concept Plan Area South of Long Pond Township and West of Misery Township. The abutting lots are owned by the Petitioner (Map SO020, Plan 01, Lots 1.1 and 5) and are classified under Maine's Tree Growth Tax Law. Those areas of Lot 1.1, which are not designated M-GN are affected by 10 subdistricts: D-GN, D-RS, P-FW, P-GP, P-RR, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3. Those areas of Lot 5, which are not designated M-GN are affected by 3 subdistricts: P-RR, P-SL2, and P-WL2.

9. Johnson Mountain Township. Johnson Mountain Township abuts the Concept Plan Area west of Chase Stream Township. The Petitioner owns nearly all of the property in Johnson Mountain, which adjoins the Concept Plan Area (Map SO014, Plan 01, Lot 1.2). Lot 1.2 is a 12,768-acre parcel of land classified under the Maine Tree Growth Tax Law. Those areas not designated M-GN are affected by 8 subdistricts: D-RS, P-GP, P-RR, P-SL2, P-WL1, P-WL10W, P-WL2, and P-WL3.

A smaller 434-acre lot in Johnson Mountain Township abuts the Concept Plan Area at the southwest corner of Chase Stream Township. (Map SO014, Plan 01, Lot 3). This Lot 3 is conservation land and is currently assessed to the State of Maine. Those portions, which are not, designated M-GN are affected by 6 subdistricts: P-GP, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.

10. West Forks Plantation. West Forks Plantation abuts the Concept Plan Area along the southern border of Chase Stream. The portion of West Forks that adjoins the Concept Plan Area, consists of four parcels. (Assessment data was not available for West Forks Plantation.) Moving West to East, the first parcel (Plan 12, Lot 2) is a 602-acre parcel of conservation land. Those portions of Lot 2, which are not designated M-GN are affected by 6 subdistricts: P-GP, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.

The second parcel (Plan 16, Lot 3) is a 1,585-acre parcel. Those portions of Lot 16-3, which are not designated M-GN are affected by 7 subdistricts: D-RS, P-GP, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.

The third parcel (Plan 18, Lot 4) is a 1.3-acre parcel. Those portions of Lot 18-4, which are not designated M-GN are affected by 2 subdistricts: P-SL2 and P-WL1.

Finally, Plan 18, Lot 5 is a 187-acre. Those portions of Lot 18-5, which are not designated M-GN are affected by 7 subdistricts: P-RR, P-SG, P-SL1, P-SL2, P-WL1, P-WL10W, and P-WL2.

11. Moxie Gore Township. Moxie Gore Township is subdivided in to over 240 lots, which average about 53 acres each. The Concept Plan Area adjoins the Moxie Gore Township along the western bound of Squaretown Township east of the Indian Pond



Road. The adjoining tract of land consists of many subdivision lots primarily designated M-GN. Those areas not specifically designated M-GN are affected by P-GP (the area surrounding Knights Pond) or one of the wetland protection zones.

12. Squaretown Township. Portions of Squaretown Township are not within the Petitioner's ownership and are therefore outside of the Concept Plan Area. A triangular parcel of land (Map SO029, Plan 01, Lot 4) bounded on the South by Indian Pond Road comprises the Township's northeast corner and is characterized as "transmission line land" assessed to Central Maine Power Company. All areas of the CMP lot not designated M-GN are affected by 7 subdistricts: P-RR, P-SL1, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.

Additionally, the lower (roughly) one-half of the Township, which adjoins the Concept Plan Area is a 10,593-acre parcel assessed to Penobscot Forest, LLC and classified under the Maine Tree Growth Tax Law. (Map SO029, Plan 01, Lot 1) Those areas of the Penobscot Forest lot not designated M-GN are affected by 8 subdistricts: P-FW, P-GP, P-SG, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.

13. Moosehead Junction Township. Moosehead Junction Township abuts the Concept Plan Area along the eastern bound of Squaretown Township. The northern portion of Moosehead Junction Township, which adjoins the Concept Plan Area is a 4,693-acre lot of conservation land currently assessed to the State of Maine (the Little Moose Public Reserve Unit). (Map PI008, Plan 01, Lot 2) Those portions of Lot 2, which are not designated M-GN are affected by 10 subdistricts: D-RS, P-GP, P-RR, P-SG, P-SL2, P-UA, P-WL1, P-WL10W, P-WL2 and P-WL3.

South of Lot 2 is an 11,257-acre parcel of land currently assessed to Penobscot Forest, LLC and classified under the Tree Growth Tax Law. (Plan PI008, Plan 01, Lot 1). Those portions of the Penobscot Forest lot, which are not designated M-GN are affected by 10 subdistricts: D-RS, P-FW, P-GP, P-RR, P-SG, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.

14. Big Moose Township. The Petitioner owns the northeast portion of Big Moose Township (f/k/a Big Squaw Township). All of the Petitioner's ownership within the township is included in the Concept Plan Area. That portion of the township not within Petitioner's ownership – and abutting the Concept Plan Area – is comprised of three separate parcels.

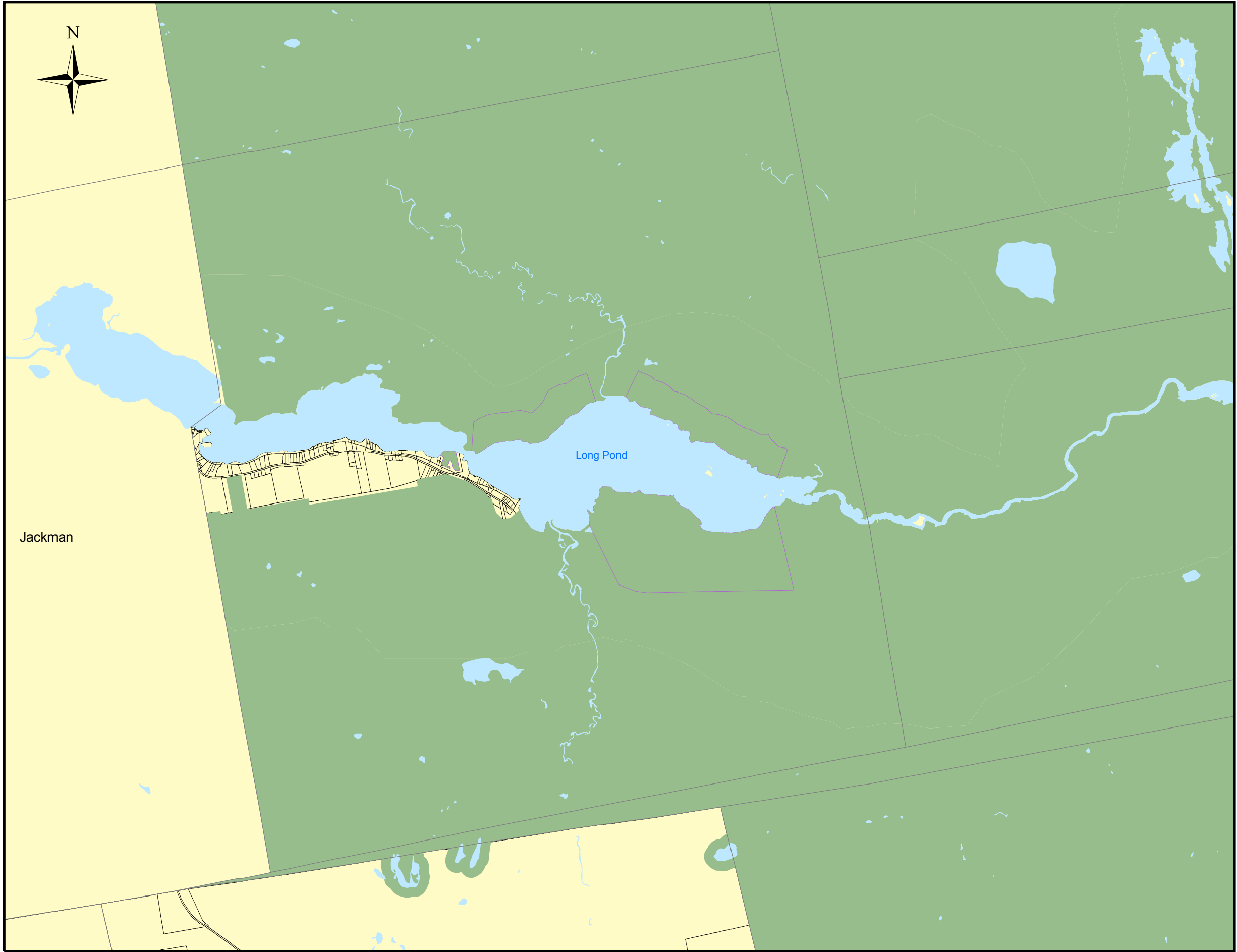
The first two, which adjoin the southern bound of the ownership are conservation lots currently assessed to the State of Maine. These are part of the Bureau of Public Lands' Little Moose Public Reserve Unit and both are classified under Maine's Tree Growth Tax Law. (Map PI009, Plan 01, Lots 3 and 1.4) The first, Lot 3, consists of 1,018 acres, and those areas not designated M-GN are affected by 4 subdistricts: P-SL2, P-WL1, P-WL2 and P-WL3. The second, Lot 1.4, consists of approximately 1,127 acres; all areas not designated M-GN are affected by 6 subdistricts: P-MA, P-SG, P-SL2, P-WL1, P-WL2 and P-WL3. They total 2,145 acres.

Finally, a third lot, consisting of 4,391 acres adjoins the southeast bound of the ownership and is currently assessed to James Confalone. This parcel is also classified under the Maine Tree Growth Tax Law. (Map PI009, Plan 01, Lot 2.1) Those portions of this Lot 2.1 not designated M-GN are affected by 10 subdistricts: D-GN, P-FW, P-GP, P-MA, P-SG, P-SL2, P-WL1, P-WL10W, P-WL2 and P-WL3.

**Interior:**

In addition to the above Minor Civil Divisions, which comprise the periphery, the Concept Plan Area abuts Tomhegan Township and adjoins shoreline development and shoreline conservation along the shores of Moosehead Lake. The Concept Plan Area, in fact, has very little shore frontage on Moosehead Lake. Of the 29 Minor Civil Divisions within the Concept Plan Area, only 9 contain frontage on Moosehead Lake (Beaver Cove, Lily Bay, Days Academy Grant, Big W, Taunton & Raynham Academy Grant, Sapling, Spencer Bay, Sandbar Tract and Big Moose). Those areas of Moosehead Lake, which are not in conservation are dominated by shorefront development. A discussion of shorefront development along Moosehead and the interior lakes can be found at Question 9b: Existing Development. In addition, 5 maps at the end of this Section show adjacent development have been included in this answer to illustrate those portions of the Concept Plan, which are bordered by shorefront development.

These maps show the extensive, historical shore and backlot development on Moosehead Lake, from Northeast Carry to Harfords Point.



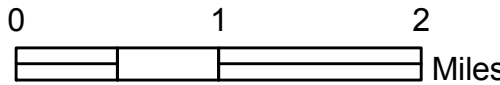
Petition for Rezoning

## Adjacent Development Map 1

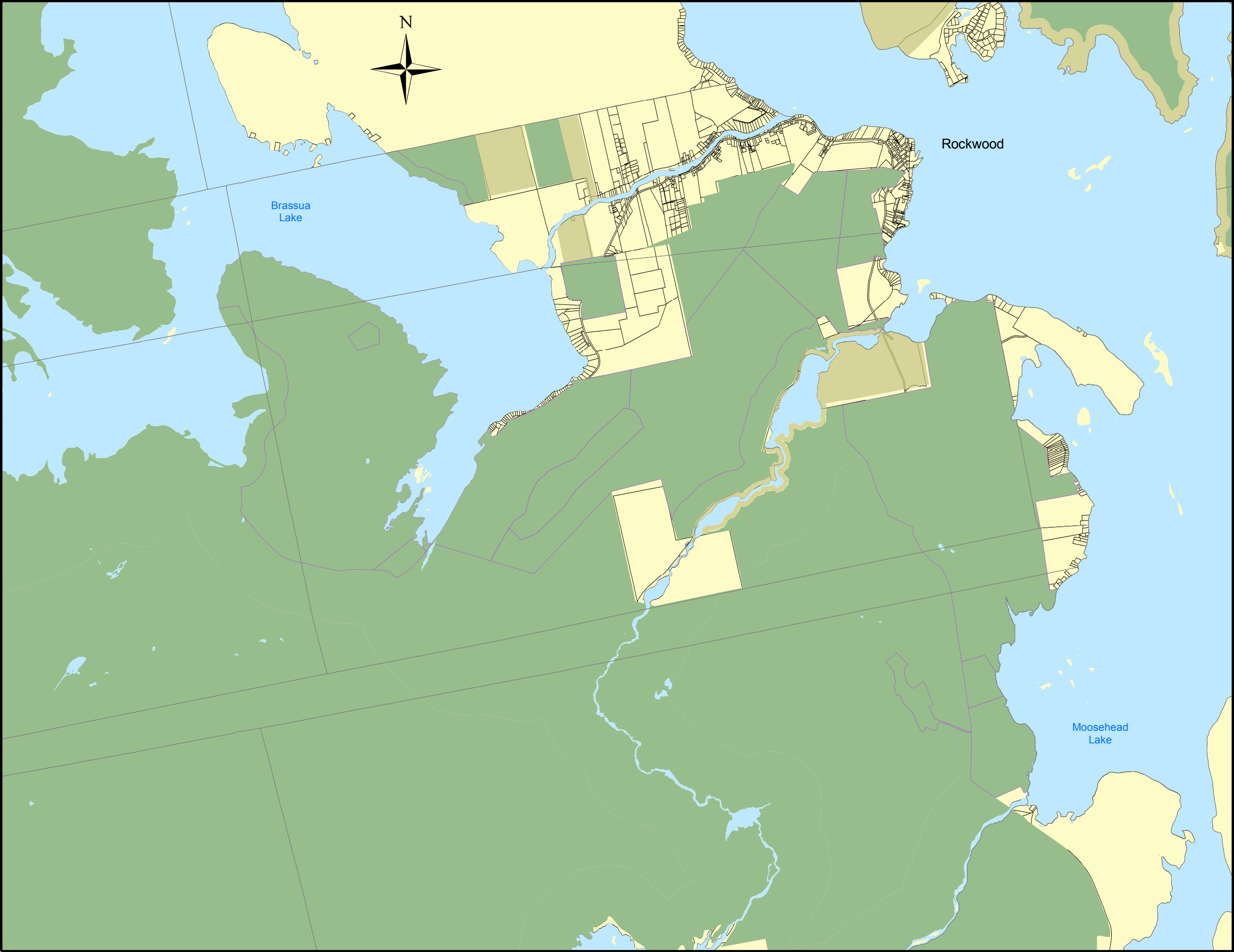
### CONCEPT PLAN for PLUM CREEK'S GATEWAY LANDS in the MOOSEHEAD LAKE REGION

#### Legend

- Private, State, Federal Land in Conservation
- Rivers - Lakes - Ponds
- Plum Creek Ownership Subject to Plan Area
- Existing Lots (based upon tax map data)
- Proposed Development Areas:  
Backlot locations are approximate  
Resort size and locations are not known; the  
area shown is conceptual



April 2007








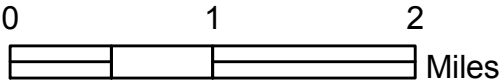
Petition for Rezoning

**Adjacent Development Map 2**

**CONCEPT PLAN  
for  
PLUM CREEK'S  
GATEWAY LANDS  
in the  
MOOSEHEAD LAKE REGION**

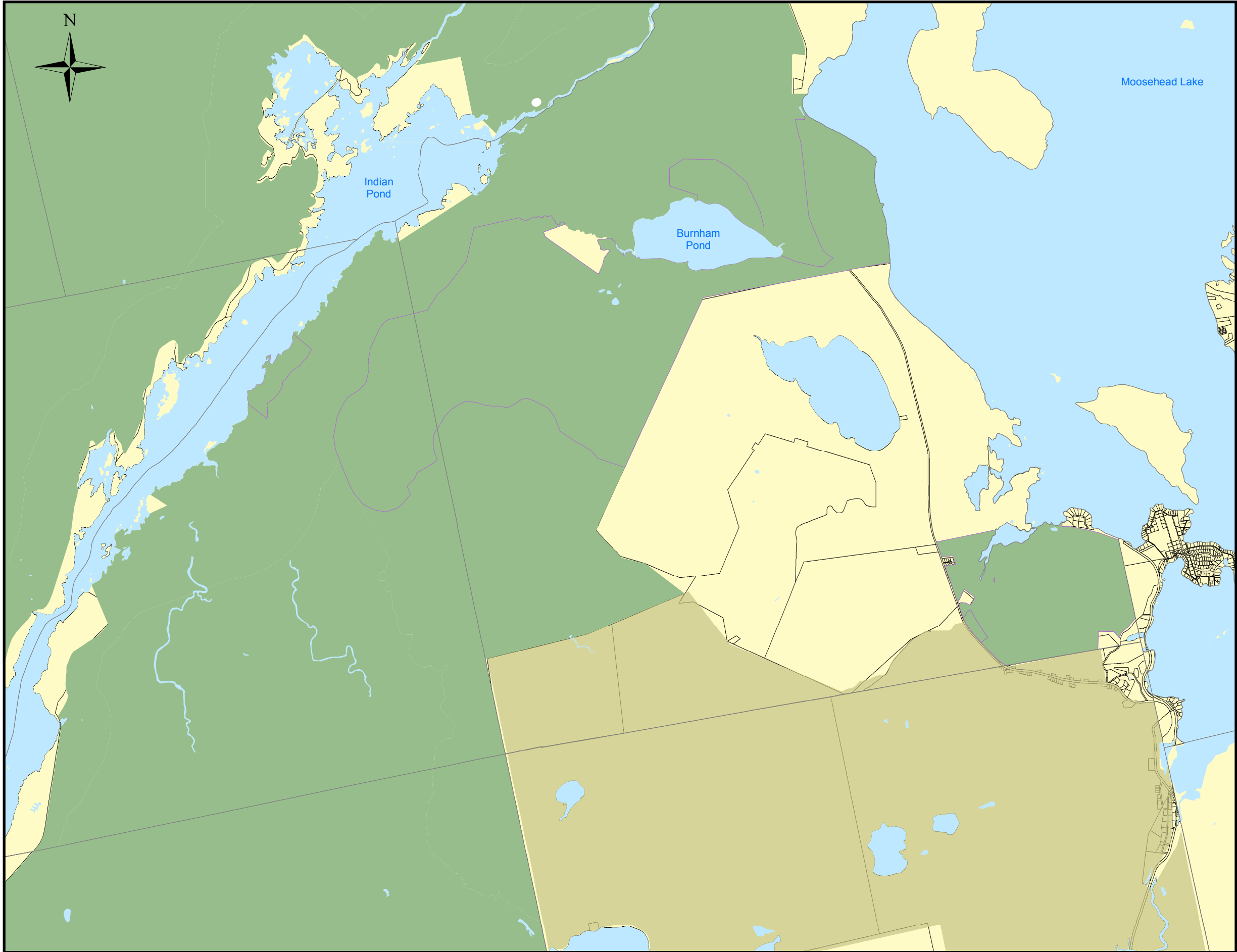
**Legend**

-  Private, State, Federal Land in Conservation
-  Rivers - Lakes - Ponds
-  Plum Creek Ownership Subject to Plan Area
-  Existing Lots (based upon tax map data)
-  Proposed Development Areas:  
Backlot locations are approximate  
Resort size and locations are not known; the  
area shown is conceptual



April 2007





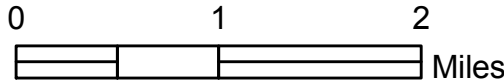
Petition for Rezoning

## Adjacent Development Map 3

# CONCEPT PLAN for PLUM CREEK'S GATEWAY LANDS in the MOOSEHEAD LAKE REGION

### Legend

- Private, State, Federal Land in Conservation
- Rivers - Lakes - Ponds
- Plum Creek Ownership Subject to Plan Area
- Existing Lots (based upon tax map data)
- Proposed Development Areas:  
Backlot locations are approximate  
Resort size and locations are not known; the  
area shown is conceptual



April 2007



Petition for Rezoning

## Adjacent Development Map 4

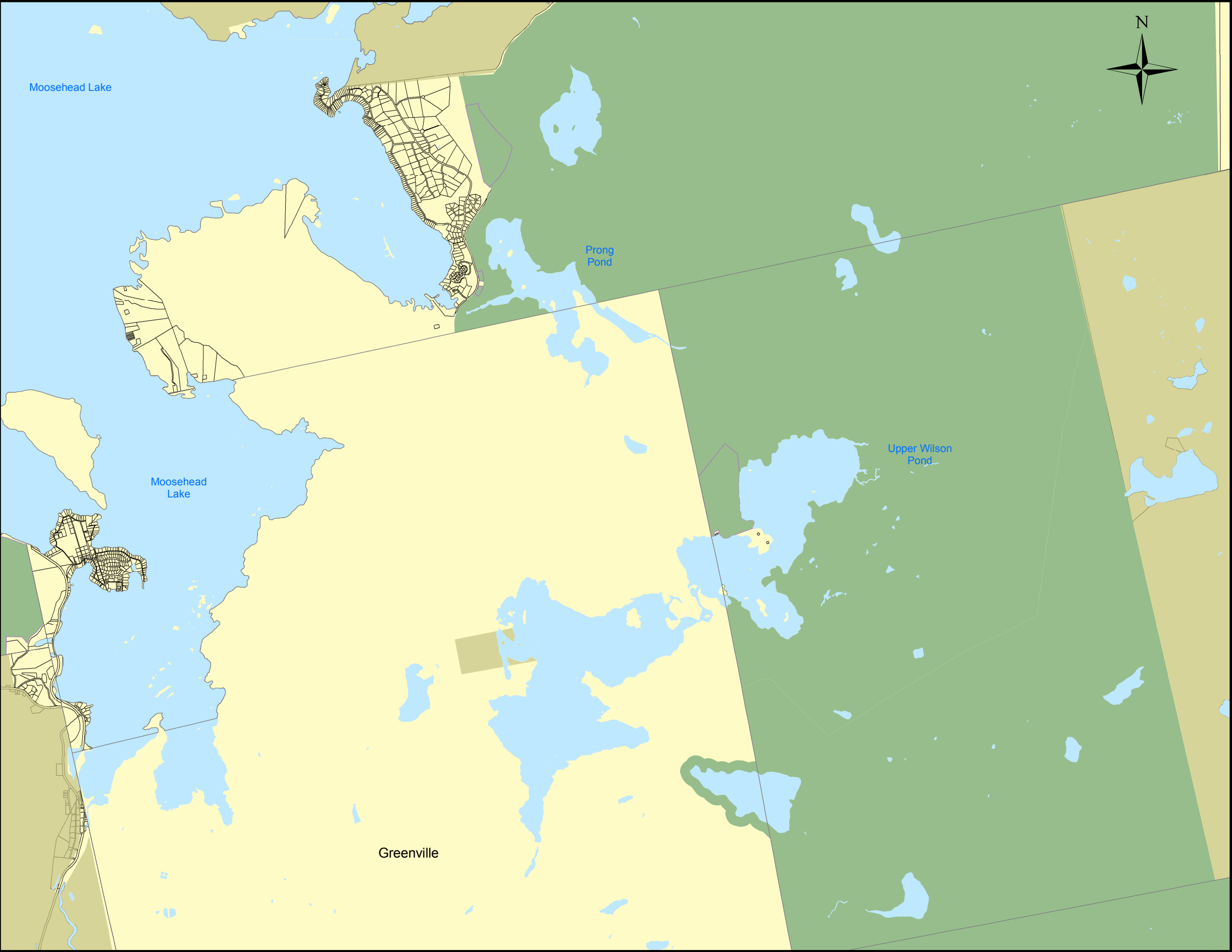
# CONCEPT PLAN for PLUM CREEK'S GATEWAY LANDS in the MOOSEHEAD LAKE REGION

### Legend

- Private, State, Federal Land in Conservation
- Rivers - Lakes - Ponds
- Plum Creek Ownership Subject to Plan Area
- Existing Lots (based upon tax map data)
- Proposed Development Areas:  
Backlot locations are approximate  
Resort size and locations are not known; the  
area shown is conceptual

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April 2007








Petition for Rezoning

**Adjacent Development Map 5**

**CONCEPT PLAN  
for  
PLUM CREEK'S  
GATEWAY LANDS  
in the  
MOOSEHEAD LAKE REGION**

**Legend**

-  Private, State, Federal Land in Conservation
-  Rivers - Lakes - Ponds
-  Plum Creek Ownership Subject to Plan Area
-  Existing Lots (based upon tax map data)
-  Proposed Development Areas:  
Backlot locations are approximate  
Resort size and locations are not known; the  
area shown is conceptual



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**9b. Existing Development: Describe existing development in the area/region and within the area proposed for rezoning, including type, amount, density, and proximity (by road) to the area proposed for rezoning. If the plan includes only a portion of a lake, describe existing development on the rest of the lake in sufficient detail to understand the context of the proposed plan.**

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### **Existing Development within the Plan Area**

Within the Plan Area itself, there is very little existing development. There are 27 camps, which are lease lots that were created by S. D. Warren for the use of their staff. These lots will continue to be leased to the leaseholders. The following table lists the camps and shows where they are located.

**Table 1: Existing Camps Within the Plan Area**

<b>Township</b>	<b>Pond</b>	<b># of Camps</b>
Beaver Cove	Prong Pond	3
Beaver Cove	Mud Pond	1
Big Moose	Moosehead Lake	1
Big Moose	Moose Brook	1
Bowdoin College West	Horseshoe Pond	1
Bowdoin College West	Upper Wilson Pond	1
Chase Stream Twp.	Indian Pond	2
Chase Stream Twp.	Chase Stream Pond	1
Chase Stream Twp.	Ellis Pond	2
Chase Stream Twp.	N/A	2
Indian Stream	Indian Pond	1
Indian Stream	N/A	2
Rockwood Strip West	Demo Pond	1
Sandwich Academy	Brassua Lake	1
Soldiertown Twp.	N/A	2
Squaretown	N/A	1
Taunton and Raynham	N/A	2
Thorndike	Luther Pond	1
Thorndike	Fish Pond	1
<b>Total</b>		<b>27</b>

These camps were built for seasonal use and are still primitive, remote structures with no utilities or foundations.



## Existing Development in the Region

The development that exists in the Moosehead region today is widespread and fairly extensive in some areas. The Towns of Jackman and Greenville, just beyond the border of the Plan Area, are state designated service centers with year-round populations, schools, health care facilities, and various commercial and industrial establishments. Within the Plan Area, the villages of Rockwood and Beaver Cove are areas of concentrated development. Other areas, such as Brassua Lake, First Roach Pond, Harford's Point, Tomhegan, Seboomook, Lily Bay, Long Pond and Lower Wilson Pond, are relatively densely settled along shore lands.

The following tables show the number of structures in each Town, Township, or Plantation for the Plan Area, the surrounding Townships, and for the region as a whole. Except for the cabins noted in the table above, all the structures in the Plan Area Minor Civil Divisions (MCDs) are outside the Plum Creek Plan Area.

These figures are derived from 2003 and 2004 Maine Revenue Services data, the 2000 housing census figures, and LURC building permit data. The latter were used to update 2003 tax data to account for new buildings constructed in 2004. The census data were used for Jackman and Moose River, and were not updated to 2004. When tax information was used, every lot that had a building value of \$1,000 or more was counted as having one structure.<sup>1</sup> To the extent there are multiple structures on single lots these structures were not counted.

The Plan development areas are proximate to areas with, substantial numbers of existing residential structures. This is consistent with the CLUP location of development policies. Thus, for example:

- Long Pond Township has 90 structures; the Concept Plan proposed 110.
- In the Brassua/Rockwood/Tomhegan area, there are about 600 structures; the Concept Plan Proposed 410.
- There are approximately 140 structures in the vicinity of Route 6/15 corridor; the Concept Plan proposes 125.
- In the Big moose/Harfords Point area adjacent to the Moose bay development area, there are approximately 370 structures; the Concept Plan proposed 112.
- Beaver Cove has over 230 structures; the Concept Plan proposed 32.
- There are over 250 structures in Lily Bay and Frenchtown; the Concept Plan proposes 154.

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<sup>1</sup> Although the \$1,000 threshold seems low, it is known that some cabins are assessed at this level.

**Table 2: Existing Structures in Plan Area**

<b>Plan Area MCDs</b>	
<b>Township</b>	<b>Total Existing Structures, as of 2004</b>
Beaver Cove	232
Big Moose Twp.	31
Big W Twp.	50
Bowdoin College Grant East	3
Bowdoin College Grant West	25
Brassua Twp.	1
Chase Stream Twp.	29
Day's Academy Grant	14
Elliotsville Twp.	161
Frenchtown Twp.	143
Indian Stream Twp.	11
Kokadjo/Smithtown	2
Lily Bay Twp.	141
Long Pond Twp.	90
Misery Gore	0
Misery Twp.	1
Rockwood Strip East	381
Rockwood Strip West	2
Sandbar Tract	31
Sandwich Academy Grant	0
Sapling Twp.	30
Shawtown Twp.	12
Soldiertown Twp.	3
Spencer Bay Twp.	5
Squaretown Twp.	6
T1 R12 WELS	10
Taunton & Raynham	116
Thorndike Twp.	2
West Middlesex Canal Grant	0
<b>Plan Area MCDs Total</b>	<b>1,532</b>

<b>Other Townships Bordering Moosehead Lake</b>	
<b>Township</b>	<b>Total Existing Structures, as of 2004</b>
East Middlesex	3
Harfords Point	155
Kineo Twp.	21
Little W Twp.	20
Moosehead Jct.	145
Moosehead Lake islands	68
Northeast Carry	112
Seboomook Twp.	23
Tomhegan Twp.	221
<b>Total</b>	<b>768</b>

<b>Organized Towns Bordering Plan Area</b>	
<b>Township</b>	<b>Total Existing Structures, as of 2004</b>
Greenville	1,271
Jackman	585
Moose River Twp.	122
<b>Total for Organized Towns</b>	<b>1,978</b>

<b>Regional Total</b>	<b>4,278</b>
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These structures are, for the most part, seasonal dwellings. Jackman's and Greenville's Comprehensive Plans report that approximately 65% of their housing stock is seasonal dwellings. However, the percentage in the Unorganized Territories is significantly greater. Although a census of the seasonal versus year-round houses has not been conducted for LURC's jurisdiction, it is estimated that up to 90% of the structures in the region are seasonal camps or houses.

## ***Density***

The density of residential structures in LURC jurisdiction can be measured in a variety of ways. The calculation will vary widely, depending on the land area within which the structures are counted. For instance, a group of 10 camps grouped closely together on small lots can be said to be a high-density area. However, if they are the only structures within the entire township, the density of development in the township will be quite low.

For the Minor Civil Divisions (MCDs) surrounding Moosehead Lake, lot acreages were tallied for lots that had a structure valued at \$1,000 or more. Again, these lots were assumed to have only one structure each. For some parcels with structures, the lot size was not listed.<sup>2</sup> In those cases, neither the lot nor the structure was used in the density calculations. Table 3 below lists the densities of 16 MCDs bordering Moosehead, listed in order from most to least dense, based on lot size. When density is measured as a function of acres per structure the following table results.

The table shows that in the older shoreland subdivisions such as in Seboomook and Lily Bay, lot sizes are small, in the 1 to 3 acre range. In areas near more historically developed and built-up areas, lot sizes are in the 4 to 9 acre range. This is consistent with the lot size limits set by the Concept Plan; i.e., a maximum shorefront lot of 3 acres and a maximum back lot size of 7 acres.

**Table 3: Density of Existing Development, Lot Acres per Structure**

<b>Town/ Township</b>	<b># of Lots with Known Acres</b>	<b>Total Acres</b>	<b>Acres per Structure*</b>
Seboomook Twp.	18	14.5	0.8
East Middlesex	2	2.2	1.1
Lily Bay Twp.	135	149.1	1.1
Northeast Carry	108	122.6	1.1
Spencer Bay Twp.	5	9.3	1.9
Beaver Cove	214	569.5	2.7
Rockwood Strip East	366	1071.8	2.9
Little W Twp.	19	78.1	4.1
Sapling Twp.	24	114.5	4.8
Taunton & Raynham	111	875.3	7.9
Day's Academy Grant	14	130.5	9.3
Sandbar Tract	26	339.9	13.1
Big W Twp.	38	870.0	22.9
Tomhegan Twp.	206	8396.6	40.8
Moosehead Jct.	131	7865.6	60.0
Big Moose Twp.	29	6204.5	214.0
* Assumes one structure per lot.			

<sup>2</sup> No lot sizes were available for Greenville, Harfords Point, Kineo Township, Misery Township or the islands of Moosehead Lake. As a result, only those MCDs where the acreage for the total MCD is known, are included in Table 3.

Where density is measured as a function of the number of structures per township acres, the results are as follows in Table 4. The MCDs are listed in order from most to least densely developed.

**Table 4: Density of Existing Development, Structures per Township Acres**

<b>Town/ Township</b>	<b>Total Acres per Township</b>	<b># of Structures*</b>	<b>Township Acres per Structure</b>
Harfords Point	394	152	2.6
Rockwood Strip East	5,792	392	14.8
Greenville	29,504	1,271	23.2
Sandbar Tract	735	28	26.3
Kineo Twp.	1,058	20	52.9
Beaver Cove	20,922	228	91.8
Tomhegan	22,984	213	107.9
Islands	7,800	68	114.7
Taunton & Raynham	14,763	117	126.2
Little W	3,067	20	153.4
Lily Bay	22,522	137	164.4
Moosehead Junction	24,681	145	170.2
Northeast Carry	25,047	111	225.6
Big W	11,758	49	240.0
Sapling	17,974	31	579.8
Big Moose	22,065	32	689.5
Seboomook	26,675	23	1,159.8
Day's Academy Grant	16,259	14	1,161.4
Spencer Bay	23,796	5	4,759.2
East Middlesex	24,629	2	12,314.5
Misery	22,819	1	22,819.0
* Assumes one structure per lot.			

### ***Major Subdivisions***

There are several large subdivisions in the region of the Plan Area. Some of these subdivisions have not been fully developed yet, but will represent relatively dense development when fully built out. These are:

#### **In Greenville:**

Rum Ridge, on Lower Wilson Pond, is a 95-lot subdivision of lots between ½ and 4 acres. The entire subdivision is 300 acres, with half in commonly-owned open space. Approximately 50 lots have houses on them.



**In Frenchtown:**

An estimated 136 lots have been created through seven subdivision approvals in Frenchtown, the latest being the 89-lot First Roach Pond Concept Plan. Only three of these lots were adjacent to the Roach River; the rest are on First Roach Pond. Approximately 20% of the Concept Plan lots have been built on. 108 camps on the lake pre-date the Concept Plan.

**Beaver Cove:**

The Huber Lumber Corporation created a subdivision at Beaver Cove in 1950s. Current tax maps show over 330 lots here, 148 of which are along the shore of Moosehead Lake. The shorefront lots are an estimated average of ½-acre each, while the backlots range in size from an estimated 4 to 20 acres.

**Moxie Gore Township:**

The Land Use Regulation Commission approved a subdivision for 102 lots in Moxie Gore (just southwest of Indian Pond) in 1993. The entire township (12,724 acres) is subdivided into over 240 lots that average about 53 acres each.

**In Tomhegan Township:**

There are two areas of large-lot divisions in Tomhegan that were created before the 40-acre exemption to the subdivision regulations was closed. One, in the northwest corner of the township, contains about 34 lots; the other consists of about 55 lots and occupies the entire area of Toe-of-the-Boot.

The Brassua Lake Concept Plan went into effect in 2004. This plan allows the creation of a total of 64 lots on 329 acres, for an average density of 5.1 acres per lot. Densities range from 2 acres per unit to 27.

***Non-Residential Development***

Non-residential development in and around the Plan Area is largely related to recreational uses, although there are some other types of uses that are significant, namely road and track infrastructure and hydroelectric dams.

**Recreational Infrastructure**

Recreational development within and around the Plan Area includes campgrounds and camp sites, marinas, boat launches, sporting camps, a ski resort, hiking and snowmobile trails, and golf courses. Lily Bay State Park in Lily Bay Township occupies 924 acres and has 91 campsites, accommodating everything from single tents to 35-foot campers. There are two other campgrounds with a combined 92 sites, and 89 individual campsites in 23 of the 29 MCDs where the Plan Area is located.

**Table 5: Camping Facilities Adjacent to the Plan Area**

Location	Waterbody	Maintained Campsite	Primitive Campsite	# Camp- ground Sites
Town of Beaver Cove	Moosehead Lake			91
Big Moose Twp.	Kennebec River, West Outlet		1	
Big Moose Twp.	None	1		
Big W Twp.	Moosehead Lake		1	
Bowdoin College Grant East	Greenwood Brook	1	3	
Bowdoin College Grant East	Gulf Hags Brook	1		
Bowdoin College Grant East	West Branch Pleasant River	2		
Bowdoin College Grant West	Brown Pond		1	
Bowdoin College Grant West	Indian Pond		1	
Bowdoin College Grant West	Long Pond	1		
Bowdoin College Grant West	North Brook		1	
Bowdoin College Grant West	Rum Pond		1	
Brassua Twp.	Brassua Lake		1	
Chase Stream Twp.	Chase Stream Pond		1	
Days Academy Grant	Moosehead Lake	4	1	
Elliotsville Twp.	Little Wilson Falls		1	
Elliotsville Twp.	Wilson Stream		1	
Frenchtown Twp.	First Roach Pond	1		
Frenchtown Twp.	First Roach Pond			20
Indian Stream Twp.	Indian Pond			27
Lily Bay Twp.	Moosehead Lake, Spencer Bay	3		65
Long Pond Twp.	Long Pond		3	
Misery Twp.	Cold Stream Pond		1	
Misery Twp.	Little Chase Stream		1	
Misery Twp.	Misery Pond		1	
Misery Twp.	North Branch Stream Pond		1	
Sandbar Tract	Moosehead Lake	1		
Sandwich Academy Grant	Brassua Lake		1	
Sandwich Academy Grant	Moose River		1	
Sapling Twp.	Kennebec River, West Outlet		2	
Shawtown Twp.	Long Bog		1	
Shawtown Twp.	Second Roach Pond		2	
Shawtown Twp.	Third Roach Pond		1	
Shawtown Twp.	Trout Pond		1	
Spencer Bay Twp.	Moosehead Lake	6	3	
Spencer Bay Twp.	Spencer Stream		1	
Squaretown Twp.	Little Indian Pond		2	
Smithtown (T1 R13)	Bear Pond Stream	1		
Thorndike Twp.	Churchill Stream		1	
Thorndike Twp.	Fish Pond		2	
<b>Totals</b>		<b>22</b>	<b>39</b>	<b>203</b>

Source: DeLorme Atlas and Maine Gazetteer, 2004.

There are two marinas adjacent to the Plan Area, one in Beaver Cove, and one in Taunton & Raynham. In addition, there are ten boat launches within the Plan Area, and another 16 just outside the Plan Area (see the following table for type, location and number of launches).

**Table 6: Boat Launches**

Water Body within Plan Area	Municipality	Within Plan Area?	Type*
Brassua Lake	Taunton & Raynham Academy Grant		TR
Brown Pond	Bowdoin College Grant West	X	CI
Cold Stream Pond	Misery Twp.	XX	2 CI
Demo Pond	Rockwood Strip West	X	CI
First Roach Pond	Frenchtown		TR
Hedgehog Pond	Bowdoin College Grant West	X	CI
Indian Pond	Big Moose Twp.		TR
	Indian Stream Twp.		CI, TR
Indian Pond	Bowdoin College Grant West	X	CI
Moosehead Lake	Beaver Cove (Lily Bay State Park)		2 TR
	Days Academy Grant (Cowan Cove)	X	TR
	Greenville		2 TR
	Northeast Carry Twp. (Northeast Cove)		2 TR
	Rockwood		TR
	Spencer Bay Twp.		2 TR
Moose River	Jackman		TR
Prong Pond	Beaver Cove	X	CI
Rum Pond	Bowdoin College Grant West	XX	2 CI
	Greenville		CI
*CI - Carry in only. Launching is intended for small watercraft only.			
*TR - Trailered boats. Many trailerable sites can accommodate only small boats and trailers.			
Source: Maine Bureau of Parks and Lands website and DeLorme Maine Atlas and Gazetteer.			

**Table 7: Sporting Camps in Immediate Area**

Location	Name of Facility
Bowdoin College Grant East	Little Lyford Pond Camps
Greenville	Beaver Cove Camps
Greenville	Medawisla
Greenville	Spencer Pond Camps
Greenville	Wilson Pond Camps
Kokadjo	Northern Pride Lodge
Lily Bay Twp.	Casey's Spencer Bay Camps and Campground
Rockwood	Brassua Lake Sporting Camps
Rockwood	Gray Ghost Camps
Rockwood	Lawrence's Lakeside Cabins and Guide Service
Rockwood	Maynards in Maine

Rockwood	Moose River Landing
Rockwood	Rockwood Cottages
Rockwood	Sundown Cabins
Rockwood	The Birches Resort & Wilderness Expeditions
Rockwood	Tomhegan Wilderness Resort
Shawtown Twp.	West Branch Pond Camps

The Squaw Village Resort in Moosehead Junction Twp. includes condominiums and a 9-hole golf course. There is also a private 9-hole course in Kineo Township, at the foot of Mt. Kineo.

There are miles of club and ITS snowmobile trails throughout the Plan Area, but a minimal amount of hiking trails on Elephant and Number Four Mountains. The Existing Trails Map shows the different types of existing trails and their approximate locations. At present, there is no guarantee of trail permanency, the Concept Plan will make the ITS trail permanent.

## **Roads**

### **Public Roads**

There are five public roads that will serve the Concept Plan Area.

On the west side of Moosehead Lake, Route 201, although not within the Concept Plan Area, comes within four miles of its southwest corner and is the major route connecting the Jackman area with towns to the south. Route 201 also extends to the border with Canada, and to Quebec City. Route 6/15 is a state road, and runs from Jackman east through Long Pond, to Rockwood, then turns south to Greenville. A segment of the unpaved road from Rockwood to Seboomook is a county road maintained by Somerset County.

East of Moosehead Lake, the only public roads are the Lily Bay Road and the County Road, both of which are the responsibility of Piscataquis County. Starting in Greenville, the Lily Bay Road runs through Beaver Cove along the shore of Moosehead, then continues northeast away from the lake to Kokadjo and First Roach Pond. Beyond First Roach, the road is owned by Plum Creek and is unpaved. The County Road runs six miles southeast from Kokadjo along the south shore of First Roach Pond.

### **Land Management Roads**

Plum Creek's land management roads create a network throughout the Concept Plan Area. These private roads are open to the public under Plum Creek's Open Lands Policy. See the Forest Management Roads Map on the following page.



## ***Rail***

The railroad has played an important role in the history of the region. Built in the late 1800s, the railroads were instrumental in bringing large numbers of tourists to the region up until the 1930s and '40s. This active track, operated by Montreal, Maine and Atlantic, runs through Greenville along the west shore of Moosehead Lake, between the water and Route 6/15. After the Richard Francis Lavigne Bridge over the East Outlet, it crosses the road and veers northwest. At the southernmost tip of Brassua Lake, it crosses Route 6/15 again and heads west, hugging the shores of Brassua Lake, Moose River, and Long Pond. It continues westerly to Jackman and heads toward Lac Mégantic in Canada. The rail line connects to other lines in Maine and New England at Brownville Junction.

## ***Hydroelectric Dams***

There are two active hydroelectric dams immediately adjacent to the Concept Plan Area; the Harris Dam at Indian Pond, and the Brassua Dam at Brassua Lake. Both are owned by Florida Power & Light and have various buildings associated with them.

## ***Lakeshore Development***

The Plum Creek Plan proposes development on six lakes and ponds out of the 76 waterbodies within, or on the edge of, the Concept Plan Area. With the sole exception of Burnham Pond, all these lakes and ponds have existing development on them.

### **Brassua Lake**

Brassua Lake has a total of 63.5 miles of shorefront, of which Plum Creek owns 69%, or 43.5 miles. There are about 70 camps on Brassua along the stretch of Route 6/15 that comes closest to the lake. Another 64 lots have been approved on the Poplar Hill peninsula in Tomhegan as part of the Brassua Lake Concept Plan.

### **Burnham Pond**

Burnham Pond has 4.4 miles of shoreline, all of it owned by Plum Creek. There are no buildings currently on the pond.

### **Indian Pond**

Indian Pond has 39.3 miles of shorefront, with 13% or 5.2 miles owned by Plum Creek. There are an estimated 32 camps on the west shore, with various campsites and the hydro-dam facilities at the southwestern end.

### **Long Pond**

Long Pond has 21.9 miles of shoreline. Plum Creek owns 12.6 miles, or 57% of the total. There are 137 lots between Rte. 6/15 and southern shore, and unknown number of lots within Jackman's town limits at the west end of the pond. The 2000 census lists 54 year-round residents for Long Pond Township.

### **Moosehead Lake**

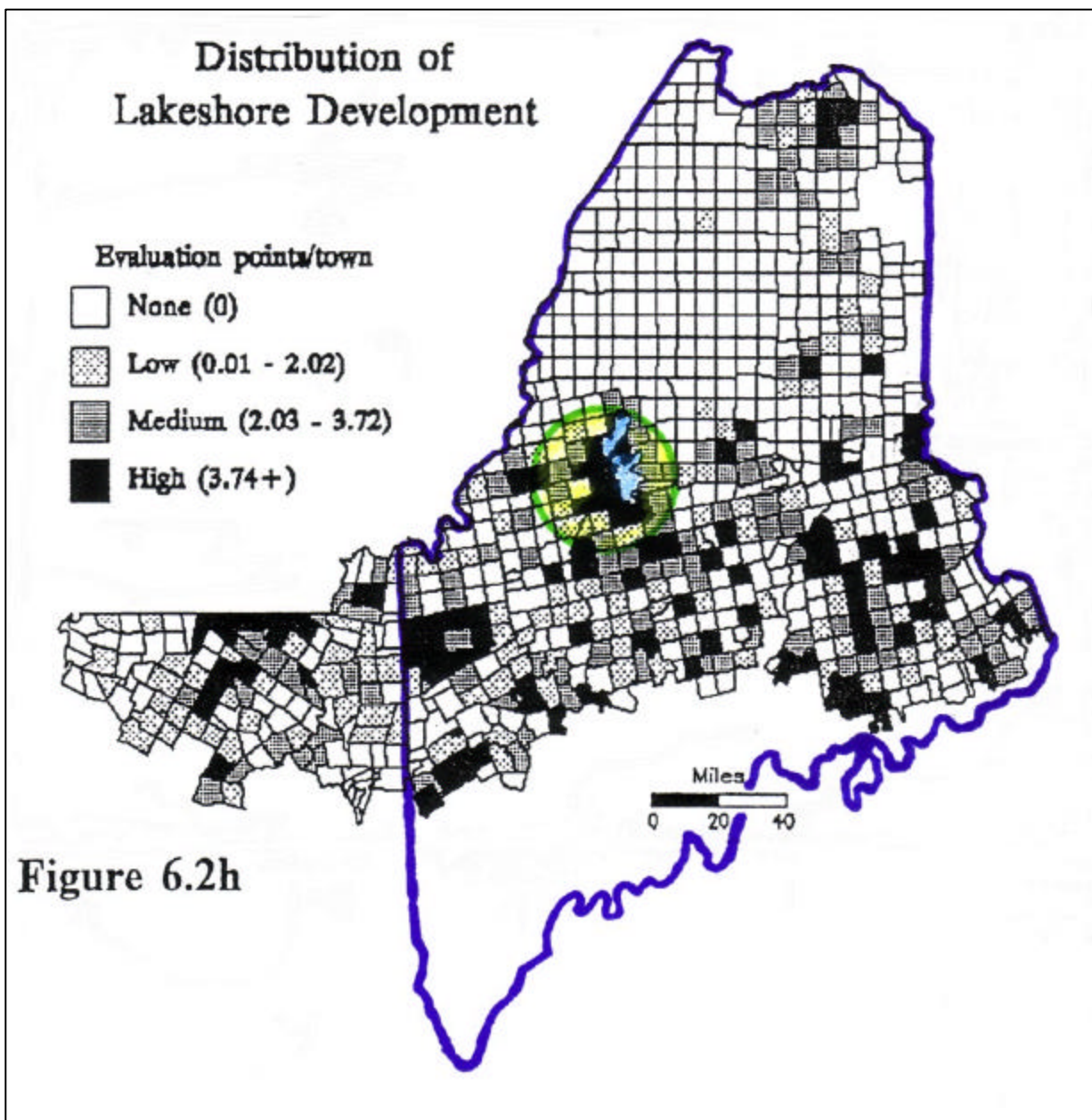
Moosehead Lake has a total of 210.7 miles of shorefront. Plum Creek's ownership is 9% of this, or 19.5 miles. An accurate count of all the existing structures on the shores of Moosehead has not been done. Because the lake is so large, existing development on the entire shorefront cannot be viewed as proper context for the proposed development. The following discussion, therefore, is broken down by area.

<b>Township</b>	<b>Total Shorefront Miles</b>	<b>Plum Creek Shorefront Miles</b>	<b>% Owned by Plum Creek</b>	<b># Existing Structures</b>
Big W Twp.	9.8	7.3	74%	50
Taunton & Raynham	3.3	0.9	27%	31
Sandbar Tract	4.9	0.1	2%	28
Sapling Twp.	4.0	3.6	91%	30
Big Moose Twp.	17.7	3.7	21%	4
Lily Bay Twp.	21.3	3.7	18%	Campground at Stevens Point has 8 cottages, 50+- sites, a store, marina, year round residence; 141 structures in the Township, and 150 lots along the shore of Moosehead Lake.

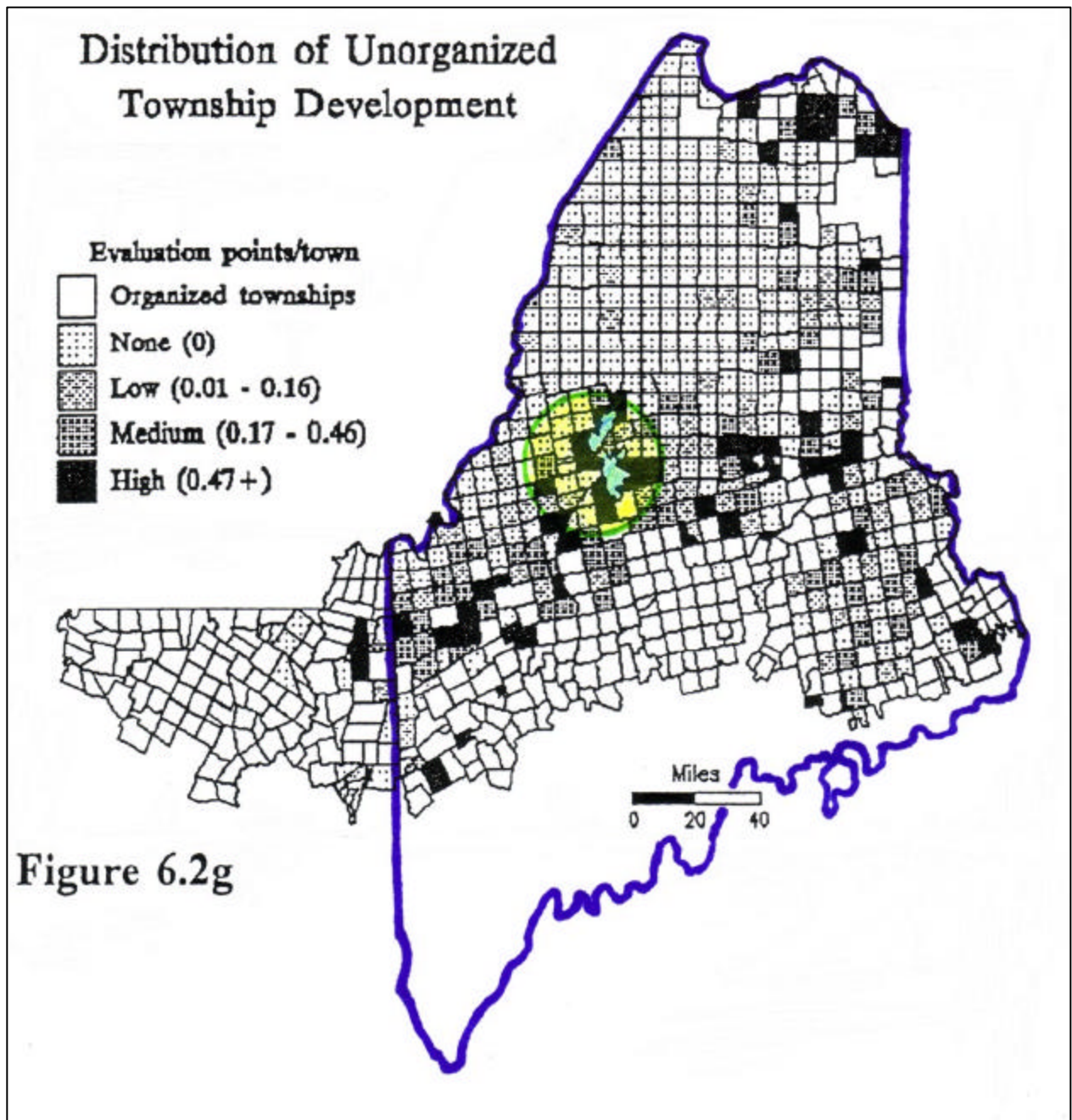
### **Upper Wilson Pond**

Upper Wilson Pond has 8.5 miles of shorefront. Plum Creek's 8.3 miles of ownership represents 98% of the total. Currently, there are 15 camps on the pond, and 27 lots on the shore within Bowdoin College Grant West; plus an unknown number of shorefront lots in Greenville.

In sum, the Moosehead region is — and has been — developed around its shorelands. In fact, research conducted in 1993 by Maine Audubon Society, Audubon Society of New Hampshire, and the Appalachian Mountain Club shows that the Moosehead region has seen some of the highest amount of development and the highest amount of *shoreland* development in the northern forest lands of Vermont, New Hampshire and Maine. This research is summarized in the following maps.

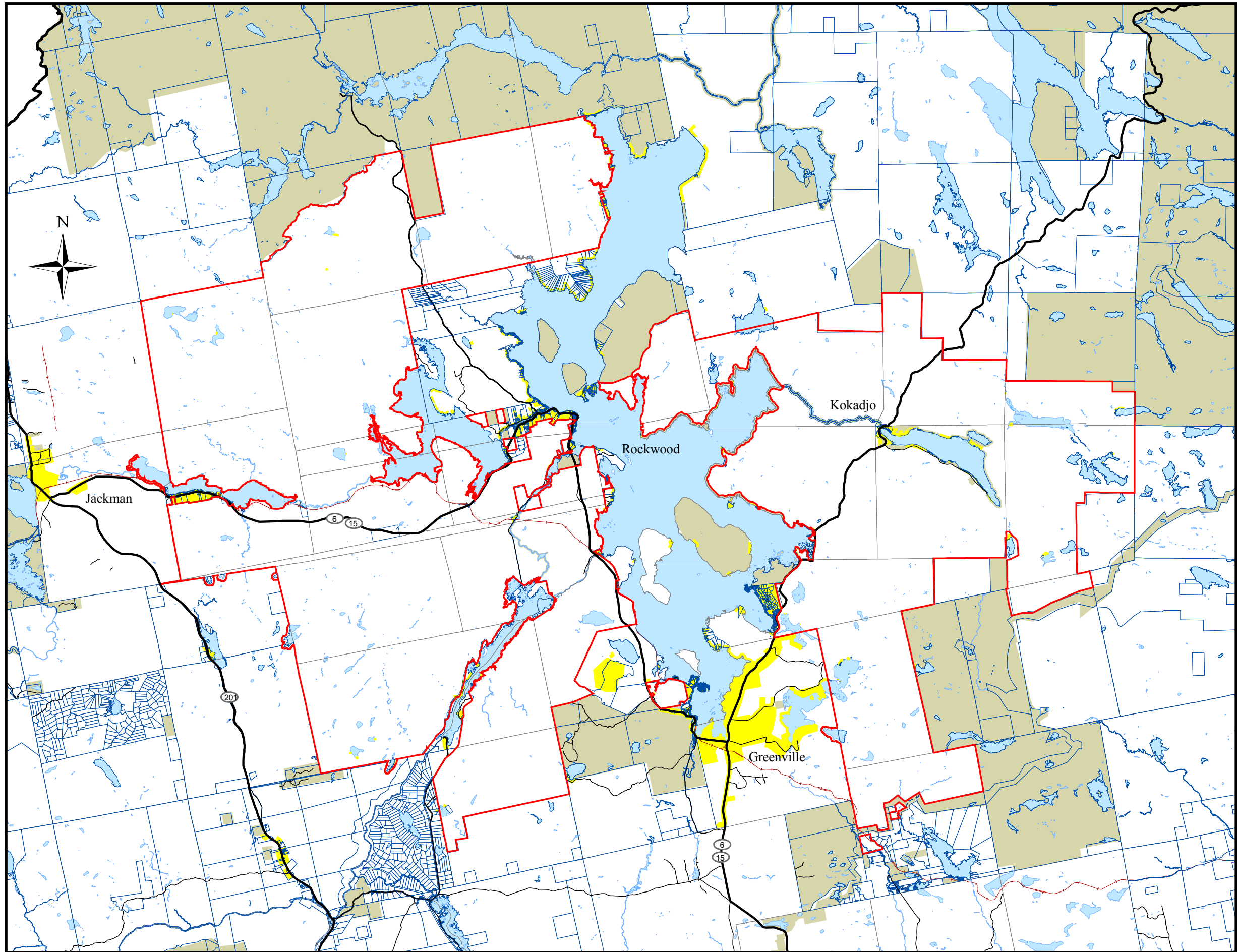


Source: *An Inventory and Ranking of the Key Resources of the Northern Forest Lands of Vermont, New Hampshire and Maine*, Appalachian Mountain Club, Audubon Society of New Hampshire, and Maine Audubon Society, September 1993; p. 85.



Source: *An Inventory and Ranking of the Key Resources of the Northern Forest Lands of Vermont, New Hampshire and Maine*, Appalachian Mountain Club, Audubon Society of New Hampshire, and Maine Audubon Society, September 1993; p. 85.










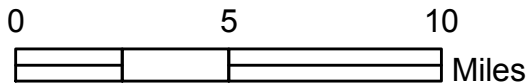


Existing Development

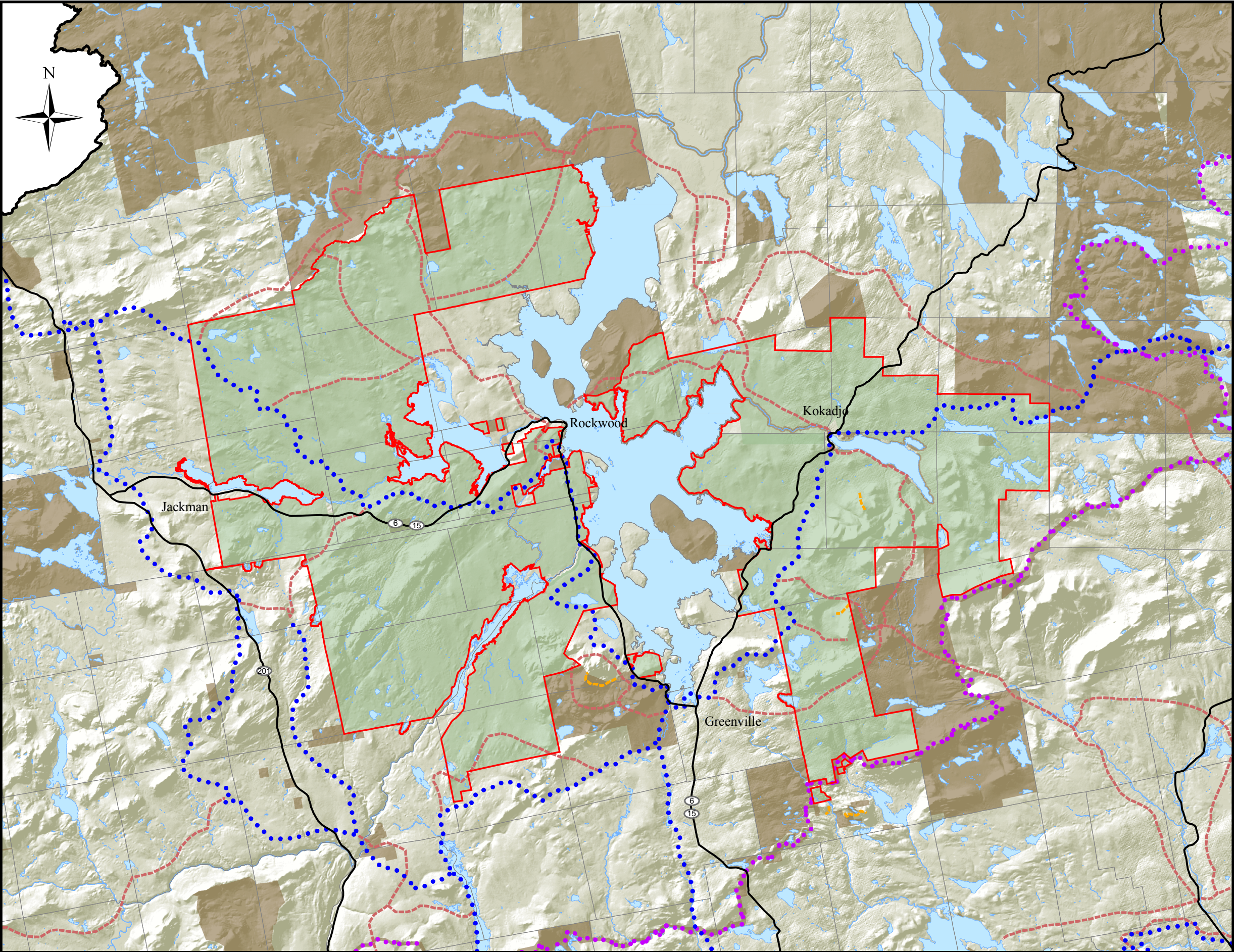
CONCEPT PLAN  
for  
PLUM CREEK'S  
LANDS  
in the  
MOOSEHEAD LAKE REGION

Legend

-  Plum Creek Land Subject to Concept Plan
-  Private, State, Federal Land in Conservation
-  Rivers - Lakes - Ponds
-  Existing Development or LURC Development Subdistrict
-  Major Road
-  Railroad
-  Existing Lots (based on Tax Map data)







CONCEPT PLAN

for

PLUM CREEK'S

LANDS

in the

MOOSEHEAD LAKE REGION

- Legend
- Plum Creek Ownership Subject to Concept Plan

Private, State, Federal Land in Conservation

Rivers - Lakes - Ponds

Major Road

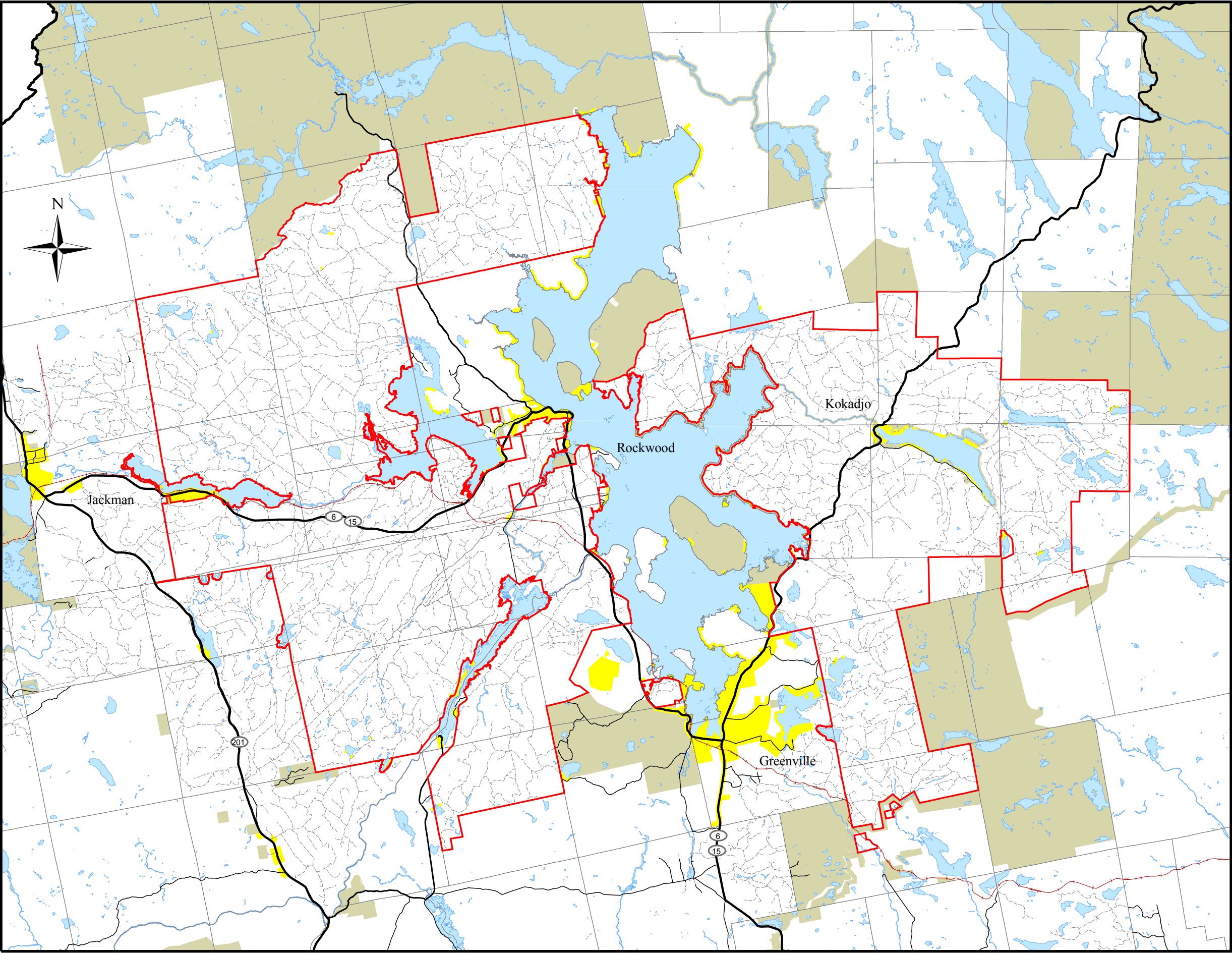
Appalachian Trail

ITS Snowmobile Trail

Local Club Snowmobile Trails (approximate)

Hiking Trail



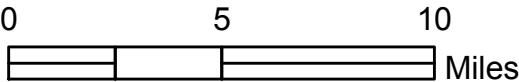


**Forest Management Roads**

**CONCEPT PLAN  
for  
PLUM CREEK'S  
LANDS  
in the  
MOOSEHEAD LAKE REGION**

**Legend**

- Plum Creek Land Subject to Concept Plan
- Private, State, Federal Land in Conservation
- Rivers - Lakes - Ponds
- Existing Development or LURC Development Subdistrict
- Major Road
- Forest Management Road
- Railroad



**10. Proposed Uses: Describe all proposed uses of the land involved in this rezoning petition. If any subdivisions are proposed, describe the types of subdivisions (seasonal, year-round, residential, commercial, etc.) and the numbers and sizes of lots within each subdivision (including any common areas or lots designated to remain undeveloped). Attach a site plan that shows all locations of the proposed subdivisions within the concept plan. If structural development is proposed, describe its type, size and use and attach a preliminary site plan that shows how such structural development and support facilities will be located. If any other use is proposed, describe in detail what that use will be and why it is being proposed.**

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The Plan Area will be rezoned to a single P-RP subdistrict. Management, development and protection “zones” overlay the entire Area. Existing protection subdistricts remain in the Plan Area except that Great Pond Protection Subdistricts (P-GP) will be rezoned to allow development.

The Concept Plan includes development, conservation, and recreation components.

**Development Components:** The Plan establishes development zones to accommodate residential, nonresidential and resort development. These zones encompass approximately 20,500 acres and there is no possibility for residential or resort development beyond the boundaries of the development zones. The development zones are shown on the maps at the end of this section.

**Conservation Components:** Development will be “balanced” by 90,000 acres of permanent conservation easement. In addition to prohibiting development, the balance easement will also guarantee, in perpetuity, public access and sustainable forestry. Furthermore, the Plan provides, as a benefit to the public, of an additional 340,000 acres of conservation (295,000 acres within the Concept Plan Area and 45,000 acres outside the Concept Plan Area). These conservation areas will serve residents and visitors wishing to recreate in the region, protect unique natural landscapes, and permit sustainable forest management.

**Recreation Components:** The recreation components include hiking, cross-country skiing, and snowmobile trail easements and provide additional benefits to the public.

### **Development Components**

The Concept Plan includes four types of development zones – residential, mixed use, resort, and commercial/industrial. These zones are close to service centers, existing development and/or areas within close proximity to the public highways that serve the region. The development zones are based upon those that apply under LURC’s Rangeley Plan. The zones are located and designed to accommodate development needs for the life of the Plan.

Permanent conservation areas surround these zones and prevent their expansion.

All protection subdistricts within the development zones remain in effect unchanged for the 30-year life of the Plan and are classified as protection “zones,” except that, as necessary, P-GP subdistricts have been rezoned to allow for development.

Development is concentrated in the following areas:

- Long Pond
- South Brassua Lake
- Rockwood – Blue Ridge
- Route 6/15 Corridor
- Moose Bay
- Upper Wilson Pond
- Beaver Cove
- Lily Bay Residential
- Lily Bay Resort
- Big Moose Mountain Resort

All proposed zones are depicted in the Development Area Maps that follow. These maps show the various zone locations and their boundaries. The provisions for each of these zones are set forth in the Land Use Zones and Standards for the Concept Plan for Plum Creek’s Lands in the Moosehead Lake Region (hereinafter “Land Use Zones and Standards”).

Overall residential development in all of the Concept Plan’s development zones is capped for the life of the Concept Plan at a maximum 975 Residential Dwelling Units. Affordable housing, employee housing and on-site caretaker/manager housing are not included in the cap.

Please note that Separation Zones, as defined by the Maine Forest Practices Act, have been delineated on a stand-alone map, separate from the above-described Development Area Maps. Plum Creek will defer development in the Separation Zones until the earliest of the following events: 1) ten years has elapsed from the date the harvest was completed, or 2) sufficient regeneration of the harvested area has occurred. Sufficient regeneration will be determined under 04-058 Maine Forest Service Chapter 20 Forest Regeneration & Clearcutting Standards.

### **Areas Allowing Residential and Mixed Use Zones**

Residential development under the Concept Plan will be located primarily in two types of residential zones. They are designated:

- D-RS2M – Community Residential Development Zone
- D-RS3M – Residential Recreation Development Zone

The D-RS2M zone accommodates subdivisions and a range of housing types such as single and multi-family residential dwellings. It also allows for community facilities. The D-



RS3M residential zone provides for low-density residential development and accommodates single-family residential units and subdivisions.

Residential development may be located in any of the residential development zones, subject to designated caps, as well as in the Big Moose Mountain Resort Area.

Located adjacent to or within some of the residential zones are small general development zones that will accommodate mixed-use development. They are designated as follows:

- D-GN3M – Rural Mixed-Use Development Zone

The purpose of the D-GN3M zone is to provide for a range of complementary uses, including both commercial and residential uses, that have a similar size, scale and character as the uses allowed in the residential zones.

## **Long Pond Development Area**

All development zones in this area will be designated as D-RS3M.

The Concept Plan caps development in this area to a maximum of 110 Residential Dwelling Units. Approximately 75 of these Residential Dwelling Units will be located on the shorefront. Final location of development, and number of units, will be subject to site limitations and will be determined at the subdivision approval stage. Most of these units will be located east of the Narrows, on both the north and south shores of the Pond, with a few more of these units located in a small zone on the southwest side of the Narrows.

Shorefront lots may range in size from 1/2 acre to 3 acres. Backlots may range in size from 1/2 acre to seven acres. All lots will have the option of having utility service. Access to subdivisions will be directly off Route 6/15 or over existing Plum Creek haul roads.

The size of the development zones in the Long Pond Development Area are as follows:

- *Acres on Northeast Shore in D-RS3M Zone:* 323 acres.
  - Protection Zones: 3 acres.
  - Total shorefront: 10,576 feet
  - Shorefront in protection zone: 1,454 feet
- *Acres on Northwest Shore in D-RS3M Zone:* 250 acres
  - Protection Zones: 0
  - Total Shorefront: 7,558 feet
  - Shorefront in protection zone: 0 feet
- *Acres on Southeast Shore in D-RS3M Zone:* 912 acres.
  - Protection Zones: 37 acres
  - Total shorefront: 13,938 feet

- Shorefront in protection zone: 6,532 feet
- *Acres on Southwest Shore in D-RS3M Zone: 15 acres.*
  - Protection Zones: 0 acres
  - Total shorefront: 913 feet
  - Shorefront in protection zone: 0 feet

(See Map: Long Pond Development Area at the end of this section.)

## **South Brassua Lake Development Area**

The development zones in this area are a D-RS2M (Community Residential Development Zone) on the South Peninsula, and a D-RS3M (Residential Recreation Development Zone) on the eastern shore. Two D-GN3M (Rural Mixed-Use Development Zones) are provided; one centrally sited on the peninsula, and the other located on Route 6/15.

The Concept Plan caps residential development in this area at a maximum of 250 Residential Dwelling Units. Approximately 110 of these Residential Dwelling Units will be located on the shorefront. Almost all units will be located on the South Peninsula, however, provision is made for a limited number of units on the eastern shore of the lake near the Poplar Hill development. Final location of development, and number of units, will be subject to site limitations and will be determined at the subdivision approval stage.

Shorefront lots may range in size from ½ acre to 3 acres. Back lots may range in size from ½ acre to 7 acres. All lots on the Peninsula will have utility services. Access to Peninsula development will be off Route 6/15. Access to shorelots on the east side of the lake will be by water, unless road access can legally be secured at a future date.

The size of the development zones in the South Brassua Lake Development Area are as follows:

- *Acres on South Peninsula D-RS2M Zone: 2,721 acres*
  - Protection zones: 135 acres
  - Total shorefront: 45,989 feet
  - Shorefront in protection zone: 6,351 feet
- *Acres in D-GN3M Zone: 34.6 acres*
  - Protection zones: 0 acres
- *Acres on East Shore D-RS3M Zone: 60 acres*
  - Protection Zones: 0 acres
  - Total shorefront: 5,333 feet
  - Shorefront in protection zone: 0 feet
- *Acres at Rt. 6/15 and Railroad D-GN3M Zone: 56 acres*
  - Protection zones: 3 acres

- Total shorefront: 763 feet
- Shorefront in protection zone: 0 feet

(See Map: South Brassua Lake and Rockwood/Blue Ridge Development Areas)

## **Rockwood/Blue Ridge Development Area**

The Rockwood/Blue Ridge Development Area contains the two types of residential zones (D-RS2M, and D-RS3M), and a Rural Mixed Use Development Zone (D-GN3M).

One D-RS2M zone is west of the existing village, on Route 6/15, near the entrance to the Brassua Dam site. Along Route 6/15 where the road follows the shore of Brassua Lake is a D-RS2M zone. A D-RS3M zone is located on the southeastern side of Blue Ridge. Adjacent to Rockwood Village is a D-GN3M zone, with a D-RS2M zone adjacent to, and west of it.

It is estimated that approximately 160 Residential Dwelling Units will be located in this area. It is estimated that 3 of these units will be shorefront. The amount and location of development will be subject to site limitations and will be determined at the subdivision approval stage. The total 975 Residential Dwelling Unit cap may not be exceeded. Affordable Housing units may be located in this area. Shorefront lots will range in size from ½ acre to 3 acres. Backlots may range in size from ½ acre to 7 acres. All lots will have electric and telephone service. Access will be off Route 6/15.

The sizes of the development zones in the Rockwood/Blue Ridge Development Area are as follows:

### **West of the village on Route 6/15, near the entrance to the Brassua Dam site:**

- *D-RS2M Zone:* 181 acres
  - Protection zones: 0 acres

### **Along Route 6/15, on shore of Brassua Lake:**

- *D-RS2M Zone:* 860 acres
  - Protection zones: 1 acre
  - Total shorefront: 7,754 feet
  - Shorefront in protection zone: 308 feet

### **Southeastern side of Blue Ridge:**

- *D-RS3M Zone:* 1,998 acres
  - Protection zones: 8 acre

### **Adjacent to Rockwood village:**

- *D-GNM Zone:* 235 acres
  - Protection zones: 0.4 acre
  - Total shorefront: 594 feet
  - Shorefront in protection zone: 0 feet

- *D-RS2M Zone:* 628 acres
  - Protection Zones: 5 acres
  - Total shorefront: 746 feet
  - Shorefront in protection zone: 428 feet

### **Top of Blue Ridge:**

- *M-GNM Zone:* 290 acres (development is not allowed in the M- GNM zone)

(See Map: South Brassua Lake and Rockwood/Blue Ridge Development Areas.)

## **Route 6/15 Corridor Development Area**

The Route 6/15 Corridor Development Area is comprised of a Residential Recreation Development Zone (D-RS3M) and a Rural Mixed-Use Development Zone (D-GN3M). An existing Commercial Industrial Development Zone (D-CIM) is also located in this area. It is estimated that approximately 125 units will be located in this area. It is estimated that 20 of these units will be shorefront. The amount and location of development will be subject to site limitations and will be determined at the subdivision approval stage. Affordable housing units may be located in this area.

Shorefront lots will range in size from 1/2 acre to 3 acres. Backlots may range in size from 1/2 acre to 7 acres. All lots will have electric and telephone service. Access will be off Route 6/15.

The size of the development zones in the Route 6/16 Corridor Development Area are as follows:

- *D-RS3M Zone:* 2,842 acres
  - Protection Zones: 506 acres
  - Total shorefront: 23,161 feet
  - Shorefront in protection zones: 13,727
- *D-GN3M Zone:* 87 acres
  - Protection Zones: 0.6 acres
  - Total shorefront: 1,342
  - Shorefront in protection zones: 136 feet

(See Map: Route 6/15 Corridor Development Areas and Existing Commercial / Industrial Zone at the end of this section.)



## **Moose Bay Development Area**

The proposed zones in this area are D-RS2M (Community Residential Development Zone) and a small D-GN3M (Rural Mixed-Use Development Zone) located on Route 6/15.

It is estimated that approximately 110 units will be located in this area with approximately 12 of these units on the shore of Moosehead Lake, however, the amount and location of development will be subject to site limitations and will be determined at the subdivision approval stage. Affordable Housing units may be located in this area.

Shorefront single-family units will be on lots ranging in size from 1/2 acre to 3 acres. Single-family back lots may range in size from 1/2 acre to 7 acres. Both single-family and multi-family units are permitted. Affordable Housing may be integrated into this area. All units will have electric and telephone service. Access will be directly off Route 6/15.

The sizes of the development zones in the Moose Bay Development Area are as follows:

- *D-RS2M Zone*: 1,123 acres
  - Protection Zones: 55 acres
  - Total shorefront: 8,578 feet
  - Shorefront in protection zone: 698 feet
- Acres in D-GN3M Zone: 20 acres
  - Protection Zones: 0 acres

(See Map: Moose Bay Development Area at the end of this section.)

## **Upper Wilson Pond Development Area**

The zone proposed for this area is a D-RS3M (Residential Recreation Development Zone). Upper Wilson Pond is a Management Class 4 Lake.

The Concept Plan caps development at 32 single-family Residential Dwelling Units on this pond. It is estimated that approximately 16 of these units will be shorefront. The amount and location of development will be subject to site limitations and will be determined at the subdivision approval stage.

The shorefront lots may range in size from 1/2 acre to 3 acres; back lots may range in size from 1/2 acre to 7 acres. Access will be off Lily Bay Road, using the Prong Pond/Upper Wilson haul road. Utilities may not be provided to this area.

The sizes of the development zones in the Upper Wilson Pond Development Area are as follows:

- *D-RS3M Zone*: 184 acres
  - Protection Zones: 0 acres

- Total shorefront: 4,561 feet
- Shorefront in protection zones: 0 feet

(See Map: Beaver Cove and Upper Wilson Pond Development Areas at the end of this section.)

## **Beaver Cove Development Area**

The development zone in this area will be designated as a D-RS3M zone (Residential Recreation Development Zone).

It is estimated that approximately 32 units will be located in this area, however, the amount and location of development will be subject to site limitations and will be determined at the subdivision approval stage.

Lots sizes may range in size from 1/2 acre to 7 acres. All lots will have electric and telephone service. Access will be off the Lily Bay Road.

The size of the development zone in the Beaver Cove Development Area is as follows:

- *D-RS3M Zone:* 117 acres
  - Acres in Protection Zones: 0.1 acres

(See Map: Beaver Cove and Upper Wilson Pond Development Areas at the end of this section.)

## **Lily Bay Residential Development Area**

The Lily Bay Residential Development Area contains a D-RS2M (Community Residential Development Zone) and a D-RS3M (Residential Recreational Development Zone).

The Concept Plan caps residential development in this area at a maximum of 154 Residential Dwelling Units. Approximately 24 of these Residential Dwelling Units will be located in the D-RS2M zone and 130 in the D-RS3M zone. The amount and location of development will be subject to site limitations and will be determined at the subdivision approval.

Lots sizes in each zone may range in size from 1/2 acre to 7 acres. All lots will have electric and land-line telephone service. Access to each zone will be off the Lily Bay Road.

The sizes of the development zones at the Lily Bay Residential Development Area are as follows:

- *D-RS2M Zone:* 357 acres
  - Protection zones: 21 acres
- *D-RS3M Zone:* 3,224 acres

- Protection Zones: 143 acres

(See Map: Lily Bay Resort and Lily Bay Residential Development Areas at the end of this section.)

## **Resort Zones**

Resort development will be located in two D-GN2M Resort Development Zones: one at Big Moose Mountain and a smaller one at Lily Bay.

The two D-GN2M Resort Development Zones will accommodate a broad mix of compatible tourism, recreational, commercial and residential uses, and allow for larger scale development that is appropriate to resorts.

## **Big Moose Mountain Resort Area**

The Big Moose Mountain Resort Area will be designated as a D-GN2M (Resort Development Zone). The area includes the east and north slopes of the mountain, some limited shoreland on Indian Pond, approximately two-thirds of the Burnham Pond shoreland, and Deep Cove on Moosehead Lake.

The Concept Plan limits resort development in the Big Moose Mountain Resort Area to 800 Resort Accommodations. In addition, employee housing may be located here. Further, Plum Creek may relocate Residential Dwelling Units in the Big Moose Mountain Resort Area, subject to the total Residential Development Cap for the Concept Plan Area of 975 Residential Dwelling Units. Resort Accommodations built on Indian Pond will be low impact.

In the Big Moose Mountain Resort Area, Resort Accommodations as well as Residential Dwelling Units transferred into the area from other areas can be up to 7 acres. There is no limit on commercial lot sizes. There will be utility services for the resort's entire infrastructure. The resort will be accessed off Route 6/15.

Within the Big Moose Mountain Resort Area's D-GN2M zone, all existing protection subdistricts will remain in place (except the shoreland P-GP zones, which will be rezoned to allow for resort development). Some M-GNM zones also fall within the overall resort area.

The size of the development zones at Big Moose Mountain Resort Area are as follows:

### **Big Moose Mountain Mountain to Rte. 6/15:**

- *D-GN2M Zone:* 3,553 acres
  - Protection zones: 155 acres
  - M-GNM zone: 107 acres
  - Total shorefront on south shore of Burnham Pond: 10,189 feet

- Shorefront in protection zones on south shore of Burnham Pond: 2,815 feet

#### **North Shore of Burnham Pond:**

- *D-GN2M Zone:* 211 acres
  - Protection zones: 0.4 acres
  - Total shorefront on northeast shore of Burnham Pond: 4,022 feet
  - Shorefront in protection zones on northeast shore of Burnham Pond: 96 feet

#### **Indian Pond:**

- *D-GN2M Zone:* 110 acres
  - Protection zones: 2 acres
  - Total shorefront: 7,068 feet
  - Shorefront in protection zones: 0 feet

#### **Deep Cove:**

- *D-GN2M Zone:* 572 acres
  - Protection zones: 2 acres
  - Total shorefront: 9,940 feet (this development area is separated from the lakefront by the railroad track)
  - Shorefront in protection zones: 0 feet

(See Map: Big Moose Mountain Resort Area Development Zone at the end of this section.)

#### **Lily Bay Resort Area**

The Lily Bay Resort Area will be designated as a D-GN2M (Resort Development Zone). The Resort Development Zone is approximately 800 acres and has frontage on Moosehead Lake.

The Concept Plan limits resort development in the Lily Bay Resort Zone to 250 Resort Accommodations. In addition, employee housing may be located here. Resort Accommodations built in the area east of the Lily Bay Road will be low impact.

There is no limit on commercial lot sizes. There will be utility services for the resort's entire infrastructure. The resort will be accessed off the Lily Bay Road.

Within the Lily Bay Resort Area's D-GN2M zone, the size of the development zones are as follows:



### **Lily Bay, West of Lily Bay Road: D-GN2M zone: 725 acres**

- Protection Zones: 50 acres
- Total shorefront: 9,888 feet
- Shorefront in protection zones: 1,389 feet

### **Lily Bay Township, East of Lily Bay Road: D-GN2M Zone: 52 acres**

- Protection Zones: 0 acres.

(See Map: Lily bay Resort and Lily Bay Residential Development Areas at the end of this section.)

### **Existing Commercial/Industrial Zone**

An existing LURC-approved Commercial Industrial (D-CI) subdistrict is within the Route 6/15 Corridor area, between Route 6/15 and the railroad tracks. This subdistrict allows for commercial and industrial development that is not compatible with residential uses. The existing allowed uses in this zone will be retained under the Concept Plan with the following designation:

- *D-CIM – Commercial Industrial Development Zone: 90 acres.*

(See Map: Route 6/15 Corridor Development Areas and Existing Commercial/Industrial Zone at the end of this section.)

### **Conservation Components**

The conservation components described in this section include: (a) the Balance Conservation Easement, (b) the Conservation Framework, and (c) other conservation measures, which will prohibit development and protect resources for the life of the 30-year Concept Plan.

“Balance Conservation” is that certain working forest conservation easement which has been donated by Plum Creek for balance, and is more particularly described in Section G.3.a. below. The “Conservation Framework” consists of those purchased working forest conservation easements and conservation fee sales which provide additional public benefit. The Conservation Framework is defined in Section G.3.b.

All together, these conservation measures will permanently conserve 386,000 acres (95%) of the Concept Plan Area.

### **Balance Conservation Easement**

The Balance Conservation consists of a single working forest conservation easement covering approximately 90,000 acres (the “Balance Conservation Easement”). In summary, the Balance Conservation Easement specifies that no residential development will ever be permitted, public foot access will be guaranteed and all forest management activities will be sustainably

managed in accordance with a Resource Management Plan. All of the Balance Conservation is permanent and will take effect immediately upon Concept Plan approval.

The Balance Conservation Easement Area is described as follows.

### **Lily Bay to Upper Wilson Pond**

The Balance Conservation Easement Area extends from the east shore of Spencer Bay south and east to the Frenchtown/Lily Bay Township line; it includes most of Beaver Cove Township, surrounds Upper Wilson Pond, and terminates on the high ridge south of the Pond.

### **Long Pond to Brassua Lake**

The easement runs from the western end of Long Pond to and including the western shore of Brassua Lake, on both sides of the Moose River. The area includes land north of Long Pond and the Moose River, and the watershed of Demo Pond. To the south, it includes a large area that extends two miles south of the Moose River and the northern shore of Long Pond.

### **Moosehead Lake Outlets to Indian Pond**

The Balance Conservation Easement in this area covers the land adjoining Indian Pond and the East and West Outlets, from ½ mile to 1 mile wide. Conservation land in this area includes land located on Blue Ridge in Rockwood and on Big Moose Mountain, including lands adjoining the State-owned Little Moose Unit. High land seen from Knights Pond and other pristine ponds nearby is also protected under this conservation easement.

The three large conservation areas described above include 15 pristine ponds. However, easements on another 45 pristine ponds scattered throughout the Plan Area will also be granted upon Concept Plan approval.<sup>1</sup> All easements on these latter ponds will be 500 feet wide as measured from the high water mark. Conservation on pristine ponds will protect 89 miles of shoreland and all of Plum Creek's shoreland ownership on all 60 of these waterbodies. These 60 ponds are listed below.

In addition, the Balance Conservation Easement includes all of Plum Creek's shorefront ownership in Big W Township on Moosehead Lake, most of the north and western shores of Brassua Lake, and significant portions of shorefront of Long, Indian, and Upper Wilson Ponds. Also, over 5 miles of the Moose River is within the Balance Conservation Easement Area and will be permanently protected. This section of the river runs from the outlet at the east end of

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<sup>1</sup> The 10 ponds in the Roach Ponds area are not included here because the Roach Pond Acquisition Area is part of a conservation sale, and therefore cannot be counted as "balance".

Long Pond, for the length of the Moose River, to an inlet on Little Brassua Lake, an area primarily in Sandwich Academy Grant Township.

Under the terms of the working forest conservation easement for these areas:

- Public foot access shall be permitted;
- No Residential Dwelling Units or Resort Accommodations will be permitted; and
- all forest management activities will be managed in accordance with a Resource Management Plan approved by the holder of the Balance Conservation Easement. The terms of the Balance Conservation Easement and the Moosehead Legacy Conservation Easement are similar. There must be SFI or other third-party certification of management practices.

The Balance Conservation Easement (excluding the trail rights of way) will be held by the Forest Society of Maine.

(See Map: Balance Conservation Easement at the end of this section.)

### **Conservation Framework**

As additional public benefit, Plum Creek has entered into a set of binding agreements with The Nature Conservancy to create the Conservation Framework. These agreements are contingent upon Commission approval of this Concept Plan. The Conservation Framework consists of:

- The sale of a conservation easement, the Moosehead Legacy Conservation Easement, comprising approximately 266,000 acres.
- The fee sale of the 29,500-acre Roach Pond Acquisition Area to a conservation purchaser; and
- The fee sale of Number Five Bog (45,000 acres located outside the Plan Area) to a conservation purchaser.

### **Other Conservation Measures**

### **Protection Subdistricts**

LURC has established various “protection” subdistricts, such as Fish and Wildlife (P-FW), Great Pond (P-GP), Accessible Lake (P-AL), Mountain Area (P-MA), Recreation Protection (P-RR), and Shoreland (P-SL) subdistricts that set out appropriate restrictions on land use within these mapped areas. Existing zoning regulations are intended to protect sensitive resources from irresponsible development and inappropriate use (see Chapter 10, of the Commission’s existing Rules and Standards).

## **M-GNM Subdistrict**

The allowable uses in the M-GNM Zone under the Concept Plan P-RP subdistrict are effective for the 30-year term of the Concept Plan. The protection of the commercial forest land base for wood and fiber production is a major objective of the Plan. To that end, roughly 95% of the land base in the Concept Plan Area will be zoned M-GNM and continue to be managed as a commercial working forest subject to sustainable forestry standards. This Concept Plan removes the existing residential development provisions of LURC's M-GN.

### **Recreation Components**

The recreation components of the Concept Plan are described below.

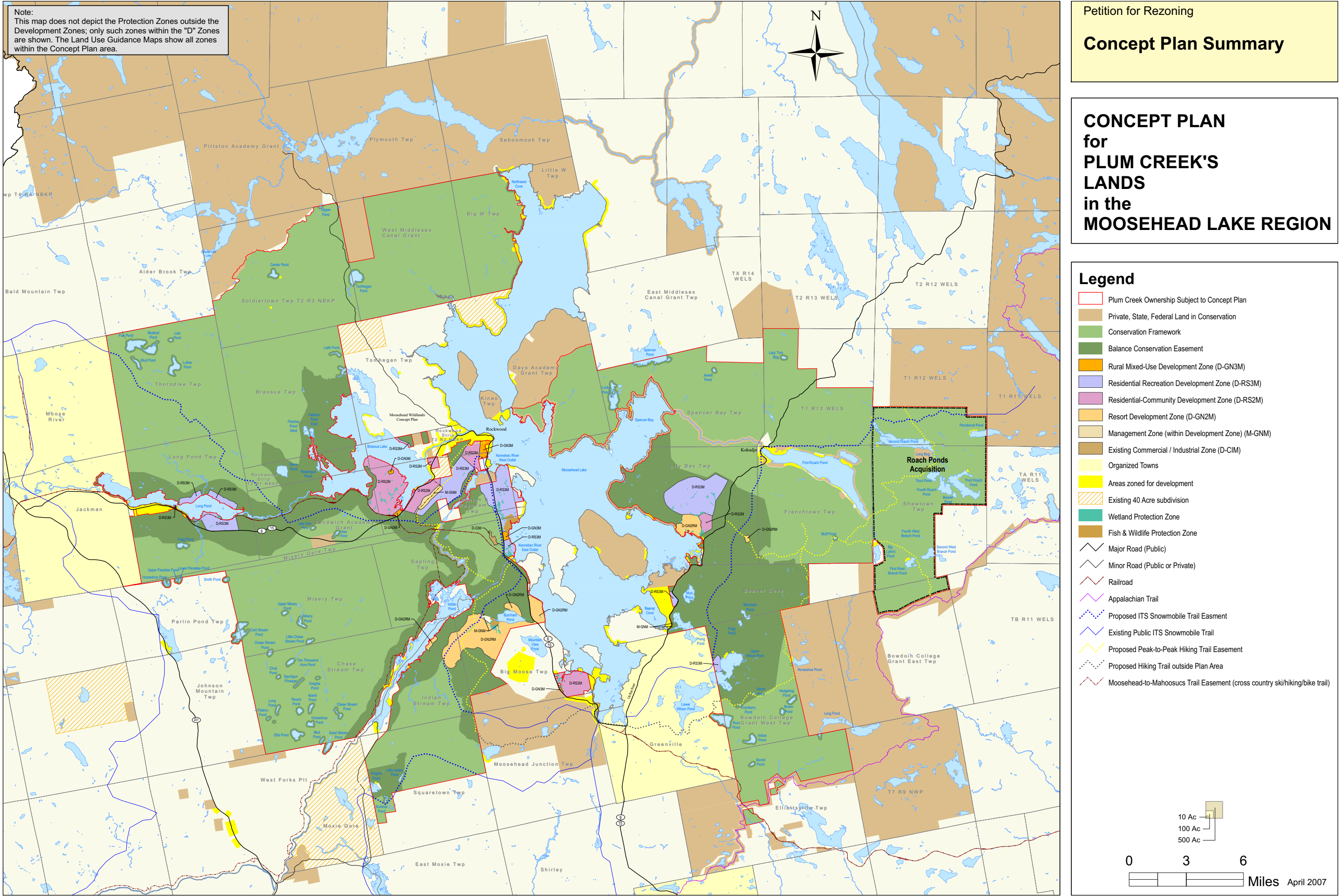
Additional benefits offered through the Concept Plan includes 3 recreation trails:

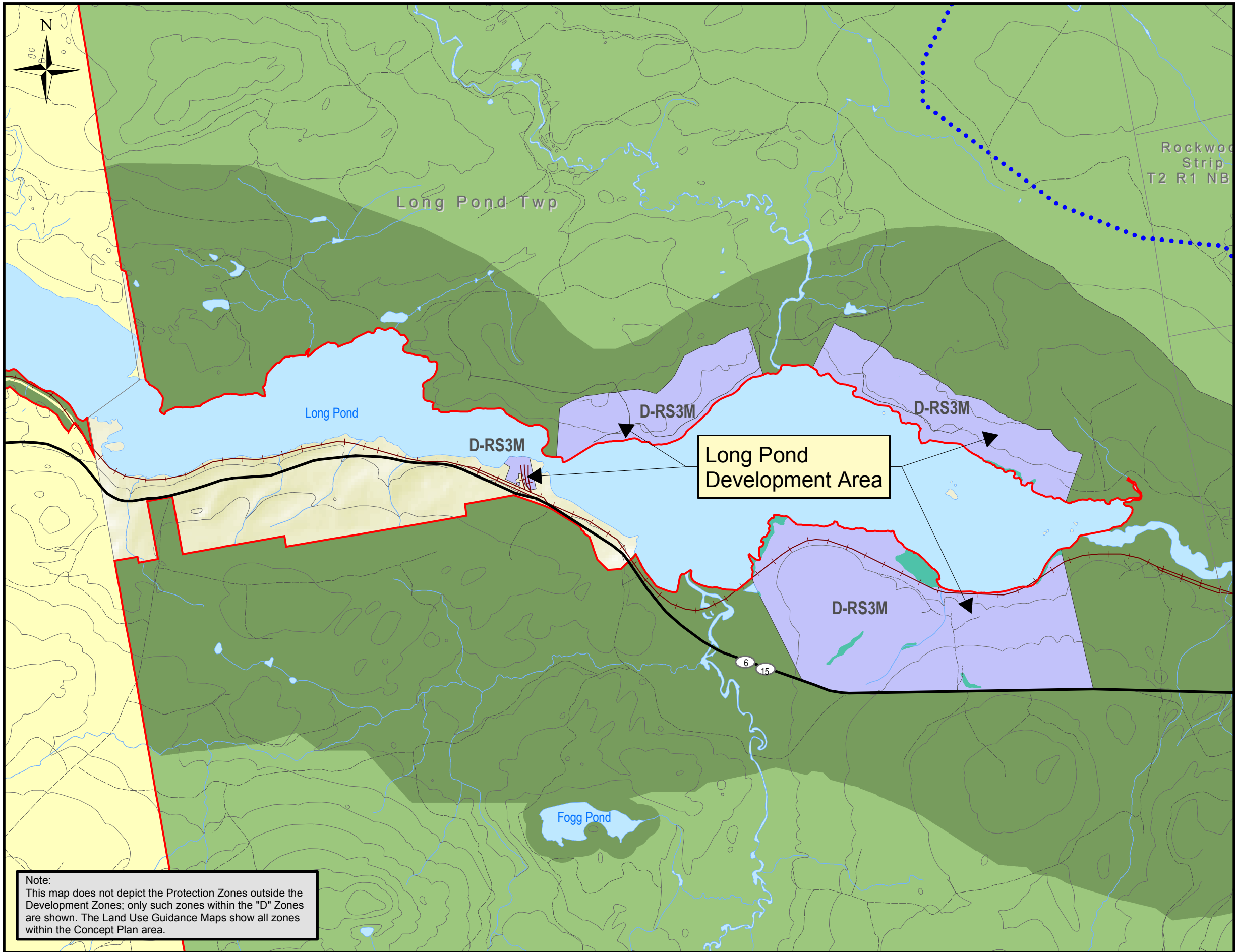
- the ITS Snowmobile Trail Right of Way: 74 miles;
- the Peak to Peak Hiking Trail Right of Way: 67 miles; and
- the northern part of the Moosehead-to-Mahoosucs Ski Trail Right of Way for cross-country skiing, biking, and hiking: 12 miles.

The ITS Snowmobile Trail Right of Way will be held by the Maine Bureau of Parks and Lands and the Moosehead-to-Mahoosucs Ski Trail and Peak to Peak Hiking Trail Rights of Way will be held by the Western Mountains Charitable Foundation. All of the trails which make up the Concept Plan's recreation components are more particularly described in the *pro forma* documents found in Section H.

(See Map: Permanent Trail Easements at the end of this section.)







Petition for Rezoning

## Long Pond Development Area

## CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

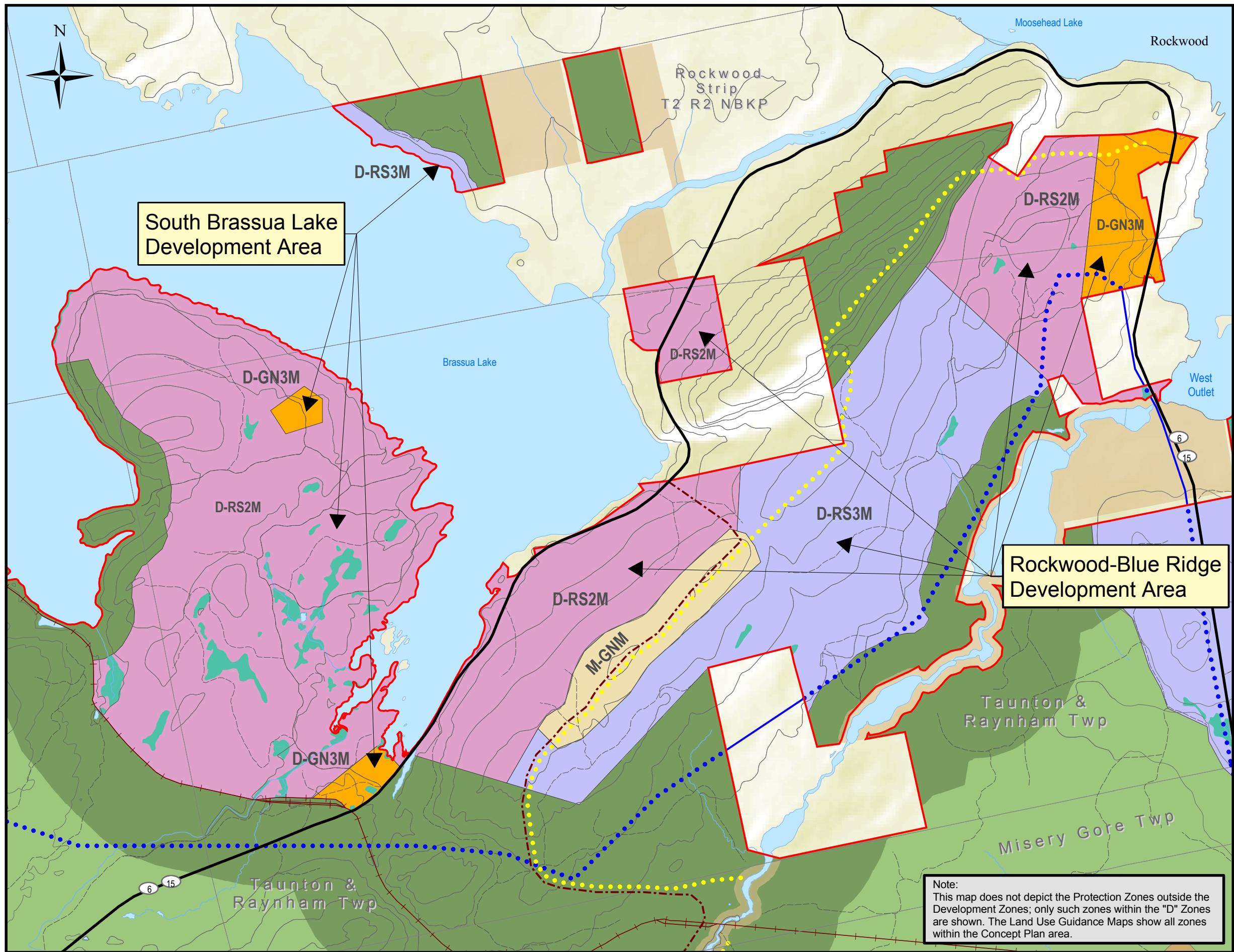
- ### Legend
- Plum Creek Ownership Subject to Concept Plan
  - Private, State, Federal Land in Conservation
  - Conservation framework
  - Balance Conservation Easement
  - Rural Mixed-Use Development Zone (D-GN3M)
  - Residential Recreation Development Zone (D-RS3M)
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  - Management Zone (within Development Zone) (M-GNM)
  - Existing Commercial / Industrial Zone (D-CIM)
  - Organized Towns
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  - Proposed Hiking Trail outside Plan Area
  - Moosehead-to-Mahoosucs Trail Easement (cross country ski/hiking/bike trail)

0 1,500 3,000

Feet

APRIL 2007





Petition for Rezoning  
**South Brassua Lake and  
 Rockwood-Blue Ridge  
 Development Areas**

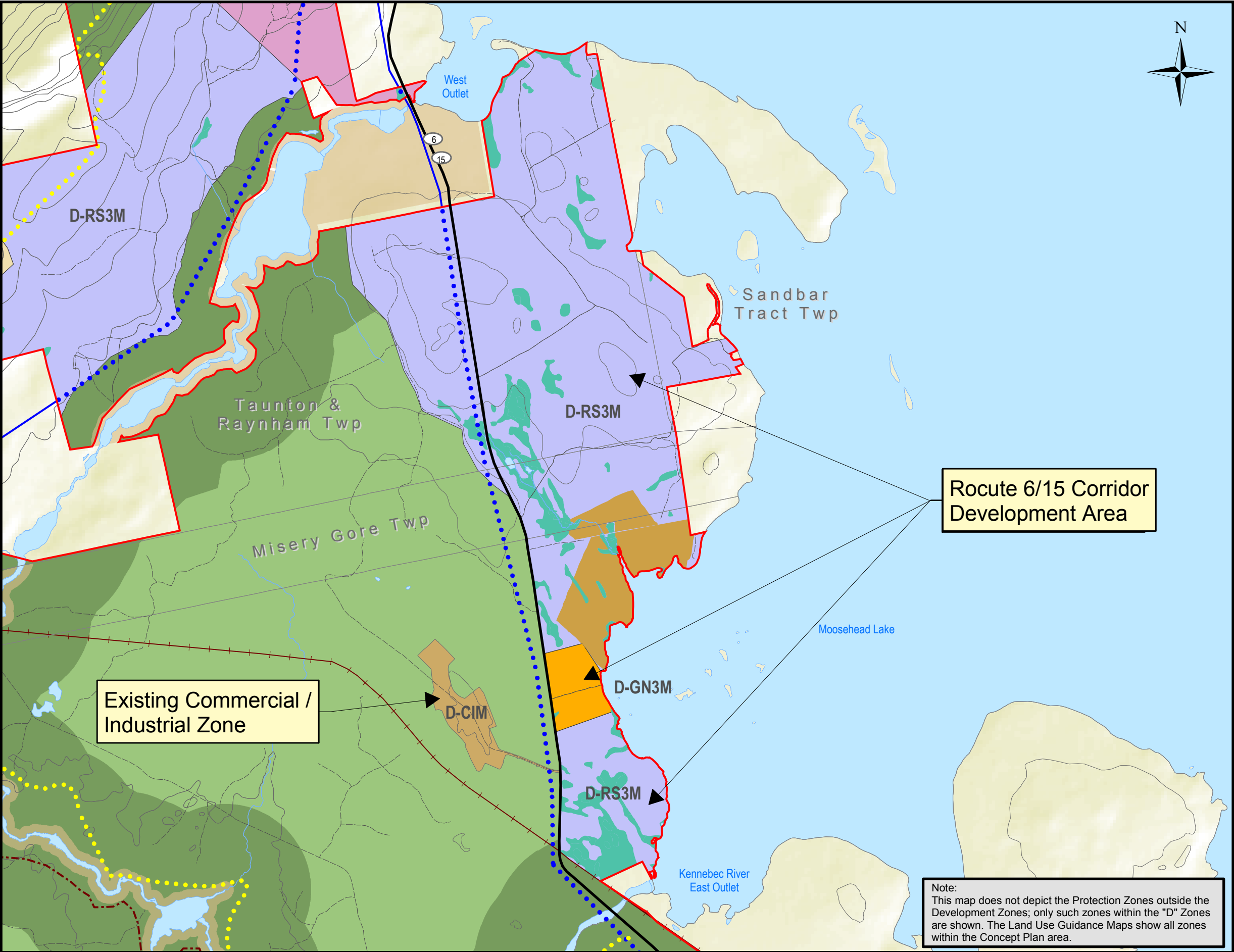
**CONCEPT PLAN  
 for  
 PLUM CREEK'S  
 LANDS  
 in the  
 MOOSEHEAD LAKE REGION**

- Legend**
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**Note:**  
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0 1,500 3,000  
 Feet

APRIL 2007



Petition for Rezoning

**Route 6/15 Corridor  
Development Area**

**CONCEPT PLAN  
for  
PLUM CREEK'S  
LANDS  
in the  
MOOSEHEAD LAKE REGION**

- Legend**
- Plum Creek Ownership Subject to Concept Plan
  - Private, State, Federal Land in Conservation
  - Conservation framework
  - Balance Conservation Easement
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  - Residential Recreation Development Zone (D-RS3M)
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**Route 6/15 Corridor  
Development Area**

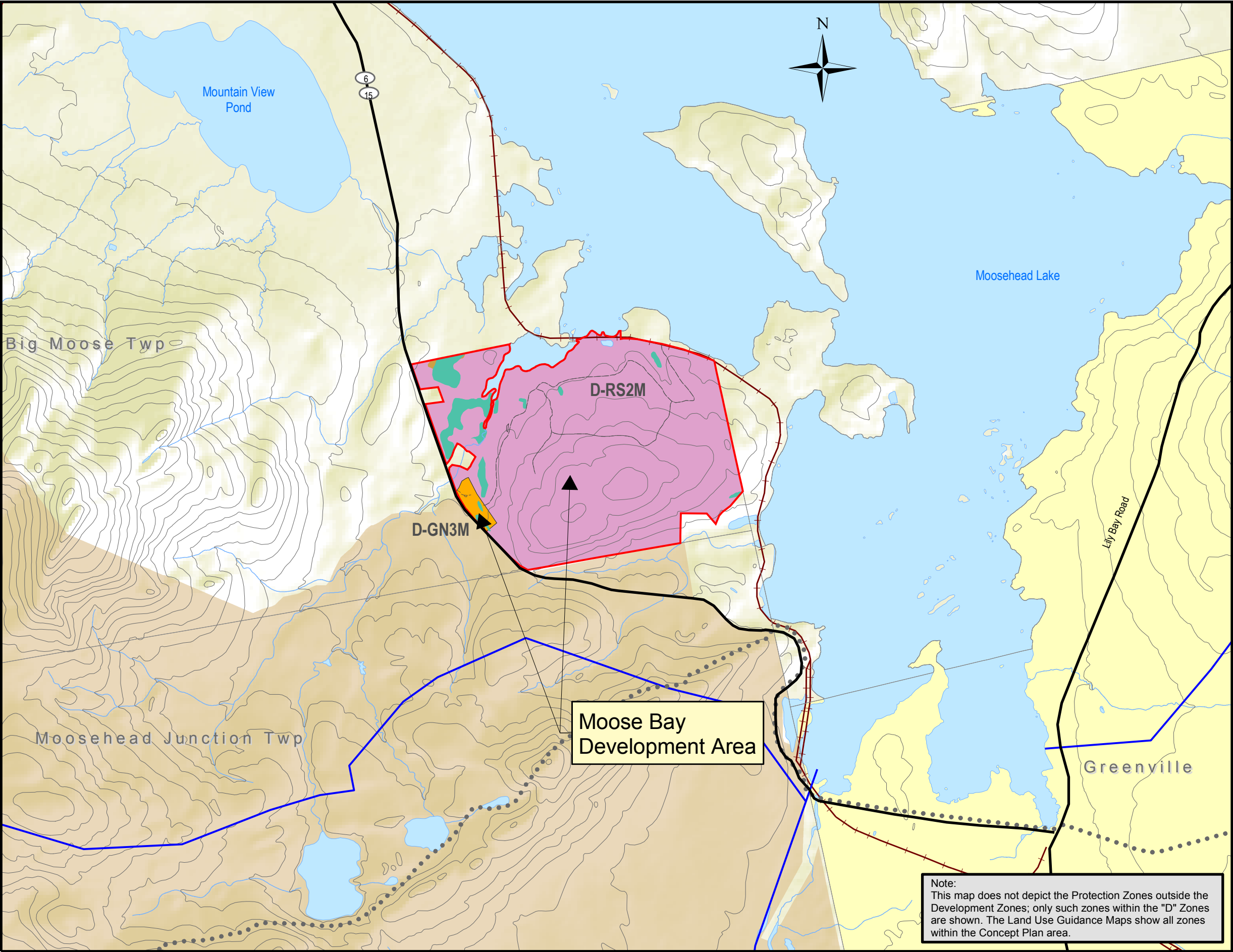
**Existing Commercial /  
Industrial Zone**

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Feet

APRIL 2007





Petition for Rezoning

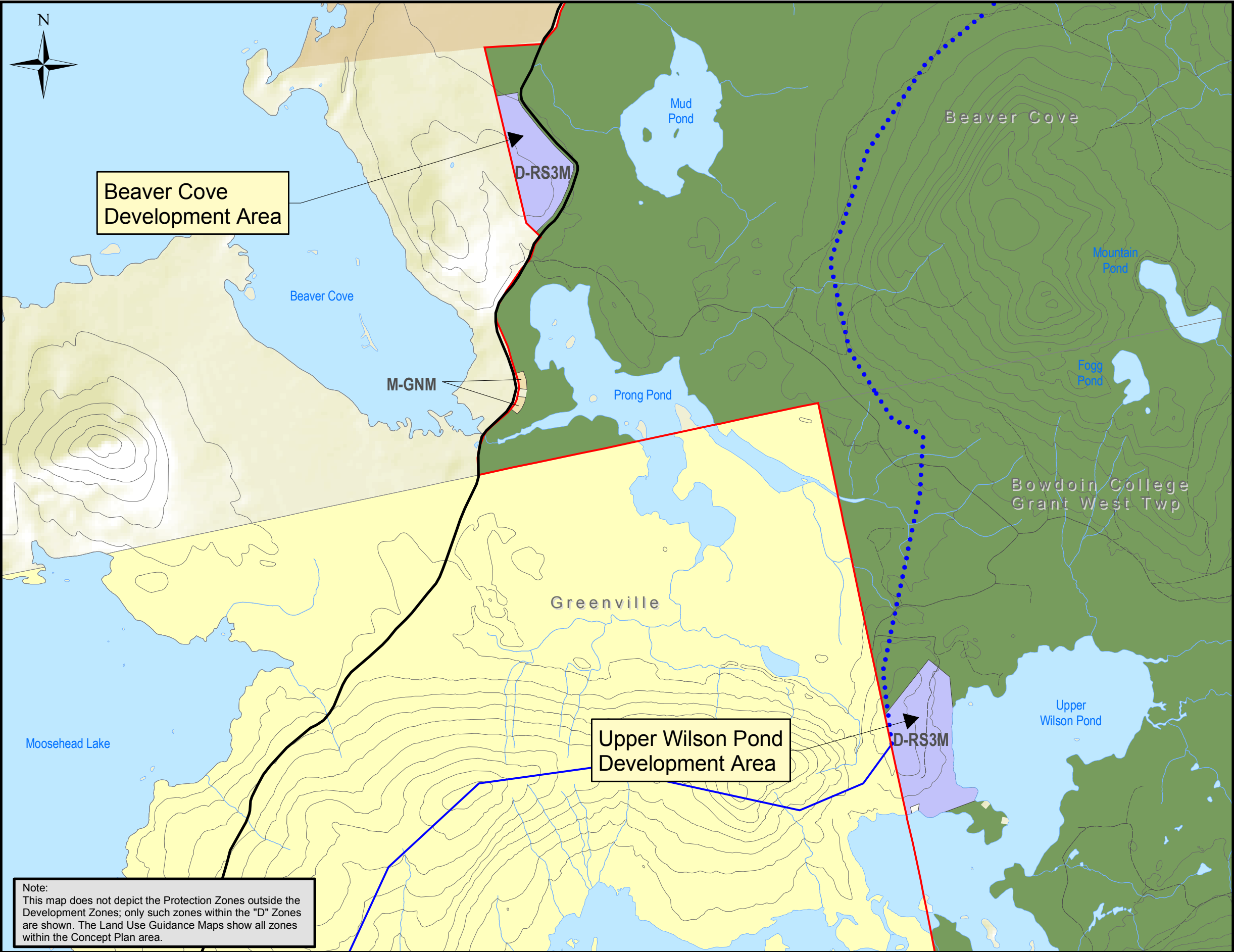
**Moose Bay  
Development Area**

**CONCEPT PLAN  
for  
PLUM CREEK'S  
LANDS  
in the  
MOOSEHEAD LAKE REGION**

- Legend**
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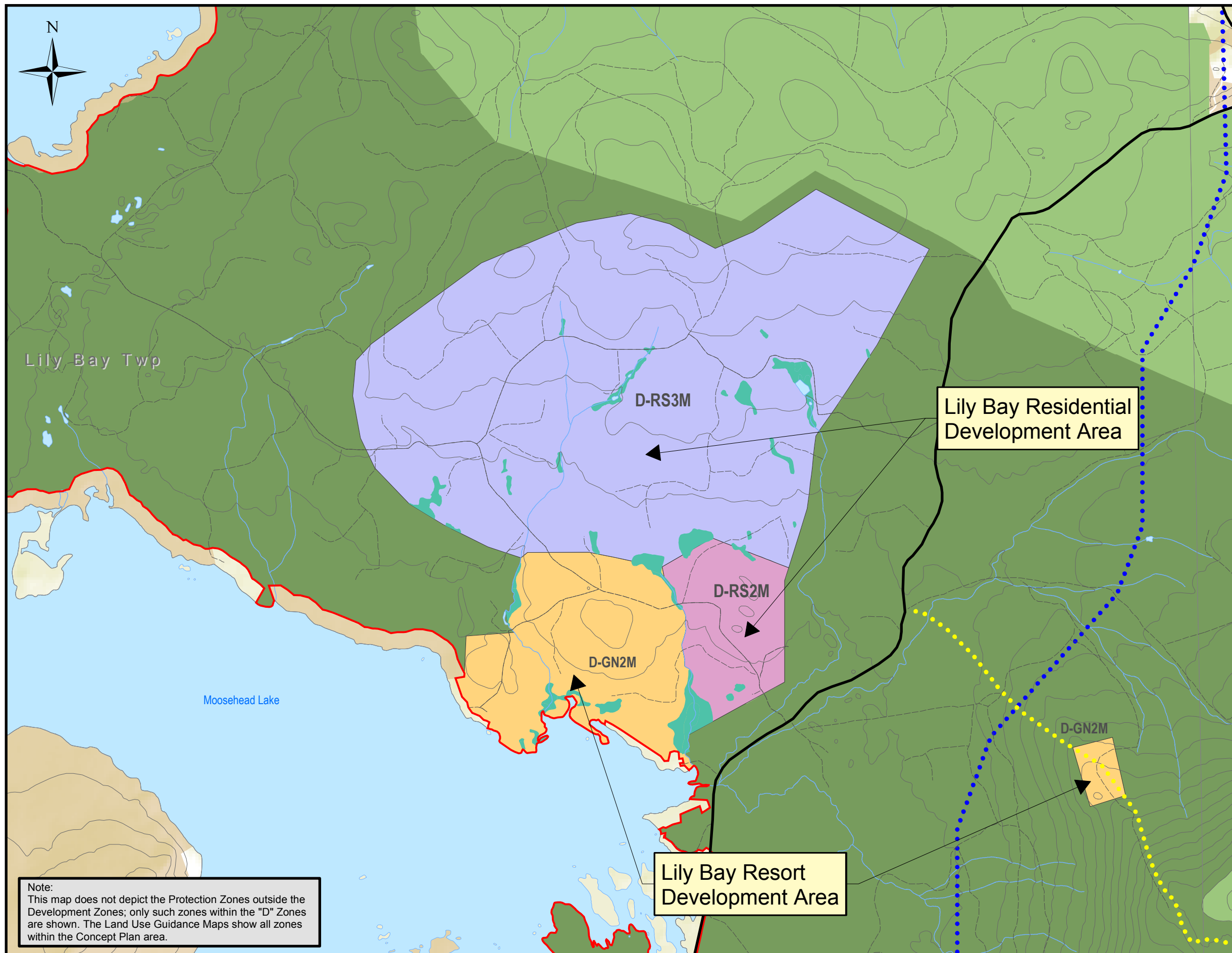
Petition for Rezoning  
**Beaver Cove and  
Upper Wilson Pond  
Development Area**

**CONCEPT PLAN  
for  
PLUM CREEK'S  
LANDS  
in the  
MOOSEHEAD LAKE REGION**

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  - Private, State, Federal Land in Conservation
  - Conservation framework
  - Balance Conservation Easement
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0 1,500 3,000  
Feet

APRIL 2007



Petition for Rezoning

## Lily Bay Resort and Lily Bay Residential Development Areas

## CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

### Legend

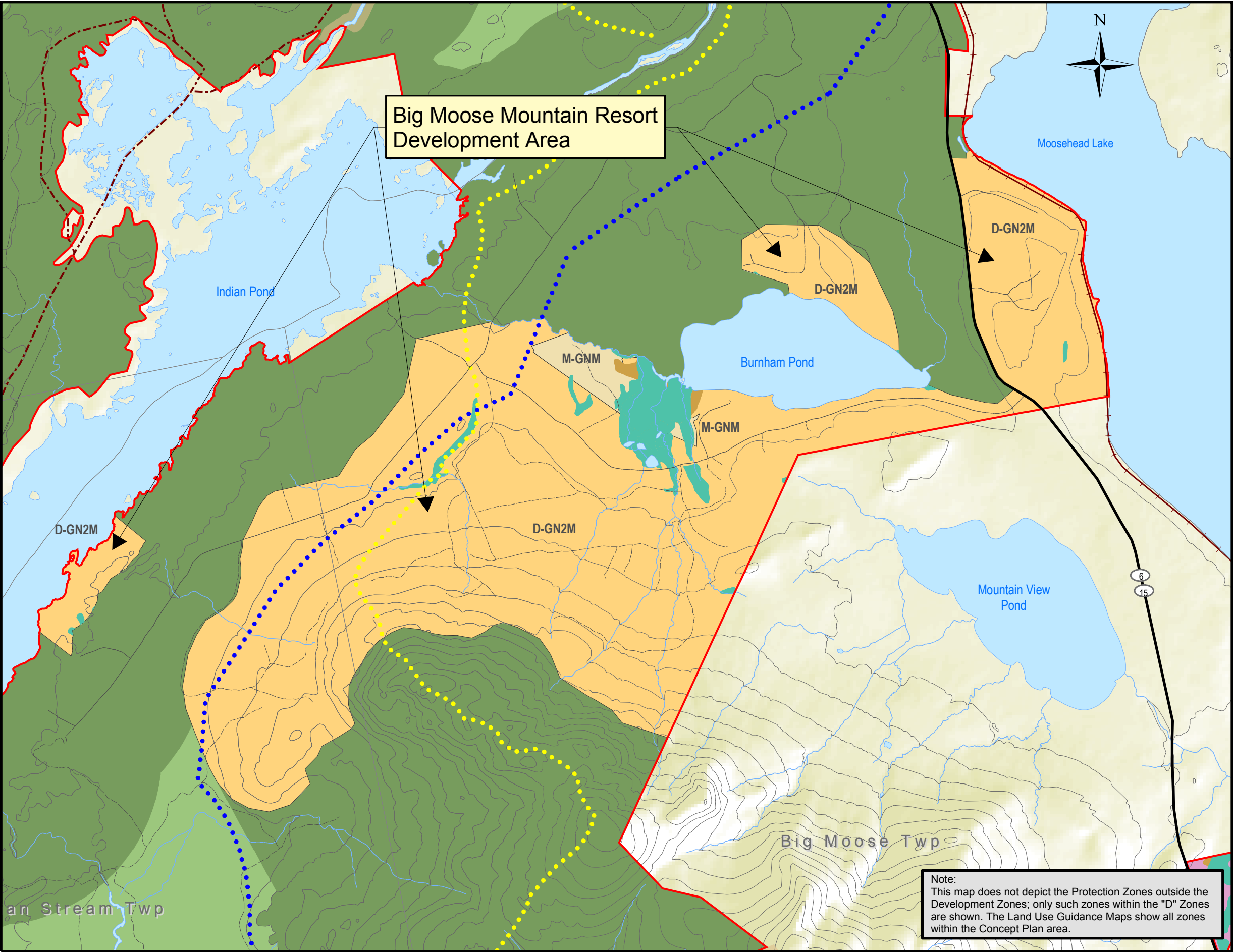
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Feet

APRIL 2007





Big Moose Mountain Resort  
Development Area

Petition for Rezoning

**Big Moose Mountain Resort  
Development Area**

**CONCEPT PLAN  
for  
PLUM CREEK'S  
LANDS  
in the  
MOOSEHEAD LAKE REGION**

- Legend**
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APRIL 2007

**11. Consistency with the Comprehensive Land Use Plan: The Commission's plan includes specific goals to guide the location of new development; to protect and conserve forest, recreational, plant or animal habitat and other natural resources; to ensure the compatibility of land uses with one another; and to allow for a reasonable range of development opportunities important to the people of Maine.**

**Carefully read and refer to the Commission's Comprehensive Land Use Plan (particularly the objectives and policy statements found on pages 134-143). Explain how the proposed change in zoning will be consistent with the Commission's Comprehensive Land Use Plan.**

---

The Commission, in its Comprehensive Land Use Plan ("CLUP"), has identified four core values to define and protect the distinctive character of the jurisdiction. These are:

1. The economic value of the jurisdiction for fiber and food production, particularly the tradition of a working forest, largely on private lands. This value is based primarily on maintenance of the forest resource and the economic health of the forest products industry. The maintenance of farm lands and the viability of the region's agricultural economy is also an important component of this value.
2. Diverse and abundant recreational opportunities, particularly for primitive pursuits.
3. Diverse, abundant and unique high-value natural resources and features, including lakes, rivers and other water resources, fish and wildlife resources, ecological values, scenic and cultural resources, coastal islands, and mountain areas and other geologic resources.
4. Natural character values, which include the uniqueness of a vast forested area that is largely undeveloped and remote from population centers.

Comprehensive Land Use Plan, Pg. 114.

The proposed Concept Plan is consistent with these core values and will protect the distinctive character of the Plan areas in perpetuity.

### **Forest Resources**

The 408,000 acres that comprise the land area of the Concept Plan are an integral part of Plum Creek's working forest lands. A primary purpose of the Concept Plan is to protect, maintain and enhance this land as working forest. The Concept Plan maintains 87% of the land area as working forest. The proposed development areas are sited to avoid impacts to significant



natural resources, specifically including high value stands and other areas identified by the Maine Natural Areas Program. More significantly, the Concept Plan, through the proposed conservation easements, provides the potential for 340,000 acres to be permanently protected allowing forest management activities, but prohibiting residential, commercial and industrial development.

## **Recreational Opportunities**

The Concept Plan protects, preserves and enhances recreational opportunities in the region.

The Concept Plan includes permanent right-of-way easements for three significant new trail corridors. The Peak-to-Peak trail is an 85 mile hiking/biking trail system around the southern half of Moosehead Lake. The trail will provide the opportunity for connection to the Appalachian Trail and the Moosehead to Mahoosuc trail. There will be three associated spur trails: from Lily Bay Road to the top of Lily Bay Mountain, a trail to the top of Number Four Mountain and the Bluff Mountain to White Cap trail. The Moosehead to Mahoosuc trail will be 12 miles. It will be part of the trail/hut system supported by the non-profit Western Mountains Foundation. The trail will provide cross-country skiing, hiking and biking opportunities. The third trail right-of-way will guarantee that the ITS (Interconnected Trail System) 55 mile snowmobile trail across Plum Creek's lands will be available in perpetuity. These trail facilities increase and diversify the recreational opportunities in the area.

The Concept Plan also protects 60 ponds from future development, and the shorefront of the Moose River. Many of the ponds and the river provide high value fishing, hiking and wildlife viewing opportunities. Most of the ponds are undeveloped and eight are classified as remote. The permanent protection of these waterbodies guarantees that these resources will be protected and preserved so that they will provide primitive recreation opportunities in perpetuity.

The extensive landscape scale areas protected from future development, with guaranteed public access, assure that diverse and abundant recreational opportunities, particularly primitive recreational opportunities, such as hiking, hunting, fishing and camping, will be available in perpetuity. Resorts at Big Moose Mountain and Lily Bay will potentially further diversify and increase the recreational opportunities in the area. The trails associated with the resorts will increase the opportunities for primitive recreation such as hiking, cross country skiing, snowshoeing, biking and photography. All of these opportunities will be significantly enhanced through the permanent conservation made possible by the Balance Conservation Easement and the Conservation Framework.

## **Natural Resources**

Upon Plan approval over 400,000 acres of land will be devoted to permanent conservation (a 90,000 acre working forest easement donated to the State as balance, 340,000 acres as part of the Conservation Framework). These conservation components will protect, in perpetuity, unique and high value resource areas such as remote ponds, fish and wildlife resources, watershed values, botanical resources, scenic qualities, fragile areas, forest resources, and mountain areas. The permanent protection provided by the donated working forest Balance

Conservation Easement and by the Conservation Framework will protect the region's resource values in perpetuity.

The development zones are located to minimize impact on high value resources. They can never be expanded because they are surrounded by permanent easements. The Plan does not change the boundary, location or standards of any of the existing Protection zones, except portions of Great Pond Protection subdistricts. At the time of subdivision and resort applications, each development plan will be proposed in detail. Subsequent to approval of the Concept Plan, subdivision applications will provide specific details about their design and specific locations within the development zones.

### **Natural Character Value**

As the CLUP indicates, in large measure, the jurisdiction's unique value is due to the presence of "a vast forested area that is largely undeveloped and remote from population centers." (CLUP, pg. 114.) The Concept Plan, including the Balance Conservation Easement and the Conservation Framework, provides landscape scale conservation. This permanent conservation area connects Jackman to Moosehead Lake and to The Roaches. The Plan also provides for the sale 29,500 acres in the Roach Ponds Conservation Acquisition to The Nature Conservancy. This acquisition would connect Moosehead Lake with the 100-Mile Wilderness area and the holdings of the Appalachian Mountain Club. The Concept Plan includes 356,000 acres to be permanently conserved.

The Concept Plan includes consolidated and limited development near service centers and existing communities, in areas near Jackman, Rockwood, Greenville, Big Moose Mountain, Beaver Cove and Lily Bay. Development on remote ponds and the Moose River, Big W, the west side of Brassua, Prong Pond, and the east side of Upper Wilson Pond and Indian Pond has been eliminated. The Plan locates development along the main travel corridors. The Concept Plan permanently protects vast forested/undeveloped areas. The conservation offered as balance is strategically located to surround the proposed development areas thereby containing development and preventing sprawl in perpetuity. Thus, the Plan solidifies and permanently achieves the protection of the Commission's principal values. It also achieves a level of conservation that cannot be accomplished through LURC-imposed prospective zoning.

The CLUP also sets out the three broad goals that the Commission's policies are intended to achieve. These are:

1. Support and promote the management of all the resources, based on the principles of sound planning and multiple use, to enhance the living and working conditions of the people of Maine, to ensure the separation of incompatible uses, and to ensure the continued availability of outstanding quality water, air, forest, wildlife and other natural resource values of the jurisdiction.
2. Conserve, protect and enhance the natural resources of the jurisdiction primarily for fiber and food production, nonintensive outdoor recreation and fisheries and wildlife habitat.

3. Maintain the natural character of certain areas within the jurisdiction having significant natural values and primitive recreation opportunities.

CLUP, pg. 134.

These broad goals generally mirror and implement the four principal values discussed above. Chapter 5 of the CLUP amplifies the broad goals and the following are key goals and policies from Chapter 5 that relevant to the Concept Plan. A statement follows each broad goal and policy referencing where in the Petition each are addressed. Discussion of each goal and policy is not limited to referenced sections of the Petition documents.

- Cultural, Archaeological and Historical Resources

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

*Policy:* Identify and protect unique, rare, and representative cultural resources to preserve their educational, scientific, and social values.

  - Petition Section 14 addresses Cultural, Archaeological and Historical Resources
- Forest Resources

*Goal:* Conserve, protect and enhance the forest resources which are essential to the economy of the state as well as to the jurisdiction.

*Policies:* Discourage development that will interfere unreasonably with continued timber and wood fiber production, as well as primitive outdoor recreation, biodiversity, and remoteness, and support uses that are compatible with these values.

Discourage land uses that are not essential to forest management or timber production on highly productive forestlands.

  - Petition Sections 13, 14, 21, and 22 address Forest Resources
- Mountain Resources

*Goal:* Conserve and protect the values of high mountain areas from undue adverse impacts.

*Policy:* Regulate high mountain areas to preserve the natural equilibrium of vegetation, geology, slope, soil, and climate, to reduce danger to public health and safety posed by unstable mountain areas, to protect water quality, and to preserve scenic values, vegetative communities, and low-impact recreational opportunities.

  - Petition Section 18g addresses Mountain Resources
- Recreational Resources

*Goal:* Conserve and protect the natural beauty and unspoiled qualities of the waters, shorelands, mountains, plant and animal habitats, forests, scenic vistas,

trails and other natural and recreational features in order to protect and enhance their values for a range of public recreational uses.

*Policies:* Protect remote, undeveloped and other significant recreational areas, including such areas around rivers and streams, trails, ponds and lakes, to protect their natural character for primitive recreational activities such as canoeing, hiking, fishing and nature study.

Encourage diversified, nonintensive, nonexclusive uses of recreational resources.

Promote a range of recreational opportunities, including (a) major, intensive recreational facilities near organized areas or in new development centers determined to be appropriate, (b) less-intensive, nonexclusive recreational facilities in other areas, and (c) opportunities for primitive recreation without intrusion from more intensive forms of recreation.

- Petition sections 8, 10, 14, 15, 20, and 21 address Recreational Resources

- Special Natural Areas

*Goal:* Protect and enhance identified features and areas of natural significance.

*Policy:* Identify and protect natural areas that possess unique physical features, or which serve as habitat for rare, threatened or endangered species or representative plant communities.

- Petition Section 22 addresses Special Natural Areas

- Water Resources

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

*Policies:* Regulate uses of land and water, including submerged lands, shorelands, and wetlands, in order to prevent degradation of water quality and undue harm to natural habitats.

Protect the recreational and aesthetic values associated with water resources.

Conserve and protect lakes, ponds and rivers and their shorelands which provide significant public recreational opportunities.

- Petition Section 14 and 18b address Water Resources

- Wetland Resources

*Goal:* Conserve and protect the aesthetic, ecological, recreational, scientific, cultural, and economic values of wetland resources.

*Policy:* Prohibit activities that impair wetland functions or threaten wetland values, such as construction of buildings, disposal of sewage, sludge or manure, and other inappropriate land use activities.

Ensure that development projects in wetlands (in this order) avoid, minimize, restore, reduce or eliminate over time, and/or compensate for functional wetland losses.



- Petition Section 18c addresses Wetland Resources
- Wildlife and Fisheries Resources
 

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

*Policies:* Regulate land use activities to protect habitats, including deer wintering areas and coastal bird nesting sites, ecosystems, food sources and other life requisites for wildlife species

Protect wildlife habitat in a fashion, which is balanced and reasonably considers the management needs and economic constraints of landowners.

Regulates land use activities to protect habitats for fish spawning, nursery, feeding, and other life requirements for fish species.

  - Petition Section 22 addresses Wildlife and Fisheries Resources
- Scenic Resources
 

*Goal:* Protect scenic character and natural values by fitting proposed land use activities harmoniously into the natural environment and by minimizing adverse aesthetic effects on existing uses, scenic beauty, and natural and cultural resources.

*Policies:* Encourage concentrated patterns of growth to minimize impacts on natural values and scenic character.

Regulate land uses generally in order to protect natural aesthetic values and prevent incompatibility of land uses.

Protect the scenic values of coastal, shoreland, mountain, recreation, and other scenic areas.

  - Petition Section 18h and 22 addresses Scenic Resources
- Location of Development, Jurisdiction-wide
 

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

*Policies:* Provide for a sustainable pattern of development consistent with historical patterns which directs development to suitable areas and safeguards the principal values of the jurisdiction, including a working forest, integrity of natural resources, and remoteness

Discourage growth, which results in scattered and sprawling development patterns.

Guide development to areas near existing towns or communities and in other areas identified as appropriate development centers.

Encourage conservation of select areas of the jurisdiction that are particularly representative of the jurisdiction's principal values and, overall, are especially valued for their remote and relatively undeveloped condition.

Work cooperatively with landowners to encourage the designation of large tracts of land with these values for limited or no development.

Allow well planned development in areas appropriate as new development centers where: (a) there is a demonstrated public demand for and benefit from the proposed development in that area; (b) there is a demonstrated need for locating the development not proximate to established developed areas; (c) the productivity of existing forest and agricultural resources in the jurisdiction is not unduly harmed; (d) recreational resources and uses are not unduly harmed; (e) remote, natural and plant or animal habitat values are not unreasonably degraded; and (f) needed services are available or can be provided without unreasonable financial, social or environmental costs to the public.

In areas which are not appropriate as new development centers, allow for (a) planned developments which depend on a particular natural feature, subject to site plan review, and (b) other development, subject to concept plan review.

Permit subdivision for the purpose of development only in areas zoned for development.

- Petition Sections 9, 10, 12, 13, 15, 19 and 21 address Location of Development

CLUP, pgs. 137-140.

The Concept Plan is designed to satisfy all of these goals and policies. The discussion of the principal values demonstrates how the Plan satisfies all of these goals and values as they relate to conservation, protection and enhancement of existing resources. The goals also relate to locating development.

The goals relating to development support and promote sound planning (including the separation of incompatible uses) and multiple uses. The policies listed for these sections call for concentrated growth that is close to service centers, existing communities, public roads and infrastructure. The Plan is based on principles of sound planning and these goals and policies are imbedded within the zoning approach. The Concept Plan provides for multiple uses and provides separation between incompatible uses, for example, by providing different trail systems for motorized and primitive recreationists.

The Plan provides the infrastructure needed to derive additional economic benefit from the natural resource-based tourism industry.

The Concept Plan:

- a. conserves important lake-related natural resource values,
- b. protects the remote character of the area;
- c. protects and preserves high value primitive recreation opportunities in perpetuity;
- d. removes development pressure from a vast expanse of high value working forest;
- e. provides tourism infrastructure necessary to stimulate the area's economy;
- f. protects water quality;
- g. proposes reasonable and limited shoreland development;
- h. provides a diversity of public recreation opportunities; and
- i. provides for uses within the Plan Area which are consistent with the stated purpose of the unorganized territories: non-intensive outdoor recreation, and fisheries and wildlife habitat protection.

## **Lake Management Program**

In 1990, the Commission amended the CLUP by adopting the *Amendment to the Comprehensive Land Use Plan Regarding the Development and Conservation of Lakes in Maine's Unorganized Areas* (also referred to as the "Lake Management Program"). The purpose of the *Amendment* was to incorporate two major planning initiatives undertaken by the Commission, the *Wildland Lakes Assessment* and the *Lakes Action Program* as well as to update information regarding the relationship between land use and water quality. As set forth in more detail below, the Plan is consistent with the policies and implementation measures set forth in the Lake Management Program.

Prior to presenting its 2005 Petition for Rezoning to the Commission the Applicant met with numerous individuals and officials, as well as some 30 organizations, in order to seek their input. Then, following the four LURC sponsored scoping sessions in summer of 2005, the Petitioner again met with over 100 interested groups and individuals. Following these meetings, and after further meetings with State and Federal officials, significant changes were made to the Plan.

The proposed Resource Plan Protection Subdistrict that this Concept Plan falls within encompasses far more than just the lake-related development planned for the area. Approximately 90,000 acres of donated conservation is offered to provided 1) a publicly beneficial balance, 2) comparable conservation, and 3) consistency with the CLUP. The Conservation Framework offers 341,000 acres as additional public benefit.

Development on lakes within the Plan Area is well below the Lake Management Program's planning guideline, that is, an average of one dwelling unit per 400 feet of shore frontage, and one dwelling unit per ten acres of lake surface area.

With respect to the Plan's residential development proposals on lakes, the same guidelines apply for assessing "environmental fit" as with other shoreland permitting activities. The Plan is consistent with the guidelines identified in the Lake Management Program.

- a. Natural and cultural resource values: The Plan utilizes the findings of the *Wildland Lakes Assessment* in siting contemplated development. All significant or outstanding natural resource values are maintained throughout.
- b. Water quality. No unacceptable water quality degradation will occur as a result of the development activities contemplated in the Plan. The phosphorus analysis in the appendix to the Plan addresses this issue.
- c. Traditional uses: Lake-related development within the Plan Area is consistent with traditional uses, including public recreation, sporting camp operations, and timber harvesting.
- d. Regional diversity: The Plan has no impact on other existing lake shoreland uses in the region.
- e. Natural character: The Plan maintains the natural character of the lakes within the Plan Area by providing for visual screening of development and structures and providing for the long-term protection of over 200 miles of undeveloped shoreland as part of the proposed development.
- f. Lake management goals: The proposed development zones adjacent to lakes and ponds are consistent with the stated management intent for all lakes which fall into one of the Commission's seven lake management classifications.

The Commission established the lake concept plan as a "flexible alternative to traditional shoreland regulation." It is designed to accomplish both "public and private objectives." The Plan provides permanent protection for resource values, which may otherwise be lost by incremental development. The Plan also provides the public with an increased knowledge of future development patterns within the Plan Area. Furthermore, the Plan "strikes a reasonable and publicly beneficial balance between development and conservation of lake resources," provides permanent protection for thousands of acres of shoreline and surrounding land and mountain resources, the zones have been located to meet the Lake Management Program.

## **Conclusion**

All of these CLUP goals, policies and programs were considered when the development zone location and allowable uses as well as the conservation components in the plan were designed to be consistent with and meet the CLUP goals and policies. The Petitioner recognizes that the natural resources within the jurisdiction are a magnet for outdoor enthusiasts. The Petitioner hopes to attract these people and others to this area by providing trails, public access on 340,000 acres, resorts and residential dwelling units that will allow current and future residents to prosper economically while continuing to enjoy the natural character of the area.



**12. The Commission’s plan encourages orderly growth within and proximate to existing, compatible developed areas. This is referred to as the “adjacency” criterion. When considering any petition for rezoning, the Commission places considerable weight on this objective. However, the Commission may consider adjusting the adjacency criterion when assessing concept plans, provided any such relaxation is matched by comparable conservation measures.**

**Does your proposal fit the adjacency objective? If so, describe in detail the type and amount of existing nearby development. Include the distance (by straight line and by road) of such development from your proposed area(s) of development.**

**Does the proposal require adjustment of the Commission’s adjacency policy? If so, explain why such adjustment is justified in the context of the Commission’s policies, and describe how the development gained through the adjustment is matched by comparable conservation measures.**

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### **Adjacency Analysis**

Analyzing “adjacency” in the context of a Concept Plan such as this involves several different questions. The following considerations should be included in the Commission’s review and conclusion of the adjacency requirement as it applies to the Plum Creek Concept Plan:

- a) adjacency can be waived on Class 3 Lakes, provided it can be shown that soils are suitable and water quality is not adversely affected;
- b) under the Concept Plan rules the Commission can adjust the adjacency standards provided adequate conservation balances the additional development; and
- c) the “one mile by road” standard was created for small, incremental development proposals and not for the landscape scale of this Concept Plan.

All of these factors contribute to the adjacency evaluation and give the Commission flexibility in interpreting and adjusting how it applies. Furthermore, adjacency is difficult to gauge given the Petitioner’s zone-based approach. Distances between existing LURC development zones (and existing development) and the Concept Plan development zones are provided in Table 1 below.

## **Adjacency on Class 3 Lakes**

Appendix C of the CLUP states “The commission supports additional responsible development around Class 3 lakes, yet will take care to ensure that their significant natural resource values are conserved. The Commission will waive the adjacency criterion for development proposals on these lakes provided it can be demonstrated to its satisfaction by clear and convincing evidence that the lake has no existing or potential water quality problems and that soils are suitable for development.”<sup>1</sup> Class 3 lakes in the Plan Area are Long Pond, Brassua Lake and Indian Pond. The Plan studies show soil and water issues are not be a concern on these ponds. Thus, because of the Commission’s waiver provisions, the lots on these three lakes do not have to meet adjacency. The same could be said of Moosehead Lake because it has Class 3 characteristics and LURC has listed it as both a “potential Management Class 3 Lake” and a “Class 7 Lake.”

The table below lists the number of lots within development zones associated with the designated Class 3 lakes. All lots will have single family dwellings, and therefore the number of proposed units is the same as the number of lots. Both shorefront and backlot units per lake are listed. The table also shows how many lots (shore and back) meet LURC’s “one mile by road” adjacency measure. All lot numbers are approximate because no subdivisions have been designed, or lots located, on-the-ground.

## **Adjacency and New Development Centers**

Both resort zones and residential development zones located proximate to the resorts constitute “new development centers;” both qualify as “major, intensive, recreational facilities.” As such, it is an open question as to whether adjacency is a factor to consider. If adjacency were not a requirement in these cases, the lots near each “center,” lots proposed near Big Moose Mountain resort, and near the Lily Bay resort, would not need to be counted for balance.

Furthermore, the resorts themselves, with a total of 1050 resort accommodations, do not require balance because they could be approved, without a Concept Plan, as Planned Development projects. Such projects do not require balance.

Regardless of this, the 90,000 acres Balance Conservation Easement provides adequate balance for the Concept Plan.

## **Existing Adjacent Development**

The Table 1 that follows documents the type and amount of existing, nearby development, by road and by straight line. It, too, could be interpreted in different ways. Further discussion on “balance” is in Section 21 of this Petition document.

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<sup>1</sup> See CLUP Appendix C-6.

The Table 1 that follows documents the type and amount of existing, nearby development, by road and by straight line. It, too, could be interpreted in different way to determine distance and comparability of nearby development. Further discussion on “balance” is in Section 21 of this Petition document.

**Table 1. Adjacent Development**

<i><b>Proposed Development Zone</b></i>	<i><b>Estimated Residential Dwelling Units</b></i>	<i><b>Township</b></i>	<i><b>Straight Line Distance to Nearest Development</b></i>	<i><b>Road Distance to Nearest Development</b></i>	<i><b>Type and Amount of Nearest Existing Development in a Straight Line.</b></i>
Long Pond North Central Shore	15	Long Pond	1,400' or 0.27 miles	12 miles	D-RS zone within 1,000' or 0.19 mile across Long Pond. There are about 42 dwellings within a one-mile radius
Long Pond South Shore	5	Long Pond	1,000' or 0.2 miles	0.6 mile	South Shore in a D-RS zone with 42 dwellings within a 1-mile radius.
Long Pond Northeast Shore	30	Long Pond	1.5 miles	12 miles	Nearest D-RS zone 1.5 miles away. There are no dwellings within a 1-mile radius.
Long Pond Southeast Shore	25	Long Pond	Within 1 mile	less than 1 mile	Nearest D-RS zone within 1 mile.
South Peninsula Brassua Lake	240	Sandwich Academy, Rockwood Strip West and East, Taunton & Raynham	2,500' or 0.47 mile	3 miles	Part of the subdivision within 1 mile of a D-RS zone. There are 23 existing camps on the southeast shore adjacent to the peninsula.
Brassua Lake Southeast Shore	3	Taunton & Raynham	500' or 0.1 mile	500' or 0.1 mile	D-RS zone within 500'. There are 30 existing camps within a 1-mile radius.
Brassua Lake East Shore	7	Rockwood Strip	2,500' or 0.5 mile	2.5 miles	D-RS zone along Moose River in Rockwood within 1 mile.
Blue Ridge (West)	70	Taunton & Raynham	500' or 0.1 mile	adjacent across Route 6/15	D-RS zone within 50'. About 30 existing camps within a 1 mile radius.

<b><i>Proposed Development Zone</i></b>	<b><i>Estimated Residential Dwelling Units</i></b>	<b><i>Township</i></b>	<b><i>Straight Line Distance to Nearest Development</i></b>	<b><i>Road Distance to Nearest Development</i></b>	<b><i>Type and Amount of Nearest Existing Development in a Straight Line.</i></b>
Rockwood Village West	25	Taunton & Raynham	1,000' or 0.19 mile	3,500' or 0.66 mile	D-RS zone within 1000' or 0.19 mile. There are around 100 dwellings within a 1-mile radius.
Blue Ridge Rockwood	65	Rockwood	500' or 0.1 mile	500' or 0.1 mile	D-RS zone within 2500' or 0.47 mile. There are 150-200 dwellings within a 1-mile radius.
West Outlet Shoreland	4	Taunton & Raynham	500' or 0.1 mile	within 0.5 mile	D-RS zone within 0.2 mile. There are about 44 existing dwellings within a 1-mile radius.
Sandbar Tract	2	Sandbar Tract	500' or 0.1 mile	600' or 0.11 mile	D-RS zone within 500'. There are 31 existing camps within a 1-mile radius.
Route 6/15 Corridor (West)	45	Taunton & Raynham	1.1 miles	3.7 miles	Two D-RS zones just over a mile from development. There are no existing dwellings within a 1-mile radius. Several (13) existing dwellings just outside the 1-mile radius.
Route 6/15 Corridor (East)	65	Taunton & Raynham	3,000' or 0.57 mile	1 mile	D-RS zone within 3,000' or 0.57 mile. There are about 50 existing dwellings within a 1-mile radius.
Sapling Shorefront	15	Sapling	1,200' or 0.23 mile	1.2 miles	D-RS zone within 1200' or 0.23 mile. There are about 30 existing camps within 2700' or 0.51 mile.
Deep Cove (Part of Big Moose Resort)	75	Big Moose	500' or 0.1 mile	1,000' or 0.19 mile once new roads connect new and old camps	D-RS zone within 1000' or 0.19 mile. There are 4 existing camps within a 1-mile radius.

<b><i>Proposed Development Zone</i></b>	<b><i>Estimated Residential Dwelling Units</i></b>	<b><i>Township</i></b>	<b><i>Straight Line Distance to Nearest Development</i></b>	<b><i>Road Distance to Nearest Development</i></b>	<b><i>Type and Amount of Nearest Existing Development in a Straight Line.</i></b>
Big Moose Mountain Resort	679	Big Moose	3 miles	5 miles	Adjacent to D-PD (Big Squaw Ski Area) zone. About 5 miles to Greenville by road.
Burnham Pond North and South Shore (Part of Big Moose Resort)	26	Big Moose	1.4 miles	Distance to camps on Moosehead Lake is 2 miles. It is 3.6 miles by back roads to Big Moose Ski Area or 5.2 miles on Route 6/15.	Nearest development is a D-RS zone comprising 4 cabins on Moosehead Lake 1.4 miles away. D-GN zone at Big Moose Ski Area is 1.5 miles away.
Indian Pond (Part of Big Moose Resort)	20	Indian Stream	0.8 mile	The nearest road is Route 6/15, just over 5 miles away.	D-RS and D-GN zones 0.8 mile across the Pond. There is an existing sporting residence within a 1-mile radius across the Pond. The Hydro-electric Dam is 4.56 miles away.
Moose Bay Village	112	Big Moose	4,300' or 0.81 mile	1 mile	D-RS and D-GN zones all within 1 mile. There are about 150-200 dwelling units within these zones.
Beaver Cove	32	Beaver Cove	3,000' or 0.57 mile	1 mile	D-RS zone 3,168' or 0.6 miles away. There are over 50 dwellings within a 1-mile radius
Upper Wilson Pond West Shore, Southwest Peninsula, West Shore Highlands	32	Bowdoin West	1,500' or 0.28 miles	1,800' or 0.34 mile	D-RS zone within 2,000' or 0.38 mile on Greenville/Bowdoin West town-line. There are 19 existing camps within a 1-mile radius.



<i><b>Proposed Development Zone</b></i>	<i><b>Estimated Residential Dwelling Units</b></i>	<i><b>Township</b></i>	<i><b>Straight Line Distance to Nearest Development</b></i>	<i><b>Road Distance to Nearest Development</b></i>	<i><b>Type and Amount of Nearest Existing Development in a Straight Line.</b></i>
Lily Bay Resort	250	Lily Bay	1,000' or 0.19 mile	1,000' when new road is put in.	D-RS zone within 2,000' or 0.38 mile. There are 40 dwellings within 1-mile radius.
Lily Bay (D-RS3M zone)	130	Lily Bay	2.5 miles	3.7 miles	D-RS zone at Steven's Point 4.2 miles away. A second D-RS zone at Carleton Point 2.6 miles away. There are no dwellings within a 1-mile radius.
Lily Bay (D-RS2M zone)	24	Lily Bay	4,400' or 0.83 mile	1.3 miles	D-RS zone 4,400 feet or 0.83 mile away. There are over 30 dwellings within a 1-mile radius.

**Note:** All data in the above table is based on USGS topo maps using the Terrain Navigator Pro program and LURC maps. Number of existing dwellings is thus conservative, as recent construction was not taken into account.

[Note: All data in the above table is based on USGS topo maps using the Terrain Navigator Pro program and LURC maps. The number of existing dwellings is thus conservative, as recent construction was not taken into account.]

### **Adjacency Based on “One-Mile by Road”**

The following two tables calculate unit/lots that do and do not meet adjacency based on the one-mile-by-road rule. The tables show that 372 units meet this rule and 603 do not. However, because the Commission is required to waive adjacency (provided certain criteria are met) on Management Class 3 lakes (i.e., Brassua and Long Pond), 345 of the 603 “non-adjacent” units could be waived from the adjacency requirement, if all development on these ponds is considered. If only shorefront development is considered waived then 170 units out of 603 units could be waived. In sum, 258 (or 433, if just shorefront development is waived) out of 975 Residential Dwelling Units do not meet adjacency; 717 units (or 542 units) meet adjacency under these scenarios.

**Table 2. Summary of Adjacency of Proposed Residential Development**

<i><b>Area</b></i>	<i><b>Location</b></i>	<i><b>Estimated Shoreland Units</b></i>	<i><b>Estimated Backland Units</b></i>	<i><b>Total Estimated Units</b></i>
Beaver Cove	Beaver Cove	0	32	32
Blue Ridge/Rockwood	West Rockwood	3 0	47* 25	50 25

	Village East	0	50*	50
Brassua	East Shore	10	0	10
Lily Bay Residential	Lily Bay East	0	8	8
Long Pond	Southwest Shore	5	0	5
Moose Bay	Moose Bay	12	100	112
Rt. 6/15 Corridor	North	6	25*	31
Back Lots	Sapling	15	0	15
	Sandbar	2	0	2
Upper Wilson Pond	Peninsula	8	0	8
	West Shore	8	0	8
	West Shore Highlands	0	16	16
				372

[Note: \* represents those units within zone estimated to be within one mile by road. Shaded rows show areas/units on Class 3 lakes where the Commission may waive adjacency.]

**Table 3. Summary of Proposed Residential Development that does not Meet Adjacency**

<i>Area</i>	<i>Location</i>	<i>Estimated Shoreland Units</i>	<i>Estimated Backland Units</i>	<i>Total Estimated Units</i>
Blue Ridge/Rockwood	Central	0	35	35
Brassua	South Peninsula	100	140	240
Lily Bay Residential	Lily Bay	0	130	130
	North	0	16	16
	Lily Bay East			
Long Pond	Northwest	15	0	15
	Northeast	35	0	35
	Southwest	20	35	55
Rt. 6/15 Corridor	North	0	77	77
				603

[Note: Shaded rows show areas/units on Class 3 lakes where the Commission may waive adjacency.]

## Conclusion

Clearly there are different ways to look at and interpret adjacency especially given that this Concept Plan can plan mixes traditional approaches to both Concept Planning and prospective zoning, to achieve the end results. The above analysis shows an approach based on certain assumptions. Under this broad analysis some of the lots may

require “comparable conservation.” However, regardless of how adjacency is interpreted, a reasonable balance has been achieved, especially when compared to other concept plans. This balance is achieved with the over 90,000-acre Balance Conservation Easement that abuts the proposed development zones, along with the numerous public benefits described elsewhere in this document.

**13. Protection Zoning: Is the P-RP zone that you propose more appropriate for the protection and management of *existing* uses and resources in the area? If so, describe how the P-RP zone is more appropriate.**

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The Commission's statute provides that the Commission must find that the applicant for a rezoning petition has demonstrated that:

- A. The proposed land use district is consistent with the standards for district boundaries in effect at the time, the comprehensive land use plan<sup>1</sup> and the purpose, intent and provisions of this chapter; and
- B. The proposed land use district satisfies a demonstrated need in the community or area and has no undue adverse impact on existing uses or resources or a new district designation is more appropriate for the protection and management of existing uses and resources within the affected area.

12 M.R.S.A. §685-A(8-A(8)) (footnote added).

The statutory purpose and intent guiding the Land Use Regulation Commission is set out in 12 M.R.S.A. §681. This section provides:

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

In addition, the Legislature declares it to be in the public interest, for the public benefit and for the good order of the people of this State, to encourage the well planned and well managed multiple use of land and resources and to encourage the appropriate use of these lands by the residents of Maine and visitors, in pursuit of outdoor recreation activities, including, but not limited to, hunting, fishing, boating, hiking and camping.

The statutory purpose and intent are consistent with the major goals of the Comprehensive Land Use Plan (CLUP) and can be summarized as follows:

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<sup>1</sup> Consistency with the Comprehensive Land Use Plan is discussed in Section 11, Consistency with CLUP.

- Protect the character and values of the area;
- Prevent the mixing of incompatible uses;
- Protect the ecological and natural resources;
- Encourage well planned multiple uses of the land and resources and appropriate use of the land for outdoor recreational activities.

### ***Protect the character and values of the area***

The Plan protects the character and values of the area more effectively than LURC's current zoning in a number of ways. First, the Plan protects the unique, remote character of the area by providing unprecedented conservation opportunities. Approximately 90,000 acres of land in the Plan Area is offered as balance for the development proposed in the Plan. Moreover, the Conservation Framework, offered as an additional donated conservation public benefit, provides the opportunity to permanently conserve an additional 340,000 acres of forestlands, wildlife habitat, botanical habitats, watersheds, ponds and other high value natural resources. Together, these conservation components provide permanent protection of the natural resources of this vast area. Second, the Plan protects and facilitates the traditional uses of the lands. The Balance Conservation Easement and the Moosehead Legacy Easement, also guarantee public access to these lands for recreational opportunities, such as hiking, fishing, hunting, cross-country skiing, snowmobiling and boating. Third, the Plan locates development near or adjacent to existing communities and public roads and contains sprawl by surrounding the proposed development with the Balance Conservation Easement. Finally, the uses in the development proposal are consistent with and compatible with historic uses and development patterns.

### ***Prevent the mixing of incompatible uses***

The locations of the development zones created by the Concept Plan are designed to complement and supplement, development that already exists in the towns of Greenville and Jackman, as well as the villages of Beaver Cove and Rockwood areas. Furthermore, these development zones are adjacent, or nearby, to areas that have been developed in the past. All are proximate to public roads and existing infrastructure. Measures have been taken to prevent the mixing of incompatible uses. For instance, the development zone for the Big Moose Mountain resort area is located next to an existing downhill ski resort. Some of the proposed development meets the adjacency requirements or is located on Management Class 3 Lakes. Any units that require a waiver of the adjacency requirement are compensated for by the 90,000 acres of land offered as comparable conservation and publicly beneficial balance.

### ***Protect the ecological and natural resources***

The Concept Plan protects important ecological and natural resources in several ways. First, the conservation components forever protects identified high value forest types and wildlife, botanical and fishery habitats. Second, development locations are selected to avoid high value resource areas. All shorefront development areas will contain open space and will be sited and designed to conserve high value resources. The development zones were sized to allow for flexibility to accommodate existing protection zones and sensitive areas. These areas, although within zones, will not be developed.



***Encourage well planned multiple uses of the land and resources and appropriate use of the land for outdoor recreational activities***

The Plan presents a proposal for multiple land uses consistent with existing uses in the area. A key element of the Plan is the permanent opportunity for a broad spectrum of outdoor recreational activities. These, in combination with the permanent conservation, residential development and resorts, open the door to sustainable, nature-based tourism, which can revitalize the economy of the region.

The Regulatory requirements of the Commission's rules must also be satisfied. Chapter 10, section 23(H)(6) sets out the review criteria for a Concept Plan. They are:

- a. The plan conforms with redistricting criteria;
- b. The plan conforms, where applicable, with the Commission's Land Use Districts and Standards;
- c. The plan conforms with the Commission's Comprehensive Land Use Plan;
- d. The plan, taken as a whole, is at least as protective of the natural environment as the subdistricts which it replaces. In the case of concept plans, this means that any development gained through any waiver of the adjacency criteria is matched by comparable conservation measure;
- e. The plan has as its primary purpose the protection of those resources in need of protection, or, in the case of concept plans, includes in its purpose the protection of those resources in need of protection;
- f. In the case of concept plans, the plan strikes a reasonable and publicly beneficial balance between appropriate development and long-term conservation of lake resources; and
- g. In the case of concept plans, conservation measures apply in perpetuity, except where it is demonstrated by clear and convincing evidence that other alternative conservation measures fully provide for long-term protection or conservation.

The redistricting criteria are discussed in this section of the Petition for Rezoning. The conformance with the Commission's standards is addressed in Section 19 of this Petition for Rezoning. Conformity with the CLUP is addressed in Section 11 of this Petition for Rezoning.

As is discussed in Section 12 (Adjacency) of this Petition for Rezoning, adjacency may be waived on Class 3 lakes. Some areas proposed for development comply with the Commission's general requirement of comparable development within one mile. Concept Plans allow the Commission to waive adjacency if comparable conservation is provided. Some areas proposed for development require a waiver of adjacency. To support a waiver, Plum Creek has provided comparable conservation.

The Plan taken as a whole is more protective of the natural environment because it limits development to approximately 5% of the Plan acreage. The units that will be gained by waiver of the adjacency criteria is more than matched by the over 90,000 acres of donated conservation easement. This conservation easement and the proposed Conservation Legacy Easement

permanently remove residential and commercial development pressure from the conserved areas. Permanent conservation of such a vast tract of land is more protective of the natural environment than the regulatory protection in place today.

Two key principles of the Concept Plan are to protect natural resources and maintain the unique character of the region. This is accomplished by the provisions of the Concept Plan's conservation components and by limiting development to areas adjacent, or nearby, existing development. It is also important to recognize that the Plan fixes in time the Protection Subdistricts, except for specific P-GP subdistricts which the Plan proposes to rezone for residential subdivision development.

The Concept Plan provides a reasonable and publicly beneficial balance between appropriate development and long-term conservation by donating to the state a conservation easement on over 90,000 acres which includes all of the shorefrontage Plum Creek owns on 60 lakes and ponds and approximately 70% of the shoreline on the 6 lakes and ponds where development zones are proposed. Further, the areas and resources proposed for protection retain the unique character of the area and preserve significant resources.<sup>2</sup>

The conservation measures proposed in the Plan apply in perpetuity. Moreover, the Conservation Easements and fee sales that may be achieved in the Conservation Framework would be permanent.

Finally, the P-RP designation is more appropriate for the protection and management of the resources of these 408,000 acres because it allows Plum Creek to propose a Concept Plan. The concept plan mechanism is the best, and only, means for Plum Creek, a private land owner, to propose a long term, comprehensive vision for its privately held land in the Moosehead region. Only through such a private initiative can the massive conservation of natural resources, that is proposed here, be achieved.

## **Demonstrated Need**

A rezoning petition must substantiate that a particular need exists in the community or region in question in order to meet the statutory and regulatory requirements outlined above. LURC issued a guidance document titled "Clarifying the Rezoning Criterion of 'Demonstrated Need'" on April 1, 2004. The Plum Creek Concept Plan functions to substantiate multiple demonstrated need factors. Through dialogues with interest groups, citizens and in comments made during the Commission's scoping sessions and written comments provided to the Commission, several "needs" for the Plan Area have been consistently stated and appear to have universal support.

Needs relevant to the area proposed for rezoning are identified below and addressed by the Plum Creek Concept Plan.

- Economic benefit/development

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<sup>2</sup> Also see Section 21, which discusses the balance between development and conservation.

It is widely accepted that there is a need in the Plan Area and surrounding local communities and service centers for economic development, a listed LURC need. The Plan promotes economic growth/opportunity in several ways. The two proposed resorts, Big Moose Mountain and Lily Bay, together with the residential development component of the Concept Plan will be the primary drivers of economic growth. The proposed resort developments are consistent with economic activities that have historically occurred in the area and are consistent with the character of the area. The resorts will provide jobs on both a seasonal and year-round basis. The two resorts will add to the appeal of a range of housing types in the area, including vacation and retirement buyers and working people. Residential development will increase the pace of construction in the area, while the resort will draw the attention of a broad audience. Early development of the resorts is important for overall success. The resort developments will raise the region's profile and draw attention to recreational opportunities together with recreational and retirement housing. Travelers to the region interested in property will want to stay at the resorts and experience the recreational offerings of the Moosehead region. The relationship between the resorts and residential development is one of mutual support requiring that both occur simultaneously to achieve the optimal outcome for the region. These construction jobs will be for 8-15 years. This time frame provides the construction industry with a steady stream of work and provides a reasonable business-planning horizon.

- Support for forestry

Another LURC identified factor for substantiating demonstrated need is support for forestry. One of the primary purposes and goals of the Concept Plan is to establish the working forest conservation easements in order to protect the forest industry. The Plan proposes permanent conservation through both the working forest Balance Conservation Easement and the Conservation Framework. These conservation measures remove the residential development rights from this acreage. With development rights removed, land management activities will focus on sustainable forestry. The Concept Plan enables forestry to remain a primary use in the Plan Area.

- Permanent conservation to protect the character of the area

A stated LURC factor for substantiating demonstrated need is compatibility with community character. In addition to preserving and enhancing the working forest, the proposed conservation easements on vast blocks of land guarantee that the unique and remote character of the area will be protected as a working forest. This protection ensures that the natural resource values of the area will continue to draw and inspire visitors.

In addition to forestry, the Moosehead Lake region community character is also one of outdoor recreation and has long served as a destination for hunters, fishers, and wilderness enthusiasts. The tradition dates back to 1844 when the Mount Kineo House summer resort drew hundreds of tourists each year. Facets of the Concept Plan that contribute to the outdoor recreation community character include extension and enhancement of hiking, cross-country skiing, and snow mobile trails, conservation easements that guarantee public access, and other planned recreational facilities associated with resort development.

- Guaranteed public access and support of the natural resource based outdoor recreation industry (need for permanent snowmobile, hiking, biking and cross-country skiing trails);

The public access guaranteed by the donated conservation easement and the Moosehead Legacy Easement will significantly enhance the ability of the existing nature based tourism service providers to expand and grow and for opportunities for more service providers to develop businesses in the area. In addition, the 150 miles of permanent hiking and snowmobile trail easements (as well as the recreational facilities associated with the resorts) support and enhance existing and new opportunities for the natural resource based outdoor recreation industry.

- Housing Affordable to Local Residents and Public Benefit

The Plan proposes to provide 100 acres for affordable/workforce housing. This housing will be located outside the Plan Area in Greenville, Rockwood and Jackman. About 75 acres of land is to be set aside for affordable/workforce housing within the Plan Area. In addition to providing the land, Plum Creek is exploring partnerships with affordable housing providers including the Coastal Enterprise Institute, to ensure that such housing occurs.

- Special Community or Public Benefit.

LURC identifies special community or public benefit to be a key factor in substantiating demonstrated need. The Concept Plan project provides multiple community and public benefits, many of which also contribute to other need factors listed above. Public benefits provided by the Plan include the Conservation Framework working forest conservation easement that will prevent residential development and guarantee public access in perpetuity, public access component of all the conservation easements, protection of shoreland throughout the Plan Area, containment of development to prevent sprawl, the affordable housing component, and the economic stimulus that all the component parts of the Plan contribute to the local communities and the region.

Also, the declining population in the region has had a negative impact on the health and educational services along with other public infrastructure. With an increased population as a result of the Plan components, these services will be reinvigorated.

**14. Shoreland Criteria:** The Commission's lake management program contains policy statements that include review criteria for permit applications (including petitions for rezoning prior to such activities) that could affect the shoreline. These special review criteria for intensive development proposed on lakes are included in the Commission's Land Use Districts and Standards under provisions of Section 10.25,A. If your petition for rezoning includes any shoreland areas, carefully read and refer to the Review Criteria for Shoreland Permits in Appendix C of the Comprehensive Land Use Plan (pages C-4 and C-5) and the Review Standards for Structures Adjacent to Lakes in Section 10.25,A of the Commission's Land Use Districts and Standards. Explain how the proposed rezoning is consistent with the following criteria.

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a. Natural and Cultural Resource Values: The proposal will not adversely affect natural and cultural resource values identified as significant or outstanding in the Wildland Lakes Assessment.

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The CLUP states, "The Commission will utilize the findings of the Wildland Lakes Assessment and other information sources in evaluating the merits of lake-related development. The Commission will, at a minimum, specifically consider all natural resource values that received a rating of either "significant" or "outstanding" in the Assessment, and will look for a demonstration that these values will be maintained."<sup>1</sup>

Of the six lakes and ponds where shoreland development is proposed, 3 are rated as 1A (of statewide significance, with two or more outstanding values); 2 are rated 1B (of statewide significance, having one outstanding value) and 1 is rated 2 (having regional significance, with no outstanding values, but at least one significant value). Following is a discussion of each of the natural resource values, the lakes that are rated outstanding or significant for these values, and how the proposed development will protect them.

### **Fisheries**

All six lakes and ponds are rated as either significant or outstanding for their fisheries. The Maine Department of Inland Fisheries and Wildlife ("MDIF&W") has established special regulations for these water bodies in order to protect the integrity of the fisheries.

LURC's standards for shorefront setbacks, vegetative clearing, and the state plumbing code are designed to minimize potential negative effects of development near lakes and ponds. The Plan adopts these standards in their entirety.

### **Wildlife**

All the lakes and ponds but Brassua Lake are rated as significant or outstanding for their wildlife, however, there are two eagle nest sites on Little Brassua that require special consideration. These two sites are both on the west shore, near the inlet of the Moose River. MDIF&W regulations restrict activities within ¼ mile of nests; the nearest proposed

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<sup>1</sup> See CLUP pg. C-4.



development is more than a mile over the water, and so does not pose a threat to these nest sites. Furthermore, the shorefront on this part of the lake is proposed for permanent conservation. Based on surveys of the proposed development areas there are no unique habitats that will be impacted.

### **Scenic Quality and Shoreline Character**

Long Pond, Moosehead Lake and Upper Wilson Pond have significant or outstanding scenic quality and shore characteristics according to the Wildlands Lake Assessment. The Plan utilizes various mechanisms for minimizing impacts to these values on the lakes and ponds:

1. The Plan designates most of Plum Creek's shorefrontage on these water bodies for permanent conservation.
2. The Plan adopts LURC's existing vegetative clearing standards and open space standards..
3. The Plan requires that lot buyers join homeowner associations that will have covenants restricting building height, color, and materials in order to ensure the development fits harmoniously within the environment. .

The Plan establishes standards to minimize visual impacts of buildings and roads .

### **Permanent Conservation:**

The Plan proposes to balance shorefront development on six lakes and ponds with significant permanent shoreland conservation on those same waterbodies. Taken together, two-thirds of all the shoreland owned by Plum Creek on these six waterbodies will be conserved. The easements will ensure that most of the Plum Creek shoreland will remain as it is today.

### **Vegetative Clearing Standards:**

The Plan adopts LURC's current standards for clearing in areas up to 250 feet from the water. These standards are newly adopted by LURC, and impose strict limits on clearing on and adjacent to the shorefront. The effect of these standards will be to screen views of buildings from the water. Because all buildings will be set back from the shore at least 100 feet, there will be a substantial amount of tree cover between structures and the shore. This is one of several standards that will minimize any impacts to scenic quality.

### **Homeowner Association Covenants:**

The form Homeowner Association Declaration and Covenants stipulate that there will be limits to building height, color, and material in order to minimize their visibility from the water. Buildings cannot be more than 35 feet from the highest natural grade adjacent to the house, building colors must be natural and blend with their surroundings, and reflective materials cannot be used. These measures add a further layer of protection of the scenic quality and shore character of the lakes and ponds.

### **Botanical Features, Cultural Resources, Physical Resources**

Moosehead Lake is rated as outstanding for its botanical, cultural, and physical resources; Long Pond and Brassua Lake are rated as "outstanding" for their cultural resources; Brassua Lake, Indian Pond and Moosehead Lake have significant or outstanding cultural resources; and Upper Wilson Pond is rated as a significant physical resource. The conservation proposed by the

Plan, in conjunction with the development guidelines and standards, will ensure that these values are protected for the long term.

A Phase 0 Archeological Study has been conducted. Areas of concern on Long Pond underwent the Phase I analysis and the results will be incorporated in subdivision design. Brassua Lake, Moosehead Lake and Indian Pond are all regulated by dams and cultural resources inventories were conducted by dam owners during relicensing. The Concept Plan will not impact these cultural resources.

Additionally, there were no unique botanical resources or features identified in the initial report prepared by Woodlot Alternatives, Inc. or identified by Maine Natural Areas Program.

b. Water Quality: The proposal will not, alone or in conjunction with other development, have an undue adverse impact on water quality.

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Plum Creek has contracted with DeLuca Hoffman, Associates to conduct preliminary phosphorus studies of the proposed development. The preliminary phosphorus report is attached at Appendix C of this Concept Plan and a basis for design report attached at Section 18c of this Petition for Rezoning. The phosphorus study's methodology is based on the Maine Department of Environmental Protection's 1992 document titled: "Phosphorus Control in Lake Watersheds: A Technical Guide to Evaluating New Development." This methodology takes into consideration the sensitivity of the waterbody with regard to the resources that need to be protected, the current development within the township or watershed, the proposed development in the township or watershed, and any other development that may occur over the next 50 years.

*"The Commission will give specific consideration to the effect that a proposed development will have on lake water quality. For proposed development on lakes, the Commission will require a finding regarding the probable effect of the proposed action on lake water quality. In those instances where it is determined that an unacceptable increase in phosphorus concentration may occur, the applicant will be required to take additional measures to protect lake water quality. If unacceptable water quality degradation will result regardless of additional measures, the Commission will deny the application.*

*Independent of its review of specific proposals, the Commission will initiate actions aimed at refining its approach to evaluating lake water quality. This will include updating its approach to identification of water quality limiting lakes and switching to a one part per billion change in phosphorus concentration as an indicator of unacceptable water quality degradation, consistent with DEP's policy for the rest of the state." – CLUP, p. C-4.*

The study concludes that phosphorus loading from the proposed development will be within acceptable levels, by adherence to the Land Use Standards Volume 3, Section 4, Sub-Chapter II of the Concept Plan. Standard mitigation measures are recommended for subdivisions

on Burnham Pond, including vegetative buffers, minimizing road and driveway construction, infiltration areas, and wet basins, as well as temporary and permanent erosion control measures.

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c. Traditional Uses: The proposal will not have an undue adverse impact on traditional uses, including without limitation, non-intensive public recreation, sporting camp operations, timber harvesting, and agriculture.

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One of the primary purposes of the Plan is to protect and promote traditional uses of the Plan Area and the larger Moosehead Lake region. To this end, the Concept Plan conserves in perpetuity large blocks of forest land for forestry and recreation; it includes two resort development areas, one on each side of Moosehead Lake, in order to promote traditional uses and non-intensive public recreation; and it guarantees in perpetuity traditional public access to all lands within the conserved areas to ensure these recreational uses continue indefinitely into the future. These four cornerstones of the Plan — permanent working forest, economic development, public access for recreation, and conservation — together constitute the bedrock on which the Moosehead region can build its future while protecting its natural and cultural heritage.

*“The Commission will consider lake-related development proposals in a regional context. The objective will be to determine the effect of substantial land use changes on the diversity of lake-related uses afforded in any region of the jurisdiction. The Commission will make this determination based on a summary of existing lake shoreland uses in the region of the State where the proposed development will be located. The region is considered to be either the township in which the development will be located and the eight townships which abut that township, or, all townships abutting the lake in question, whichever is larger.” – CLUP, C-5.*

d. Regional Diversity: The proposal will not substantially alter the diversity of lake-related uses afforded within the region in which the activity is proposed.

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This Plan affirms and supports the full diversity of uses within the Plan Area, whether on land or water. The Plan does not alter the current diversity of uses of the land, but rather provides a coherent, planned use of the landscape that promotes a wide diversity of traditional uses.

Canoeists, kayakers and fishers will be able to put in at any of the conserved shorelands for a lunch break. Guides, guests and residents will have access to the forest lands to watch moose or eagles. Traditional public access will ensure these activities will continue to be a part of the Moosehead region’s attractiveness.

The Plan promotes snowmobiling, hiking, biking, and cross-country skiing by providing for the creation of 154 miles of trails. The resorts will provide additional recreation amenities and opportunities.

e. Natural Character: Adequate provision has been made to maintain the natural character of shoreland.

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The Plum Creek Plan includes numerous provisions to protect the natural character of the Moosehead region. As the CLUP recommends, setbacks, clearing standards, shoreland conservation, and shared facilities are made part of the Plan in order to minimize any impacts on scenic or natural character.

Specifically, the Plan does the following to protect the resources in accordance with CLUP recommendation:

- The Plan designates most of Plum Creek's shorefrontage on these water bodies for permanent conservation.
- The Plan adopts LURC's existing vegetative clearing standards and open space standards.
- The Plan requires that lot buyers join homeowner associations that will have covenants restricting building height, color, and materials in order to ensure the development fits harmoniously within the environment.
- The Plan establishes standards to minimize visual impacts of buildings and roads

*"The Commission will seek to maintain the natural character of lakes by encouraging: visual screening of larger developments and non-conforming structures; consolidated use of recreation facilities such as boat docks and access ramps; and provisions for long-term protection of undeveloped shoreland as part of subdivisions and commercial, industrial, and other non-residential proposals.*

*Independent of its review of specific proposals, the Commission will adopt stronger shore frontage, setback, and clearing standards in order to maintain the natural character of lake shorelines in the jurisdiction."* – CLUP, C-5.

f. Lake Management Goals: The proposal is consistent with the management intent of the affected lakes' classification.

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Of the six lakes and ponds where Plum Creek is proposing development, three (Brassua Lake, and Indian and Long Ponds) are Class 3, one (Burnham Pond) is Class 7, one (Upper Wilson) is Class 4, and one (Moosehead Lake) is classified as both Class 7 and as "potential Class 3."<sup>2</sup>

#### **Brassua Lake, Indian Pond and Long Pond**

*"The Commission supports additional responsible development around Class 3 lakes, yet will take care to ensure that their significant natural resource values are conserved. The Commission will waive the adjacency criterion for development proposals on these lakes provided it can be*

*"In reviewing development proposals on or near lakes which fall into one of the Commission's seven lake management classifications, the Commission will seek to ensure that the proposed activity is consistent with the stated management intent for that class of lake."* – CLUP, C-5.

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<sup>2</sup> See pages C-8 and C-13 of the CLUP.

*demonstrated to its satisfaction by clear and convincing evidence that the lake has no existing or potential water quality problems and that soils are suitable for development. This waiver is strictly limited to shoreland, and proximate areas may not subsequently use shoreland development on Class 3 lakes to meet the adjacency criterion.”<sup>3</sup>*

The development for Brassua Lake, Indian and Long Ponds is consistent with the management goals for Class 3 lakes. The Deluca Hoffman study has determined that the proposed development will not adversely affect water quality (see the Phosphorus Study in the Appendix C.)

Preliminary soil surveys have been conducted for all the shoreland areas where development is proposed. The results of these studies can be found in the S.W. Cole Report, “Soils Mapping and Evaluation, Moosehead Lake Region, Maine” at Section 18c of the this document. The soils analysis has been conducted according to the standards set under Chapter 10, Section 10.25G.2 of LURC’s standards, and has concluded that all proposed development zones are suitable for the land uses in the Plan.

Finally, the significant natural resources of these lakes will be conserved through the use of conservation easements, open space standards, and development standards. See the discussion under question (a) above for details on how the Plan conserves the values of these waterbodies.

#### **Burnham Pond, Moosehead Lake**

*“Management Class 7 consists of all lakes not otherwise classified, including many lakes which have multiple outstanding or significant resource values identified in the Wildland Lakes Assessment. The Commission will manage these lakes for multiple use, including resource conservation, recreation, and timber production, giving specific consideration to identified resource values when evaluating the merits of lake-related rezoning and permit applications.”<sup>4</sup>*

Consistent with the Commission’s goal of managing Class 7 ponds for multiple uses, the Plan proposes permanent conservation, recreational uses, and timber production for Burnham Pond and Moosehead Lake. The shoreland within the Balance Conservation Easement will be conserved thereby providing a guarantee of public access, ensuring that these waterbodies will be able to be used for recreation by all forever. In addition, the easements will protect fish and wildlife habitat and scenic values. There are LURC-identified wildlife habitat zones on waterbodies, but no part of these zones will be developed. Finally, the areas surrounding the waterbodies and within the shoreland itself will have continued sustainable forestry uses, ensuring that timber production will remain one of the important uses of this land.

#### **Upper Wilson Pond**

*“Management Class 4 lakes are high value, developed lakes. The Commission's goal for these lakes is to allow a reasonable level of residential and recreational development while conserving natural resource values and maintaining undeveloped shoreland areas. The Commission will take special care in evaluating and regulating new subdivisions proposed on these lakes and will*

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<sup>3</sup> CLUP, p. C-7.

<sup>4</sup> CLUP, p. C-8.



*require cluster development to protect natural values except where clearly inappropriate due to site characteristics.”*

The planning for Upper Wilson Pond has been particularly careful, in consideration of its status as a Class 4 lake. No development is allowed on the East shore of the pond and the permanent conservation easement applies to the shorefront. Thirty-two residential dwelling units, 16 shorefront and 16 back lots, are proposed for the western shore of Upper Wilson Pond. Consistent with Management Class 4 lakes, clustering has the benefit of more of shoreland that can be placed in permanent conservation. More than three quarters of Plum Creek’s ownership on Upper Wilson Pond will be placed in conservation easements of the Plan, protecting the fisheries, wildlife habitat, shore character and physical resources that are rated as significant or outstanding on this pond.

A bald eagle’s nest has been on an island in South Cove on Upper Wilson Pond. There is no development proposed for the east shore of the pond, therefore, the ¼-mile radius within which the Maine DIF&W prohibits disturbance will not be violated.

g. Landowner Equity: Where future development on a lake may be limited for water quality or other reasons, proposed development on each landownership does not exceed its proportionate share of total allowable development.

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Plum Creek is not exceeding its proportionate share of total allowable development. Rather, the Concept Plan only utilizes approximately a quarter of the potential proportionate share of the land and shorefront. The protection of more than two thirds of its ownership on Moosehead Lake and the other lakes and ponds in the Plan Area satisfy the landowner equity requirement. Specifically, ninety percent of the shorefront in the Plan Area will be conserved, and 67% of Plum Creek’s shorefront ownership on Moosehead Lake will be conserved. In addition, and as noted in section B, for Brassua Lake, Indian Pond, Long Pond and Upper Wilson Pond, phosphorus is a potential water quality problem. For those lakes, phosphorus loading from the proposed development will be well within acceptable limits, even without standard measures to control phosphorus. Plum Creek is the sole owner of the shorefront of Burnham Pond. Hence, for lakes and ponds in the Plan Area, the proportionate share of total allowable development is not exceeded.

*“In certain instances, the amount of future development along a given lake’s shoreline may need to be restricted due to water quality or other limitations. This can potentially cause an equity problem in that a landowner not wishing to develop his or her land in the short term could be precluded from developing at a later date due to heavy development on other parcels.*

*A landowner should not be penalized for voluntarily foregoing early development on lakes where development is otherwise allowed. In cases where future development may be restricted, each landowner should be allotted a percentage of allowable future development proportionate to the extent of his or her ownership. Where a landowner proposes to exceed this proportion, development rights should be acquired from other landowners.” – CLUP, C-5.*

**15. Anticipated Favorable Impacts: Do you anticipate that your proposed use of the land would result in any favorable impacts on any of the surrounding land, resources, and/or uses in the community or area? If so, describe in detail the anticipated favorable impacts.**

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**Land Use**

**Predictability for future long-term development in the Plan Area.**

The Concept Plan process enables predictable development to be carried out over the 30-year life of the Plan. There will be certainty about what uses will be allowed and how much.

The Concept Plan locates development zones in areas appropriate for growth. It prevents sprawl by consolidating and limiting the development areas. The development zones are located near service centers and existing communities of Rockwood, Jackman and Greenville. The location is appropriately located along transportation corridors, including along Route 6/15 between Greenville and Jackman, and Jackman and Rockwood and along the Lily Bay Road on the east side of Moosehead Lake.

**Preserve the values of the Moosehead Region.**

The comprehensive nature of the Concept Plan protects and enhances the value of the region. It integrates conservation easements with adjoining State and privately owned conservation lands; promotes a working forest; preserves lake and pond shorefront and water quality; guarantees public access to natural resources; provides greater recreational opportunities; protects high value remote recreation opportunities; and contributes to the local economies.

**Working Forest Conservation.**

The Concept Plan will assure contractors and customers that this “wood basket” can continue to provide wood and fiber for businesses in the area and Statewide. Through the Concept Plan conservation components, including the Balance Conservation Easement and the Conservation Framework (both discussed below), Plan approval, will ensure a continuing base for the forest products industry. The terms of the easements will preclude development and require sustainable forestry. In total the Plan and Conservation Framework envisions 340,000 acres of permanent working forest in the Plan Area. This level of permanent conservation removes development pressure from this vast forest tract eliminating forever, piecemeal, unregulated development.

It will foster the possibility of related development vital to the economic well being of the local communities and could enhance the possibility of attracting a new sawmill operation to the region. A protected working forest facilitates long-term investment around working forest “customers.”

### **Forest Management Standards.**

Plum Creek lands are managed under Sustainable Forestry Practices. Plum Creek benefits from consistent forest management practices, with respect to long-term silvaculture investment and planning. The working forest conservation easements require these practices will be implemented in the future, regardless of ownership.

### **Region-wide, coordinated, land uses.**

One of the chief favorable impacts of Plum Creek's proposed rezoning Plan is its coordination of land uses so as to create a long-term balance of economic opportunities and conservation over a region-wide area.

Plum Creek owns approximately 71% of the land in the Moosehead Lake area. The Plan Area is as large as some Maine counties. Because a single landowner owns the 408,000 acres, future land uses can be coordinated in a way that could not happen when such acreage is owned by many different landowners. Moreover, the proposed Plan approaches development of this large land area in an integrated way. The proposed uses provide a unique interface between residential uses, tourist uses, the working forest, and spectacular natural features, including Moosehead Lake, and 76 other lakes and ponds, and mountains, in an area with abundant wildlife. These natural features allow for a world-class nature-based recreation region with a variety of four-season recreational opportunities: hiking, camping, wildlife watching, kayaking and canoeing, fishing, hunting, whitewater rafting, nordic skiing, and snowmobiling. These recreational opportunities provide something for everyone, from overnight camping in tents on the pristine ponds to seasonal and year-round homes. The Plan provides a unique opportunity for both Plum Creek and the State of Maine to create a very special, internationally known, recreational area for the public, year-round residents, seasonal residents and tourists.

To provide tourists the incentive to come to this area when so many other tourism opportunities exist around the world, the tourism plan must be true to the local culture and environment--it must provide a completely authentic Maine Woods experience, which the Concept Plan does. The Plan also supports the continuation of the working forest. By carefully integrating extensive conservation efforts with a working forest and limited amounts of residential uses and resorts that are consistent with the nature and character of the Maine woods, the Plan coordinates these varied uses to produce a Plan that provides new, and enhances existing, opportunities for the public.

### **Prevents Sprawling Development.**

The Plan prevents random, sprawling development by locating development approximately adjacent to existing public roads and proximate to service centers and existing communities. Further, development zone boundaries are forever prevented from expanding by surrounding the zones with permanent Balance conservation Easements. Finally, the entire Plan is surrounded by 340,000 acres of permanent working forests.

### **Limits residential development.**

The Plan limits residential development to a level that is substantially less than otherwise could be created as of right without LURC oversight during the period of 30 years. The Plum Creek Plan is capped to a total of 975 residential dwelling units and 1050 resort accommodations (800 at Big Moose Mountain, and 250 at Lily Bay) over the next 30 years.

### **Regional Planning.**

The Plan offers a coherent long term and future vision for the region. The State of Maine has identified a need for regional planning and the Legislature has called for municipalities to present their citizens with a comprehensive plan or vision for the future of their respective communities. The Plum Creek Plan offers that same type of vision or regional plan, providing a degree of predictability that would not otherwise have been available.

The Plan uses a zoning approach over 29 townships, based on private goals and extensive public input. Going beyond the Rangeley prospective zoning plan prepared by LURC following extensive public input, the Plum Creek Plan achieves more conservation, and provides a far clearer distinction between growth and rural areas. Unlike the Rangeley Plan that allowed for upward adjustment of development, the Plum Creek Plan limits development to 975 residential dwelling units within a 29 township area, over 30-years.

### **Permanent Public Access and New Recreation Opportunities.**

The Plan ensures permanent public access on all conservation easement lands and on 144 miles of hiking and snowmobile trails through permanent rights-of-way, including the donated Balance Conservation Easement and the Conservation Framework. This enhanced public access will extend to 79 miles of new hiking trails, including the proposed 12 mile hut and trail system; 74 miles of new ITS snowmobile trails; access to pristine ponds for fishing and all traditional uses; and will provide access to other conserved land in the 100 Mile Wilderness, AMC's Katahdin Iron Works, Nahmakanta, and Big Spencer Mountain.

### **Conservation**

The Plan includes substantial conservation measures and opportunities; the Plan's proposed 90,000 acre Balance Conservation Easement will envelope the development zones thereby containing development. The Conservation Framework to be purchased by The Nature Conservancy upon Plan approval includes 266,000 additional acres of working forest conservation easement and 29,500 acres in the Roach Ponds area and 45,000 acres at Number 5 Bog (outside the Plan Area).

These conservation components and opportunities complement the past conservation sales by Plum Creek to the State of Maine for 29 miles of Moosehead Lake shoreland, and of substantial shoreland along the Kennebec River.

### **Protection of Pristine Lakes and Ponds.**

The Plan permanently conserves public access to 66 pristine lakes and ponds. Public access to lake and pond shorefront is disappearing throughout Maine. The Plan protects public access to this important natural resource. It promotes the tourism industry by conserving shorefront through conservation easements in perpetuity.

### **Preservation of the Remote Experience.**

The Maine North Woods has been valued for centuries by people who enjoy more remote forms of nature-based recreation. The CLUP states:

Some recreation-based businesses are dependent on the maintenance of the remote and undeveloped character of many parts of the jurisdiction. Sporting camps and remote campgrounds are two examples of businesses that depend on these values. Guide services, nature tours, and outdoor leadership schools are others. The demand for such 'nature-based tourism' is on the rise nationally, and opportunities within the jurisdiction appear considerable.<sup>1</sup>

The CLUP also states: "Looking ahead to 2007, the LURC jurisdiction should retain its extensive forests, undeveloped shorelines, remote woodland character, rural communities and unique collection of natural and cultural resources."<sup>2</sup> The Concept Plan fulfills these goals in the Plan Area by concentrating residential, and resort development on or near the 6 lakes in the Plan Area that are nearest the centers of population and public roads, and by preserving forever 60 pristine lakes and ponds, by deeding the Balance Conservation Easement over 90,000 acres, and by providing the Conservation Framework that includes (1) a working forest conservation easements over another 269,000 acre region, and (2) the fee sale of 29,500 acre Roach Ponds area and 45,000 acre Number 5 Bog area.

The Plan will convey significant public trail right-of-ways: a 74-mile ITS snowmobile trail, a 67-mile "Peak to Peak" hiking trail, and another 12-mile trail, connecting to a wider network of trails, thereby ensuring permanent recreation opportunities to the public.

Maine is home to 336,421 hikers, comprising over 33% of the State's population. Hiking is also vitally important to the economies of service center communities, which serve hundreds of hikers as they pass through the North Woods. The Concept Plan will enable the development of new trails near Greenville that will boost the area economy.

## **Economic Development**

### **The Plan will be a benefit to the local economy.**

The Plan's forest products components will preserve and promote timber and fiber employment and economic opportunities. The Plan's tourism components will support the Maine Nature Tourism Initiative and will enable the region to make the connection between its

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<sup>1</sup> See CLUP pg. 75.

<sup>2</sup> See CLUP pg. 133.



resources, tourism and economic development. This could enable the North Woods of Maine to return as a premier tourist destination. As the CLUP states:

“[T]here is likely to be an increased demand for destination resorts and for new and upgraded dwellings for primary or vacation residence... The demand for back country recreational uses in the Northeast is estimated to be growing at a rate that is more than double the population growth rate.<sup>3</sup>”

In his 2006 Economic Impact Report on the Plan, Dr. Charles Colgan estimates that the Plan, when fully implemented, would add an average of 1300 jobs a year, an average of \$61 million per year in personal income; with revenue to the State increasing by an average of an additional \$6.4 million each year.<sup>4</sup>

### **Continued Forestry Investment.**

Plum Creek's wood harvesting operation in the Plan Area currently provides jobs to approximately 250 people. Plum Creek also sells logs and pulpwood from the Plan Area to 60 mills in Maine that employ approximately 10,000 people, yielding annual employment income of approximately \$17,000,000. Upon LURC approval of the Concept Plan, Plum Creek will convey a permanent working forest conservation easement over 90,000 acres in the Plan Area and commit The Nature Conservancy to purchasing a working forest conservation easement over another 266,000 acre region in the Plan Area.

As economist Charles Colgan has noted in his Economic Impacts Report for Plum Creek:

“To the extent these areas in the Plan are conserved for working forest conservation easements, the Plan makes clear that timber resources will continue to be available, and removes a level of uncertainty about the timber industry that would give confidence to continued employment and income benefits and increased forestry investment.”

The Plan's and the Conservation Framework's proposed working forest conservation easements may help stabilize markets, protect jobs, and provide customers the assurance they seek in deciding whether to invest in their businesses. Plan approval then, could in turn produce a workforce base for the forest products industry (i.e., managers, administrators, truckers, loggers, saw mill operators). Plan approval will foster the possibility of related development vital to the economic well being of the local communities. A protected working forest facilitates long term investment around working forest "customers".

### **Regional Vision for Tourism.**

The Plan creates an achievable regional vision for a nature-based tourism area that provides a range of tourism experiences. The Plan Area has natural features that can attract tourists not only from Maine and New England, but also from around the world. Moosehead Lake once was a tourist mecca, anchored with a 500+ unit Mt. Kineo grand hotel, three smaller

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<sup>3</sup> See CLUP pg. 64.

<sup>4</sup> See Dr. Colgan's Estimated Economic Impacts of Implementing the Proposed 2006 Plum Creek Rezoning Plan in the Moosehead Lake Area.

hotels, a number of rooming houses, 92 steamboats, and regular passenger train service. Its size and beauty provides a focal point for the region. A resort and recreation center at Big Moose Mountain can provide a wide variety of year-round amenities and beautiful views. Most of the land in the area will be continued as a sustainable working forest, providing habitat for moose and birds, which attract wildlife-watching tourists. The rivers and lakes provide opportunities for camping, fishing, canoeing and kayaking. The mountains and trails provide for hiking, mountain biking, cross-country skiing and snowmobiling. Such a variety of available nature-based experiences can draw tourists for extended stays, bringing jobs and revenue to the area, and can broaden tourism opportunities for Maine citizens as well.

The Concept Plan makes possible a range of tourism infrastructure such as accommodations, trails, and conserved areas that support this tourism vision.

### **Provides a Mix of Tourism Accommodations.**

The Plan provides a mix of tourism accommodations for a variety of uses and income levels, from resort lodging to hikers' tents. It also provides for a broad spectrum of uses realized through nature-based amenities, from year-round residents, to families, retirees and young adventurers.

### **Proposed resorts will contribute to a viable, sustainable tourism region.**

As noted in EMDC's Infrastructure and Community Impact Analysis (*see* Appendix), the Moosehead region has historically been a tourist destination, but has lost its anchor hotels.

With the loss of the anchor hotels in the area, the number of visitors to the North Maine Woods has been in decline. The existing small businesses are unable to carry the necessary marketing weight for the region. The Plan's two resort zones will help restore the needed tourism anchors and provide the tourism infrastructure to advertise, attract, and sustain a broader nature-based tourism market. The resorts will also increase the range of tourist accommodations.

### **A diversity of housing options.**

The Plan proposes zoning that will allow for a range of residential options, from affordable housing and rental housing to residential lots for year-round and seasonal homes. Such housing diversity will provide for residents and visitors of various ages, interests and incomes, helping to meet a need that has been identified by the State and Greenville and Jackman. As part of its vision for the future, the CLUP recognizes the need for a diversity of housing, noting that housing needs "for year-round residents, retirees, seasonal residents, and recreational users - should be accommodated."<sup>5</sup>

### **Affordable/workforce housing.**

Plum Creek will donate up to 100 acres for affordable/workforce housing. Fifteen acres are proposed for Greenville, 10 acres are proposed for Jackman and the remaining 75 acres will be located within the Plan in the proposed D-RS2M zones. In addition, Plum Creek is partnering

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<sup>5</sup> See CLUP pg. 133.

with Coastal Enterprises Institute (CEI) on workforce housing with Plum Creek providing significant loan dollars and CEI providing its expertise as an affordable housing provider and manager.

### **Additional sources of tax revenue for the region.**

The resorts will advance the prospect of revitalization of the region's traditional and historical tourism industry. The CLUP recognizes that such tourist facilities act as a magnet for ancillary businesses. For example, as to the proposed Big Moose Mountain recreation area which may include Nordic skiing facilities, the CLUP notes: "Ski areas attract lodging facilities, restaurants, sports outfitters, and other retail and service establishments, and seasonal housing -- both single family and multi-family dwellings... Tourism is a mainstay of Maine's economy, and recreational development in the jurisdiction has contributed to this sector."<sup>6</sup>

### **Population and Jobs.**

John Simko, Greenville's Town Manager, describes the crisis of a declining population in his 2002 "Greenville at the Crossroads" report as follows:

The declining population in certain areas will change, possibly eliminate certain institutions in our community, have a negative impact on our municipal and school finances, and continue to erode the quality and content of our workforce. Two of our most vital institutions – the schools and the hospital – have a symbiotic relationship with population and workforce. In order to have more students, more families must come to the area, and therefore more jobs must be available.

EMDC's Infrastructure and Community Impact Analysis notes declines in the population, jobs, and school enrollment, and underutilization of its health care facilities. The Plan's development components will enhance prospects for the revitalization of local businesses, the creation of new jobs, restoration of a good part of the lost school enrollment, and of the area's decline in population and tourism. The full EMDC report can be viewed in Volume 3, Appendix B of the Concept Plan.

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<sup>6</sup> See CLUP pg. 75

**16. Anticipated Unfavorable Impacts: Do you anticipate that your proposed use of the land would result in any unfavorable impacts on any of the surrounding land, resources, and/or uses in the community or area? If so, describe in detail the anticipated unfavorable impacts and any measures proposed to control or minimize them.**

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Appendix B contains the report prepared by Eastern Maine Development Corporation (EMDC) titled “Plum Creek Rezoning Proposal Infrastructure and Community Impact Analysis.” The EMDC Report identifies existing infrastructure, governmental services and public safety capacities that currently exist and identifies future capacity needs that may arise if the Concept Plan is implemented. The following summarizes the potentially unfavorable impacts the Concept Plan may have on communities or resources and the way the impacts will be minimized.

**Housing**

The EMDC Report states that there is an undersupply of rental housing units and projects that if the Concept Plan is implemented, up to 160 workforce/affordable housing units will be required. Plum Creek has partnered with Coastal Enterprises, Inc. to provide for 100 acres of land to be dedicated to the creation of workforce/affordable housing in Greenville, Jackman and the Greenville-Rockwood corridor. Plum Creek’s Concept Plan also includes on-site resort employee housing.

**Water Supply**

Plum Creek has submitted a report indicating that there is adequate groundwater to supply the 975 residential units and the proposed resorts, hence water supply will not be unfavorable impacted. (See Rezoning Petition Tab 18b.)

**Traffic**

In order to anticipate and address any potential unfavorable traffic impacts, Plum Creek must obtain a traffic movement permit from the Maine Department of Transportation (MDOT). The MDOT permit will address transportation capacity and safety issues regarding the Concept Plan’s impacts to State road networks.

**Waste**

Solid wastes from the resorts and subdivisions will be handled either by transporting the waste to a local transfer station or by trucking it directly to a licensed regional facility either in Norridgewock, Orrington or Old Town. The costs of disposal will be paid by tipping and/or collection fees paid by property owners.

More than adequate capacity to accept anticipated construction-generated waste has been confirmed by the owners of Crossroads Landfill and Juniper Ridge Landfill. Construction contractors hired to construct the proposed structures will place construction waste in a roll-off

or other container and transfer it to the licensed disposal facility, thus avoiding the impact on local transfer facilities.

Through the construction of roads and other facilities in the proposed Concept Plan, significant quantities of land clearing debris will be generated and require disposal. Land clearing and disposal practices will be carried out pursuant to current DEP regulations, which include:

- onsite disposal in less-than-one-acre sites providing the disposal is not located in either wetlands, on a significant sand and/or gravel aquifer to protect the natural resources,
- chipping of land clearing debris under approved best management practices (BMP), erosion control or onsite spreading; or
- burning of land clearing debris provided that ashes spread on the same parcel of land were generated and spread in a manner that would not inhibit plant growth.

EMDC's report concludes that these methods have been adequate to handle land-clearing debris at most area construction projects. If land-clearing debris for some of the development cannot be adequately disposed of on-site, Plum Creek is prepared to set aside land on both the east and west sides of Moosehead Lake to accept land clearing debris from Plan-associated development. The costs of disposing of land clearing debris will be incorporated into each development's construction costs.

The core facilities at the proposed resort areas are predicted to generate between 30 to 75 tons of sewage sludge per year, depending on what type of facilities are ultimately included in the resort and the type of sewage treatment process that is chosen. Local wastewater facilities near the resort will be the preferred method of disposal; if those facilities lack the capacity to handle the waste, a private compost facility, New England Organics in Unity, Maine, has confirmed that it has adequate future capacity to accept the sludge generated by the resorts. The costs of disposal of sewage sludge will be borne by the developer.

Two DEP-permitted facilities that accept septic tank waste have been identified: the Moosehead Sanitary District (MSD) in Greenville and Soil Preparation, Inc. (SPI), in Plymouth, Maine. The MSD site is currently at capacity, but is seeking DEP approval to accept an additional 408,000 gallons of waste a year.

In the event that MSD is not able to obtain a permit that is sufficient to accept the septic tank waste generated by the Plan, SPI has the capacity. Current DEP regulations, however, would require a transfer facility, as the SPI facility is considered to be too far for direct transfer from the waste generators. If required, Plum Creek will set aside property to be used for a transfer facility or a spreading or other disposal facility. The cost for disposal of septic waste will be borne by property owners.



## **Safety and Emergency Services**

It has not been shown that an unfavorable impact will occur to emergency services. However, the following additional provisions regarding emergency services are made part of this Plan:

- All deeds of sale or covenants shall include a requirement that owners utilize the county Enhanced 911 Street and Address Numbering System, so that emergency workers can respond in a timely fashion.
- Plum Creek will work with the Town of Greenville, if the opportunity presents itself, to help bring power to the emergency radio repeater station on Big Moose Mountain.
- Plum Creek is willing to provide, at no cost, land needed as yet-to-be-designated trailhead/parking areas, when such areas are needed as staging areas and/or helicopter landing zones for emergency situations.

**17. Public Services: What municipal, county, or other services (i.e. solid waste disposal, fire and police protection, schools and school transportation, etc.) will your proposed use of the land require? Describe by what means these public services will be obtained.**

---

Appendix B contains the report prepared by Eastern Maine Development Corporation (EMDC) titled “Plum Creek Rezoning Proposal Infrastructure and Community Impact Analysis.” The EMDC Report identifies existing infrastructure, governmental services and public safety capacities that currently exist and identifies future capacity needs that may arise if the Concept Plan is implemented. For a detailed discussion of these public services and how they will be obtained, if needed, through the Concept Plan, refer to that report. The following is a summary of the report as it relates to public services.

The EMDC Report demonstrates that there is surplus capacity in the education and health care systems in the region. Implementation of the Concept Plan will benefit both these systems by reducing the existing underutilization.

The EMDC Report states that there is an undersupply of rental housing units and projects that if the Concept Plan is implemented, up to 160 workforce/affordable housing units will be required. Plum Creek has partnered with Coastal Enterprises, Inc. to provide for 100 acres of land to be dedicated to the creation of workforce/affordable housing in Greenville, Jackman and the Greenville-Rockwood corridor. Plum Creek’s Concept Plan also includes on-site resort employee housing.

Plum Creek has submitted a report indicating that there is adequate groundwater to supply the 975 residential units and the proposed resorts. (See Rezoning Petition Tab 18b.)

Plum Creek must obtain a traffic movement permit from the Maine Department of Transportation (MDOT). The MDOT permit will address transportation capacity and safety issues regarding the Concept Plan’s impacts to State road networks.

The Concept Plan will enhance the region’s recreational infrastructure by creating a permanent easement for the ITS snowmobile trail and permanent easements for hiking trails. Combined, these easements provide 154 miles of trail easements in perpetuity.

Utility line extensions will be provided by the developer as part of the applications for subdivision approval or resort development.

Solid wastes from the resorts and subdivisions will be handled either by transporting the waste to a local transfer station or by trucking it directly to a licensed regional facility either in Norridgewock, Orrington or Old Town. The costs of disposal will be paid by tipping and/or collection fees paid by property owners.

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EMDC's report concludes that these methods have been adequate to handle land-clearing debris at most area construction projects. If land-clearing debris for some of the development cannot be adequately disposed of on-site, Plum Creek is prepared to set aside land on both the east and west sides of Moosehead Lake to accept land clearing debris from Plan-associated development. The costs of disposing of land clearing debris will be incorporated into each development's construction costs.

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In the event that MSD is not able to obtain a permit that is sufficient to accept the septic tank waste generated by the Plan, SPI has the capacity. Current DEP regulations, however, would require a transfer facility, as the SPI facility is considered to be too far for direct transfer from the waste generators. If required, Plum Creek will set aside property to be used for a transfer facility or a spreading or other disposal facility. The cost for disposal of septic waste will be borne by property owners.

Plum Creek expects the additional tax revenue generated by the development will be available for increased law enforcement, code enforcement, fire prevention, rescue and other governmental services.

Property taxes from lots in the Unorganized Territory are distributed according to a budget proposed by the County Commissioners and approved by the Legislature.

In addition, Plum Creek will set up the Owners Associations so that, at a minimum of biannually, the Associations will hire a third party inspector to perform an on-site survey and prepare a report regarding compliance or noncompliance with all standards and requirements applicable to the Vegetative Clearing standards. Such inspector shall have the specific expertise to determine compliance with clearing standards.

The following additional provisions regarding emergency services are made part of this Plan:

- All deeds of sale or covenants shall include a requirement that owners utilize the county Enhanced 911 Street and Address Numbering System, so that emergency workers can respond in a timely fashion.

The resorts will be self-sufficient to the extent that they will provide for their own water, sewer, solid waste, and fire prevention needs.

Plum Creek will work with the Town of Greenville, if the opportunity presents itself, to help bring power to the emergency radio repeater station on Big Moose Mountain.

Plum Creek is willing to provide, at no cost, land needed as yet-to-be-designated trailhead/parking areas, when such areas are needed as staging areas and/or helicopter landing zones for emergency situations.

**18. Compliance with Laws and Standards: If your proposal includes a subdivision or development proposal, provide information in response to the following questions concerning whether the land is likely to be suitable for the proposed use.**

**a. Describe what provisions will be made to comply with the Commission's development standards and other environmental laws.**

---

The Concept Plan incorporates modifications to the Commission's existing Chapter 10; the General Provisions (Sub-Chapter I), Land Use Zones (Sub-Chapter II) and Land Use Standards (Sub-Chapter III) of the Commission's Chapter 10 are amended for this Concept Plan contained in Section 4 of this Concept Plan.



**18. Compliance with Laws and Standards: If your proposal includes a subdivision or development proposal, provide information in response to the following questions concerning whether the land is likely to be suitable for the proposed use.**

**b. Water Supply: what provisions will be made for securing and maintaining a healthy water supply to the area.**

---

See Attached Report Titled:

“Preliminary Evaluation of Water Resource Proposed  
Plum Creek Gateway Lands Moosehead Region, Maine,” April 18, 2007



• Geotechnical Engineering • Field & Lab Testing • Scientific & Environmental Consulting

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April 18, 2007

Plum Creek Land Company  
Attention: Mr. Luke Muzzy  
P.O. Box 297  
Greenville Jct., ME 04442

Subject: Preliminary Evaluation of Water Resource  
Proposed Plum Creek Concept Plan  
Moosehead Region, Maine

Dear Luke,

In accordance with our discussions, we have reviewed published geological information for the proposed Plum Creek Concept Plan Area in order to evaluate the quantity and quality of available water sources. We understand that the proposed rezoning may result in new residential and resort development in the zones shown on the attached sheets. We also understand that the Maine Land Use Regulation Commission needs to be reassured that adequate water supply will be available for the proposed development.

#### **WATER QUANTITY**

Drinking water in the region is obtained almost exclusively from groundwater accessed by drilled wells. As can be seen from Sheet 1, the surficial soils throughout most of the region are glacial tills. These soils are derived from the action of the glacier and consist of an unsorted deposit of boulders, gravel, sand, silt and clay. Glacial tills do not ordinarily constitute a useful aquifer. It therefore appears that the facilities shown in the Concept Plan area will use the bedrock aquifer as a potable water source.

Recharge of water to the bedrock is dependent upon precipitation. Precipitation in the Moosehead region varies slightly from one area to another. Weather stations termed "Pittston Farm", "Brassua Dam", and "Moosehead" report to NOAA daily. Their locations, periods of record and average annual precipitation are given by the National Oceanic and Atmospheric Administration as follows (NOAA, 2003):

CORPORATE OFFICE/BANGOR, ME

37 Liberty Drive, Bangor, ME 04401-5784 ■ Tel (207) 848-5714 ■ Fax (207) 848-2403 ■ E-Mail [info@swcole.com](mailto:info@swcole.com) ■ [www.swcole.com](http://www.swcole.com)

Other offices in Augusta, Caribou, and Gray, Maine & Somersworth, New Hampshire

<b>Name of Station</b>	<b>Location (Latitude &amp; Longitude)</b>	<b>Years of Record (Precipitation Data)</b>	<b>Average Annual Precipitation (inches)</b>
Brassua Dam	45-40, 69-49	75	41.39
Moosehead	45-35, 69-43	73	40.10
Pittston Farm	45-54, 69-58	14	39.93

Precipitation that falls to the ground either is taken up by evapotranspiration, runs off the land, or infiltrates into the ground. United States Department of Agriculture Natural Resources Conservation Service publications indicate that for glacial tills, it can be assumed that about 20 percent of the water falling on glacial till soils will infiltrate into the ground. The infiltrating water then becomes part of the groundwater regime.

The Maine State Plumbing Code recognizes a consumption rate for water of about 45 gallons per person per day. Assuming a precipitation rate of about 40 inches per year, and an infiltration rate of 20 percent, it appears that there should be sufficient groundwater available to accommodate about 13 people per acre. The plan proposes 975 residential units; if the average lot is assumed to be 4 acres, at the anticipated precipitation and infiltration rates, there should be enough water available for about 52 people per 4-acre lot. The Maine State Plumbing Code assumes that in a four-bedroom house, there are two people per bedroom. Therefore, for a four-bedroom residence, it is assumed by the Plumbing Code that eight people will use the property on a regular basis. The available water is therefore more than is needed for the planned development. When the undeveloped areas are included in the acreage, there is clearly an abundance of water available. Furthermore, we understand that most dwellings will be seasonal and are likely to average fewer than four bedrooms.

Resorts are planned for Big Moose Township and Lily Bay Township. Current plans call for 800 accommodations at the Big Moose facility on a 4700 acre parcel. Again assuming infiltration rates common to glacial tills, it can be calculated that an area of less than 100 acres is enough to supply enough groundwater for over 1250 people (assuming 2.5 people/unit).

We understand that there will be up to 250 resort accommodations at Lily Bay resort. Using the same assumptions as above, it can be calculated that precipitation recharge to an area of less than 25 acres will be sufficient to supply the Lily Bay resort.

### **WATER QUALITY**

The quality of the water is dependent upon the rock of origin and the uses of the land subsequent to formation of the deposit. The land has traditionally been used for forestry, hunting, fishing and winter sports such as snowmobiling and skiing.

Several bedrock formations are mapped in the Moosehead region. A plan showing the locations of the various formations is presented on Sheet 2. The rocks range in age from Cambrian to Devonian (a range of about 200 million years). Devonian rocks were formed more than 340 million years before present. The rock types include feldspathic sandstone, limestone, tuffs (volcanic ash), rhyolite (lava flows), quartzite, basalt and pelites (fine-grained rocks such as slates and shales). All of these rock types can produce potable water.

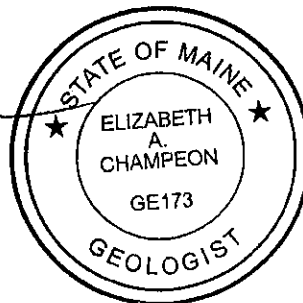
In summary, it appears that there will be sufficient potable groundwater available to supply the resorts and the residential portions of the proposed development.

Very truly yours,

**S. W. COLE ENGINEERING, INC.**



Elizabeth A. Champeon, C.G.  
Senior Geologist



EAC:eac/slh

## REFERENCES

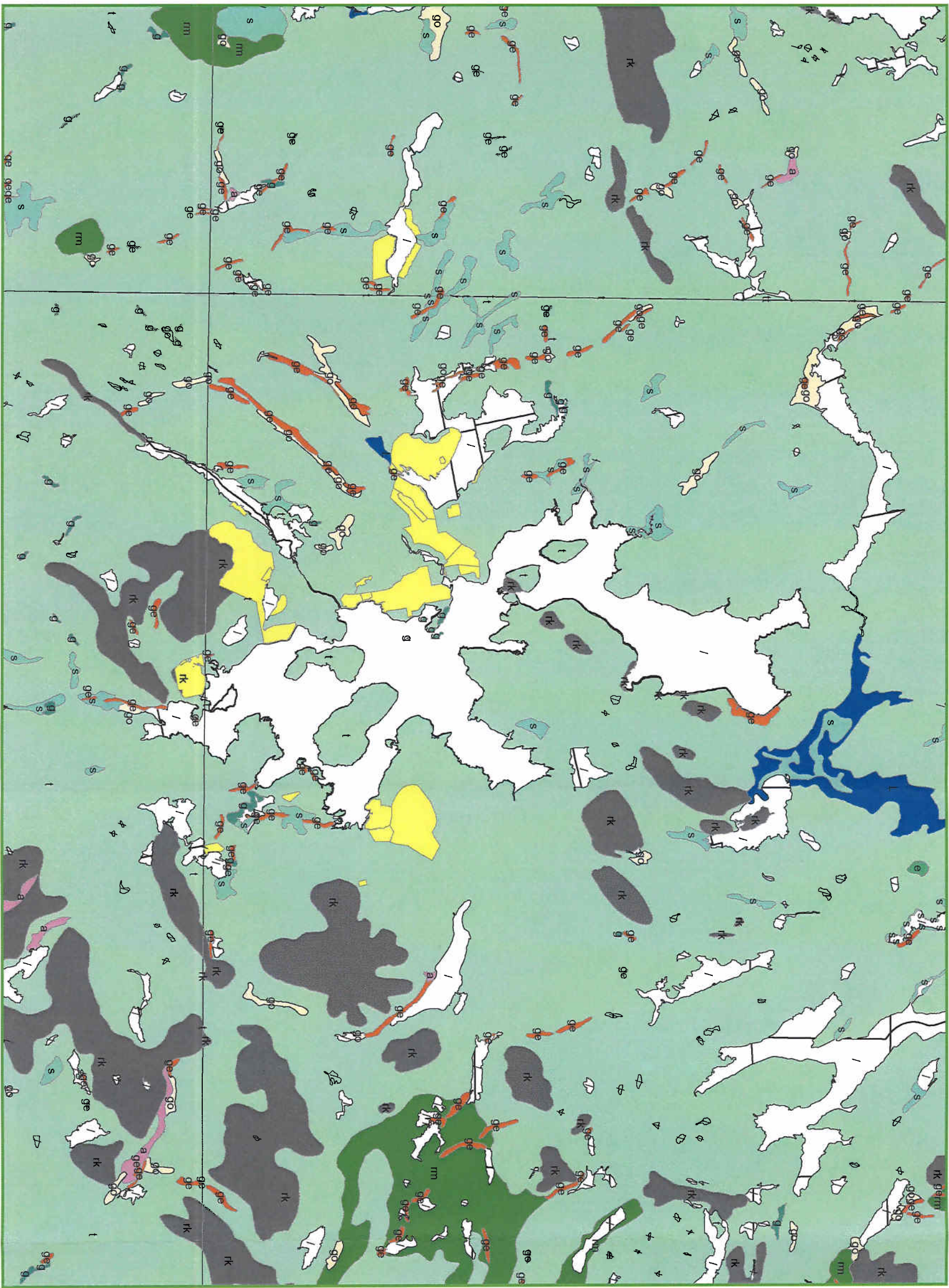
National Oceanic and Atmospheric Administration, 2003. *Climatological Data, Annual Summary, New England, 2003*. National Climatic Data Center, Asheville, North Carolina.

Osberg, Philip, et al., Comp., 1985. *Bedrock Geologic Map of the State of Maine*, Maine Geological Survey, Augusta, Maine.

Thompson, Woodrow B., et al., Comp. 1985. *Surficial Geologic Map of the State of Maine*, Maine Geological Survey, Augusta, Maine.

United States Department of Agriculture, Soil Conservation Service, 1975. Urban Hydrology for Small Watersheds, Technical Release No. 55, Engineering Division, Washington, DC.





**S.W. COLLE**  
ENGINEERING, INC.  
**SURFICIAL GEOLOGY**  
**MAP**  
**WATER RESOURCES**  
**PLUM CREEK LANDS**

**Legend**

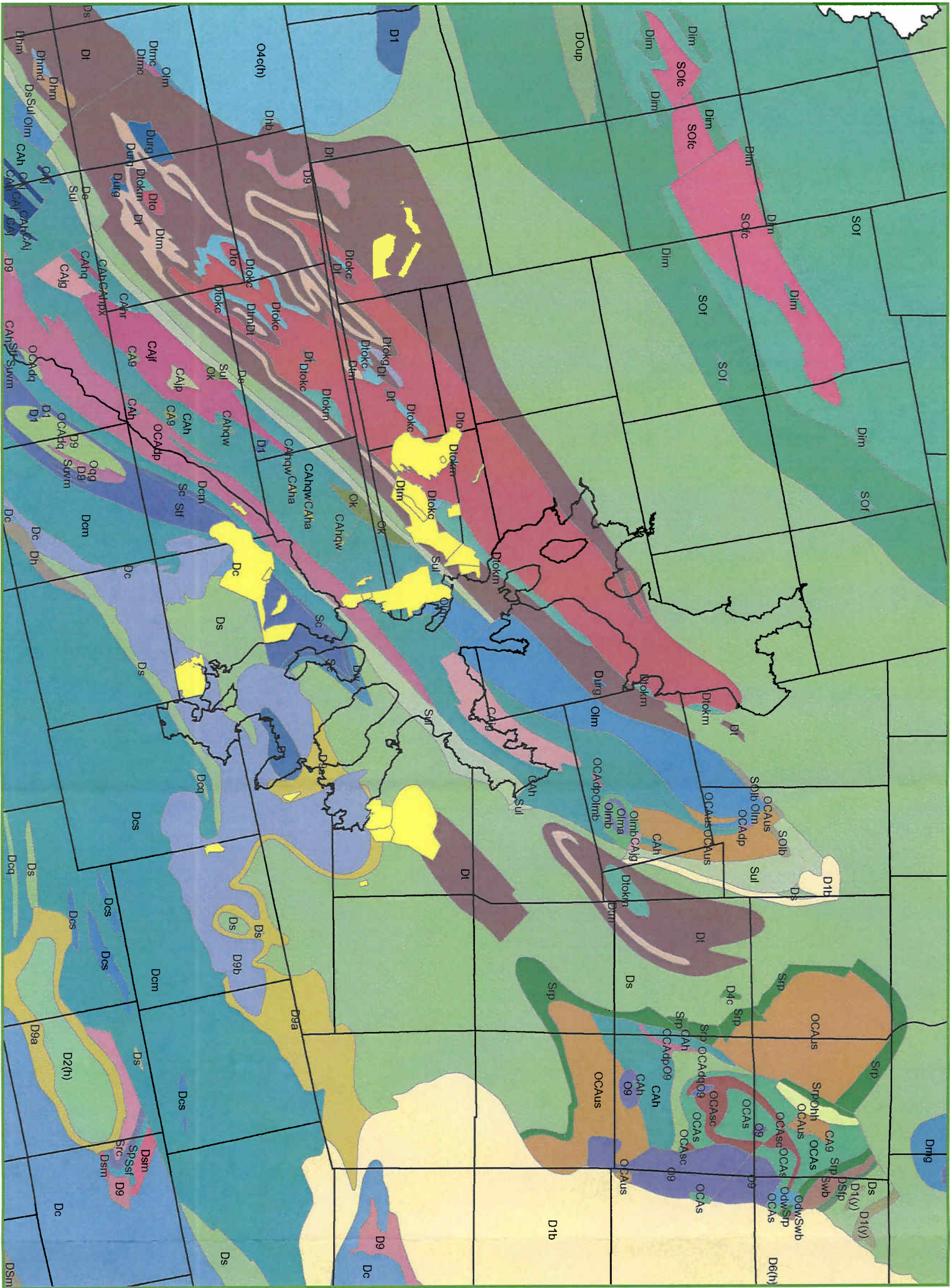
- Development Areas
- a - Stream alluvium
  - b - beach deposits
  - g - Ice contact glaciofluvial deposits
  - ge - Eskers
  - go - Glacial outwash deposits
  - l - Lake bottom deposits
  - rk - Bedrock
  - rm - Ribbed moraine
  - s - Swamp, marsh or bog deposits
  - sm - Stagnation moraine
  - t - Till

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0 2 4 8  
Miles

Surficial Mapping from Thompson and Borns, 1985.  
"Surficial Geologic Map of Maine" retrieved from  
Maine Office of GIS database 3/01/06.





**BEDROCK MAP**

**WATER RESOURCES  
PLUM CREEK LANDS**

**Legend**  
 Development Area

Bedrock Mapping from Osberg, et al, 1985, "Bedrock  
Geologic Map of Maine" retrieved from Maine Office  
of GIS database, 3/01/06.

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Legend

bedrock\_parse

bedrock\_parse.UNIT, bedrockunits.DESC

CA6	Cambrian quartz diorite
CA9	Cambrian gabbro/diorite/ultramafic rocks
CA9c	Cambrian ultramafic rocks
CA9g	Cambrian Caucomgomoc Lake Formation basalt member
CA9p	Cambrian Grand Pitch Formation
CAh	Cambrian Hurricane Mountain Formation
CAha	Cambrian Hurricane Mountain Formation amphibolite and greenschist
CAhmg	Cambrian Hurricane Mountain Formation metagabbro
CAhpx	Cambrian Hurricane Mountain Formation metapyroxenite
CAhq	Cambrian Hurricane Mountain Formation black and gray metaquartzwacke
CAhqw	Cambrian Hurricane Mountain Formation metaquartzwacke
CAhr	Cambrian Hurricane Mountain Formation metafelsite
CAj	Cambrian Jim Pond Formation
CAjf	Cambrian Jim Pond Formation quartzwacke and pelite
CAjg	Cambrian Jim Pond Formation mafic volcanic rocks
CAjk	Cambrian Jim Pond Formation felsic volcanic rocks
CAjp	Cambrian Jim Pond Formation siltstone, mudstone, and pelite
CAjq	Cambrian Jim Pond Formation graywacke
D1(x)	Devonian granite (porphyritic texture)
D1(y)	Devonian granite (granophyric texture)
D1(z)	Devonian granite (intrusive breccia texture)
D1	Devonian granite
D1b	Devonian granite
D2(h)	Devonian granodiorite (hornblende accessory mineral)
D2(m)	Devonian granodiorite (muscovite accessory mineral)
D2-5(h)	Devonian granodiorite - quartz monzodiorite (hornblende accessory mineral)
D2-D6	Devonian granodiorite - quartz diorite
D4c	Devonian quartz monzonite
D5-6(p)	Devonian quartz monzodiorite - quartz diorite (pyroxene plus hornblende accessory mineral)
D6(h)	Devonian quartz diorite (hornblende accessory mineral)
D9	Devonian gabbro/diorite/ultramafic rocks
D9a	Devonian diorite
D9b	Devonian gabbro
D9b-c	Devonian gabbro - ultramafic rocks
DOup	Devonian - Ordovician unnamed pelite
DOv	Devonian - Ordovician undifferentiated mafic to felsic volcanic rocks
DSav	Devonian - Silurian Allagash Lake Formation basalt and mixed sedimentary rocks
DSfp	Devonian - Silurian Frost Pond Formation
DSm	Devonian - Silurian Madrid Formation
DSs	Devonian - Silurian undifferentiated sedimentary rocks of the Spider Lake, Chandler Pond and Third Lake Formations
DSuss	Devonian - Silurian unnamed conglomeratic sandstone
Db	Devonian Beck Pond Limestone
Dc	Devonian Carrabassett Formation
Dcm	Devonian Carrabassett Formation massive pelite member
Doq	Devonian Carrabassett Formation quartzite member
Dcs	Devonian Carrabassett Formation thinly layered member
Dh	Devonian Hildreth's Formation
Dhb	Devonian Hobbstown Formation
Dhm	Devonian Heald Mountain Rhyolite
Dhmd	Devonian Heald Mountain Rhyolite dark tuff member
Dim	Devonian Ironbound Mountain Formation
Dmg	Devonian Matagamon Sandstone
Dpk	Devonian Parker Bog Formation
Ds	Devonian Seboomook Formation
Dsc	Devonian Seboomook Formation Camera Hill Greenstone
Dsm	Devonian Seboomook Formation Mount Blue member
Dt	Devonian Tarratine Formation
Dtm	Devonian Tarratine Formation Misery Quartzite
Dtmc	Devonian Tarratine Formation McKenny Pond Limestone
Dto	Devonian Tomhegan Formation
Dtokc	Devonian Tomhegan Formation Kineo Rhyolite member tuffs and volcanoclastic rocks
Dtokg	Devonian Tomhegan Formation Kineo Rhyolite member garnet rhyolite
Dtokm	Devonian Tomhegan Formation Kineo Rhyolite member massive felsite
Dtrb	Devonian Traveler Rhyolite Black Cat member
Dtrp	Devonian Traveler Rhyolite Pogy member
Dtv	Devonian Trout Valley Formation
Durg	Devonian unnamed garnet rhyolite
Dury	Devonian unnamed rhyolite
Dvmm	Devonian unnamed mafic volcanic rocks
Dw	Whiskey Quartzite
O1	Ordovician granite
O1b	Ordovician granite
O2	Ordovician granodiorite
O4c(h)	Ordovician quartz monzonite (hornblende accessory mineral)
O9	Ordovician gabbro/diorite/ultramafic rocks
OCA9p	Ordovician - Cambrian Dead River formation lower member
OCA9q	Ordovician - Cambrian Dead River formation upper member
OCA9s	Ordovician - Cambrian Sawmill Formation
OCA9t	Ordovician - Cambrian Southeast Cove Formation
OCA9u	Ordovician - Cambrian unnamed sedimentary rocks
Odw	Ordovician Dry Well Volcanic rocks
Ohh	Ordovician Holmes Hole Formation
Ok	Ordovician Kennebec Formation
Olm	Ordovician Lobster Mountain volcanic complex
Olma	Ordovician Lobster Mountain volcanic complex andesite member
Olmb	Ordovician Lobster Mountain volcanic complex basalt member
Oqg	Ordovician Quimby formation graywacke member
Ouv	Ordovician unnamed volcanic rocks
Owc	Ordovician Wassataquoik Chert
S9	Silurian gabbro/diorite/ultramafic rocks
SOf	Silurian - Ordovician Frontenac Formation
SOfc	Silurian - Ordovician Frontenac Formation Canada Falls volcanic member
SOlb	Silurian - Ordovician Lobster Lake Formation
SOuc	Silurian - Ordovician unnamed conglomerate
SOv	Silurian - Ordovician Vassalboro formation
Sc	Silurian Capens Formation
Shm	Silurian Hardwood Mountain Formation
Sp	Silurian Perry Mountain formation
Spu	Silurian undifferentiated pelites and sandstones
Src	Silurian Rangeley Formation "C" member
Srp	Silurian Ripogenus Formation
Ss	Silurian Sangerville Formation
Ssc	Silurian Sangerville Formation conglomerate member
Ssf	Silurian Small Falls Formation
Ssl	Silurian Sangerville Formation limestone member
Stf	Silurian The Forks Formation
Suc	Silurian unnamed conglomerate
Sucs	Silurian unnamed conglomerate and sandstone
Sul	Silurian unnamed limestone
Sus	Silurian unnamed sedimentary rocks
Svmm	Silurian unnamed mafic volcanic rocks
Sw	Silurian Waterville Formation
Swb	Silurian West Branch Volcanic Rocks
pCAc	Precambrian gneisses of the Chain Lakes Massif

**18. Compliance with Laws and Standards: If your proposal includes a subdivision or development proposal, provide information in response to the following questions concerning whether the land is likely to be suitable for the proposed use.**

**c. Soil Conditions: are soil conditions appropriate for proposed uses, particularly in areas proposed for development?**

---

According to a report prepared by S.W. Cole Engineering titled “Plum Creek Land Company Soil Investigation Services Soils Mapping and Evaluation Moosehead Lake Region, Maine,” attached at Exhibit D of this Petition for Rezoning, there are suitable soils in the proposed development areas and the zones contain soils that are appropriate for a range of uses.

The analysis “Basis of Design for the Roadways to Access Development Areas” was also conducted by DeLuca Hoffman and is attached at the end of this section.

Following LURC standards (Chapter 10.25G.2), the soils compatibility report was prepared using soil ratings developed by Natural Resources Conservation Service (NRCS).

Significant areas of wetlands were not observed in most areas of the development zones and their occurrence is generally limited to narrow drainages or depressions, which should not significantly restrict development or access, according to the report.

Based upon the NRCS soil potential ratings, each map unit within Plum Creek’s proposed plan area contains several different types of soils.

All but two development areas are dominated by suitable soils and pose no rezoning issue. At the Route 6/15 corridor and at Lily Bay the soils report shows suitability in large contiguous areas. At the subdivision stage, in conjunction with additional detailed soils surveys, soil type and suitability will inform siting of development and uses will be located on appropriate soil types.

The majority of proposed development zones are accessible by existing roads. Where new roads must be built, roads will be located to avoid unsuitable soils and in rare instances where unsuitable soils must be crossed to access a suitable development area, construction and engineering will be utilized that minimizes the disruption of they hydrology.

Unsuitable shorefront areas, due to either poor soils or extreme slopes will be considered when siting development along the shorefront.

In all instances, more detailed soils surveys will be conducted at the subdivision stage to assure that soil suitability is appropriate for the proposed use.

# **Plum Creek Concept Plan**

## **Basis of Design for the Roadways to Access Development Areas**

### **1.0 Introduction**

DeLuca-Hoffman Associates, Inc. has been retained by Plum Creek to assist with the technical review of access conditions related to each of their proposed development areas as outlined in the Concept Plan submissions. This assignment includes the preliminary assessment of existing and proposed road conditions to better understand their upcoming access needs and methods of road construction associated with the lot developments. Our assessment includes the basis of design for the roadways. DeLuca-Hoffman Associates, Inc. has also performed the technical review of phosphorous impacts and erosion control issues attendant with the access roads, each of which is discussed under separate narrative.

Our initial assessment of access road conditions relies upon a limited amount of field investigation and additional baseline information provided for this project by other consultants. The baseline data prepared by other consultants includes the following:

- ❑ The identification and location of wetlands and other natural resources by S.W. Cole Engineering.
- ❑ Surficial Soils Surveys prepared by S.W. Cole Engineering.
- ❑ U.S.G.S. base topographic mapping.



The LURC Chapter 10, Rules and Standards, defines three roadway classifications with minimum roadway widths ranging from 8 to 18 feet. Generally speaking existing or improved land management roads will be used to provide access to development areas, while improved or new secondary roads may be required for internal access within specified development areas. The road classification for the Resort access routes and several of the higher density development areas will involve more strict specification requirements than LURC's Chapter 10, considering the anticipated roadway volumes. These collector roadways will include design standards to address horizontal and vertical alignment, drainage and overall pavement design. The proposed interior development roads will generally fall under the LURC categories of Class 1 or 2 roadways and thus contemplate the Chapter 10 design standards. With the exception of the Upper Wilson Pond and Long Pond north shore development areas, most access routes will be paved.

In accordance with LURC's Chapter 10 standards, the new or improved interior roadways will be designed to minimize the use of ditching and to fit the natural topography of the land such that cuts and fills are minimized while preserving the scenic qualities of the surrounding land to the extent possible. Maintenance of existing hydrologic conditions will also weigh importantly on any required road construction activities. Use of the "Rock Sandwich" technique to minimize impacts to hydrologic conditions where roads are to be improved or constructed will be prioritized given its implied importance by State staff. Heavier traffic volume roads, such as those accessing the resort areas, will need to include proper dimensional and structural considerations to insure public safety and overall durability. Drainage and water quality will be addressed by the application of Best Management Practices including the use of undisturbed buffers, ditch turnouts, level spreaders, and sediment retention basins where necessary.

A majority of the access to the proposed development areas will use existing roads. These roads are identified as follows and have the following lengths:

<b>Table 1 - Access to Development Areas</b>		
<b>Existing Road Segment</b>	<b>Distance (ft)</b>	<b>Distance (miles)</b>
Upper Wilson Road – West Shore Highlands Access from the Scammon Road and Prong Pond Road	30,000 +/-	5.8
Beaver Cove Back lots Access from the Lily Bay Road	2,640	0.5
Lily Bay Heights and Resort Access from the Lily Bay Road and North Brook/Burgess Brook Road	29,040 +/-	5.5
Moose Bay Village Access off existing campground road	15,000 +/-	2.8
Deep Cove Shore and Highlands and Sapling area Access off Route 15/6	5,280	1
Burnham Pond-North Shore Access from Route 15/6 on Indian Pond Road and existing management road	13,200	2.5
Big Moose Mtn. Resort Access off Indian Pond Road	15,840	3.0
West Outlet Highlands and Shore Access from Route 15/6 on existing management road	10,560	2.0
Rockwood Village West Access off Route 15/6	2,640	0.5
Brassua Lake – Southeast Highlands Access off Route 15/6	5,280	1.0
Blue Ridge – Rockwood Kineo View Access off Milligan Farm Road	16,896 +/-	3.2
Brassua Lake – South Peninsula Shore and Highlands Access off Chamberlain Point Road	23,760 +/-	4.5
Long Pond – North Shore Access from the Moose River Road	31,680 +/-	6.0
Long Pond – South Shore Access from Route 15/6	5,280 +/-	1.0
<b>TOTALS</b>	<b>207,096 +/-</b>	<b>39.3</b>

## **2.0 Existing Access Conditions**

The following summary of existing access road conditions is based on preliminary field observations during a late fall period. Seasonal road conditions may vary; therefore, our preliminary assessment as to the quality of the available access roads is limited.

- The Scammon Road and Prong Pond Mountain Road are good roads requiring little to no improvements. These roads consist of compacted gravel surfaces that are reasonably well graded and passable with ordinary passenger vehicles. Road widths are generally 16 to 18 feet. The Prong Pond Road is major haul road that currently has active tree harvesting and hauling activities. This road contains a compacted gravel surface and is considered a major haul route.
- The access road to Upper Wilson Pond west shore is reasonably good and will require only minimal improvements. The road contains a solid gravel base and is generally 14 feet wide. Soils conditions and the availability of good sand/gravel deposits on west side of Upper Wilson should allow for easy road/driveway construction at the Upper Wilson development.
- The Lily Bay Road from Greenville contains a 22-24' wide paved section with defined ditches and maintained conditions.
- The Lily Bay access roads appear to be reasonably improved and will require only modest work. The Resort at Lily Bay may require higher improved road conditions depending upon expected traffic flows to the resort. An existing road network of camp roads appears to travel through the area. The access roads through the Lily Bay Heights development areas are older hauling roads that are reasonably defined and gravel covered. Modest drainage improvements and erosion control measures may be required at select locations to supplement existing conditions. Once again the availability of suitable granular materials for

roadbed preparation is nearby and therefore this should aid in road improvement and construction. Resort access conditions may involve improved stream crossings at Burgess Brook and North Brook.

- The existing haul road to the Moose Bay Village development area is excessively steep on either end (greater than 15%); therefore, new road construction appears warranted. A preliminary alignment assessed by S.W. Cole appears to provide access road slopes below 8% within areas that have been identified as containing suitable soils and slopes.
- Access to the Deep Cove and the Sapling development areas consists of unimproved wood hauling roads that extend off Route 15/6. These existing roads may require minor improvements including several minor wetland crossings. New or improved access roads will include minor clearing of vegetation within existing road routes, along with the placement of additional gravels to supplement the existing surface conditions.
- The road to Indian Pond Northeast Shore and the Big Moose Resort is generally a seasonally active haul road and requires substantial grading and drainage work. The road width is generally 12-14'; therefore, substantial horizontal and vertical alignment measures may be warranted based on this route's predicted higher vehicle volumes associated with the resort activities.
- The north shore area of Burnham Pond is accessed off an unimproved hauling road that is not currently active. The road base is a medium to poor gravel surface that may require supplemental gravel placement, "rock sandwich" subbase and re-grading. The typical width is 12-14'.
- The Rockwood/Kineo View Development area will be accessed off the Milligan Farm Road that is an active haul road from points to the southwest. Access to the

Blue Ridge development area will be from inactive woods hauling roads off the Milligan Farm Road that may require surface and general drainage improvements.

- The Southeast Highlands of Brassua Lake will be accessed off Route 15/6 by existing or new roads directly off Route 15/6.
- The Brassua Lake South Peninsula development area is accessed from a reasonably improved haul road off Route 16/5. The road consists of a modestly well-graded gravel road surface that is generally 14-18' wide. Improvements may consist of supplemental gravel and re-grading and minor improvements to crossings and ditches. Horizontal and vertical alignment improvements may be warranted given the density of development contemplated in this area.
- The Demo Road to the Long Pond North Shore development areas is an excellent road. This road consists of a solid gravel roadbed that is well graded and well drained. The road width is 14' to 18' wide. This road is an active haul road.

### **3.0 Basis of Roadway Design**

#### **3.1 Overview**

The basis for the design of improvements to existing roads as well as new road construction is discussed in this narrative. Road improvements and new construction will comply with the standards set forth in LURC's Chapter 10 requirements, as well as those outlined below for the higher traffic volume access roads.

The improved and new roadway construction will generally proceed off existing land management roads. Completed roadway sections will be used to access the next roadway construction area (the erosion and sedimentation control plan for the roadways is presented in a separate narrative and requires construction of the roadways by segments which are completed prior to moving to the next segment).



This requirement is stipulated to minimize the size of denuded areas exposed to erosion.

This basis of design for the roadways relies on the Chapter 10 standards as well as applied reasonable engineering practice. The design intent for new roadway construction is to use naturally occurring materials supplemented by manufactured products that will enhance the performance and design where necessary. A list of the manufactured materials that may be used includes:

- **Filter Cloth:** Native materials that can be layered to meet geotechnical filter criteria are difficult to obtain in this area and require relatively large section thicknesses. This is because there are several layers of materials required and each layer needs to be at least 6" in thickness to be practical to install. A geotextile filter cloth is a synthetic material that can provide filtering and material separation in a very thin, single layer.
- **Geotextile Fabrics:** Bridging soft or unsuitable subgrades and maintaining the separation between soils can be achieved with geotextile fabrics. These fabrics have some tensile strength not found in native materials and can be very effective when placed over weak subgrade areas. Native cover is placed over the geotextile cloth to help disperse the load over the weak subgrade area. Fabric placement with overlaps and avoidance of excessive creasing is necessary.
- **Reinforced Turf and Erosion Control Meshes (ECM):** There are numerous grades of materials for reinforced turf and ECMs. Some are intended merely to resist wind from dislodging the cover material (netting), while others permit the road side slopes to be increased or the erosion control resistance to be increased.

- **Geogrids:** Geogrids provide lateral reinforcement to the soil, thereby increasing the natural angle of repose.

These synthetic materials are proposed as tools to supplement any improved or new roadway sections, to permit an increase in the angle of cut and fill slopes, and to stabilize the surface of disturbed areas. These same materials are integrated with the erosion control plan for the roadways.

The following Table 2 outlines the proposed classification and design standards contemplated for the project.

<b>Table 2 – Access Road Classification and Design Standards</b>				
<b>Design Criteria</b>	<b>Sub collector</b>	<b>LURC Class 1</b>	<b>LURC Class 2</b>	<b>LURC Class 3</b>
<b>Right of Way Width</b>	50 feet	50 feet	50 feet	50 feet
<b>Shoulder Width</b>	4 feet	2 feet	2 feet	2 feet
<b>Shoulder Type</b>	Gravel	Gravel	Gravel	Gravel
<b>Minimum Pavement Width</b>	22 feet	18 feet	14 feet	8 feet
<b>Minimum Grade</b>	0.7 %	0.7 %	0.7 %	0.7 %
<b>Maximum Grade</b>	8%	10%	15%	15%
<b>Min. Centerline Radius</b>	230 feet	130 feet	60 feet	60 feet
<b>Min. Tangent between curves of reverse alignment</b>	200 feet	100 feet	0 feet	0 feet
<b>Max. grade at intersections within 60 feet of intersection</b>	2%	2%	2%	2%
<b>Design Speed (mph)</b>	35	25	15	15
<b>Average Daily Traffic (ADT)</b>	250-1000	150 -250	20-150	0-20
<b>Minimum Base</b>	24"	18"	12"	As needed
<b>Minimum Wearing Surface</b>	3" Bituminous Asphalt	2.5" Bituminous Asphalt	3" fine gravel or 2.5" Bituminous Asphalt	2" fine gravel

### **3.2 Horizontal Alignment**

Generally speaking the horizontal alignment of the existing secondary access roads will remain unchanged as no specific problem areas have been identified. Most, if not all the access roads historically carried log hauling traffic; therefore, they have been aligned to allow for heavy truck use. The horizontal alignment for proposed resort access roads will provide a minimum centerline radius of 230 feet. Because of the slow travel speed anticipated, there will be minimum tangent distance between compound or reverse curves only on the higher traffic volume roads.

The location of the proposed access roadways relative to topographic constraints and the attempt to site these routes within the milder topographic areas of the route corridors will permit the roads to achieve their function while being constructed to set harmoniously within each location's existing conditions.

Intersections will generally be aligned to allow the secondary road to intersect the primary road at 90 degrees and at no less than 60 degrees. Intersections will be appropriately sited to provide satisfactory lines of sight in all directions.

### **3.3 Roadway Width**

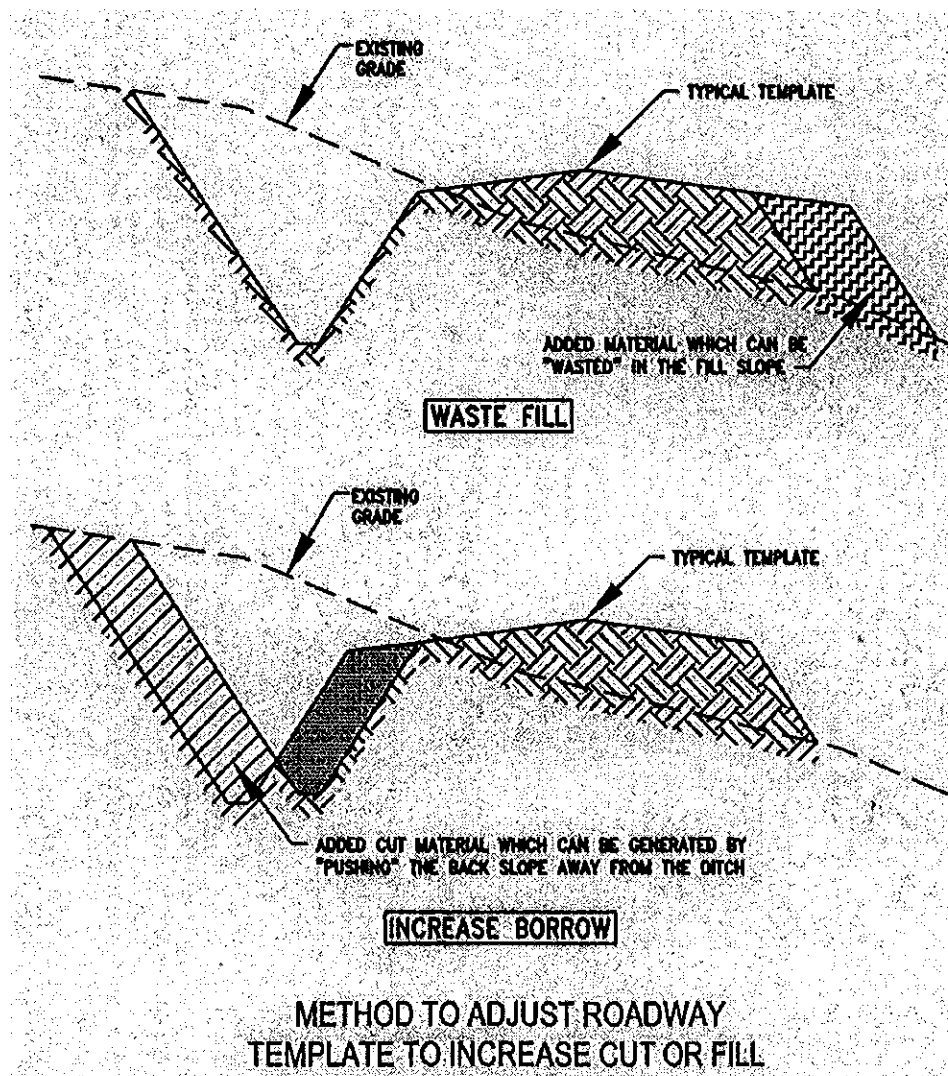
The resort access roads extending off Lily Bay Road and Route 15/6 will be 22 feet wide. The residential access roadway widths for road segments extending off a primary route such as the Lily Bay Road or Route 15/6 will be at least 14 feet, with most at least 18 feet. Interior development roads will have a road width of 14 feet, although lesser widths may be provided for individual lot areas containing less than 10 lots or for shared driveway scenarios. Shoulders should be 2 feet on the uphill side to aid in some snow storage. A four-foot shoulder is used for the downhill side except where the fill height is less than 4 feet and a 3:1 or flatter slope can be constructed. In these areas the shoulder may be reduced to 2 feet. Wide-outs 20 feet in width and 50 feet in length for passing will be constructed

along existing and proposed incoming access roads as necessary. Locations of wide-outs will be selected to avoid wetland areas.

### 3.4 Cuts and Fills

The roadway alignment will be selected with the idea that material will be cut from the high side and used for subgrade fill on the low side.

Where necessary, the cut amount can be increased or the excess fill wasted. The ability to gain or waste fill across the section is illustrated in the figure below:





### **3.5 Roadway Surface Treatment**

The development access routes that will be shared with the resorts will be paved. Most other major access routes will also be paved except for the routes to the Upper Wilson Pond and Long Pond north shore development zones.

### **3.6 Natural Resource Areas**

The alignment of the roadways will be selected to minimize impacts to the natural resource areas that have been identified by S.W. Cole Engineering. Impacts will be minimized principally by avoidance if practical. Where crossing wetlands or within areas where hydrologic flow is important, the road construction will include structural measures including the use of filter fabric and large stone. These materials will be placed to maintain hydrologic flow across the road section in order to minimize impacts to above-ground and below-ground hydrologic conditions.

## **4.0 Anticipated Improvements to Existing Roads**

Access to the development areas will use approximately 207,096 linear feet (39.3 miles) of existing gravel roadways as identified on the project base mapping.

Improvements to these existing roads will include improving any bridge crossings as necessary due to condition, widening of the roadway surface where necessary, and geometric improvements. Two types of improvements will require realignment of the existing roadway in a new location:

- ❑ Realignment to reduce vertical grade; and
- ❑ Realignment of the roadway to avoid wetland crossings or to reduce current impacts.

Drainage improvements may include the installation of culvert crossings and the shaping and stabilization of ditch turnouts and any concentrated flow locations.

## **5.0 Other Tools for Construction of the Roadway**

Other tools are available to the contractor, including the use of under drain and trap-rock in the pavement subgrade to address subgrade drainage, the use of synthetic materials, and other opportunities which will result in a roadway section which is appropriate for the actual conditions encountered.

If conditions are found which were not reflected on the baseline data, it would also be possible to make minor changes to the location of the centerline for the roadway, provided the basis of design criteria is not violated and the roadway remains within the permissible roadway corridor shown on the roadway drawings.

## **6.0 Implementation**

The erosion and sedimentation control plan requires the roadways be constructed in segments. It is recommended that the area of construction be staked and a corridor of at least 30' feet wide be cleared ahead of the construction crews. Subsequently, these areas should be staked out at 50-foot centers and walked by the design team, agency representatives and the contractor to agree on the following:

- ☐ Confirmation or recommended adjustment of horizontal and vertical alignment;
- ☐ Selection of cross section to be used in the area;
- ☐ Locations for cross culverts; and
- ☐ Other tools to be employed.

It will be necessary for this effort to precede construction by a sufficient period of time in order that adjustments can be made and the contractor can have final clearing and proper materials on hand. Generally, the following scope of work is anticipated once the final alignment is established:

1. The contractor shall complete stumping and grubbing of the road section. Stumps and tree remains may be buried along the exterior sides of ditch lines or low-lying

- areas, but must be graded smooth and appropriately covered with soils to avoid erosion and instability.
2. The access road subgrade shall be prepared and road section constructed in accordance with applicable requirements depending on site conditions.
  3. Drainage crossings including metal or HDPE culverts shall be installed in accordance with LURC standards and Best Management Practices.
  4. Aggregate materials may be imported from nearby borrow sources and properly placed and compacted in place.
  5. All exposed slopes and ditches shall be restored and reclaimed to a stabilized condition. The Contractor shall be responsible to establish a grassed or vegetated surface along the entire length of access road. The slopes and ditch lines shall be graded to a smooth line, free of exposed stumps, protruding branches or tree litter.
  6. The Contractor shall be responsible for the installation and maintenance of all necessary erosion control measures including, but not limited to, the installation of hay bale barriers, the use of mulch filter berms and the use of stone check dams where necessary to avoid erosion or the transport of sediments.

## **7.0 Closure**

The basis of roadway design allows third parties to understand the requirements for the roadway, define the basis of how the alignment was selected, and provide a description of the flexibility for construction, which has been reserved for implementation.

As required by LURC Chapter 10, Rules and Standards, the roadways will designed to minimize the use of ditching where practical and to fit the natural topography of the land such that cuts and fills are minimized while preserving the scenic quality of the surrounding land to the extent possible.

**18. Compliance with Laws and Standards: If your proposal includes a subdivision or development proposal, provide information in response to the following questions concerning whether the land is likely to be suitable for the proposed use.**

**d. Traffic: what provisions will be made for parking and safe traffic flow?**

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Plum Creek must obtain a Traffic Movement Permit from the Maine Department of Transportation (MDOT). The MDOT permit will address the transportation capacity and safety issues regarding the concept Plan's impacts to State road networks.

**18. Compliance with Laws and Standards: If your proposal includes a subdivision or development proposal, provide information in response to the following questions concerning whether the land is likely to be suitable for the proposed use.**

**e. Erosion Control: What provisions will be made for stabilization and erosion control of the site?**

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DeLuca-Hoffman Associates, Inc. has prepared a preliminary erosion control report title “Erosion and Sedimentation Control Plan for Roadway Construction.” See Volume 3, Appendix D. The preliminary erosion and sedimentation control plan has been developed to satisfy the requirements of LURC Chapter 10 Rules and Standards, as adopted in this Concept Plan, and calls for road construction measures that minimize unreasonable soil erosion and do not result in any reduction in the capacity of the land to absorb and hold water. LURC Chapter 10 Rules and Standards require permanent and temporary erosion and sedimentation control measures to meet the standards and specifications of the “Maine (ME DEP) Erosion and Sediment Control BMP Manual of March 2003” or other equally effective practices. Development will comply with these requirements.

For the purposes of the Concept Plan the guidance document identifies the tools that can be implemented during construction of the roadways, explains the basis for their use, and provides details for their installation.

The erosion control plans will be further refined and detailed designs prepared as individual subdivision proposals are brought before LURC for review and approval. All erosion control measures will comply with all relevant standards and requirements pertinent to their proposed development activities



**18. Compliance with Laws and Standards: If your proposal includes a subdivision or development proposal, provide information in response to the following questions concerning whether the land is likely to be suitable for the proposed use.**

**f. Subsurface Waste Water Disposal: What provisions will be made to comply with the requirements of the Subsurface waste Water disposal Rules of the Maine State Plumbing Code?**

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See Attached Letter Titled:

“Addendum Plum Creek Land Company Soil Investigation Services Soils Mapping and Evaluation Moosehead Lake Region, Maine” by S.W. Cole



**S.W.COLE**  
ENGINEERING, INC.

• Geotechnical Engineering • Field & Lab Testing • Scientific & Environmental Consulting

03-0466.4

April 23, 2007

Plum Creek Land Company  
Attention: Mr. Luke Muzzy  
P.O. Box 297  
Greenville Jct., ME 04442

Subject: Addendum  
Plum Creek Land Company  
Soil Investigation Services  
Soils Mapping and Evaluation  
Moosehead Lake Region, Maine

Dear Mr. Muzzy:

Please accept this letter as an addendum to our soils report dated April 19, 2007 titled "Soil Investigation Services, Soil Mapping and Evaluation." We understand our soils report dated April 19, 2007 will be provided to the Maine Department of Conservation Land Use Regulation Commission (LURC) as an exhibit in the Plum Creek Concept Plan.

The purpose of this letter is to serve as the Subsurface Wastewater Disposal exhibit of the Petition for Rezoning. Specifically, it is our understanding that it is Plum Creek's intent to comply with all applicable provisions of the Maine Subsurface Wastewater Disposal Rules (144 CMR 241) dated August 01, 2005 or most current rules. As discussed in our report dated April 19, 2007, we have utilized published soil mapping to conduct an evaluation of the general development potential of proposed development zones. This evaluation includes field verification of published soil mapping and feasibility for subsurface wastewater disposal or the feasibility of subsurface wastewater disposal with appropriate corrective measures. In summary, our report identified potentially suitable areas for subsurface wastewater disposal in each of the proposed development zones. Specific provisions of the Subsurface Wastewater Disposal Rules will be complied with on a site specific basis when site plans are prepared for each development zone.



03-0466.4  
April 23, 2007

Please contact me at (207) 848-5714 if you have any questions.

Very truly yours,

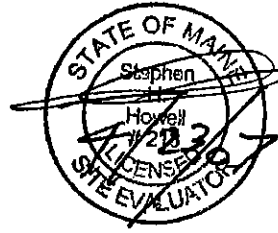
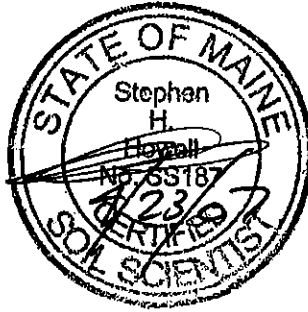
**S. W. COLE ENGINEERING, INC.**

A handwritten signature in black ink, appearing to read 'Stephen H. Howell', written over a horizontal line.

Stephen H. Howell  
Project Manager

SHH:slh

cc: Brian Kent, Kent Associates  
Randy Hamblin, Plum Creek Land Co., Seattle, WA  
Carlie Tuggey, Preti Flaherty



F:\Projects\2003\03-0466.4 W - Plum Creek - Moosehead Lake Area - 543 Lots - Wetland Delin. - SHH\Reports and Letters\03-0466.4 addendum to soils report of April 19, 2007.doc

**18. Compliance with Laws and Standards: If your proposal includes a subdivision or development proposal, provide information in response to the following questions concerning whether the land is likely to be suitable for the proposed use.**

**g. What measures have been taken to fit the proposal into the existing surroundings? Include any special considerations given to siting, design, size, coloring, landscaping, or other factors that will lessen the impact of the proposal on the surroundings.**

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### **Overview**

The Concept Plan application is a request for rezoning; as such, no specific subdivision or development plans or designs are proposed. Upon Plan approval, subdivision and development applications will be submitted to LURC for particular areas in the residential, mixed-use and resort zones.

### **Landscape Level Suitability**

The Plan development zones comprise just 5% of the Plan Area. Thus, the 356,000 acres of surrounding land will remain undeveloped under working forest protection easements. Interspersed throughout this landscape are mountain ranges, 60 never-to-be-developed pristine ponds, 6 lakes with some existing development on them, and small communities like Rockwood and Beaver Cove.

The acreage surrounding the development zones are suitable for the proposed uses. Sustainable forestry will continue to be practiced in this vast area, most of which is zoned M-GNM (Management-General, for the Moosehead Region Plan). Importantly, however, non-forestry development rights have been removed. Residential lot creation is not permitted.

This area, comprising 95% of the Plan Area, will also provide an unparalleled natural setting for recreation, the permanent conservation of landscape level viewsheds, and for habitat protection. In sum, the Management and Protection zoning proposed for 95% of the Plan Area is appropriate and suitable for forestry, recreation, scenic conservation and habitat protection. These uses are also consistent with LURC principal values as articulated in the CLUP.

Given that the scale of this Plan and the land use planning approach is similar to that of the agency's Rangeley Prospective Zoning Plan, it is important to note that the proposed development areas fit with the character of the surrounding, existing, developed areas and are consistent with LURC's location of development policies. This is evidenced by the fact that:

- Most development zones are adjacent to existing development; (see Petition Question #12)
- Development is located on lakes deemed suitable for additional development;

- Residential development levels are compatible with existing historic development levels (see Petition Question #9.b.)
- The CLUP's location of development policies and goals have guided the zone placement in this Plan.

### **Design Considerations**

Plum Creek's Concept Plan includes scenic, lighting, dimensional and clearing standards to ensure structures fit into their surroundings. Furthermore, the HOA provisions require homeowners to adhere to color, materials and clearing standards and enforcement procedures (see the HOA model documents in the Plan Description, section 3).

### **Tree Cover**

Tree cover is a highly effective screen in developed areas in the Moosehead region. The canopies of the trees cloak most development, especially in summer.

### **Environmental Fit**

As the Plan describes and the Land Guidance maps (see Section 9) and Natural Area maps (see Section 18i) show, development will not impact valued natural resources. Riparian corridors, rare plants, deeryards, wading bird wetlands, streams, etc., will remain protected under the Concept Plan's standards and zones ensure a harmonious fit by avoiding high value resources. Occasional wetland crossings may be needed but will be minimized and avoided all together where possible.



**18. Compliance with Laws and Standards: If your proposal includes a subdivision or development proposal, provide information in response to the following questions concerning whether the land is likely to be suitable for the proposed use.**

**h. Scenic Impacts: What measures will be taken to minimize impacts of the proposal on the scenic quality of the area? Consideration should be given to visibility from roads and water bodies.**

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### **Overview**

No specific subdivision or development proposals are included in this Concept Plan rezoning proposal.

The scenic character and the conservation of natural resource values are important to the success of the Concept Plan. The forestry, economic development and recreational goals are achieved with large, unfragmented tracts remaining undeveloped, recreational assets of the region enhanced with permanent trail right-of-ways, and vast tracts of land preserved for forestry with no development allowed.

As detailed throughout the Concept Plan, this landscape level protection is achieved through the M-GNM and Protection zones as well as the Balance Conservation Easement and Moosehead Legacy Conservation Easement. Mountaintops are protected with P-MAM zoning while lakeshore viewsapes are conserved with the Balance Conservation Easement.

Indeed, the Balance Conservation Easement area are carefully located specifically to protect lake shores where “primitive” recreation (canoeing, kayaking, and fishing) can be enjoyed, to prevent development expansion beyond the development zones and to conserve views from public roads and water.

The CLUP Scenic Resources policy 3, which directs LURC to protect the scenic values of shoreland, mountain, recreation and other scenic areas, is achieved by this privately initiated Concept Plan.

The location of the Concept Plan development zones also follows the Commission’s scenic resources goal and policies. Clearly, the Concept Plan concentrates growth in appropriate areas so as “to minimize impacts on natural values and scenic character”<sup>1</sup>. Further, the land use standards that are part of the Concept Plan “[r]egulate land uses generally in order to protect natural aesthetic values and prevent incompatibility of land uses.”<sup>2</sup>.

The Concept Plan’s development areas are concentrated on lakes deemed “potentially suitable for development,” adjacent to existing centers of development (see Petition Question

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<sup>1</sup> See CLUP pg. 139.

<sup>2</sup> Id.

#12) and close to roads and other infrastructure. As noted before, just 5% of the Plan Area is zoned for development.

In the Concept Plan Area, the two main public roads are the Lily Bay Road and Route 6/15, between Greenville and Jackman. Most waterbodies are Great Ponds, including the six lakes and ponds on which development is proposed, and thus are public resources.

Visibility will be minimized by adoption of standards, as described in Sub-Chapter III of this Concept Plan and by implementing the HOA provisions as described in the Plan Description. The following summarizes the measures.

- Colors shall be muted and should match dark earth tones representative of those found in the surrounding natural environment.
- No reflective finishes (e.g., unpainted or shiny metallic surfaces) shall be used on exterior surfaces including but not limited to the roofs, projections above roofs, retaining walls, doors, fences, pipes or outside equipment.
- Restrict siding types to painted or stained wood, timber, log, stone masonry, stucco, or non-reflective and unpainted vinyl.
- Screen all campers, boats, motor homes and recreational vehicles so that they cannot be seen from other lots, public and private roads, water bodies, or other public vantage points.
- All exterior lights shall be equipped with full cutoff features and shall be shaded to prevent glare.
- No spotlights are permitted
- All exterior lighting fixtures must be hooded so that emanating light is angled at 45 degrees towards the ground. No light may escape from above the horizontal plane. Flood lights shall be hooded, have motion detectors and illuminate functional areas only, such as garage doors, storage areas, walks and drives.
- Fixtures on buildings shall not be located above the eave line or above the top of any parapet wall. No fixtures shall be elevated more than 21 feet above the ground.
- No landscaping lighting, continuously illuminated floodlights, continuously illuminated light bulbs over 75 watts or exposed bulbs shall be used.
- No residential structures shall be greater than 35 feet in height, measured at the uphill side of the grade.

### **Vegetative Clearing**

This Concept Plan provides that permanent conservation easements will be granted on approximately two-thirds of shoreline along the developed lakes and ponds in the Plan Area.

These conservation easements protect high value land and scenic views. Plum Creek's ownership on the shoreland on 60 pristine ponds (comprising 89 miles) will also be permanently protected with conservation easements. These measures prevent future shoreline development and preserve the natural and scenic character of the waterbodies and woodland resources that characterize the Moosehead Lake region.

The Concept Plan includes residential development and resort development along the shoreline of just six of the numerous lakes and ponds within the Plan Area. Of these, Moosehead Lake, Upper Wilson Pond and Long Pond are classified as having "outstanding" scenic value under LURC's "Wildlands Lake Assessment Findings." Indian Pond, Burnham Pond and Brassua Lake have neither "outstanding" nor "significant" scenic value under these LURC definitions.

Under the HOA provisions an independent qualified evaluation of all lots within an association will be undertaken every two years and a report prepared will be delivered to LURC, to ensure compliance.

In those areas slated for development near public roadways, the following provisions will ensure that the rural North Woods experience is preserved.

- Require at least a 50-foot setback of undisturbed vegetation between structures and public roads, with a 75-foot setback from Route 6/15 and Lily Bay Road.
- Allow a screen of native plants to revegetate the setback areas where there is insufficient screening now.
- Site structures wherever practicable where they can be screened from public roadways effectively by vegetation and/or topographic features.
- Eliminate single driveways from entering public roads, to reduce disruption of the continuous forested roadside. Collector roads, usually following existing logging roads, will serve most new development. Driveways will, for the most part, be off secondary subdivision roads, not public or private collector roads.

**18. Compliance with Laws and Standards: If your proposal includes a subdivision or development proposal, provide information in response to the following questions concerning whether the land is likely to be suitable for the proposed purpose.**

**i. Wildlife Habitat: What measures will be made to minimize impacts on wildlife habitat including birds and water fowl? Consideration should be given to riparian zones along waterbodies.**

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### **Planning Approach**

Information from the Maine Natural Areas Program, LURC zoning maps, USF&W, MDEP, and DIF&W reports have been used to identify wildlife habitat and high-value natural resources. The Plan has benefited from the input of Plum Creek's staff forestry and wildlife professionals, as well as data on its lands that Plum Creek has contracted the Maine Natural Areas Program to compile. In addition, all available information from The Nature Conservancy has been used. Woodlot Alternative, Inc. has conducted fieldwork and is updating its report on habitat and species in the Plan Area. The report will be submitted upon completion.

The Concept Plan minimizes impacts on these resources through following Concept Plan mechanisms:

- Conserve 87% of the Plan Area with conservations easements that prevent residential development;
- Locate all development near existing development, roads, and service centers to avoid encroaching on more isolated and sensitive areas.
- Site development consistent with the CLUP to ensure that the goals and values are met at the subdivision stage.
- Protect forests through requirement sustainable forestry management practices;
- Comply with LURC Land Use Standards located in Volume 2, Section 4, Sub-Chapter III of this Concept Plan.

Sources and types of information that have been used include:

#### **From LURC**

- Zoning maps showing Protection subdistricts, including:
  - P-RR (remote ponds)
  - P-SL (stream and shoreland protection zones)
  - P-FW (fish and wildlife habitat)
  - P-WL (wetland zones)
  - P-MA (high mountain area zone)
  - P-GP (great pond zone)

- Wildlands Lake Assessment Findings for significant and outstanding fisheries, wildlife, and botanical resources

#### **From the Maine Natural Areas Program**

- High elevation areas (above 1500 feet)
- Riparian buffer areas
- Wading waterfowl habitat
- Bald eagle nest sites
- Lynx sighting locations
- Areas of management concern
- Rare plant sites and fact sheets
- Rare animal sighting locations

#### **From the Maine Department of Inland Fish & Wildlife**

- Management Plans for Brook Trout, Landlocked Salmon and Lake Trout
- *Brook Trout, A New Approach*
- *Fisheries and Hatcheries Reports for 2004 and 2005*
- *Maine's Comprehensive Wildlife Conservation Strategy*
- *Bald Eagle Management Goals and Objectives*
- *Forest Management Fact Sheet for the Broad-tailed Shadowdragon*
- *The Maine Damselfly and Dragonfly Survey, A Final Report; 2005*
- *Canada Lynx Fact Sheet*

An assessment of the fisheries from retired DIF&W fisheries biologist Paul Johnson, submitted to LURC, as also used.

#### **From the Maine Department of Environmental Protection**

- Water classifications for rivers and streams

#### **From the US Fish and Wildlife**

- *Canada Lynx Conservation Assessment and Strategy*
- *Critical Habitat and the Canada Lynx* (PowerPoint)

#### **From The Nature Conservancy**

- *Rapid Assessment of Conservancy Priorities within the Plum Creek Resource Plan, Moosehead Lake Region, January 2006*

In addition to the information provided by the above sources, the TNC report includes information on:

- critical habitat for the Bicknell Thrush
- the Matrix Forest block in the northeast corner of the Plan Area
- high-value streams, lakes and ponds
- wildlife corridors and connectivity



### **From Plum Creek staff and consultants**

- *Field Surveys of Plum Creek Lands in Maine, December 2001*
- Habitat surveys
- Soils surveys (including mapping of vernal pools and wetlands)

## **Protection Measures**

### ***Location and Siting of Development***

The Plan protects sensitive plant and wildlife habitat from the impacts of development by locating proposed development zones appropriately, and by providing landscape scale conservation.

The development zones, have been located nearby existing roads and communities and are large enough to afford the opportunity to locate lots and associated roads within the planning envelope while avoiding identified sensitive areas.

Due to the miles of forest management roads that currently cover the Plan Area, a small amount of new roads will be required in order to provide access to the development areas.

### ***Land Use Controls***

#### **Development Standards**

Site design restrictions in the Plan will add another layer of protection for habitat. All shoreland subdivisions will include 100-foot setbacks and LURC's strict vegetative clearing standards for areas within 100 and 250 feet of the high water mark of waterbodies. In doing so, the Plan standards ensure that no home or road construction will occur within 100 feet of any shore, and there will be little clearing within riparian areas. With these provisions, the Plan will maintain the functions of the shorelands as buffers that filter runoff, and as wildlife habitat and travel corridors.

### ***Conservation of High-Value Resources***

The Plan includes several areas that will be covered by conservation easements. These areas contain identified high-value wildlife habitat and natural resources. Because the easements apply in perpetuity, these resources will be protected for generations to come. The following discussion describes the conservation areas, the resources that will be protected within them, and the terms of the easements.

#### **Balance Conservation Easement – 90,000 acres**

##### **Forest Land:**

The Balance Conservation Easement is shown on the Concept Plan Summary Map and consists of a single working forest conservation easement covering approximately 90,000 acres, and three trail easements. All the Balance easements are permanent and the easement will be granted at the time of Plan approval. The easement terms will prohibit residential development,

allow timber management to continue, and guarantee traditional public access. Sustainable forest management will be required under the terms of the easement. The holder will be the Forest Society of Maine and the Bureau of Parks & Lands will be the third party holder.

The Balance Conservation Easement applies to the following:

- **Lily Bay to Upper Wilson Pond**  
The Conservation easement area extends from the east shore of Spencer Bay south and east to the Frenchtown/Lily Bay Township line; it includes most of Beaver Cove Township, surrounds Upper Wilson Pond, and terminates on the high ridge south of the Pond.
- **Long Pond to Brassua Lake**  
The easement runs from the western end of Long Pond to and including the west shore of Brassua Lake, including both sides of the Moose River. The area includes land north of Long Pond and the Moose River, and the watershed of Demo Pond. To the south, it includes a large area that extends two miles south of the north Long Pond shore and the Moose River.
- **Moosehead Lake Outlets to Indian Pond**  
The conservation easement in this area covers the land adjoining Indian Pond and the East and West Outlets, from ½ mile to 1 mile wide. The conservation lands in this area are located on Blue Ridge in Rockwood and on Big Moose Mountain, including lands adjoining the State-owned Little Moose Unit. The effect of ridgeline conservation lands is to protect viewsheds in these areas. High land seen from Knights Pond and other pristine ponds nearby is also protected under this conservation easement.

#### Lakes and Ponds:

The Balance Conservation Easement includes 15 pristine ponds, and easements on another 45 pristine ponds scattered throughout the Plan Area will also be granted upon Plan approval. All easements on the 45 pristine ponds will be 500 feet deep as measured from the high water mark. Together, the proposed conservation easements will protect 89 miles of shoreland and all of Plum Creek's shoreland ownership on all 60 ponds. While these ponds are valued for their lack of shoreland development and the contribution they make to the Moosehead region's character, they are also highly valued for their fisheries. The interior highlands of Maine, of which the Plan Area is a part, hosts roughly three quarters of the state's brook trout habitat. Small, undeveloped cold water ponds make up a significant part of this habitat, and many of the pristine ponds within the Plan Area support native and wild populations of brook trout<sup>1</sup>. At least 30 of the pristine ponds were rated in the Wildlands Lakes Assessment as having fisheries of significant or outstanding value.

By definition, all these ponds have riparian habitat. A few have been shown on the Maine Natural Areas map as having significant wading bird habitat. Finally, there is one historic

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<sup>1</sup> "Native" brook trout ponds have no record of ever having been stocked and support self-sustaining populations; "wild" brook trout ponds support self-sustaining populations, and have not been stocked since 1980.

bald eagle's nest and deer wintering areas on Mud Pond in Beaver Cove that will be protected through the easements.

Additional shoreland covered by the working forest Balance Conservation Easement includes most of the shore of Brassua Lake, and significant portions of shorefront on Long, Indian, and Upper Wilson Ponds. All Plum Creek shorefront ownership in Big W Township on Moosehead Lake and on Prong Pond is included in the Balance Conservation and will be permanently conserved. Over five miles of the Moose River are within the conserved area, as well. The relevant section of the Moose River runs from the outlet at the east end of Long Pond, for the length of the Moose River, to an inlet on Little Brassua Lake, and area primarily in Sandwich Academy Grant Township.

#### Easement Terms that Protect Habitat:

The terms of the Balance Conservation Easement apply in perpetuity. Forest management practices, in conformance with SFI standards, will be required. These practices are designed to have no negative impact on wildlife habitat, and indeed, may improve the forest habitat for Canada lynx and other species. See Sustainable Forestry Initiative Principles on page 10 for details on how SFI principles and practices protect wildlife habitat.

Residential development will be prohibited. This will ensure that the habitat will remain intact and largely undisturbed forever.

The easement terms also specifically allow hiking trails that run through the area to be relocated in order to avoid sensitive habitat.

Because this easement will become effective upon approval of the Plan, LURC and the public can be assured that high-value resources within the Plan Area will be protected forever, immediately, and regardless of how much development takes place in the rest of the Plan Area.

### ***Conservation Framework***

#### **Moosehead Legacy Easement – 266,000 Acres**

##### Protected Resources:

The Moosehead Legacy Easement covers approximately 266,000 acres of land. It represents a significant opportunity to conserve the remote areas of the Moosehead region. There is no lake, pond or river shorefront included within this area, as these are included within the Balance Conservation Easement. It contains streamside riparian habitat and harbors much of the non-riparian woodland habitat that is so valued by area residents and visitors.

There are three areas within the Moosehead Legacy lands that have ecosystems rated as having high values by The Nature Conservancy and the Maine Natural Areas Program. Wildlife habitat is only one of several of the characteristics of these ecosystems that warrant their high ranking. These are:

- the spruce/fir northern hardwoods in Big Moose Township;

- the stream shore ecosystem in Long Pond Township along Churchill Stream; and
- the subalpine fir forest and northern hardwood forest bordering the Plan Area in Ellitsville Township on the northern slopes of Barren Mountain.

There are two stream systems within the Moosehead Legacy Easement area that TNC views as of the highest priority for conservation, due to their being the best state-wide examples of their ecological type in the Penobscot, Kennebec, and Androscoggin drainage areas. Biodiversity is one of the factors that TNC considers in rating these streams. These streams are:

- Socatean Stream in West Middlesex Canal Grant; and
- the Churchill Stream system in Long Pond Township, including the tributaries to Luther, Muskrat, and Fish Ponds in Thorndike.

TNC also notes that the expanse of forest, itself, is important for wildlife in that it provides large areas of relatively undisturbed area for animals that require such areas for their range. Canada lynx are one such species, and there have been 22 recorded sightings of lynx in the Moosehead Legacy Easement. Finally, there are some high elevation areas suitable as habitat for Bicknell's Thrush on Bluff Mountain in Beaver Cove within the Legacy lands.

#### Easement Terms that Protect Habitat:

As with the other easements, the terms for the Moosehead Legacy Easement will prohibit residential development in perpetuity. Sustainable forestry practices, in conformance with SFI standards, are allowed. See the Sustainable Forestry Initiative Principles for an explanation of how SFI protects habitat.

## **Sustainable Forestry Initiative Principles**

SFI standards state that program participants shall have a written policy to implement nine principles. Each principle, in turn, has specific objectives and performance measures by which SFI certification is achieved. Following are the principles, objectives and performance measures that protect wildlife habitat:

### **1. Sustainable Forestry**

To practice sustainable forestry to meet the needs of the present without compromising the ability of future generations to meet their own needs by practicing a land stewardship ethic that integrates reforestation and the managing, growing, nurturing, and harvesting of trees for useful products with the conservation of soil, air and water quality, biological diversity, wildlife and aquatic habitat, recreation, and aesthetics.

### **6. Protection of Water Resources**

To protect water bodies and riparian zones.

### **7. Protection of Special Sites and Biological Diversity**

To manage forests and lands of special significance (biologically, geologically, historically or culturally important) in a manner that takes into account their unique qualities and to promote a diversity of wildlife habitats, forest types, and ecological or natural community types.

**Objective 4.** To manage the quality and distribution of wildlife habitats and contribute to the conservation of biological diversity by developing and implementing stand- and landscape-level measures that promote habitat diversity and the conservation of forest plants and animals, including aquatic fauna.

**Performance Measure 4.1.** Program Participants shall have programs to promote biological diversity at stand and landscape levels.

**Performance Measure 4.2.** Program Participants shall apply knowledge gained through research, science, technology, and field experience to manage wildlife habitat and contribute to the conservation of biological diversity.

### **9. Continual Improvement**

To continually improve the practice of forest management and also to monitor, measure and report performance in achieving the commitment to sustainable forestry.

## **Roach Ponds Acquisition Area**

### Protected Resources:

The Roach Pond Acquisition Area is approximately 29,500 acres and encompasses ten ponds, nine of which are rated as “outstanding” or “significant” for fisheries. Fourth West Branch Pond was not rated in the Wildlands Lakes Assessment, but does contain have a self-sustaining fishery of wild and native brook trout.



There have been four recorded lynx sightings in this area, and one known eagle's nest site at west end of Second Roach Pond. There are significant areas of wading waterfowl habitat in the drainages for Second and Third Roach Ponds and Penobscot Pond.

Terms that Protect Habitat:

The Roach Ponds Area is proposed for fee sale to the Nature Conservancy or its assignee. Upon Plan approval the legal obligation to purchase is triggered. In making this parcel available for purchase by conservation interests, Plum Creek's Plan is providing a valuable opportunity to conserve an area that has long been a high priority for protection for (among other values) its wildlife habitat.

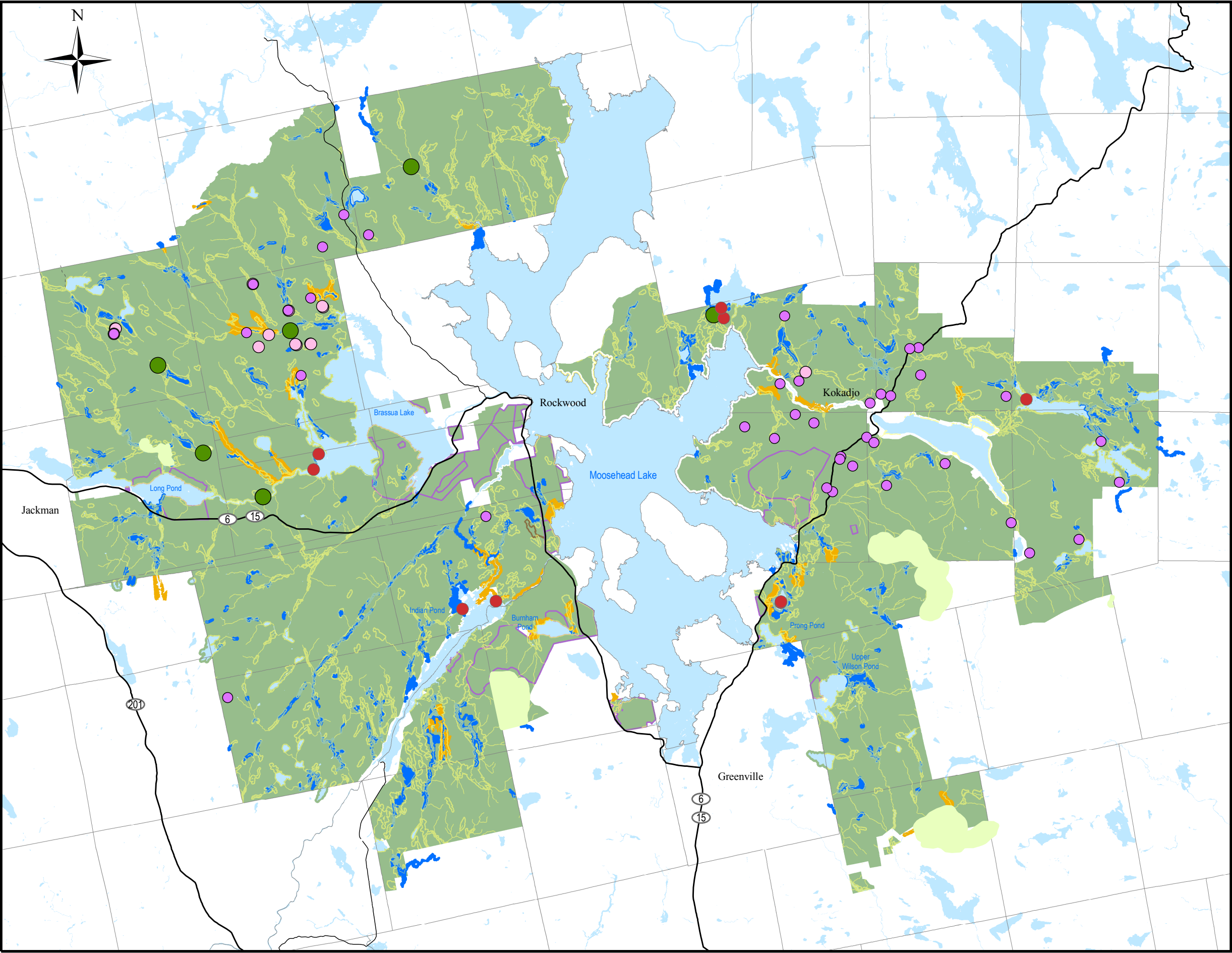
**Number Five Bog Acquisition Area**

Protected Resources:

While the 45,000 acre Number Five Bog area is not noted for its wildlife habitat, it is a rare and noteworthy ecosystem. In fact, it is recognized by the National Park Service (NPS) as a National Natural Landmark: an "outstanding example of our country's natural history." The NPS describes the Bog as "[o]ne of the larger peatlands in Maine and the only intermontane peatland in the northern Appalachian Mountains. It has the greatest abundance and variety of string patterns of any U.S. peatland east of the northern Great Lakes. The jack pine forest and well-defined surficial glacial features, coupled with the many botanical species and geological features located here, constitute a diversity of natural features found nowhere else in the northern United States."

Easement Terms that Protect Habitat:

Number Five Bog, approximately 45,000 acres, is proposed for fee sale to the Nature Conservancy. Upon Plan approval the legal obligation to purchase is triggered. In making this parcel available for purchase by conservation interests, Plum Creek's Plan is providing a significant public benefit and valuable opportunity to conserve an area that has long been a high priority for protection for its rare ecosystem.



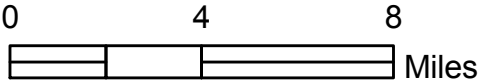
Petition for Rezoning

## Maine Natural Areas Map

### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

#### Legend

- Plum Creek Ownership Subject to Concept Plan
- Rivers - Lakes - Ponds
- Major Road
- Proposed development envelope
- Existing commercial / industrial location
- Reported Lynx sighting
- Historic Observed Lynx sighting
- Biological Conservation
- Eagle Habitat
- MNAP Plants and communities
- Riparian Buffer
- Inland Waterfowl and Wadingbird Habitat
- Fish and Wildlife



April 2007

**19. Conformance with the Commission's Standards: Does the proposal meet or exceed the Commission's normal standards for site suitability, including the Commission's minimum dimensional requirements? If the plan includes any provisions that deviate from the Commission's Land Use Districts and Standards, explain in detail how the provisions differ from the Commission's rules and provide reasons for the proposed deviations.**

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The Plan incorporates all of LURC's normal standards for site suitability, including dimensional requirements (with the exception of shorefronts). The Concept Plan is more restrictive than the existing dimensional requirements by reducing the maximum residential building height from 75 feet to 35 feet, and limits to six stories buildings associated with resort development. This additional restriction is intended to better ensure that the development will not have an undue adverse impact on scenic or natural resources. The current clearing, wetlands alternation, road construction, erosion control, scenic character, soil suitability, solid waste disposal, waste water disposal, water supply, surface water quality, phosphorus control, and other such standards have all been incorporated into the Plan's land use standards.

The Land Use Standards (Sub-Chapter III) of the Commission's Chapter 10 are amended for this Concept Plan contained in Section 4 of this Concept Plan. A list of modifications to the Land Use Standards and the rationale for the each modification is included at the beginning of each Sub-Chapter in Section 4 of this Concept Plan.

**20. Resource Protection: Is the proposal at least as protective of the natural environment as the Commission's existing protections? How does the proposal maintain or enhance the protection of the natural resources and public values within the areas involved?**

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The Plan is more protective of the natural environment than the existing land use standards. Presently, the vast majority of the Plan Area is designated as being within the General Management (M-GN) subdistrict. The remaining land is in either Commercial Industrial (D-CI) or Residential (D-RS) Development subdistricts or one of various protection subdistricts. In all but a few of these subdistricts, residential development of some form is allowed with a permit from the Commission. By contrast, residential and resort development zones are allowed, subject to resource constraints, to 5% of the Plan Area.

The Plan concentrates the currently allowed residential uses into carefully selected areas by allowing residential subdivisions and resort development in residential and resort development zones, and prohibiting residential and resort development in the areas zoned for forestry (M-GNM). By doing so, the Plan guides development to the most appropriate areas - near service centers, adjacent to existing development, along heavily traveled public highways, and in areas appropriate as new development centers - and prohibits residential development from occurring in other, more remote locations. The result is the creation of vast tracts of land remaining in forest management and confined and consolidated appropriately located development zones.

The land use standards of existing protection subdistricts (with the exception of the P-GP protection zones located in development areas) will retain the same land use requirements as currently exist in those subdistricts. The Plan is at least as protective of all areas within the Plan Area including the protection zones. The Plan is more protective of protection zones because those protection zones located outside the proposed development areas will be protected from residential and commercial uses by the Balance Conservation Easement and the Moosehead Legacy Easement. Together, these easements permanently protect approximately 356,000 acres from development. The easements also guarantee public access and protect 153 miles of the shoreline in the Plan Area from development. The protection of these resources, the public values associated with guaranteed access for recreation and the protection of 87% of the shoreline (compared to 33 miles of shoreline in proposed development areas including protection zones within development areas) more than offset any potential impacts from development and assure that the proposed Plan is more protective of natural resources and public values than the existing zones.

This new M-GNM zone is more protective of the natural environment because it prohibits residential dwellings, level 2 subdivisions and non-forestry related commercial uses.

The Balance Conservation Easement and the Moosehead Legacy Easement attach to approximately 356,000 acres within the Plan Area. These easements are permanent and prohibit residential development. They also permanently guarantee public access and require sustainable forestry. The Concept Plan's combination of more restrictive zoning and permanent

conservation provide a substantially greater protection of natural resources and public values than exists today. Indeed, the permanent protection of vast areas of forest lands fulfills the Commission's principal values by permanently protecting the more remote, pristine locations, the scenic character, natural resources, traditional recreation and sustainable forestry and more than offsets the conversion of a small percentage of the M-GN subdistrict to development zones. This conclusion is underscored by the reality that without the Plan, a significant number of residential units could be constructed with either limited or no regulatory review and no conservation or other public benefits.

The existing D-CI subdistrict will remain in the same location with the same zone provisions. It has been retitled a D-CIM zone. This zone is at least as protective of the natural environment as the identical, existing subdistrict.



## **21. Balance: Does the plan strike a reasonable and publicly beneficial balance between appropriate development and long-term conservation of...resources?**

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The Plum Creek Concept Plan “strikes a reasonable and publicly beneficial balance between appropriate development and long term conservation...”<sup>1</sup> by properly locating appropriate development adjacent to existing development and roadways and by providing the 90,000 acre Balance Conservation Easement.

LURC’s Comprehensive Land Use Plan states that development in the jurisdiction has “provided jobs, housing and improved services and facilities for the residents of the jurisdiction. Some development has also supported or enhanced the jurisdiction’s principal values.”<sup>2</sup> In particular, development is publicly beneficial when it supports existing industries, such as forest management, recreation, and eco-tourism.<sup>3</sup> New year-round and seasonal housing units are also of significant benefit to local communities,<sup>4</sup> and experts in sustainable tourism and resort development recognize that seasonal residences are often needed to make such facilities function economically. These types of development – seasonal and year-round homes, and well-planned resort and tourist destination facilities – are well suited for the Moosehead Lake region, which depends more and more on a nature-based recreation economy for its survival. The residential and resort development proposed in the Plan is appropriate and in keeping with the traditional character of the region.

The levels of the residential development also must be appropriate for the area in which the development is proposed. This can be viewed both in terms of what level of development might be expected in the Plan Area absent a concept plan, and by looking at the historical rate of development of the Area. With respect to both of these considerations, it is important to note that previous concept plans approved by the Commission have allowed landowners to gain a level, rate, and/or concentration of development that might not otherwise be permissible, because that development is balanced by conservation measures that would not otherwise be required. The applicant benefits from the additional increment, rate, and/or location of development achieved, and LURC and the public benefit from the ability to steer development to more suitable locations, from the predictability that accompanies long-term planning, and from the required conservation balance.

Absent a concept plan, development may still occur in the Plan Area. This can be achieved through a variety of more traditional means, from level 2 subdivisions, to adjacent rezonings, to unregulated and exempt lot divisions. It is not easy, however, to estimate definitively the amount of development that might occur without a concept plan, and there is no agreed upon protocol for undertaking such an analysis.

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<sup>1</sup> See LURC Rules Chapter 10, Section 10.23, H,6.

<sup>2</sup> CLUP Appendix C, page C-4.

<sup>3</sup> CLUP Chapter 4, page 118.

<sup>4</sup> CLUP Chapter 4, page 118.

That being so, recent studies<sup>5</sup> have analyzed the result of creating lots under existing regulations and/or the amount of development that could reasonably be expected absent a concept plan. These studies, which each use a different methodology, have estimated that between 447 to over 1,000 new lots could be created in the Plan Area without any requirement to provide permanent conservation as a balance.

Plum Creek's Concept Plan proposes levels of residential development comparable to each of these studies, but includes the 90,000-acre balance conservation easement. This balance requirement is a unique aspect of a concept plan, and results in significant permanent conservation that would not be achievable under traditional development proposals, or through a prospective zoning process.

While estimates will vary as to the amount and of development that might reasonably occur in the Plan Area without a concept plan, it is possible to determine the precise level of development that has occurred in the past. This historical rate of development is useful in evaluating whether the proposed amount of development is in keeping with traditional growth patterns.

Within the 29 townships that encompass and include the Plan Area, Plum Creek owns 408,000 acres (70 percent), with the balance being private land (18 percent), public land (6 percent), and non-profit/conservation land (6 percent). On the private lands not owned by Plum Creek, there are currently 1,508 houses, 570 of which have been built in the last 30 years. This current level of development, on 18% of the land in these 29 townships, is one and a half times the amount of development proposed by the Plan. Thus, if the Plan is fully implemented, and no new lots were created outside the Plan Area in these townships, there would still be 50% more development outside the Plan Area than inside. On a lot-per-acre basis, Plum Creek is proposing less than one-fifth the development density that exists on the 108,711 acres of private land in the 29 townships that encompass the Plan Area (two-fifths the development density that occurred in those townships during the previous 30 years).

Applying this historical analysis to the rim of townships that surround the Plan Area reveals a similar comparison. In those townships, there were 1,553 new lots created and 1,106 new building permits issued in the twenty-year period between 1985 and 2004. Not only is the development proposed by the Plan below these historical growth rates, but the Plan will also cap the total number of new Residential Dwelling Units at 975, while there will undoubtedly be additional growth outside of the Plan Area.

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<sup>5</sup> These studies are: (i) "Baseline Development Scenario for the Plum Creek Moosehead Project Lands", March 2006, The Open Space Institute [which provides a potential buildout scenario in the Plan Area based on current zoning and using various development methods, including level 2 subdivisions, adjacent rezonings, and unregulated lot divisions; and (ii) "Development Baseline Evaluation Prepared by LURC Staff for Plum Creek's Proposed Concept Plan in Moosehead Lake Area", February, 2005, Land Use Regulation Commission [which assessed the carrying capacity of shorefront areas under LURC's Lake Management Program Guidelines and without consideration of site conditions, adjacency, or other zoning].

While these future development scenarios and historical growth rates indicate that the number of new lots proposed by the Concept Plan are appropriate for the Plan Area, the locations of these lots is also important. LURC has long recognized the benefits of well-sited development in the unorganized territories, and has determined that “the principal development issue is not the amount of development taking place in the jurisdiction, but rather where it is located.”<sup>6</sup> It is the Commission’s position that development is best located proximate to settled areas.<sup>7</sup>

In response to this, as well as to comments made at the four scoping sessions conducted by LURC staff in August 2005 and comments received from the public and review agencies in 2006, the Plan’s proposed development zones have been sited to avoid impinging on the more remote areas of the region. In response to information received from LURC and the public, the 2007 Concept Plan has consolidated development zones near Rockwood, Jackman and Greenville and along major transportation routes. Proposed areas for development have been removed from Big W, portions of Long Pond, Indian Pond and Brassua Lake, scaled back on the west shore of Upper Wilson Pond, removed from the east shore of Upper Wilson Pond and removed from Prong Pond. The development zones are now located near existing development, along major public roadways, on Management Class 3 lakes, and/or in areas otherwise suitable for expansion. No development is proposed on any of the outlying ponds, all of which will be permanently preserved upon approval of the Plan.

All of the Plan’s proposed development zones are within a 5 to 15-minute drive from Greenville, Rockwood, or Jackman. Most of the proposed residential development zones are proximate to the Route 6/15 corridor or the well-traveled Lily Bay Road. The proposed resort areas are located adjacent to existing resort developments, as in the case of Big Moose Mountain, or in an area highly suitable for a smaller-scale resort, as in the case of Lily Bay.

To balance this reasonable level of appropriately located development, Plum Creek will implement the largest permanent conservation package ever proposed under LURC’s regulations.

This unprecedented conservation-balance package includes: (i) permanent protection of all of Plum Creek’s shorefront of 60 pristine ponds, (ii) permanent protection of the undeveloped shorelines of the 6 lakes and ponds on which limited development is proposed, (iii) permanent conservation of more than 90,000 acres – nearly 100 square miles - of unfragmented forestland, and (iv) permanent deed restrictions on all residential lots.

Strategic design and placement of these conservation measures further enhances the true impact of the conservation proposed by the Plan. Development pressure in the Moosehead Lake region is greatest on the shorefronts of the lakes and ponds that pepper the area. The Plan protects shorefront on 66 lakes and ponds in the Plan Area. On the six

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<sup>6</sup> CLUP Chapter 4, page 125.

<sup>7</sup> CLUP Chapter 5, page 140.

lakes and ponds on which Plum Creek proposes limited development, the Plan will permanently protect a minimum of 66% of the total combined shoreline in Plum Creek's ownership. Overall, 82% of the shoreline owned by Plum Creek will be permanently protected by conservation easements.

In addition to permanent protection on the shorefronts of these lakes and ponds, the Plan also proposes a landscape-scale conservation easement – unprecedented in LURC concept planning - on more than 90,000 acres of forestland. This proposed easement is larger than all of Maine's state parks (excluding Baxter), combined, and is one and a half times the size of the famed Nahmakanta Reserve, Maine's largest public reserved land. The Balance Conservation Easement contains development and prevents sprawl because it is located along the border of all the development zones.

Contained within the Balance Conservation Easement are the following trail right-of-ways:

- Peak-to-Peak Hiking Trail – 64 miles. This trail extends from Rockwood to Nahmakanta.
- Permanent ITS Snowmobile Trail – 74 miles. This trail guarantees permanent access to snowmobilers.
- Northern part of the Moosehead-to-Mahoosucs cross-country skiing, biking, and hiking trail – 12 miles. This trail is part of the trail system being planned by Maine Huts and Trails that will run from the Mahoosuc Mountain Range near Bethel to Moosehead Lake. The trail is for cross-country skiing, hiking and bicycling.

This vast easement will forever preserve this unique and expansive area of the Moosehead Lake region that has been identified by the State and conservation groups as being of high conservation priority. It will also amplify the conservation effect of neighboring conservation areas. By strategically locating this easement to encompass the development zones, the development is contained and sprawl prevented forever. This easement also protects the remote and pristine ponds in the Plan Area.

A comparison of the balance proposed by the present Plan to the balance approved by the Commission in four previous concept plans indicates whether this level of balance is reasonable and publicly beneficial. The Plan's balancing conservation measures compare favorably to the conservation measures of each of the previously approved concept plans.

In summary, the Plum Creek Concept Plan amply meets the standard of striking a reasonable and publicly beneficial balance between appropriate development and long-term conservation.

State-owned Little Moose Unit. The effect of ridgeline conservation lands is to protect viewsheds in these areas. High land seen from Knights Pond and other pristine ponds nearby are also protected under this conservation easement.

- The three large conservation areas described above include 15 pristine ponds. However, easements on another 45 pristine ponds scattered throughout the Concept Plan Area will also be granted upon Plan approval. All the easements on these latter ponds will be 500 feet wide as measured from the high water mark. Together, the proposed conservation easements on pristine ponds will protect 89 miles of shoreland and all of Plum Creek's shoreland ownership on all 60 of these waterbodies.

Additional shoreland covered by the working forest Balance Conservation Easement includes most of the shore for Brassua Lake, and significant portions of shorefront on Long, Indian, and Upper Wilson Ponds. All Plum Creek shorefront ownership in Big W Township on Moosehead Lake and on Prong Pond is included in the Balance Conservation and will be permanently conserved. All islands in Plum Creek's ownership on these waterbodies also are included in the Balance Conservation Easement. Over five miles of the Moose River are within the conserved area, as well. The relevant section of the Moose River runs from the outlet at the east end of Long Pond, for the length of the Moose River, to an inlet on Little Brassua Lake, and area primarily in Sandwich Academy Grant Township.

The Balance Conservation Easement is highly valuable and provides a publicly beneficial balance for the areas proposed for rezoning to development zones. This donated easement also provides the comparable conservation to allow for a waiver of adjacency.

The Commission has established four principal values that define the distinctive character of the jurisdiction listed below.

- "The economic value of the jurisdiction for fiber and food production, particularly the tradition of a working forest, largely on private lands. This value is based primarily on maintenance of the forest resource and the economic health of the forest products industry. . . .
- Diverse and abundant recreational opportunities, particularly for primitive pursuits.
- Diverse, abundant and unique high-value natural resources and features, including lakes, rivers and other water resources, fish and wildlife resources, ecological values, scenic and cultural resources, coastal islands, and mountain areas and other geologic resources.
- Natural character values, which include the uniqueness of a vast forested area that is largely undeveloped and remote from population centers."<sup>1</sup>

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<sup>1</sup> Comprehensive Land Use Plan for Areas Within the Jurisdiction of the Maine Land Use Regulation Commission; Department of Conservation, Maine Land Use Regulation Commission; 1997; p. 114.



The Balance Conservation directly addresses these principal values as well as policies articulated in the LURC Rules and Regulations, the Comprehensive Land Use Regulations and the Wildland Lake Assessment. This conservation serves to protect shorelands and significant natural resources, confine development, maintain forestlands and provide opportunities for primitive recreation.

The Balance Conservation Easement guarantees that specific sensitive and important ecological shorefront areas will never be developed. Additionally, the conservation lands protect high value recreational and scenic areas by protecting viewsheds and ensuring public access.

By surrounding the development zones with tracts of permanent conservation, the development is offset by adjacent protected land that is comparable to the area affected by development. Additionally, any future expansion of the development zones is precluded. Underpinning this strategic placement of the conservation is an understanding that development areas will change the allowed uses of a small amount of the lands in the Plan Area. The Donated Conservation, however, clearly and appropriately balances development and, by limiting and confining development, assures that the remote character of the area will be permanently preserved.

Recreation measures in the Balance Conservation Easement include the following components:

- Peak-to-Peak Hiking Trail – 64 miles. This trail extends from Rockwood to Nahmakanta.
- Permanent ITS Snowmobile Trail – 74 miles. This trail guarantees permanent access to snowmobilers.
- Northern part of the Moosehead-to-Mahoosucs cross-country skiing, biking, and hiking trail – 12 miles. This trail is part of the trail system being planned by Maine Huts and Trails that will run from the Mahoosuc Mountain Range near Bethel to Moosehead Lake. The trail is for cross-country skiing, hiking and bicycling.

### ***The Conservation Framework***

As additional public benefit, Plum Creek has entered into a set of binding agreements with The Nature Conservancy to create the Conservation Framework. These agreements are contingent upon Commission approval of this Plan. The Conservation Framework consists of:

- The sale of a conservation easement, the Moosehead Legacy Easement, comprising approximately 266,000 acres.
- The fee sale of the 29,500-acre Roach Ponds Area to a conservation purchaser;
- the fee sale of Number Five Bog (45,000 acres outside Concept Plan Area) to a conservation purchaser; and

These conservation components are described below:

- Moosehead Legacy Easement – 266,000 acre sale of a conservation easement.

The Moosehead Legacy Easement covers approximately 266,000 acres including some or nearly all of Plum Creek's ownership in 21 of the 29 townships where the Plan Area is located. The shoreland within 500 feet of the high water mark of all the pristine ponds in these townships is excluded because these areas will be protected by Plum Creek's donated Balance Conservation Easement. The location and extent of the lands covered by the Moosehead Legacy Easement links the State-owned Kineo property; the Bureau of Public Land's Big Spencer Mountain, Nahmakanta, Seboomook, and Little Moose units; the 100-Mile Wilderness area; the Roach Ponds Acquisition Area; and the Heritage Easement lands along the eastern shore of Moosehead Lake from Lily Bay to Upper Wilson Pond in Bowdoin College Grant West. The Concept Plan Summary Map depict the areas covered by the Moosehead Legacy Easement.

The terms of the Moosehead Legacy Easement guarantee traditional public pedestrian access in perpetuity, prevent the development of Residential Dwelling Units or Resort Accommodations, and ensure the continuation of commercial working forestry that meets sustainable forestry standards. Contingent approval of this Plan, The Nature Conservancy is legally bound to purchase this easement.

- Roach Ponds Acquisitions – 29,500-acre fee sale to a conservation purchaser.

Plum Creek will sell its lands in T1 R12 WELS, Shawtown Township, and Bowdoin College Grant East, an area known as the Roach Ponds (see Detail Maps 12 and 13), to The Nature Conservancy or its assignee upon approval of this Concept Plan. The legal obligation to purchase the property in the Roach Pond Acquisition Area becomes fixed upon Plan approval.

The Roach Ponds Acquisition Area comprises approximately 29,500 acres. It's northern border is the State-owned Nahmakanta region. The southern border is the Appalachian Trail. Its southern extent adjoins land owned and conserved by the Appalachian Mountain Club, while most of the western border adjoins Moosehead Legacy Easement lands.

The Roach Ponds area includes shorefrontage on all or part of ten high resource value ponds: Second Roach, Third Roach, Fourth Roach, Trout, First West Branch, Second West Branch, Third West Branch, Fourth West Branch, Beaver and Penobscot Ponds, and Long Bog. The area also encompasses Shaw Mountain and mountain peaks along the Appalachian Trail.

- Number Five Bog – fee sale of 45,000 acres outside the Plan Area to a conservation purchaser.

**22. Conservation Measures: If conservation easements are proposed, describe their substantive provisions (e.g. area of easement, allowed uses, access, special restrictions). Describe how the proposed easement holder meets the Commission’s guidelines for Selection of Easement Holders. If alternative conservation measures are proposed, describe their substantive provisions and describe how these measures fully provide for long-term protection or conservation.**

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The Concept Plan proposes two key conservation measures, a) Balance Conservation Easement – donated permanent working forest conservation easement for balance and b) The Conservation Framework – purchased working forest conservation easements and conservation fee sales which provide additional “public benefit.” All existing LURC subdistricts will remain in place in the conservation areas.

The proposed measures are:

***Balance Conservation Easement***

The Balance Conservation Easement is shown on the Concept Plan Summary Map attached at section 10 of this Petition for Rezoning and consists of a working forest conservation easement covering approximately 90,000 acres. The Balance Conservation Easement is permanent and the easement will be granted at the time of Plan approval. The working forest easement terms will prohibit residential development, allow timber management to continue, and guarantee traditional public access. Sustainable forest management will be required under the terms of the easement. The holder will be the Forest Society of Maine.

The Balance Conservation Easement applies to the following:

- Lily Bay to Upper Wilson Pond  
The Conservation easement area extends from the east shore of Spencer Bay south and east to the Frenchtown/Lily Bay Township line; it includes most of Beaver Cove Township, surrounds Upper Wilson Pond, and terminates on the high ridge south of the Pond.
- Long Pond to Brassua Lake  
The conservation easement runs from the western end of Long Pond to and including the west shore of Brassua Lake, including both sides of the Moose River. The area includes land north of Long Pond and the Moose River, and the watershed of Demo Pond. To the south, it includes a large area that extends two miles south of the Long Pond shore and the Moose River.
- Moosehead Lake Outlets to Indian Pond  
The conservation easement in this area covers the land adjoining Indian Pond and the East and West Outlets. The conservation lands in this area are located on Blue Ridge in Rockwood and on Big Moose Mountain, including lands adjoining the

Plum Creek has agreed to sell a fee interest on one of the Northeast's outstanding peat bogs to The Nature Conservancy. The land includes a substantial portion of the unconserved lands around the Moose River headwaters. Number Five Bog lies south of Attean Township, in T5 R7 BKP WKR and Appleton, Bradstreet, and Hobbstown Townships, adjacent to land that is currently under a conservation easement held by the Forest Society of Maine.

The lands included in the fee sale encompass a total of 45,160 acres. Of that, 15,000 acres will be sold outright to The Nature Conservancy, including the last unprotected section of the Moose River Bow Trip canoe route. Plum Creek will also sell in fee to The Nature Conservancy another 30,160 acres of land to the south. The area subject to these agreements is not within the Plan Area and is therefore not subject to the terms of this Concept Plan and P-RP subdistrict.

### ***Other Conservation Measures***

The Concept Plan also proposes other conservation measures including inclusion of existing protection subdistricts and the terms of the M-GNM subdistrict.

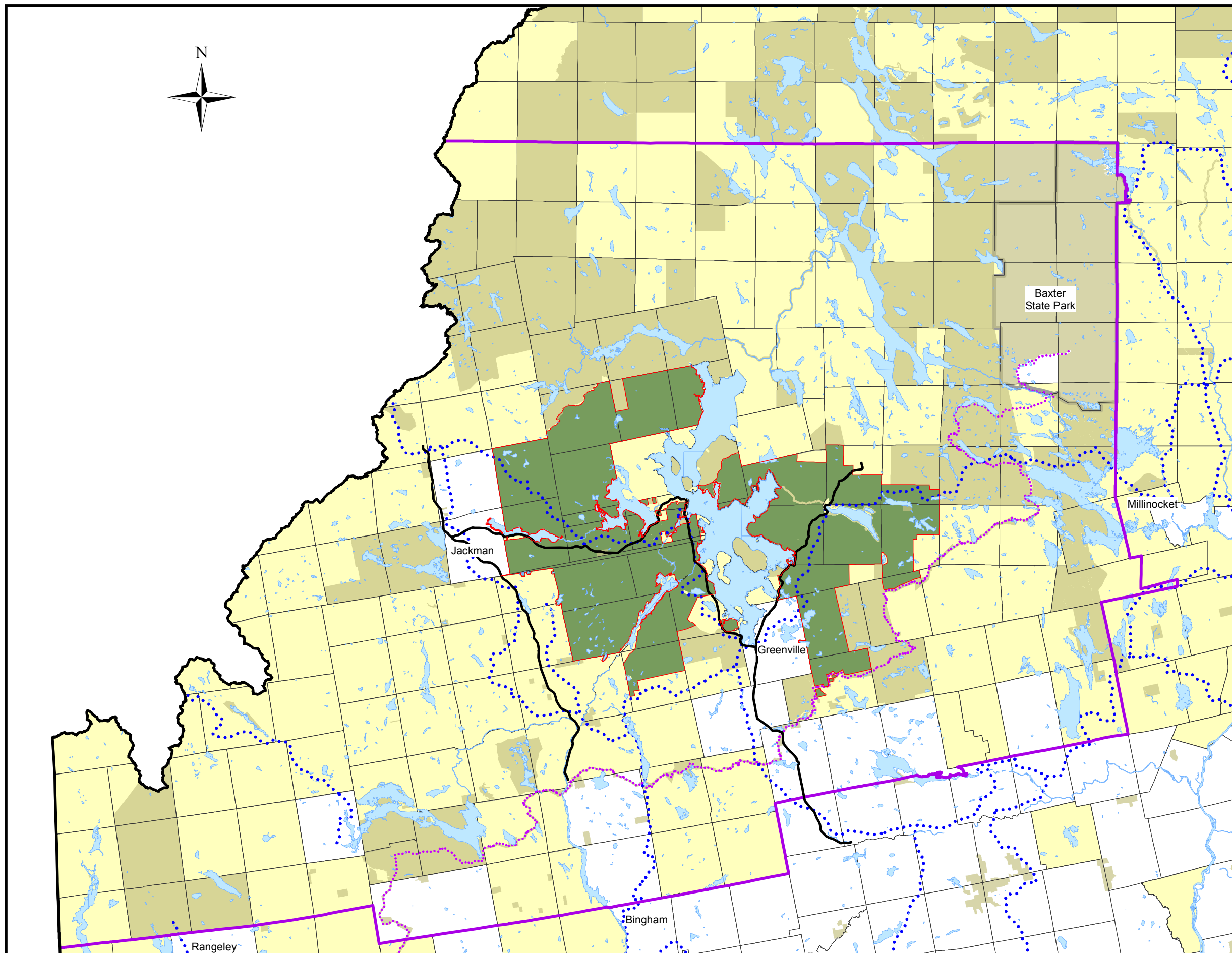
- Protection Subdistricts:

LURC has established various "Protection" subdistricts, such as Fish and Wildlife (P-FW), Great Pond (P-GP), Mountain Area (P-MA), Recreation Protection (P-RR), and Shoreland (P-SL) subdistricts that set out appropriate restrictions on land use within these mapped areas. The zoning regulations are intended to protect sensitive resources from irresponsible development and inappropriate use (see Chapter 10, the Commission's Land Use Districts and Standards).

This Plan has adopted LURC's Protection subdistrict boundaries and standards, as they currently apply, throughout the entire Plan Area, except that P-GP subdistricts where development is proposed will be rezoned to allow the proposed development.

- M-GNM Subdistrict

The allowable uses in the M-GNM zone under the Concept Plan P-RP subdistrict are effective for the 30-year term of the Plan. The protection of the commercial forest land base for wood and fiber production is a major objective of the Plan. To that end, roughly 91% of the land base in the Plan Area will be zoned M-GN and continue to be managed as a commercial working forest subject to sustainable forestry standards. Under the zoning standards of this Plan, the residential development provisions of LURC's M-GN zone have been removed.

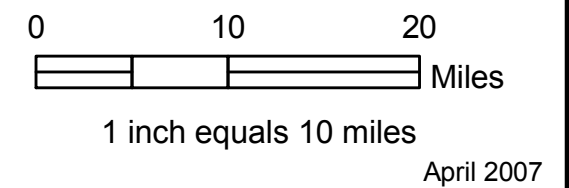


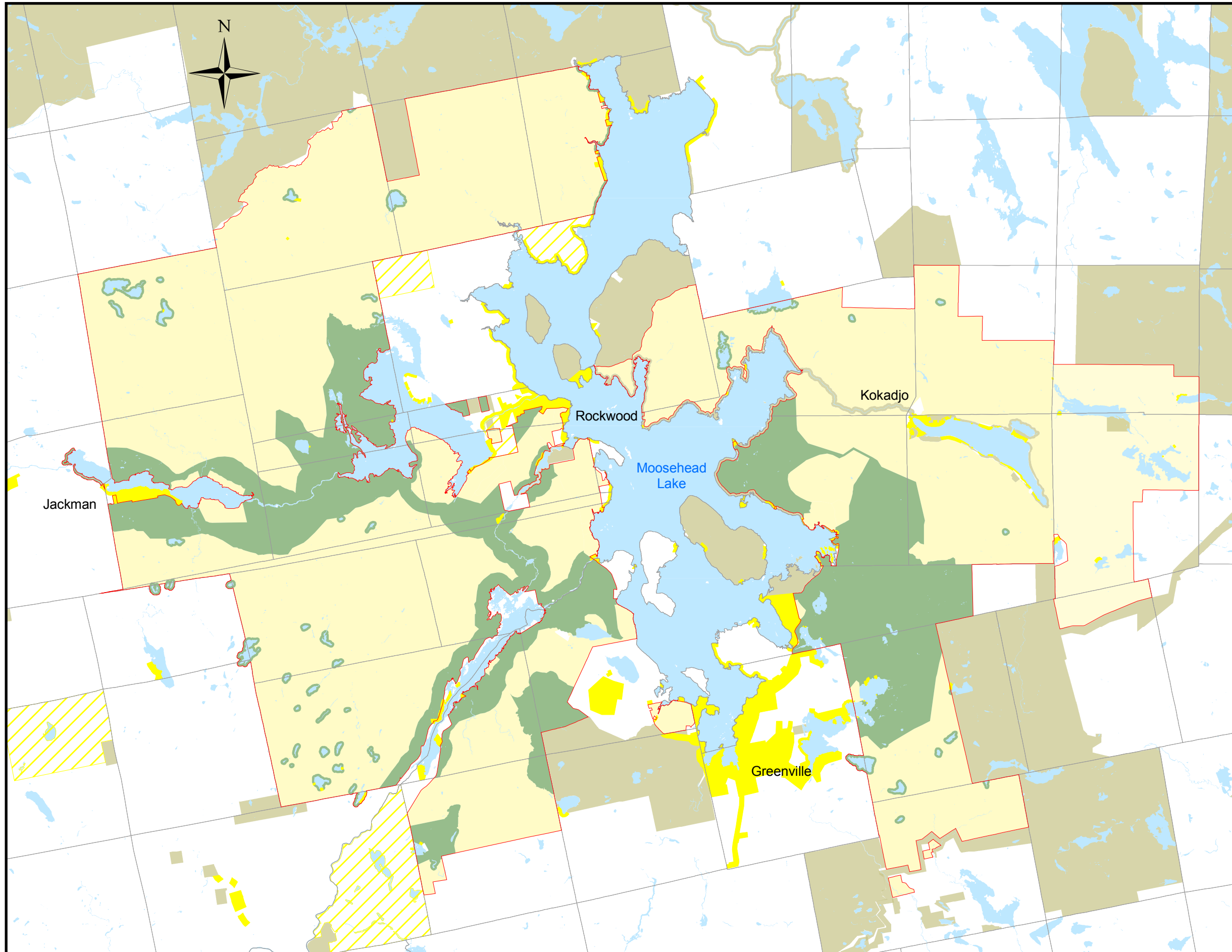
Petition for Rezoning

**Regional Conservation**

**CONCEPT PLAN**  
for  
**PLUM CREEK'S**  
**LANDS**  
in the  
**MOOSEHEAD LAKE REGION**

- Legend**
- Plum Creek Ownership Subject to Concept Plan
  - Private, State, Federal Land in Conservation
  - Other Land in LURC Jurisdiction
  - Rivers - Lakes - Ponds
  - Major Road
  - Appalachian Trail
  - Existing ITS Snowmobile Trail
  - Boundary defining West / Central Maine







Plan Description

Map 10

## Balance Conservation Easement

### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

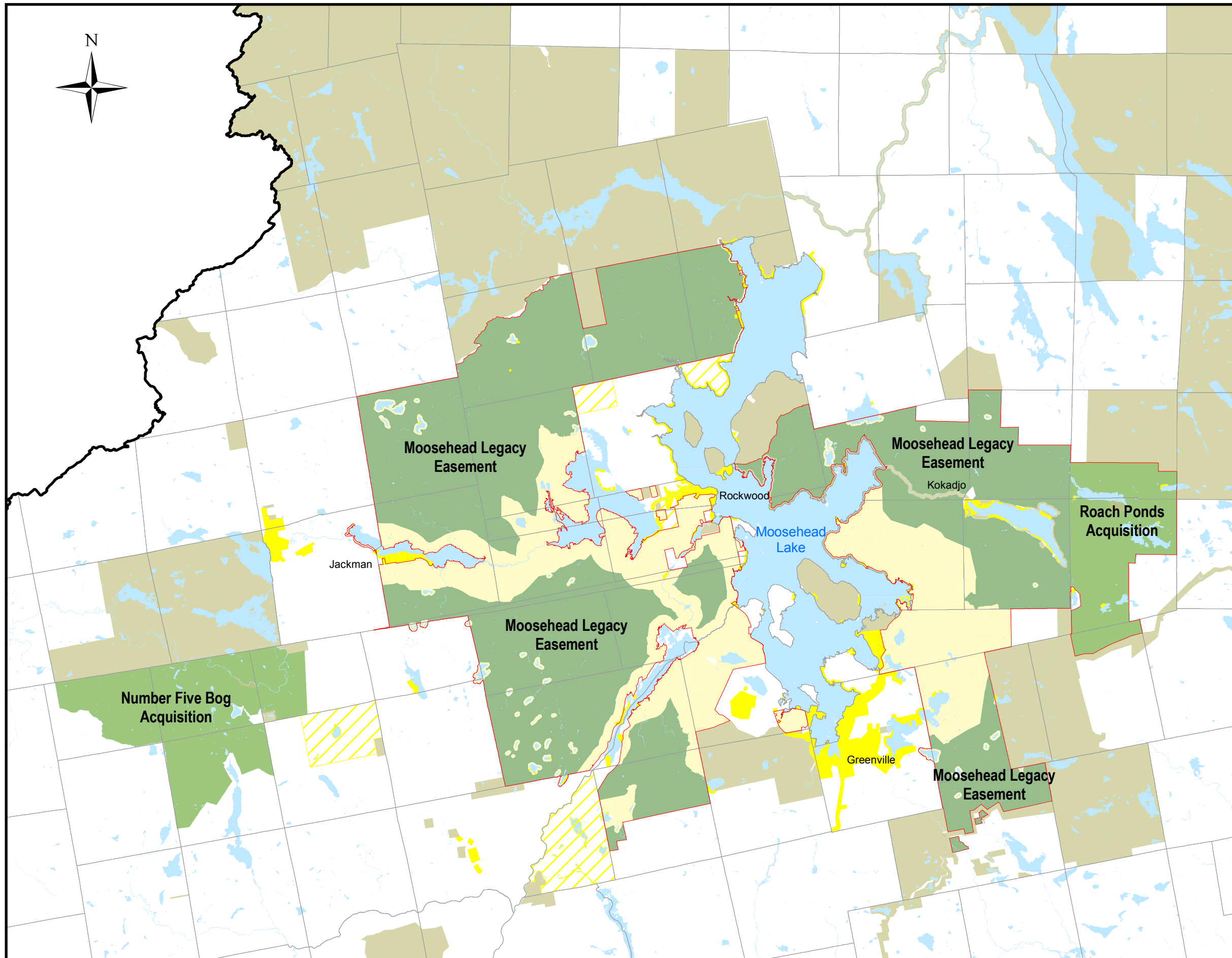
#### Legend

-  Plum Creek Ownership Subject to Concept Plan
-  Balance Conservation Easement - 90,000 acres (to balance development)

0 4 8  
Miles

April 2007



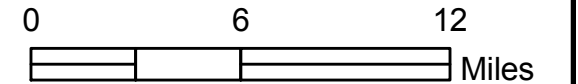


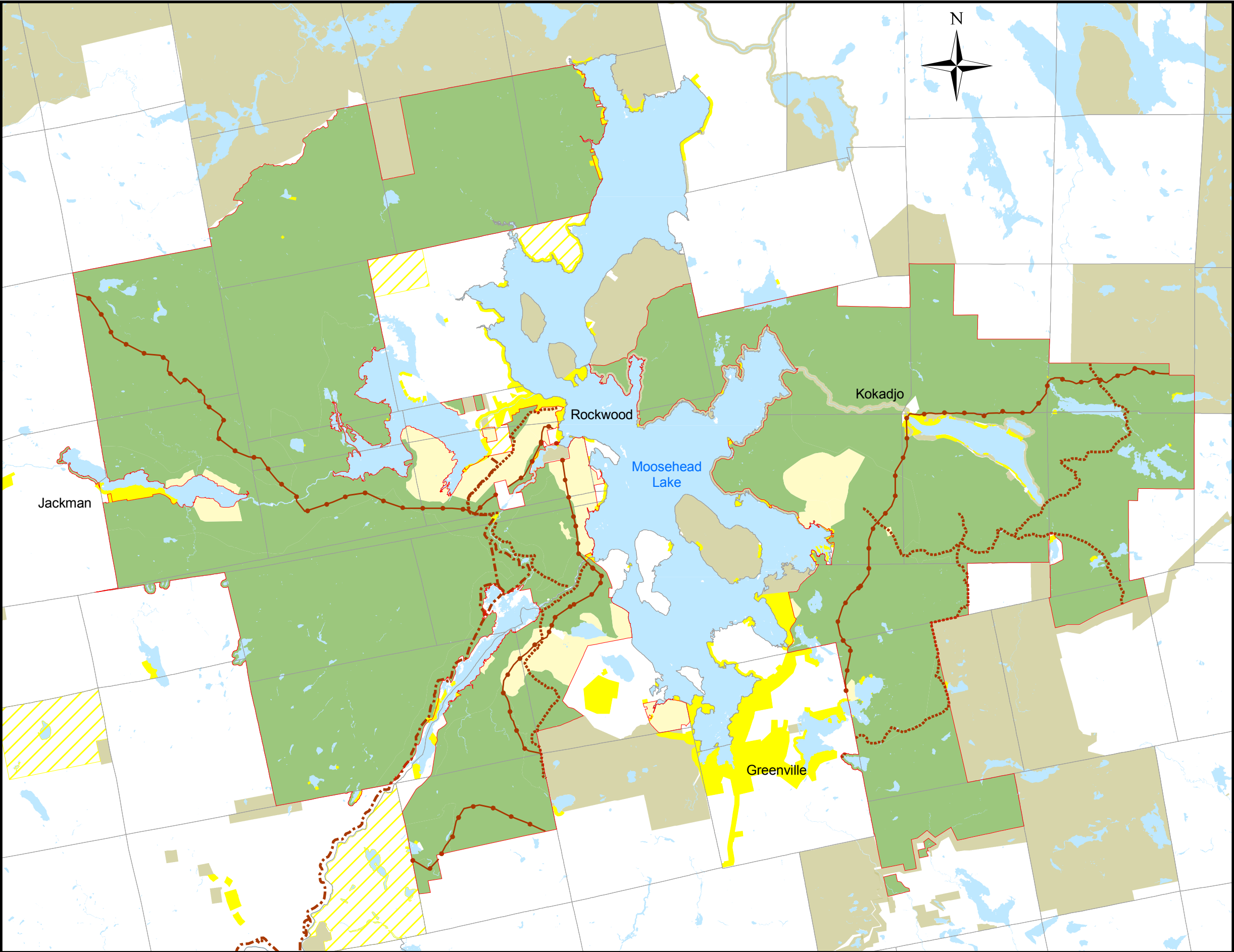
### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

#### Legend

- Plum Creek Ownership Subject to Concept Plan
- Moosehead Legacy Conservation Easement  
266,000 acres (not part of development balance)
- Roach Pond Acquisition - 29,500 acres  
(not part of development balance)
- Number Five Bog Acquisition - 45,000 acres  
(not part of development balance)

Note:  
All three areas, the Moosehead Legacy Easement, the Roach Ponds Acquisition and the Number 5 Bog Acquisition comprise the Conservation Framework



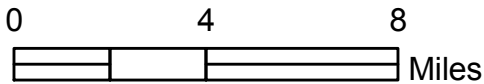


## Permanent Trail Easements

### CONCEPT PLAN for PLUM CREEK'S LANDS in the MOOSEHEAD LAKE REGION

#### Legend

- Private, State, Federal Land in Conservation
- Existing Development or LURC Development Subdistrict
- Existing 40 Acre Subdivision
- Plum Creek Ownership Subject to Concept Plan
- Conservation Lands (Balance Conservation and the Conservation Framework)
- Permanent ITS Snowmobile Trail - 74 miles
- Proposed Peak-to-Peak Hiking / Bike Trail - 67 miles
- Moosehead to Mahoosucs Trail - 12 miles (Cross-Country Ski / Hiking / Bike Trail)

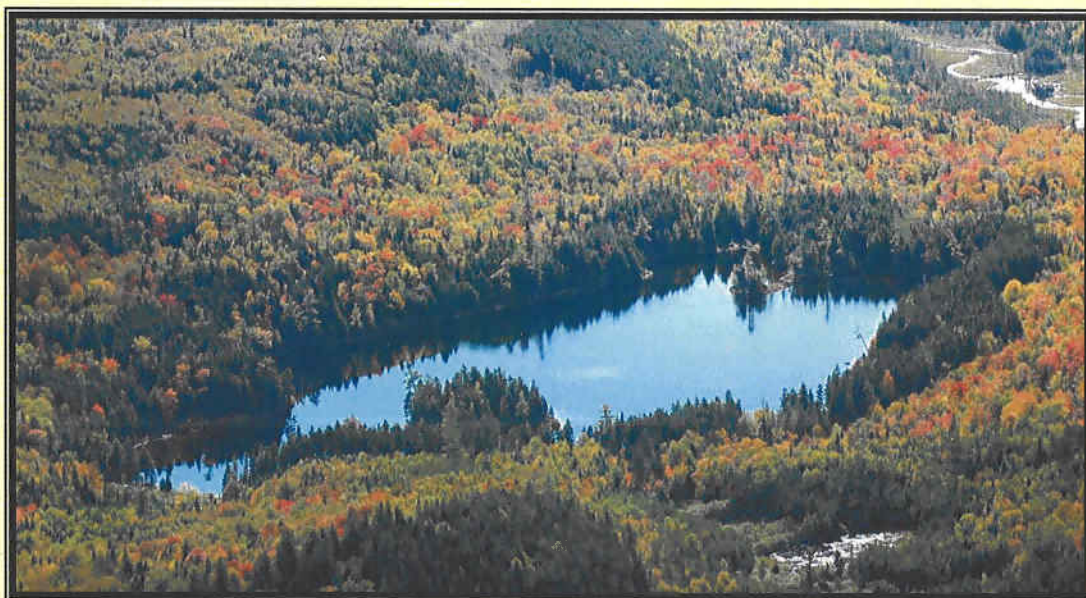




*The following are representative images of resources that will be protected by the Balance Conservation Easement.*



*Luther Pond*



*Chase Stream Pond*

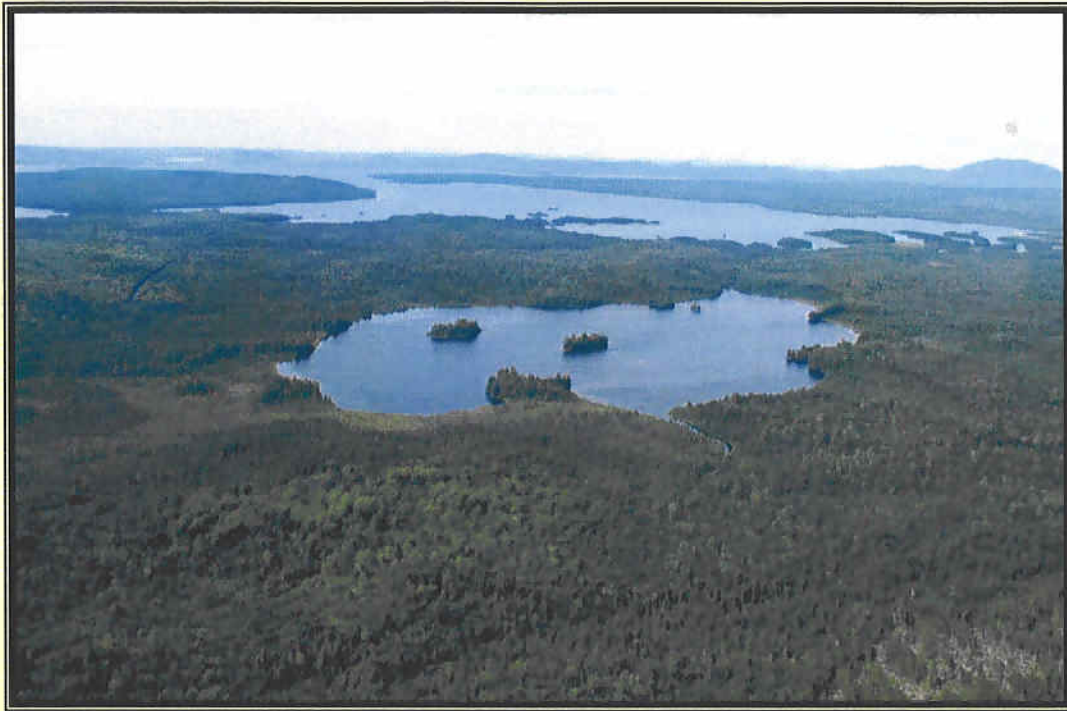




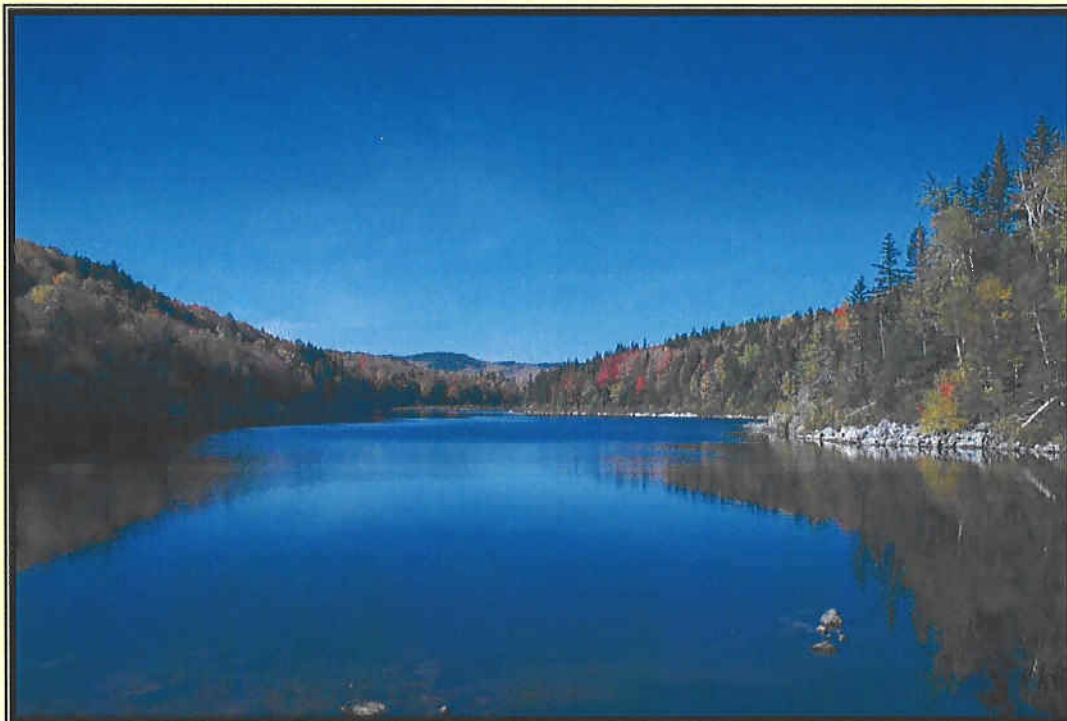
*Misery Pond*



*Muskrat Pond*



*Mud Pond in Beaver Cove*



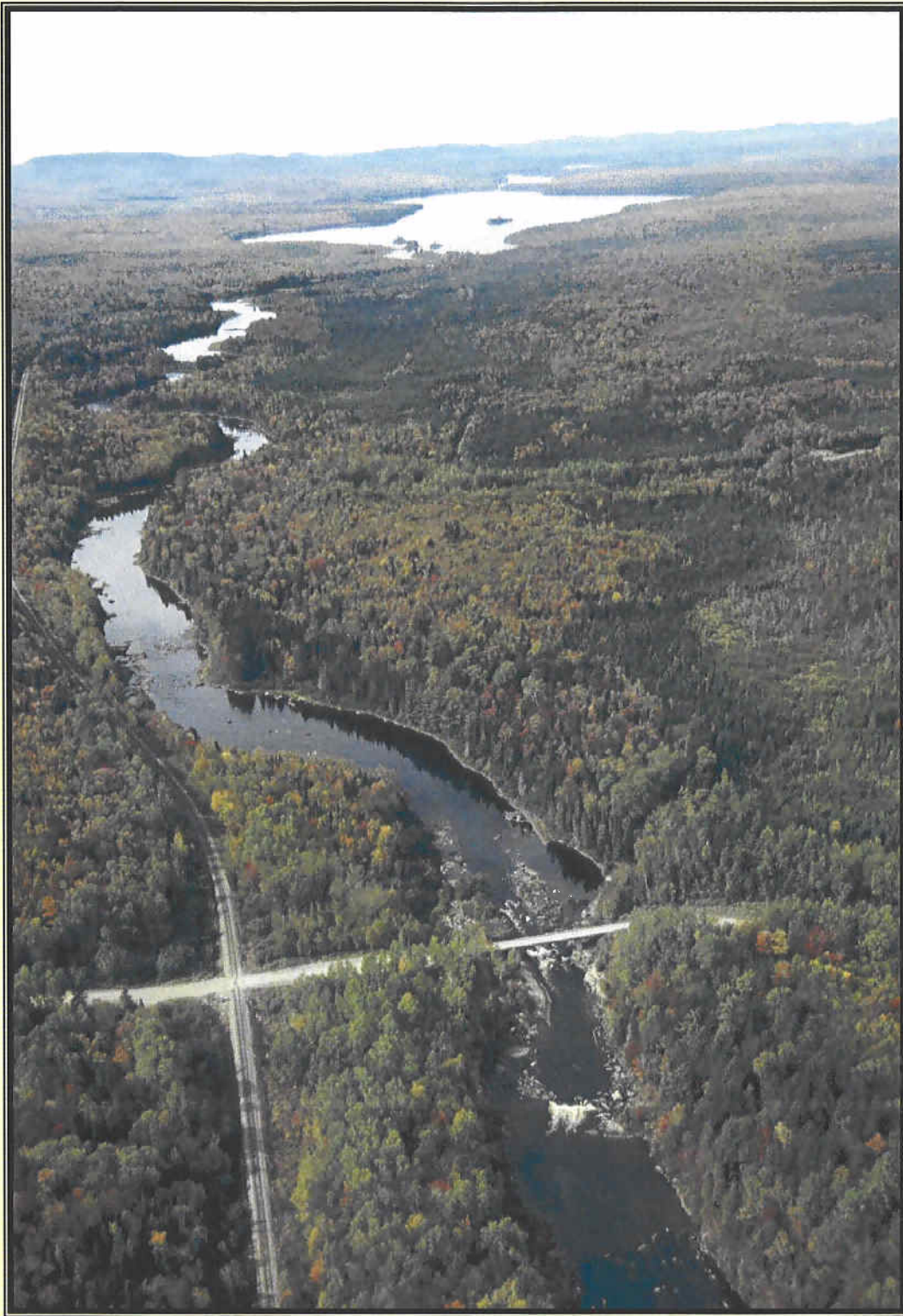
*A Pristine Pond in the Balance Conservation Easement Area*



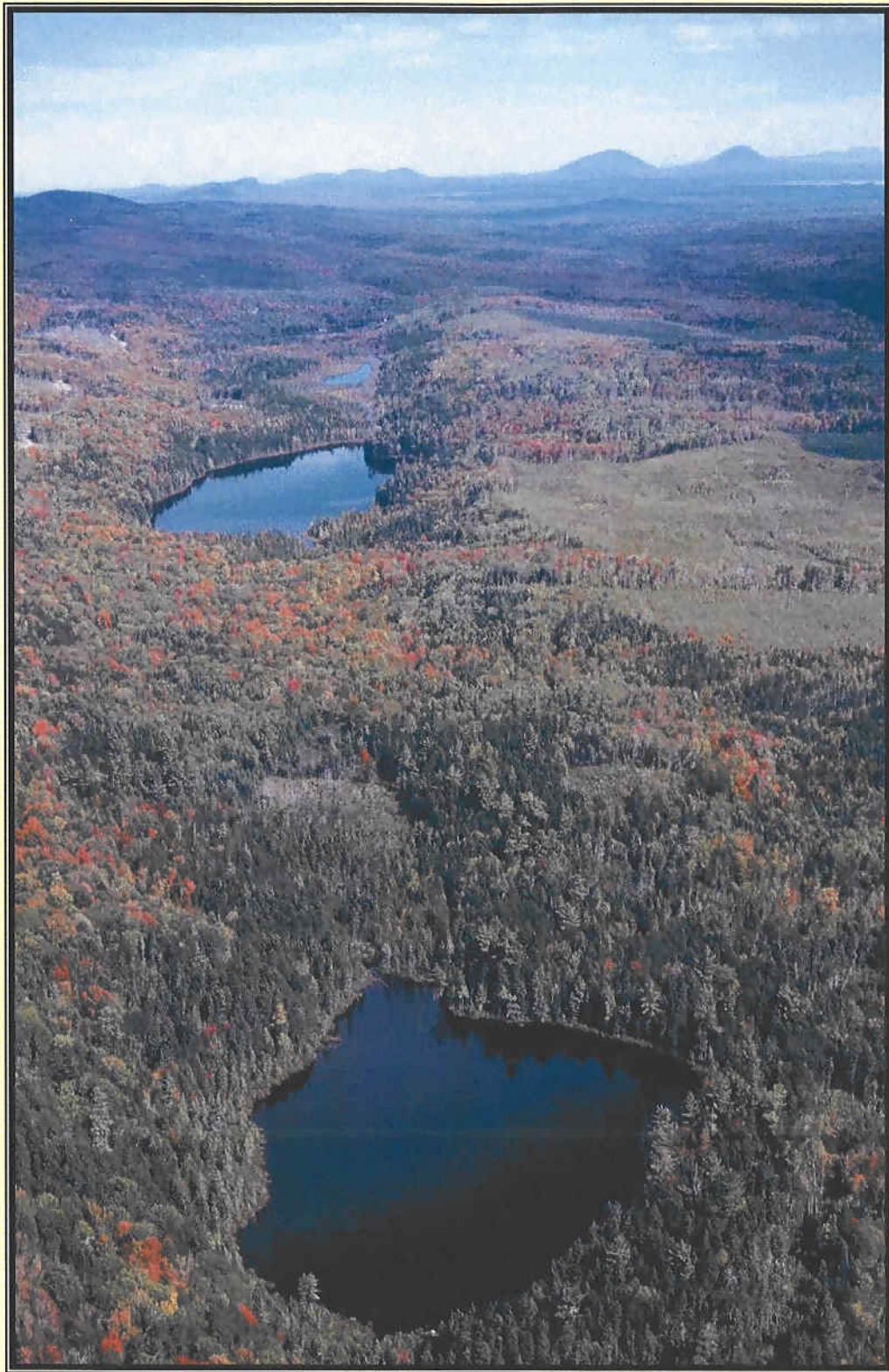


*Moose River*





*Moose River*



*Chub, 10,000 Acre, and Little Chase Stream Ponds*





*A Pristine Pond in the Balance Conservation Easement Area*



*Mountain and Fogg Ponds*





*Mud Pond in Thorndike*



*Pristine Pond in Chase Stream Township*





*Fletcher Pond*



*A Pond included within the Balance Conservation Easement Area*





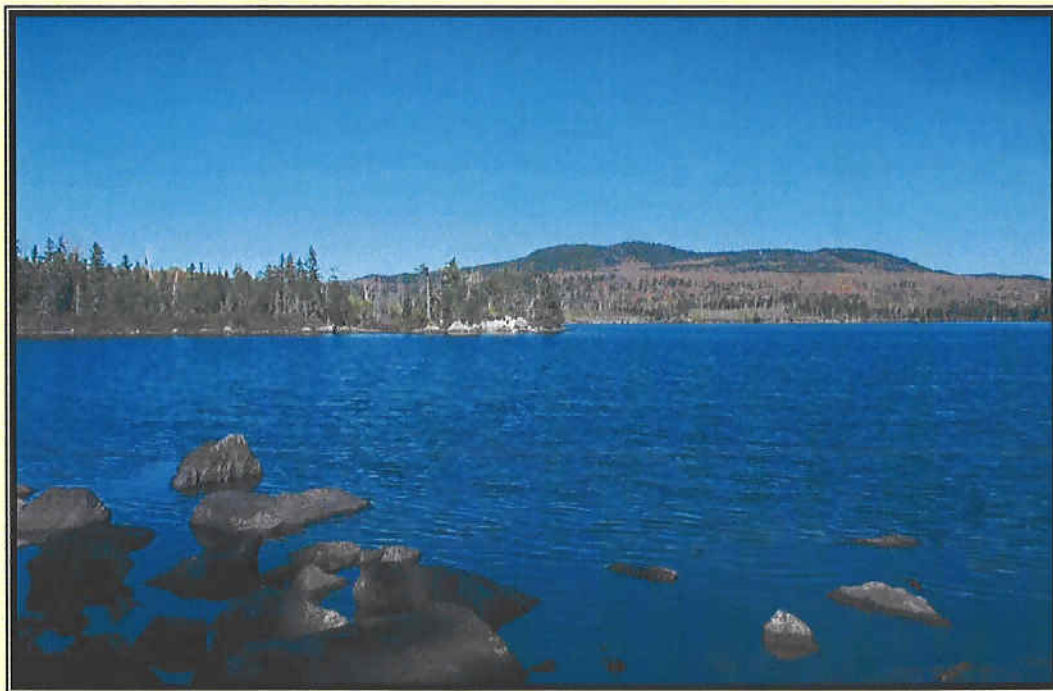
*Fish and Muskrat Ponds*



*Pristine Ponds in Chase Stream Township*



*A Pristine Pond in the Balance Conservation Easement Area*



*A Pristine Pond in the Balance Conservation Easement Area*



*The following are representative images of what will be protected by the Legacy Conservation Easement (part of the Conservation Framework).*







*The following are representative images of what will be protected by the Conservation Framework.*



*Third Roach Pond*



*Third Roach Pond*





*Second Roach Pond*



*Second Roach Pond*

**23. State any additional facts regarding this petition for rezoning that you feel may further explain your proposal or assist the Commission in its review of your petition. Address any important issues identified by the public and other interested parties during the initial project planning.**

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## **Conclusion**

The Plum Creek Concept Plan provides a unique, and unprecedented opportunity for the Moosehead region and Maine. The Plan provides benefits in four key areas, economic benefit, the working forest, public access to lands for recreation, and conservation.

- Needed and significant economic development opportunities for the Moosehead region. The proposed residential development and the resort developments provide needed jobs and economic benefit to other segments of the economy.
- Permanent Working Forest Conservation. Upon full implemented, the Concept Plan conserves as working forest 87% of the 408,000 acre Plan Area forever.
- Assured public access to Plum Creek's lands. This benefit of the Plan is important to maintain the character, economy, quality of life and diverse recreational opportunities in the region.
- The opportunity to protect, forever, 356,000 acres. Conservation on this scale protects vast, undeveloped tracts of forestlands, significant wildlife and botanical habitats that create the remote character of the Moosehead region.

The intent of the Plan is to carry out the stated benefits above and to achieve the following objectives in each of the benefited areas:

*Economic Development.* There is consensus that the Plan Area and surrounding region, including the service centers of Greenville and Jackman, need economic opportunities. The two resorts and the residential development envisioned by this Plan provide a catalyst for economic development. The resorts will create direct employment opportunities, and the resorts and residential development will provide a new customer and client base for existing businesses. The conservation easements that are part of the Concept Plan provide for guaranteed non-commercial, non-motorized public access in perpetuity. Such access to Plum Creek's timberlands is critical for both existing and new recreation experiences in the area.

*Working Forest.* The Concept Plan protects and conserves forest resources within the Plan Area for commercial timber harvesting by placing permanent working forest conservation easements on 356,000 acres within the Plan Area. This ensures that Plum Creek can sustainably manage the forest resource while continuing to support the local economy.

*Public Access.* Pedestrian access to Plum Creek's lands, guaranteed through the terms of the working forest conservation easements in this Concept Plan, serves to maintain and enhance the character, economy, quality of life and diverse recreational opportunities available in the region. The Plan does not change Plum Creek's traditional "open lands policy" under which the company permits other public uses of its lands. By maintaining public access to easement lands, and allowing for the development of lodging and recreational facilities, as well as hiking and snowmobile trails, the Concept Plan retains and improves the existing facilities and guarantees rights that underlie and sustain public recreation and tourism in the Plan Area.

*Conservation.* The Concept Plan's conservation easements provide a means for protecting both the environmental and economic resources of the region. Under this Plan, the terms of the working forest conservation easement guarantee the sustainable forest resource and conserve large blocks of unfragmented forest for wildlife habitat and recreation. In addition, by bordering development zones with permanent conservation easements, the Concept Plan concentrates development in appropriate locations; the easements contain and prevent sprawl, preventing development expansion, while ensuring larger areas of permanent working forests.

The Plan satisfies the regulatory criteria for concept plan approval. Indeed, the benefits to the public are overwhelming and present an historic opportunity.

For all the reasons set out above, Plum Creek respectfully requests that the Land Use Regulation Commission approve this Petition for Rezoning and the Concept Plan.