



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL OCEAN SERVICE  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT  
Silver Spring, Maryland 20910

Kathleen Leyden, Director  
Maine Coastal Management Program  
Department of Agriculture, Conservation and Forestry  
Division of Geology, Natural Areas and Coastal Resources  
93 State House Station  
Augusta, ME 04333-0093

FEB 12 2014

Dear Ms. Leyden:

Thank you for the Maine Coastal Management Program's January 14, 2014 request that changes to the Department of Environmental Protection (DEP) and Land Use Planning Commission (LUPC) rules be incorporated into the Maine Coastal Management Program (CMP). You requested that the changes described below be incorporated as routine program changes (RPCs), pursuant to Coastal Zone Management Act (CZMA) regulations at 15 C.F.R. part 923, subpart H, and Office of Ocean and Coastal Resource Management (OCRM) Program Change Guidance (July 1996). OCRM received the request on January 15, 2014, and OCRM's decision deadline is February 12, 2014.

Based on our review of your submission, we concur, with the exceptions described below, that the changes are RPCs and we approve the incorporation of the changes as enforceable policies of the Maine CMP. Federal Consistency will apply to the approved changes to enforceable policies only after you publish notice of this approval pursuant to 15 C.F.R. § 923.84(b)(4) and OCRM's *Addendum to the July 1996 Program Change Guidance (November 2013)*. Please include in the public notice the list of changes provided in this letter, and please send a copy of the notice to OCRM.

### **CHANGES APPROVED**

See attached Table of Approved Changes.

### **QUALIFICATIONS**

In the review of the State's submission, it was noted that the current language of Ch. 692 of the DEP rules providing a definition of the term "person" for the purposes of those subject to the requirements for oil storage facilities includes the United States and agencies of the United States. Unless Congress has expressly conferred upon states the authority to regulate federal agencies in certain matters, states have no power to do so and the CZMA makes no exception to this. Although this program change submission does not include changes to the definition of "person" in Ch. 692, we want to make clear that our approval of Ch. 692 as revised does not confer upon the State authority to regulate federal agencies.



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As a general qualification, we also note that States may not incorporate enforceable policies by reference. If an approved enforceable policy refers to another regulation, policy, standard, guidance, or other such requirement or document (hereinafter "referenced policy"), the referenced policy itself must be submitted to and approved by OCRM as an enforceable policy in order to be applied under the federal consistency review provisions of the CZMA. Therefore, no requirement or document referenced in these approved enforceable policies may be applied for federal consistency unless that requirement or document has separately been approved by OCRM.

**PUBLIC AND FEDERAL AGENCY COMMENTS**

OCRM received no comments on this RPC submission.

Thank you for your cooperation in this review. Please contact Kerry Kehoe at (301) 563-1151, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joelle Gore', with a long horizontal flourish extending to the right.

Joelle Gore, Acting Chief  
Coastal Programs Division

Enclosure(s): Policies Approved and Incorporated into the Maine CMP.

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<b>ADDED:</b>		mm/dd/yyyy	mm/dd/yyyy
Amends section 10.02 of Ch. 10 of LUPC's rules to create definitions of "gravel extraction" and "gravel pit"	04-061 C.M.R., ch. 10-02(16 and 17), enacted by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends Ch. 10 of LUPC's rules to establish the Planned Recreation Facility Development subdistrict (D-PR)	04-061 C.M.R., ch. 10-21(K), enacted by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends Ch. 10 of LUPC's rules to establish the Recreation Facility Development subdistrict (D-RF)	04-061 C.M.R., ch. 10-21(L), enacted by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Enacts Sec. 22(A)(3)(e) of Ch. 10 of LUPC's rules to clarify that in the M-GN subdistrict timber harvesting; land management roads; and gravel extraction less than 5 acres are activities regulated by the Maine Forest Service (MFS) not LUPC	04-061 C.M.R., ch. 10-22(A)(3)(e), as amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Enacts Sec. 22(B)(3)(e) of Ch. 10 of LUPC's rules to clarify that in the M-HP subdistrict timber harvesting, land management roads and gravel extraction less than 5 acres are activities regulated by the MFS not LUPC	04-061 C.M.R., ch. 10-22(B)(3)(e), as amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Enacts Sec. 22(C)(3)(e) of Ch. 10 of LUPC's rules to clarify that in the M-NC subdistrict timber harvesting; land management roads; and gravel extraction less than 5 acres for road purposes are activities regulated by the MFS not LUPC	04-061 C.M.R., ch. 10-22(C)(3)(e), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Enacts Sec. 23(A)(3)(e) of Ch. 10 of LUPC's rules to clarify that in the P-AL subdistrict timber harvesting; land management roads; water crossings of minor flowing waters, major flowing waters, and bodies of standing water on/for land management roads; and gravel extraction less than 5 acres for road purposes are activities regulated by the MFS not LUPC	04-061 C.M.R., ch. 10-23(A)(3)(e), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Enacts Sec. 23(G)(3)(e) of Ch. 10 of LUPC's rules to clarify that in the P-MA subdistrict land management roads; timber harvesting; and water crossings on/for land management roads are activities regulated by the MFS not LUPC	04-061 C.M.R., ch. 10-23(G)(3)(e), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended

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Enacts Sec. 23(I)(3)(e) of Ch. 10 of LUPC's rules to clarify that in the P-RR subdistrict certain gravel extraction for road purposes less than 5 acres in size; land management roads; skid trails, skid roads, and winter haul roads; timber harvesting; and water crossings are activities regulated by the MFS not LUPC, and also require review and approval by LUPC	04-061 C.M.R., ch. 10-23(I)(3)(e), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Enacts Sec. 23(J)(3)(e) of Ch. 10 of LUPC's rules to clarify that in the P-RR subdistrict gravel extraction for road purposes; land management roads skid trails, skid roads, and winter haul roads; timber harvesting; and water crossings are activities regulated by the MFS not LUPC, and also require review and approval by LUPC	04-061 C.M.R., ch. 10-23(J)(3)(e), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Enacts Sec. 23(K)(3)(e) of Ch. 10 of LUPC's rules to clarify that in the P-SG subdistrict gravel extraction for road purposes less than 5 acres in size; land management roads; timber harvesting; and water crossings on/for land management roads are activities regulated by the MFS not LUPC	04-061 C.M.R., ch. 10-23(K)(3)(e), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Enacts Sec. 23(L)(3)(e) of Ch. 10 of LUPC's rules to clarify that in the P-SL subdistrict gravel extraction for road purposes less than 5 acres in size; land management roads; timber harvesting; and water crossings of minor flowing waters, major flowing waters, bodies of standing water, and tidal waters on/for land management roads are activities regulated by the MFS not LUPC	04-061 C.M.R., ch. 10-23(L)(3)(e), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Enacts Sec. 23(M)(3)(e) of Ch. 10 of LUPC's rules to clarify that in the P-UA subdistrict gravel extraction for road purposes less than 5 acres in size; land management roads; timber harvesting; and water crossings on/for land management roads are activities regulated by the MFS not LUPC, and also require review and approval by LUPC	04-061 C.M.R., ch. 10-23(M)(3)(e), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Enacts Sec. 23(N)(3)(e) of Ch. 10 of LUPC's rules to clarify that in the P-WL subdistrict land management roads; timber harvesting; and water crossings of minor flowing waters, major flowing waters, bodies of standing water, and	04-061 C.M.R., ch. 10-23(N)(3)(e), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended

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tidal waters on/for land management roads are activities regulated by the MFS not LUPC			
Enacts Sec. 26(E)(4) of Ch. 10 of LUPC's rules to allow maximum lot coverage of 50% for certain lots in Commercial and Industrial Development subdistricts	04-061 C.M.R., ch. 10-26(E)(4), amended by order 2013-175 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Enacts Sec. 26(E)(5) of Ch. 10 of LUPC's rules to allow maximum lot coverage of 50% for certain lots in Maritime Development subdistricts	04-061 C.M.R., ch. 10-26(E)(5), amended by order 2013-175 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Enacts Sec. 26(E)(16) of Ch. 10 of LUPC's rules to allow the LUPC to approved maximum lot coverage greater than 50% for certain lots in Commercial and Industrial subdistricts if the increase in the maximum lot coverage will not have an undue adverse impact on existing uses or natural resources	04-061 C.M.R., ch. 10-26(E)(16), amended by order 2013-175 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Enacts Sec. 26(E)(17) of Ch. 10 of LUPC's rules to allow the LUPC to approved maximum lot coverage greater than 50% for certain lots in Maritime Development subdistricts if the increase in the maximum lot coverage will not have an undue adverse impact on existing uses or natural resources	04-061 C.M.R., ch. 10-26(E)(17), amended by order 2013-175 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Enacts Sec. 26(G)(17) of Ch. 10 of LUPC's rules to authorize an exception to dimensional standards for recreational lodging facilities	04-061 C.M.R., ch. 10-26(G)(17), enacted by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Enacts Sec. 27(Q) of Ch. 10 of LUPC's rules to establish activity specific standards for various recreational lodging facilities	04-061 C.M.R., ch. 10-26(G)(17), enacted by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Incorporated as CAA- related provision pursuant to 16 U.S.C. §1456(f): Identifies air emissions sources that require a Part 70 air emission license and incorporates requirements under the Clean Air Act ("CAA") and related state air quality laws	06-096 C.M.R. ch. 140 (as effective 12.1.12)	12/01/2012, as amended	12/01/2012, as amended
Clarifies that if a vernal pool is bisected by a property boundary, only that portion of the vernal pool owned or controlled by the landowner proposing to affect the pool may be considered in determining whether it is "significant"	06-096 C.M.R. ch. 335 (9)(B)(8), as amended by order 2014-001 (effective 1.7.14)	01/07/2014, as amended	01/07/2014, as amended

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Clarifies that a landowner is not subject to regulation under this rule on the basis of an impact to the buffer area of a "significant vernal pool" if the pool is located on land owned by another	06-096 C.M.R. ch. 335 (9)(E)(5), as amended by order 2014-001 (effective 1.7.14)	01/07/2014, as amended	01/07/2014, as amended
Clarifies that a permit is not required due to an impact on an artificially-created vernal pool, unless the pool was created as part of a NRPA-required compensation project	06-096 C.M.R. ch. 335 (9)(E)(6), as amended by order 2014-001 (effective 1.7.14)	01/07/2014, as amended	01/07/2014, as amended
Establishes detailed requirements in DEP rules ch. 692 regarding the exception allowing siting of aboveground storage of diesel fuel used for sand and gravel mining on an MGS- mapped significant sand and gravel aquifer	06-096 C.M.R. ch. 692(4)(B), as amended by order 2012-206 (effective 7.23.12)	07/23/2012, as amended	07/23/2012, as amended
<b>MODIFIED:</b>			
Clarifies existing provision in Ch. 10 of LUPC's rules regarding exemptions under the definition of "subdivision"	04-061 C.M.R., ch. 10, Q(1)(g), amended by order 2013-206 (effective 9.1.13)	09/01/2013, as amended	09/01/2013, as amended
Amends the definitions section in Ch. 10 of LUPC's rules to clarify or add the following terms: "bunkhouse", "campground", "campsite", "residential campsite", "conversion of use", "commercial sporting camp", "commercial use", "dining amenities", "dwelling unit", "incidental", "outpost cabin", "recreational activity", "recreational lodging facility", "recreational vehicle", "rental unit", "residential campsite", "water dependent structures for recreational lodging facilities"	04-061 C.M.R., ch. 10-2 (definitions) amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules regarding non-conforming structures to accommodate outpost cabins of sporting camps and relocation of sporting camp structures	04-061 C.M.R., ch. 10-11(C)(2)(e) and (3), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Commercial Industrial Development subdistrict (D-CI) to include "recreational lodging facilities" among the land uses requiring a permit	04-061 C.M.R., ch. 10-21(A)(3)(c)(1), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Extended Settlement	04-061 C.M.R., ch. 10-21(B)(3)(d), amended by	08/05/2013, as amended	08/05/2013, as amended

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Development subdistrict (D-ES) to include residential campsites among the uses allowed as a special exception	order 2013-190 (effective 8.5.13)		
Amends the section in Ch. 10 of LUPC's rules which establishes the General Development subdistrict (D-GD) to identify existing recreational lodging as among the allowed existing intensive development uses	04-061 C.M.R., ch. 10-21(C)(2)(a), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the General Development subdistrict (D-GD) to include certain recreational lodging facilities among the allowable uses that require a permit	04-061 C.M.R., ch. 10-21(C)(3)(c), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the General Development subdistrict (D-GN) to include certain recreational lodging facilities among the uses allowable as a special exception upon issuance of a permit	04-061 C.M.R., ch. 10-21(C)(3)(d), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Community Center Development subdistrict (D-GN2) to include residential campsites and certain recreational lodging facilities among the allowable uses that require a permit	04-061 C.M.R., ch. 10-21(D)(3)(c), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Community Center Development subdistrict (D-GN2) certain recreational lodging facilities among the uses allowable as a special exception upon issuance of a permit	04-061 C.M.R., ch. 10-21(D)(3)(d), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Rural Settlement Development subdistrict (D-GN3) to include residential campsites and certain recreational lodging facilities among the allowable uses that require a permit	04-061 C.M.R., ch. 10-21(E)(3)(c), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Rural Settlement Development subdistrict (D-GN3) to include certain recreational lodging facilities among the uses allowable as a special exception upon issuance of a permit	04-061 C.M.R., ch. 10-21(E)(3)(d), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended

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Amends the section in Ch. 10 of LUPC's rules which establishes the Residential Development subdistrict (D-RS) to include residential campsites among the allowable uses that require a permit	04-061 C.M.R., ch. 10-21(H)(3)(c), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Community Residential Development subdistrict (D-RS2) to include residential campsites among the allowable uses that require a permit	04-061 C.M.R., ch. 10-21(I)(3)(c), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Residential Recreation Development subdistrict (D-RS3) to include residential campsites among the allowable uses that require a permit	04-061 C.M.R., ch. 10-21(J)(3)(c), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the General Management subdistrict (M-GN) to clarify that timber harvesting, allowed without a permit in this subdistrict, is now regulated by MFS not LUPC	04-061 C.M.R., ch. 10-22(A)(3)(a)(2), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the General Management subdistrict (M-GN) to clarify that forest management activities allowed without a permit in this subdistrict, subject to standards, do not include timber harvesting, which is now regulated by MFS not LUPC	04-061 C.M.R., ch. 10-22(A)(3)(b)(8), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the General Management subdistrict (M-GN) to clarify that mineral extraction operations, less than 5 acres in size, allowed without a permit in this subdistrict, subject to standards, do not include gravel extraction less than 5 acres in size, which is now regulated by the MFS not LUPC; renumber this paragraph to reflect deletion of former subparagraph (11) (see below)	04-061 C.M.R., ch. 10-22(A)(3)(b)(12), as amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Highly Productive Management subdistrict (M-GN) to clarify that certain mineral extraction operations for road purposes allowed with a permit in this subdistrict do not include gravel extraction less	04-061 C.M.R., ch. 10-22(A)(3)(c)(6), as amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended



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than 5 acres in size, which is now regulated by the MFS not LUPC			
Amends the section in Ch. 10 of LUPC's rules which establishes the General Management subdistrict (M-GN) to clarify that certain mineral extraction operations allowed with a permit in this subdistrict do not include gravel extraction less than 5 acres in size, which is now regulated by the MFS not LUPC; renumber this paragraph to reflect deletion of former subparagraph (9) (see below)	04-061 C.M.R., ch. 10-22(A)(3)(c)(11), as amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the General Management subdistrict (M-GN) to include residential campsites and certain recreational lodging facilities among the allowable uses that require a permit	04-061 C.M.R., ch. 10-22(A)(3)(c), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the General Management subdistrict (M-GN) to include certain recreational lodging facilities among the uses allowable as a special exception upon issuance of a permit	04-061 C.M.R., ch. 10-22(A)(3)(d), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Highly Productive Management subdistrict (M-HP) to clarify that timber harvesting, allowed without a permit in this subdistrict, is now regulated by the MFS not LUPC	04-061 C.M.R., ch. 10-22(B)(3)(a)(2), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Highly Productive Management subdistrict (M-HP) to clarify that forest management activities allowed without a permit in this subdistrict, subject to standards, do not include timber harvesting, which is now regulated by the MFS not LUPC	04-061 C.M.R., ch. 10-22(B)(3)(b)(4), as amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Highly Productive Management subdistrict (M-HP) to include residential campsites among the allowable uses that require a permit	04-061 C.M.R., ch. 10-22(B)(3)(c), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended

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Amends the section in Ch. 10 of LUPC's rules which establishes the Natural Character Management subdistrict (M-NC) to clarify that timber harvesting, allowed without a permit in this subdistrict, is now regulated by the MFS not LUPC	04-061 C.M.R., ch. 10-22(C)(3)(a)(2), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Natural Character Management subdistrict (M-NC) to clarify that certain forest management activities allowed without a permit in this subdistrict, subject to standards, do not include timber harvesting, which is now regulated by the MFS not LUPC	04-061 C.M.R., ch. 10-22(C)(3)(b)(5), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Natural Character Management subdistrict (M-NC) to clarify that certain mineral extraction operations for road purposes allowed with a permit in this subdistrict do not include such operations less than 5 acres in size, which are now regulated by the MFS not LUPC; renumber this paragraph to reflect deletion of former subparagraph (9) (see below)	04-061 C.M.R., ch. 10-22(C)(3)(c)(5), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Natural Character Management subdistrict (M-NC) to include certain recreational lodging facilities among the allowable uses that require a permit	04-061 C.M.R., ch. 10-22(C)(3)(c), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the purpose section in Ch. 10 of LUPC's rules which establishes the Accessible Lake Protection subdistrict (P-AL) to clarify that the MFS not LUPC regulates timber harvesting	04-061 C.M.R., ch. 10-23(A)(1), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Accessible Lake Protection subdistrict (P-AL) to clarify that timber harvesting, allowed without a permit in this subdistrict, is now regulated by MFS not LUPC	04-061 C.M.R., ch. 10-23(A)(3)(a), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Accessible Lake Protection subdistrict (P-AL) to clarify that certain water crossings of minor flowing waters allowed without a permit, subject to standards, do not include water crossings of minor flowing waters	04-061 C.M.R., ch. 10-23(A)(b)(10), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended

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on/for land management roads, which are now regulated by the MFS not LUPC			
Amends the section in Ch. 10 of LUPC's rules which establishes the P-AL subdistrict regarding certain water crossings of minor flowing waters allowed with a permit to clarify that it does not include water crossings of minor flowing waters on/for land management roads, which are now regulated by the MFS not LUPC	04-061 C.M.R., ch. 10-23(A)(3)(c)(16), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Accessible Lake Protection subdistrict (P-AL) to include residential campsites among the allowable uses that require a permit	04-061 C.M.R., ch. 10-23(A)(3)(c), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Accessible Lake Protection subdistrict (P-AL) to include certain recreational lodging facilities among the uses allowable as a special exception upon issuance of a permit	04-061 C.M.R., ch. 10-23(A)(3)(d), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Aquifer Protection subdistrict (P-AR) to clarify that timber harvesting, allowed without a permit in this subdistrict, is now regulated by the MFS not LUPC	04-061 C.M.R., ch. 10-23(B)(3)(a)(3), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the P-AR subdistrict regarding certain water crossings of minor flowing waters and mineral extraction operations allowed with a permit to clarify that it does not include water crossings of minor flowing waters on/for land management roads or gravel extraction for road purposes less than 5 acres in size, which are now regulated by the MFS not LUPC	04-061 C.M.R., ch. 10-23(B)(3)(c)(9 and 16), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Aquifer Protection subdistrict (P-AR) to include residential campsites and certain recreational lodging facilities among the allowable uses that require a permit	04-061 C.M.R., ch. 10-23(B)(3)(c), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Flood Prone Area	04-061 C.M.R., ch. 10-23(C)(3)(a)(2), amended by	08/05/2013, as amended	08/05/2013, as amended

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Protection subdistrict (P-FP) to clarify that timber harvesting, allowed without a permit in this subdistrict, is now regulated by the MFS not LUPC	order 2013-189 (effective 8.5.13)		
Amends the section in Ch. 10 of LUPC's rules which establishes the Flood Prone Area Protection subdistrict (P-FP) regarding certain water crossings and certain mineral extraction operations allowed with a permit to clarify that it does not include water crossings on/for land management roads or gravel extraction for road purposes less than 5 acres in size, which are now regulated by the MFS not LUPC	04-061 C.M.R., ch. 10-23(C)(3)(c)(11 and 19), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Flood Prone Area Protection subdistrict (P-FP) to include residential campsites among the allowable uses that require a permit	04-061 C.M.R., ch. 10-23(C)(3)(c), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Flood Prone Area Protection subdistrict (P-FP) to include certain recreational lodging facilities among the uses allowable as a special exception upon issuance of a permit	04-061 C.M.R., ch. 10-23(C)(3)(d), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Fish and Wildlife Protection subdistrict (P-FW) to clarify that activities allowed without a permit in this subdistrict, subject to standards, do not include timber harvesting and land management roads, water crossings of minor flowing waters on/for land management roads, and mineral extraction for road purposes involving less than one acre since each of these activities is now regulated by the MFS not LUPC; rennumbers paragraphs	04-061 C.M.R., ch. 10-23(D)(3)(b)(1, 3 and 7), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Fish and Wildlife Protection subdistrict (P-FW) to clarify that activities allowed with a permit in this subdistrict do not include certain water crossings of minor flowing waters and bodies of standing water and of major flowing waters that are on/for land management roads since these activities are now regulated by the MFS not LUPC	04-061 C.M.R., ch. 10-23(D)(3)(c)(12), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended

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Amends the section in Ch. 10 of LUPC's rules which establishes the Fish and Wildlife Protection subdistrict (P-FW) to include residential campsites among the allowable uses that require a permit	04-061 C.M.R., ch. 10-23(D)(3)(c), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Great Ponds Protection subdistrict (P-GP) to clarify that "water crossings of minor flowing waters" allowed in this subdistrict without a permit, subject to standards, do not include "water crossings of minor flowing waters on/for land management roads"	04-061 C.M.R., ch. 10-23(E)(3)(b)(14), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Great Ponds Protection subdistrict (P-GP) to clarify that certain "water crossings of minor flowing waters" allowed in this subdistrict with a permit do not include such crossings "on/for land management roads"	04-061 C.M.R., ch. 10-23(E)(3)(c)(19), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Great Pond Protection subdistrict (P-GP) to include residential campsites and certain water- dependent structures for recreational lodging facilities among the allowable uses that require a permit	04-061 C.M.R., ch. 10-23(E)(3)(c), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Great Pond Protection subdistrict (P-GP) to include certain recreational lodging facilities among the uses allowable as a special exception upon issuance of a permit	04-061 C.M.R., ch. 10-23(E)(3)(d), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Semi-Remote Lake Protection subdistrict (P-GP2) to clarify that "timber harvesting" allowed in the subdistrict without a permit is regulated by MFS not LUPC	04-061 C.M.R., ch. 10-23(F)(3)(a)(3), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Semi-Remote Lake Protection subdistrict (P-GP) to clarify that "water crossings of minor flowing waters" allowed in this subdistrict without a permit, subject to standards, do not include such crossings "on/for land management roads"	04-061 C.M.R., ch. 10-23(F)(3)(b)(13), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended

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Amends the section in Ch. 10 of LUPC's rules which establishes the Semi-Remote Lake Protection subdistrict (P-GP) to clarify that certain "water crossings of minor flowing waters" and "bodies of standing water and of major flowing waters" allowable in the subdistrict with a permit do not include such crossings "on/for land management roads"	04-061 C.M.R., ch. 10-23(F)(3)(c)(21), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Semi-Remote Lake Protection subdistrict (P-GP2) to include residential campsites and certain water-dependent structures for recreational lodging facilities among the allowable uses that require a permit	04-061 C.M.R., ch. 10-23(F)(3)(c), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Mountain Area Protection subdistrict (P-MA) to clarify that "water crossings" allowable in the subdistrict with a permit do not include such crossings "on/for land management roads"	04-061 C.M.R., ch. 10-23(G)(3)(c)(10), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Resource Plan Protection subdistrict (P-RP) to clarify the respective roles of LUPC and MFS in this subdistrict regarding the following permitted uses: timber harvesting, gravel extraction, land management roads and water crossings	04-061 C.M.R., ch. 10-23(H)(3), amended by order 2013-190 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Recreation Protection subdistrict (P-RR) to clarify that timber harvesting, allowed without a permit in this subdistrict, subject to standards, is now regulated by the MFS not LUPC; renumbers subparagraphs	04-061 C.M.R., ch. 10-23(I)(3)(b)(1), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules which establishes the Recreation Protection subdistrict (P-RR) to clarify that certain "water crossings of minor flowing waters" allowed without a permit in this subdistrict, subject to standards, does not include such crossings on or for land management roads	04-061 C.M.R., ch. 10-23(I)(3)(b)(7), amended by order 2013-189 (effective 8.5.13)	08/05/2013, as amended	08/05/2013, as amended
Amends the section in Ch. 10 of LUPC's rules	04-061 C.M.R., ch. 10-	08/05/2013, as	08/05/2013, as