



Timber Harvesting in Shoreland Zones

Maine Forest Service, DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
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What is Shoreland Zoning?

Municipal Shoreland Zoning is a law that applies to water bodies and wetlands, but only in organized towns that have not adopted Statewide Standards for timber harvesting in shoreland areas (see information sheet 25). To find out whether shoreland zoning or statewide standards apply in a particular town check the Maine Forest Service (MFS) statewide standards website

http://www.maine.gov/dacf/mfs/policy_management/water_resources/sws/sws.html or contact the MFS.

The Department of Environmental Protection (DEP) establishes minimum standards that must be included in locally adopted municipal shoreland zoning ordinances. Once adopted, each individual town is responsible for administering and enforcing their ordinance. Shoreland Zoning requirements will not necessarily be the same in every town. Municipalities can adopt more restrictive standards than those contained in DEP's minimum standards.

Where does it apply?

Shoreland zoning applies, at a minimum, to the following areas:

- within 250 feet of
 - Great Ponds (ponds larger than 10 acres)
 - Rivers (below the 25 square mile drainage point)
 - Tidal waters and coastal wetlands
 - Non-forested freshwater wetlands >10 acres

These areas are typically designated/zoned as "Resource Protection", Limited Residential", "General Development", or other designations.

- within 75 feet of Streams below the outlet of a Great Pond, or below the juncture of two 1st order streams

These areas are typically designated as "Stream Protection".

Towns may choose to zone additional areas if they choose.

Each town must have a Shoreland Zoning Map available to the public. Looking at the town Shoreland Zoning Map is the only way to be certain of how a particular area is zoned.

What are the restrictions on timber harvesting?

Timber harvesting is allowed in most shoreland areas, though there are several restrictions on timber harvesting, clearcut openings, slash, stream crossings, and exposure of mineral soil.

1. On Great Ponds in areas zoned as Resource Protection, there is no timber harvesting within 75 feet of the water (except to remove safety hazards). However, towns may adopt an ordinance that allows up to 30% of the volume of trees to be removed in any 10-year period, if marked by a professional forester and removed during frozen ground conditions. A permit from the Planning Board is required.

2. Elsewhere, no more than 40% of the volume (not number of trees) may be cut in any Shoreland area in any 10-year period. You may exceed 40% if you get a permit from the Planning Board (if necessary for good forest management).
3. No clearcut openings are allowed within 100 feet of a Great Pond or river flowing to a Great Pond, and within 75 feet of other affected water bodies and wetlands.
4. Beyond these distances noted in 3., no openings may be greater than 10,000 square feet. Openings greater than 5000 square feet must be at least 100 feet apart.
5. Slash must be removed from water bodies, and no accumulation of slash may be left within 50 feet of any waterbody under Shoreland Zoning. Slash in all shoreland areas must be lower than 4 feet above the ground.
6. Streams may not be used as travel routes (unless frozen and undisturbed).
7. Crossings of flowing water in any Shoreland Zone require a bridge or culvert, unless there is a hard stream bottom and low firm banks that will not be disturbed.
8. Stream crossings by equipment trails must not carry runoff directly to the waterbody.
9. Temporary crossing structures shall be removed and areas of exposed soil shall be re-vegetated.
10. All equipment shall operate in a way that prevents the exposure of mineral soil within 75 feet (or more on sloping ground) of the waterbody.

Note: Timber harvesting does not include clearing land for development. These activities fall under a separate set of rules.

Can roads be built in Shoreland Areas?

Building roads requires a permit from the Planning Board. No roads may be built in shoreland areas zoned as Resource Protection unless they access other permitted uses, or there is no reasonable alternative. Any permitted roads must be set back at least 100 feet from Great Ponds, and 75 feet from other water bodies and wetlands under shoreland zoning.

What about other land uses?

Many other land uses, especially filling or moving of earth, construction of buildings, or other development, may require permits from the town Code Enforcement Officer or the town Planning Board. Landowners should communicate directly with town officials before undertaking these activities.

The above information is intended only as a summary of Shoreland Zoning requirements, and not as a legal reference. Landowners, foresters, and loggers should consult with town officials before operating in Shoreland Areas to determine local requirements.

Other laws may also apply, especially the Natural Resources Protection Act (NRPA). For additional assistance, please contact the Maine Forest Service, or the Department of Environmental Protection (207 287-2111). Landowners in unorganized towns are subject to Land Use Regulation Commissions Districts and Standards.

For more information, please contact:
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