

## **Appendix 6**

### **Wildlife Management Areas**

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Appendix 6 A: List of MDIFW Wildlife Management Areas

Appendix 6 B: Example of a Wildlife Management Area Plan  
(Cobscook Bay)

## Wildlife Management Areas

The Maine Department of Inland Fisheries and Wildlife (MDIFW) has been actively involved in the acquisition of land for wildlife management purposes for many years. Many of the early acquisitions, waterfowl breeding areas (Ruffingham Meadow, Sandy Point, Madawaska, Lt. Gordon Manuel Area, Brownfield Bog); salt marshes (Waldo Tyler area on the Weskeag River in Thomaston and Scarborough marshes); and upland (Steve Powell area on Swan Island in the Kennebec River between Richmond and Dresden), were made with Pittman-Robertson matching funds. In 1974, Maine citizens for the purchase of wildlife habitat approved a \$4,000,000 bond issue. Prior to the approval of the bond by Maine citizens, a land acquisition overview and acquisition strategy was developed to guide the orderly expenditure of bond issue monies for pre-determined types of wildlife habitat. These included large upland areas strategically located in proximity to the major population centers, high value coastal and inland wetlands, coastal seabird nesting islands, and special habitats for priority species.

In 1986, Maine voters approved another bond issue in the amount of \$5,000,000. A special citizens working group composed of representatives of conservation, sporting, and environmental groups was assembled to develop recommendations for consideration by the Commissioner of MDIFW and Advisory Council pertaining to the types of property to be purchased, their geographical distribution, and the percentage of bond monies to be allocated for each type of habitat. In 1987, a public referendum created the Land for Maine's Future Board (LMFB) to administer a \$35,000,000 bond fund to acquire land of state significance representing Maine's heritage of recreational and conservation use. By September 1988, the Board successfully met the legislative mandate of developing a land acquisition strategy and guidelines. Based on a needs assessment process, the priorities of the board are focused on water access lands and lands supporting vital ecological or conservation functions and values. Coequal with the above are recreational lands, especially those lands offering hunting and fishing opportunities or trail corridors. In 1999, a new \$50 million bond fund for LMFB initiated a new round of acquisition opportunities.

The primary management objective for each MDIFW-owned wildlife management area is to maintain or create the highest quality upland or wetland wildlife habitat possible. This is accomplished by employing management techniques that are designed to utilize existing habitat types to benefit either the greatest variety of wildlife or to provide an important habitat for a specific or "featured" species.

The public also uses wildlife management areas as recreational areas. It is the policy of the Department to allow public access and recreational activities on these areas when they do not conflict with wildlife management objectives. Public recreational activities consist of "consumptive" wildlife uses such as hunting, trapping, and fishing, and numerous "nonconsumptive" uses. Intensive recreational facilities and opportunities, such as overnight camping, are generally not available or permitted activities on these areas.

Finally, the wildlife management areas serve, as demonstration areas where the public can see and be instructed about wildlife and habitat management techniques and practices that might be incorporated on private lands.

### Wildlife Management Areas

(Note: **Bold** denotes areas with plans)

<u>Region</u>	<u>Wildlife Management Area</u>	<u>Region</u>	<u>Wildlife Management Area</u>
	<b>Coast of Maine WMA</b>		
<b>A</b>	<b>Brownfield</b>	<b>A</b>	<b>Scarborough</b>
<b>A</b>	<b>Steep Falls</b>	<b>A</b>	<b>Vernon S. Walker</b>
<b>A</b>	<b>Kennebunk Plains</b>	<b>A</b>	<b>Morgan Meadow</b>
<b>A</b>	<b>Killick Pond (Maynard F. Marsh)</b>	<b>A</b>	Mt. Agamenticus
<b>A</b>	<b>Little Ossipee River</b>	<b>A</b>	Fred Dodge
<b>A</b>	Maquoit Bay	<b>A</b>	Muddy River
<b>A</b>	Peaks Island	<b>A</b>	Tiger Hill Marsh
<b>B</b>	<b>Frye Mountain (Gene Letourneau)</b>	<b>B</b>	<b>Alonzo H. Garcelon</b>
<b>B</b>	<b>Madawaska</b>	<b>B</b>	<b>Howard Mendall</b>
<b>B</b>	<b>Steve Powell (Swan Island)</b>	<b>B</b>	<b>St. Albans</b>
<b>B</b>	<b>Sandy Point</b>	<b>B</b>	<b>R. Waldo Tyler</b>
<b>B</b>	<b>Earle R. Kelly</b>	<b>B</b>	<b>Jamies Pond</b>
<b>B</b>	<b>Tyler Pond</b>	<b>B</b>	<b>Caesar Pond</b>
<b>B</b>	<b>Ruffingham Meadow</b>	<b>B</b>	Merrymeeting Bay
<b>B</b>	Cambridge (Mainstream)	<b>B</b>	Tolla Wolla
<b>B</b>	<b>Martin Stream</b>	<b>B</b>	Gawler (Belgrade)
<b>B</b>	Back River, Lower Kennebec River	<b>B</b>	Hurds Pond
<b>B</b>	George Bucknam	<b>B</b>	Sherman Lake
<b>B</b>	Knights Pond		
<b>C</b>	<b>Lyle Frost</b>	<b>C</b>	<b>Great Works</b>
<b>C</b>	<b>Jonesboro</b>	<b>C</b>	<b>Orange River</b>
<b>C</b>	<b>Pennamaquam</b>	<b>C</b>	<b>Bog Brook Flowage</b>
<b>C</b>	<b>Narraguagus Junction</b>	<b>C</b>	<b>Cobscook Bay*</b>
<b>C</b>	<b>Morong Point*</b>	<b>C</b>	<b>Horan Head*</b>
<b>C</b>	<b>Commissary Point*</b>	<b>C</b>	<b>Egypt Bay*</b>
<b>C</b>	<b>Wilbur Neck*</b>	<b>C</b>	<b>Race Point*</b>
<b>C</b>	<b>Talbot Cove*</b>	<b>C</b>	<b>South Lubec Sand Bar</b>
<b>D</b>	<b>Chesterville</b>	<b>D</b>	<b>Fahi Pond</b>
<b>D</b>	<b>Mercer Bog</b>	<b>D</b>	<b>Stump Pond</b>
<b>D</b>	<b>Black Brook Flowage</b>	<b>D</b>	<b>Strong</b>
<b>E</b>	Delano Lot		
<b>F</b>	<b>Francis D. Dunn</b>	<b>F</b>	<b>Bud Leavitt</b>

<u>Region</u>	<u>Wildlife Management Area</u>	<u>Region</u>	<u>Wildlife Management Area</u>
<b>F</b>	<b>Old Pond Farm</b>	<b>F</b>	<b>Dwinal Pond (David Priest)</b>
<b>F</b>	<b>Mattawamkeag River</b>	<b>F</b>	<b>Mattagodus Stream</b>
<b>G</b>	<b>Lt. Gordan Manuel</b>	<b>G</b>	<b>Long Lake</b>
<b>G</b>	<b>Dickwood Lake</b>	<b>G</b>	Cassey Sutherland
<b>G</b>	Bev Chapman		

\* Denotes the area is part of the Cobscook Bay Wildlife Management Area.

# **COBSCOOK BAY WILDLIFE MANAGEMENT AREA**

## **MANAGEMENT PLAN**

Maine Department of Inland Fisheries & Wildlife  
Wildlife Division  
Region C

Prepared by

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Revisions

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I. Location

The Cobscook Bay Wildlife Management Area (WMA) lies within the Towns of Lubec, Trescott, and Pembroke in eastern Washington County, Maine. The general location map of the WMA is indicated in Figure 1 with the location of individual Units depicted in Figure 2. Maps of individual Units can be found in the Appendix.

A. Location Maps

Figure 1. Location of Cobscook Bay WMA

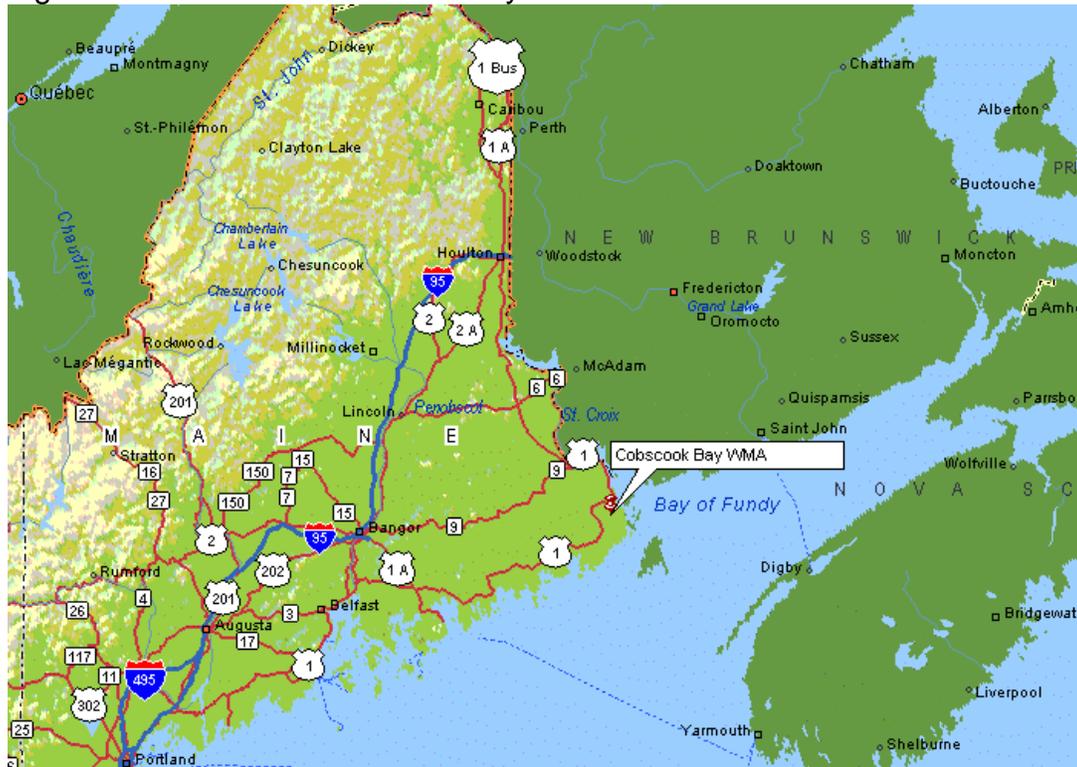


Figure 2. Location of Cobscook Bay WMA Units



**Location of Cobscook Bay WMA Units**

- |                           |                               |
|---------------------------|-------------------------------|
| <b>① Presley Point</b>    | <b>⑥ Carrying Place Cove</b>  |
| <b>② Commissary Point</b> | <b>⑦ Morong Point</b>         |
| <b>③ Wilbur Neck</b>      | <b>⑧ Lily Lake</b>            |
| <b>④ Race Point</b>       | <b>⑨ Horan Head</b>           |
| <b>⑤ Talbot Cove</b>      | <b>⑩ South Lubec Sand Bar</b> |

## II. Description

### A. General Description

The Cobscook Bay WMA consists of 10 geographically distinct Units, within the towns of Lubec, Trescott and Pembroke in eastern Washington County, Maine (Table 1.). Each of these Units lies adjacent to, or in close proximity, to the shores of Cobscook Bay. Approximately 1,882 acres of upland, and nearly 20 miles of tidal and estuarine shoreline of Cobscook Bay comprise these Units.

**Table 1. Approximate Area (acres) and Tidal Shoreline (feet) by Unit in the Cobscook Bay WMA.**

Unit	Acres	Shoreline
Dennison Point	128.00	14,356
Commissary Point	305.00	23,335
Wilbur Neck	297.00	14,572
Race Point	52.00	8,300
Talbot Cove	89.00	8,234
Carrying Place Cove	94.00	8,610
Morong Point	429.00	12,370
Lily Lake	238.00	2,586
Horan Head	235.00	12,150
South Lubec Sand Bar	15.00	0
<b>Total</b>	<b>1,882.00</b>	<b>104,513</b>

The uplands are a mosaic of reverting farmlands and woodlands. Forested uplands are predominated by spruce, fir, pine, and a variety of intolerant hardwood tree species. Reverting fields are mostly overgrown with aspen, alder, and tamarack, with few scattered grassy openings remaining. Tidal frontages include approximately equal proportions of rocky shoreline, mud flats, and vegetated salt marsh.

### B. Ownership

#### 1. Type

All lands within Cobscook Bay WMA are held in fee simple title by the State of Maine. Some easements are also held in association with some of the Units and are described below.

#### 2. Outstanding Easements

##### a. Shared right of way at Wilbur Neck

The deed conferring the Wilbur Neck property to the state identifies an out lot deeded to Bertram Clark. The northern boundary of that out lot is a right-of-way running westerly from Reversing Falls Road. The deed also specifies the roadway to be a common right-of-way to the owners of both properties.

b. Nielsen life estate at Morong Point

Nancy and Reinald Nielsen hold a life estate to a 75-acre tract of land adjacent to the western boundary of the Morong Point Unit. The parcel of land included in this life estate will eventually add an additional 4,500 feet of tidal frontage to the Morong Point Unit.

c. Right-of-way at Carrying Place Cove

Leslie Bowman and Normand Laberge, the original owners of the property comprising the Carrying Place Cove Unit, retain a surveyed 33-foot, right-of-way (ROW) along the northern property line of the Unit [Washington County Registry of Deeds (WCRD) 2226:071-076]. This ROW, which has not been cleared or developed at the time of this revision, provides access to the adjoining property, to which they retain ownership.

d. Right-of-Way at South Lubec Sand Bar

Celia H. Sekula owns a small ( $\frac{1}{4}$  acre) out lot within the state-owned lands at South Lubec Sand Bar [WCRD 1637:22]. Access to this parcel is provided by a well-traveled, unimproved road which has been used for public access to the end of the Bar for many years. No further development of this ROW is expected.

e. Lily Lake Access

A Mr. James Simmonds, or the current owner of the private lot on the northeastern shore of Lily Lake, owns a deeded right-of-way from Crows Neck Road to the shore of Lily Lake via the gravel roads known as Homestead Road and Gravel Pit Road across the Lily Lake Unit [WCRD 626:494].

3. Easements Owned in Conjunction with Land

a. Conservation Easement between Commissary and Dennison Point Units

The State has purchased a conservation easement, consisting of limitations to development rights, on the 50 acres of land currently

belonging to Todd Richardson [WCRD 1632:180-190]. This property lies between and abuts both the Commissary Point and Dennison Point Units. The easement restricts development, subdivision, commercial and other incompatible uses of the property. The easement provides for the maintenance of the existing dwelling on the property and allows for the construction or relocation of buildings to a specified alternative easement location at some future date. Terms of the easement permit public use of the existing road across the property, but do not provide for any other public use of the property (See following ROW description).

b. Right-of-way for public access to Commissary Point

The State of Maine owns a deeded right-of-way across the property currently owned by Todd Richardson [WCRD 1632:180-190]. This ROW provides public, vehicular access to the Commissary Point Unit. The ROW follows an existing gravel road, and maintenance of the access road is provided for. The road has been graded and encroaching vegetation has been removed periodically.

c. Right-of-way for public access to Race Point

The State of Maine owns a surveyed, 33-foot right-of-way (ROW) from the terminus of Crows Neck Road to the state-owned property at Race Point. The ROW follows an existing gravel road. Access across three privately owned properties is provided in the deeded ROW [WCRD 1834:282-287]. Although the road is apparently a county road, the county does not currently maintain it. Limited removal of encroaching vegetation has been undertaken

d. Right-of-Way for public access to Morong Point

The State of Maine owns a surveyed, 33-foot right-of-way across property formerly owned by Earle Thompson. This easement provided public access to the Morong Point Unit from Crows Neck Road. However, in 1999 most of the Thompson property, including all the land affected by this ROW, was purchased by the State and added to the Morong Point Unit. Although the ROW still exists, it now serves no functional purpose.

4. Abutting Ownership Affecting Area

Land parcels abutting most Units of the Cobscook Bay WMA are currently small rural woodlots, used primarily as residential sites with some timber harvesting. At this time, no developments proposed on any of the adjoining properties will threaten the values

or functions of this WMA. However, several abutting parcels, particularly those along public roadways or nearby shorefront, are likely to be divided into smaller house lots. Fragmentation and development of these parcels would limit opportunities for future expansion of some Units.

5. Local, State, and Federal Environmental Regulations Affecting Ownership

Local, state, and federal environmental regulations affecting ownership and management of the Cobscook Bay WMA are detailed in VII. Appendix A.

C. Physical Description

1. Existing Developments / Cultural Resources

Each of the Units within the Cobscook Bay WMA have frontage on public roadways, or are accessible by vehicle from a public roadway. The Dennison Point Unit is accessible from Rt.189 via the Dennison Point Road. A county-maintained continuation of that road provides public access to a parking area at the base of the Commissary Point Unit (see II.B.3.b). Talbot Cove, Carrying Place Cove, Morong Point, and Lily Lake Units have road frontage on the Crow's Neck Road. Race Point Unit is accessible by a gravel road that continues from the terminus of the Crow's Neck Road and crosses privately owned land (see II.B.3.c). The Horan Head Unit has road frontage on the Straight Bay Road. The Reversing Falls Park Road bisects the Wilbur Neck Unit. The South Lubec Sand Bar Unit is accessible from the South Lubec Road by means of a gravel road across several private lots (see II.B.3.e).

Little evidence remains of the historic cultivation and occupation of these lands. Several dilapidated buildings remained at the time of acquisition, but have been since leveled and the sites reclaimed. Numerous cellar holes, stonewalls, rock piles and apple trees can be found on most of the Units. A small, maintained family cemetery is located on the Dennison Point Unit. Old roads and trails have persisted on many of the properties and have become the foundation for management roads and hiking trails.

Recent improvements on the WMA include the development or improvement of public access roads, management roads and trails, parking areas, gates, signs, hiking trails, and restored fields. Access roads, parking areas, and hiking trails have been developed at Horan Head, Morong Point, and Commissary Point Units. The Reclamation, reseeding, and general maintenance of former agricultural fields has been

undertaken on Dennison Point, Commissary Point, Wilbur Neck, Morong Point, and Horan Head Units.

## 2. Land Use Types

### a. Uplands

Color aerial photography has been obtained for most Units of the WMA. Detailed forest type maps of each Unit have not been developed. Table 2 lists approximate acreages by general cover types present in each Unit of the Cobscook Bay WMA based on the currently available photography. Partial photographic coverage is available for other Units. Some of the available photography is outdated due to past timber harvesting.

### b. Wetlands

Except for wetlands that occur along a freshwater tributary on small beaver impoundments, and those that occur along the edge of Lily Lake on the Morong Point and Lily Lake Units respectively, freshwater wetlands are not a significant habitat component of the Cobscook Bay WMA.

Coastal wetlands occur on all Units with the exception of Lily Lake. These wetlands are variable in their definition and type from unconsolidated mud flats to hard, consolidated, ledge outcroppings covered with rockweed.

### c. Soils

Soils on the Cobscook Bay WMA have been classified and mapped by the Soil Conservation Service. Copies of the soil classification map and associated soil data sheets are on file at Inland Fisheries and Wildlife office in Machias. Soils on most upland sites are shallow, stony silt-loams and clay-loams. The most common types are: Scantic-Biddeford, Tunbridge-Lyman-Lamoine, Lyman-Tunbridge-Abram, and Lamoine-Scantic-Tunbridge. Rock outcroppings, shallow soils, and poor drainage preclude some potential land uses. Most upland soil complexes are suitable for tree growth, but caution must be exercised to minimize the extent of erosion and windthrow following timber harvesting.

In some areas, small inclusions of deeper loam soils may be suitable for tilling and planting forage plots. Soil testing may be undertaken to evaluate the feasibility of soil amendment or planting.

The South Lubec Sand bar is comprised primarily of beach sand with a Gouldsboro silt loam on the upland portions of the bar. These soils are generally fragile and easily eroded when stabilizing vegetation is disturbed.

**Table 2. Approximate cover type composition of each Unit of the Cobscook Bay WMA.**

Unit	Cover		Type			
	SW	SH	HS	HW	AF/G	WL
Dennison Point	0	20	68	26	14	0
Commissary Point*	24	195	86	0	20	0
Wilbur Neck	43	21	210	15	8	0
Race Point	4	25	14	9	0	0
Talbot Cove	28	51	0	0	10	0
Carrying Place Cove *	0	67	27	0	11	0
Morong Point	11	0	86	295	33	4
Lily Lake	0	0	18	197	20	3
Horan Head	33	106	88	0	8	0
South Lubec Sand Bar	0	0	0	0	15	0
Total	143	485	597	542	139	7

SW >75% softwood  
 SH mixed, >50% softwood  
 HS mixed, >50% hardwood  
 HW >75% hardwood  
 AF/G agricultural field / grassland  
 WL freshwater wetlands

\* based on photography taken prior to pre-acquisition timber harvests

### III. History

#### A. General

Much of the land surrounding Cobscook Bay was formerly settled and managed as small, subsistence farms. Tillable land was cleared for pasture or hay production. This is evident by numerous old fields that still exist in various states of reversion. Old cellar holes, dug wells, and an abundance of apple trees can be found on most Units. Larger Units such as Commissary Point and Morong Point historically supported several occupied homesteads as recently as 50 years ago.

In Washington County, and throughout much of Maine, widespread farm abandonment occurred during the 1950's. Homesteads were often parceled into sizeable tracts and either divided among resident family members, or sold. Sometimes large intact parcels were retained by families if adequate income

could be derived by other means. Most fields were allowed to revert to woods, buildings fell into disrepair, and roads became impassible through disuse. Limited commercial timber harvesting took place, particularly in the wake of the spruce budworm epidemic in the 1970s.

During the 1980s, land values in coastal Washington County escalated, primarily as a result of speculative land purchases by prospective developers. Several prominent headlands in Cobscook Bay were purchased and subdivided into many small lots for development and resale. Tax valuations rose sharply, even for those properties that were not subdivided or developed. Some property owners found it necessary to sell all or part of their lands to offset tax burdens. Other landowners sought to sell inherited land to conservation ownerships rather than have their family's lands subdivided and developed. By the early 1990s, speculative buying of land subsided, and land prices waned. Several large land holdings became available for purchase from family estates.

## B. Acquisition

The acquisition of lands, which now comprise the Cobscook Bay WMA, was principally driven by the North American Waterfowl Plan; a federally supported, national initiative to protect coastal wetlands in support of wintering migratory waterfowl. A "Maine Wetlands Coalition" was formed which consolidated the skills and resources of State, federal, and non-governmental conservation organizations. As a result of a statewide ranking and prioritization effort, Cobscook Bay was identified as the highest priority area for coastal wetland protection initiatives; due, in part, to its value to wintering black duck populations.

Land acquisition around Cobscook Bay has been financed by several funding sources. In 1988, Maine voters approved a Land for Maine's Future Bond, authorizing \$35 million for the purchase of land for conservation and public use. Funds were also provided through federal programs including the North American Wetlands Conservation Act, the North American Waterfowl Management Plan, and Pittman-Robertson funds. Short-term funding and in-kind services were provided by the participating, non-profit, conservation organizations such as The Nature Conservancy, Maine Coast Heritage Trust, and the Quoddy Regional Land Trust.

Acquisition of land for the Cobscook Bay WMA has been an ongoing process. In the early 1990s, a variety of high-priority anchor parcels were identified for acquisition. Some of these parcels were eventually purchased from willing sellers through the cooperative efforts of the Wetlands Coalition. As additional funding became available, and other potential sellers were identified, additional parcels of land were appended to the original anchor parcels.

The Commissary Point Unit was acquired as two separate parcels. The first parcel of land was purchased from Captains Landing Inc. on January 22, 1990,

with funds from the Land For Maine's Future Board. [WCRD 1632: 171-190]. A conservation easement on the nearby property, currently owned by Todd Richardson, was acquired from the previous owners on April 12, 1990 [WCRD Book 1632, page 180-190]. The adjoining parcel, encompassing 105 acres on Leighton Point and several nearby islands, was purchased from the estate of Susan Amero in June 1996 with funds from a North American Wetlands Conservation Grant [WCRD 2082: 4].

The Dennison Point Unit was purchased from heirs of Warren Dennison Sr. on October 25, 1995 with money from the North American Wetlands Conservation Grant [WCRD 2045: 232-235].

The Nature Conservancy purchased the Wilbur Neck Unit from Wesley and Ruthella Clark [WCRD 1584: 240] in 1989. Later that year ownership of the property was transferred to MDIF&W. [WCRD 1602: 37-40].

The Race Point Unit, and associated rights-of-way, were acquired from Edward Hawes in 1993 [WCRD 1834: 282-287].

The Talbot Cove Unit was purchased in 1996 from Bernard Ross. [WCRD 2063: 109].

The Carrying Place Cove Unit was purchased from Leslie Bowman and Normand Laberge in 1999. [WCRD 2266: 071-076].

The Morong Point Unit was acquired as several abutting parcels from different sellers. Acquisition began in 1992, requiring consolidation of eight land parcels belonging to six landowners. This process resulted in six warranty deeds and two quitclaim deeds being held to approximately 350 acres of land, a one-acre island, a one-acre parcel by occupation, and a deeded right of way for access.

The Lily Lake Unit was purchased in 1995 from Mary Anderson [WCRD 2027: 207].

In 1999, a 60-acre parcel lying between Lily Lake parcel and the original Morong Point purchase was acquired from Earle Thompson and was incorporated as part of the Morong Point Unit [WCRD 2315: 86-88].

The Horan Head Unit was purchased from the Estate of the late Frances H. Bradley on January 14, 1994, with public funds from the Lands for Maine's Future. A small additional parcel of land measuring 290 ft<sup>2</sup>, was acquired via quitclaim deed from the adjoining land owners, Wallace and Raymah Lyons, on December 21, 1993 to resolve the encroachment of the access road onto their property. [WCRD 1901: 77-80, and WCRD 1895: 21-23, respectively]

Ownership of the South Lubec Sand Bar Unit was transferred from The Nature

Conservancy to The Department of Inland Fisheries and Wildlife in 1992 [WCRD 1774: 194-195].

### C. Management and Development

Minimal habitat management has been undertaken on most properties in the Cobscook Bay WMA since their acquisition by the state. Merchantable timber was harvested from some of the properties in the years prior to purchase. Most management activities have emphasized the reclamation and maintenance of reverting fields. Fields and roads have been mowed annually at Commissary Point (10 acres), Dennison Point (5 acres), Wilbur Neck (4 acres), Horan Head (5 acres), and Morong Point (24 acres). Portions of fields, approximately 20 acres in total, on these properties have been cultivated, limed, fertilized and reseeded.

Public access has been enhanced on several of the Units by improved access roads, construction of parking areas, and establishment of marked hiking trails. The access road into Commissary Point was upgraded, a parking area constructed, and a 1.2-mile hiking trail cleared in 1993. In 1994, the access road into Morong Point was upgraded, one bridge was replaced, a parking area constructed, and an iron gate installed to limit vehicular traffic beyond the parking area. At Horan Head, an access road and parking area were constructed in 1996. The following year, a network of approximately 3 miles of hiking trails was established, providing public access to much of the shoreline, and several scenic overlooks. On most of the remaining Units, former roads and trails are maintained for management purposes and provide pedestrian access on most of the areas.

## IV. Objectives of Management Plan

### A. General

#### 1. Statewide

The primary objective for all Wildlife Management Areas is to maintain or create the highest quality upland and wetland wildlife habitats possible. This is accomplished by employing management techniques, which are designed to manipulate or enhance existing habitat types to benefit the greatest variety of wildlife, or to perpetuate critical habitats for a specific or "featured" species.

The public also uses wildlife Management Areas as recreational areas. It has been the policy of the Department to allow public access and certain traditional, recreational activities on WMAs to the extent that wildlife management objectives are not compromised. Public recreational activities may consist of "consumptive" wildlife uses such as hunting,

trapping and fishing; and various "non-consumptive" uses such as hiking, canoeing, wildlife photography, etc. More intensive recreational activities and associated facilities, such as overnight camping, are not permitted on Wildlife Management Areas. Finally, Wildlife Management Areas serve as demonstration sites where the public can receive instruction and observe various wildlife management techniques and practices that can be employed on privately owned lands.

## 2. General Management Objectives for Cobscook Bay WMA

The management objective for the Cobscook Bay WMA is to contribute to statewide, Department Wildlife Management Area goals and objectives through maintenance and enhancement of critical wildlife habitat features; and to provide public recreational opportunities.

Prudent management of riparian habitats along coastal wetland systems will help maintain the functions and values of critical habitats to many species of wildlife; the very resources which justified the acquisition of most of the Units.

Diversification and enhancement of upland habitats on those Units with an agrarian history will be prioritized to promote both wildlife abundance and diversity. Fields, associated edges, and diversified stands of intolerant hardwoods and shrubs will be maintained to enhance wildlife richness on the WMA.

White pine will be a featured species in the management of riparian habitats. This will provide future nesting habitat for bald eagles in one of the most important areas for the species in the northeast. Management of forested uplands on the remainder of the area will seek to promote a diversity of species and age classes to enhance resident and migratory wildlife species.

### B. Small Game and Furbearers

Management of the WMA to ensure a continuation of diversified, upland habitats, as well as transitional, habitat edges will benefit a variety of small game species such as weasel, fisher, marten, bobcat, coyote, ruffed grouse, snowshoe hare, and red squirrel. The maintenance and perpetuation of riparian buffers along coastal wetlands and freshwater streams will benefit aquatic furbearers, including muskrat, mink, and river otter.

### C. Migratory Game

The Cobscook Bay WMA has nearly 18 miles of inter-tidal shoreline at a variety of locations around Cobscook Bay. Numerous protected coves provide important

feeding, nesting, loafing, and staging areas for many species of migratory waterfowl. Maintaining these coves and associated coastal wetlands in a relatively undisturbed state will benefit migratory waterfowl such as: black ducks, hooded mergansers, green and blue-winged teal, common goldeneyes, buffleheads, and Canada geese.

Woodcock utilize upland habitats on the WMA for courtship, nesting, roosting, feeding, brood rearing, and migratory stop-over cover. Management of old field associations will provide an interspersed growth of alder, open fields, and hardwood cover to meet these seasonal, habitat requirements of woodcock.

#### D. Big Game

White-tailed deer, bear, and moose occur in forested uplands surrounding Cobscook Bay. Although none of the Units within this WMA are large enough to provide all of the annual habitat requirements of any of these species, management of these areas will provide for some of the seasonal forage and shelter requirements of each.

Although none are currently known, the identification of a deer wintering area on the WMA will elevate the appropriate forest stands to those requiring featured management.

#### E. Non-Game and Endangered Species

Cobscook Bay is the most productive complex of bald eagle nesting habitat in Maine, and perhaps in all of the northeastern states. In the early 1970s when eagles had all but disappeared from the remainder of the State and the northeast, approximately 10 remaining pairs of bald eagles continued to breed successfully in Cobscook Bay. The dramatic recovery of Maine's eagle population over the past 25 years was due, in no small measure, to the survival and reproductive efforts of the birds around Cobscook Bay.

There is one Federal or State listed Threatened Species inhabiting or associated with the Cobscook WMA. MDIFW has documented the occurrence of bald eagles, a Federal and State listed threatened species. The habitat management activities outlined in this plan, including mowing and timber harvesting are expected to have no negative impact on bald eagles. Annual regional surveys to monitor eagle nests, the maintenance of riparian buffers, and the "featured species" status of white pine on the WMA will serve to perpetuate suitable habitat and have a positive impact on the presence of and occupation by this species.

Current or recently active eagle nests occur on the Horan Head and Commissary Point Units. Eagles currently nest in close proximity to the Dennison Point, Race Point, Wilbur Neck, and Talbot Cove Units. Eagles are frequently observed

feeding or perching along the shoreline of every Unit in this WMA except perhaps the South Lubec Sand Bar.

White pine and bald eagles will be featured species in the management of shoreline habitats of the Cobscook Bay WMA. Portions of Commissary Point, Dennison Point, Wilbur Neck, Race Point, Talbot Cove, Morong Point and Horan Head Units have numerous dominant white pines that are potential, alternative nest sites. Large pines along the shoreline of these Units are frequently used as perches by eagles foraging along Whiting Bay, South Bay and Straight Bay. Management of the WMA's riparian habitats to perpetuate dominant white pines in undeveloped, undisturbed surroundings will, along with other area land protection strategies, provide for the long term enhancement of bald eagles, as well as maintenance of this productive estuarine complex.

Shorebirds use the tidal flats of Cobscook Bay as feeding and roosting areas. These areas are particularly important during spring and autumn migration, and most heavily used during the fall. Historical and recent records indicate large numbers of shorebirds use the South Lubec Sand Bar and other tidal flats in Cobscook Bay. Several sites adjacent to Cobscook Bay WMA are designated as Significant Wildlife Habitat under the State's Natural Resources Protection Act as shorebird nesting, feeding, and staging areas. Management of shorebird habitats adjacent to Units within this WMA will strive to minimize disturbance during seasons of migration.

Other migratory non-game species utilize upland areas during spring, summer and autumn. Reverting fields and forested uplands provide nesting cover during summer, and roosting cover during spring and fall migration for numerous species of raptors, songbirds and other migratory non-game species. Management activities that promote vegetative diversity and minimize disturbance, particularly during spring and autumn migration, will benefit these species.

#### F. Fisheries

Lily Lake is the only substantial freshwater body associated with the Cobscook Bay WMA that provides fisheries management opportunities. State-owned lands comprise approximately 1/3 of its shoreline. Lily Lake is a shallow, 31-acre pond. The regional Fisheries Division of the MDIF&W manages a brook trout fishery in Lily Lake. Fingerling brook trout are stocked in the pond each fall. Due to the warm shallow water, little natural spawning occurs and summer survival is poor. Naturally sustaining populations of stickleback and hornpout also occur in the pond. No management activities are planned.

#### G. Recreation

Consumptive forms of recreation including hunting, trapping, and fishing are permitted on all Units of the Cobscook Bay WMA. The WMA offers many opportunities for hunting deer, waterfowl, and upland game. Trapping, primarily for foxes and coyotes, occurs on the forested uplands.

The Cobscook Bay WMA offers numerous opportunities for hiking, bird watching, cross-country skiing, and other non-consumptive forms of recreation. In addition to the extensive shoreline of the WMA, hiking trails have been established on the Commissary Point, Morong Point, and Horan Head Units. Management roads and trails offer foot access on most other Units.

Since its inception in 1997, MDIF&W has been an active participant in the Cobscook Trails project. Cobscook Trails is a coalition of local businesses, private sponsors, and State, federal, and private, non-profit, conservation landowners that seek to enhance the local appreciation, reinvestment, and stewardship of conservation lands. The coalition has recently published a second edition field guide to hiking trails on conservation lands in the Cobscook Bay area which local business sponsors retail to their patrons. Additionally, Cobscook Trails annually hires a trail steward to maintain the trails, provide interaction and interpretation with the public, and advocate local stewardship through program development with area schools and other interested groups. The use of the Cobscook Bay WMA for public recreation will be permitted in so far as management goals and objectives are not compromised. The continued maintenance of public access facilities will provide for compatible, outdoor recreational opportunities.

## V. Long-Term Plans

### A. Acquisition

#### 1. Type of Ownership Proposed

Future land ownership should be by means of fee title purchase. When that option is not possible, alternative land protection strategies, including conservation easements, should be pursued.

#### 2. Priorities

##### a. Wilbur Neck

The outer reach of Wilbur Neck is formed by a narrow island connected to the mainland only at low tide (CIR# 79-081). Bald eagles have nested at several sites on Wilbur Neck since 1973. Resident eagles have alternated between nest sites on the state-owned, base portion of the neck and two sites on the 70-acre outer neck, which is under single, private ownership. Since 1997, the

preferred nest site has been on the outer neck. Although Department personnel have had occasional interaction with the landowner, he has not indicated any interest in selling at this time.

b. Prebble Property

The current Talbot Cove Unit encompasses the entire northern half of the cove. The intertidal component of this Unit contains a larger portion of salt marsh than does the southern shore. Nonetheless, acquisition of land bounding the southern shore is considered a priority, and would provide protection of the complete marsh/estuary complex. One property under private ownership, and currently undeveloped, surrounds the southern half of Talbot Cove. A local concern has been the continued tax burden of the property to the landowner, and the potential of subdividing and development should a lien materialize. The owners of the property were approached in 1997 by representatives of the Maine Wetland Coalition, but expressed no interest in selling.

c. Hensler Property

A 35 acre parcel of land lies immediately adjacent to the southeastern boundary of the Morong Point Unit and includes all of the land surrounding the upper headwaters and associated salt marshes of the Morong Cove complex, as well as a tidal, freshwater tributary. Acquisition of this property would complement goals of the Morong Point Unit in protecting the western half and a significant part of the eastern half of the coastal wetland complex of Morong Cove. The single landowner was approached as part of the Maine Wetland Coalition's efforts in the mid-1990's. Although on the market and considered a priority acquisition, a mutually agreeable price could not be reached.

d. Mahar Property

A 136-acre property borders a significant portion of the eastern side of Morong Cove opposite the shoreline holdings of the Morong Point Unit. Attempts were made by the Maine Wetland Coalition in the 1990's to acquire this property which was, at that time, under undivided ownership by 7 heirs and significant issues on a clear title. Just recently, the ownership has been consolidated and title issues cleared. A local land trust (a former participant of the Maine Wetland Coalition) was recently contacted about the owner's willingness to sell. This property is considered an important acquisition by priorities established by the Maine Wetland Coalition. Efforts are currently underway to explore alternatives for protection.

e. Miscellaneous

Other parcels of land around Cobscook Bay continue to become available for purchase from time to time. Future acquisitions should build on the priorities and framework of anchor parcels established by the Maine Wetlands Coalition, as well as new, updated habitat information as it becomes available.

3. Possible Reservations

None

B. Habitat Maintenance and Development

1. General Overview of Planned Activities

The land base of the Cobscook Bay WMA can be divided into four habitat groups: tidal wetlands, riparian habitat, upland forests, and fields. Management and development of each of these groups is generally consistent throughout the WMA. No active management of tidal wetlands is planned. Rather, management of tidal wetlands will focus on minimizing disturbance and any potential sources of degradation. Management of riparian habitats will emphasize the maintenance of naturally vegetated buffers between coastal wetlands and land-based activities or disturbance. Special emphasis will be placed on the protection and perpetuation of shoreline white pines due to their importance as nesting and perching sites for bald eagles. Upland forests will be managed to provide diverse forest stands representative of natural coastal forests. The identification of critical habitats, such as bald eagle nest sites, deer wintering areas, or vernal pools will necessitate an amendment to this plan to detail specific actions to protect and enhance the specific habitat functions and values.

Fields will be rejuvenated and maintained through a schedule of clearing, mowing and cultivation. Management roads, parking areas, signage and boundary markings will be maintained as required. Maintenance of hiking trails and minor custodial functions will be conducted on the South Lubec Sand Bar, Horan Head, and Commissary Point Units as needed by the Cobscook Trails trail steward.

2. Detailed Discussion of Activities by Unit/Compartment

a. Dennison Point Unit

In 1998, approximately 7 acres of overgrown fields were cleared and mowed on Dennison Point leaving a high degree of edge with residual alders. The following summer, 5 acres of the mowed area was cultivated, fertilized and reseeded. These fields will be maintained by annual mowing in late summer. Additional old-field areas will be reclaimed as time and funding permits. Some senescent stands of alder may be marked, cut, and regenerated in strips in accordance with guidelines established for the rejuvenation of diurnal cover for woodcock.

Most merchantable timber was harvested from the forested areas in the eastern portion of this Unit prior to acquisition. Aerial photography of the Unit should be updated to reflect results of these harvests. The remaining stands should require little silvicultural attention in this planning cycle. If extensive damage occurs due to any cataclysmic event, the salvage of damaged or downed wood may be necessary.

#### b. Commissary Point Unit

Since its acquisition, approximately 15 acres of overgrown fields and trails have been cleared and mowed on Commissary Point. Five acres have been cultivated, fertilized and reseeded. Fields will be maintained by annual mowing in late summer. Few other areas of suitable soil remain on this Unit where field restoration would be practical.

No timber harvests are expected on Commissary Point during this planning period, due to the forest age, low volume and market conditions. When market conditions change and stands mature, patch cuts of hardwoods and single tree selection cuts of softwoods may be carried out. Detailed forest type maps and harvest prescriptions will need to be developed prior to any silvicultural treatments.

#### c. Wilbur Neck Unit

Annual mowing of approximately 4 acres of old field will continue at Wilbur Neck. There are no plans to rejuvenate or create additional fields at this time.

No timber harvests are envisioned at Wilbur Neck during this planning period, due to the forest age, low volume and market conditions. When forest management interventions are deemed necessary, detailed forest type maps and harvest prescriptions will be developed.

#### d. Race Point Unit

No habitat management treatments are planned for the Race Point Unit in the present planning period. Salvage harvesting may be undertaken if extensive damage due to disease, weather or fire occurs. Public use of the property will be monitored by periodic inspections to ensure that minimal impact is occurring from this use.

Initial reconnaissance of this Unit just prior to its acquisition revealed evidence of utilization by wintering deer. Further winter assessment of this critical habitat feature should be completed and become the focus of upland habitat management, if warranted.

#### e. Talbot Cove Unit

The Talbot Cove Unit contains approximately 10 acres of reverting fields adjacent to the Crow's Neck Road. These fields, locally known as the "Ross pasture," are heavily overgrown with alder, aspen and spirea *spp.* During the current planning period, approximately half of the area will be cleared, cultivated and reseeded. Once reclaimed, openings will be maintained by annual mowing.

The forested portions of the Talbot Cove Unit experienced extensive damage due to an infestation by spruce budworm during the 1970s. Much of the dead timber has since fallen, and is beyond salvage condition. The regenerating forest stands should be inspected to determine their vulnerability to further degradation. Some silvicultural treatments may benefit the long-term value of these uplands as habitat to support a variety of migratory and resident wildlife species. Aerial photography will be needed for an assessment of the forest stands.

Public access developments may be undertaken for this Unit as resources allow. Currently, the only vehicular access to the property is poorly drained throughout most of the summer and is being encroached by alders. If vehicular access is improved, the installation of a gate may be necessary, as well as a small roadside turnout or parking area.

Signs indicating acquisition, funding source, ownership, and use restrictions will be installed.

#### f. Carrying Place Cove Unit

Woodlands on the Carrying Place Cove Unit were heavily harvested in recent years. These woodlands will require little management in the current planning period. Mowing to control woody overgrowth of existing management roads will be conducted as necessary. Evaluation and possible development of appropriate signage will be completed during this planning period.

g. Morong Point Unit

Annual mowing of approximately 24 acres of field will continue at Morong Point. Most sites with suitable soils have been mowed, cultivated and reseeded; therefore no further herbaceous seeding is planned at this time.

Timber harvests are not envisioned in this planning period due to the general forest age, low volume, and market conditions. When silvicultural interventions are deemed necessary, detailed forest type maps and harvest prescriptions will be developed.

Upland habitats that border many of the fields in the Unit, and that are predominated by intolerant hardwood and alders, can be rejuvenated by established methods of alternate year strip cutting. This will enhance diurnal habitat for local breeding populations and migrating woodcock, as well as species, which thrive in edge, and transitional habitats. Depending on available resources, further assessment, layout, and the possible implementation of cutting may occur during this planning period.

h. Lily Lake Unit

Forest stands require further assessment to determine if silvicultural treatments would benefit the abundance and diversity of wildlife of the Unit. Updated aerial photography will be necessary for a proper evaluation of the forest stands.

Preliminary discussions have been initiated by Regional Fisheries personnel regarding the prospects for the potential enhancement of public access to Lily Lake by improving a gravel access road on the Unit, which leads to the north-central shores of the Lake. Prior to any formal plan, an assessment of wetlands that were created by the excavation of gravel in a pit at the terminus of this road should be completed. There is potential for a reclamation effort that might possibly create a small, but high value freshwater wetland complex.

i. Horan Head Unit

Annual mowing of approximately 10 acres of field will continue at Horan Head. All sites with suitable soils have been mowed, cultivated, limed, fertilized, and reseeded. Therefore, no further field rejuvenations are planned at this time.

No timber harvests are expected on Horan Head during this planning period. Depending on available resources, an assessment of forest resources on the Unit would be advantageous. If forest management interventions are deemed necessary or desirable, detailed forest type maps and harvest prescriptions will be developed. Limited clearing of wind-thrown trees will occur to maintain developed hiking trails on the Unit.

j. South Lubec Sand Bar Unit

Management of the South Lubec Sand Bar Unit is focused primarily on managing public use of the area and minimizing any related degradation. The Sand Bar has historically been used by local residents for shoreline access to dig clams, collect seaweed, etc.; as well as by residents and visitors for access and passive recreational activities. Since the property was acquired, efforts have been made to control some activities deemed to be inappropriate; such as driving over vegetated beach sections, overnight camping, fires, and littering. Signs have been posted prohibiting these activities. Compliance with these restrictions, however, has been poor. During the summer, the Cobscook Trails steward, who also picks up litter and performs other minor custodial duties, inspects the Unit regularly. Regional staff will continue to explore cooperation with local residents and law enforcement officials to minimize inappropriate activities on the Sand Bar. Support will continue of the trail steward's efforts to devise projects and involve local schools and residents in developing general stewardship of this Unit.

C. Assessment of Developments

Recreational use levels on the WMA will be monitored through routine and periodic inspections. During summer months, the Cobscook Trails trail steward will perform much of this monitoring. On those Units involved with Cobscook Trails, registration boxes also aid in use assessment. Public use facilities such as signs, trails, gates, parking areas, and access roads will be inspected and maintained as required. If public use appears to be compromising the management goals and objectives of the WMA or Units, remedial actions will be implemented.

Bird counts, furbearer track counts, and woodcock singing ground surveys may be conducted to determine baseline levels of wildlife use and to gauge and direct future management efforts on the WMA.

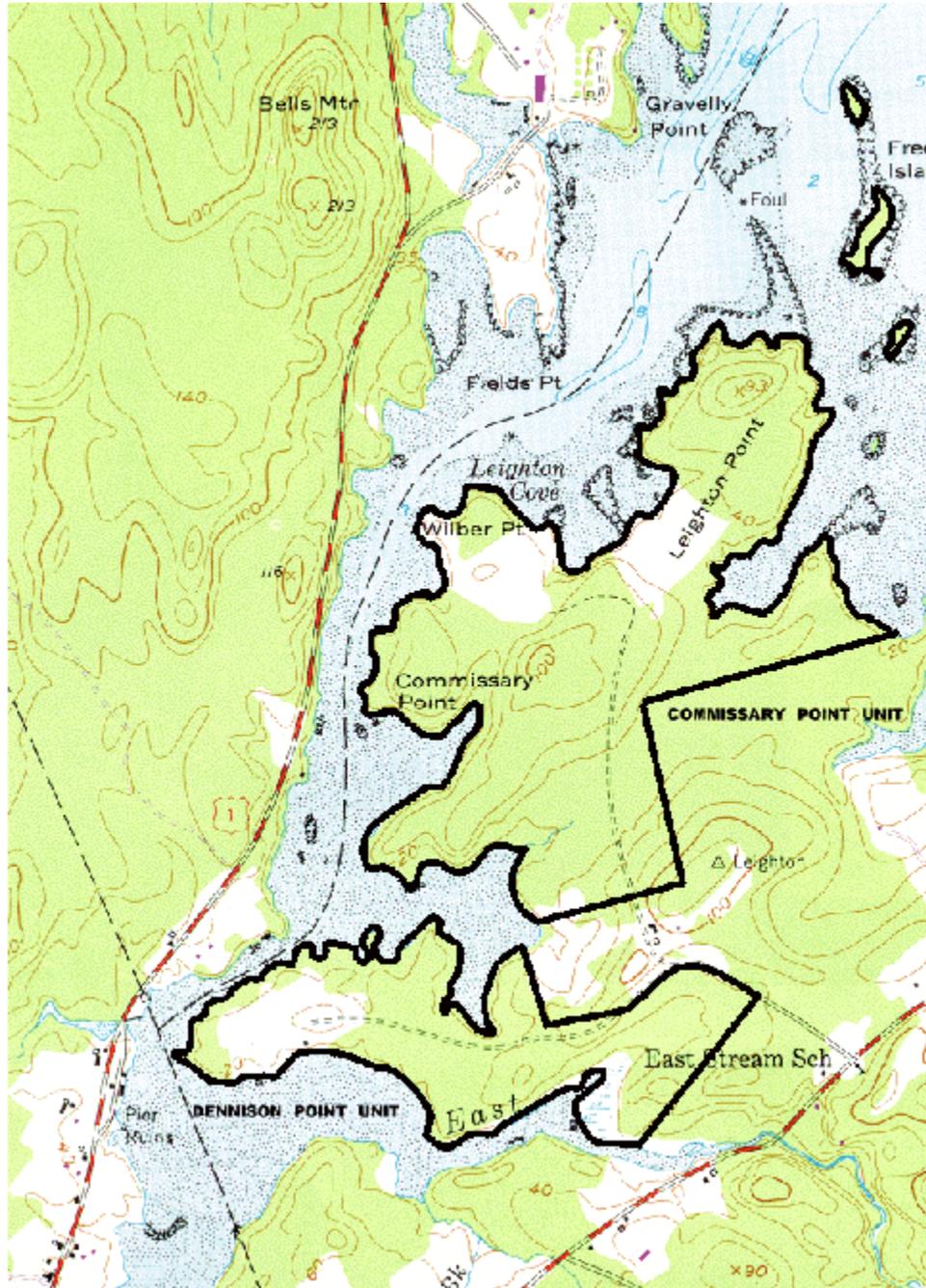
VI. 15-Year Schedule of Treatments

	Work Item / Description	Year															units
		2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	
F001-01	Buildings (new dev.)																number
F001-02	Buildings (maint.)																number
F002-01	Dams, Dikes or Levees (new dev.)																acres
F002-02	Dams, Dikes or Levees (maint.)																acres
F004-01	Bridges (new dev.)																number
F004-02	Bridges (maint.)					1					1					1	number
F005-01	Roads and Trails (new dev.)		1														miles
F005-02	Roads and Trails (maint.)	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	miles
F007-01	Fences (new dev.)																miles
F007-02	Fences (maint.)																miles
F008-01	Public Use Facilities (new dev.)																number
F008-02	Public Use Facilities (maint.)																number
F011-01	Signs and Boundary Markers (new dev.)	2	2	2	2	2	4										miles
F011-02	Signs and Boundary Markers (maint.)		4		4		4		4		4		4		4		miles
F012	Tree and Shrub Planting																acres
F013	Herbaceous Seedings			5		5											acres
F014	Clearing																acres
F015	Vegetation Control	28	28	28	32	32	37	37	37	37	37	37	37	37	37	37	acres
F017-01	Firebreaks (new dev.)																acres
F017-02	Firebreaks (maint.)																acres
F021	Timber Management																acres
F022-01	Nest Structures (new dev.)																number
F022-02	Nest Structures (maint.)																number
F024-01	Potholes (new dev.)																acres
F024-02	Potholes (maint.)																acres
F025-01	Level Ditching (new dev.)																acres
F025-02	Level Ditching (maint.)																acres
F028-01	Water Level Management (new dev.)																acres
F028-02	Water Level Management (maint.)																acres
F029	Development of Area Management Plans					5					5					5	work/days
F031	Custodial Functions	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	work/days
F032	Land Acquisitions	136	136	55	55	0											acres
F034	Apple Tree Restoration	0	0	1	0	1	0	1	0	1	0	1	0	0	0	0	acres
F035	Assessment of Developments	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	work/days
F036	Deer Wintering Area Inventories																acres
F037	Deer Wintering Area Management																acres
F038	Turkey Habitat Management																acres

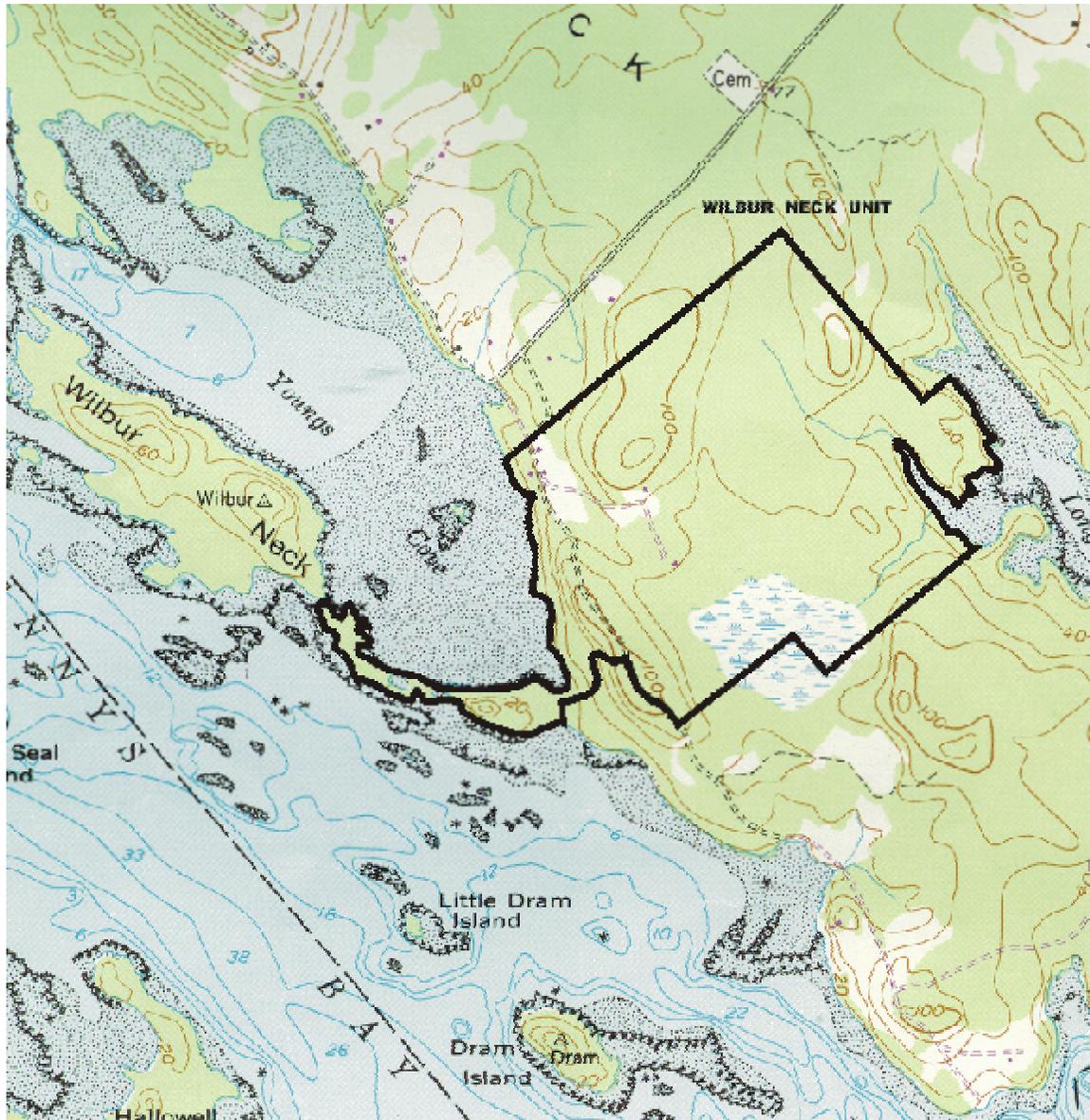
VII. Appendices

A. Unit Maps

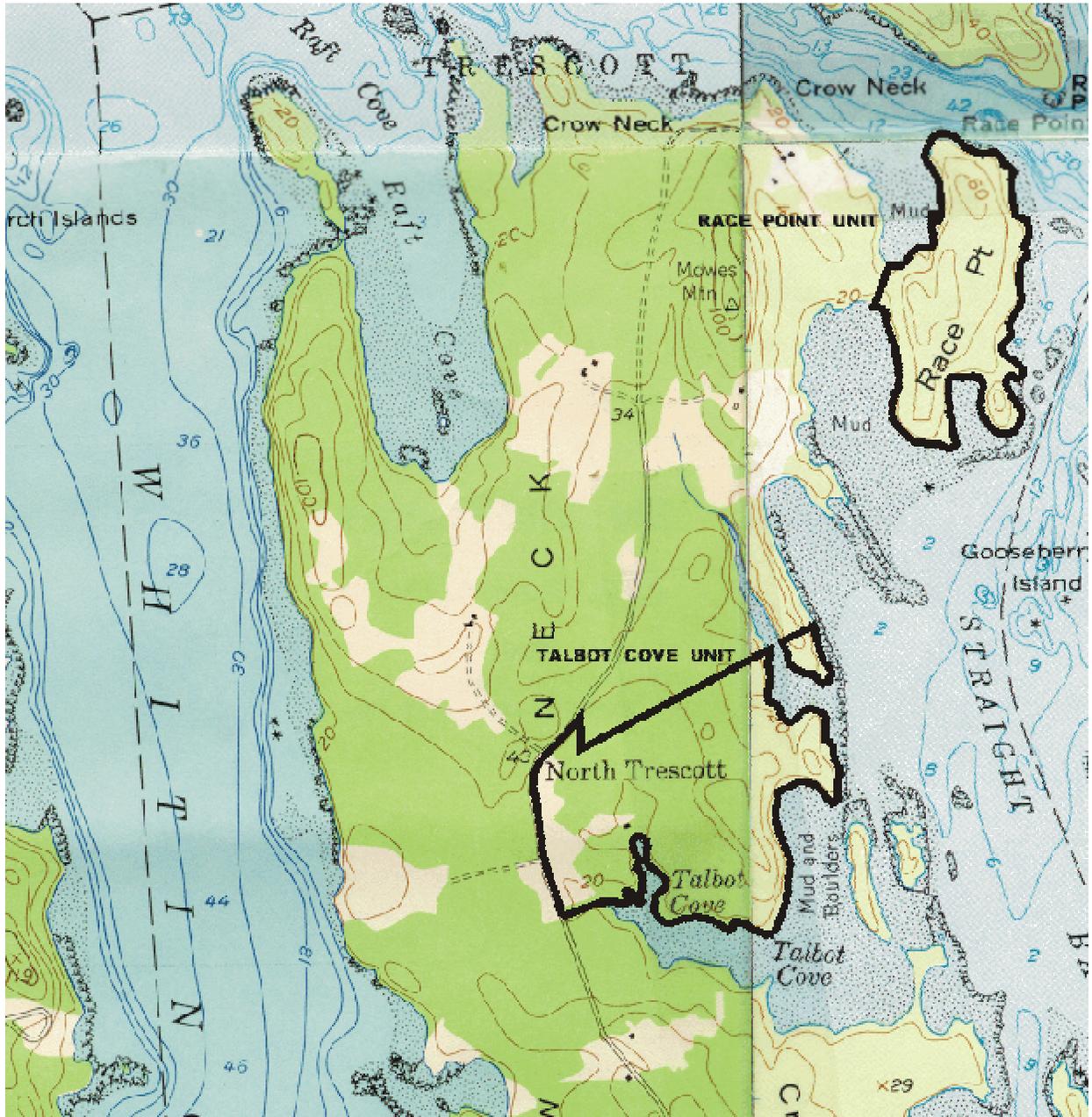
1. Commissary Point - Dennison Point Units Map



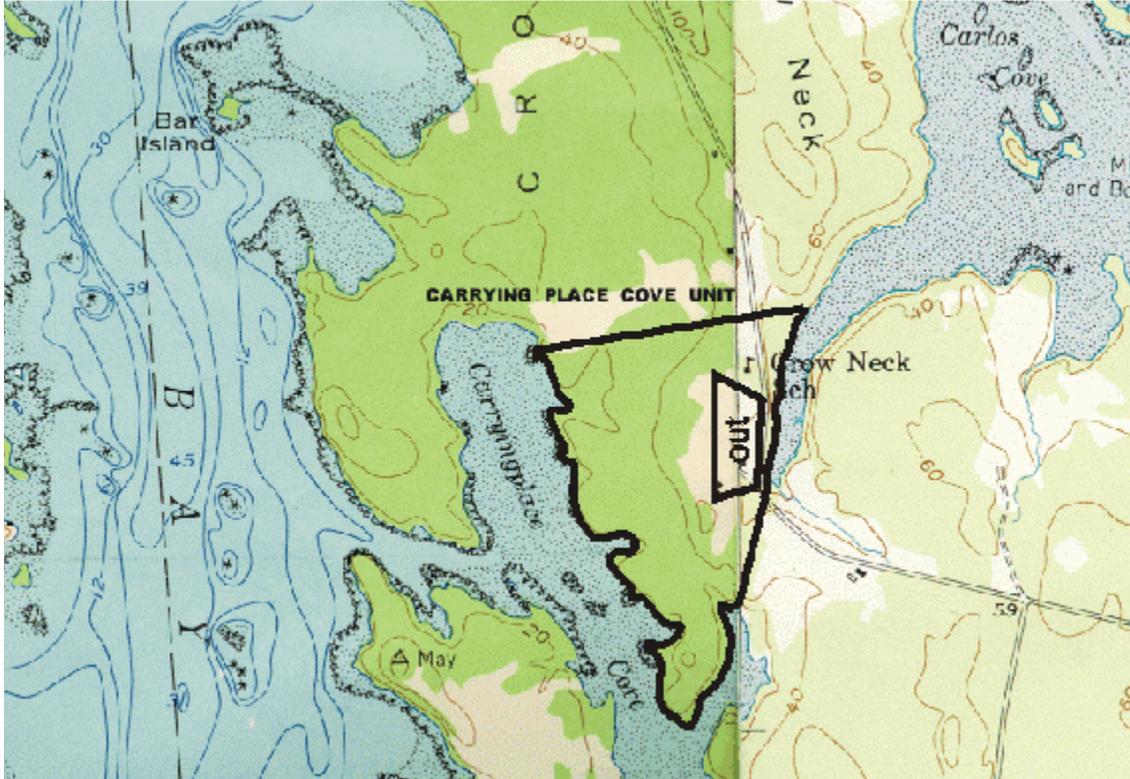
2. Wilbur Neck Unit Map.



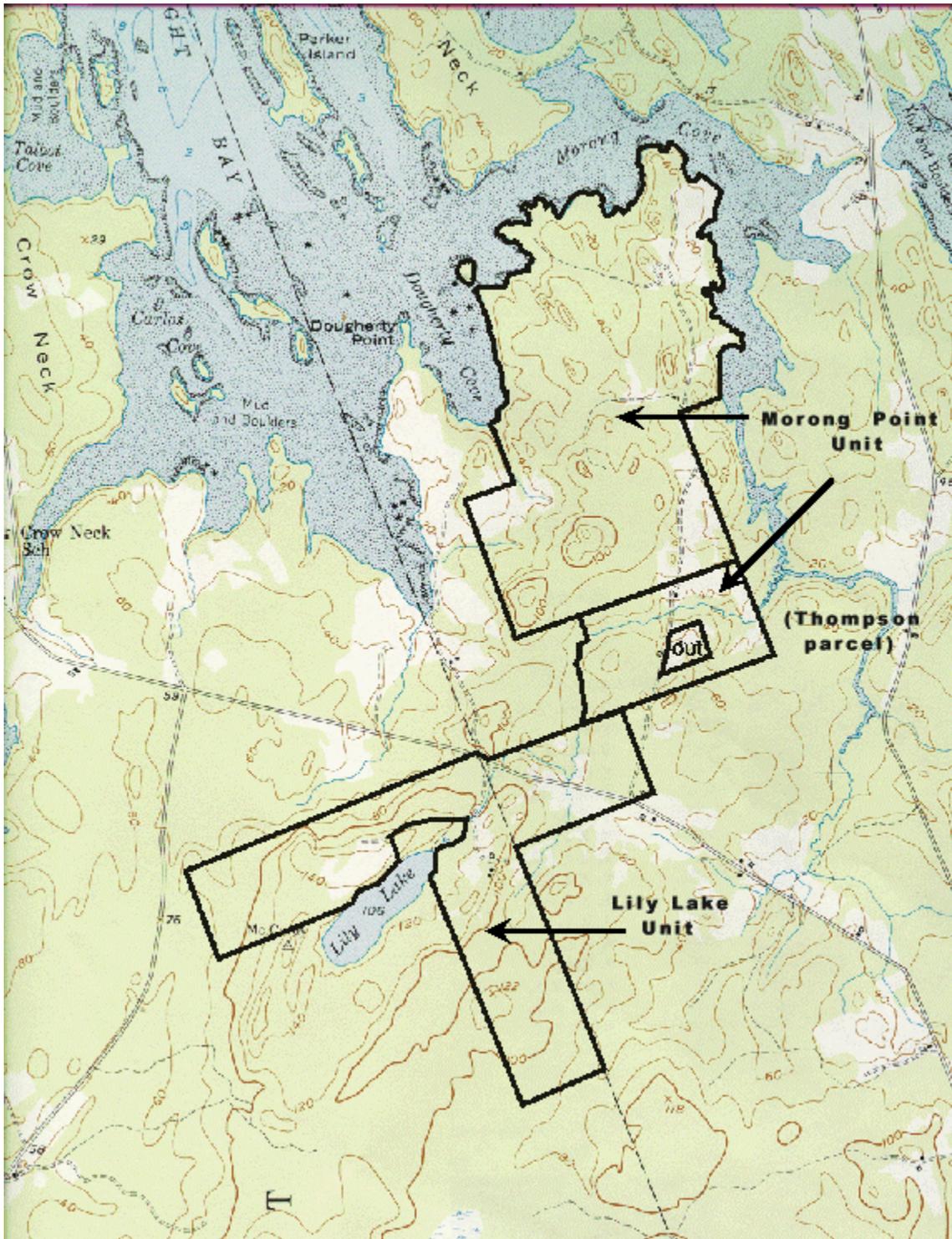
3. Race Point - Talbot Cove Units Map.



#### 4. Carrying Place Cove Unit



5. Morong Point - Lily Lake Units Map.





7. South Lubec Sand Bar Unit Map.



## **B. Local, State, and Federal Environmental Regulations Affecting Wildlife Management Area**

Below is a summary of the local, state and Federal environmental regulations which may have a bearing on upland and wetland management activities conducted on department owned wildlife management areas.

### **1. Local Environmental Regulations**

**a. Municipal Shoreland Zoning:** regulates activities within 250 feet, horizontal distance, of the normal high-water line of any great pond, river or saltwater body; within 250 feet, horizontal distance, of the upland edge of a coastal wetland or freshwater wetland; and within 75 feet, horizontal distance, of the normal high-water line of a stream. Also applies to any structure built on, over or abutting a dock, wharf or pier, or other structure extending beyond the normal high-water line of a water body or within a wetland. 38 MRSA Section 438-A(1)

**b. Local Zoning/Local Ordinances:** Before conducting management activities, it is wise to check with the municipality to determine if they have established any local zoning or ordinances which would affect your planned management activity. An example of this would be a local timber harvesting or forestry ordinance.

### **2. State Environmental Regulations**

**a. Conservation of Endangered Species:** allows the Commissioner of MDIFW to identify areas providing physical or biological features essential to the conservation of the species and which may require special management consideration. The Commissioner may also develop guidelines for the protection of species designated as endangered or threatened. In addition, no projects may be carried out which will significantly alter the habitat...(or) violate protection guidelines set forth.

**b. Timber Harvesting Notification:** a landowner is required under 12 MRSA Section 8883 to file a notification of intent to harvest forest products.

**c. Confidential Stumpage Sales Report:** any owner of forest land who sells stumpage...shall render...(a) report to the Director (Maine Forest Service)...stating the species, volume and stumpage price per unit of measure for each transaction and the municipality or township where the stumpage was located.

**d. Forest Practices Act:** establishes the standards for clearcutting and for forest regeneration following timber harvesting as per 12 MRSA c. 805, sub-c. III-A.

**e. Natural Resources Protection Act:** regulates dredging, bulldozing, removing or displacing soil, sand, vegetation or other materials; draining or otherwise de-watering; filling, including adding sand or other material to a sand dune; or any construction, repair or alteration of any permanent structure as per 38 MRSA Section 480-A-S. This applies to all "protected resources" which include: coastal sand dune systems, coastal wetlands, significant wildlife habitat, fragile mountain areas, freshwater wetlands, great ponds or rivers, streams or brooks as defined.

**f. Dam Maintenance Act:** requires dam owners to notify the Department of Environmental Protection, in writing, 90 days prior to any alteration or discontinuation in the use of a dam. The owner is also required to maintain the water level at the established normal water level.

### 3. Federal Environmental Regulations

**a. Fish & Wildlife Coordination Act** (16 USC 661 et seq.; 48 Stat. 401): provides that public entities under Federal permit or license that propose to modify any stream or other water body shall coordinate with the Secretary of the Interior through the U.S. Fish & Wildlife Service. In addition to preventing losses to fish and wildlife resources, such projects also shall provide for the improvement of these resources.

**b. National Environmental Policy Act, 1969 (NEPA)** (42 USC 4321 et seq.; 83 Stat. 852): declares a national policy to promote efforts which will prevent or eliminate damage to the environment. It requires that for all major Federal actions (or Federally funded actions) significantly affecting the quality of the environment, a detailed Environmental Impact Statement (EIS) must be prepared.

**c. River and Harbors Act, 1899** (33 USC et seq.; 30 Stat. 1151): authorizes the Corps of Engineers to issue permits for construction across any navigable water, excavating or depositing material in navigable waters, and anchorages causing obstruction.

**d. Clean Water Act (CWA)** (33 USC 1251 et seq.; Stat. 816) Section 404 (Deposition of Dredged or Fill Materials): authorizes the Corps of Engineers to issue permits for the discharge of

dredged or fill material into navigable waters. It is the responsibility of the Environmental Protection Agency to regulate the designation and use of any area for the disposal of dredged or fill material. EPA also is the final authority in the issuance of these permits.

**e. Endangered Species Act, 1973** (16 USC et seq.; 87 Stat. 884): provides a means for the conservation of the ecosystems upon which threatened and endangered species depend and to provide a program for the protection of such species. It requires that all Federal agencies (Federally funded) review their actions to determine if they may affect a listed species or its habitat.

**f. Flood Disaster Protection Act, 1973:** regulates placement of structures in flood hazard areas.

**g. Executive Order 11988--Flood Plain Management:** action shall be taken to reduce the risk of flood loss to minimize the impacts of floods...and to restore and preserve the natural and beneficial values served by floodplains...

**h. Executive Order 11990--Protection of Wetlands:** action shall be taken to minimize the destruction of wetlands and to preserve and enhance the natural and beneficial values of wetlands...