

**RESOURCE PROTECTION PLAN  
AND  
RECREATION MANAGEMENT PLAN  
FOR THE  
LOWER WEST BRANCH OF THE PENOBSCOT RIVER**



Ripogenus Gorge below McKay Station

Effective December 26, 2002

**RESOURCE PROTECTION PLAN  
AND  
RECREATION MANAGEMENT PLAN  
FOR THE  
LOWER WEST BRANCH OF THE PENOBSCOT RIVER**



Little Eddy on the Lower West Branch of the Penobscot

Originally adopted in 1981;  
2002 renewal submitted by Great Northern Paper Company, Great Lakes Hydro America, LLC, Baxter State Park Authority, Chewonki Foundation, and The Nature Conservancy;  
Adopted December 11, 2002 by the Maine Land Use Regulation Commission

Effective December 26, 2002

All photos courtesy of Susan Burns, Land Use Regulation Commission, Maine Department of Conservation

## PREFACE

The Penobscot waterway, including portions of the East and West Branches of the Penobscot River and associated lakes, has long been identified as having exceptional recreational value. In the 1970's, various management schemes were considered to maintain the special character of these areas while allowing continued commercial forestry activities. Federal and State studies undertaken in the late 1970's concluded that the Penobscot was worthy of special protection. In January 1979, the staff of the Land Use Regulation Commission proposed special recreation protection zoning for the corridors of the East and West Branches. Following an extended public hearing on those proposals, Great Northern Paper Company requested that the Commission defer action on the staff proposals. The Commission agreed to give Great Northern the opportunity to voluntarily develop a resource protection plan for the area.

The Land Use Regulation Commission's *Land Use Districts and Standards* provide for a unique alternative to the Commission's customary zones, whereby landowners may propose a resource protection plan for areas such as the East and West Branches of the Penobscot River. If the Commission finds the terms of that plan acceptable, it may apply a P-RP (Resource Plan Protection) District designation instead of the protection or management districts which would otherwise apply. Thereafter, the landowner becomes obligated, for the duration of the plan, to comply with the terms and standards of the approved plan. Terms of the plan can be amended only with both the landowner's and the Commission's consent. The purpose of this technique is to allow for greater flexibility in zoning requirements by enabling landowners to develop their land, while still insuring adequate land use zoning protection in the public interest. The fundamental requirement of this zoning designation is that the resource protection plan incorporate land use standards which, taken as a whole, are at least as protective of the natural environment as those standards which would otherwise be applicable under the Commission's conventional zoning.

Preparing the resource protection plan for the Penobscot River involved extensive negotiations between the Maine Department of Conservation and Great Northern Paper Company. In 1981 an agreement was reached which provided for a donation by Great Northern to the State of Maine of conservation easements pertaining to lands wholly owned along the East and West Branches of the Penobscot and Lobster Lake and Stream (approximately 12 miles of lake frontage and 67 miles of river). The easements were the foundation of the resource protection plan for the waterway. This document represents a proposed renewal and update of the original 1981 plan.

While Great Northern Paper Company was the sole landowner for the areas included in the plan as approved in 1981, there are currently four landowners holding title to the lands along the Lower West Branch in addition to Great Northern Paper, which is still the principal landowner between Ripogenous Dam and Ambajelus Lake: Baxter State Park; Great Lakes Hydro America, LLC; The Nature Conservancy; and Chewonki Foundation.

A summary of the basic elements of the original 1981 plan as well as this proposed resource protection plan for the Lower West Branch of the Penobscot River follows.

## **Conservation Easements**

The two 1981 conservation easements donated by Great Northern Paper to the State of Maine permanently gave up rights to develop the land within 500 feet of the Penobscot River for commercial or residential structures, except those related to the generation of hydroelectric power; timber harvesting; mineral extraction; and the development, in accordance with LURC requirements, of camps and campgrounds on existing lease lots within the easement areas. New roads within the corridor are limited by the conservation easements to those which provide access to roads existing within the corridor; those used in connection with hydropower projects; and realignments and reconstructions of roads and bridges. Consequently, the conservation easements themselves constituted transfers to the State in perpetuity of substantial development rights. Rights reserved by the landowner or not otherwise given up remained subject to all regulatory requirements of State and Federal agencies (including LURC).

Finally, the conservation easements transferred to the State the right to regulate and manage recreational activities within the Penobscot corridor. The State exercised these rights primarily through leases of various recreation access and use areas. Under this concept, the State's Bureau of Parks and Lands, in cooperation with other State agencies and the landowners, implements a plan for recreational uses within the corridor.

## **Resource Protection Plan**

The landowners' resource protection plan, which incorporates the conservation easement that pertains to the Lower West Branch of the river, provides standards for all major land uses reserved under the easement. These standards are substantially similar to those provided under the LURC standards for the zones which in 1981 were applicable within the corridor (P-SL, P-GP, P-WL, P-FW, P-SG, and P-RR). Both the original and proposed resource protection plans, however, provide that LURC protection district standards apply to lands within 500 feet of the river, whereas the requirements for the protection subdistricts (covering timber harvesting and road construction, for example) would apply only to lands within 250 feet on either side of the Lower West Branch.

Under the 1981 and proposed resource protection plans, developments within lots already leased by the landowner for camps or campgrounds remain subject to all the usual LURC requirements and restrictions. The proposed resource protection plan continues to prohibit any new land subdivision within the corridor.

While the terms of the conservation easement applies only to a 500-foot corridor along the river, the resource protection plan applies to the 500-foot corridor and the river bed of the Lower West Branch itself as well as certain adjoining areas outside of the 500-foot shoreland area (that is, in overlapping zones previously designated D-GN). The duration of this revised plan is 20 years, at the end of which the landowners may seek to renew it.

## **Memoranda of Agreement**

There were two memoranda of agreement covering Great Northern's proposal. These agreements, which were among the exhibits to the original plan, provided for the timely and orderly donation by the Company of the conservation easements. They also provided for submission of the proposed resource protection plan to the Commission for its approval. These agreements were executed on behalf of Great Northern and by the Governor on behalf of the State. However, the final donation of the easements and creation of the resource protection plan district were subject to the review and approval of the Land Use Regulation Commission. The agreement that pertained to the Lower West Branch of the Penobscot River appears with the Conservation Easement in Appendix B. There is no need for a new memorandum of agreement at this time, since Great Northern donated the easements and the Commission approved the original resource protection plan in 1981.

## **Recreation Management Plan**

As indicated above, the conservation easements provided for the transfer to the State of the right to manage and regulate recreational uses within the Penobscot corridor. While the Maine Department of Conservation's Bureau of Parks and Lands is responsible for managing recreation in most of the corridor, Baxter State Park retains that responsibility on its landholdings within the resource protection plan area. In coordinating this management effort, the State's Bureau of Parks and Lands in cooperation with the Department of Inland Fisheries and Wildlife and the landowners, has developed a plan for future recreational uses within the corridor. That plan has been incorporated as a component of this P-RP resource protection plan. A separate annual recreational action plan, which does not require LURC approval, is prepared by the State with the consent of the landowners and in consultation with the Penobscot River Corridor Recreation Management Advisory Committee.

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**APPLICATION AND RESOURCE PROTECTION PLAN FOR RETAINING  
THE DISTRICTING OF CERTAIN LANDS ON THE  
LOWER WEST BRANCH OF THE PENOBSCOT RIVER**

**Section I**

**APPLICATION**

Great Northern Paper Company, Inc., Great Lakes Hydro America, LLC (“GLHA”) (formerly known as GNE, LLC), Baxter State Park, The Nature Conservancy, and Chewonki Foundation hereby propose a Resource Protection Plan (sometimes called the “Plan” or “P-RP”) and petition the Land Use Regulation Commission (sometimes called “LURC” or “Commission”) retain the current Resource Plan Protection Subdistrict, P-RP, pursuant to the *Land Use Districts and Standards* of the Commission. The management practices and usage of the lands proposed for coverage by the Resource Protection Plan and P-RP Subdistrict (“the Resource Protection Plan lands”) will be managed and the resources utilized according to the provisions set forth in a Resource Protection Plan and Conservation Easement (the “Easement”) attached hereto. The standards contained with the attached plan, when taken as a whole, are at least as protective of the natural environment as standards for the present protection, development and management subdistricts. By setting forth land use restrictions and allowable activities in the Plan, the need for permit applications to the Commission is reduced. The primary, and indeed, the sole purpose of the Resource Protection Plan is to protect and utilize the resources of the area, including, but not limited to the land and water resources.

Pursuant to the requirements of Section 10.16, F, 5 of the Commission's *Land Use Districts and Standards*, the following information is submitted:

- a. The proposed Plan conforms to the purposes of the P-RP Subdistrict by providing for efficient management of what would otherwise be multiple adjoining or overlapping management, protection and development subdistricts. The Plan sets forth land use activities that may be carried out in a 500-foot corridor on each side of certain portions of the Lower West Branch of the Penobscot River, and provides a mechanism for the State of Maine to administer recreational activities on the Resource Protection Plan Lands. Without the legal authority to use the landowners’ lands, as has been conveyed by the Easement, the level of protection and recreation administration desired by the State would not be possible, nor can it be provided for by zoning which would otherwise apply. The Conservation Easement, which is part of the Plan, prohibits residential and most commercial development in a 500-foot corridor along each side of the river, lake and stream. Alternative LURC zoning can only provide equivalent protection in a zone up to 250 feet wide. Also, timber harvesting and road standards are extended from 250 feet to 500 feet. These three factors combine to provide a higher level of protection than can be achieved by alternative LURC zoning.
- b. The area of the proposed Resource Plan Protection (P-RP) Subdistrict is shown on the maps attached as Appendix A.

- c. Management procedures and covenants, agreements and other formalized procedures which will replace regulations that would otherwise apply are all set forth in the attached Plan. The Resource Plan achieves equal or better protection of resources in the area than alternative zoning because the landowners have covenanted to limit land uses as specified in the Plan and Easement.
- d. Great Northern Paper Company, GLHA, Baxter State Park, The Nature Conservancy, and Chewonki Foundation certify that they are the owners of the land that will be included in the P-RP Subdistrict.
- e. Great Northern Paper Company, GLHA, LLC, Baxter State Park, The Nature Conservancy, and Chewonki Foundation propose that the Resource Protection Plan be applicable for a period of twenty (20) years from the date of Commission approval. Since the Conservation Easement is perpetual, a long term Resource Protection Plan is feasible. At the end of the twenty-year period, the landowners may seek to renew the Plan.
- f. With certain limited exceptions, the Resource Protection Plan does not allow structural development by the landowners, although the State of Maine might erect certain administrative structures as defined in the Deed of Conservation Easement. Structures associated with hydroelectric development are contemplated by the terms of the Resource Protection Plan and appropriate permits will be applied for from the Commission at such time as plans for hydroelectric development progress further. In addition, structures on leases executed prior to the Commission's approval of the original 1981 plan may be erected subject to LURC approval.
- g. Subdivision of the Resource Protection Plan area is not permitted.

Respectfully submitted,\*

GREAT NORTHERN PAPER COMPANY  
GREAT LAKES HYDRO AMERICA, LLC  
BAXTER STATE PARK  
THE NATURE CONSERVANCY  
CHEWONKI FOUNDATION

\*Note: The signatures of all landowners appear on original documents at LURC's Augusta office.

**RESOURCE PROTECTION PLAN  
FOR PORTIONS OF THE  
LOWER WEST BRANCH OF THE PENOBSCOT RIVER**

**Section II**

**PURPOSE AND OBJECTIVES**

The purpose of this Resource Protection Plan is to provide for the continued effective management of the renewable forest and water resources while recognizing and protecting the recreational and other natural values of the Lower West Branch of the Penobscot River.

The objective of the Plan is to ensure a continuous yield of forest products to support manufacturing facilities, to protect water quality and quantity for present and potential uses, including hydroelectric power generation, to provide for continued recreational uses associated with the river, and to provide for the continued protection of the natural character of the areas consistent with the land use activities proposed in this plan.

The State of Maine will be responsible for developing and implementing a Recreation Management Plan for public recreational uses within the river corridor. That Plan, as incorporated in Section X after approval by the landowners and LURC, will govern recreational uses of the lands described herein. Those aspects of the Recreation Plan which would require approval of the Commission in any subdistrict shall be subject to approval by the Commission before the Recreation Plan becomes final.

### Section III

#### DESCRIPTION OF AREA TO BE INCLUDED IN THE RESOURCE PROTECTION PLAN

The following lands shall be included in the Plan:

- A. Those lands which are delineated on the maps (Appendix A) attached as part of this Plan and which are within 500 feet of the normal high water mark measured as a horizontal distance landward of such high water mark, except as otherwise described herein, of those shoreland areas which on the effective date of this plan are wholly owned by Great Northern Paper, GLHA, Baxter State Park, The Nature Conservancy, and Chewonki Foundation and not owned in common with others, and being more particularly described as follows:

Beginning at a point 400 feet downstream of the foot of Ripogenus Dam on the West Branch of the Penobscot River, and from such point downstream along said river in the townships of T3 R11 WELS, T2 R11 WELS\*, T2 R10 WELS, T2 R9 WELS, T1 R10 WELS and T1 R9 WELS, to the intersection of said river and Ambajejus Lake, marked by yellow posts set on the north and south banks of said river.

- B. All areas previously zoned D-GN, any part of which are included in the 500 foot corridor as described above, will be included in the Resource Protection Plan area in their entirety. For purposes of locating the aforementioned subdistricts, the attached (Appendix A) LURC Land Use Guidance Maps effective as of the original date of adoption will be used. All other subdistricts not specifically named herein are included in the P-RP Subdistrict only to the 500-foot outer boundary of the P-RP Subdistrict.
- C. The area enclosed by the normal high water mark of the Penobscot River beginning and ending as described in paragraph A hereof and currently zoned P-RP.
- D. Islands lying within those sections of the Penobscot River beginning and ending as described in paragraph A above.
- E. The area enclosed by the normal high water mark of any stream or brook running into those portions of the Penobscot River, as described in paragraph A hereof will be included in the P-RP subdistrict only up to the 500 foot outer boundary of the P-RP Subdistrict.
- F. In the event that any new hydroelectric facilities are constructed, the boundaries of the area included under this Resource Protection Plan will change consistent with the new normal high water mark of the water impoundments created by said facilities.

\* Note: While the Conservation Easement and therefore the current plan include T2 R11 WELS, also known as Rainbow Township, the zoning maps accompanying the updated plan do not indicate that the P-RP extends into the township. This occurs because the Rainbow Township boundary is indefinite, or not defined by monuments.

## Section IV

### CONSERVATION EASEMENT

Certain provisions of this P-RP Subdistrict are carried out by a perpetual Conservation Easement granted to the State of Maine by Great Northern Paper. The Easement accomplishes three principal things:

- a) With certain exceptions, prevents residential and commercial structures from being erected in a 500 foot corridor along the river, lake and stream;
- b) Maintains the right to construct hydroelectric facilities within the Easement area (on that part of the River described in Section III, A) if approved by appropriate state and federal agencies, and makes provisions for the Easement boundaries to change consistent with the new normal high water mark of the impoundment created by the dam; and
- c) Transfers recreation management rights to the State of Maine and makes provision for the State to acquire leases to carry out this responsibility.

The Easement is contained in Appendix B and is made a part of this plan. Any change to the Easement shall be deemed to constitute a change in this Resource Protection Plan and shall require the approval of the Land Use Regulation Commission.

## Section V

### LAND USE ACTIVITIES

The following land use activities will be allowed in the P-RP Subdistrict upon the terms and with the limitations specified. Definitions of terms used herein are contained in Appendix G. Nothing herein shall be construed as limiting the landowners' right to prohibit any land uses described in this Section.

A. The following uses shall be allowed without a permit from the Land Use Regulation Commission:

1. Primitive recreational uses including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing and snowshoeing;
2. Level A road projects;
3. Motorized vehicular traffic and snowmobiling on roads and trails; with the following exception:

in the instance of the Appalachian Trail, such traffic and snowmobiling are allowed only on those portions of such trail which are located within the right-of-way of a roadway or utility line or where authorized crossings have been established by the Maine Appalachian Trail Club or where authorized use has been established by Baxter State Park;
4. Wildlife and fishery management practices;
5. Service drops;
6. Mineral exploration to determine the nature or extent of mineral resources provided such exploration is accomplished by hand sampling, test boring, or other methods which create minimal disturbance and reasonable measures are taken to restore the land to its original condition;
7. Surveying and other resource analysis;
8. Forest management activities, except for timber harvesting;
9. Non-permanent docking or mooring structures;
10. Emergency operations conducted for the public health, safety, or general welfare, such as resource protection, law enforcement, and search and rescue operations;
11. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;

12. Normal maintenance and repair activities;
  13. Boating; and
  14. Use of ski and seaplanes and helicopters.
- B. Subject to the provisions of paragraphs D and E; the following uses shall be allowed without a permit when in conformance with the standards hereinafter set forth:
1. Timber harvesting when in conformance with the standards in Appendix C;
  2. Land management roads and water crossings of minor flowing waters which are in conformance with the standards in Appendix D and are permitted under the terms of the Easement;
  3. Mineral extraction affecting an area of less than three acres in size for road purposes when in conformance with the standards in Appendix E;
  4. Level B and C road projects when in conformance with the standards in Appendix D provided that no new Level C road projects shall be allowed except as expressly provided for in the Conservation Easement; and
  5. Those signs which are in conformity with the standards of Appendix F.
- C. The uses set forth in the preceding paragraph B which exceed the standards therein set forth shall be allowed when in conformance with the following procedures:
1. A notification in writing will be made to the LURC staff whenever a proposed activity will exceed the standards of paragraph B. All notifications will be made at least 60 days prior to the commencement of the activity. The notification should be on the appropriate Department of Conservation form for the proposed activity. The activity will be allowed as provided in the notification after the 60 day period provided that:
    - a) No comments have been received from the LURC staff regarding the proposed activity; or,
    - b) An agreement has been reached between the landowner and LURC resolving concerns expressed by LURC about the proposed activity and the activity is carried out in the manner specified in such agreement.
  2. In the event that there are questions raised by LURC which are not resolved to the satisfaction of LURC during the 60 day period, no action will be taken by the landowner to implement the proposed activity for an additional 60 days or until a satisfactory agreement is reached between the LURC staff and the landowner.
  3. In the event that a satisfactory agreement cannot be reached by the end of the additional 60 day period, the landowner shall make formal application for a permit

issued by the Commission and the appeals procedures then in effect under the LURC regulations shall be followed in order to resolve the issue provided that until such resolution, the landowner shall not implement the proposed activity.

D. Subject to the provisions of paragraph E, the following uses shall be allowed only upon the issuance of a permit from the Land Use Regulation Commission:

1. Campsites and campgrounds owned or operated by public or private entities except as these may be allowed without a permit under the Recreation Management Plan;
2. Permanent docking or mooring structures;
3. Administrative structures or areas as provided for in the Conservation Easement except as these may be allowed without a permit under the Recreation Management Plan;
4. Hydroelectric and related facilities, including without limitation, dams, associated structures and transmission lines;
5. Water impoundments related to such hydroelectric facilities including the relocation of all roads and bridges contained therein;
6. Filling, grading, draining, dredging or alteration of water table or water level for other than mineral extraction;
7. Timber harvesting in areas zoned P-SG prior to the Commission's approval of the original 1981 Plan and in that area (known as "Ripogenus Gorge"), from Ripogenus Dam to the foot of Ripogenus Gorge below the "heater" (being a distance of 6,400 feet, more or less, from Ripogenus Dam);
8. Construction of all roads and water crossings in areas zoned P-SG prior to the Commission's approval of the original 1981 Plan, and in that area known as Ripogenus Gorge, as defined above;
9. Mineral extraction for road purposes affecting an area of three acres or more in size;
10. Mineral extraction for road purposes in areas zoned P-SG or P-FW prior to the Commission's approval of the original 1981 Plan, and in that area known as Ripogenus Gorge, as defined above;
11. Mineral extraction where such activity is incidental to the construction of a hydroelectric facility; and
12. Other structures, uses, or services that are essential for the exercise of the uses allowed by this Resource Protection Plan which the Commission determines are consistent with the purposes of this subdistrict, the *Comprehensive Land Use Plan* and the Commission statutes and are not detrimental to the resources or uses which they protect.

- E. The uses set forth in paragraphs B and D shall be subject to the following further requirements:
1. Mineral extraction is prohibited in those areas which were zoned P-WL, except as provided in Section V, D, 11, and P-RR prior to the Commission's approval of the original 1981 Plan;
  2. Filling, grading, draining, dredging or alteration of water table or level is prohibited in areas which were zoned P-RR prior to the Commission's approval of the original 1981 Plan; and
  3. In the area zoned P-RR (Appalachian Trail) prior to the Commission's approval of the original 1981 plan, a permit will be required from the Commission to carry out those activities described in paragraph B in that area of the P-RP Subdistrict commencing 50 feet from the center line of the landowners' land management roads to the outer bounds of the P-RP Subdistrict. In those areas where the Appalachian Trail traverses existing roads and/or bridges, the landowners will be allowed to conduct maintenance activities as provided in Section 10.07, A of the *Land Use Districts and Standards* dated July 1, 2002.
  4. In those areas zoned P-FW prior to the Commission's approval of the original 1981 plan, timber harvesting, and roads and water crossings will be allowed when carried out in conformance with the following:
    - (a) The landowner shall confer with the appropriate biologist of the Department of Inland Fisheries and Wildlife as to how the proposed activity is to occur within the area.
    - (b) If a plan acceptable to the parties cannot be reached, stating how the proposed activity should occur, the landowner shall notify the Commission in writing of its plan and may proceed only upon written notice from the Commission that it has approved the plan.
    - (c) If a plan acceptable to the parties can be reached, the biologist shall notify the Commission in writing with a copy of the field investigation report which states how and over what time period the activity is to occur. The notification letter shall be signed by the person responsible for the proposed activity and the field investigation report shall be signed by the biologist.
    - (d) The biologist shall confirm agreement on how activity is to occur.
    - (e) The landowner may proceed with activity in conformance with the plan ten (10) days after notification to the Commission unless within such time period, the Commission disapproves the plan.
    - (f) The landowner shall notify the Commission upon completion of activity so that a follow-up investigation may be carried out by the Commission or its designee.

- (g) Hydroelectric facilities and mineral extraction for road purposes will be allowed in these areas provided a permit is obtained as required in Section V, D.
  - (h) Water crossings shall be built in compliance with the standards set forth in Appendix D.
5. In those areas zoned D-GN, D-RS, or P-SL where a lease was executed prior to the Commission's approval of the original 1981 Plan, the lessee or occupant of land shall be governed by the provisions of the *Land Use District Standards and Regulations* which are in effect in such subdistricts at the time of application.

F. Prohibited Uses

- 1. All uses not expressly allowed, with or without a permit, under this Plan shall be prohibited.
- 2. All land subdivisions shall be prohibited. Leases to the State for administrative structures and areas shall not constitute a subdivision for the purposes of this Plan.

## **Section VI**

### **FUTURE LAND USES**

At the time of the development of the original plan, Great Northern Paper Company had identified the potential need for a new hydroelectric facility on the West Branch of the Penobscot River below Ripogenus Dam. The facility would have consisted of a dam, power house and associated facilities for transmission of electricity. The impoundment created by the dam would have necessitated the relocation of portions of the West Branch haul road and the so-called Telos bridge and road.

The landowners retain the right under this P-RP to seek a permit from LURC as provided in Section V, D of this plan. Roads and bridges would be relocated in accordance with the standards established in Section V, B. In the event that any facility is built, the area encompassed by this P-RP Subdistrict will change as provided for in Section III, F of this plan.

## **Section VII**

### **MANAGEMENT AGENCIES**

Great Northern Paper Company, GLHA, Baxter State Park, The Nature Conservancy, and Chewonki Foundation are the principal administrators and the agencies responsible for this Resource Protection Plan. The landowners shall insure that those land use activities described in this plan are carried out in conformance with the standards and procedures described herein.

It shall be the responsibility of the State of Maine to insure that public recreational uses are consistent with the requirements of the Resource Protection Plan Subdistrict.

## **Section VIII**

### **DURATION OF PLAN**

The Resource Protection Plan will be in force for a period of twenty (20) years from the date of Commission approval so long as the LURC law, or any amended or replacement version thereof, remains in effect. Since the Conservation Easement is perpetual, a long term Resource Protection Plan is feasible. At the end of the 20-year period, the landowners may seek to renew the Plan.

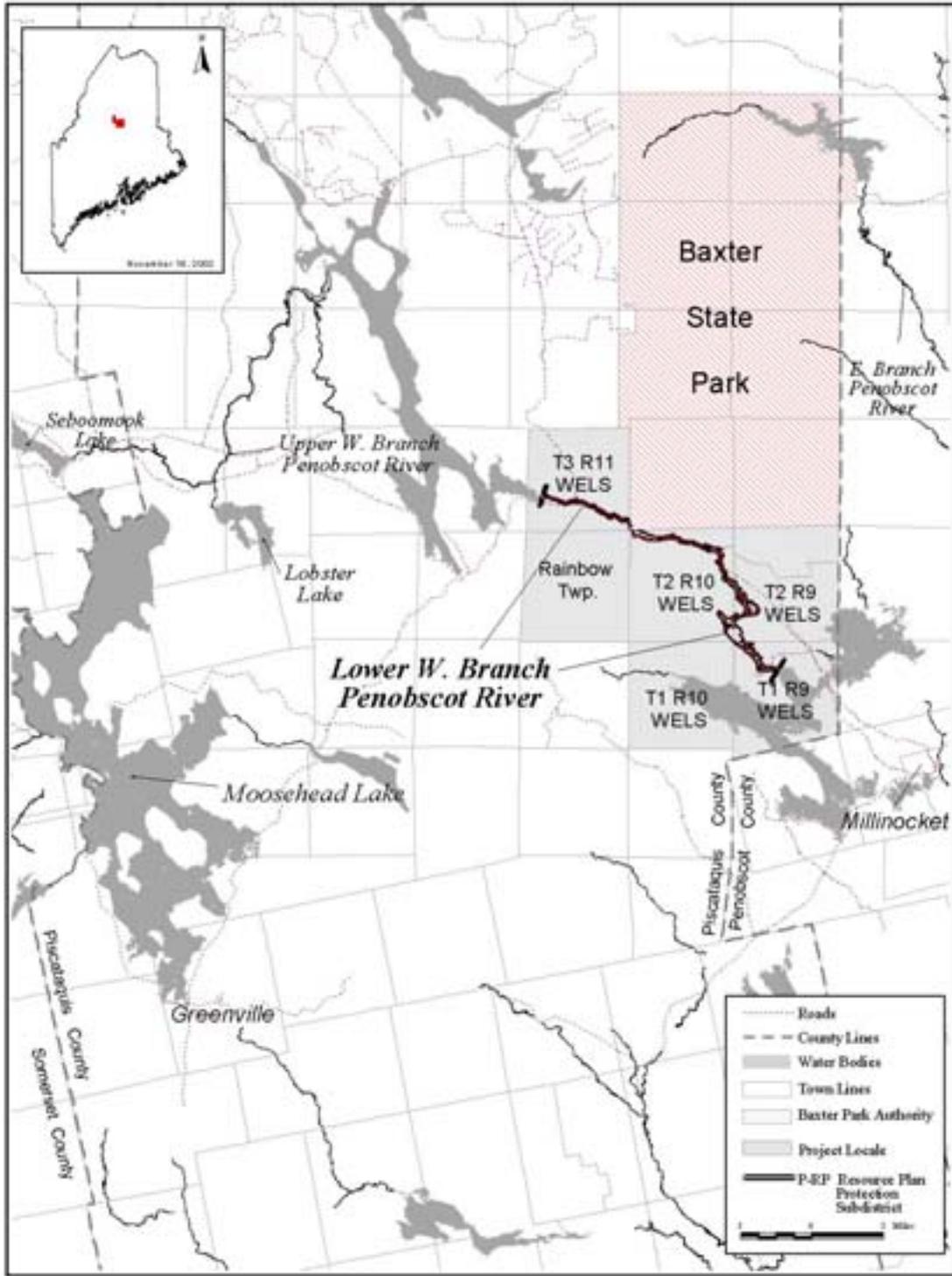
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NOTE: Maps, documents and exhibits contained in this plan are reproductions. Copies of proposed zoning is only shown for the three townships with changes to the P-RP Subdistrict. Official copies of these maps, documents, and exhibits are available for inspection at the Augusta office of the Maine Land Use Regulation Commission or at the Piscataquis County Registry of Deeds.

Appendix A

A1. Location Map for the Lower West Branch Penobscot Resource Protection Plan



**A2. Copy of LURC Land Use Guidance Map prior to 1981 P-RP for Portions of T3 R11 WELS along the Lower West Branch of the Penobscot River**



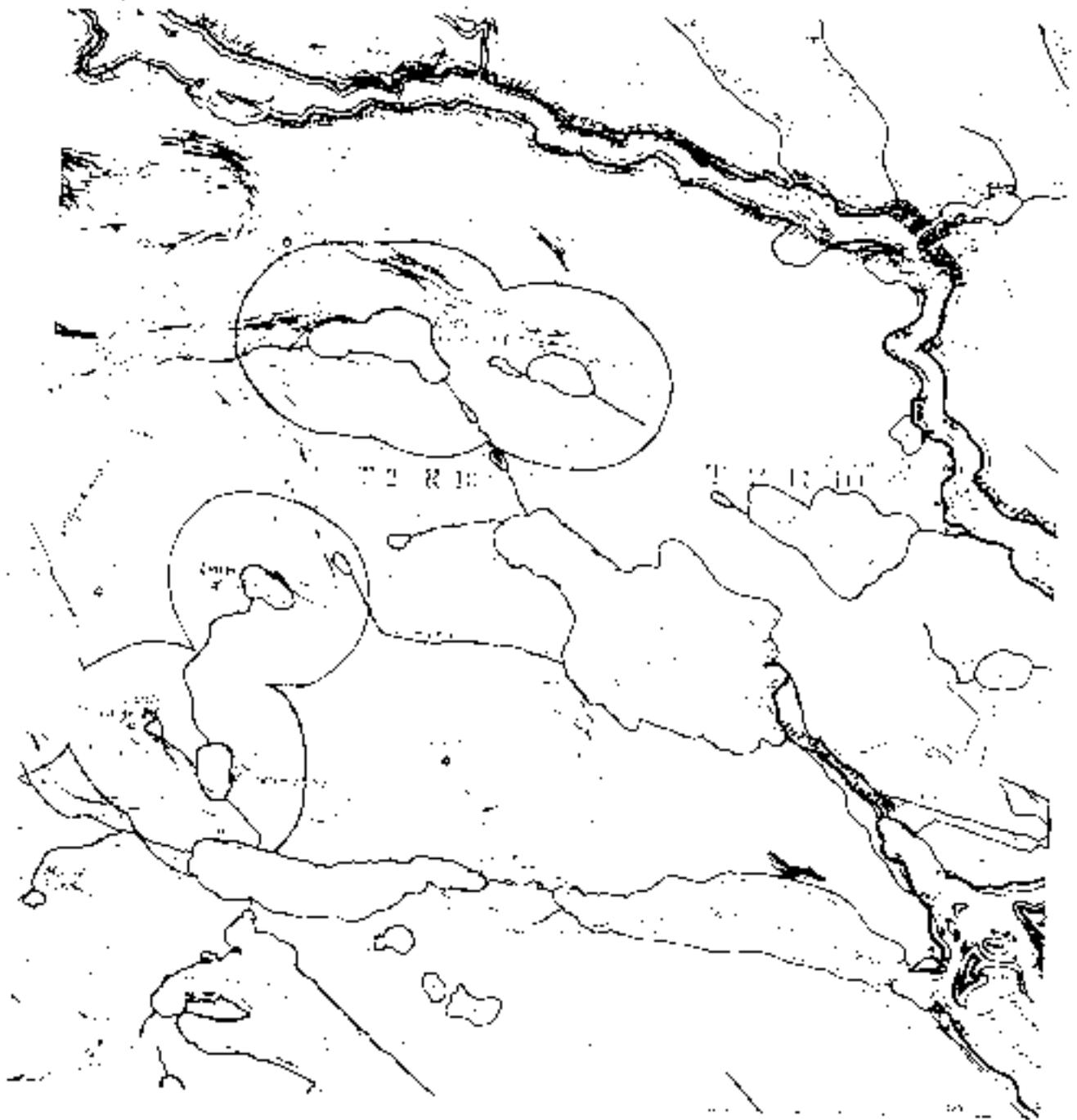
Note: The shading highlights areas included in the 1981 P-RP.

**A3. Copy of LURC Land Use Guidance Map prior to 1981 P-RP for Portions of Rainbow Township along the Lower West Branch of the Penobscot River**

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Note: The 500-foot corridor barely touched the northeast corner of the township in 1981. While the Conservation Easement and therefore the current Plan include Rainbow Township, the zoning maps accompanying the updated plan do not indicate that the P-RP extends into the township. This occurs because the Rainbow Township boundary is indefinite, or not defined by monuments.

**A4. Copy of LURC Land Use Guidance Map prior to 1981 P-RP for Portions of T2 R10 WELS along the Lower West Branch of the Penobscot River**



Note: The shading highlights areas included in the 1981 P-RP.

**A5. Copy of LURC Land Use Guidance Map prior to 1981 P-RP for Portions of T2 R9 WELS along the Lower West Branch of the Penobscot River**



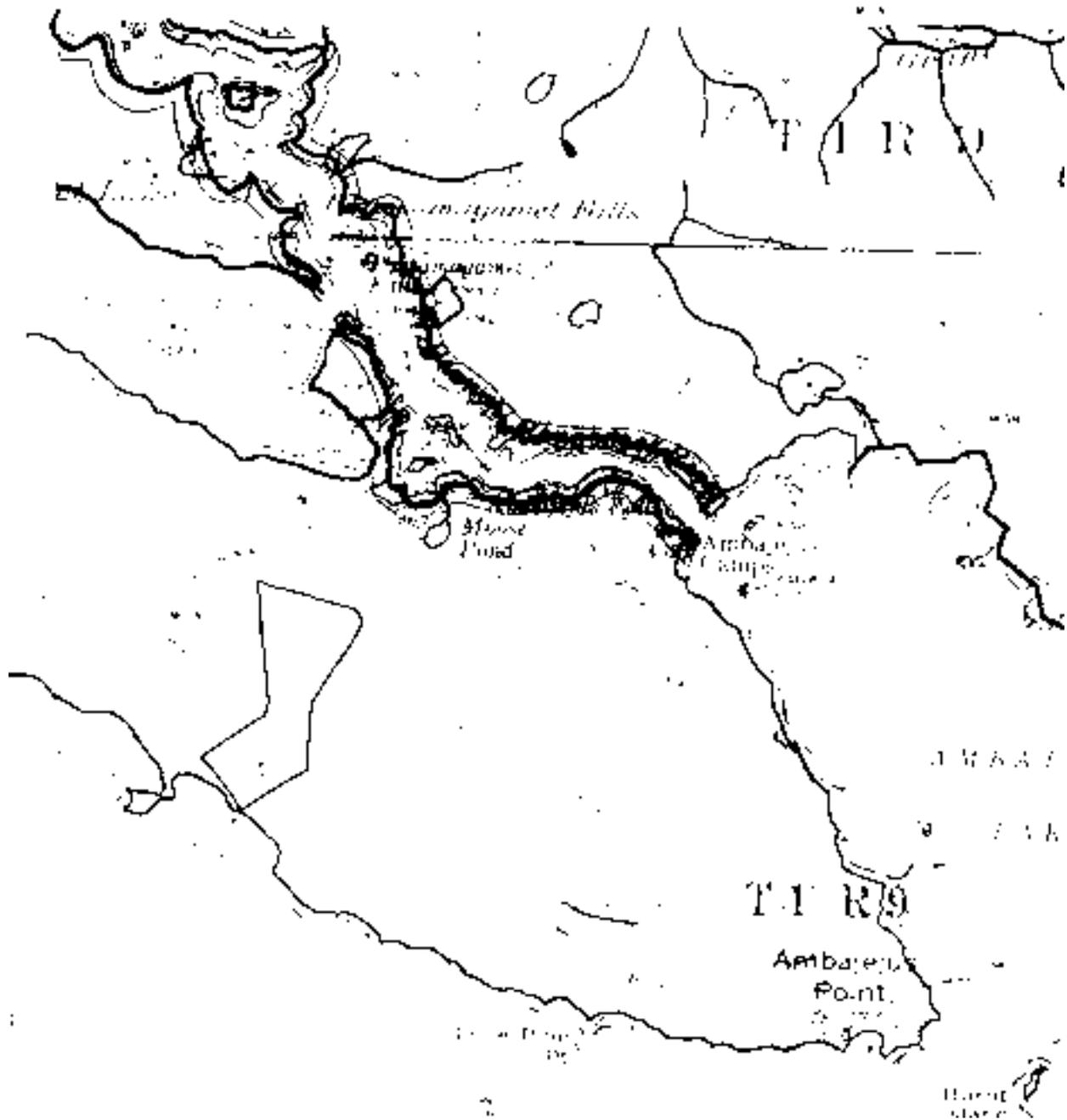
Note: The shading highlights areas included in the 1981 P-RP.

**A6. Copy of LURC Land Use Guidance Map prior to 1981 P-RP for Portions of T1 R10 WELS along the Lower West Branch of the Penobscot River**



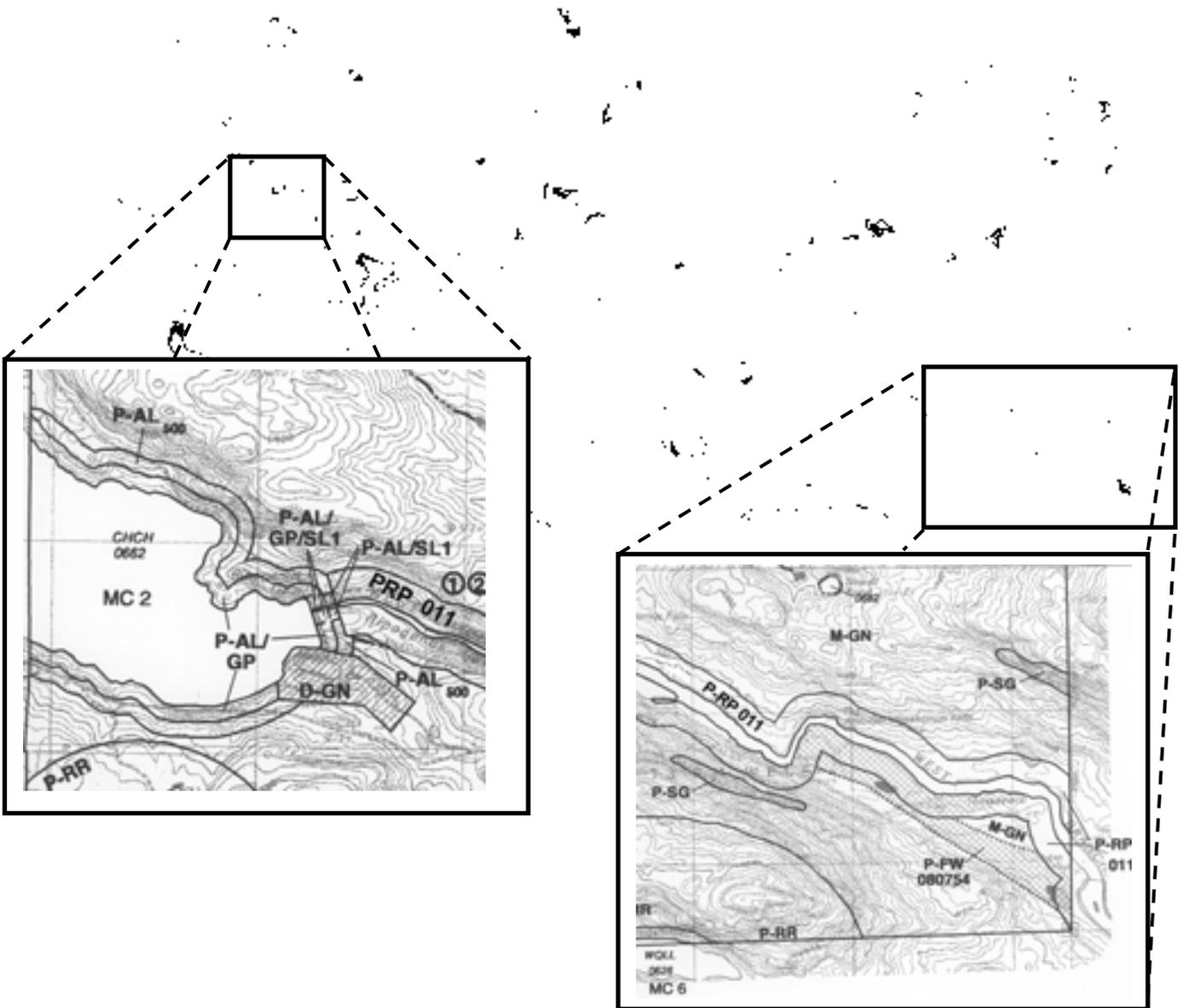
Note: The shading highlights areas included in the 1981 P-RP.

**A7. Copy of LURC Land Use Guidance Map prior to 1981 P-RP for Portions of T1 R9 WELS along the Lower West Branch of the Penobscot River**



Note: The shading highlights areas included in the 1981 P-RP.

**A8. Proposed Zoning Changes for Portions of T3 R11 WELS  
along the Lower West Branch of the Penobscot River**



Note: Details show proposed zoning changes.





Appendix B

MEMORANDUM OF AGREEMENT

AGREEMENT DATED February 6 , 1981 between the STATE OF MAINE (the "State") acting through its Commissioner of Conservation and GREAT NORTHERN NEKOOSA CORPORATION, a Maine Corporation acting by and through Great Northern Paper, an unincorporated division thereof, having an office in Millinocket, Maine ("Great Northern").

The State and Great Northern acknowledge the existence of valuable resources on and adjacent to the Penobscot River and that the protection of these resources can best be achieved by carrying out the provisions of this Agreement.

The purpose of this Agreement is to assist in protecting those resources within a framework of continued use of the river corridor for timber harvesting, other traditional uses of the region's forest lands, and hydroelectric power generation and transmission.

1. Great Northern agrees, subject to fulfillment of the terms of this Memorandum of Agreement hereof, to contribute to the State a perpetual Conservation Easement, as described in Section 170 of the Internal Revenue Code, on the real estate described in the Deed of Conservation Easement attached hereto and on a map attached to the Deed as Exhibit I and comprising approximately 3200 acres, more or less (all hereinafter sometimes called the "Conservation Easement" or "Easement Lands").

2. The State will develop and administer a Penobscot River Recreation Management Plan for the Easement Lands. The State recognizes that because Great Northern is the owner in fee of the Easement Lands, as well as lands adjacent thereto, the cooperation of Great Northern is essential to the successful operation of the aforementioned Recreation Plan. In order to facilitate recreation management Great Northern will grant property leases to the State, upon terms satisfactory to Great Northern and the State within the Easement Lands in order that administrative structures and areas as defined in the Deed of Conservation Easement, may be erected, maintained and utilized.

3. The State recognizes that certain sections of the West Branch of the Penobscot River as described in paragraph 1 above have potential for hydroelectric development and that Great Northern intends to make application to the appropriate state and federal agencies to obtain permission to build hydroelectric facilities.

4. The State recognizes that the access roads to the West Branch of the Penobscot River are built and maintained by Great Northern for the purpose of carrying out forest and water management activities. The State agrees not to undertake promotion of the area which will compromise safe use of the roads for these management activities.

5. Both parties recognize that all rights reserved or retained by Great Northern in connection with the donation of this Conservation Easement are and shall remain subject to applicable requirements, regulations, and laws of state, federal, and local governmental bodies having jurisdiction, and that nothing in this Agreement or in the Deed of Conservation Easement will affect or supercede such legal requirements.

6. Great Northern will propose to the Maine Land Use Regulation Commission ("LURC") a Resource Protection Plan for the corridor for designation as a Resource Plan Protection subdistrict. To the extent allowed by law, notwithstanding anything in paragraph 5, the provisions of the Resource Protection Plan shall supercede land use districts and standards adopted by LURC after said plan has been approved by LURC.

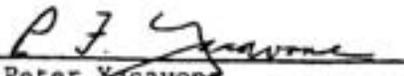
7. Either party may cancel this Agreement at any time prior to the grant and acceptance of the Conservation Easement.

IN WITNESS THEREOF, the parties hereto have duly caused this Agreement to be executed, under seal, as of the day and year first above written.

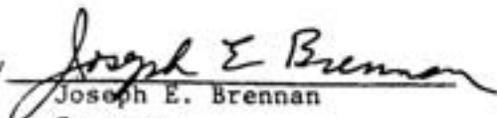
SIGNED, SEALED AND DELIVERED  
In the presence of:

  
\_\_\_\_\_

GREAT NORTHERN NEKOOSA  
CORPORATION

By   
Peter Yacavone  
Executive Vice President

STATE OF MAINE.

By   
Joseph E. Brennan  
Governor

APPENDIX B1

DEED OF CONSERVATION EASEMENT

The purpose of this Conservation Easement is to assist in managing the land, timber, water and recreational resources of certain portions of the Penobscot River described herein, to insure the continued use and benefit of these resources for Great Northern Nekoosa Corporation and for the people of the State of Maine.

NOW THEREFORE:

KNOW ALL MEN BY THESE PRESENTS, that GREAT NORTHERN NEKOOSA CORPORATION, a Maine Corporation, having a place of business at Millinocket, in the County of Penobscot and State of Maine, (hereinafter referred to as the "Grantor"), does hereby grant and convey to the STATE OF MAINE (hereinafter referred to as "Grantee"), a perpetual Conservation Easement (the "Conservation Easement") as described herein for the purpose of conserving and utilizing the resources of certain portions of the Penobscot River for the Grantor and the people of Maine. Except as otherwise provided, the lands to which the Conservation Easement applies are those which, on the effective date of this Conservation Easement are wholly owned by the Grantor and not owned in common with others, and are within 500 feet of the normal high water mark of each side of the Penobscot River measured as a horizontal distance landward of such high water mark, including islands lying within the Penobscot River. Such lands begin at a point 400 feet downstream from the foot of Ripogenus Dam as it exists on January 1, 1981 on the West Branch of the Penobscot River and from such point downstream along said river in the townships of Township 3 Range 11 WELS, Township 2 Range 11 WELS, Township 2 Range 10 WELS, Township 1 Range 10 WELS, Township 2 Range 9 WELS and Township 1 Range 9 WELS, to the intersection of said river and Ambajejus Lake, marked by yellow posts set on the north and south banks of said river.

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The boundaries of the above described lands are shown in full on a map captioned "Penobscot River Conservation Easement" dated March 10, 1981 attached hereto as Exhibit I to be recorded herewith (said lands sometimes hereinafter called the "Easement Lands").

Excepting and reserving from said Easement, the right to transfer after the date of execution, grant, or acceptance of this Conservation Easement any Easement Lands to any Indian Tribe or Nation as part of the settlement of land claims which such Tribe or Nation may have against the Grantor or the Grantee, free and clear of any of the provisions contained herein.

Also excepting and reserving from said Easement all those lands that fall within the boundaries established now or in the future by the Federal Energy Regulatory Commission in its licenses for hydroelectric plants owned and operated by the Grantor. Licenses now in effect include Ripogenus Project License #2572 and Penobscot Mills Project License #2458. At McKay Power Station in License #2572, this exception shall include all of the area within the boundaries of the existing security fence around the facility as shown on Exhibit I.

Also excepting and reserving from said Easement the right to construct and maintain hydroelectric and associated facilities on the Easement Lands, including, without limitation, dams, structures, transmission line facilities, facilities intended to mitigate environmental impacts and roads (including roadways over any dam), and the right to locate borrow pits and excavate therefrom material necessary for construction of said facilities, the right to conduct any activities required by any government agencies, including without limitation, the Federal Energy Regulatory Commission either to obtain a hydroelectric license or permit to construct hydroelectric or related facilities or to comply with the terms or

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conditions of any such license or permit, and the right to flow Easement Lands and adjacent lands, and furthermore, excepting and reserving on the Easement Lands the right to cause whatever impact might result from construction of said hydroelectric and related facilities and resultant flowage and impoundment, including without limitation the right to relocate and replace within the Easement boundaries, the roads and bridges which may be flooded as a result of the construction of a hydroelectric facility and any impact on administrative structures and areas, as hereinafter defined. The boundaries of said Easement shall change consistent with the new normal high water mark resulting from any water impoundment or dam constructed by Grantor.

Also excepting and reserving from said Easement the right to relocate or replace Pray's Big Eddy Wilderness Campground (Great Northern Lease #4469) and facilities on lands within such changed boundaries of the Conservation Easement; or to such other location within the Conservation Easement that is agreeable to the Grantor and Grantee. Any such relocation shall utilize a land area no greater than that under lease to Peter L. Pray for this purpose as of the date of this Conservation Easement.

Also excepting and reserving from said Easement the right to construct and maintain transmission lines, roads, and such development as may be necessary for the transmission of electricity.

Also excepting and reserving from said Easement all those lands within 50 feet of the centerline of those road rights-of-way (including road river crossings) and 100 feet of the centerline of those transmission line rights-of-way (including transmission line river crossings) as shown on Exhibit I.

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Also excepting and reserving from said Easement the right to realign or reconstruct existing roads and transmission lines (including river crossings) as shown on Exhibit I using Easement Lands provided that such realignment or reconstruction does not involve more than 2,640 continuous feet between the intersection points of the old road or transmission line and the realigned or reconstructed road or transmission line. No realignment or reconstruction in excess of 2,640 continuous feet may be undertaken without the approval of the Grantee. Land areas utilized for road or transmission line realignment or reconstruction including areas within 50 feet of the centerline of such realigned or reconstructed roads and 100 feet of the centerline of such realigned or reconstructed transmission lines shall be excepted from said Easement. Any portion of any road or transmission line (including river crossings) which has been realigned or reconstructed shall be discontinued and shall become part of the Easement Lands.

Also excepting and reserving from said Easement the right to construct and maintain roads (including the extraction from the Easement Lands of gravel to be used in such construction and maintenance) as necessary for ingress and egress between those lands within 50 feet of the centerline of road rights-of-way in the corridor as excepted hereinbefore and lands of the Grantor adjacent to the Easement Lands.

The Conservation Easement conveyed herein consists of the following covenants and restrictions, which shall apply to the above described parcels of land subject to the Conservation Easement:

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- (1) No residential or commercial structures shall or may be erected, other than in connection with the generation or transmission of electricity as mentioned above, the mining or extraction of sand and gravel, the harvesting of timber, any recreational management activity conducted or approved by the Grantee, or on existing leases which will be subject to state regulations then in effect. Commercial structures shall be construed as those structures or facilities unrelated to recreational management activities as contemplated by this Conservation Easement; such commercial structures to include by way of example but not limited to those erected, installed, designed, or used in connection with a private business or enterprise, such as a gas station, store, or boat rental facility.
  
- (2) The Grantee shall have the following rights within the Easement Lands:
  - a) The right to erect, maintain and use administrative structures and to set aside administrative areas for the purpose of managing public use, provided that no such structures may be erected nor any such areas set aside unless the Grantor and Grantee have executed a Lease, upon mutually satisfactory terms, for the land involved.

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The parties agree to exercise good faith in negotiating and entering into leases for such administrative structures and areas, and from time to time, in modifying such leases, and the administrative structures and areas covered by them, as circumstances and needs change in the future. For the purpose of this paragraph "Administrative Structures and Areas" shall include, but not be limited to: caretaker quarters, service or storage buildings, service or access roads, power or communication lines, sanitary stations or privies, gates, entry contact stations, water taps, parking lots, directional signs, waste disposal areas, campsites, access sites and picnic areas;

- b) The right to collect recreational user fees for uses in areas leased pursuant to subparagraph (a) above;
  - c) The right to regulate and manage boat access, parking, camping and recreational activities within the Easement Lands, except within the boundaries of existing leases to private parties. Due consideration shall be given to the recreation needs of the people of the State of Maine; and
  - d) The right through available legal means to enforce the terms of the Conservation Easement against the Grantor or any other person.
- (3) No new roads or bridges will be constructed on the Easement Lands except as otherwise provided in the Conservation Easement.

The Grantor reserves all its rights in and to and uses of Easement Lands not inconsistent with the rights, covenants and restrictions set forth herein including the right to harvest timber and extract minerals.

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Notwithstanding the covenants and restrictions contained herein, the Grantor reserves all rights to use the Easement Lands in any way necessary or appropriate as required by law for the safe and proper operation and maintenance of Grantor's hydroelectric plants which are or may be licensed by the Federal Energy Regulatory Commission or any successor agencies thereto.

This Conservation Easement and all rights of the Grantee are subject to the agreements, leases, encumbrances, licenses, restrictions and easements now of record or in effect, with respect to, or affecting the above described real property, all of which are listed in Exhibit II attached hereto. Grantor may renew, assign or transfer any such agreements, leases, encumbrances, licenses, restrictions or easements; provided that any such renewal, assignment or transfer is limited to the same terms and conditions as presently exist. Grantor shall notify Grantee in writing of any such assignments or transfers and of any termination of any such agreement, lease, encumbrance, license, restriction or easement.

Both parties recognize that all rights reserved or retained by Grantor in connection with the donation of this Conservation Easement are and shall remain subject to applicable requirements, regulations, and laws of state, federal, and local governmental bodies having jurisdiction, and that nothing in this Deed of Conservation Easement will affect or supercede such legal requirements.

Wherever used herein, the term "Grantor" shall include the successors and assigns of the Grantor hereof.

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TO HAVE AND TO HOLD, the said rights, privileges and easements to said State of Maine forever.

IN WITNESS WHEREOF, the said Great Northern Nekoosa Corporation has caused this instrument to be executed and its corporate seal to be affixed hereto by its duly authorized representative this 14<sup>th</sup> day of AUGUST, 1981.

SIGNED, SEALED AND DELIVERED  
In the Presence of:

GREAT NORTHERN NEKOOSA  
CORPORATION



Joseph F. Fitts

By P. F. Yarravone  
EXECUTIVE VICE PRESIDENT  
Its

STATE OF ~~MAINE~~ CONNECTICUT

COUNTY OF FAIRFIELD ss.

AUGUST 14, 1981

Personally appeared the above named PETER F. YARRAVONE, EXECUTIVE VICE PRESIDENT of Great Northern Nekoosa Corporation and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said Great Northern Nekoosa Corporation.

Before me,



Wimjue M. Petersen  
Justice of the Peace  
Notary Public

MY COMMISSION EXPIRES MARCH 31, 1988

LEASES ON WEST BRANCH PENOBSCOT RIVER  
LOWER SECTION

EXHIBIT II

2 Range 9 WELS

<u>LEASE NO.</u>	<u>LESSEE</u>	<u>APPROXIMATE LOCATION</u>
633	Walter R. Boynton, Sr., 5 Pine St., East Millinocket, Me.	Debsconeag deadwater Surveyed Fall 1980
4843	Thoreau Fellowship - C/O Mary P. Sherwood, P. O. Box 551 Old Town, Me. 04468	Educ. Site - N/C Surveyed Fall 1980
4869	Royal Rangers, Assembly of God Church, East Millinocket	Debsconeag deadwater
<u>2 Range 10 WELS</u>		
591	Norman Savage, 3 Eastland Ave., Millinocket, Me. 04462	Jct. of Katahdin Brook & W.B. Surveyed Fall 1980
619	Paul Allen, 616 Allen Ave., Portland, Me. 04103	Mouth of Sourdnaunk stream Surveyed Fall 1980
830	Charles Norris, Box 609, Dixfield, Me. 04224	NW quarter of twp. near Big Logan- Sourdnaunk deadwater
1424	Anthony York, 132 Oxford St., Millinocket, Me. 04462	North side of W.B. - 1/2 mil west of Knowlton Brook Surveyed Fall 1980
4209	Wilmot Robinson, Medway Rd., Millinocket, Me. 04462	Surveyed Fall 1980
4210	Deiter M. Kramsch, 117 Fayerweather St., Cambridge, Mass.	Above Pockwockamus Falls Surveyed Fall 1980
4211	Robert Davis, 420 East 23rd, 28, New York, N. Y. 10010	" " "
4235	Arthur Belmont, et.al., Box 536, Millinocket, Me. 04462	Abol Bridge Campground Surveyed Fall 1980
4276	Betty Lee Comstock, 163 Conn. Ave., " " "	Surveyed Fall 1980
4302	Robert E. O'Keefe, Sr., Stillwater Ave., Old Town, Me.	South of Abol Falls Surveyed Fall 1980
4303	Reginald L. Sweet, 158 Highland Ave., Millinocket, Me.	South of Pockwockamus Falls Surveyed Fall 1980
4339	Horace T. Gardner, 345 Stillwater Ave., Old Town, Me.	Above Pockwockamus Falls Surveyed Fall 1980
4346	Richard M. Lincoln, Box 759, Millinocket, Me. 04462	" " "
4467	Appalachian Trail Mt. Club, C/O Victor C. Williams, Chairman, Aug. Camp Comm., 57 Clinton St., White Plains, N. Y. 10603	Below Abol Falls - N/C Surveyed Fall 1980
4610	Spruce Mt. Camp for Boys, 12 Highland St., W Medway, Mass. 02053	Debsconeag deadwater Surveyed Fall 1980
<u>2 Range 11 WELS</u>		
4469	Peter L. Pray, 335 Congress St., Millinocket, Me.	Little & Big Eddy Campground Surveyed Fall 1980

PISCATAQUIS, ss. Received October 15, 1981 at 10h 0m A.M.

**Appendix C**

**TIMBER HARVESTING STANDARDS**

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

- a. Except when surface waters are frozen, skid trails and skid roads shall not utilize stream channels bordered by areas which were zoned P-SL1 prior to the acceptance of the original plan by LURC except to cross such channels with a culvert or bridge according to the water crossing requirements of Appendix D, Sections b, d and e.
- b. Timber harvesting operations shall be conducted in the following manner:
  - 1) Within 50 feet of the normal high water mark, no clearcutting shall be allowed and harvesting operations shall be conducted in such a manner that a well distributed stand of trees is retained so as to maintain the aesthetic and recreational value and water quality of the area and to reasonably avoid sedimentation of surface waters.
  - 2) At distances greater than 50 feet from the normal high water mark, harvesting activities may not create single openings greater than 14,000 square feet in the forest canopy. In such areas single canopy openings of over 10,000 square feet shall be no closer than 100 feet apart.
  - 3) Harvesting shall not remove, in any ten year period, more than 40 percent of the volume on each acre involved of trees 6 inches in diameter and larger measured at 4 ½ feet above ground level. Removal of trees less than 6 inches in diameter, measured as above, is permitted if otherwise in conformance with these regulations. For the purpose of these standards, volume may be determined as being equivalent to basal area.
  - 4) No accumulation of slash shall be left within 50 feet of the normal high water mark of surface waters. At distances greater than 50 feet from the normal high water mark of such waters, all slash larger than 3 inches in diameter shall be disposed of in such a manner that no part thereof extends more than 4 feet above the ground.
- c. Except as provided in subsection g of this section, skid trails and other sites where the operation of machinery used in timber harvesting results in the exposure of mineral soil, shall be located such that an unscarified filter strip of at least the width indicated below is retained between the exposed mineral soil and the normal high water mark of surface water areas:

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

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

- d. Timber harvesting operations shall be conducted in such a manner that slash is not left below the normal high water mark of standing waters or, below the normal high water mark of stream channels downstream from the point where such channels drain 300 acres or more.
- e. Except when surface waters are frozen, skid trails and skid roads shall not utilize stream channels of minor flowing waters except to cross the same by the shortest possible route; unless culverts or bridges are installed in accordance with Appendix D, such crossings shall only use channel beds which are composed of gravel, rock or similar hard surface which would not be eroded or otherwise damaged. The requirements of this subsection e may be modified according to the provisions of subsection g of this section.
- f. Except as provided in subsection g of this section, skid trail and skid road approaches to stream channels shall be located and designed so as to divert water runoff from the trail or road in order to prevent such runoff from directly entering the stream.
- g. Timber harvesting operations within 75 feet of stream channels upstream from the point where they drain 300 acres or less, may be conducted in a manner not in conformity with the requirements of the foregoing subsections c, e, and f provided that such operations are conducted so as to avoid the occurrence of sedimentation of water in excess of 25 Jackson Turbidity Units as measurable at the point where such stream channel drains one square mile or more. Jackson Turbidity Units are a standard measurement of the relative amount of light that will pass through a sample of water compared with the amount of light that will pass through a reference suspension; the Jackson Turbidity Unit Measurement for water without turbidity is 0.
- h. Harvesting operations along stream channels downstream from the point where they drain 300 acres or more and along standing bodies of water shall be conducted in such a manner that sufficient vegetation is retained to maintain shading of the surface waters.

- i. In addition to the foregoing minimum requirements, except as provided for in subsection g, provision shall otherwise be made in conducting timber harvesting operations in order to reasonably avoid sedimentation of surface waters.
- j. Within 200 feet of any administrative structure or area, timber harvesting shall be prohibited except as may be approved by the Director of the Bureau of Parks and Lands from time to time for the proper maintenance of the administrative structure or area.
- k. Written notice of all timber harvesting activities shall be given to the Commission and a copy sent to the Manager of the Penobscot River Corridor prior to the commencement of any such activities within the P-RP subdistrict. Such notice shall be provided on the Department of Conservation notification forms used for such purposes.

**Appendix D**

**ROAD AND WATER CROSSING STANDARDS**

The following road and water crossing requirements shall apply to the Resource Plan Protection Subdistrict:

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

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

- 5) Drainage ditches for roads approaching a water crossing or wetland shall be designed, constructed, and maintained to empty into an unscarified filter strip, of at least the width indicated in the table set forth in paragraph (4) above, between the outflow point of the ditch and the normal high water mark of the water or upland edge of a wetland. Where such filter strip is impracticable, appropriate techniques shall be used to reasonably avoid sedimentation of the water body or wetland. Such techniques may include the installation of sump holes or settling basins, and/or the effective use of additional ditch relief

culverts and ditch water turnouts placed so as to reasonably avoid sedimentation of the water body or wetland.

- 6) Ditch relief (cross drainage) culverts, drainage dips and water turnouts will be installed in a manner effective in getting drainage onto unscarified filter strips before the flow in the road or its drainage ditches gains sufficient volume or head to erode the road or ditch.
  - (a) Drainage dips may be used in place of ditch relief culverts only where the road grade is 10% or less;
  - (b) On roads having slopes greater than 10%, ditch relief culverts shall be placed across the road at approximately a 30 degree angle downslope from a line perpendicular to the center line of the road;
  - (c) Ditch relief culverts, drainage dips and water turnouts shall direct drainage onto unscarified filter strips as required in paragraphs (4) and (5) above;
  - (d) Ditch relief culverts shall be sufficiently sized and properly installed in order to allow for effective functioning, and their inlet and outlet ends shall be stabilized with appropriate materials; and
  - (e) Ditch relief culverts, drainage dips and associated water turnouts shall be spaced along the road at intervals no greater than indicated in the following table:

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

- b. The following requirements shall apply to water crossings when surface waters are unfrozen:
  - 1) Bridges and culverts shall be installed and maintained to provide an opening sufficient in size and structure to accommodate 10 year frequency water flows or with a cross-sectional area at least equal to 2 ½ times the cross-sectional area of the stream channel.
  - 2) Culvert and bridge sizes may be smaller than provided in paragraph (1) if techniques are employed such that in the event of culvert or bridge failure, the natural course of water flow is reasonably maintained and sedimentation of the water body is reasonably avoided; such techniques may include, but are not limited to, the effective use of any or all of the following:

- (a) removing culverts prior to the onset of frozen ground conditions;
  - (b) using water bars in conjunction with culverts; or
  - (c) using road dips in conjunction with culverts.
- 3) Culverts utilized in water crossings shall:
- (a) be installed at or below stream bed elevation;
  - (b) be seated on firm ground;
  - (c) have soil compacted at least halfway up the side of the culvert;
  - (d) be covered by soil to a minimum depth of 1 foot or according to the culvert manufacturer's specifications, whichever is greater; and
  - (e) have a headwall at the inlet end which is adequately stabilized by rip-rap or other suitable means to reasonably avoid erosion of material around the culvert.
- c. The design and construction of land management road systems through wetlands, other than those areas below the normal high water mark of standing or flowing waters, must avoid wetlands unless there are no reasonable alternatives, and must maintain the existing hydrology of wetlands.

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

To accomplish the above, the following requirements apply:

- 1) Road construction on mineral soils or those with surface organic layers up to 4 feet in thickness:
  - (a) Fill may be placed directly on the organic surface compressing or displacing the organic material until equilibrium is reached. With this method, culverts or other cross-drainage structures are used instead of porous layers to move surface and subsurface flows through the road fill material.
    - (i) For road construction on mineral soils or those with surface organic layers less than 16 inches in thickness, culverts or other cross-drainage structures shall be appropriately sized and placed at each end of each wetland crossing and at the lowest elevation on the road centerline with additional culverts at intermediate low points as necessary to provide adequate cross drainage. Culverts or other

cross-drainage structures shall be placed at maximum intervals of 300 feet;

- (ii) For road construction on surface organic layers in excess of 16 inches but less than 4 feet in thickness, cross drainage must be provided by placing culverts at each end of each wetland crossing and at the lowest elevation on the road centerline with additional culverts at intermediate low points as necessary to provide adequate cross drainage. Culverts or other cross-drainage structures shall be placed at maximum 300-foot intervals. Culverts shall be a minimum of 24 inches in diameter, or the functional equivalent, and buried halfway below the soil surface.
  - (iii) Where necessary to maintain existing water flows and levels in wetlands, ditches parallel to the road centerline shall be constructed along the toe of the fill to collect surface and subsurface water, carry it through the culvert(s) and redistribute it on the other side. Unditched breaks shall be left midway between culverts to prevent channelization.
- (b) Alternatively, a porous layer may be created to move surface and subsurface flows through the road fill materials. If a porous layer is used, geotextile fabric must be placed above and below fill material to increase the bearing strength of the road and to preserve the bearing strength of fill material by preventing contamination with fine soil particles.
- 2) Road construction on soils with organic layers in excess of 4 feet in thickness:
- (a) Such construction shall only take place under frozen ground conditions.
  - (b) Geotextile fabric shall be placed directly on the soil surface. Road fill or log corduroy shall then be placed on the geotextile fabric.
  - (c) Cross drainage shall be provided by either a continuous porous layer or appropriate placement of culverts or other cross-drainage structures and ditching as specified below:
    - (i) A continuous porous layer or layers shall be constructed by placement of one or more layers of wood corduroy and/or large stone or chunkwood separated from adjacent fill layers by geotextile fabric placed above and below the porous layer(s) such that continuous cross drainage is provided in the top 12 inches of the organic layer; or
    - (ii) Cross drainage culverts or other cross-drainage structures shall be placed at points where they will receive the greatest support. Culverts or other cross-drainage structures shall be a minimum of 24 inches in diameter, or the functional equivalent, and buried halfway below the soil surface. Where necessary to maintain existing water flows and levels in wetlands, ditches parallel to the roadbed on both sides shall be used to collect surface and subsurface water, carry it through the culvert(s) and redistribute it on the other side. Such ditches shall be located three times the depth of the organic layer from the edge of the road fill. Unditched breaks shall be left midway between culverts to prevent channelization.

- d. Ditches, culverts, bridges, dips, water turnouts and other water control installations associated with roads shall be maintained on a regular basis to assure effective functioning.
- e. Maintenance of the above required water control installations shall continue until the road is discontinued and put to bed by taking the following actions:

1) Water bars shall

- (a) be constructed and maintained across the road at intervals established below:

Road Grade <u>Percent</u>	Distance between Water Bars <u>Feet</u>
0 - 2	250
3 - 5	200 - 135
6 - 10	100 - 80
11 - 15	80 - 60
16 - 20	60 - 45
21+	40

- (b) be constructed at approximately 30 degrees downslope from the line perpendicular to the center line of the road;
- (c) be constructed so as to reasonably avoid surface water flowing over or under the water bar; and
- (d) extend sufficient distance beyond the traveled way so that water does not re-enter the road surface.

2) Any bridge or water crossing culvert in such road shall satisfy one of the following requirements:

- (a) it shall be designed to provide an opening sufficient in size and structure to accommodate 25 year frequency water flows;
- (b) it shall be designed to provide an opening with a cross-sectional area at least 3 1/2 times the cross-sectional area of the stream channel; or
- (c) it shall be dismantled and removed in a fashion so as to reasonably avoid sedimentation of the water body.

- f. Extension, enlargement or resumption of use of presently existing roads, which are not in conformity with the provisions of these standards, will be done only in conformance with Section V.
- g. Publicly owned roads may be constructed in a fashion that is not in strict conformity with the provisions of this section, provided that other measures are applied that are effective in reasonably avoiding sedimentation of surface waters.

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

**Appendix E**

**MINERAL EXTRACTION STANDARDS**

The following requirements shall apply to mineral extraction activities in the Resource Plan Protection Subdistrict:

- a. A vegetative buffer strip shall be retained between the ground area disturbed by the extraction activity and:
  - 1) 75 feet of the normal high water mark of any standing body of water less than 10 acres in size, flowing water draining less than 50 square miles, or wetland identified as a P-WL1 Subdistrict, and
  - 2) 100 feet of the normal high water mark of any standing body of water 10 acres or greater in size or flowing water draining 50 square miles or more.
- b. Within 250 feet of any water body the extraction area shall be protected from soil erosion by ditches, sedimentation basins, dikes, dams, or such other control devices which are effective in preventing sediments from being eroded or deposited into such water body. Any such control device shall be deemed part of the extraction area for the purpose of Subsection a, above;
- c. No portion of any ground area disturbed by the extraction activity shall be closer than 250 feet from any public roadway or 250 feet from any property line in the absence of the prior written agreement of the owner of such adjoining property;
- d. A natural vegetative screen of not less than 50 feet in width shall be retained from administrative structures or areas as defined in the Conservation Easement; and
- e. If any mineral extraction operation located within 250 feet of any administrative structure or area as defined in the Conservation Easement or a facility intended primarily for public use, excluding privately owned roads, is to be terminated or suspended for a period of one year or more, the site shall be rehabilitated by grading the soil to a slope of 2 horizontal to 1 vertical, or flatter.

**Appendix F**

**SIGN STANDARDS**

a. On-Premise Signs

Subject to the provisions of this Plan, the landowners and their lessees may erect and maintain on-premise signs advertising the sale or lease thereof or activities being conducted thereon. Such signs shall be subject to the regulations set forth below:

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

Maximum Size for Each Individual Sign (sq. ft.) <hr style="width: 80%; margin: 0 auto;"/> 6	Maximum Aggregate Area of All Signs for Facility Being Advertised (sq. ft.) <hr style="width: 80%; margin: 0 auto;"/> 12
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- 2) On-premise signs shall not be located more than 1,000 feet from the building or other particular site at which the activity advertised is conducted;
- 3) Signs advertising the sale or lease of real estate by the owner or his agent shall not have an area of more than 6 square feet; and
- 4) Signs attached to a wall shall not extend above the top of the wall.

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

b. Exempt Signs

The following signs are exempt from the requirements of this Plan, except as indicated in Section c below.

- 1) Signs erected and maintained outside the highway right-of-way, by a governmental body, showing places of interest (other than commercial establishments). Not more than two such signs may be erected and maintained which are readable by traffic proceeding in any one direction on any one highway in any one township;
- 2) Residential directional signs, each of which does not exceed 4 square feet in area, along roadways other than limited access highways;
- 3) Traffic control signs or devices;
- 4) Signs displayed for the direction, instruction or convenience of the public, including signs which identify rest rooms, posted areas, property boundaries,

trails, fire precautions, campsites, or the like, with a total surface area not exceeding 12 square feet;

- 5) Memorial signs or tablets;
- 6) Directional signs visible from a public roadway with a total surface area not to exceed 4 square feet providing directions to places of business offering for sale agricultural products harvested or produced on the premises where the sale is taking place;
- 7) Signs displayed in building windows, provided that the aggregate area of such signs does not exceed 25% of the area of the window; and
- 8) Official business directional signs as defined and authorized by 23 M.R.S.A., Chapter 21.

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

c. Regulations Applying to All Signs

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

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

- 7) Advertises activities which are illegal under any state or federal law applicable at the location of the sign or of the activities;
- 8) Is not clean or in good repair; or,
- 9) Is not securely affixed to a substantial structure.

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

**Appendix G**

**DEFINITIONS**

The following definitions apply to the terms of this plan:

1. **Administrative Structures and Areas:**  
Administrative structures and areas shall be those structures and areas which may be operated, managed or leased by the State under the Conservation Easement. They shall include, but not be limited to: caretaker quarters, service or storage buildings, service and access roads, power and communication lines, sanitary stations or privies, gates, entry contact stations, water taps, parking lots, directional signs, waste disposal areas, campsites, access sites and picnic areas.
2. **Body of Standing Water:**  
A body of surface water that has no perceptible flow and is substantially permanent in nature. Such bodies of water are commonly referred to as man-made or natural lakes or ponds.
3. **Building:**  
"Any structure having a roof or partial roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals or objects regardless of the materials of which it is constructed." 12 M.R.S.A., Section 682. The Commission finds that temporary camping tents constructed of fabric or similar materials do not comprise buildings as so defined.
4. **Campground:**  
Any area, other than a camp site, designed for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes or similar facility designed for temporary shelter.
5. **Commission:**  
The Land Use Regulation Commission.
6. **Compatible Use:**  
A land use which is capable of existing in harmony with other uses or resources situated in its immediate vicinity because that use does not adversely affect such other uses or resources.
7. **Cross-Sectional Area:**  
The cross-sectional area of a stream channel shall be determined by multiplying the stream channel width by the average stream channel depth. The stream channel width is the straight line distance from the normal high water mark of one side of the channel to such mark on the opposite side of the channel. The average stream channel depth shall be the average of the vertical distances from a straight line between the normal high water marks of the stream channel to the bottom of the channel.

8. **Deer Wintering Areas:**  
Areas used by deer during winter for protection from deep snows, cold winds and low temperatures.
9. **Development:**  
Any land use activity or activities directed toward using, reusing or rehabilitating air space, land, water or other natural resources, excluding, however, such specific uses or classes and categories of uses which by the terms of this Plan do not require a permit.
10. **Docking Structure:**  
A structure placed in or near water primarily for the purpose of securing and/or loading or unloading boats and float planes, including but not limited to docks, wharfs, piers, and associated anchoring devices, but excluding boat houses and float plane hangars. When associated with this phrase, the term “permanent” shall mean a structure in place for longer than 7 months in any calendar year or which is so large or otherwise designed as to make it impracticable to be removed on an annual basis without alteration of the shoreline.
11. **Dwelling Unit:**  
A structure or any part thereof that is intended for use or is used for human habitation, consisting of a room or group of rooms designed and equipped for use primarily as living quarters, including any home occupations, for one family. Accessory structures intended for human habitation that have plumbing are considered separate dwelling units. Dwelling units do not include buildings or parts of buildings used as a hotel, motel, commercial sporting camp or other similar facility which is rented or leased on a relatively short term basis; provided, however, the term shall include a tourist home that qualifies as a home occupation.
12. **Fishery Management Practices:**  
Activities engaged in for the exclusive purpose of management of freshwater and anadromous fish populations by manipulation of their environment for the benefit of one or more species. Such practices may include but not be limited to the construction of traps and weirs, barrier dams, stream improvement devices, fishways, and pond or stream reclamation, provided that any such activities are specifically controlled and designed for the purpose of managing such species and are conducted or authorized by appropriate state or federal fishery management agencies in compliance with the water quality standards contained in 38 M.R.S.A. §465.
13. **Flowing Water:**  
A surface water within a stream channel that has a perceptible flow and is substantially permanent in nature. Such waters are commonly referred to as rivers, streams, and brooks.

14. **Forest:**  
A plant community predominately of trees and other woody vegetation growing more or less closely together.
15. **Forest Management Activities:**  
Forest management activities include timber cruising and other forest resource evaluation activities, pesticide or fertilizer application, timber stand improvement, pruning, timber harvesting and other forest harvesting, regeneration of forest stands, and other similar or associated activities, but not the construction, creation, or maintenance of land management roads nor the land application of septage, sludge and other residuals and related storage and composting activities.
16. **Forest Product:**  
Any raw material yielded by a forest.
17. **Freshwater Wetland:**  
Freshwater swamps, marshes, bogs and similar areas that are inundated or saturated by surface or groundwater at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils and not part of a great pond, coastal wetland, river, stream or brook.
18. **Land Management Road:**  
A route or track consisting of a bed of exposed mineral soil, gravel, or other surfacing material constructed for, or created by, the repeated passage of motorized vehicles and used primarily for forest management or hydroelectric facility management activities including associated log yards but not including skid trails, skid roads, and winter haul roads.
19. **Land Use Subdistrict:**  
The area located within the boundaries of air, land and water delineated vertically or horizontally by the Commission to provide for distinct categories of uses or resources.
20. **Lean-to:**  
A three-sided, roofed structure used for transient occupancy and commonly constructed for campsites.
21. **Level A Road Projects:**  
Reconstruction within existing rights-of-way of public or private roads other than land management roads, and of railroads, excepting bridge replacements. Examples of such activities include, without limitation, culvert replacements, resurfacing, ditching, and bridge repair. When there is no existing layout of right-of-way, the right-of-way should be assumed to extend 33 feet on either side of the existing centerline.

22. **Level B Road Projects:**  
Minor relocations, and reconstructions, involving limited work outside of the existing right-of-way of public roads or private roads other than land management roads and of railroads; bridge reconstruction and minor relocations whether within or outside of existing right-of-way of such roads. "Minor relocations" as used herein may not exceed 300 feet in horizontal displacement of centerline. "Reconstruction" as used herein may involve widening of existing rights-of-way not to exceed 50 feet on either side.
23. **Level C Road Projects:**  
Construction of new roads, and relocations or reconstruction of existing roads, other than that involved in level A or level B road projects; such roads shall include both public and private roadways excluding land management roads.
24. **Major Flowing Water:**  
A flowing water downstream from the point where such water drains 50 square miles or more.
25. **Mineral Extraction:**  
Any extraction of a mineral deposit, other than peat extraction, metallic mineral mining activities or Level A, B, or C, exploration activities.
26. **Mineral Extraction for Road Purposes:**  
Mineral extraction where at least 75% by volume of the minerals extracted over any three year period are used for the purposes of construction or maintenance of land management or other roads.
27. **Mineral Soil:**  
Soil material in which inorganic (mineral) constituents predominate.
28. **Minor Flowing Water:**  
A flowing water upstream from the point where such water drains less than 50 square miles.
29. **Mooring:**  
A structure for securing a vessel or aircraft that consists of a line and buoy attached to a weight which rests on the bottom of a waterbody.
30. **Non-Permanent Docking Structure:**  
Docking structures which are in place for less than seven months during any calendar year upon or over submerged lands and which are of such a size or design that they can be removed on an annual basis without requiring alteration of the shoreline.
31. **Non-Tidal Waters:**  
All waters or portions thereof which do not customarily ebb and flow as the result of tidal action.

32. **Normal High Water Mark of Non-Tidal Waters:**

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

33. **Normal Maintenance and Repair:**

Unless otherwise provided, any work necessary to maintain an improvement or structure in its original or previously improved state or condition. This includes general upkeep, such as painting, fixing portions of the structure that are in disrepair, or the replacement of sill logs, roofing materials, siding, or windows, as long as there is no expansion of the nonconforming structure and less than 50 percent of the building is replaced. In-kind and in-place replacement of decking or exterior stairs is considered as normal maintenance and repair. Normal maintenance and repair shall not include reconstruction, or change in design, change in structure, change in use, change in location, change in size or capacity.

34. **On-Premise Sign:**

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

35. **Person:**

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

36. **Pesticide:**

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

37. **Primitive Recreation:**

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

38. **Principal Building:**  
A building which provides shelter for the primary use of a parcel. On a single parcel, all buildings related to forest or agricultural management activities, including dwellings of the owner or lessee and employees, are considered one principal building.
39. **Projecting Sign:**  
A sign which is attached to a wall of a building and extends more than 15 inches from any part of the wall.
40. **Property Line:**  
Any boundary between parcels of land owned or leased by different persons or groups of persons.
41. **Public Road or Roadway:**  
Any roadway which is owned, leased, or otherwise operated by a governmental body or public entity.
42. **Recreation Management Plan:**  
That plan to be developed and implemented by the State of Maine with the agreement of the landowners which provides for the management of recreation within the areas subject to this P-RP subdistrict and which is approved by LURC.
43. **Residential:**  
Pertaining to a dwelling unit.
44. **Residential Directional Sign:**  
An off-premise sign erected and maintained by an individual or family to indicate the location of his or its residence.
45. **Roadway:**  
A public or private road including any land management road.
46. **Roof Sign:**  
A sign which is attached flat to, painted on, or pinned away from the roof of a building.
47. **Service Drop:**  
Any utility line extension which does not cross or run beneath any portion of a body of standing water provided that:
  - a. in the case of electric service
    1. the placement of wires and/or the installation of utility poles is located entirely upon the premises of the customer requesting service or upon a roadway right-of-way, and
    2. the total length of the extension within any 5 year period is less than 2,000 feet.

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

48. **Sign:**

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

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

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

49. **Stream Channel:**

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

50. **Structure:**

"Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on or in the ground, including, but not limited to, buildings, mobile homes, retaining walls, billboards, signs, piers and floats." 12 M.R.S.A., Section 682.

51. **Subdivision:**

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

52. **Timber Harvesting:**  
The cutting and removal of trees from their growing site, and the attendant operation of mobile or portable chipping mills, and of cutting, delimiting and skidding machinery, including the creation and use of skid trails, skid roads, and winter haul roads, but not the construction or creation of land management roads.
53. **Traffic Control Sign or Device:**  
A route marker, guide sign, warning sign, sign directing traffic to or from a bridge, ferry or airport, or sign regulating traffic, which is not used for commercial or advertising purposes.
54. **Trail:**  
A route or path other than a roadway, and related facilities used primarily for recreational activities, which passes through or occurs in a natural environment and involves the disturbance of the land's surface in its construction or use. Related facilities may include but not be limited to subsidiary paths, springs, campsites, view points, and unusual or exemplary natural features in the immediate proximity of the trail which are commonly used or enjoyed by the users of the trail.
55. **Wall Sign:**  
A sign which is attached flat to, painted on or pinned away from the wall of a building and does not project more than 15 inches from such wall.
56. **Water Bar:**  
An obstruction placed across a roadway which effectively diverts surface water from and off the road.
57. **Water Crossing:**  
A roadway crossing of any body of standing or flowing water (including in its frozen state) by means of a bridge, culvert, or other means.
58. **Water Impoundment:**  
Any body of water created, or elevation of which is raised, by man through the construction of a dam.
59. **Wildlife:**  
All vertebrate species, except fish.
60. **Wildlife Management Practices**  
Activities engaged in for the exclusive purpose of management of wildlife populations by manipulation of their environment for the benefit of one or more species. Such practices may include, but not be limited to, harvesting or removal of vegetation, controlled burning, planting, controlled hunting and trapping, relocation of wildlife, predator and disease control, and installation of artificial nesting sites, provided that such activities are specifically controlled and designated for the purpose of managing such species. This term does not include impounding water.

**Section X**

**RECREATION MANAGEMENT PLAN  
FOR PORTIONS OF THE  
LOWER WEST BRANCH OF THE PENOBSCOT RIVER**



Boat Access at confluence of Lower West Branch and Horserace Brook

**MAINE DEPARTMENT OF CONSERVATION  
BUREAU OF PARKS AND LANDS**

Effective December 26, 2002

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## I. Introduction and Background

In August of 1981, the Great Northern Paper Company, an unincorporated division of the Great Northern Nekoosa Corporation, granted to the State of Maine two perpetual Conservation Easements (Easements) along portions of the East Branch and the West Branch of the Penobscot River and the shores of Lobster Lake and Lobster Stream (Easement Lands), to ensure the continued use and benefit of these areas for Great Northern and the people of the State of Maine. The Easements transferred in perpetuity to the State of Maine Great Northern's development rights and the right to manage recreation on the Easement Lands. In July of 1997, Great Northern Paper Company granted an easement for a 5-mile segment of the Corridor in T4 R14 WELS, and a portion of the southeast shoreline of Lobster Lake in TX R 14 WELS. These segments were not included in the easements granted in 1981. The total area encompassed by the Easements is 7,500 acres, more or less, with 74 miles of river and 12 miles of lakeshore frontage.

Where once Great Northern was the sole landowner of the lands covered by the easement, there are now multiple owners, including Merriweather LLC and Great Northwoods LLC (both managed by Wagner Forest Management, Ltd.) on the Upper West Branch of the Penobscot and Lobster Lake and Stream; Great Northern Paper, Great Lakes Hydro America, LLC, Baxter State Park Authority, Chewonki Foundation, and The Nature Conservancy on the Lower West Branch of the Penobscot; and Irving Woodlands and Prentiss & Carlisle on the East Branch of the Penobscot. The current landowners on the Lower West Branch of the river have submitted to the Land Use Regulation Commission (LURC) a revision of the original Resource Protection Plan developed by Great Northern Paper in July of 1981. Since certain activities contemplated by the Plan involve land uses that are allowed only by permit from LURC, the Plan establishes standards that will allow these activities to be carried out with a minimum number of permits. This plan has been approved by the Commission, thus retaining the Resource Plan Protection (P-RP) Subdistrict zoning for these lands. The Resource Protection Plan will *“provide for the continued, effective management of the renewable forest and water resources while recognizing and protecting the recreational and natural values of the Lower West Branch of the Penobscot River.”*

This Recreation Management Plan (the Plan) sets forth policies and procedures to govern and protect resources and recreational uses on the Easement Lands on the Lower West Branch of the Penobscot River. In order to facilitate recreational management under the Plan, the landowners have agreed to grant leases to the State for certain administrative areas where the level of recreational use warrants such oversight. Appendix B contains a list of these administrative areas. During the time the Plan is in effect, some of these areas may be dropped and others added upon mutual agreement between the landowners and the State. Management authority for the Plan will reside with the Maine Department of Conservation, Bureau of Parks and Lands. While the Bureau of Parks and Lands is responsible for managing recreation in most of the corridor, Baxter State Park retains that responsibility on its landholdings within the Resource Protection Plan area. Other State agencies such as the Maine Forest Service, and the Department of Inland Fisheries and Wildlife as well as private organizations (e.g. Maine Appalachian Trail Conference, North Maine Woods) as appropriate, will participate in the recreational management of the area. The landowners have also reviewed and approved this Recreation Management Plan. The following discussion is specific to the landowners and their particular segments of the corridor within the corresponding Resource Plan Protection zone.

For definitions of terms used in this Plan, refer to the definitions set forth in the Resource Protection Plan covering the Plan Area.

## **II. Goal and Objectives**

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

*To maintain and enhance the present types of recreational opportunities available, consistent with the maintenance of the present natural character of the Penobscot River Corridor and the overall management objectives of the owners of these and adjacent lands.*

The following objectives will govern all recreational management activities:

- 1) Significant increases in public use will not be encouraged. However, BP&L may publish material that identifies the area as managed by the state and provide informational materials when requested by the public.
- 2) Campsites, access points and picnic areas will be modest, primitive and kept to the minimum number necessary to carry out the goal stated above. BP&L will work to discourage public use of unauthorized campsites, access points, and picnic areas within the Corridor.
- 3) Emphasis will be placed on the traditional recreational uses of the area that were recognized when the original plan was established in 1981 (page 60, Recreational Resources).
- 4) Mechanisms for controlling conflicting recreational land uses, and standards that will control development associated with recreation, will be instituted.
- 5) Policies and Procedures to ensure the proper care and maintenance of administrative structures and areas will be established.

## **III. Description of Area**

The lands to which this Plan applies are those that are included in the Conservation Easement and are wholly owned by the landowners within 500 feet of the normal high water mark of each side of the Lower West Branch Penobscot River described as follows:

Beginning at a point 400 feet downstream of the foot of Ripogenus Dam on the West Branch of the Penobscot River, and from such point downstream along said river in the townships of T3 R11 WELS, T2 R11 WELS, T2 R10 WELS, T2 R9 WELS, T1 R10 WELS, and T1 R9 WELS, to the intersection of said river and Ambajejus Lake, marked by yellow posts set on the north and south banks of said river.

A more detailed description is found in Appendix B of the Resource Protection Plan that contains the Easements.

The land in these segments is, for the most part, undeveloped forestland with the landowners' primary use being timber management.

Within the Plan area are numerous private leased lots, most of which have structures on them. Two of these leases, Abol, and Big Eddy, are commercial campgrounds. All areas subject to private leases within the lands covered by this Plan are exempt from the terms of this Plan.

Vehicle access to the Plan area is provided entirely over the roads built and maintained by the landowners for the purposes of forest management and transporting forest products. The landowners reserve the right to close these roads as necessary to carry out forest management, forest production, and road maintenance activities, or as may be necessary for the protection of persons, property, and real estate.

#### **IV. Recreational Resources**

Within the Plan area, there are numerous recreational resources. Primary recreational activity is concentrated on the river or along the immediate shoreline, and includes camping, canoeing, kayaking, rafting, sightseeing, and fishing. Other activities of secondary importance in the Plan area are hunting, snowmobiling, cross-country skiing, picnicking, hiking, swimming, and trapping. The Easement, along with areas leased from the landowners to the Bureau of Parks and Lands, provides for the more popular recreational activities within the Corridor. A list of existing sites, as well as a map showing the locations of these areas, is contained in Appendix B. There are at present 8 campsites, 9 water access points (1 of which is not managed by BP&L), and 7 lunch/picnic areas in the Plan area. There are additional access points where the landowner maintains bridge sites.

In those situations where it would be advantageous, the State may sublease the operation of an administrative area or areas. Such lessees would be subject to the terms of the lease granted to the State by the landowner and such additional rules as the State and the landowner may deem appropriate.

#### **V. Management Authority**

The Maine Department of Conservation, Bureau of Parks and Lands (BP&L) shall be the public agency primarily responsible for managing the recreational use in the Plan area, except where delegated elsewhere. BP&L will develop procedures to guide the management of the recreational resources of the area. These procedures shall be consistent with the terms of the Easements, the Resource Protection Plan, and the Recreation Management Plan that govern the overall land use for the Plan area.

BP&L will coordinate matters relating to recreational use for the various State agencies, private organizations, and landowners that have interest in, or who are affected by, the recreational use of the Plan area.

The Penobscot River Corridor Recreation Management Advisory Committee (Advisory Committee) will assist BP&L on matters relating to the recreational use of the Plan area. The Advisory Committee shall represent various State agencies, the public, and the private sectors.

Its membership shall be appointed by the Director of the Bureau and shall include a representative from each of the following: the Maine Forest Service; the Department of Inland Fisheries and Wildlife; the Bureau of Parks and Lands; a representative from each landowner; a representative from the Maine rafting industry; and two public members, one of whom shall be a resident of a community adjacent to the Plan area, the other of whom shall be a Maine resident with no direct economic interest in the Plan area and shall represent the public at large. The Director of the Bureau of Parks and Lands will call meetings of the Committee at least once each year to review and advise on proposed management actions and recreational uses that will be published each year in the Advisory Committee's Annual Meeting Minutes.

Within the Plan area, the management of recreational activities will be delegated as follows:

- 1) the Bureau of Parks and Lands will coordinate all recreational management activities,
- 2) the Bureau of Parks and Lands will maintain campsites, picnic sites, access points, and parking areas,
- 3) the Department of Inland Fisheries and Wildlife will be responsible for fish and wildlife resources, watercraft safety, search and rescue operations, surface water uses, and rules governing commercial white water rafting,
- 4) the Bureau of Parks and Lands will promulgate rules as appropriate to address management needs.

## **VI. Management Policies**

The following policies will guide the management of recreational facilities and uses within the Plan area:

### **A. Campsites**

1. Campsites will be maintained and managed to retain a natural character. They will, with few exceptions, be accessible by water routes only. No single campsite cell will be designed or enlarged to accommodate more than 30 overnight visitors. However, a group of campsites may accommodate more than 30 people.
2. Group size is limited to 12 overnight visitors at a campsite cell except special group campsites that have been identified for groups with up to 30 people. Permanent campsite structures that do not require a Land Use Regulation Commission permit will be limited to privies, fireplaces, picnic tables, shelters, tent platforms, self-service fee collection stations, signs, and hand pumps built in accordance with the standards and policies of this Plan.
3. Adequate spacing between campsites will be maintained to seclude camping groups from one another as much as possible.

## B. Lunch Sites/Picnic Sites

1. Lunch/picnic sites will be maintained and managed to minimize adverse environmental, aesthetic, and social impacts. Such sites may include a parking area, a trail from the water and parking area to a cooking/eating area, vegetative screening, fireplace, privy, and necessary signs. Lunch sites are areas that may be reserved for limited exclusive use and are identified in item 2 of this section.
2. BP&L may reserve lunch sites to qualified commercial whitewater outfitters for preparing and eating lunch on the Lower West Branch of the Penobscot River. The Bureau will reserve group lunch sites at: Cribworks, Horserace Brook, Salmon Point, Log Cable Crossing, Bateau Take Out, and Abol Ledges for this purpose. A nonreservable, first come-first served lunch site will be available at Nevers Corner Take Out. To ensure that these lunch sites are efficiently used and maintained the Bureau adopts the following:
  - Outfitters who had a reservation at a particular site the previous year will be given first preference to reserve that site the following season provided a written request to reserve the site is received by the Bureau after January 1st and before May 1st of each year.
  - An outfitter will only be allowed to reserve one lunch site.
  - Outfitters are responsible for keeping the sites clean and orderly.
  - The sharing of lunch sites by outfitters will be encouraged.
  - The Bureau reserves the right to charge a fee for the exclusive use of these sites.
  - When a lunch site becomes available the Bureau may reissue a reservation for that site subject to the above criteria and the following, in priority order:
    - a) the outfitter with the highest allocation for the Penobscot shall be given first preference.
    - b) the first documented date of commercial operation on the Penobscot will be given second preference.
    - c) date written request was received shall be the determining factor when all other criteria are equal.
3. Overnight camping will not be allowed at lunch sites, except at Horserace Brook and Salmon Point, where designated campsites exist.
4. New lunch/picnic sites will be established with landowner approval if a demonstrated need for such facilities is present, and if their provision would alleviate problems of congestion, erosion, and user conflict.
5. Lunch sites for picnicking are available to the general public when not reserved by commercial rafting companies.

## C. Access and Parking Facilities

1. Existing access sites are identified in Appendix B.
2. New vehicle access to the corridor from landowner roads will be allowed only when it can be demonstrated that it will not result in degrading the current experience of remoteness and will not hamper or otherwise adversely impact the landowner's use of the roads.

3. Overnight camping and open fires will not be allowed at access and parking facilities.
4. All road and parking facility construction activities will be carried out in full compliance with the standards set forth in Appendix C as well as the applicable regulations of other State agencies.
5. Access and parking facilities will be situated so as not to interfere with the landowners' road use.
6. Parking facilities will be screened by vegetative buffers so as to not be visible from the water.

D. Maintenance and Improvements

1. Administrative areas will be visited regularly by Bureau of Parks and Lands staff for maintenance purposes to ensure that litter is removed, fireplaces are safe, erosion and soil compaction are being prevented, and privies and tables (if present) are in a safe, usable condition.
2. Facilities, including privies and signs, will be provided at areas where they are deemed essential to reduce erosion, control litter and waste, or eliminate a hazardous situation.
3. Permits will be obtained from the Land Use Regulation Commission for the expansion or enlargement of existing structures and installation of new structures, except as otherwise provided in this Plan.
4. All administrative areas will be stabilized to prevent accelerated erosion. Such areas will be monitored by BP&L for erosion, with remedial action undertaken immediately where necessary.

E. Waste and Litter Control

1. Where needed, privies will be provided at campsites, water access points, parking areas and picnic sites. The installation of privies will be carried out in full compliance with the Maine Subsurface Wastewater Disposal Rules, and the regulations of the Land Use Regulation Commission.
2. A carry in-carry out policy for solid waste will be enforced at all sites through the use of signs, Penobscot River Corridor rules, and enforcement of the State's litter law.

F. Fires

1. Open fires will be limited to fireplaces in fire-safe areas, in accordance with standards determined by the Maine Forest Service.
2. Cutting of living trees for fuel will be prohibited.

G. Signs

1. Modest, rustic signs may be used to indicate areas of designated use, to interpret sites of historic or natural significance, to warn of hazards, or to provide essential information.

2. All new signs will conform to the sign standards approved by the Land Use Regulation Commission as part of the Resource Protection Plan for the Plan area (see Appendix C).

#### H. Trails

1. Portage trails will be maintained on the West Branch around rapids at Debsconeag Falls and Nesowdnhunk Falls, with locations indicated by appropriate signs.
2. Trails will be maintained between the corridor and campsites, and between the corridor and lunch/picnic sites.
3. That part of the Appalachian Trail within the Plan area will be maintained by the Maine Appalachian Trail Club by agreement with the landowners, and to the standards established in the Appalachian Trail Local Management Plan as adopted by the managing agencies and volunteer trail maintenance groups.
4. All trails will be constructed and maintained under the supervision of the Bureau of Parks and Lands staff in such a manner as to prevent erosion and sedimentation of water bodies.

#### I. Administrative Lodging

Administrative lodging for recreation management purposes will be rustic in character, consistent with the goals and objectives of this Plan. A permit will be obtained from the Land Use Regulation Commission before any construction begins (see Appendix B for list of lodging sites).

#### J. Fishing

1. Fisheries will be managed by the Department of Inland Fisheries and Wildlife consistent with goals and objectives established in the Department's Strategic Plan. Currently these goals include maintaining water quality and the quality of aquatic habitat, maintaining fish populations at high levels of abundance, and providing anglers with traditional, high quality fishing experiences. On the Lower West Branch, the major emphasis will be placed on maintaining high quality river fisheries for wild landlocked salmon.
2. Fisheries within the corridor will be monitored periodically to ensure that optimum harvests are not exceeded and to determine the effectiveness and the desirability of current fishing regulations. The need for further regulatory changes to maintain fishing quality and traditional fishing opportunities will also be assessed periodically.

#### K. Hunting and Trapping

1. Wildlife populations and their uses will be managed by the Department of Inland Fisheries and Wildlife, consistent with goals and objectives established for each species in the Department's Strategic Plan.
2. No special management strategies for wildlife within the corridor are contemplated, except for those already in effect. These include deer wintering areas which are now zoned by the Land Use Regulation Commission or protected through special

agreements with landowners. Existing deer wintering areas will continue to be protected in a similar manner under the terms of the Resource Protection Plan. In the future, consideration could be given to special management and habitat enhancement of wildlife populations other than deer.

L. Rafting

1. As long as river conditions permit, launching and takeout sites for white water rafting will be provided to ensure safe, attractive, and orderly operations. Public and commercial use by rafters will be allowed.
2. Access by commercial rafting outfitters on the Lower West Branch is restricted to designated commercial access sites as identified in rules and regulations for the Penobscot River Corridor (see Appendix D) and is further restricted to only those uses allowed by the terms and conditions of the administrative lease at each site.

M. Use Limits/Carrying Capacity

1. Carrying capacities for all areas and facilities will be managed according to rules limiting minimum stay.
2. BP&L staff will monitor campsites during periods of heavy use and post areas as full when the number of camping parties reaches the capacity of individual campsites or cells. Visitors will be asked to leave the area if posted notices are ignored.

N. Registration and Collection of Fees

The Bureau of Parks and Lands will institute fees for overnight camping as documented in the Fee Schedule periodically updated by the Bureau.

O. Conflicting Recreational Activities

1. In cases where the management agencies find that recreational uses or conditions are causing conflicts or adverse impacts on the management objectives of the Plan area, the Advisory Committee for the Penobscot River Corridor and affected landowners will be consulted.
2. Conflicting activities may be controlled or prohibited by rules promulgated by BP&L or other managing agencies. Such rules will require landowner approval.

P. Sensitive Areas

1. Sites within areas leased by the Bureau considered to be unique natural areas as determined by the Maine Natural Areas Program of the Department of Conservation will be protected as mutually agreed upon by BP&L and the landowner.
2. Sites identified by the Maine Historic Preservation Commission as important for their historical or archeological values will be protected and/or interpreted as mutually agreed upon by the Bureau and the landowner.
3. No protection of such sites, if agreed upon by the landowners, will affect or limit in any way the rights reserved by the landowners with respect to hydroelectric or

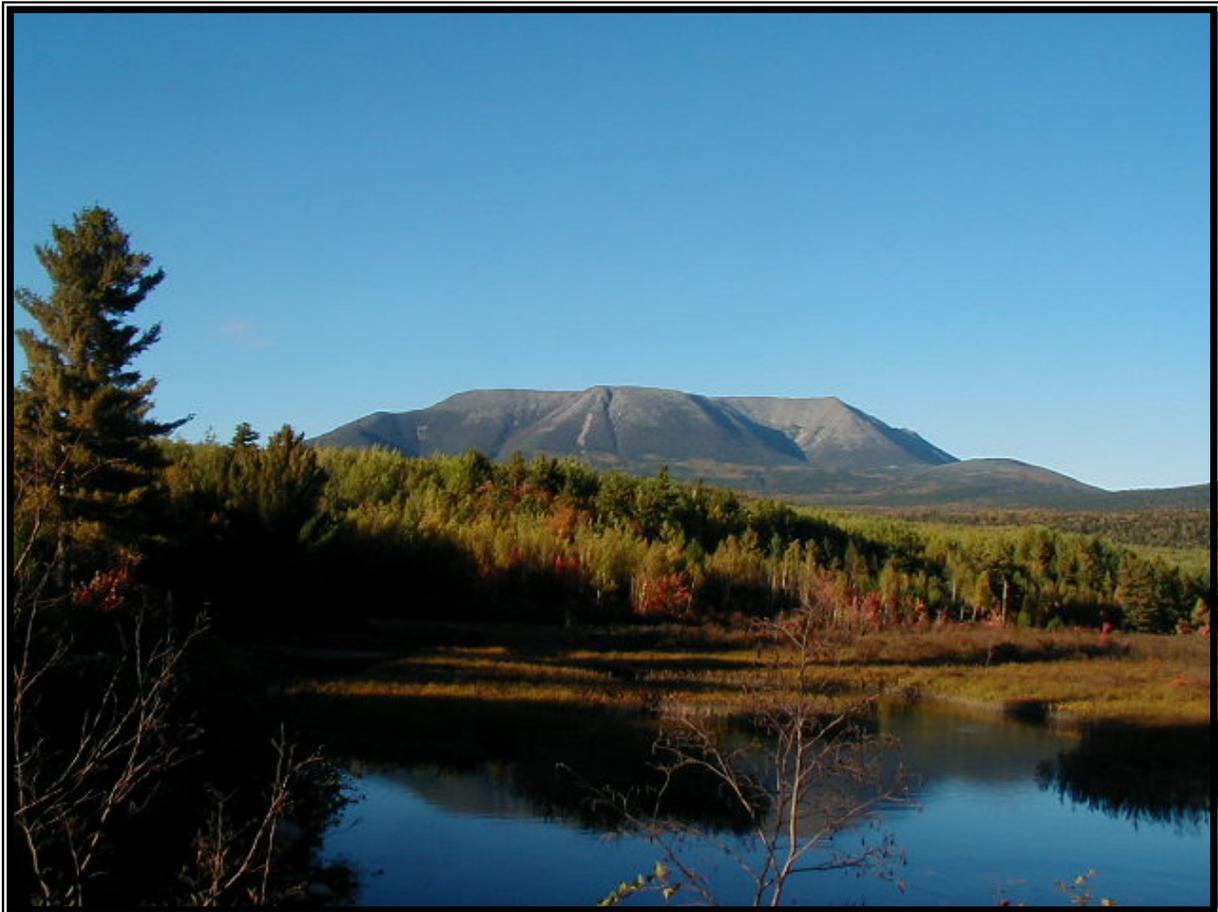
related development as provided in the conservation easements or resource protection plan.

## **VII. Implementation**

- 1) The implementation of the Plan is the responsibility of the Bureau of Parks and Lands. Effective multiple use of the Plan area will necessitate close communication and cooperation among the landowners, land managers, State agencies, and the general public.
- 2) All members of the Penobscot River Corridor Recreation Management Advisory Committee will be provided annually a copy of the Annual Meeting Minutes that will contain information relative to the ongoing management activities within the Plan area.

## **VIII. Amendments**

This Plan and procedures implemented pursuant to it may be amended from time to time as needs change. BP&L will be responsible for preparing amendments to the plan, which will be reviewed by the Advisory Committee. Prior to implementation, the amendments will be reviewed and approved by the landowners and the Land Use Regulation Commission.



Mt. Katahdin from Abol Stream

**IX. Appendices**

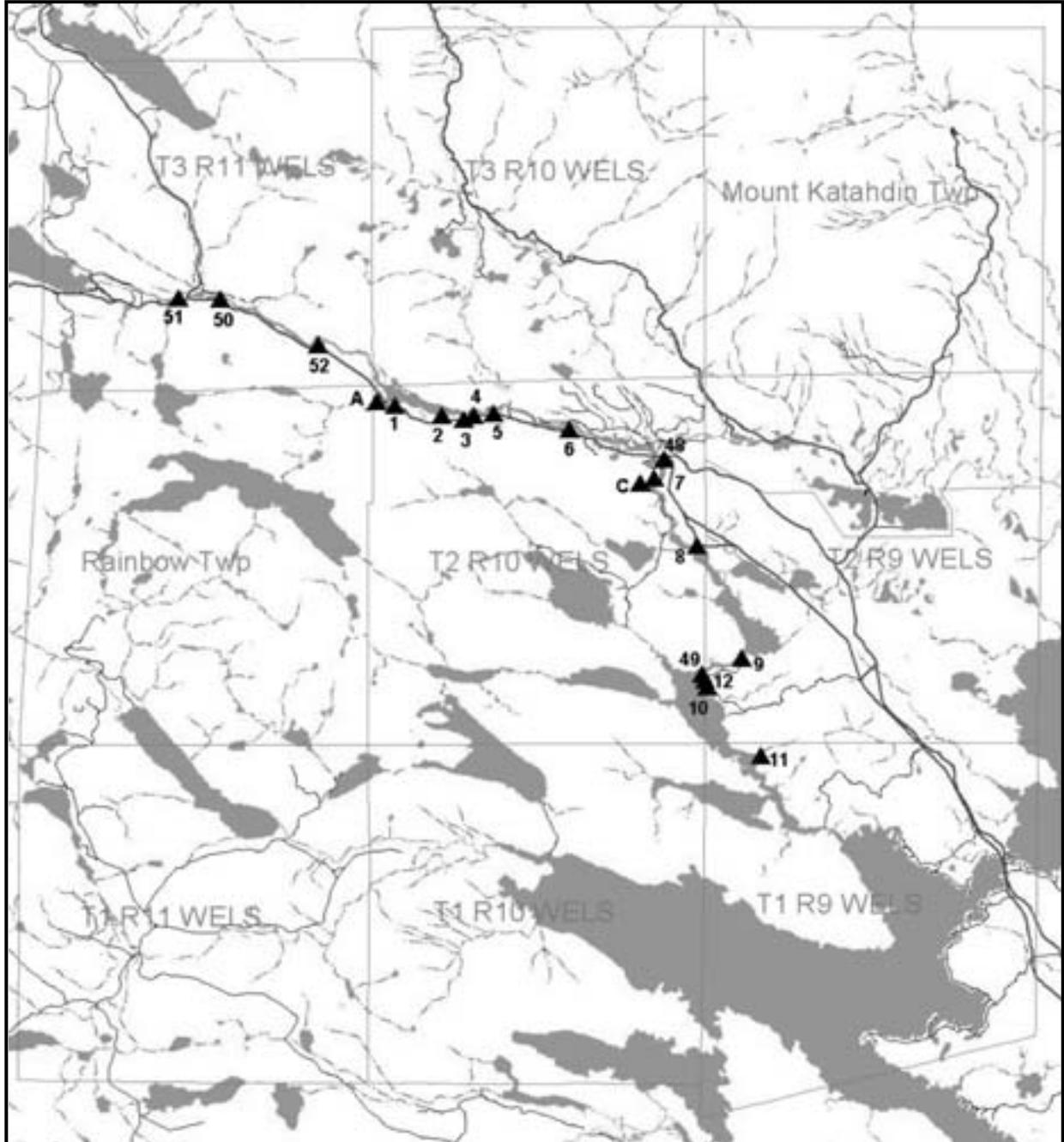
- A. Map of Plan Area
- B. Administrative Areas
- C. Standards
- D. Penobscot River Corridor Rules



Ripogenus Gorge on the Lower West Branch

Appendix A

**MAP OF LOWER WEST BRANCH PENOBSCOT RIVER  
RECREATION MANAGEMENT PLAN AREA**



Note: Letters and numbers on the map refer to map codes for Administrative Areas on the following page.

**Appendix B****ADMINISTRATIVE AREAS****LOWER WEST BRANCH PENOBSCOT**

The following administrative areas are managed by the Department of Conservation, Bureau of Parks and Lands. The letters and numbers on the map on the preceding page refer to map codes:

<b>Lease #</b>	<b>Description</b>	<b>Map Code</b>
<b><u>Campsites</u></b>		
5045	Horsrace Brook	1
5044	Salmon Point	2
5068	Abol Falls	7
4467	Abol Pines	48
5071	Debsconeag Falls	9
4610	Wheelbarrow Pitch	49
5070	Little Omaha Beach	10
5072	Omaha Beach	11
<b><u>Access Points</u></b>		
5186	Big Eddy	50
No lease	Big Ambejackmockamus	52
5045	Horsrace Brook	1
5043	Bateau Take Out	4
5067	Nesowadhunk Falls	5
5042	Nevers Corner	8
5071	Debsconeag Falls	9
5069	Debsconeag Deadwater Boat Site	12
5072	Omaha Beach	11
<b><u>Lunch Sites</u></b>		
5185	Cribworks	51
5045	Horsrace Brook	1
5041	Log Cable Crossing	3
5044	Salmon Point	2
5043	Bateau Take Out	4
5046	Abol Ledge	6
5042	Nevers Corner	8
<b><u>Administrative Lodging</u></b>		
830	Horsrace ranger camp	A
5183	Abol ranger camp	C

## Appendix C

### STANDARDS

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

#### A. Development and Improvement of Administrative Areas

1. Except with the permission of the lessee, no administrative area shall be located within 500 feet of any existing lease granted to a person or other entity, other than the State of Maine.
2. All new structures, campsites, picnic sites, parking areas, and other facilities will be set back a minimum of 100 feet from the normal high water mark of any flowing or standing body of water, and a minimum of 50 feet from any road used for public access, except that remote campsites accessible only by water or trail may be set back a minimum of 25 feet from the normal high water mark.
3. Expansion or enlargement of existing structures, campsites, picnic sites, parking areas, and other facilities will be undertaken in such a manner that setback requirements are met. In those instances where existing structures, campsites, picnic areas and other facilities do not currently meet setback requirements, expansions or enlargements will not decrease or otherwise lessen existing setbacks.
4. Waste dumps will not be permitted at administrative areas without a permit.
5. Timber harvesting around administrative areas will be governed by the timber harvesting standards in the Resource Protection Plan, which prohibit harvesting within 200 feet of such areas.
6. Clearing for trails will be kept to the minimum width necessary for safe passage.

#### B. Sewage Disposal

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

#### C. Roads and Water Crossings

Roads and water crossings shall be constructed and maintained in accordance with the terms of this Plan and the standards set forth in the Resource Protection Plan for the corridor.

#### D. Signs

Signs shall be constructed in accordance with the terms of this Plan and the standards set forth in the Resource Protection Plan for the corridor.

## Appendix D

# PENOBSCOT RIVER CORRIDOR RULES

### BUREAU OF PARKS AND LANDS 04-056 MAINE DEPARTMENT OF CONSERVATION

Chapter 2 - Rules and Regulations for lunch and campsites in the Penobscot Corridor, Lobster Lake and Chesuncook Lake.

The following rules and regulations are established by the Commissioner of the Maine Department of Conservation, pursuant to 12 M.R.S.A., Section 9341, and by the Bureau of Parks and Lands pursuant to 12 M.R.S.A., Section 602, Subsection 3.

#### GENERAL RULES

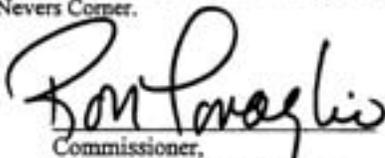
1. **Fees:** resident - \$4.00 per person, per night; nonresident - \$5.00 per person, per night.
2. **Camping** is allowed only at sites designated by the Bureau of Parks and Lands. Parties of more than 12 are restricted to group sites. Authorized campsites are marked and may consist of a number of individual cells, picnic tables, and fireplaces.
3. **Open Fires** are allowed only in fireplaces provided by the Bureau. Camp stoves fueled with sterno, propane or gasoline will be allowed in any safe location.
4. The **cutting** of live trees is prohibited.
5. **Litter:** Trash must be carried out of the area.
6. **Firearms** are not to be discharged on lunch or campsites.
7. **Occupancy** of any one site for more than 7 consecutive nights is prohibited; however, at the end of the 7 night period, the Bureau may authorize an extension on a night to night basis.
8. **Tents, vehicles, trailers, or equipment** must not be left unoccupied on any site more than one night.
9. The **Sandy Point** section of the Horserace Brook camping area is for tents only.
10. Sites must be vacated by noon on the last day of permitted occupancy.
11. **Ice houses** that are placed on Lobster Lake must be removed from the property owned and/or administered by the Bureau of Parks and Lands within (3) three days of the close of the ice fishing season on that lake.
12. **Quiet Time:** Campers are required to be quiet between 10:00 p.m. and 7:00 a.m.

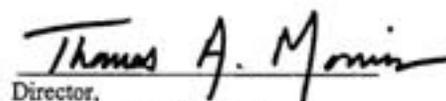
#### GROUP SITES

1. Beginning the first working day in January of each year the Horserace Brook, Salmon Point and Omaha Beach group campsites may be reserved from the Bureau of Parks and Lands on a first come, first served basis. Failure to make use of a reserved campsite may forfeit future reservation privileges, unless reservations are cancelled at least one week in advance of reservation date.
2. Special group lunch sites may be reserved from the Bureau of Parks & Lands at Horserace Brook, Salmon Point, Log Cable Crossing, Bateau Take Out and Abol Ledges.
3. At group lunch sites without privy provided by State, outfitters will provide portable toilets.
4. Occupancy of any group campsite by more than 30 persons is prohibited.

#### ACCESS

1. The launching or retrieving of whitewater craft on the Lower West Branch of the Penobscot River by commercial whitewater outfitters (as defined in 12 M.R.S.A. § 7363) is prohibited, except at sites designated by the Bureau of Parks and Lands. For safety reasons access may be allowed at other locations with prior approval of the bureau. Designated commercial access sites are: McKay Station/G.N.P., Big Ambejackmockamus, Horserace Brook, Bateau Take Out, and Nevers Corner.

  
 Commissioner,  
 Department of Conservation

  
 Director,  
 Bureau of Parks & Lands

6/1/97