

To: Boothbay Planning Board
From: Mark Eyerman
Subject: Timber Harvesting – Option 1 Alternative
Date: March 7, 2019

The updated version of Section 7 includes the Timber Harvesting provisions that the Board agreed to a couple of meetings ago and that we quickly reviewed at the last workshop. I have put together a revised proposal for dealing with Timber Harvesting that tries to move administration and oversight of Timber Harvesting to the state under Option 1 while retaining limited local oversight of harvesting activities in the WPO District. I have no idea if this is acceptable to the state but it does give the Town a starting point for discussions with the state. Here is the proposal:

1. The Timber Harvesting provisions in Section 7.5.17.4.10 in the Shoreland Overlay (SO) District would be deleted from the draft. If this is acceptable to the state, it would give responsibility for Timber Harvesting to the Bureau of Forestry and they would apply the statewide shoreland standards only within the mandated shoreland areas including within 250' of Adams Pond and Knickerbocker Lakes. The balance of the WRP and WRP-27 Districts (250 to 500 feet) would come under the general state timber harvesting regulations. Clearing activities other than Timber Harvesting would still be subject to the clearing and buffering requirements of 7.5.17.4.6.
2. Timber Harvesting would then be removed as a listed use in the Table of Land Uses or as an alternative we could leave it in the Table with N/A in each district and a footnote that says "Timber Harvesting" is regulated by the Bureau of Forestry of the Maine Department of the Department of Agriculture, Conservation and Forestry".
3. Forest Management Activities would also be removed from the Table of Uses
4. We would then remove any timber harvesting related definitions from Section 2. This would include the following:
 - a. Disruption of Shoreline Integrity
 - b. Forest Management Activities
 - c. Forest Stand
 - d. Harvest Area
 - e. Land Management Road
 - f. Residual Basal Area
 - g. Residual Stand

- h. Skid Road
- i. Slash
- j. Timber Harvesting and Related Activities
- k. Windfirm

5. We would then revise Section 7.5.18.4.6 in the WPO District to read:

7.5.18.4.6 Removal of Trees: The removal of trees is subject to the following standards:

Formatted: Indent: Left: 0.5"

7.5.18.4.6.1 Notwithstanding the provisions of the SO District, the cutting or removal of trees within seventy-five (75) feet of a tributary stream is prohibited unless the tree is a hazard or damaged tree or the removal is necessary in conjunction with other allowed activities.

7.5.18.4.6.2 Any property owner proposing to remove trees from an area of more than two (2) acres must submit a plan prepared by a Maine licensed forester to the CEO prior to the start of any work. The plan must clearly outline the Best Management Practices (BMPs), from the current publication Best Management Practices for Forestry – Protecting Maine’s Water Quality, Maine Forest Service, 2017, that will be used to reduce the impacts of the timber harvest on Adams Pond and/or Knickerbocker Lakes.

Formatted: Indent: Left: 0.75"

7.5.18.4.6.3 The CEO will provide the plan to the Boothbay Region Water District in a timely manner before any cutting or removal occurs.

Formatted: Indent: Left: 0.5"

Formatted: Indent: Left: 0.75"

7.5.18.4.6.4 Tree removal activities must adhere to the BMPs set forth in the submitted plan.

Formatted: Indent: Left: 0.5"

Formatted: Indent: Left: 0.75"