

To: Boothbay Planning Board
From: Mark Eyerman
Subject: Timber Harvesting Standards – WPO
Date: February 8, 2019

My February 8, 2019 memo on timber harvesting in the Shoreland Overlay District laid out an outline of an approach for the local regulation of these activities. If the Board decides that continued local regulation of timber harvesting should be proposed as part of the update the ordinance along the lines suggested, the next question is whether this approach should be extended to the balance of the WPO District that is outside of the Shoreland Overlay District (the area of the watersheds of Adams Ponds and Knickerbocker Lakes that are more than 500 feet from the water bodies or along tributary streams.

In my January 3rd memo on timber harvesting I laid out a possible performance standard for timber harvesting in the balance of the WPO that piggybacks on the draft timber harvesting in the SO District. Here is that proposal:

7.5.18.4.6 Timber Harvesting: Timber harvesting within the WPO District is subject to regulation by the Town. If the harvesting is located within the portion of the WPO District that is overlain by the Shoreland Overlay (SO) District, the activity is subject to the requirements and standards for timber harvesting set forth in **7.5.17.4**. If the harvesting is located within the portion of the WPO District that is not overlain by the SO District, the following standards shall apply:

7.5.18.4.6.1 Any property owner proposing to undertake a timber harvesting operation of more than two (2) acres must submit a Forest Harvesting Plan prepared by a Maine licensed forester to the CEO for review and approval. 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.

7.5.18.4.6.2 The CEO will consult with the Boothbay Region Water District during the review of the harvesting plan prior to issuing a timber harvest permit.

7.5.18.4.6.3 The design, construction and maintenance of roads as part of the harvesting operation shall conform to the following standards:

7.5.18.4.6.3.1 Land management roads, including approaches to crossings of stream channels and freshwater wetlands, ditches and other related structures, must be designed, constructed, and maintained to prevent sediment and concentrated water runoff from directly entering the water body. Surface water on

or adjacent to crossing approaches must be diverted through vegetative filter strips to avoid sedimentation of any watercourse.

7.5.18.4.6.3.2 Ditches, culverts, bridges, dips, water turnouts and other water control installations associated with roads must be maintained on a regular basis to assure effective functioning.

7.5.18.4.6.3.3 Maintenance of the water control installations required above must continue until use of the road is discontinued and the road is put to bed by effective installation of water bars or other adequate road drainage structures at appropriate intervals, constructed to avoid surface water flowing over or under the water bar, and extending sufficient distance beyond the traveled way so that water does not reenter the road surface.

7.5.18.4.6.4 Timber harvest activities must adhere to the BMPs set forth in the approved timber harvesting plan.

LAND USE TABLE FOOTNOTE:

Timber Harvesting ¹⁸	
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18 Timber Harvesting within the SO District is subject to the standards of **7.5.17.4**. Timber Harvesting within the WPO District is subject to the standards of **7.5.18.4.6**. Timber Harvesting that is not located within either the SO District or WPO District is not subject to regulation by the Town but may be regulated by the Maine Forest Service.