

Maine's Timber Harvesting Rules



Terri Coolong
District Forester
Maine Forest Service

2 quick definitions

Diameter Breast Height (DBH)

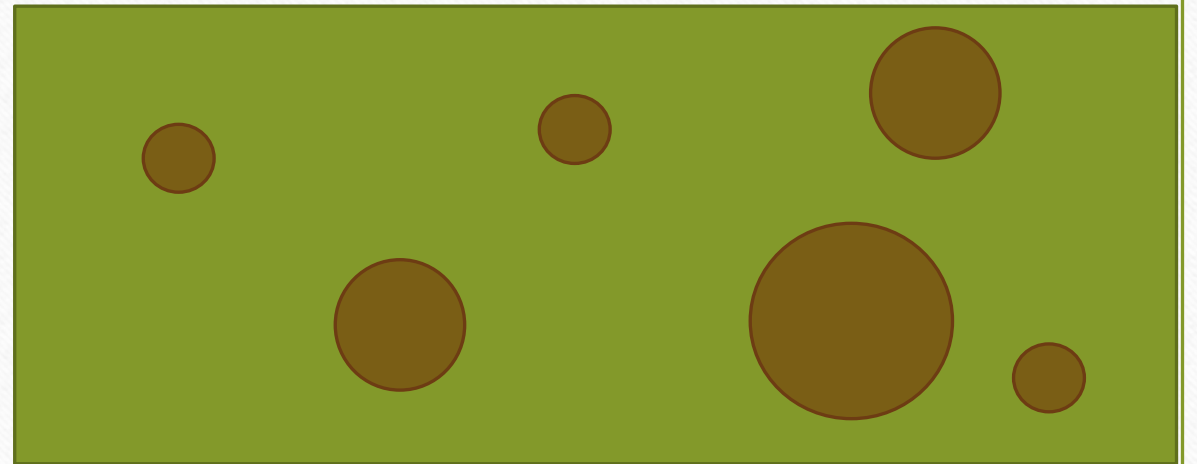
- Measuring the diameter of a tree 4.5' above the ground.
- Merchantable trees are generally 4.5" or larger at DBH

Trees Cut off at 4.5' above ground



Basal Area (BA)

- If all trees in one acre were cut off at 4.5', the resulting area face would be basal area per acre

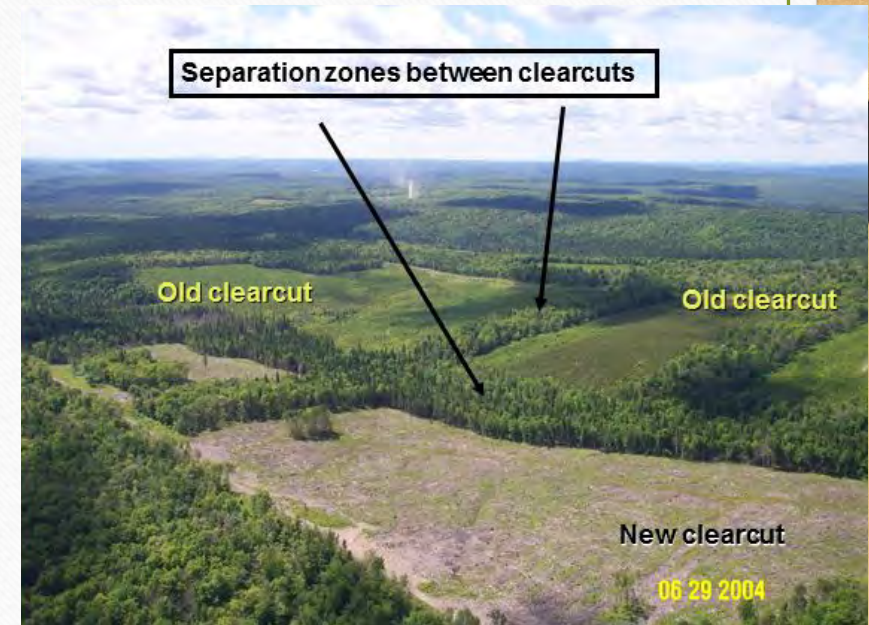


Philosophy

- Maine Forest Service's regulatory philosophy is three-tiered:
 - we seek to prevent violations from happening in the first place through education and outreach;
 - we intervene where we see potential problems and help people comply;
 - and, as a last resort, we take enforcement action.
 - Bear in mind that this presentation is “**RULES LIGHT**”

Forest Practices Act

- Applies Statewide
- Governs the size, location and regeneration of clearcuts
- Openings of less than 5 acres are considered patches, not clearcuts
- Promotes clean water by creating buffer zones around clearcuts



Regulations are more strict with increasing clearcut size

- Category 1: 5-20 acres
 - separated from other clearcuts by 250' strip of non-clearcut land, with 30 ft² BA <4.5" DBH
- Category 2: 21-75 acres
 - separated from other clearcuts by at least 250' strip equal in size to clearcut, with 40 ft² BA <4.5"
 - Harvest plan
- Category 3: 76-250 acres
 - Separated from other clearcuts by 250' strip equal in size to clearcut
 - 40 ft² BA <4.5" DBH
 - Harvest plan
 - Prior approval by MFS
- No clearcuts larger than 250 acres

Forest Operations Notifications

- All timber harvesting activities covering more than 2 acres MUST be notified to the state.
- Must be signed by landowner, harvester, and, if employed by the forester
- Addresses activities within shoreland zones of the state, including water crossings and harvesting, land conversions
- Triggers visits by Forest Rangers, a Landowner Report at the end of the calendar year.

Harvesting Around Water Bodies

- 3 different sets of rules for different areas of the state
- Statewide Standards For Timber Harvesting and Related Activities in Shoreland Areas (SWS) applies in organized towns that have adopted the rule
- Chapter 27 applies to unorganized or de-organized towns
- Mandatory Shoreland Zoning Act (MSZA) applies in organized towns that have not adopted SWS (option 3)

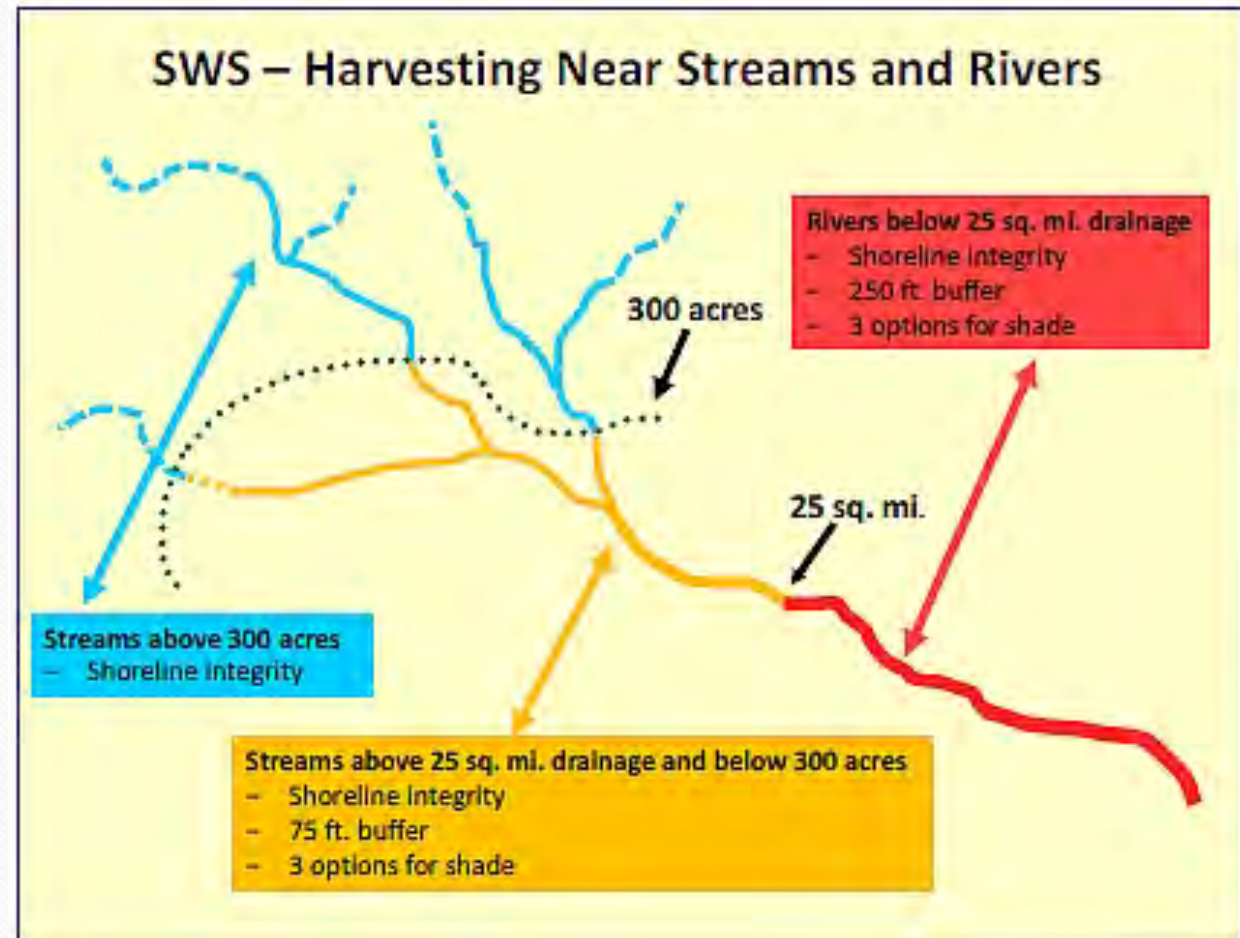
SWS

(Applies in towns which have adopted the rules)

- These rules apply to timber harvesting activities near streams, lakes, ponds or wetlands, or when building logging roads near or across the above.
- They DO NOT apply to clearing for land development
- MFS encourages towns to adopt SWS

Rules Apply

1. Adjacent to all streams, most ponds and wetlands, **Shoreline Integrity Must Be Protected**
2. Within 75' of streams that drain between 300 acres and 25 square miles
3. Within 250' of many lakes, ponds, rivers, streams and non-forested wetlands, as well as all tidal waters



Within the buffered zones

75' Buffer

- Well distributed, windfirm stand
- NO cleared openings
- 3 options for compliance:
 - 40% volume removal
 - 60 ft² BA residual
 - Outcome based

250' Buffer

- Well distributed, windfirm stand
- Cleared openings <14,000 ft² between 75' and 250'
- Same 3 options for compliance

Harvesting in Un(De)-organized towns

MFS Chapter 27

- Timber harvesting, land management roads, water crossings, gravel pits less than 5 acres
- Located in
 - Management subdistricts
 - Protection subdistricts

LUPC Chapter 10

- Timber harvesting, land management roads, water crossings, gravel pits less than 5 acres
- All gravel pits over 5 acres
- Located in all other districts

Chart which shows areas of responsibility in the Un(De)-organized areas

Key at the bottom shows what agency is responsible for which
activity in which zone

Permit Requirements by Subdistrict and Activity

Subdistrict	ACTIVITY		
	Harvesting and Skid Trail Crossings	Roads and Crossings	Gravel Pits < 5 acres
P-SL1	S27	M	P
P-SL2	S27	S27	P
P-GP	S27	M	M
P-WL	S27	P	S27
P-FW	F	F	M
P-RR	P	P	P
P-MA	M	M	N
P-FP	S27	M	M
P-RP	S27	S27	AP
P-RT	M	M	P
P-SG	M	M	M
P-AL	S27	M	M
P-AR	S27	M	M
P-UA	M	M	M
D-RS	L	L	N
D-RF	L	L	N
D-PD	L	P	AP
D-GN	L	L	N
D-PR	L	L	AP
D-CI	L	L	L
D-MT	N	N	N
M-GN	S27	S27	S27
M-HP	S27	S27	S27
M-NC	S27	S27	S27

A list of the full subdistrict names can be found in Appendix B on
page 126.

Key to Codes

S27	Chapter 27 Standards	P	Permit in Some Cases
M	MFS Permit	L	LUPC permit
F	Consult with IF&W	AP	Refer to LUPC Approved Plan
N	Not Allowed		

MSZA

- Applies in towns that have not adopted SWS
- Enforcement is by the individual towns and Department of Environmental Protection (DEP), not MFS
- Municipalities can adopt more restrictive standards than those set in this law, so shoreland zoning requirements are NOT the same in every town

MSZA applies:

(Beware: Town may choose to zone additional areas)

- within 250' of:
 - Great ponds (>10 acres)
 - Rivers
 - Tidal waters, coastal wetlands
 - Non-forested freshwater wetlands >10 acres (often zoned Resource Protection, Limited Residential or General Development)
- within 75' of streams below the outlet of a great pond



Figure 3: Shoreland zoning requirements including zone width. Diagram provided by DEP.

Natural Resources Protection Act (NRPA)

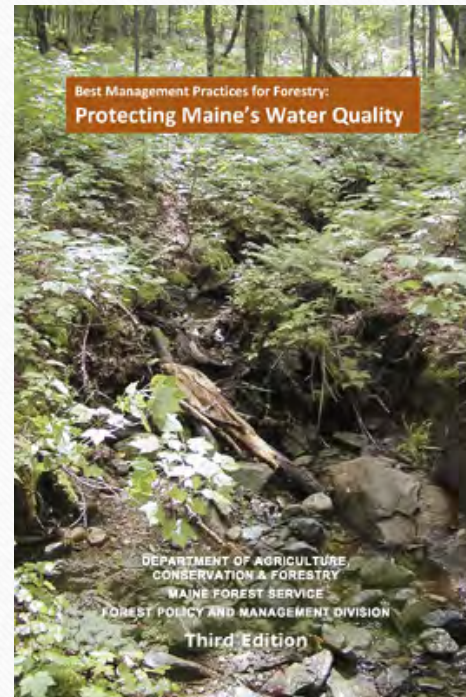
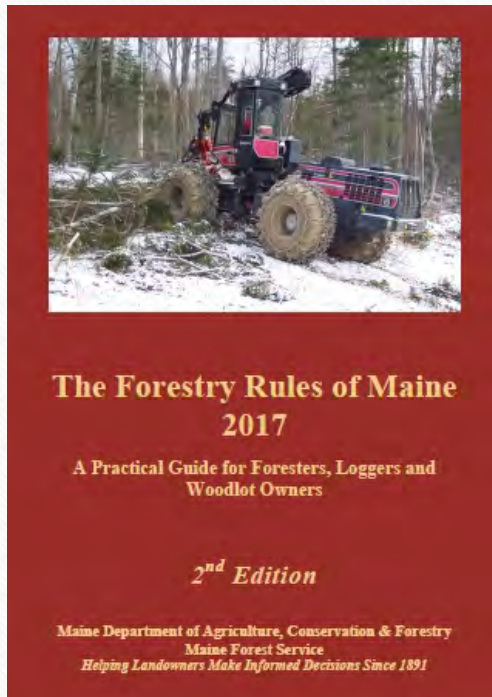
- Regulates activities in and adjacent to Protected Natural Resources
- Enforcement generally DEP but MFS and LUPC have regulatory role in unorganized towns
- Timber harvesting is exempt from NRPA, but several associated activities require permits. MFS issues the permits by rule (PBR) in ALL towns, org or unorg
 - Activity within Protected Natural Resource
 - Permanent stream crossings
 - Earth disturbing activities

Best Management Practices (BMPs)

- A program of the MFS to protect water quality on the job
- Recommended procedures that when used appropriately will result in the greatest protection of the environment over the course of a forestry harvesting operation
- Whole manual outlining specific procedures during all phases of a job

For More Information

http://www11.maine.gov/dacf/mfs/policy_management/district_foresters.html



- Call any District Forester (BMP or Forestry Rules)
- Call Tom Gilbert (BMP) 287-1073

