

**A Brief Introduction to the  
*Forestry Rules of Maine***

**NERCOFE 2015**



# The Forestry Rules of Maine 2014

**A Practical Guide for Foresters, Loggers and  
Woodlot Owners**

**The Maine Forest Service**  
*Helping Landowners Make Informed Decisions Since 1891*

# Presentation Topics

- **Disclaimer**
- **MFS regulatory philosophy**
- **Purpose of the book**
- **The book team**
- **Key features of the book**
- **List of sections**
- **Sample rule**
- **Sample tables from appendix**
- **MFS distribution policy**

# Book Disclaimer

- **The *Forestry Rules of Maine* does not contain any complete or actual forestry laws and rules.**
- **For complete laws and rules, follow the web links listed in the book or contact the appropriate regulatory agency.**

# **Maine Forest Service Regulatory Philosophy**

- **Three Tiered Approach:**
  - **To prevent violations through education and outreach.**
  - **To intervene with potential problems and help people comply.**
  - **To take enforcement action as a last resort.**

# Purpose of the Book

- **To help foresters, loggers, and landowners understand the forestry laws and rules. This is achieved through:**
  - **An easy to use format**
  - **Clear summaries of the laws and rules**
  - **Directions to get additional information**
  - **A listing of agency contacts**
- **To increase the likelihood of compliance when harvesting timber.**

# **The Rule Book Team**

- **A collaborative effort between MFS and the forestry community.**
- **The MFS team included foresters, rangers, and GIS experts.**
- **The outside review team included:**
  - **Dr. Jeffrey Benjamin – The University of Maine**
  - **Ted Shina – Huber Resources**
  - **Pat Sirois – ME SFI**
  - **Brian Souers – Owner Treeline, Inc.**

# Key Features of the Book

- **Planning checklist**
- **Eight sections on regulations**
  - Ex. Water Quality
- **List of agencies and contact info.**
- **Links for additional information**
  - Ex. Zoning maps
- **Useful tables in appendices**
- **MFS Forester map on back cover**
- **Consistent format**



# Harvest Planning Checklist

The checklist below is provided to help landowners, loggers and foresters in Maine navigate the state laws and rules that pertain to timber harvesting. This checklist does not cover local ordinances or federal regulations, and should be used as a guide only. Always check with the code enforcement officer in organized towns prior to beginning harvest operations to ensure compliance with all local ordinances.

1. Are the boundary lines of the parcel accurately marked prior to harvest? If No, see page 54.
2. Has a Forest Operations Notification (a.k.a. Intent to Harvest form) been completed and mailed to the Maine Department of Agriculture, Conservation and Forestry prior to harvest? If No, see page 39.
3. Will harvesting be within 250 feet of any water body?  
If Yes and in an organized town, see pages 11 and 20. If Yes and in an unorganized town, see page 28.
4. Will a permanent water crossing be needed to access the harvest area? If Yes and in an organized town, see pages 11 and 26. If Yes and in an unorganized town, see page 28.
5. Is the property enrolled in the Tree Growth Tax program? If Yes, see page 94.
6. Does the landowner own less than 100 acres in the state of Maine? If Yes, skip 7 and 8 below.
7. Has the landowner owned this property for less than five years? If Yes, see page 46.
8. Will the harvest contain any clearcuts? If Yes, see page 42.
9. Are there any state listed threatened or endangered species or critical habitats in the proposed harvest area? If Yes, see page 89.

# **The Rule Book Sections**

- 1. Water Quality**
- 2. FONs, Clearcutting, and Liquidation**
- 3. Forest Protection, Access, and Boundary Lines**
- 4. Licensing, Measurements, Transportation, and Quarantines**
- 5. Wildlife**
- 6. Tax Programs and Liability**
- 7. Change of Use**
- 8. MFS Recommendations**

# Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas (SWS)

## Introduction

This rule regulates timber harvesting and related activities near and adjacent to water bodies in many organized towns. The enforcement of this rule is done by the Maine Forest Service (MFS), often in cooperation with the individual towns.



Photo: Maine Forest Service

## Proper Name of the Rule

Maine Forest Service – Chapter 21

Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas

## Where Does This Rule Apply?

Many of the organized towns in Maine have adopted these rules. The current list of towns can be found at

[www.maine.gov/dacf/mfs/policy\\_management/water\\_resources/sws/sws.html](http://www.maine.gov/dacf/mfs/policy_management/water_resources/sws/sws.html)

## **When Does This Rule Apply?**

When harvesting timber near streams, lakes, ponds or wetlands, or when building logging roads near or across streams, lakes, ponds, or wetlands. *These rules do not apply to clearing land for development.*

## **What Agency Can Provide Assistance With This Rule?**

Contact the Maine Forest Service at [www.maineforestservice.gov](http://www.maineforestservice.gov), [forestinfo@maine.gov](mailto:forestinfo@maine.gov) or (207) 287-2791.

## **Where is the Complete Rule Located?**

[www.maine.gov/dacf/mfs/policy\\_management/water\\_resources/sws/sws.html](http://www.maine.gov/dacf/mfs/policy_management/water_resources/sws/sws.html)

## **Brief Overview**

### **A. Key definitions:**

1. Stream Channel: Has defined banks, a lack of terrestrial vegetation or a bed, and is connected to other water bodies.
2. Great Pond: Any natural inland body of water greater than 10 acres and any man-made body of water greater than 30 acres.

### **B. SWS for timber harvesting apply to the following areas:**

1. Adjacent to all streams, and most ponds and wetlands, **shoreline integrity must be protected.**
2. Within 75 feet of streams that drain between 300 acres and 25 square miles (see Figures 1 and 2).
3. Within 250 feet of many lakes, ponds, rivers, streams, and non-forested wetlands as well as all tidal waters (see Figures 1 and 2).

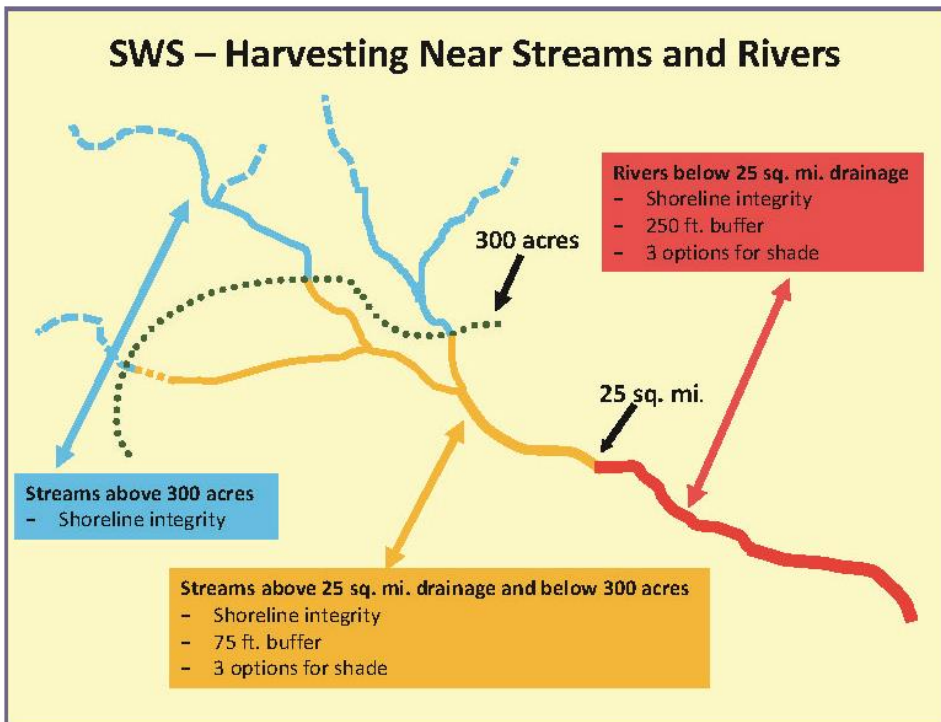


Figure 1: Harvesting rule summary by drainage area for towns that have adopted Statewide Standards.

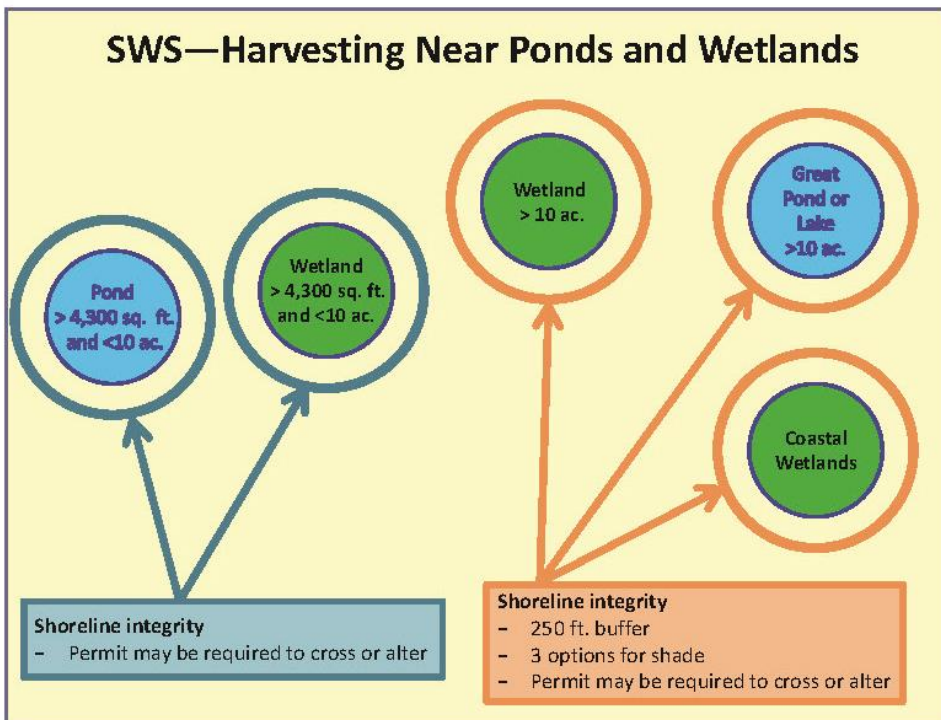


Figure 2: Harvesting rule summary for ponds and wetlands for towns that have adopted Statewide Standards.

*Diagrams are for informational purposes only. In case of discrepancy the written rule shall govern.*



***The Forestry Rules of Maine is intended to increase compliance and reduce negative impacts to Maine's natural resources.***

# Appendix A. Sample Trip Ticket

## TRIP TICKET

**Forest Operations Notification #:** \_\_\_\_\_

**Scale slip #:** \_\_\_\_\_

**Landowner:** \_\_\_\_\_

**Date wood hauled:** \_\_\_\_\_

**Town (origin of harvest):** \_\_\_\_\_

**Name of contractor:** \_\_\_\_\_

**Cutting crew (names):** \_\_\_\_\_

**Name of hauler:** \_\_\_\_\_

**Destination of Wood:**

**Town:** \_\_\_\_\_

**Customer name:** \_\_\_\_\_

**Certification:** *I certify that the information in this trip ticket is true, correct and complete:*

\_\_\_\_\_  
**Trucker's signature**

\_\_\_\_\_  
**Printed name**

## Appendix D. Culvert Sizing Tables

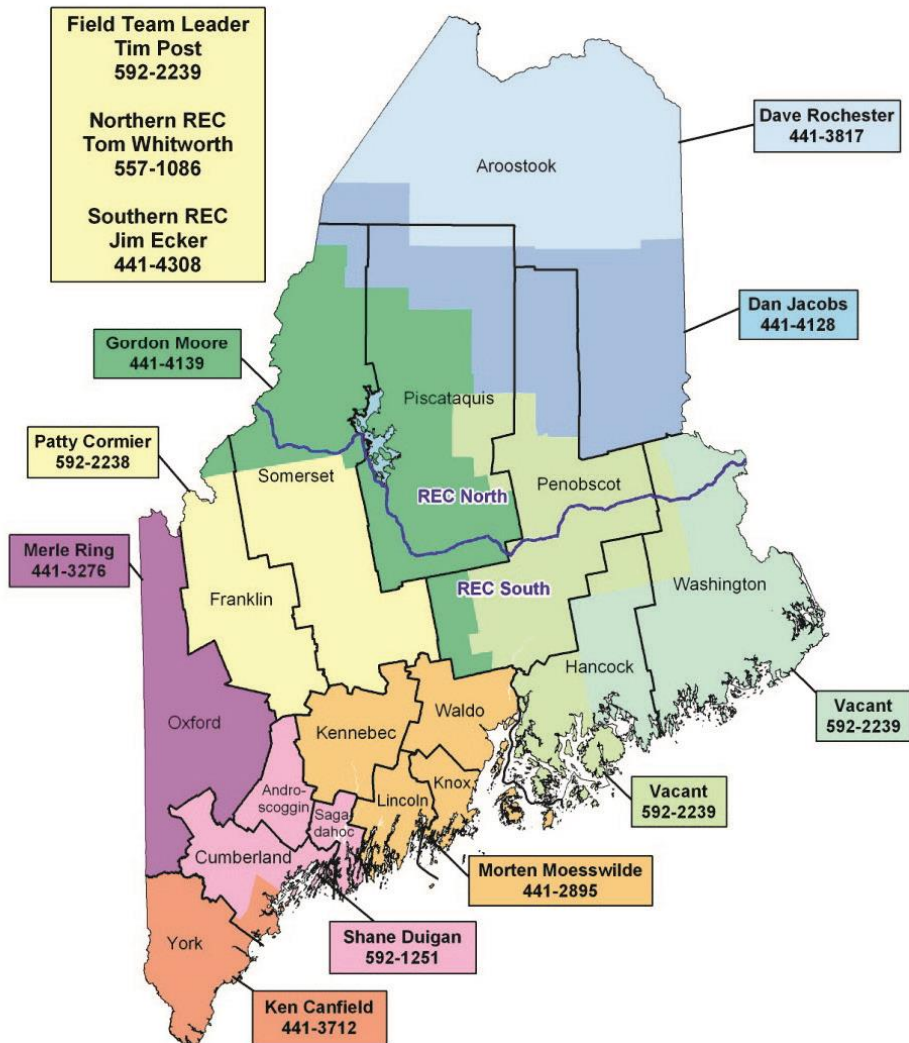
<b>10-year Flood</b> Crossing Opening Size (square feet)				
Stream Width*	Average Stream Depth*			
feet	0.5	1.0	1.5	2.0
1	1.25	2.50	3.75	5.00
2	2.50	5.00	7.50	10.00
3	3.75	7.50	11.30	<b>15.00</b>
4	5.00	10.00	<b>15.00</b>	<b>20.00</b>
5	6.25	12.50	<b>18.80</b>	<b>25.00</b>
6	7.50	<b>15.00</b>	<b>22.50</b>	<b>30.00</b>

\* At normal high water mark.  
**Bold:** Bridges, arches, or multiple pipes may be preferred on these larger streams

Table 3: Opening size at 2.5X the cross sectional area of stream. Copied from the MFS "BMP Manual"



# Maine Forest Service Professional Forester Field Team



**Do you have questions about the forestry regulations?** The Maine Forest Service provides free advice to help you understand the laws and rules. The following link can be used to find your district forester:  
[http://www.maine.gov/dacf/mfs/policy\\_management/district\\_foresters.html](http://www.maine.gov/dacf/mfs/policy_management/district_foresters.html)

# **Distribution Policy**

- **Free individual copies from MFS Foresters and RECs**
- **Free copies at many workshops including CLP and Stewardship Forester training sessions**
- **Multiple copies must be ordered through Augusta MFS office at \$3 per copy.**

# **For Books or More Information**

**Contact your local District Forester or  
Regional Enforcement Coordinator**

**or**

**The Department of Agriculture,  
Conservation, and Forestry**

**The Maine Forest Service  
22 State House Station  
Augusta, ME 04333  
207-287-2791**