

# MAINE STATE LEGISLATURE

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L.D. 2179

2 DATE: *March 22, 2002* (Filing No. S-485)  
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10 **STATE OF MAINE**  
**SENATE**  
12 **120TH LEGISLATURE**  
**SECOND REGULAR SESSION**

14 SENATE AMENDMENT "A" to H.P. 1679, L.D. 2179, Bill, "An Act  
16 Regarding the Clearing of Vegetation in Areas Adjacent to  
Protected Natural Resources"

18 Amend the bill by striking out all of sections 4 and 5 and  
20 inserting in their place the following:

22 'Sec. 4. 38 MRSA §480-Q, sub-§7-A, as amended by PL 2001, c.  
24 431, §6, is further amended to read:

26 **7-A. Forestry.** Forest management activities, including  
associated road construction or maintenance, in or adjacent to an  
existing forested wetland, or a harvested forested wetland or  
28 adjacent to a protected natural resource pursuant to section  
480-C, subsection 1, paragraphs A and B, as long as:

30 A. The activity results in a forest stand that meets the  
32 minimum stocking requirements in rules adopted pursuant to  
Title 12, section 8869. This requirement takes effect when  
34 those rules are adopted;

36 B. The activity meets ~~permit--by--rule~~ permit-by-rule  
standards in rules adopted pursuant to this article, for any  
38 road crossing of a river, stream or brook, or for any soil  
disturbance adjacent to ~~a great pond, river, stream or brook~~  
40 a protected natural resource pursuant to section 480-C,  
subsection 1, paragraphs A and B and the commissioner is  
42 notified before the forest management activity commences;

44 C. The ~~forested-wetland~~ protected natural resource is not  
46 mapped as a significant wildlife habitat under section  
480-I; and

**SENATE AMENDMENT**

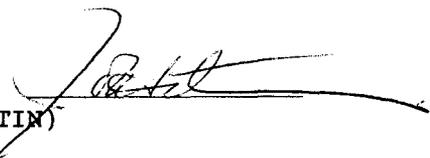
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2 D. Any road construction is not used to access development  
3 but is used primarily for forest management activities,  
4 unless the road is removed and the site restored to its  
5 prior natural condition. Roads must be the minimum feasible  
6 width and total length consistent with forest management  
7 activities. This exemption does not apply to roads that  
8 provide access to development in a subdivision as defined in  
9 Title 30-A, section 4401, subsection 4, for the organized  
10 portions of the State, or Title 12, section 682, subsection  
11 2-A, including divisions of land exempted by Title 12,  
12 section 682-B, for portions of the State under the  
13 jurisdiction of the Maine Land Use Regulation Commission;'

14 Further amend the bill by relettering or renumbering any  
15 nonconsecutive Part letter or section number to read  
16 consecutively.

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20 **SUMMARY**

21 This amendment deletes the proposed forestry exemption that  
22 references "rules containing statewide standards for timber  
23 harvesting in shoreland areas administered by the Department of  
24 Conservation, Marine Forest Service" since those rules were not  
25 approved by the Legislature. The amendment also reinstates the  
26 current forestry exemption and broadens it to apply to activities  
27 adjacent to any protected natural resource except for significant  
28 wildlife habitat so that cutting of vegetation in those areas  
29 will not be regulated under this law. Forest management  
30 activities that qualify for this exemption will still be required  
31 to meet permit-by-rule standards for stream crossing and soil  
32 disturbance adjacent to a great pond, river, stream or brook.

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36 SPONSORED BY:   
37 (Senator MARTIN)

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39 COUNTY: Aroostook

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