

General Standards for Vegetation Clearing

**Maine
Land Use Planning Commission**



Department of Agriculture, Conservation and Forestry
Maine Land Use Planning Commission
22 State House Station
Augusta, Maine
04330-0022

Why Have Clearing Standards?

Maintaining natural shoreland vegetation is necessary to protect water quality, wildlife, and the natural beauty of Maine's shoreland areas. Natural vegetative buffers prevent sediments and nutrients, such as phosphorous, from washing into lakes and rivers. A small increase in the concentration of phosphorous in a lake can result in a noticeable decrease in the lake's water quality. In addition, valuable habitat is lost and wildlife is disturbed with the loss of shoreland vegetation.



When do Clearing Standards Apply?

The clearing standards outlined in this brochure apply to vegetation clearing for any purpose other than road construction, road reconstruction and maintenance, wildlife or fishery management, forest management, agricultural management, public trailered ramps or hand-carry launches.

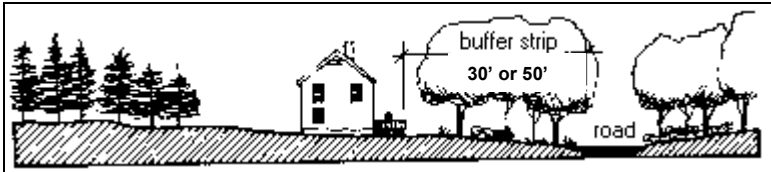
Where Do Clearing Standards Apply?

Clearing standards apply in both **vegetative buffer strips** and in **shoreland zones**.

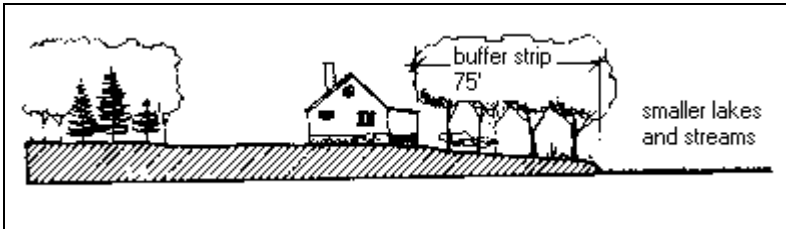
Vegetative Buffer Strips

Vegetative buffers strips consist of areas within:

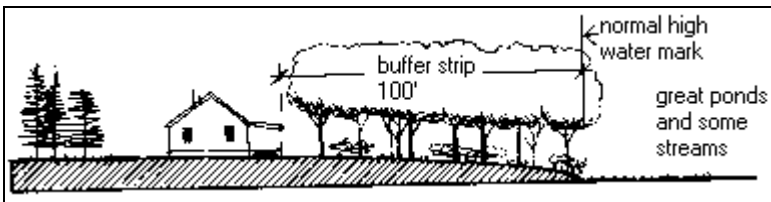
- 30 ft of the right of way of public roads (D-GN, D-RS)
- 50 ft of the right of way of public roads (other subdistricts)



- 75 ft of the normal high water mark of any lake or pond less than 10 acres in size, any coastal wetland, or streams draining less than 50 square miles



- 100 ft of the normal high water mark of a lake or pond 10 acres or greater in size or rivers or streams draining 50 square miles or more



Cleared Openings in Vegetative Buffer strips

Within a vegetative buffer strip, there must be no cleared opening greater than 250 square feet in the forest canopy as measured from the outer limits of the tree crown. However, a footpath is permitted provided it does not exceed six feet in width as measured between tree trunks and it has at least one bend in its path to divert channelized runoff.

Selective Cutting in Vegetative Buffer Strips

Selective cutting of trees within a vegetative buffer strip is permitted provided that a well distributed stand of trees and other vegetation is maintained. The definition of a well distributed stand of trees differs depending on the location of the buffer strip.

- Buffer strips adjacent to a lake or pond 10 acres or greater in size: a well distributed stand of trees is defined as maintaining a *rating score of 24* or more per 25 x 50 foot rectangular area.
- Buffer strips adjacent to all other water bodies and public roadways: a well distributed stand of trees and other vegetation is defined as maintaining a *rating score of 16* or more per 25 x 50 foot rectangular area.

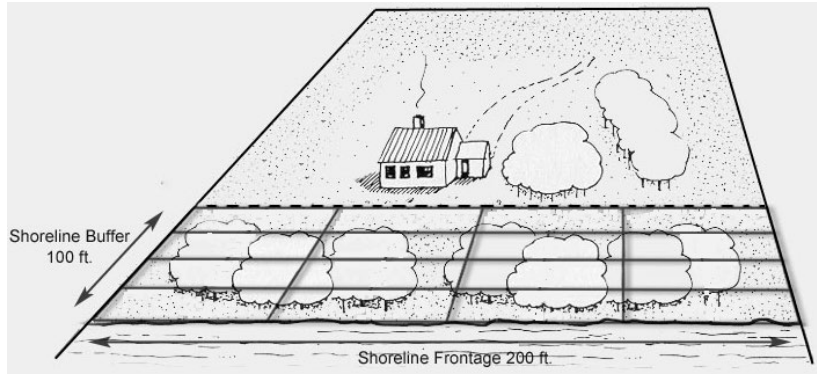
Points are calculated based on the rating system described in the table below.

Rating System

Diameter of Tree at 4-1/2 feet above ground level (inches)	Points
2.0 to 4.0	1
4.0 to 8.0	2
8.0 to 12.0	4
>12.0	8

Establishing Plots in the Vegetative Buffer Strip

Plots are established to determine if the buffer strip contains the required points. The 25 by 50 foot plots must be established where the landowner or lessee proposes clearing within the required buffer. Each successive plot must be adjacent to but not overlap a previous plot.



Laying Out Plots

1. Start at the intersection of one of the side property lines and the shoreline.
2. Establish the first plot so that two sides of the rectangle are parallel to the shoreline.
3. Build all other plots off this starting plot.

Note:

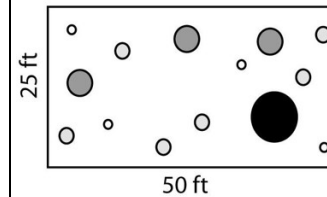
A partial plot should contain a percentage of the required points equal to the percentage of the plot that is represented.

Counting Points in a Plot

KEY		
symbol	tree diameter	points
○	2" - 4"	1
◊	> 4" - 8"	2
●	> 8" - 12"	4
●	> 12"	8

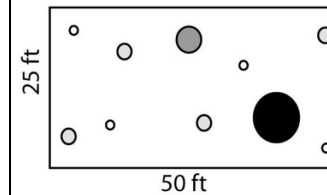
Below is an example of a plot within a vegetative buffer strip adjacent to a standing body of water 10 acres or greater in size. The plot must retain at least 24 points after selective cutting.

Original Plot



The original plot contains:
 4 trees x 1 point = 4 points
 6 trees x 2 points = 12 points
 3 trees x 4 points = 12 points
 + 1 tree x 8 points = 8 points
36 total points

Plot after selective clearing



After selective clearing the plot contains:
 4 trees x 1 point = 4 points
 4 trees x 2 points = 8 points
 1 tree x 4 points = 4 points
 + 1 tree x 8 points = 8 points
24 total points

Note:

- Any plot not containing the required points cannot have vegetation removed except as otherwise allowed by these rules.
- Where conditions permit, no more than 50% of the points on any 25 x 50 foot rectangular plot may consist of trees greater than 12 inches in diameter.

Retaining Other Natural Vegetation in Plots

Existing vegetation under 3 feet in height and other ground cover must be retained. In addition, retain at least 5 saplings less than 2 inches in diameter at 4 ½ feet above ground level for each 25-foot by 50-foot rectangular plot. If 5 saplings do not exist, the landowner or lessee may not remove any woody stems less than 2 inches in diameter until 5 saplings have been recruited into the plot.

Total Volume Removal in Vegetative Buffer Strip

In addition, no more than 40% of the total basal area of trees 4 inches or more in diameter, measured at 4 ½ feet above ground level, may be removed in any ten year period.

Pruning in the Vegetative Buffer Strip

Pruning of tree branches is prohibited, except on the bottom 1/3 of the tree provided that tree vitality will not be adversely affected.



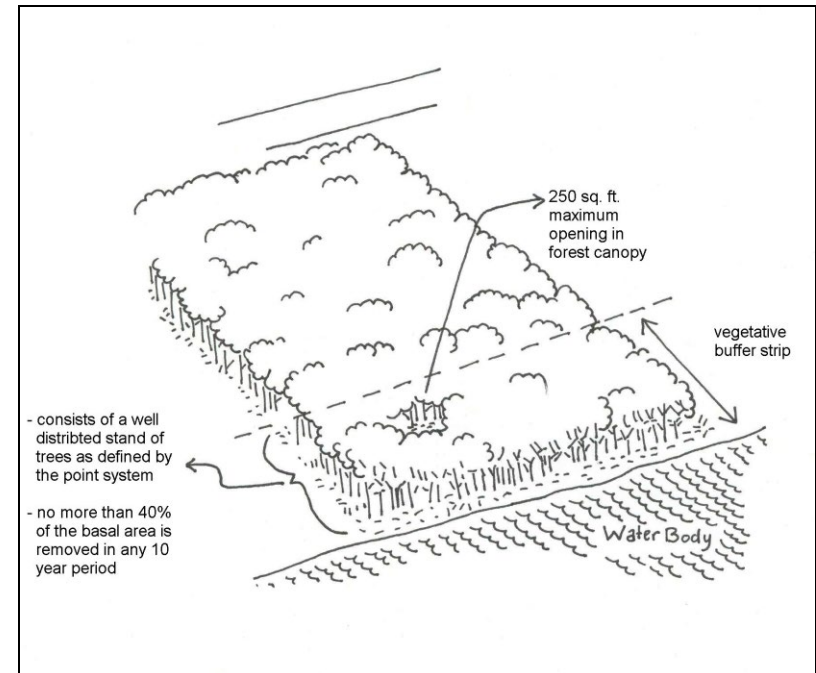
Storm Damaged or Diseased Trees within Vegetative Buffer Strip

Within vegetative buffer strips, when the removal of storm-damaged, diseased, unsafe, or dead trees results in the creation of cleared openings in excess of 250 square feet, these openings must be replanted with native tree species.

Summary of Limitations to Clearing in Vegetative Buffer Strips

To be in compliance with the rules and regulations pertaining to vegetative buffer strips, **all** of the following conditions must be met. The landowner or lessee:

- 1 Must not remove more than 40% of the basal area in any 10 year period.
- 2 Must maintain a well distributed stand of trees according to the point system.
- 3 Must not create openings in the forest canopy greater than 250 square feet.

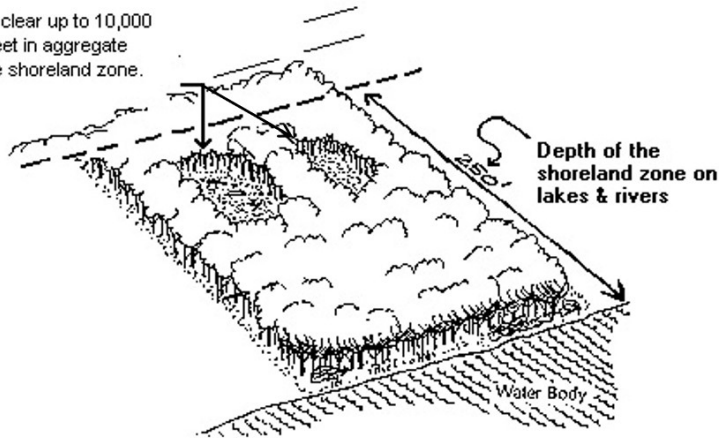


The Shoreland Zone

In addition to vegetative buffer strips, the shoreland zone consists of areas within 250 feet of all lakes and ponds greater than 10 acres in size and the full depth of a P-AL zone.

Within the shoreland zone, including areas greater than 100 feet from the water, no more than 40% of the total basal area of trees four inches or more in diameter, measured at 4 ½ feet above the ground level, may be removed in any ten-year period. In no instance can cleared openings exceed, in the aggregate, 10,000 square feet, including land previously cleared.

You may clear up to 10,000 square feet in aggregate within the shoreland zone.



Existing Cleared Openings

Cleared openings legally in existence as of June 7, 1990 may be maintained but may not be enlarged except as permitted by these regulations.

Additional Information

There are certain circumstances when revegetation is required within a vegetative buffer; for example, if many diseased trees are removed or the vegetation clearing standards have been exceeded without a permit. In these cases, a revegetation plan may be required and specific standards in the Commission's Chapter 10 rules, section 10.27,B, must be met. The revegetation plan will help to prevent erosion, protect water quality, and retain the natural beauty of the shoreline. Contact the LUPC regional office, if you have any questions.

Questions?

If you have questions, please contact the office serving your area.

<p>Main Office Augusta, Maine Tel. (207) 287-2631</p>	<p>Moosehead Region Serving Somerset County and the majority of Piscataquis County Tel. (207) 349-0941 or (207) 557-2874</p>
<p>Northern Region Serving Aroostook County northwest of Interstate 95, Northern Penobscot, and Piscataquis Counties Tel. (207) 435-7970</p>	<p>Western Region Serving Franklin and Oxford Counties Tel. (207) 670-7492 or (207) 670-7493</p>
<p>Downeast Region Serving Hancock, Knox, and Lincoln Counties; portions of Penobscot, Piscataquis, and Washington Counties; and unorganized coastal islands Tel. (207) 592-4448 or (207) 215-4685</p>	<p>Eastern Region Serving Southern Penobscot and Southern Aroostook Counties, Northern Washington County, and a portion of Piscataquis County* Tel. (207) 485-8354 or (207) 399-2176</p>

* T1 R9 WELS, T1 R10 WELS, T2 R9 WELS, and T2 R10 WELS, Piscataquis County, are served by the Eastern Office.