CHAPTER 10

LAND USE
COMPREHENSIVE PLAN

PENOBSCOT NATION
COMPREHENSIVE PLAN
AS ADOPTED
DECEMBER 1994

PENOBSCOT NATION COMPREHENSIVE PLAN

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CHAPTER 1. INTRODUCTION

Mother Earth is the center of Native American culture. Native people have a reverence for the land which supports not only animals, trees and plants but provides the PEOPLE with physical and spiritual nourishment as well as aesthetic sustenance. Our people live in harmony with Mother Nature while still utilizing the land, plants and animals. The bounty of Mother Earth can be used but not exploited.

Current use of our lands have changed with the times but the basic reverence is still there. We no longer need to depend on the land for everyday existence. While land is still an integral part of our culture, it has become a symbol of autonomy as well as providing the means for hunting, gathering, recreational and spiritual purposes. While individual people may express their beliefs differently, there still exists a common sensitivity, reverence and unique bond to the land.

The decisions we reach concerning the use of our land will affect our children and their children through eternity. Our land use laws should not only manage, regulate and protect our lands but reflect the inherent cultural, traditional and aesthetic values of the people. We must balance the demands of a modern world, the principles of modern management practices with the traditions and values of our people.

The Purpose of This Plan

The purpose of this Plan is to establish a 10-year Comprehensive Plan for the use of the Penobscot Nation's Trust Land and provide a basis for the development, adoption and administration of a Land Use Ordinance to govern the use of the Nation's Trust Land. This Plan is an outgrowth of, and incorporates provisions of, a Forest Management Plan which was adopted by the Penobscot Nation in 1990, and to a lesser extent, an Economic Development Plan which was adopted by the Penobscot Nation in the mid-1980's. This Plan was drafted by the Penobscot Nation Land Committee, with assistance from Maine Tomorrow through funding provided by the U.S. Forest Service and the U.S. Environmental Protection Agency.

Historical Perspective

The Penobscot Indians have inhabited the woods and waters of what is now called Maine for more than 10,000 years. Map 1-1 shows that the traditional lands of the Penobscot ranged over a wide area encompassing several parcels of current ownership.

The Penobscot Nation has been documented as the oldest, continuously operated government in America. An unbroken succession of Chiefs and Governors has governed the Penobscot Nation since long before the first contact with Europeans in the

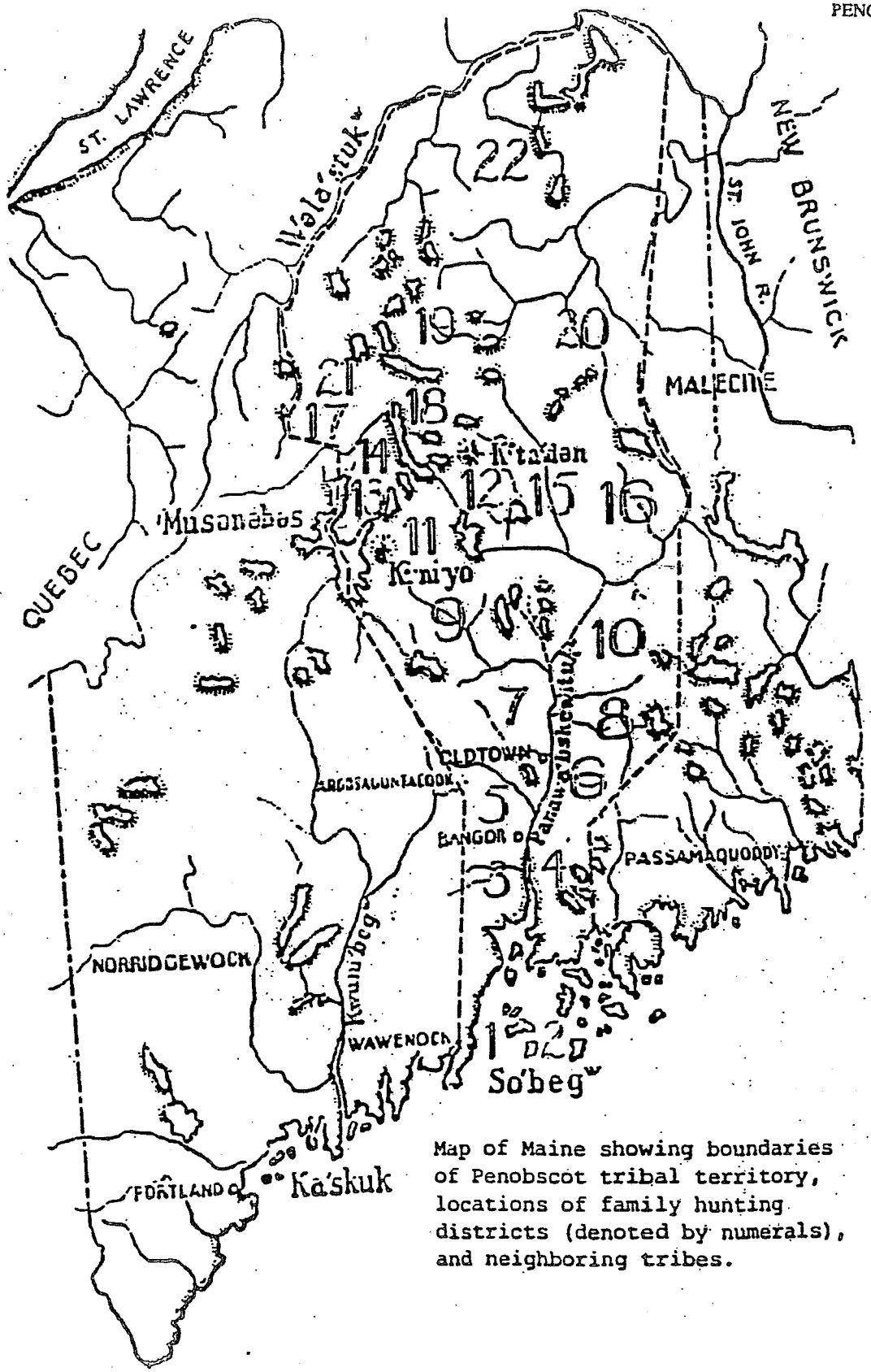
16th century. The Penobscot Nation has endured a turbulent history of wars and epidemics which reduced the Nation's population from an estimated 3,000-6,000 people in the early 1600's to a low of 277 members in 1822. According to the 1993 Tribal Census, there are 2,033 Tribal Members.

In the 1950's, Penobscot Governor Albert Nicola hired a lawyer to research land claims. This initial research set in motion the Indian Land Claims actions of the 1960's and 1970's which culminated in the passage of the 1980 Maine Indian Claims Settlement Acts by the United States and Maine State Governments.

Under the provisions of the Maine Indian Claims Settlement Act, a Maine Indian Claims Land Acquisition Fund was established at the federal level. The Act provided that $28,800,000 was to be held in Trust for the Penobscot Nation for the purpose of acquiring land or natural resources. The Act provided that the first 150,000 acres acquired for the Penobscots within the area described in the Maine Implementing Act as eligible for inclusion as Penobscot Indian Territory would be held in trust by the United States for the benefit of the Nation. As of this date, approximately 56,000 acres is now held in trust by the United States for the Penobscot Nation. Map 1-2 shows the location of current Trust Lands.

MAP 1-1

TRADITIONAL LANDS OF PENOBSCOTS

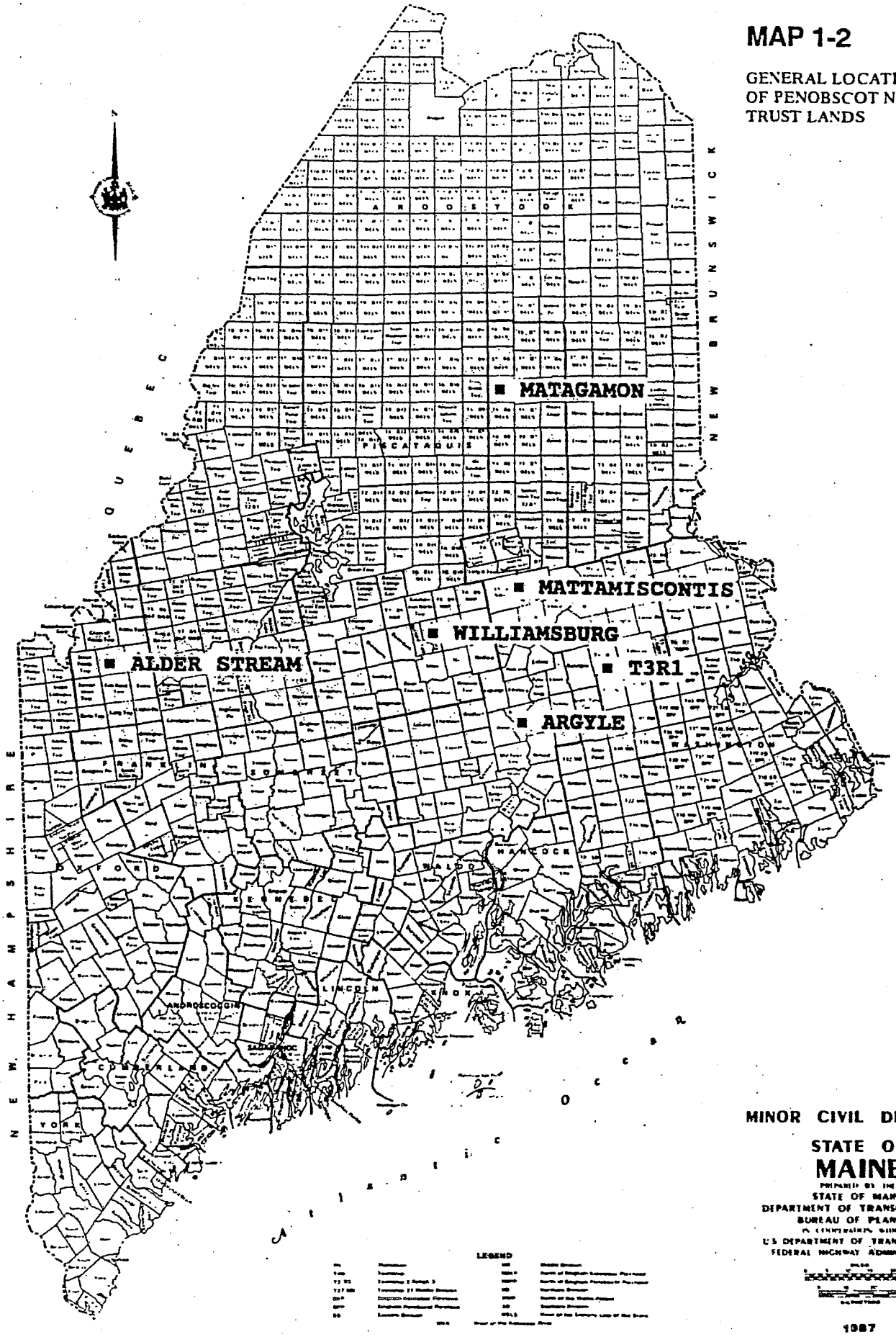


Map of Maine showing boundaries of Penobscot tribal territory, locations of family hunting districts (denoted by numerals), and neighboring tribes.

From Speck - Penobscot Man - Map 1

MAP 1-2

GENERAL LOCATION
OF PENOBSCOT NATION
TRUST LANDS



MINOR CIVIL DIVISIONS

STATE OF
MAINE

PREPARED BY THE
STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
BUREAU OF PLANNING
IN COOPERATION WITH THE
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

1987

CHAPTER 2. NATURAL RESOURCES

TOPOGRAPHY, GEOLOGY AND SLOPE

The Penobscot Trust Land consists of a total of 58,012 land acres and 6,605 acres of water located in 6 separate townships as follows:

Trust Land Acreage by Town

Township	Land	Water	Total
Alder Stream	23,152	383	23,535
Matagamon (T6R8 W.E.L.S.)	6,734	2,500	9,234
Mattamiscontis (T2,3 R9 NWP)	18,718	3,242	21,960
Williamsburg	4,296	97	4,393
Argyle	4,618	337	4,955
T3R1 N.B.P.P.	497	46	543
Total	58,015	6,605	64,620

Bedrock formations in the Trust Lands are exposed in some areas. As in other parts of Maine, the bedrock is the result of, and has been subject to, over a billion years of geologic activity. The bedrock of the Trust Lands consists of igneous, metamorphic, and sedimentary rock. Economically valuable deposits of some metals formed in igneous rock formations in various parts of Maine both during and after periods of volcanic activity some 500 million years ago. There is some indication that valuable mineral deposits could lie under portions of Alder Stream, Mattamiscontis, and/or Matagamon.

Metamorphic rocks, formed from volcanics and sedimentary rocks, shales and sandstones, are the predominant bedrock type underlying the Trust Lands. These rocks were formed from ancient sediments which accumulated over time and were subjected to intense heat and pressure during the various mountain-building events that affected New England.

Despite the dispersed nature of the Trust Lands, the topography of land was influenced by the events of the last ice age which occurred between 10,000 and 22,000 years ago. At that time, glaciers scraped, scoured and coated most of the Trust Lands with tills, sands and clay. These same glaciers wore down mountains, created valleys, and formed lakes, rivers, and land features such as eskers, moraines, drumlins and kames. Some of the glacial deposits included formations of sand and gravel, some of which serve as aquifers and sources of fill in the Trust Lands.

The topography of most of the Trust Land in Penobscot and Piscataquis County is flat to gently sloping. There is some steep terrain in the southwestern corner of Mattamiscontis

(T2,3R9) in the vicinity of Mattamiscontis Mountain (1,093 feet). Alder Stream Township in Franklin County differs from the other holdings, consisting of mountainous terrain which ranges from being fairly flat along major rivers to very steep in the higher elevations. Snow Mountain Pond (3,960 feet) is located in the northwest corner of the ownership and is the 14th highest mountain in Maine.

MINERAL ASSESSMENT

The Penobscot Nation has been conducting a mineral assessment program, through funding provided by the Bureau of Indian Affairs, on its Trust Land since 1984. Much of the work has focused on Alder Stream Township. Many reports and maps with geochemical, geophysical, geological and core drilling data, have been generated.

SOILS

The soil types occurring on Trust Lands were formed by the weathering of glacial till, glacial outwash and other sediments and the mixing with organic matter, water and air. The soils of the Trust Lands most commonly include shallow, stony or sandy loams which are somewhat acidic and well to moderately well drained, although there are areas of poorly to very poorly drained soils including wetlands and flood plains.

The United States Soil Conservation Service has prepared medium intensity soil surveys for three of the townships in which Trust Lands are located including Matagamon, Mattamiscontis, and Argyle. As part of the Economic Development Plan, the Penobscot Nation prepared a series of suitability maps for the Trust Holdings in these three townships using rating criteria developed by SCS for various uses. In addition, a suitability map for septic systems has been developed, using the criteria of the State's Subsurface Wastewater Disposal Rules to identify soils which may and which may not be suitable for a septic system.

The Penobscot Nation has also developed a series of topographical and hydrological maps for the holdings in the remaining 3 townships (Alder Stream, Williamsburg and T3R1) where medium intensity soil surveys have not been completed.

As part of the Forest Management Plan adopted by the Penobscot Nation in 1990, the Penobscot Nation has also prepared a soils report which includes schematic soils maps and interpretations for each of the six township holdings. The report includes a thorough description of the soils which are present along with ratings for different activities including skidder harvesting, mechanical harvesting, road construction and site productivity.

While medium intensity soil survey information is useful for general planning purposes, a high intensity soil survey is often used for forest management purposes, and is a required prerequisite for certain other activities such as the installation of a subsurface sewage disposal system.

The Land Use Regulation Commission's Comprehensive Plan includes considerable discussion of the problems of erosion and subsequent sedimentation of surface waters. Erosion and sedimentation can be a serious problem, particularly where large areas are clear cut. However, the land management zones set forth in the Penobscot Nation's Forest Management Plan, as well as this Plan, provide effective buffers to minimize erosion and sedimentation. Moreover, the sustained yield harvesting approach set forth in the Forest Management Plan, combined with the Penobscot Nation's concern for safeguarding fish and wildlife habitat, ensure that the Nation's land will be harvested far less extensively than adjacent timber holdings, with a resultant minimization of erosion and sedimentation.

WETLANDS

The U.S. Fish and Wildlife Service defines wetlands as follows:

> "Wetlands are lands transitional between terrestrial and aquatic systems where the water table, usually at or near the surface of the land, is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following three attributes: 1) at least periodically, the land supports predominantly hydrophytes (wetland vegetation); 2) the substrate is predominantly undrained hydric (waterlogged) soil; and 3) the substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year." (Cowardin, et. al. 1979).

Historically, wetlands were only considered breeding habitat for mosquitoes and/or as land that needed to be drained or filled for agricultural purposes or to create developable land. However, the wetlands of the Trust Lands are important ecosystems. By providing a wide range of vegetation types, they offer a range of habitat areas including breeding grounds and nesting areas for a wide variety of birds, insects, reptiles, amphibians and mammals, including game animals. In Mattamiscontis, there is at least one wetland which contains cranberries and another which includes a small peat bog. Although peatlands are most extensive in the Argyle Trust Lands, they do not appear to be of sufficient extent to be commercially viable. It is the Penobscot Nation's preference that the peat lands in Argyle remain in their natural state due to their interest in the area as traditional hunting grounds.

Wetlands are also important for a number of reasons in addition to those cited above as follows:

1) They serve to replenish and cleanse aquifers;
2) They serve as temporary storage areas during high water flows, thus reducing flood damage potential;
3) They can retain and stabilize sediments and toxic materials;
4) They can retain or transform inorganic phosphorus and/or nitrogen into their organic form and thus may save downstream lakes and ponds from eutrophication; and

5) They provide nutrients and habitat for new generations of plant and animal life.

The Maine Geological Survey of the Maine Department of Conservation has mapped wetlands of 10 acres or more throughout many areas of the State, but not in any of the Trust Lands. The Land Use Regulation Commission has established P-WL Subdistricts (Wetland Protection Subdistrict) in four of the townships where Trust Lands are located. In Alder Stream, there are three such areas in the southeast corner of the Township. In Matagamon, there are at least 11 P-WL areas, and there are at least 10 in Mattamiscontis and 4 in Argyle.

The Penobscot Nation will be undertaking a comprehensive wetlands study, scheduled to begin in the summer of 1992, which will classify wetlands according to the Cowardin classification system for their value for fish and wildlife habitat purposes. A regulatory scheme for protecting various classes of wetlands has been included in the Land Use Ordinance.

LAKES, RIVERS AND STREAMS

Water Quality Information. The lakes, rivers and streams which are found on the Penobscot Nation's Trust Lands comprise an important natural resource. While there is very little data on water quality, the Penobscot Nation has begun the task, under its water quality management program, of measuring water quality in some areas in connection with the Nation's fisheries management program. In the summer of 1992, the Water Quality Management Program is expected to complete phosphorus loading analyses for the holdings in several of the townships.

Threats to Water Quality. The major threats to water quality include the potential for increased erosion and stream siltation caused by timber harvesting, and potential mineral extraction activities. Road building activities, stream crossings and skidder trail placement all have the potential to degrade the Nation's water resources. A secondary threat is from the effects of acid rain, over which the Penobscot Nation has no control.

A third potential threat to the quality of lakes and great ponds is that caused by overdevelopment and faulty subsurface sewage disposal systems. The potential for such overdevelopment is probably greatest in other parts of the State where there are multiple ownerships and possibly many substandard, pre-existing lots. However, the Penobscot Nation has control over the Trust Lands under its jurisdiction and can take steps to ensure that assignments are made only where the soil is suitable for subsurface sewage disposal. The Nation can also impose greater restrictions on the use of land where lake water quality may be at issue, as is the case at Round Mountain Pond. The Nation is not constrained by issues of taking without just compensation because the Federal Government holds the land in trust for the Penobscot Nation. Therefore, the Penobscot Nation can keep entire water bodies and parts of other water bodies in an undeveloped state without fear of legal challenge by disgruntled landowners.

Protection of Water Quality and Aesthetics. The Land Use Regulation Commission has established standards for protecting the quality and aesthetics of lakes, great ponds, and rivers and streams. These standards include timber harvesting limitations within 250 feet of these water bodies, and setback requirements for structures and subsurface sewage disposal systems. The Penobscot Nation has incorporated equivalent standards into the Land Use Ordinance. In addition, it has taken additional steps to protect these water bodies, including the adoption of no-cut buffers adjacent to lakes, great ponds, rivers and streams. These standards are contained in the Penobscot Nation's Forest Management Plan and are reflected in this Plan (see Goals/Policies) as well as the Land Use Ordinance. Overall, the Penobscot's timber harvesting standards provide a greater degree of protection to these water bodies. The lot size, structure setback and subsurface sewage system design, setback and installation requirements provide the same degree of protection as LURC's standards.

LURC/Water Quality Limited Lakes. The Land Use Regulation Commission has designated one thousand of its lakes as "water quality limiting lakes" based on the premise that full development of these lakes could potentially increase the phosphorus concentration to unacceptable levels. Round Mountain Pond, Mountain Catcher Pond, and Morrell Pond, have been so identified.

LURC/Lakes Amendment to Comprehensive Plan. In 1990, the Maine Land Use Regulation Commission adopted a lakes amendment to its Comprehensive Plan aimed at improving the management of its lakes in the unorganized territory. The Plan establishes 7 Management Classes as follows:

1. Management Class 1 lakes are high value, least accessible, undeveloped lakes. It is the Commission's goal to preserve the best examples of these pristine lakes in their natural state by prohibiting development within 1/4 mile of their shores and restricting permanent vehicular access to the lakes.

2. Management Class 2 lakes are high value, accessible, undeveloped lakes. The Commission intends to conserve the special values of these lakes by significantly restricting the density and intensity of development within 500 feet of the shore.

3. Management Class 3 lakes are lakes considered to be potentially suitable for development based on available information.

4. Management Class 4 lakes are high value, developed lakes. The Commission's goal for these lakes is to allow a reasonable level of recreational development while conserving natural resource values and maintaining undeveloped shoreland areas.

5. Management Class 5 lakes are heavily developed lakes. The Commission's goal is to maintain natural qualities associated with these lakes, enhance scenic values, and retain some undeveloped shoreline by requiring cluster development on those lakes except where it would be inappropriate due to site characteristics.

6. Management Class 6 lakes are remote ponds - inaccessible, undeveloped lakes with coldwater game fisheries. The Commission's goal is to protect these lakes by requiring that development be prohibited within 1/2 mile of the normal high water mark.

7. Management Class 7 lakes are all lakes not otherwise classified in one of the previous 6 categories.

According to LURC's Lake Amendment, Mattamiscontis Lake is a Management Class 3 lake (potentially suitable for development). All other Trust Land lakes and great ponds are Management Class 7 lakes by virtue of not being classified in any of the previous 6 categories. It would thus appear that none of the Trust Land lakes or great ponds have been designated as being of such high quality that they should be preserved in an undeveloped state. Nevertheless, this Comprehensive Plan specifies that some of the lakes shall be retained in an undeveloped state (See Goals/Policies section).

Outstanding and Significant River Segments. None of the rivers and streams contained in the Trust Lands have been identified as Outstanding River Segments under the provisions of the Municipal Subdivision Law (Title 30-A MRSA Sections 4401-07) or as Significant River Segments under the provisions of the State's Mandatory Shoreland Zoning Act (Title 38 MRSA Sections 435-448).

Information on specific water bodies can be found in subsequent sections of this Plan dealing with individual Trust Lands.

SAND AND GRAVEL AQUIFERS

Sand and gravel aquifers in Maine were formed by glaciers and glacial meltwater 10,000 to 13,000 years ago. Wells which are properly constructed in these aquifers have the capacity to yield large volumes of water. The Maine Geological Survey has identified the following sand and gravel aquifers:

1. Alder Stream - a small sand and gravel aquifer along Alder Stream just downstream from Alder Stream Farm;

2. Matagamon - one small aquifer at the southern border; two small aquifers near the extreme southwest corner of the Trust Land;

3. Mattamiscontis - An extensive aquifer system along Sam Ayers Stream, portions of which lie within the Trust Land;

4. Williamsburg - an extensive aquifer along the West Branch Pleasant River;

WILDLIFE

The wildlife resources of the Penobscot Nation Trust Lands include both game and non-game species. Information on game species is more readily available than for non-game species, in large part because of Tribal interest, awareness, and utilization of game species. Non-game information is limited to the assumption that those species known to occur within the regions of a particular Trust area are likely to occur within the Trust area as well. The distribution of Trust Lands throughout western, central and northern Maine, and the presence of a full range of typical habitats, would indicate the likely occurrence of most non-game species typically listed for Maine. The exceptions would be those species which are limited to Southern Maine or which occupy unique habitats or ecosystems.

Big game species occurring within the Trust Lands include moose, white-tailed deer and black bear. All three species occur within each of the Trust Lands. The population of these species vary according to habitat, geography, area size, climate and hunting pressure. Harvest statistics compiled by the Penobscot Nation's Department of Natural Resources provide some indication of the status in the various areas when coupled with a knowledge of area size and hunting pressure.

The two primary small game species include partridge and snowshoe hare, both of which occur in all of the Trust areas. Populations of both species vary greatly over time in more or less cyclical patterns. Gray squirrel are known to exist in at least several of the holdings.

Waterfowl occur in suitable habitats in all areas. The most common species include black duck, hooded merganser, wood duck, common merganser, mallard, Canada goose, and occasional teal species.

Furbearers occur in all areas with populations and species occurrence depending upon habitat and geography. Species known to occur in the Trust Lands include coyote, fox, bobcat, raccoon, fisher, marten, mink, river otter, muskrat, beaver, skunk and short-tailed weasel.

The Forest Management Plan, as well as the Goals and Policies set forth in this Plan, protect and enhance wildlife habitat through strict timber harvesting standards, the establishment of timber management zones, restrictions on the placement of structures, and the designations of set-asides. The taking of game is regulated by the Tribe under Fish and Game Ordinances by the Penobscot Nation Fish and Game Committee.

FISHERIES

The fisheries resource on the Penobscot Trust Lands includes both cold water and warm water fisheries. The most common cold water species is brook trout. Landlocked salmon and Atlantic

salmon can be found in certain areas. Warm water species include smallmouth bass, white perch, yellow perch and pickerel.

The Forest Management Plan and the Goals and Policies set forth in this Plan and reflected in the Land Use Ordinance provide protection of fisheries habitat by establishing no-cut buffers adjacent to lakes and great ponds and along designated rivers and streams.

The Penobscot Nation Department of Natural Resources has begun the preparation of a comprehensive fisheries management plan.

Information on specific fisheries can be found in subsequent sections of this Plan dealing with individual Trust Lands.

TIMBER

Forest History. The Maine Indian Land Claims Settlement Act of 1980 provided the funds to purchase the Penobscot's Trust Lands. The forest lands which were purchased had been owned, for the most part, by non-industrial timber land companies which held and managed the land for forest products income.

In April, 1981, Alder Stream, Mattamiscontis, and most of the ownership in Williamsburg was purchased from the Dead River Company, which had extensively managed these lands for over 30 years. In July, 1981, Matagamon was purchased from the Pingree heirs, a family holding. The Seven Islands Land Company had managed this land. In May of 1982, the Penobscots purchased parts of Williamsburg (primarily the Merrill tract), T3R1 and Argyle from the Lincoln Pulp and Paper Company. Dead River Company had managed these lands for Lincoln Pulp and Paper for many years.

Under a contractual agreement, the Penobscot Trust Lands were managed for the Nation by Dead River Company from April, 1981, to July, 1983. At that time, the Penobscot Nation Department of Natural Resources assumed responsibility for managing all aspects of the Trust Lands.

The Forest Management Plan includes calculations of Allowable Annual Cut (AAC) by Township for a 10-year period based on the designation of the various Trust Lands as either Alternative 3 or Alternative 4. The AAC for Alder Stream is 5,138 cords,and the combined total for all of the eastern Township holdings is 6,801 cords. The Plan contains approximate mapped areas where future timber sales are anticipated. This Comprehensive Plan recognizes and incorporates the forest management zones into the recommended land use zones.

Fire Protection. The Eastern Area Office of the Bureau of Indian Affairs has responsibility for fire protection on Penobscot Trust Lands. Currently, the BIA pays a fee, in lieu of taxes, to the State of Maine for forest fire protection. Between 1982 and 1989, there were only two small forest fires on the Trust Lands.

Insect Damage. Spruce budworm suppression projects were carried out in Alder Stream in 1982 and in Matagamon in 1984, using aerial applications of biological insecticides. Spruce budworm populations are monitored on a continual basis. The gypsy moth has been found in Argyle, but damage has never been great because most of the Trust Lands are at the northern edge of its range. Other problems, which have not been widespread, include the beech bark disease and the spruce beetle.

In 1990, the Penobscot Tribal Council adopted a comprehensive Forest Management Plan to govern the management of the Nation's timber resources on the Trust Lands. The preparation of the Plan followed a mapping and timber inventory of all the Trust Lands, and it satisfies a federal requirement, as stated in Part 163, Code of Federal Regulations, Title 25, that appropriate management and operating plans be prepared for all Indian Trust Holdings with commercial forest land.

Statutory Objectives. The Federal Statutory objectives which were followed in the development of the Forest Management Plan include the following:

1. The development, maintenance and enhancement of commercial forest lands in a perpetually productive state by providing effective management and protection through the application of sound silvicultural and economic principles to the reforestation, growth, and harvesting of timber and other forest products. This includes making adequate provisions for new forest growth as the timber is removed.

2. Regulation of the forest resources through the establishment and development of a timber sales program that is supported by written Tribal objectives and a long-range multiple use plan that requires sound forest management practices.

3. The regulation of the commercial forest in a manner which will ensure method and order in harvesting the tree capital, so as to make possible continuous production and a perpetual forest business.

4. The development of Indian forests by Indian people to promote self-sustaining communities, so that Indians may receive from their own property not only the stumpage value, but also the benefit of whatever labor and profit it is capable of yielding.

5. The sale of Indian timber on the open market, when the volume available and/or utilized for harvest is in excess of that which is being developed by the local Indian forest enterprises.

6. The preservation of the forest in its natural state whenever the authorized Indian representatives determine that the recreational, cultural, aesthetic or traditional values of the forest represent the highest and best use of the land to the Indians.

7. The management and protection of forest resources to retain the beneficial effects of regulating water runoff and minimizing soil erosion.

8. The management and protection of forest lands to maintain and/or improve timber production, soil productivity, grazing, wildlife, fisheries, recreation, aesthetic, cultural, and other traditional values of the forest to the extent that such action is in the best interests of the Indians.

In addition to the statutory objectives, the Penobscot Tribal Council incorporated a number of additional Tribal objectives into the Plan as follows:

1. The preservation of water quality and the long-term productivity of the forest;

2. The identification, based on criteria, of significant natural resources such as fisheries, wildlife habitat, and recreation areas;

3. The development of alternative methods of managing the natural resources identified on the Trust Lands;

4. The incorporation of fisheries and wildlife considerations into the alternatives, with an emphasis on moose, deer and trout;

5. The enhancement of local job opportunities where possible;

6. The determination of timber harvesting levels which will not exceed the net growth of timber on operable acres over the period of the management plan;

7. The development of recreational opportunities for Tribal members; and

8. The enhancement of the availability of natural resources for the use of Tribal members, including firewood and brown ash.

According to information contained in the Plan, the Trust Lands encompass 56,717 forested acres. Of this total, 4%, or 2,382 acres, are considered inaccessible to current harvesting methods. Based on a 1987 inventory, 46% of the Trust Land consisted of softwood, 16% consisted of mixed wood, and 33% consisted of hardwood.

Softwood type stands are generally made up of spruce-fir or spruce-hemlock-fir. Northern white cedar is normally an important component in these stands. Other species include black spruce, white pine and red pine.

Hardwood stands were made up primarily of the northern hardwoods. These include sugar maple, beech, yellow birch, red maple, and white ash. Poplar (aspen) and white birch also made up an important component of the hardwood stands.

Mixed wood stands are those which did not have a predominance of softwood or hardwood species. These tended to be composed primarily of red spruce and hemlock, sugar maple, beech, yellow birch and red maple.

The Forest Management Plan developed four alternative schemes for managing the forests of the Trust Lands. These included the following:

Alternative 1: This alternative was the "no change" alternative. Under this alternative, timber sales would emphasize the generation of revenue, with little regard for wildlife, recreation, or cultural resources.

Alternative 2: This alternative would also emphasize maximization of revenue, but it would also include a goal of creating a higher value forest in a shorter period of time.

With the emphasis on sawlog quality, management would be much more intensive than in Alternative 1.

Alternative 3: This alternative would place a greater emphasis on the protection of wildlife and fisheries habitat by developing zones to protect areas in need of protection. Within each zone, various degrees of timber cutting restrictions would apply, including a number of "no cut" buffers.

Alternative 4: This alternative would provide the greatest level of protection for fish, wildlife, and recreation zones by restricting timber harvesting from more areas than would be the case under Alternative 3. For example, the "no-cut" buffers would be wider under this alternative.

In February of 1990, the Penobscot Council adopted the Forest Management Plan. As part of this action, the Council voted to adopt forest management Alternative 3 for Alder Stream, the Williamsburg holdings, Matagamon (T6R8 WELS), and T3R1. The Council adopted Alternative 4 for the Mattamiscontis holdings (T2 and 3R9) and Argyle, with the provision that the timber management zones in Argyle be changed to a wildlife management designation.

FOREST MANAGEMENT ZONES

The forest management zones that were adopted as part of the Forest Management Plan include the following:

FMP-1 Zones

Alternative 3

Description: 250 feet from the normal high water mark of standing bodies of water 10 acres or greater and flowing waters downstream from the point where such waters drain 50 square miles or more.

Limitations: No timber harvesting within the first 150 feet adjacent to the normal high water mark. Between 150 feet and 250 feet, harvesting may include patch clear cuts on a 50-year rotation such that the 10-year cut would be 20%.

Alternative 4

Description: Same as Alternative 3 except 500 feet wide.

Limitations: No timber harvesting within the first 250 feet adjacent to the normal high water mark. Between 250 feet and 500 feet, harvesting may include patch clear cuts on a 50-year rotation such that the 10-year cut would be 20%.

FMP-2 Zones

Alternative 3

Description: 150 feet from the normal high water mark of ponds less than 10 acres and significant flowing waters (as determined by the Penobscot Fish and Wildlife staff) which drain less than 50 square miles.

Limitations: No timber harvesting within the first 75 feet adjacent to the normal high water mark. Between 75 feet and 150 feet, harvesting may include patch clear cuts on a 50-year rotation such that the 10-year cut would be 20%.

Alternative 4

Description: Same as Alternative 3 except 250 feet wide.

Limitations: No timber harvesting within the first 150 feet adjacent to the normal high water mark. Between 150 feet and 250 feet, harvesting may include patch clear cuts on a 50-year rotation such that the 10-year cut would be 20%.

FMP-3 Zones

Alternatives 3 and 4

Description: 75 feet from the normal high water mark of flowing waters which drain less than 50 square miles but are not included in FMP-2 Zones.

Limitations: No timber harvesting within 75 feet of the normal high water mark.

GWM-1 Zones

Alternatives 3 and 4

Description: Open or reverting fields and a 300-foot strip surrounding them. The objective is to maintain the field and surrounding forest canopy.

Limitation: None

GWM-2 Zones

Alternative 3

Description: A 300-foot strip along the outside boundary of FMP-1 and FMP-2 Zones. The objective is to maintain adequate browse and cover for wildlife.

Limitations: Timber harvesting to be conducted so as to maintain adequate browse and cover by performing patch clear cuts on a 50-year rotation such that the 10-year cut would be 20%.

Alternative 4

Description: Same as Alternative 3 except a 600 foot strip.

Limitations: Same as Alternative 3.

GWM-3 Zones

Alternative 3

Description: A 150 foot strip on each side (total 300 foot width) of public roads and all season gravel roads. The objective is to maintain and improve aesthetics along these roads and increase diversity.

Limitations: Timber harvesting to be conducted so as to maintain and improve aesthetics along roads and increase diversity. The maximum timber removal rate to be 30% of the volume over a 20-year cycle. Harvesting to be conducted under the supervision of the Department of Natural Resources on a case-by-case basis in conjunction with timber harvesting activities and in accordance with Newby's Report.

Alternative 4

Description: Same as Alternative 3 except a 300-foot strip on either side of a public road (total 600 foot width).

Limitations: Same as Alternative 3.

GWM-4 Zones

Alternative 3

Description: Non-defined areas within Timber Management zones (TMZ) to be determined at the time of harvesting of more than 100 acres. The objective is to allow the Penobscot Wildlife Manager to provide for diversity of cover when areas are being harvested.

Limitations: At least 10% of the TMZ to be so designated.

Alternative 4

Description: Same as Alternative 3

Limitations: At least 25% of the TMZ to be so designated.

DWA Zones (Deer Wintering Areas)

Alternatives 3 and 4

Description: Areas which have been mapped by the Maine Department of Inland Fisheries and Wildlife and the Penobscot Department of Natural Resources staff, which includes an area extending out 300 feet from softwood types. The objective is to maintain heavy softwood cover in the softwood types and young hardwood browse in the surrounding hardwood types.

Limitations: In the softwood stands, 10% of the acreage to be treated in a 10-year period. Group selection cuts to be performed with no more than 40% of the volume in the treated stands being removed. The hardwood stands to be patch clear cut and maintained on a 50-year rotation. Every 10 year period, 20% of the hardwood acreage to be patch cut, starting with the most mature stands.

DCA Zones (Deer Cover Areas)

Alternatives 3 and 4

Description: Areas which have been identified as important deer cover areas by the Penobscot Nation staff.

Limitations: In the softwood stands, 10% of the acreage to be treated in a 10-year period. Group selection cuts to be performed with no more than 40% of the volume in the treated stands being removed. The hardwood stands to be patch clear cut and maintained on a 50-year rotation. Every 10 year period, 20% of the hardwood acreage to be patch cut, starting with the most mature stands.

SPL Zones (Special Habitat Zones)

Alternatives 3 and 4

Description: Areas reflecting special or unique wildlife needs or occurrences. Areas for inclusion would be eagle nest sites, heron rookeries, moose wallows, salt/mineral licks.

Limitations: No timber harvesting

WL Zones (Wetland Zones)

Alternatives 3 and 4

Description: Areas of swamps, marshes or bogs which have soils and vegetation indicative of wetlands, and flooded timber areas which show indications of past flooding.

Limitations: When wetlands are not included in FMP-3 zones, timber harvesting to be conducted during frozen ground conditions and to be limited to no more than 40% removal on a volume basis.

SA Zones (Set-Asides)

Description: Areas having unique significance from a recreation standpoint, as well as other areas identified as being of significance to the Penobscot Nation or in need of protection.

Limitations: No timber harvesting within SA Zones.

TMZ Zone (Timber Management Zone)

Description: All remaining Trust Land not otherwise shown as being in one of the previous districts.

Limitations: Performance standards of Land Use Ordinance.

CHAPTER 3. LAND AND RESOURCE USE

TRIBAL DEMOGRAPHICS AND CULTURE

According to the 1992 Tribal Census, there are 2,011 Tribal members. Approximately 403 members reside on Indian Island, and many reside in the communities surrounding Indian Island. To date, there are very few Tribal members living on the Trust Lands.

Because the Trust Lands were relatively recently acquired, most areas have not yet become an important part of the culture and lifestyle of the Penobscot Nation. As members become more familiar with and use the Trust Lands, the land will become a more significant part of their lives. The Trust Land parcel located in Argyle Township, has long been a traditional hunting area of the Penobscots.

ROAD SYSTEM

With the exception of the ownership in Argyle, road access on the Trust Lands is generally good. The roads include public roads, paved roads, all-season gravel roads, slightly developed spur roads, and roads which are old, discontinued logging roads and trails.

RECREATION AND VISUAL RESOURCES

Recreation activities on Trust Lands include camping, canoeing, boating, hiking, and driving for leisure. There are no formal, developed recreation areas on the Trust Lands except a small picnic area along Route 27 at Sarampus Falls in Alder Stream Township which is maintained by the Maine Department of Transportation. The Penobscot Nation conducted an evaluation of potential outdoor recreation areas and forest aesthetics as part of the Forest Management Plan. All of the sites indicated as having good recreation potential were adjacent to water, and are thus protected by the various forest management zones. Identified scenic resources include unusual rock formations, mountains, and interesting land formations such as water falls and eskers.

A number of sites throughout the Trust Lands have been used as campsites by Penobscot Nation members and non-members. Many of these sites have been identified and are shown on the land use map as set-asides.

In a 1988 Tribal Member opinion survey conducted by the Department of Natural Resources, 54% of the respondents indicated there was a need for additional recreation areas for Tribal members.

CULTURAL RESOURCES

There is very little detailed knowledge available about the cultural resources of the Penobscot Trust Lands. In the late 1980's, an aerial photo analysis was done to assess the potential for archaeological sites. The results of this work are reported in a document entitled "Recommendations for Cultural Resources Management for Penobscot Indian Trust Lands Based Upon Aerial Photo Analysis," by Pauleena Seeber. The report includes an identification of 128 possible site locations. A number of these sites were field-checked, with the resulting discovery of some surface finds of artifacts and campsites. For the most part, these sites are located along water bodies, and are protected by the designated forest management zones.

HUNTING, FISHING, TRAPPING

Hunting, fishing and trapping are important activities in the lives of many Penobscots. All three activities are carried out by members and non-members on the Trust Lands. Deer hunting and trapping by non-members is by permit only. Moose hunting by non-members is not permitted. The Penobscot Nation maintains records of big-game harvests, which have varied over the years.

HARVESTING PERMITS

On March 14, 1991, the Penobscot Council adopted a free-use and paid permit policy which allows the Department of Natural Resources to issue permits for Tribal members for the harvest of up to 10 cords of firewood per person or any other forest product up to a maximum stumpage value of $100 (Tribal Council approval is needed for values in excess of $100). Free use permits are also issued to Tribal members for fir tips for wreaths, Christmas trees, cedar for kindling or posts, and brown ash for baskets. Very few members apply for firewood permits because the Trust Lands tend to be too far from the residences of Tribal members. Paid permits may be issued to non-members for up to 10 cords of firewood, provided that BIA timber cutting permit is also submitted to the Eastern Area Forester.

CAMPFIRE PERMITS

Permits for campfires for non-members have been issued by State of Maine district forest rangers. Tribal members obtain permits from the Indian Island Fire Department. The Penobscot Nation is working to consolidate all permit functions through the Indian Island Fire Department.

TIMBER HARVESTING

Commercial timber harvesting has occurred on the Trust Lands since their acquisition. Stumpage revenue provides an important source of revenue to the Penobscots. In every year since 1982, the real value of these revenues in 1989 dollars has generally exceeded $100,000.

Forest management costs to the Penobscots are covered by funds received through a P.L. 93-638 Self Determination Contract

between the Penobscots and the Bureau of Indian Affairs. Additional funds for such things as road repair and maintenance on roads not being used for timber harvesting comes from the 10% administration fund (10% of the stumpage that is reported to the Bureau of Indian Affairs).

The primary purchasers of the Penobscot Trust Land forest products are clustered around the land holdings, primarily in Penobscot County and to a lesser extent in Franklin County. These local markets are directly influenced by changing market conditions in Maine as well as the New England Region and Canada.

Individual market components include: 1) saw timber, which is strongly linked to the New England housing market; 2) pulpwood, which is used by the paper industry and is affected by the world market for finished paper products; and 3) fuelwood, which includes markets for residential fuelwood and fuel for biomass boilers.

MINERAL EXTRACTION

To date, there have been no mineral extraction activities on the Trust Lands, other than some gravel extraction for road maintenance purposes.

ECONOMIC DEVELOPMENT

In the mid-1980's, the Penobscot Nation prepared and adopted an Economic Development Component of a Comprehensive Plan (hereafter referred to as the Economic Development Plan) for all Reservation Land, Fee Land and Trust Land. The goals of the Economic Development Plan include the following:

Goals

1. To ensure that sufficient employment opportunities are available for all Tribal members who wish to work;

2. To ensure that the range of employment opportunities available provides income levels, skill and responsibility demands, and chances for advancement and promotion, commensurate with the education, training, experience and aspirations of Tribal members;

3. To ensure that the Penobscot Nation generates revenues from its investments and other income sources sufficient to provide essential government, health, human and housing services without reliance on Federal funds;

4. To ensure growth in the Penobscot Nation's capital resources (wealth) sufficient to provide a base for economic development over the long-term;

5. To ensure the continued visibility and prominence of the Penobscot Nation as an economic force in the State and region; and

6. To ensure that the economic development efforts of the Penobscot Nation are consistent with the culture, traditions, and community values of Tribal members.

The Plan concluded (page 20) that most of the Trust Land was rated as having very low or no potential for commercial agricultural uses, and that the potential for commercial and industrial development was almost non-existent except in Argyle. Matagamon and Mattamiscontis were rated as having moderate recreational potential, due to their proximity to existing recreation areas. The Plan contained a detailed analysis of the market for various types of timber, but cautioned against any investment in the forest products industry.

Recommendations. A summary of key recommendations contained in the Economic Development Plan that apply to Trust Lands include the following:

Timber Resources

1) Prepare a complete inventory of timber resources (this was implemented as part of the Forest Management Plan);

2) Utilize basic forecasting models to project future growth, volume and harvest levels (completed as part of the Forest Management Plan);

3) Set timber revenue goals and allowable annual cuts (included in the Forest Management Plan); and

4) Develop a schedule and timetable for placing fee lands under trust protection.

Agricultural Resources

1. Identify land holdings to be reserved as agricultural homesteads by Tribal members;

2. Do not consider investments in primary agricultural operations unless the firm demonstrates low risks and better returns than those experienced by area firms; and

3. Utilize small business assistance resources to aid Tribal members who have identified or developed financially sound agricultural opportunities.

Mineral Deposits

1. Conduct additional evaluations of those lands appearing to have significant minerals potential; and

NOTE: Since completion of the Economic Development Plan, the Penobscot Nation's policy includes leasing minerals to mining companies in areas of high potential, including charging rental fees and retaining net smelter royalties.

Commercial and Industrial Development

1. Do not undertake development of any Trust Land for commercial or industrial purposes in the near future.

Recreation

1. Do not pursue the development of major recreational enterprises on Trust Land with Tribal Resources. Investment in recreation development is likely to yield only modest returns, given the essentially "free: nature of the supply in the region.

Fisheries

1. Initiate discussions with Ocean Products Inc (Eastport) to explore the possibility of developing a salmon hatchery at Matagamon as a joint venture; and

2. Initiate with Bangor Hydroelectric Company to secure necessary access (road and power), water volume, and water quality control agreements.

Hydroelectric Power

1. Undertake development of 3 hydroelectric projects in Alder Stream. Initial work should include detailed on-site inspection and preliminary engineering, negotiation with other land owners where necessary for easements and rights-of-way, initiation of negotiations with Central Maine Power Company for long-term retail power sales contracts, and preparation and filing of the necessary license and permit applications.

NOTE: Since completion of the Economic Development Plan, the Penobscot Nation's policy is to prohibit the construction of hydroelectric power facilities.

CHAPTER 4. ALDER STREAM (T2R5 W.B.K.P.)

INTRODUCTION

Alder Stream is located in Franklin County in the west central part of the State, approximately 100 miles west of Indian Island. The major access route to Alder Stream is Route 27, which runs along the North Branch of the Dead River and cuts through the northeast corner of the Township approximately 18 miles north of Carrabassett Valley.

Alder Stream consists of a total of 23,535 acres, which is the largest single holding of the Trust Land. The land area of Alder Stream includes 23,152 acres, or 98% of the Township, while water bodies account for 383 acres, or 2% of the Township. Alder Stream was purchased by the Penobscot Nation in April, 1981, from the Dead River Company which had managed the land for over 30 years.

Unlike the other Trust Land holdings, which are flat to gently sloping, the terrain of Alder Stream is mountainous. The slope of the land ranges from very flat along the major streams, to very steep. Snow Mountain (elevation 3,960 feet) is located in the northwest corner of the Township, and is the 14th highest peak in Maine. Other mountains include Round Mountain and Toenail Ridge in the center of the Township, and Barnard Mountain in the southeast corner.

NATURAL RESOURCES

Soils

A medium intensity soil survey has not been conducted for Alder Stream. However, as part of the Forest Management Plan, a schematic, regional soil map has been prepared, using unpublished soil surveys, surficial geology maps, and professional knowledge.

The most abundant soil associations occurring in Alder Stream include the following:

1. Marlow-Lyman-Dixfield Association - 10 to 35 percent slopes, well-drained and moderately well drained deep soils on glacial till ridges.

2. Dixfield-Marlow-Lyman Association - 3 to 20 percent slopes, deep, moderately well, and well drained soils and somewhat excessively drained shallow soils on glacial till ridges.

3. Dixfield-Colonel-Brayton Association - 3 to 15 percent slopes, deep, moderately well, and somewhat poorly and poorly drained soils on glacial till ridges.

4. Brayton-Colonel-Dixfield Association - 0 to 10 percent slopes, deep poorly drained, somewhat poorly drained and moderately well drained soils formed in loamy compact glacial till.

5. Lyman-Tunbridge association - 5 to 35 percent slopes, somewhat excessively drained and well drained, shallow and moderately deep soils on bedrock controlled glacial till ridges.

6. Lyman-Tunbridge Association - 20 to 75 percent slopes, somewhat excessively drained and well drained shallow and moderately deep soils on bedrock controlled glacial till ridges.

Geology

Alder Stream is located in a broad band of volcanic bedrock which runs diagonally from the upper western part of the State to the northeastern part. There have been numerous geological studies over the years which have included all or a portion of Alder Stream (Keith - 1933; Wing - 1949; Albee - 1961; Boudette - 1970, 1973, 1976, 1978). Detailed geologic maps have been prepared as a result of outcrop, geophysical and drilling data from the Joint Venture (1969-1978) and from the work of the Penobscot Nation (1984-1990).

Mineral Resources. The geologic environment in Alder Stream Township is highly favorable for the occurrence of base metal massive sulfide deposits (copper, lead, zinc) with a precious metal (gold-silver) association. Geochemical, geophysical and core drilling data obtained from prior exploration and Penobscot Nation mineral assessment work support this conclusion.

The potential for discovery of a commercial, marketable metals deposit is high and is reflected in corporate interest in the property dating back to the 1970's. Since the inception of Penobscot Nation ownership in 1980, several major corporations have expressed interest in obtaining the mineral lease in Alder Stream. Broken Hill Proprietary/Utah International Inc. currently holds the mineral lease in the townships west and east of Alder Stream Township, on strike with the favorable geologic environment. In fact, BHP-Utah International discovered a 3.5 million ton zinc-copper-silver massive sulfide deposit at Alder Pond, located approximately 12 miles, on strike, to the east of Alder Stream Township.

Metals exploration in the Township is expected to continue to be conducted in the immediate future by the Penobscot Nation and possibly by a mineral corporation under a lease/royalty arrangement in the longer term.

Peat/Gravel. No significant peat resources have been discovered to date in Alder Stream Township. However, in addition to gravel pits previously located and mapped by the U.S. Geological Survey, the Penobscot Nation mineral exploration work has delineated five gravel prospects in the Township. The area lends itself well to the future discovery of additional

sand/gravel resources, as glacial activity has left overburden debris with average thicknesses of 30 feet.

Water Bodies

There are three major ponds in this ownership, all of which are wholly contained within the Trust Land boundaries.

Round Mountain Pond is the largest of the three ponds, with a normal pool elevation of 1,787 feet, an area of 76 acres, and a maximum depth of 35 feet. A considerable portion of the pond is over 20 feet deep. Numerous small shoreline seeps and springs, as well as submerged spring holes, feed water into the pond. However, there are no major overland tributaries. The permanent outlet drains from the northwest corner of the pond and into Little Alder Stream.

Snow Mountain Pond, the highest in normal pool elevation at 2,804 feet, has an area of 8 acres and a maximum depth of 7 feet. The majority of the pond is 5 feet deep or less, and there is little bottom relief. This pond is characteristic of "cirque" ponds, common in high mountain regions, resulting from glacial scouring. There are no major overland tributaries and the pond is fed by scattered shoreline and submerged seeps and springs. The permanent outlet drains from the east end of the pond and constitutes a portion of the headwaters of Little Alder Stream.

Blanchard Pond, smallest of the three ponds, occurs at a normal pool elevation of 1,350 feet, with an area of 7.5 acres and a maximum depth of 29 feet. This pond is typical of glacial "kettle hole" ponds common throughout western Maine. The majority of the pond is over 15 feet deep, the water is organically stained, and the bottom is soft and organically laden. As with the other two ponds, there are no major overland tributaries and inflow is primarily from shoreline seeps. The permanent outlet drains from the north end of the pond and into the North Branch Dead River. Between the pond and the Dead River, the outlet maintains two small (1-2 acres) natural flowages.

The primary stream drainage in this ownership is Alder Stream. The headwaters are in the southwestern portion of the Township and the stream drains generally easterly into the North Branch Dead River. Little Alder Stream, draining the northwest quadrant of the Township, joins Alder approximately 2 miles from the eastern boundary of the ownership. Numerous small feeder streams also drain into Alder and Little Alder throughout their courses. Alder Stream Falls represents one of the highest value recreational and aesthetic resources within this ownership, with one vertical drop of at least 25 feet and several in the 10-15 foot range. Above the falls area, Alder Stream maintains a 1.5 mile "deadwater" section that is also of very high recreational value.

A small section (approximately 4 miles) of the North Branch Dead River flows southeasterly through the northeast corner of the ownership. A State rest area is located within this section at a site called Sarampus Falls, a significant recreational and aesthetic resource. Three small feeder streams, Nash Brook, Blanchard Pond Outlet, and Shagadee Brook, drain the northeast quadrant of the Township and flow into the North Branch Dead River in or near the section under Tribal ownership.

Wetlands

The Maine Geological Survey of the Department of Conservation has mapped wetland areas of 10 acres or more throughout the State on a regional basis, but has not mapped 10-acre wetlands in Alder Stream. The wetlands in Alder Stream Township will be mapped by the Penobscot Nation beginning in 1992 under an EPA grant.

Aquifers

Sand and gravel aquifers were formed by glaciers and glacial melt-water streams 10,000 to 13,000 years ago. Wells which are properly constructed in these aquifers have the capacity to yield large volumes of water. The Maine Geological Survey has identified one relatively small sand and gravel aquifer which is located along Alder Stream just down river from Alder Stream Farm (there is an old gravel pit located in this area).

Wildlife

Big-game species, consisting of moose, white-tailed deer and bear all occur in the Township. The moose population is high relative to the other Trust holdings.

The deer and bear populations fluctuate over time.

The two primary small-game species include partridge and snowshoe hare. The populations of these animals vary greatly over time according to a cyclical pattern.

Waterfowl occur in suitable habitats in the Township and include black duck, hooded merganser, wood duck, common merganser, mallard, Canada goose, and occasional teal species.

Furbearers in Alder Stream include coyote, fox, bobcat, raccoon, fisher, marten, mink, river otter, muskrat, beaver, skunk, and short-tailed weasel.

Fisheries

Extensive fisheries assessment work (including water quality as it relates to fisheries) has been conducted on the ponds and streams in this Trust Land since 1988. A solid fisheries database now exists for all of the major waters. Depth surveys are available for all of the ponds.

Virtually all flowing and ponded waters in Alder Stream Township support brook trout, and this species is the primary focus of fisheries management in this Trust Land. Except for

Blanchard Pond and the North Branch Dead River, all trout populations are naturally sustained (i.e. no stocking).

Of the three ponds, Round Mountain Pond represents the most significant fisheries resource in terms of sustainable numbers of quality size brook trout. It also receives the most fishing pressure. Fishing pressure is high from mid-May through the end of June, decreases through the remainder of the season until mid-September, then picks up again for the final two weeks of the season. New, more restrictive fishing regulations have recently been adopted (to take effect in 1992) in an effort to keep the brook trout from being overharvested. Other fish species present include brown bullhead and finescale dace. In addition to harvest control, the pristine water quality and availability of cool, deep refuge waters in this pond are crucial to its ability to sustain native brook trout. Virtually all spawning activities that support this brook trout population occur in gravel springs within the pond, rather than in overland tributaries. Thus, protection of ground water supply and quality is as important as protection of the pond proper, in terms of fisheries management goals.

Snow Mountain pond produces large numbers of brook trout but their growth rate is slow and the population is dominated by small trout. No other fish species have been documented in this pond. The pond receives only light to moderate fishing pressure at this time due to difficult access. The water remains cold throughout the year and is nutrient poor. The alkalinity of this pond is very low, which is characteristic of many small, high elevation ponds in western Maine. Low alkalinity, and thus low buffering capacity, makes this pond vulnerable to chronic and acute acidification from precipitation and snowmelt, and in fact this vulnerability may contribute to the slow fish growth rates. As with Round Mountain Pond, protection of ground water supply and quality is important for maintaining trout habitat and spawning areas in the pond.

Blanchard Pond supports brook trout, and their growth rates are high, but the population must be maintained by annual stocking. A small portion of each year's stocking survive the summer and produce some larger "holdover" trout the following year. However, the lack of suitable trout spawning areas in the pond and outlet severely limits natural reproduction. In addition, because of the natural accumulation of organically laden sediments, the hypolimnion of this pond experiences high sediment oxygen demand and becomes anoxic for several weeks in July and August. This water quality deficiency limits mid-summer carrying capacity for brook trout. The only other fish species documented in the pond is finescale dace. Blanchard Pond receives moderate fishing pressure early in the season, but is only lightly fished during the remainder of the season. Most of the available fish are removed in the first two months of each open water season.

Alder Stream, Little Alder Stream and numerous small feeders to the drainage all support abundant brook trout populations. Other fish species common throughout the drainage include blacknose dace, slimy sculpin, and white sucker. Longnose

sucker, creek chub, and fallfish also occur in some areas. Two distinct fisheries management zones have been identified for the mainstem of Alder Stream, the "deadwater" area above the falls, and the falls area and below. Trout population characteristics differ in each zone as does the fishing environment, and each zone offers distinctly unique fishing opportunities.

Both spawning habitat and living space for trout are available throughout the drainage. However, the numerous small feeder streams provide excellent nursery habitat for juvenile trout, and are considered crucial to the overall viability of the trout population in the drainage. Thus, water quality and habitat protection in these smaller tributaries is just as important to the overall system as protection of the mainstem.

The North Branch Dead River is the largest in volume of the flowing waters in this Trust Land. Only, a relatively small section is located within the ownership, making fisheries management somewhat difficult and fragmented. Nevertheless, the Tribal ownership contains high quality cold water fisheries habitat and provides ample opportunity for float trip or shoreline fishing for brook trout. The trout population is sustained by a variety of sources, including some natural reproduction, annual stocking of fall fingerlings, and "holdovers" from prior years' stockings. Landlocked salmon are also present in low numbers, seasonally, and originate both from natural reproduction and from State stocking activities up and downstream of the trust land.

Nash Brook, Blanchard Pond Outlet, and Shadagee Brook all support brook trout populations but are too small to represent significant fishing opportunities in themselves. However, they likely contribute to fisheries in the North Branch Dead River to which they drain.

Threatened and Endangered Species

A review by the Fish and Wildlife Service of the U.S. Department of Interior has determined that except for occasional transient individuals, no federally listed or proposed threatened and endangered species are known to exist in Alder Stream Township.

Timber Resources

In 1986 and 1987, the Penobscot Nation undertook a timber typing and mapping project for all Trust Land. Within Alder Stream, there are 10,087 acres of softwood (44% of the land area), 3,808 acres of mixed wood (16%), 7,090 acres of hardwood (31%), 1,979 acres which are inaccessible (8%) and 188 acres (1%) which are non-forested. Volume Class 3 stands (stands of pulpwood which are operable and in which the majority of the stems have reached pulpwood size) make up 92% of the forest in Alder Stream. The following table is a summary of the operable volume of wood in Alder Stream by species:

ALDER STREAM - SUMMARY OF OPERABLE VOLUME IN CORDS

SPECIES	CORDS PULPWOOD	BOARD/FEET SAWLOGS	CORDS TOTAL
Spruce	51,175	18,105	87,385
Fir	34,830	3,910	42,650
Hemlock	185	465	1,115
Cedar	17,320	4,325	25,970
Pine	430	625	1,680
Softwood total	103,940	27,430	158,800
Yellow Birch	36,290	5,300	46,890
White Birch	37,040	720	38,480
Sugar Maple	62,105	8,955	80,015
Red Maple	20,155	2,200	24,555
Beech	17,930	740	19,410
White Ash	0	0	0
Poplar	2,250	620	3,490
Other Hardwood	1,280	0	1,280
Hardwood total	177,050	18,535	214,120
TOTAL ALL	280,990	45,965	372,920

Based on 19,784 acres

Conversion Rates:
Softwood 1.20 Cords/Cunit
Hardwood 1.25 Cords/Cunit
ALL 2.0 Cords/Mbf

In general, the quality of the wood in Alder Stream is good, although the Spruce Budworm population, which has been low in recent years, has caused some fir damage in the past. The estimate of net annual growth for Alder Stream is .43 cords per acre.

The Forest Management Plan includes calculations of the 10-year harvest by Trust holding and Allowable Annual Cuts (AAC). The Plan recommends that the allowable annual cut in Alder Stream be 5,138 cords, which is an increase from the average annual harvest of 3,899 cords prior to the preparation of the plan.

CULTURAL AND RESOURCE USE CHARACTERISTICS

Demographics

There is only one member household of the Penobscot Nation living in Alder Stream Township on an out-parcel. Due to its distance from the Reservation, Alder Stream Township is not heavily used by the on-Reservation Tribal population. Increasing numbers of off-Reservation Tribal members from Southern Maine are beginning to hunt, fish and camp in the Township on a regular basis.

Hunting, Fishing, Trapping

Hunting, fishing and trapping are activities which are carried out by members of the Penobscot Nation and non-members. Moose hunting by non-members is not permitted. In all of the years between 1983 and 1988, more moose were taken from Alder Stream than from any other Trust holding. Small game harvests have not been surveyed. There is no record of bear having been taken from Alder Stream. In a 1988 opinion survey conducted by the Penobscot Department of Natural Resources, members of the Nation ranked hunting the number one activity in the Township, and fishing the number two activity.

Set-Asides

The Penobscot Nation has identified a number of set-aside areas, shown and keyed on the land use map, which are to be protected from development or other incompatible land use activities. These include the following:

1. Blanchard Pond
2. Snow Mountain Pond
3. Round Mountain Pond (4 areas)
4. Alder Stream Falls
5. Gravel pit
6. Meadow at Fork in Road
7. Campsite on Little Alder Stream
8. Sarampus Falls

Recreation

General. There are no formal recreation areas in the Nation's holdings in Alder Stream, although there is a small roadside park along Route 27 located on a small out-parcel. Recreational activities on Trust Land include camping, canoeing, boating, hiking, and driving for enjoyment.

Gates. Currently, it is the Penobscot's policy to allow access to anyone on their roads, but there are several exceptions. Two roads to Round Mountain Pond are gated year-round. One gate is maintained by the Round Mountain Pond Camp Association with the Penobscot's permission. The other road to Round Mountain Pond, which was constructed as part of the Round Mountain Pond timber sale, is gated by the Penobscots. The gate is restricted to people who have the combination to the lock (the combination is given to interested Penobscot members). An

old gate on Snow Mountain Pond road restricts access during mud season (March 15 to May 15) because this road has poor soil structure and is easily damaged. The access to these two ponds is restricted due to the great potential for environmental damage (i.e. siltation) to surrounding tributaries.

Recreational potential. Of all the Penobscot holdings, Alder Stream has the greatest potential to offer diverse outdoor recreation opportunities. The Forest Management Plan identified four specific areas that have such potential:

a. **Round Mountain Pond.** The highly scenic/aesthetic nature of this area suggests that significant opportunities exist for camping or resort developments. Access to the Alder Stream waterfalls could be provided through a trail system connecting Round Mountain and Snow Mountain ponds. The northwest shoreline of Round Mountain Pond across from the private camp lots would be ideal for the development of a number of primitive or seasonal cabins for Penobscot members.

b. **Blanchard Pond.** Blanchard pond is small, but offers opportunities for nature appreciation areas, scenic hiking, and wildlife study.

c. **Snow Mountain Pond.** This pond, which is accessible primarily by foot or ATV, can be used for a variety of activities including fishing/hunting, camping and hiking. Trails currently exist here, but could be upgraded. If Round Mountain Pond is developed, Snow Mountain Pond could be a satellite use area connected by a variety of trail types (snowmobile, backpacking/hiking, cross-country skiing, snowshoeing, equestrian, or ATV).

d. **Sarampus Falls/Nash Brook.** Route 27 access makes this area a prime location for the development of recreation opportunities for Penobscot members and the general public. Sarampus Falls is already an attraction. Nature and hiking trails could serve day and overnight users. The ridge areas surrounding Nash Brook can provide varied hiking opportunities. Access to the interior could be improved by a network of multiple-use trails. Spring, summer and fall use of trails could be restricted to foot traffic or horseback use only. Winter use could allow for snowmobile, cross-country skiing, and snowshoe activities, particularly if a system of rustic Adirondack-type shelters were developed at strategic locations.

In addition to the four areas described above, there is the feasibility of establishing winter sports areas in the northwest and possibly northeast quarters of the Township. Activities such as cross-country ski trails, snowmobile trails, and limited downhill skiing, may provide the opportunity to develop a commercial complex as a source of revenue for the Nation. If a commercial complex is not a desirable use, another possible use is a recreation complex for Penobscot members and their guests.

Timber Harvesting

Timber harvesting provides an important source of revenue to the Penobscots. Between 1982 and 1988, there were 28,503 cords of wood harvested from Alder Stream (second only to the volume harvested in T6R8 WELS), resulting in total revenues of $313,350, higher than the revenue from any other Trust holding. Pulpwood, including both hardwood and softwood, is sold to International Paper in Jay. Sawlogs are taken to several sawmills in the Franklin County area and to Quebec Province. In addition, there is a new biomass market in Stratton, Maine. All wood is harvested under a "Timber Contract for the Sale of Estimated Volumes" which is approved by the Land Committee/ Tribal Council and the Bureau of Indian Affairs. In addition, an annual operating plan is presented to the Land Committee/Tribal Council, outlining areas that will be cut in the coming year. Most of the roads associated with timber harvesting are located in lower elevation areas between mountain streams and other natural features.

In 1990, the Penobscot Nation completed a Forest Management Plan governing the use of the timber resources on all Trust Land. The Tribal Council adopted management Alternative 3 for Alder Stream Township which provides for forest management with a greater emphasis on recreation and wildlife than had been practiced up to that point. A proposed zoning scheme was developed designating areas where there are resources which are in need of some level of protection. These areas contain resources which would be destroyed, significantly altered or adversely affected by normal forest management activities. Accordingly, the proposed zoning scheme specifies very restrictive management for these areas, including "no cut" buffers. Forest management activities in these areas is to be conducted under the supervision of Penobscot fish and wildlife personnel, and management decisions are to be undertaken in accordance with Newbys Foresters Guide to Better Recreation Management. Areas not in need of significant protection measures are subject to normal harvesting.

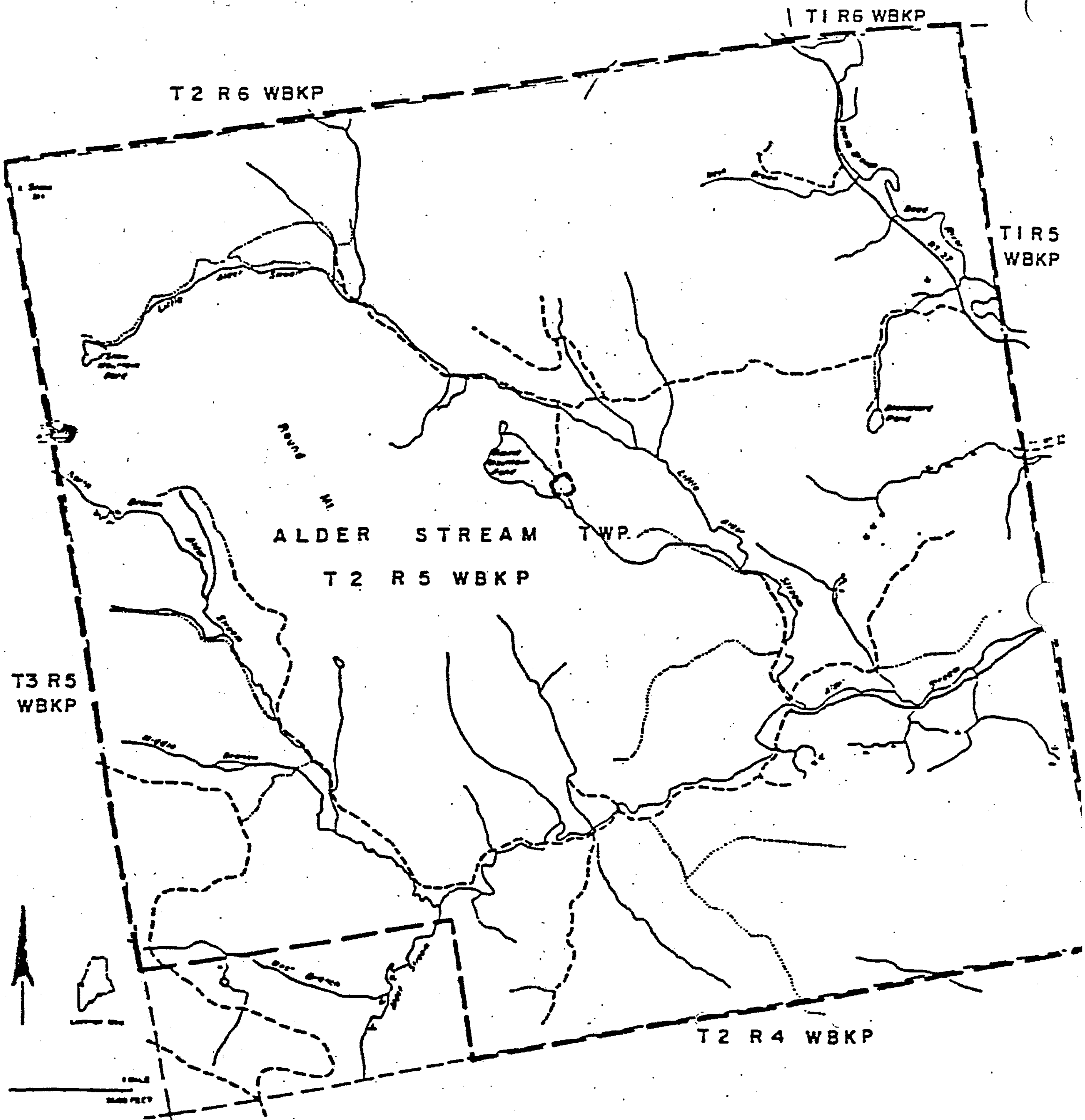
Land Use

Records maintained by the Penobscot Nation Department of Trust Responsibility indicate that there are approximately 74 structures located in the Township, primarily on out-parcels. Many of these structures are seasonal camps. There are 19 structures located on Route 27, 15 on the Dead River, 22 along Alder Stream, 1 on Snow Mountain Pond, 13 on Round Mountain Pond, and 4 in remote wooded areas.

In future years, Alder Stream may become a highly attractive area for members of the Penobscot Nation, not only because of its natural attributes, but also because of its proximity to the Carrabassett Valley/Sugarloaf area. Opportunities for year-round and seasonal dwellings exist in a number of locations, including readily accessible areas (the land area along Route 27), as well as remote areas where there are existing structures (Alder Stream, Round Mountain Pond). Members may even want to locate

camps in more remote areas, accessible only by timber management roads.

The challenge of the Penobscot Nation will be to respond to the needs and desires of individual members, yet control the overall pattern of development so as to achieve the goals and policies of the Forest Management Plan, as well as the goals and policies of the Comprehensive Plan.



LDER STREAM TWP. T00150

MAP PE-2

CHAPTER 5. MATAGAMON (T6R8 W.E.L.S.)

INTRODUCTION

Matagamon is located in the northwest corner of Penobscot County, approximately 150 miles north of Indian Island. The northern part of Baxter State Park borders the tract to the west. Only the western half of the Township is included in the Trust Land. The only access to the Trust portion of Matagamon is by Grand Lake Road, which extends from State Route 159 in Mount Chase along the southern border of the Trust Land. The major great pond within the Trust Land is Grand Lake Matagamon, which covers over 25% of the Trust Holding. Other, smaller lakes include Mountain Catcher Pond and Morrell Pond, both of which are totally undeveloped.

The Trust Land portion of Matagamon consists of 9,234 acres, including 6,734 acres of land area (73 percent of the total Trust area), and 2,500 acres of water (27 percent of the total Trust area). Baxter State park borders on the west and Bangor Hydro owns a tract at the southern end of the lake at the beginning of the East Branch Penobscot River.

The topography of the Trust Land portion of Matagamon is generally flat to gently sloping.

NATURAL RESOURCES

Soils

A medium intensity soil survey has been prepared by the Soil Conservation Service for Matagamon. As part of the Nation's Economic Development Plan, a series of soil suitability maps has been prepared for the Trust Land, including a suitability map for subsurface sewage disposal, soil erodibility, agriculture, flood hazard potential, runoff potential, campground suitability, building site suitability, and groundwater. In addition, as part of the Forest Management Plan, a schematic regional soil map has been prepared, using published soil survey maps for Penobscot County, unpublished soil surveys, surficial geology maps, and professional knowledge.

Geology

Matagamon is underlain by argillaceous sediments and sandstone of Devonian age. The sediments in this tract of land are related to a volcanic center, the Traveler Rhyolite, the northeast extremity of which occurs on the west side of Grand Lake Matagamon. The northern section of the Trust Land includes black fissile shales which may be partially of volcanic origin and belong to the Seboomook Formation. The southeastern section of the Trust Land contains volcanic tuffs and sandstones. Some

of these are considered to be ash flow (crystal) tuffs and gritty (detrital) tuffs.

Mineral Resources. The Matagamon tract occurs on the eastern edge of the Traveler Rhyolite, a huge mass of ash and flows, which occurs largely within Baxter State Park. Intensive exploration in 1980 resulted in the discovery of a 2-3 million ton zinc-copper-silver massive sulfide deposit at Mount Chase. Approximately fifteen miles east of the southeastern corner of the tract, Penobscot Nation exploration efforts resulted in higher than normal base metals in soils, seeps, and stream sediments in Matagamon. However, the limited size of the tract, and the proximity of Baxter State Park and Grand Lake Matagamon greatly reduces the exploration potential of the Trust Land. No further metals exploration is planned for the tract at this time.

Peat/Gravel. No significant peat resources have been discovered to date in the Trust Land portion of Matagamon. Several small sand and gravel prospects or pits were revealed by aerial photographs in the tract.

Water Bodies

Three lakes are located at least partially within this Trust Land tract; First Grand Lake Matagamon, Mountain Catcher Pond, and Morrell Pond.

The major water body is First Grand Lake Matagamon. Of its total area of 4,165 acres, 2,273 acres (54.6%) are within Trust Land holdings. It has a maximum depth of 95 feet. The outlet drains from the southern end of the lake and forms the beginning of the East Branch Penobscot River. A short section of the East Branch constitutes a part of the western boundary of this Trust Land. The lake level and outlet flow are controlled by a dam owned and operated by a public utility based in the Bangor, Maine area. The current operating license for this water control facility allows for considerable drawdown by the owner (up to 20+ feet, 10-12 feet long term average).

Mountain Catcher Pond is located in the northern half of the ownership and along the western boundary. This pond occupies an area of 90 acres, the easternmost 66 acres of which are within Trust Land holdings. The maximum depth is 16 feet. This pond's major inlet and outlet is Mountain Catcher Stream, which enters along the eastern shore and drains from the western shore and into Matagamon Lake.

Morrell Pond is located along the northern boundary of the ownership, and approximately the southernmost 1/3 of the pond is within Trust Land. Little additional physical data is available as this pond has never been surveyed. The outlet drains westerly from the west shore of the pond into Hay Brook.

Wetlands

The Maine Geological Survey of the Department of Conservation has not mapped wetland areas of 10 acres or more in Matagamon.

Aquifers

Sand and gravel aquifers were formed by glaciers and glacial melt-water streams 10,000 to 13,000 years ago. The Maine Geological Survey has identified one small aquifer in Matagamon at the southern border with a potential yield from 10 to 50 gallons per minute. Tolman (1981) mapped two small sand and gravel aquifers near the extreme southwestern corner of the Trust Land with potential yields of 10 to 50 gallons per minute. The southernmost aquifer is located outside of the Trust Land and the northernmost aquifer is only partially within the Trust Land.

Wildlife

Big-game species, including moose, white-tailed deer and bear all occur in Matagamon. The populations of these species fluctuate over time.

Waterfowl occur in suitable habitats in Matagamon and include black duck, hooded merganser, wood duck, common merganser, mallard, Canada goose, and occasional teal species.

The two primary small-game species include partridge and snowshoe hare. The populations of these animals vary greatly over time according to a cyclical pattern.

Furbearers in Matagamon include coyote, fox, bobcat, raccoon, fisher, marten, mink, river otter, muskrat, beaver, skunk, and short-tailed weasel.

Fisheries

Little fisheries assessment work has been conducted to date by the Penobscot Nation Department of Natural Resources (DNR) on the lakes and streams in this ownership. These holdings are scheduled for initial survey/resurvey work in 1992 or 1993. State Department of Inland Fisheries and Wildlife (IFW) surveys represent most of the information available at this time. Morrell Pond has not been surveyed by the State and so virtually nothing is known about its fisheries.

Matagamon Lake has received considerable attention from the State IFW since it was first surveyed in 1954 (revised 1963). It is a deep, cold water lake that supports virtually all cold water species that occur in Maine. Primary management species are landlocked salmon, brook trout, and lake trout. Considerable stocking of all three species has occurred in the past, much of which is necessitated by the negative impacts of licensed drawdowns on the reproductive success of these species. Fishing pressure is moderate to heavy, particularly in the winter.

Mountain Catcher Pond was surveyed by the State IFW in 1962. It is reported to support fishable numbers of brook trout and contains suitable habitat for a naturally sustained trout population. The major limitation to the trout population is the large number of yellow perch, a serious competitor to trout in small ponds. IFW recommended reclamation (poisoning) in 1962 but

never followed up. DNR will resurvey the pond in 1992 or 1993 and determine the best course of action.

Threatened and Endangered Species.

A review by the Fish and Wildlife Service of the U.S. Department of Interior has determined that except for occasional transient individuals, no federally listed or proposed threatened and endangered species are known to exist in Matagamon.

Timber Resources

In 1986 and 1987, the Penobscot Nation undertook a timber typing and mapping project for all trust lands. Within the Trust Land portion of Matagamon, there are 2,137 acres of softwood (32 percent of the land area), 2,302 acres of mixed wood (34 percent), 2,121 acres of hardwood (32 percent), 86 acres which are inaccessible (one percent), and 88 acres (one percent) which are non-forested.

The Forest Management Plan includes calculations of the ten-year harvest by Trust holding and Allowable Annual Cuts (AAC). The Plan recommends that the allowable annual cut in Matagamon be 1,221 cords.

Spruce budworm suppression projects were undertaken in Matagamon in 1984 to prevent further mortality and loss of vigor of the affected stands. The application consisted of aerial applications of a biological insecticide targeting primarily spruce and fir.

CULTURAL AND RESOURCE USE CHARACTERISTICS

Demographics

There are a number of structures located on out-parcels in the Trust Land portion of Matagamon. The Penobscot Nation has made some assignments in Matagamon, but there has been no construction and no Tribal members are living on the Trust Land.

Hunting, Fishing, and Trapping

Hunting, fishing, and trapping are important elements in the lives of the members of the Penobscot Nation. Matagamon is open for deer hunting to members and non-members of the Nation. Moose hunting by non-members is not permitted. Small game harvests have not been surveyed.

Set-Asides

The Penobscot Council has formally designated Birch Point (MT-1) as a set-aside, to be protected from development or other incompatible land use activities. Other set-asides include:

(MT-2) East Branch Penobscot River
(MT-4) Mountain Catcher Pond
(MT-6) Deep Cove

(MT-7) All islands in First Grand Lake Matagamon
(MT-8) Big Logan

Recreation

General. There are no formal recreation areas in the Nation's holdings in the Trust Land portion of Matagamon. Recreation activities on the Trust Lands include hunting, fishing, camping, canoeing, boating and hiking.

Roads. Currently, there are no gates on Grand Lake Road, which is a gravel road providing the only access to the Trust Holding. Grand Lake Road is a private road which extends from Route 159 in Mount Chase.

Recreational Potential

Matagamon has some unique management opportunities because of the extensive frontage on Grand Lake Matagamon and its proximity to Baxter State Park. There is a major Boy Scouts of America facility located on the Tract and some campsites. The high quality of Matagamon Lake makes it an ideal property to manage for a variety of recreation opportunities. There are four specific areas that have recreation potential in Matagamon, as identified in the Forest Management Plan:

a. East Branch of Penobscot River. The extreme southwest corner of this tract borders on the East Branch Penobscot River. The terrain does not allow road access, but foot access is a possibility and should be protected since Matagamon is the only Trust Land that borders on this River. A small parking lot could be developed for fishermen.

b. Area between the Boy Scouts facility and camp lots and extending inland to the ridge north of the area. This area has development potential for near-shore campsites, picnic sites, and cabin construction. Road access could be improved for driving-for-pleasure activity.

c. Peninsula between the Scout facility and the Big Logan inlet, the islands in Big Logan, the area between Big Logan and Mountain Catcher Pond, and the area around Deep Cove to the tract boundary. Recreation potential is good in all of these areas.

Timber Harvesting

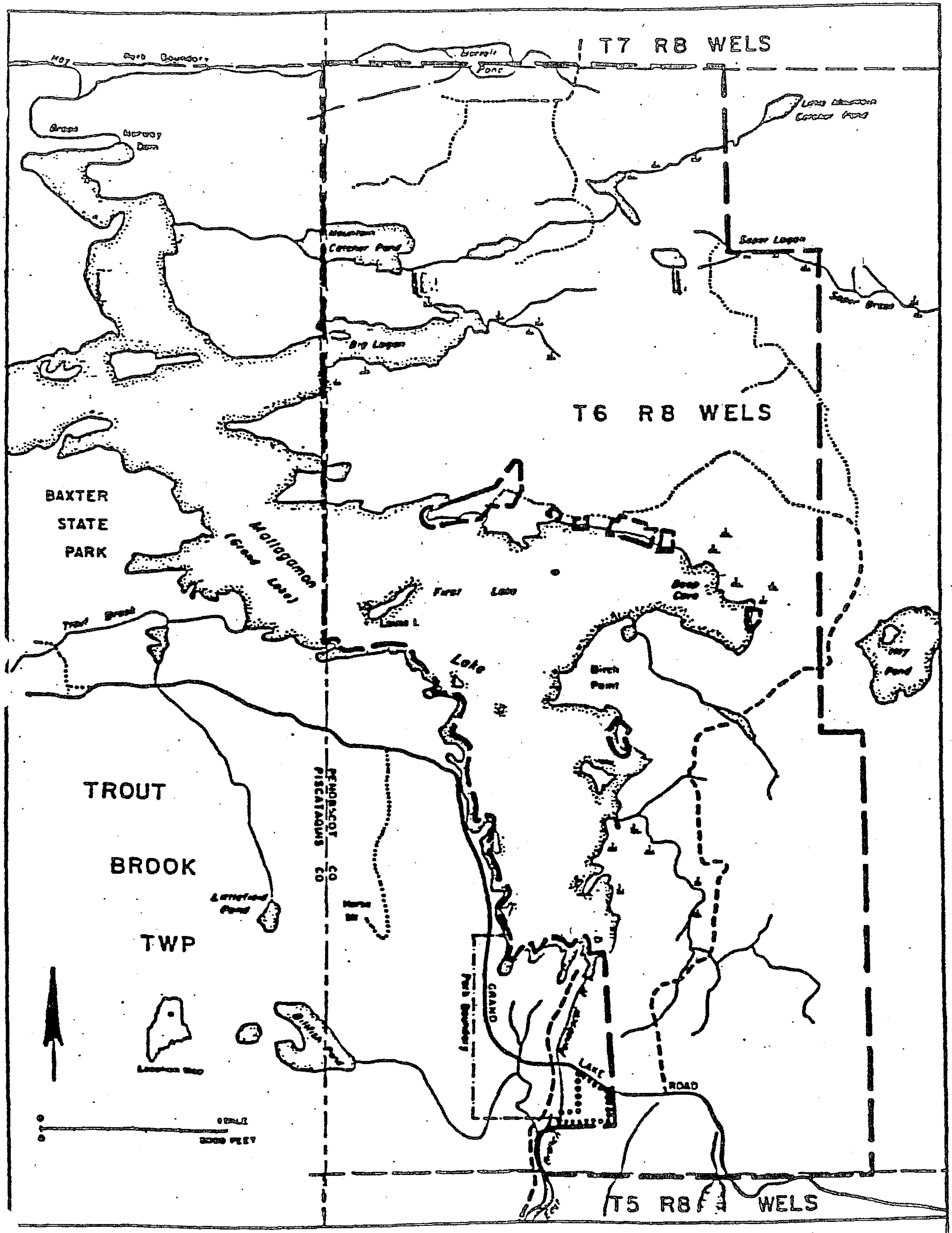
Timber harvesting provides an important source of revenue to the Penobscot Nation. Between 1982 and 1988, there were 33,033 cords of wood harvested from Matagamon, resulting in total revenues of $311,730. This was the largest harvest among the six Nation tracts.

Two areas have been identified as areas which may be harvested in the next five to ten years. One, located in the northeast, is an area which was harvested around 1980, just prior to the purchase of the land by the Penobscots. It currently has a light softwood overstory and is regenerating slowly. The area should be ready for initial release in five to ten years. The other area, just east of Lake Matagamon, is a well-stocked, immature softwood stand. There were recent timber sales in adjacent areas. This area should be ready for intermediate treatment in five to ten years. This may be delayed to hold the stand as wildlife cover while the adjacent areas recover from recent harvesting.

In 1990, the Penobscot Nation completed a Forest Management Plan governing the use of the timber resources on all Trust lands. In February of 1990, the Tribal Council adopted management Alternative 3 for the Trust Land portion of Matagamon. Alternative 3 provides for forest management with a greater emphasis on recreation and wildlife than was practiced prior to adoption of the Plan. A proposed zoning scheme was developed which designates areas where there are resources which are in need of some level of protection. These areas contain resources which would be destroyed, significantly altered or adversely affected by normal forest management activities. Accordingly, the proposed zoning scheme specifies very restrictive management for these areas, including "no cut" buffers. Forest management activities in these areas would be conducted under the supervision of Penobscot fish and wildlife personnel, and management decisions would be undertaken in accordance with Newbys Foresters Guide to Better Recreation Management. Areas not in need of significant protection measures would be subject to normal harvesting.

Land Use

Records of the Penobscot Nation indicate that there are only 9 outparcels located within the Trust Land portion of Matagamon. Several of these parcels include multiple structures, and one includes the Boy Scout camping facility.



T6 R8 WELS

MAP PE-1

CHAPTER 6. MATTAMISCONTIS (T2R9 AND T3R9 N.W.P.)

INTRODUCTION

The Mattamiscontis Trust Land is located in Penobscot County, approximately 40 miles north of Indian Island. Penobscot Nation ownership consists of one contiguous block which includes the eastern half of T3R9 N.W.P. and the western half of T2R9 N.W.P. Access to the tract is provided by an unimproved road which extends from the Lincoln exit of Interstate 95 across land owned by International Paper Company and by an unimproved road extending from the Seboeis Road which intersects the Milo-Howland Road in Howland.

The Mattamiscontis Trust Land consists of 21,960 acres including 18,718 acres of land, or 85 percent of the total area, and 3,242 acres of water bodies, or 15 percent of the total area. The topography is generally flat to gently sloping, except in the southwest corner of the parcel where there is some steep terrain around Mattamiscontis Mountain (elevation 1,093).

NATURAL RESOURCES

Soils

A medium intensity soil survey has been prepared by the Soil Conservation Service for Mattamiscontis. As part of the Nation's Economic Development Plan, a series of Soil Suitability maps has been prepared for the Trust Land, including a suitability map for subsurface sewage disposal, soil erodibility, agriculture, flood hazard potential, runoff potential, campground suitability, building site suitability, and groundwater. In addition, as part of the Forest Management Plan, a schematic soils map has been prepared, using published soil survey maps for Penobscot County, unpublished soil surveys, surficial geology maps, and professional knowledge.

Geology

Approximately 75 percent of the Land Trust is classified as biotite granite and granodiorite. The remainder is from a quartzite and shale group (Wing, 1959). Penobscot Nation samples collected in 1985 reflected 60 percent meta-greywackes and shales and 25 percent biotite granites. However, lack of adequate outcrop exposure limits mapping to a reconnaissance scale. Available aerial magnetic data does not reveal any significant magnetic gradients within the Trust Land area.

Surficial geologic maps (Lowell, 1980, 1981, 1982) show that approximately 50 percent of the Trust Land area is covered by glacial till. Areas with till containing sand and gravel total at least two to three square miles. Two areas totaling

approximately three square miles are indicated with thin overburden (i.e. less than ten feet deep) and outcrop exposure. Work by Thompson et. al. (1985) show two deposits of glacial outwash. The easternmost deposit is associated with an esker following Sam Ayers Stream, which together make up an approximately five mile long sand gravel aquifer.

Mineral Resources. There are no published references on metals occurrences in Mattamiscontis. It appears that the Trust Land area has not been subject to prior exploration for metals deposits.

Reconnaissance geochemical results from Penobscot Nation mineral assessment work suggest that there is potential for the occurrence of base, strategic and/or precious metals deposit. Additional study is needed.

Peat/Gravel. There is a small peat bog southeast of Mattamiscontis Lake. It has not been field checked for depth or quality.

Water Bodies

This tract contains three major lakes. Two of these, Mattamiscontis and Little Mattamiscontis lakes, are wholly within the ownership, while the third, East Branch Lake, is approximately 90% within Tribal lands.

Mattamiscontis Lake has a normal pool elevation of 389 feet, an area of 1,025 acres and a maximum depth of 38 feet. The majority of the lake is less than 20 feet deep, and nearly half is 10 feet deep or less. Two permanent inlets ("East" and "West" inlets) enter the north end of the lake. The outlet, Mattamiscontis Stream, drains from the south end of the lake. Lowlands and wetlands are common along the lake shore, particularly near the inlets and outlet and along the southwestern shoreline. Numerous islands and rock outcroppings of various size are present and provide extensive shorelines and littoral zones. Submerged boulder shoals are also common.

Little Mattamiscontis Lake has a normal pool elevation of 353 feet, an area of 275 acres and a maximum depth of 12 feet. Two major inlets, Mattamiscontis Stream and Mountain Brook, enter the lake along the east side and the northwest corner, respectively. A smaller, cold water inlet enters midway down the western shore. The outlet, Mattamiscontis Stream, drains from the southeast corner of the pond. There are no islands.

East Branch Lake is the largest of the three lakes, and all but the northwest corner are within Tribal ownership. This lake has an area of 1,100 acres, a normal pool elevation of 428 feet, and a maximum depth of 34 feet. Most of the lake is 22 feet or less in depth. Three permanent inlets, Widden Brook, Oak Knoll Brook, and a small wetlands drainage (unnamed), enter the lake between the north end and the midway point of the western shore. Two seasonal or intermittent inlets enter along the eastern shore. The outlet, East Branch Sebeois Stream, drains from the southern end. Some shoreline wetlands and lowlands are present

but the majority of the shoreline is large boulder and bedrock. Approximately 25 emergent islands and several submerged boulder shoals contribute significantly to shoreline and littoral areas of the lake.

Three major streams drain this Trust Land; Mattamiscontis Stream, Sam Ayers Stream, and East Branch Sebeois Stream. All three eventually flow into the Penobscot River drainage.

Mattamiscontis Stream drains the central portion of the ownership, including Mattamiscontis and Little Mattamiscontis lakes, and contains several small natural ponds or flowages, as well as fast flowing reaches.

Sam Ayers Stream drains the eastern portion of the ownership and flows into Mattamiscontis Stream several miles downstream of the southern Trust Land boundary. Sam Ayers Stream maintains two natural flowages within the ownership, called the Upper and Lower deadwaters. These flowages are surrounded by extensive wetlands, and are fed by numerous cold water springs and seeps. The water in Sam Ayers Stream is organically stained and considerably darker in color than the other two major streams in the ownership.

East Branch Sebeois Stream drains the western portion of the ownership, including East Branch Lake, and eventually feeds into Sebeois Stream and then the Piscataquis River. The section of this stream within the ownership is quite short, as it rapidly drains westward off Trust Land. However, the beginning of a major deadwater flowage on this stream, called Grey Ledge Deadwater, is contained within the ownership.

Mountain and Squirrel brooks are small, organically stained tributaries to Little Mattamiscontis Lake. Squirrel flows into Mountain prior to entering the lake. Natural flowages, cold water inlet springs, and considerable wetlands are located on these streams above the lake.

Lastly, a small, unnamed cold water tributary of very high water quality flows off Mattamiscontis Mountain and enters Little Mattamiscontis Lake along its western shore. This brook represents a significant water resource in this ownership, despite its small size and short length, because of its unique water quality and thermal characteristics.

Wetlands

The Maine Geological Survey of the Department of Conservation has mapped wetlands of ten acres or more throughout the State, but has not conducted an inventory in Mattamiscontis.

Aquifers

Sand and gravel aquifers were formed by glaciers and glacial melt-water streams 10,000 to 13,000 years ago. The Maine Geological Survey has mapped aquifers for Mattamiscontis. Part of a small aquifer is located in the southwest and a portion of a small aquifer is situated in the north. A major aquifer lies

along Sam Ayers Stream. All of these aquifers have a potential yield of 10 to 50 gallons of water per minute.

Wildlife

Big-game species, consisting of moose, white-tailed deer and bear all occur in Mattamiscontis. The two primary small-game species include partridge and snowshoe hare. The populations of these animals vary greatly over time according to a cyclical pattern. Gray squirrels are also present in limited numbers.

Waterfowl occur in suitable habitats in Mattamiscontis, including black duck, hooded merganser, wood duck, common merganser, mallard, Canada goose, and occasional teal species.

Furbearers include coyote, fox, bobcat, raccoon, fisher, marten, mink, river otter, muskrat, beaver, skunk, and short-tailed weasel.

Fisheries

Considerable fisheries assessment work (including water quality as it relates to fisheries) has been conducted in this ownership since 1988. A solid fisheries database now exists for all the major lakes and streams. Depth maps are available for all three lakes.

Generally, lake fisheries in this Trust Land emphasize warm water species such as smallmouth bass, chain pickerel, and white perch. A few trout are taken from each of the lakes in the spring season, primarily near the inlets or outlet, but none of the lakes are conducive to year round management for cold water species.

Primary fisheries in Mattamiscontis Lake include white perch and chain pickerel. Other species present include fallfish, brown bullhead, yellow perch, redbreast sunfish, pumpkinseed sunfish, white sucker, and American eel. Habitat in the lake is conducive to sustaining smallmouth bass, but none have been documented to date, despite their presence several miles downstream in the outlet. The lake is only lightly fished at this time due to difficult access. This lake was originally surveyed by the State Department of Inland Fisheries and Wildlife (IFW) in 1970, for depth profile, water quality and fish populations. It was resurveyed for water quality and fish populations by the Penobscot Department of Natural Resources (DNR) in 1990 and 1991. The deepest portion of the lake, where depths are over 20 feet, stratifies in the summer, and the hypolimnion becomes anoxic. This water quality deficiency precludes management for cold water species on a year-round basis. The extensive areas of shallow water in this lake are conducive to aquatic vegetation which likely contributes heavily to the lake's overall productivity, as well as providing excellent cover and habitat for warm water fish species.

Little Mattamiscontis Lake is very uniform in terms of depth. The majority of the lake proper is about 10 or 11 feet deep. A few shoreline boulders and scattered aquatic vegetation provide

some habitat and cover for fish, but in comparison to Mattamiscontis Lake, this lake lacks the quality and variety of habitat and cover required for fisheries enhancement. Primary fisheries are for pickerel, with a few small brook trout caught near the inlets through the ice and in spring. Occasional white perch are also taken. Other species present include yellow perch, pumpkinseed sunfish, white sucker, American eel, common shiner, golden shiner, fallfish, creek chub, blacknose dace, banded killfish, and Atlantic salmon (transitional during migratory phases). This lake was surveyed for depth, water quality, and fisheries by the State IFW in 1957. It is scheduled for a resurvey by DNR, but is considered a low priority task at this time. Future management, if any, will emphasize warm water fisheries. Fishing pressure is currently very low and the lake appears to be used much more for general recreation (e.g. canoeing, swimming, sunbathing) than for fishing. This lake is very appropriate for general recreational uses because of the good access, warm summer temperatures, and the extensive shallow sand beach on the south end.

East Branch Lake is by far the most valuable of the three in terms of fisheries and fishing opportunity. Primary fisheries are for smallmouth bass and white perch. Chain pickerel are also caught occacsionally, and a few brook trout are available seasonally near the inlets and in the outlet. Other fish species present include yellow perch, pumpkinseed sunfish, redbreast sunfish, fallfish, white sucker, brown bullhead, American eel, creek chub and common shiner. Fishing pressure is currently characterized as light but is increasing annually as bass fishing becomes more popular. This lake had never been surveyed by the State prior to the Tribe's purchase. In 1989, DNR conducted depth and water quality surveys, while fish populations were surveyed cooperatively by DNR and IFW in the same year. New fishing regulations have been implemented on this lake (to begin in 1992) in an effort to preserve the quality of the existing smallmouth bass fishery, through stringent harvest control.

Stream fisheries consist mainly of early season runs of brook trout throughout the various watersheds. Later in the summer, these trout populations reside primarily in the deadwaters and flowages where cold water springs and seeps enter. This is because the majority of the flowing sections of the larger streams become too warm to support brook trout year round.

After DNR completed habitat suitability surveys, many of the flowing stream sections in this ownership were delegated to the production of juvenile Atlantic salmon, through a Tribal fry stocking program that began in 1989. Atlantic salmon, while considered a cold water species, can tolerate significantly warmer summer water temperatures than brook trout, if the habitat is otherwise suitable for the species. The initial objective of this program is to fill vacant habitat and augment the adult returns up the Penobscot River drainage and hopefully into the Mattamiscontis Stream drainage, including Sam Ayers Stream. The long term program goal is establishment of a self-sustaining run of Atlantic salmon in these streams. Ideally, this self-sustaining population would be robust enough to also provide a harvestable surplus for Tribal members to enjoy.

Because a major portion of the limited cold water stream fisheries habitat in this ownership is surrounded by lowlands and wetlands, standard restrictions on timber harvest and development associated with these land types should afford sufficient protection from a water quality aspect. In contrast, improvements in access to these waters, and the subsequent potential for overharvesting, likely represent the most potential for damage to these fisheries if not controlled.

However, there are also a number of small stream drainages, many of them unnamed, which, while not directly supporting a large trout fishery on their own, most certainly contribute significantly to seasonal trout fisheries in the larger streams, flowages, and lakes in the ownership. These smaller streams cannot support many adult trout year round, but provide primary spawning grounds and juvenile nursery habitat for trout populations in the larger waters. Some of these waters include the East and West inlets to Mattamiscontis Lake, Johnny Ayers Brook, the higher gradient headwaters of Sam Ayers Stream, Mountain Brook, Squirrel Brook, and the unnamed, high gradient, cold water tributary to Little Mattamiscontis Lake on the west side (see also last paragraph under "Water Bodies").

Threatened and Endangered Species

The Maine Bald Eagle Project of the Maine Department of Inland Fisheries and Wildlife has identified a Bald Eagle nest site on an unnamed island west of Cranberry Island on Mattamiscontis Lake. Currently, wildlife biologists recommend a one-quarter mile radius protection zone around eagle nest sites. Such a protection zone would not conflict with any uses proposed under the forest management alternatives for Mattamiscontis, although it may mean that the construction of nearby seasonal camps should be limited. The Fish and Wildlife Service of the U.S. Department of Interior has found no other federally listed or proposed threatened and endangered species except for an occasional transient animal or bird.

Timber Resources

In 1986 and 1987, the Penobscot Nation undertook a timber typing and mapping project for all Trust Land. Within Mattamiscontis, there are 11,918 acres of softwood (63 percent of the land area), 1,416 acres of mixed wood (8 percent), 4,918 acres of hardwood (26 percent), 306 acres which are inaccessible (2 percent), and 126 acres (1 percent) which are non-forested.

The Forest Management Plan includes calculations of the ten year harvest by Trust Land and Allowable Annual Cuts (AAC). The Plan recommends that the allowable annual cut in Mattamiscontis be 4,460 cords.

There has been a problem with beech bark disease in the ownership which has caused some mortality and severe degradation of the merchantable timber. All of the Trust Lands have this problem to some degree, but the problem is most severe in Mattamiscontis. There are no direct control methods for this

disease. The favoring of non-host species during stand improvement operations is the only known prevention technique. In stands of almost pure beech with a high degree of infestation, stand conversion may be the only solution. More work on a stand by stand basis is needed before an approach to this problem can be formulated.

Hemlock looper defoliation has been documented recently in several locations in Maine including the Trust Land. The disease is capable of killing hemlocks in a single season.

CULTURAL AND RESOURCE USE CHARACTERISTICS

Demographics

According to records of the Penobscot Nation, there are no Penobscot Nation members living in the Trust Land parcel. There are only 3 out-parcels, including one on Mattamiscontis Lake and 2 on Little Mattamiscontis Lake.

Hunting, Fishing, Trapping

Hunting, fishing and trapping are activities which are carried out by members of the Penobscot Nation and others. Moose hunting by non-members is not permitted. Between 1983 and 1988, the number of moose taken by Penobscot members from Mattamiscontis, as reflected in the registrations, has ranged from a low of 2 in 1988 to a high of 9 in 1984. During the same time period, a low of 6 deer were taken in 1983 (5 by Penobscot members) and a high of 31 were taken in 1987 (17 by members). Small game harvests have not been surveyed. One bear was taken in 1985.

Set-Asides

The Penobscot Nation has identified 13 set-aside areas, shown and keyed on the land use map, which are to be protected from development or other incompatible land use activities. These include the following:

MT-1. East Branch Lake Campsite (established)
MT-2. Little Mattamiscontis Campsite (established)
MT-3. Mattamiscontis Lake Campsite (established)
MT-4. Gravel pit/parking area/camping area (near Mattamiscontis Stream)
MT-5. Camping area on Mattamiscontis Inlet
MT-6. Moose Ridge
MT-7. Sam Ayers Stream campsite
MT-8. Spring for public use
MT-9. Cranberry bog
MT-10. All islands in Mattamiscontis Lake and East Branch Lake
MT-11. Gravel pit
MT-12. Gravel pit

Recreation

General. There are no formal recreation areas in Mattamiscontis. However, informal recreational activities include hunting, fishing, camping, canoeing, boating, hiking, and driving for enjoyment. According to the public opinion survey, this Trust Land is the area most often used by members for recreational purposes, including hunting and fishing.

Access. Currently, there is a steel gate across the Seboeis access and a steel gate across the Lincoln access to the property. These gates are only in place during "mud" season (from about March 15th to May 15th) and are closed during this period to protect the roads which have poor soil structure and which could be easily damaged if used during mud season.

Access to Mattamiscontis is generally good. One access road extends from the Lincoln exit of Interstate 95 across land owned by International Paper Company. Members of the Penobscot Nation have a legal right-of-way across this land. Access may also be gained from the Seboeis Road which intersects the Milo-Howland Road in Howland. The Penobscots do not have a legal right of way across the private portion of this road.

Recreational potential

The Forest Management Plan identifies five areas which have high or significant recreation potential. The tract has the best potential for "driving-for-pleasure" opportunities due to the "loop" drive character of the road system along with a few side roads which lead to scenic areas. The five key areas are as follows:

a. **Little Mattamiscontis Lake (south end).** The area next to the camp lot on the southwest corner of the lake has additional capacity for recreation development, particularly the area due east where a sandy beach is located. Trail systems could be established around Little Mattamiscontis and west to Bear Pond for water-related recreation. The areas west of the Lake, north to Mountain Brook, and extending to the gravel road may be appropriate for fishing, swimming, nature study, hiking, hunting, and possibly winter activities. Camps or campgrounds might be appropriate.

b. **Mattamiscontis Lake (southeast shore area).** The east shore of the Lake has potential for development as well as for providing access to the lake. Road development would be needed to open the area. The entire south end of the Lake and most of the east and north sides, along with three islands, may be appropriate for boating, canoeing, island picnicking, hunting and fishing.

c. **Lower Sam Ayers Deadwater and Sam Ayers Stream.** This area offers opportunities for hunting, fishing, canoeing, nature appreciation, and camping. Access from the main gravel road up Sam Ayers Stream could be improved through the addition of expanded camping facilities and trail systems. There is an old wooden dam which could be restored for its historic

value and as a means of improving the fishing habitat. There is good potential here for moose hunting. A water/land trail system could be established here.

d. **Upper Sam Ayers Deadwater and Stream.** There is a road leading out onto an esker which gives a scenic view of the upper stretches of Sam Ayers Deadwater. Due to the small size of the land base, day-use such as picnicking, hunting or nature viewing may be the best activities for this area. Creative trail design and construction could open much of this area for nature appreciation.

e. **East Branch Lake (south shore).** There is an informal recreation site which could be improved to provide greater access to the islands in the Lake. Activities could include camping, picnicking, and boating.

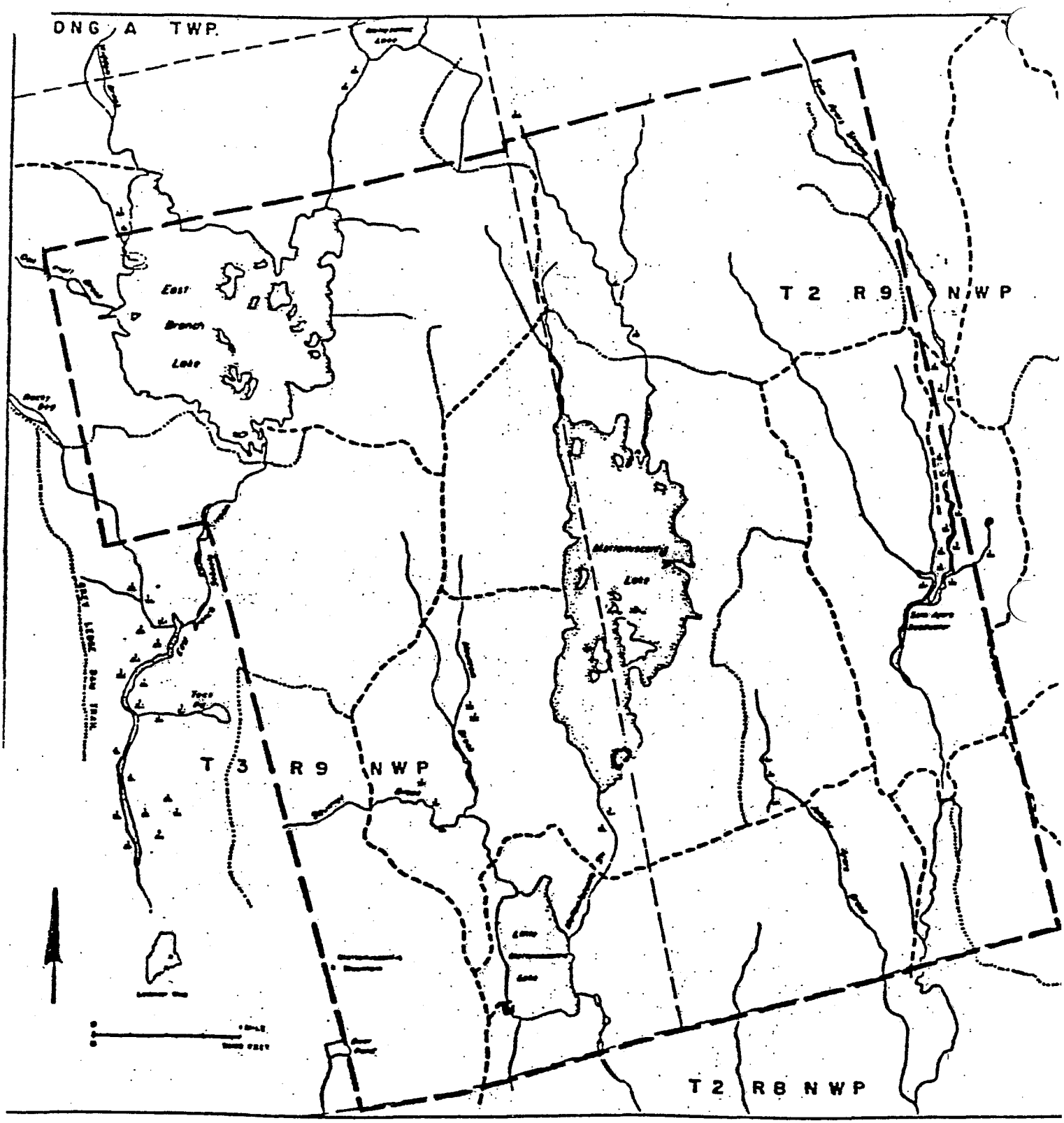
In addition to the five areas described above, an area surrounding Squirrel Brook to the south tract boundary and east to Mattamiscontis Lake would be a good area for hiking, snowmobile and recreational vehicle trails.

Timber Harvesting

Timber harvesting generally provides an important source of revenue to the Penobscot Nation, but there has been very little within the tract. Between 1982 and 1988, there were 1,056 cords of wood harvested from Mattamiscontis, resulting in total revenues of $14,050. There is currently an active timber sale in Mattamiscontis.

Only a small amount of forest development work has been done on the Trust Lands since their acquisition. Approximately, 30 acres of overstocked, young spruce and fir stands have been spaced using brush saws. Additional acres will be treated as funding is secured.

In 1990, the Penobscot Nation completed a Forest Management Plan governing the use of the timber resources on all Trust Land. In February of 1990, the Tribal Council adopted management Alternative 4 for Mattamiscontis. Alternative 4 provides for forest management with the greatest possible emphasis on recreation and wildlife. It attempts to provide for greater protection of fish, wildlife, and recreation resources. A proposed zoning scheme was developed which designates areas where there are resources which are in need of some level of protection. These areas contain resources which would be destroyed, significantly altered or adversely affected by normal forest management activities. Accordingly, the proposed zoning scheme specifies very restrictive management for these areas, including "no cut" buffers. Forest management activities in these areas would be conducted under the supervision of Penobscot fish and wildlife personnel, and management decisions would be undertaken in accordance with Newbys Foresters Guide to Better Recreation Management. Areas not in need of significant protection measures would be subject to normal harvesting.



T2 R9 NWP & T3 R9 NWP
MAP PE-3

CHAPTER 7. WILLIAMSBURG

INTRODUCTION

Williamsburg is located in Piscataquis County in the center of the State, approximately 30 miles north of Indian Island. Saddleback Mountain lies just north of the Township and Brownville Junction borders Williamsburg on the east. The Trust Land in Williamsburg consists of three tracts: the K.I. Tract in the north (in reference to Katahdin Iron Works Township which borders this tract to the north), the Whetstone Tract in the middle (in reference to Whetstone Brook which runs through the tract), and Merrill Tract in the south (in reference to Merrill Brook which runs through it). The Trust Land in Williamsburg consists of 4,393 acres including 4,296 acres of land, or 98 percent of the Township, and 97 acres of water, or 2 percent of the Township. The terrain of the Williamsburg tracts is gently rolling. Part of Perham Hill is located in the Merrill Tract.

NATURAL RESOURCES

Soils

A medium intensity soil survey has not been conducted for Williamsburg. However, as part of the Forest Management Plan, a schematic, regional soil map has been prepared, using published soil survey maps for Penobscot County, unpublished soil surveys, surficial geology maps, and professional knowledge.

The most abundant soil associations occurring in Williamsburg include the following:

1. **Marlow-Lyman-Dixfield Association** - 10 to 35 percent slopes, well drained and moderately well drained deep soils on glacial till ridges.

2. **Dixfield-Colonel-Marlow Association** - 8 to 15 percent slopes, deep moderately well drained, somewhat poorly drained and well drained soils formed in loamy compact glacial till.

3. **Brayton-Peacham Association** - 0 to 3 percent slopes, deep poorly and very poorly drained soils formed in loamy compact glacial till.

4. **Colonel-Brayton-Dixfield Association** - 0 to 8 percent slopes, deep, somewhat poorly drained, poorly drained and moderately well drained soils formed in loamy compact glacial till.

5. Colonel-Brayton-Lyman Association - 0 to 8 percent slopes, deep somewhat poorly drained and poorly drained soils and shallow somewhat excessively drained soils formed in loamy compact glacial till.

6. Berkshire-Lyman Association - 8 to 15 percent slopes, deep, well drained and shallow somewhat excessively drained soils formed in loamy glacial till.

Geology

Siltstones and shales of Devonian age underlie two tracts in Williamsburg, the Whetstone and Merrill tracts. No data is available for the K.I. Tract.

Mineral Resources. The sedimentary terrain of Williamsburg appears to have low potential for metal resources. Based on soil samples collected by the Penobscot Indian Nation, a few scattered high copper and nickel deposits may stem from Katahdin Iron Works glacial debris, but no detailed studies have been undertaken. Slate has been quarried at Perham Hill (not under Penobscot Nation ownership) in the center of the Merrill Brook Tract. The quality and extent of slate on Trust Land has not been determined.

Peat/Gravel. Due to the heavily glaciated nature of the area around Williamsburg, the tracts need to be field checked for glacial overburden which may host sand and gravel deposits. One potential sand and gravel area has been located with aerial photographs. A cleared area has been cut into the southernmost tip of a drumlin and may be of interest depending on the drumlin composition (till or bedrock). None of the tracts show signs of peat resources.

Water Bodies

There are no lakes or great ponds in this ownership. Four streams drain the scattered and rather fragmented land holdings in Williamsburg. A short section of the western bank of the West Branch Pleasant River is also included in this ownership.

Roaring and Stinking brooks drain easterly into the West Branch Pleasant River, from the northernmost land tract in this ownership. Roaring Brook is significantly larger in flow volume and drainage area than is Stinking Brook. Whetstone Brook drains southeasterly into the mainstem Pleasant River, from the central land tract in this ownership. Merrill Brook drains southerly into the Sebec River, from the southernmost land tract. Whetstone, Merrill, and Stinking Brooks are all rather small, and approximately equivalent in mean annual flow.

The Pleasant River and its branches above Brownville are of exceptionally high water quality, scenic and aesthetic value. The strip of shoreline owned along one bank of the West Branch Pleasant River is probably most significant in terms of its potential recreational benefits to the Penobscots.

Wetlands

The Maine Geological Survey of the Department of Conservation has mapped wetland areas of ten acres or more throughout the State, but has not undertaken a wetlands inventory in the Trust Land.

Aquifers

Sand and gravel aquifers were formed by glaciers and glacial melt-water streams 10,000 to 13,000 years ago. Wells which are properly constructed in these aquifers have the capacity to yield large volumes of water. The Maine Geological Survey has identified a very large aquifer located in Brownville Junction just to the east of Williamsburg. A small part of this aquifer extends into Williamsburg in the northeast. There is another small aquifer just to the west of the first aquifer. Both have potential yields of 10 to 50 gallons per minute.

Wildlife

Williamsburg is home to big-game species, including moose, white-tailed deer, and black bear. Small-game species found in Williamsburg include partridge and snowshoe hare. Gray squirrels occur in limited numbers.

Waterfowl occur in suitable habitats on the tracts and include black duck, hooded merganser, wood duck, common merganser, mallard, Canada goose, and the occasional teal species.

Furbearers in Williamsburg occur in stable numbers and include coyote, fox, bobcat, raccoon, fisher, marten, mink, river otter, muskrat, beaver, skunk, and short-tailed weasel.

Fisheries

Only minimal fisheries assessments have been completed on the streams in this ownership at this time. More detailed work is scheduled for 1992 and 1993.

In general, all four of the larger streams in this tract are cold water streams and support at least some populations of brook trout, Atlantic salmon, and/or landlocked salmon (same species as Atlantic but different life history). DNR has documented significant brook trout populations in Whetstone Brook and significant brook trout and salmon populations in Roaring Brook. Of the two, Roaring Brook is most important from the aspect of providing a sustainable fishery, primarily because of its larger size. When more information becomes available, portions of some or all of these streams may be added to the Atlantic salmon enhancement program now underway in Mattamiscontis.

The West Branch Pleasant River is known for its excellent Atlantic salmon juvenile nursery and adult spawning habitat. These habitat values are evident in the section that flows along Tribal ownership. Some State stocking of juvenile salmon is ongoing in various areas of the drainage, but much of the

Atlantic salmon population is natural in origin. This river also supports a naturally sustained brook trout fishery.

Threatened and Endangered Species

A review by the Fish and Wildlife Service of the U.S. Department of Interior has determined that except for occasional transient individuals, no federally listed or proposed threatened and endangered species are known to exist in Williamsburg.

Timber Resources

In 1986 and 1987, the Penobscot Nation undertook a timber typing and mapping project for all Trust lands. On the Williamsburg tracts, there are 1,328 acres of softwood (31 percent of the land area), 1,319 acres of mixed wood (31 percent), 1,531 acres of hardwood (35 percent), 11 acres which are inaccessible (.3 percent) and 106 acres which are non-forested (3 percent).

The Forest Management Plan includes calculations of the 10-year harvest by Trust Land parcel. The Plan recommends that the Allowable Annual Cut in Williamsburg be 871 cords.

Currently there is one active timber sale in Williamsburg, the Merrill Brook Sale. Towards the center of the K.I. Tract, there are stands which may have been harvested in the mid-1960s. This area contains part of a deer wintering area. There is no legal access way. The deer wintering area is composed of mature hemlock which needs some intermediate treatment to start the regeneration process. In the eastern part of the K.I. Tract, there is an area which was harvested in 1976. In five to ten years, this area may need some type of intermediate harvest to improve stocking levels and species composition.

CULTURAL AND RESOURCE USE CHARACTERISTICS

Demographics

There are no known members of the Penobscot Nation living in any of the Williamsburg tracts, and there are no outparcels. In the future, members of the Penobscot Nation may want to live in those areas where there is good road access, including the southern portion of the K.I. Tract and the Whetstone Tract.

Hunting, Fishing, Trapping

Hunting, fishing, and trapping are activities which are carried out by members of the Penobscot Nation and non-members on the Trust land. Deer hunting and trapping for non-members is by permit only. Moose hunting by non-members is not permitted. Between 1983 and 1988, a total of three moose were taken by Penobscot members from Williamsburg, as reflected in the registrations. Four deer were harvested in Williamsburg during the same time span. Small game harvests have not been surveyed. There is no record of bear having been taken from Williamsburg.

Recreation

General. There are no formal recreation areas in the Nation's holdings in Williamsburg. Recreational activities on the three tracts include hunting, fishing, camping, canoeing, hiking, and driving for enjoyment.

Access. All of the roads in Williamsburg are open. Access to the tracts ranges from good to poor. Access to the section of the K.I. Tract north of the Canadian Pacific railroad track, via the old Katahdin Iron Works Railroad line, is poor. The Penobscots have no legal right-of-way to this line. There are a number of washed out culverts along this line and the road surface is poor. Access to the southern part of the K.I. Tract and the Whetstone Tract is good, while access to the Merrill Brook Tract is limited to winter roads.

Recreational Potential

The fact that the three parcels of land in Williamsburg are not adjacent to each other poses some problems for recreation potential. The K.I. Tract has some limited possibilities associated with the West Branch of the Pleasant River and Stinking Brook. With some relatively minor roadside improvements, such as turn-outs and vista cuttings, this area could provide some very pleasant driving-for-pleasure opportunities and picnicking sites.

Commercial trips on the West Branch Pleasant River and other activities associated with Gulf Hagas and Katahdin Iron Works may produce some spin-off opportunities worthy of more in-depth study. Feasibility studies on recreational opportunities associated with the Canadian Pacific Railroad should be watched for possible related activities on Trust Land.

Timber Harvesting

Commercial timber harvesting has occurred on all of the Trust Land to some degree since their acquisition. Stumpage revenue from timber harvesting is an important form of revenue to members of the Penobscot Nation. Between fiscal years 1982 to 1988, 16,873 cords of timber were harvested from Williamsburg for a monetary revenue of $173,620.

In 1990, the Penobscot Nation completed a Forest Management Plan governing the use of the timber resources on all Trust lands. In February of 1990, the Tribal Council adopted management Alternative 3 for Williamsburg. Alternative 3 provides for forest management with a greater emphasis on recreation and wildlife than was practiced prior to adoption of the Plan. A proposed zoning scheme was developed which designates areas where there are resources which are in need of some level of protection. These areas contain resources which would be destroyed, significantly altered or adversely affected by normal forest management activities. Accordingly, the proposed zoning scheme specifies very restrictive management for these areas, including "no cut" buffers. Forest management activities in these areas would be conducted under the

supervision of fish and wildlife personnel, and management decisions would be undertaken in accordance with Newbys Foresters Guide to Better Recreation Management. Areas not in need of significant protection measures would be subject to normal harvesting.

CHAPTER 8. ARGYLE

INTRODUCTION

The Trust Land portion of Argyle is located in Penobscot County ten miles north of Indian Island and is the closest Trust ownership to the Reservation. Argyle includes two separate tracts of land: the northern tract, which is the largest, is bordered by Birch Stream to the west and is split by Interstate 95. The tract lies at the northern boundary of Argyle Township. The southern tract lies in the center of the Township just east of Interstate 95 and extends easterly to the Penobscot River. There are no roads passable by two-wheel drive vehicles in the northern tract. Route 116 crosses the southern tract.

The Argyle ownership consists of a total of 4,955 acres including 4,618 acres of land, or 93 percent of the Township, and 337 acres of water, or 7 percent of the Township. The Argyle tract is flat to gently sloping in terrain. There are no steep slopes in this area.

NATURAL RESOURCES

Soils

A medium intensity soil survey has been prepared by the Soil Conservation Service for Argyle. As part of the Nation's Economic Development Plan, a series of Soil Suitability maps has been prepared for the Trust Land, including a suitability map for subsurface sewage disposal, soil erodibility, agriculture, flood hazard potential, runoff potential, campground suitability, building site suitability, and groundwater. In addition, as part of the Forest Management Plan, a schematic, regional soils map has been prepared, using published soil survey maps for Penobscot County, unpublished soil surveys, surficial geology maps, and professional knowledge.

Geology

The Argyle tract occurs within the Silurian Vassalboro Formation, which is a mixed calcareous sandstone (Osberg et. al., 1985). Outcrop samples collected under the Penobscot Nation mineral assessment program were sandstones, greywackes, and shales. Swamp and glaciomarine deposits cover the land surface in Argyle with a section of till covering a small area of higher ground (Thompson, et. al., 1985).

Mineral Resources. The Argyle Trust Land shows little potential for mineralization. Geochemical test results of soil samples show no significant metals. No additional metals exploration is recommended for Argyle.

Peat/Gravel. A large peat bog, located at the northern boundary with LaGrange and Edinburg, includes approximately 150 acres in the western tract. The quality of the bog has not been field tested. Four smaller bogs have been identified but only one appears to be greater than 40 acres in size. There is no evidence of commercial sand and/or gravel in Argyle.

Water Bodies

There are no lakes or great ponds in the ownership. Two major streams border or flow through sections of this Trust Land; Hemlock Stream and Birch Stream. The Penobscot River borders the east side of the southern tract.

Birch Stream drains southeasterly along the southwestern border of the Trust Land, and into the Penobscot River. Several small tributaries originate and enter Birch Stream within the ownership.

Hemlock Stream runs southeasterly through and along the northeast tract and into the Penobscot River.

Wetlands

The Maine Geological Survey of the Department of Conservation has not mapped 10-acre wetlands in the Argyle Trust Land.

Aquifers

Sand and gravel aquifers were formed by glaciers and glacial melt-water streams 10,000 to 13,000 years ago. The Maine Geological Survey has identified no sand and gravel aquifers in the Argyle tract.

Wildlife

Big-game species, consisting of moose, white-tailed deer and bear all occur in Argyle. The two primary small-game species include partridge and snowshoe hare. Limited numbers of gray squirrels can also be found in Argyle.

Waterfowl occur in suitable habitats in Argyle and include black duck, hooded merganser, wood duck, common merganser, mallard, Canada goose, and occasional teal species.

Furbearers in Argyle include coyote, fox, bobcat, raccoon, fisher, marten, mink, river otter, muskrat, beaver, skunk, and short-tailed weasel.

Fisheries

Birch Stream and Hemlock Steam are considered warm water in nature, but similarly to those in the Mattamiscontis ownership, both support seasonal fisheries for brook trout in the flowing sections, and summer trout fisheries in the deadwaters and flowages that have cold water input from seeps and springs. Low populations of Atlantic salmon have been documented by DNR in suitable sections, but contribute little to the overall Penobscot

River restoration program at this time. Chain pickerel and smallmouth bass are other species of management interest. These waters are considered low priority within the fisheries program at this time. When additional surveys are completed, sections of these streams may be added to the Atlantic salmon stocking program currently ongoing in the Mattamiscontis Trust Land.

Threatened and Endangered Species

A review by the Fish and Wildlife Service of the U.S. Department of Interior has determined that except for occasional transient individuals, no federally listed or proposed threatened and endangered species are known to exist in Argyle.

Timber Resources

In 1986 and 1987, the Penobscot Nation undertook a timber typing and mapping project for all Trust Lands. Within Argyle, there are 474 acres of softwood (10 percent of the land area), 307 acres of mixed wood (7 percent), 3,068 acres of hardwood (66 percent), and 769 acres (17 percent) which are non-forested. In general, the quality of the wood in Argyle is good.

The Forest Management Plan includes calculations of the ten year harvest by Trust Land and Allowable Annual Cuts (AAC). The Plan recommends that the allowable annual cut in Argyle be 152 cords.

CULTURAL AND RESOURCE USE CHARACTERISTICS

Demographics

The ownership portion of Argyle consists primarily of undeveloped land. Outparcels include one on Route 116, and one lot which has been sold to a Tribal member. It is likely that some members of the Penobscot Nation may want to live in Argyle due to its close proximity to Indian Island and the access which is provided to the central tract by Route 116.

Hunting, Fishing, Trapping

Hunting, fishing, and trapping are activities which are carried out by members of the Penobscot Nation as well as non-members. The Trust Land in Argyle is a traditional hunting area of the Penobscots. Between 1983 and 1988, the number of moose taken by Penobscot members from Argyle, as reflected in the registrations, has ranged from a low of 1 in both 1986 and 1988 to a high of 11 in 1984. During this same time period, more deer were taken from Argyle than any of the Trust holdings. A low of 23 deer were taken in 1983 (21 by Penobscot members) and a high of 47 were taken in 1988 (35 by Penobscots). In 1985, 2 bear were harvested in Argyle. Small game harvests have not been surveyed.

Recreation

General. There are no formal recreation areas in the Nation's holdings in Argyle. Recreational activities on Trust lands include hunting, fishing, camping, canoeing, hiking, and driving for enjoyment.

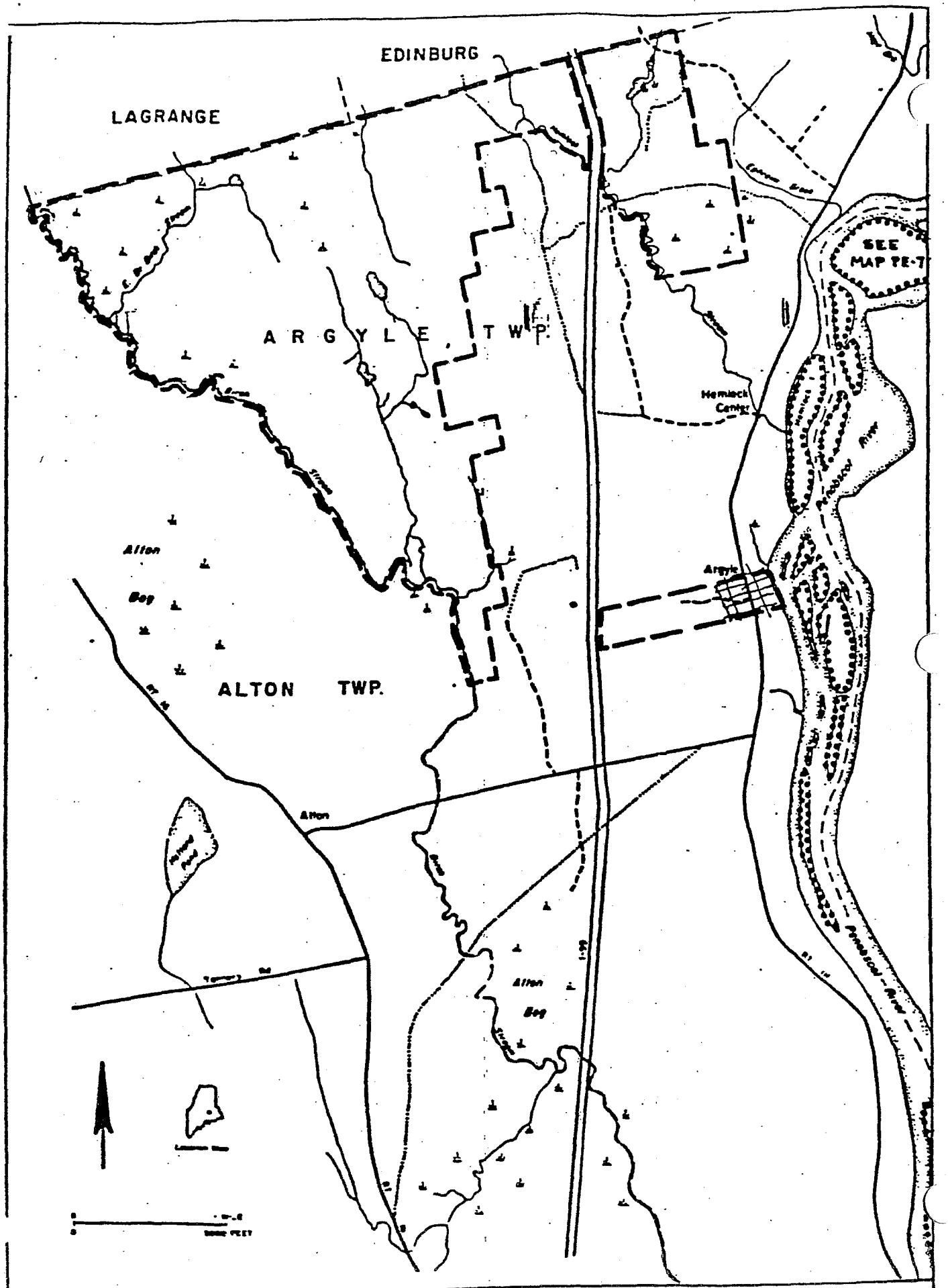
Recreational Potential. The northern tract in Argyle does not have good road access and consists primarily of wetlands and bogs. Birch Stream is usually navigable in early spring. The area adjacent to Birch Stream is not suitable for intensive management. There is a greater potential for wildlife habitat protection and stream bank protection than for the development of active recreation areas or aesthetic management. An inventory of the Argyle tract could be done within the next five years to determine if specific recreation resource management programs should be initiated.

Timber Harvesting

Between 1982 and 1988, there were 993 cords of wood harvested in Argyle, resulting in total revenues of $17,860. There are no active sales in the Argyle tract and no harvesting activity is expected over the next ten years.

In 1990, the Penobscot Nation completed a Forest Management Plan governing the use of timber resources on all Trust lands. In February of 1990, the Tribal Council adopted management Alternative 4 for Argyle with the modification that Timber Management zones be changed to Wildlife Management zones. Alternative 4 provides for forest management with the greatest possible emphasis on recreation and wildlife. It provides for greater protection of fish, wildlife, and recreation resources. A proposed zoning scheme was developed which designates areas where there are resources in need of some level of protection. These areas contain resources which would be destroyed, significantly altered or adversely affected by normal forest management activities. Accordingly, the proposed zoning scheme specifies very restrictive management for these areas, including "no cut" buffers. Forest management activities in these areas would be conducted under the supervision of Penobscot fish and wildlife personnel, and management decisions would be undertaken in accordance with Newbys Foresters Guide to Better Recreation Management.

MAP ARGYLE TWP



ARGYLE TWP.
MAP PE-4

CHAPTER 9. T3R1 N.B.P.P.

INTRODUCTION

T3R1 N.B.P.P. is located in Penobscot County, approximately 35 miles northeast of Indian Island. The major access to T3R1 N.B.P.P. is by a private gravel road which crosses International Paper Company's land in T3R1 N.B.P.P. and joins an unnamed town road in Lee. Access can also be gained through land owned by the Penobscots in Lakeville.

T3R1 N.B.P.P. consists of a total of 543 acres, which is the smallest holding of the Trust Lands. The land area of T3R1 N.B.P.P. comprises 497 acres, or 92 percent of the tract, while water bodies account for 46 acres, or 8 percent of the tract.

The terrain of T3R1 N.B.P.P. ranges from flat to gently sloping. The East Branch Passadumkeag River flows north to south through the center of the tract.

NATURAL RESOURCES

Soils

A medium intensity soil survey has not been conducted for T3R1 N.B.P.P. However, as part of the Forest Management Plan, a schematic soil map has been prepared, using published soil survey maps for Penobscot County, unpublished soil surveys, surficial geology maps, and professional knowledge.

T3R1 N.B.P.P. has four soil associations present. They are the following:

1. **Red Hook-Atherton-Machias Association** - 0 to 8 percent slopes, consists of deep somewhat poorly drained, poorly drained, very poorly drained and moderately well drained soils formed in sand and gravel.

2. **Stetson-Machias Association** - 0 to 8 percent slopes, consists of deep well drained to somewhat excessively drained and moderately well drained soils formed in sand and gravel.

3. **Cabot-Histosols Association** - 0 to 8 percent slopes, consists of deep somewhat poorly and poorly drained soils formed in compact loamy glacial till and very poorly drained soils formed in organic deposits.

4. **Herman-Rock outcrop Association** - 8 to 15 percent slopes, consists of deep somewhat excessively drained soils formed in sandy glacial till and rock outcrop.

Geology

T3R1 N.B.P.P. is underlain by a hornblende-biotite quartz monzonite of Devonian Age (Osberg, et. al., 1985). Samples collected during reconnaissance geologic mapping (Penobscot Nation mineral assessment) confirm this. Till is covering the majority of T3R1 N.B.P.P. and an esker lies parallel to the East Branch Passadumkeag River (Thompson, et. al., 1985).

Mineral Resources. There is no evidence of any important mineral resources in T3R1 N.B.P.P.

Peat/Gravel. There are no significant peat resources in T3R1 N.B.P.P. The sand in two small pits located in the esker along the East Branch Passadumkeag River may be of use for clean fill if the need arises.

Water Bodies

There are no lakes or great ponds in this Trust Land. The major water body is the East Branch Passadumkeag River, which flows through the center of the tract. A small, 3 acre pond is contained within the tract and drains easterly into the East Branch, which in turn flows southerly off the Trust Land prior to its confluence with the West Branch Passadumkeag.

Wetlands

The Maine Geological Survey of the Department of Conservation has not conducted a wetlands inventory on T3R1 N.B.P.P.

Aquifers

Sand and gravel aquifers were formed by glaciers and glacial melt-water streams 10,000 to 13,000 years ago. The Maine Geological Survey has identified no aquifers in T3R1 N.B.P.P.

Wildlife

Big-game species, consisting of moose, white-tailed deer and bear all occur in T3R1 N.B.P.P. The moose and deer populations are moderate and the bear population is moderate and stable. The deer harvest is limited on this tract.

Fisheries

The East Branch Passadumkeag River supports a seasonal brook trout fishery. Weir Pond, located just north of the Trust Land, and representing the headwaters of the East Branch, has been stocked regularly with trout by the State IFW. Undoubtedly, some of the trout available in the East Branch originate from these stockings. The fishery in the small pond within the ownership is unknown at this time. Fisheries survey work for these waters is scheduled for 1992 or 1993.

Threatened and Endangered Species

A review by the Fish and Wildlife Service of the U.S. Department of Interior has determined that except for occasional transient animals or birds, no federally listed or proposed threatened and endangered species are known to exist in T3R1 N.B.P.P.

Timber Resources

In 1986 and 1987, the Penobscot Nation undertook a timber typing and mapping project for all Trust Land. Within T3R1 N.B.P.P., there are 298 acres of softwood (60 percent of the land area), 88 acres of mixed wood (18 percent), 90 acres of hardwood (18 percent), and 21 acres (4 percent) which are non-forested. In general, the quality of the wood in T3R1 N.B.P.P. is good.

The Forest Management Plan includes calculations of the ten year harvest by Trust Land and Allowable Annual Cuts (AAC). The Plan recommends that the allowable annual cut in T3R1 N.B.P.P. be 97 cords.

CULTURAL AND RESOURCE USE CHARACTERISTICS

Demographics

T3R1 N.B.P.P. is totally uninhabited. There are no outparcels.

Hunting, Fishing, and Trapping

Hunting, fishing and trapping are activities which are carried out by members of the Penobscot Nation and non-members on the Trust Land. Moose hunting by non-members is not permitted on the land. Between 1983 and 1988, only one moose and five deer were taken from T3R1 N.B.P.P. No bear were harvested during that period. Small game harvests have not been surveyed.

Recreation

General. There are no formal recreation areas in the Nation's holdings in T3R1 N.B.P.P. Recreational activities on Trust Lands include hunting, fishing, camping, canoeing, and hiking.

Access. There are several unimproved roads leading into T3R1 N.B.P.P., as well as a number of trails.

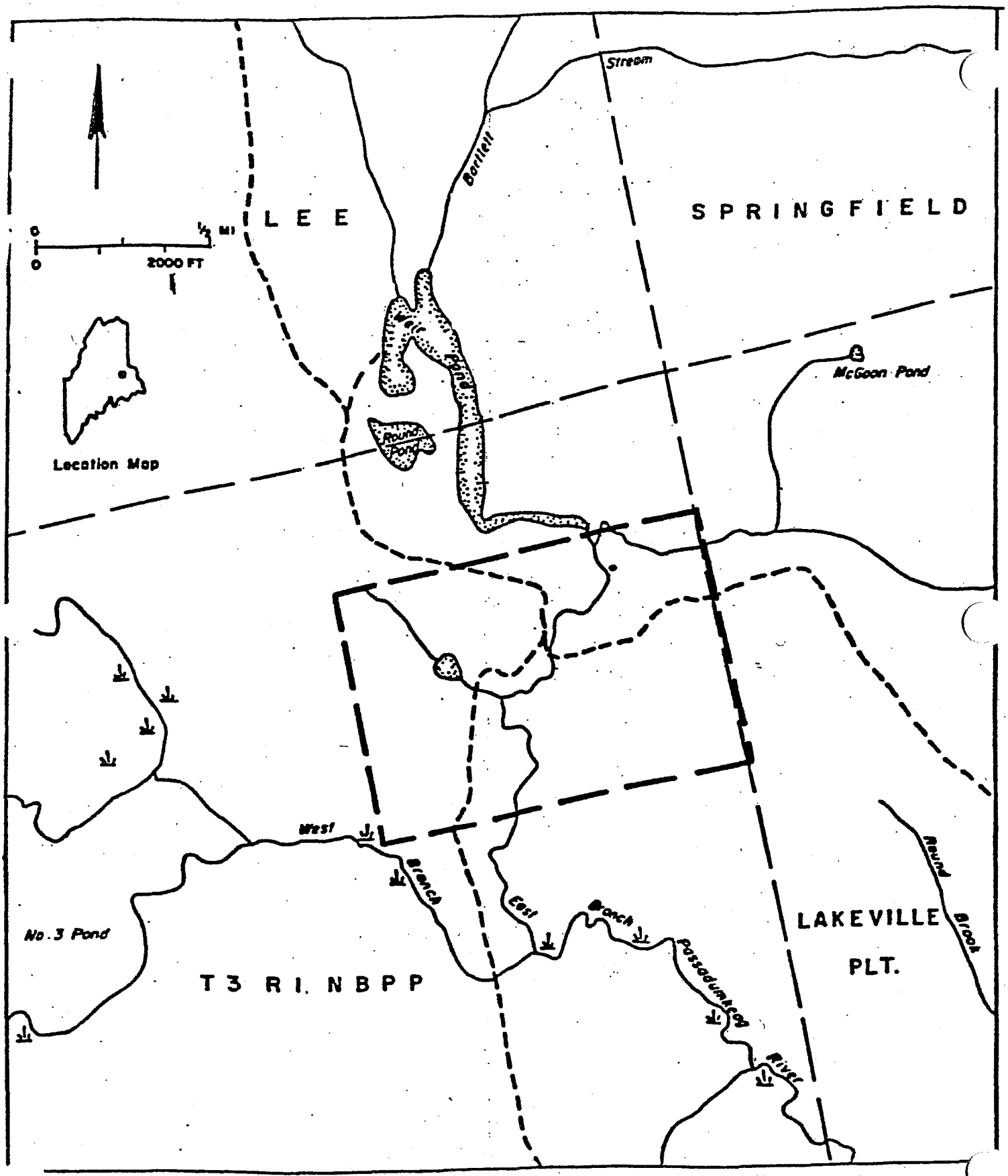
Recreational potential

T3R1 N.B.P.P. appears to be too small for any formal recreational development. There is, however, access to the East Branch Passadumkeag River which could be used for recreation. Facilities such as parking, picnic sites, and a boat ramp could be developed.

Timber Harvesting

Between 1982 and 1988, there were 1,559 cords of wood harvested from T3R1 N.B.P.P., resulting in total revenues of $17,860. There are no active timber sales at this time and no areas have been designated to be harvested in the next five years. Two areas which could be harvested in the next five to ten years include an area along the western border consisting of a hardwood ridge which may be reaching maturity, and another area in the southwest which is also a hardwood ridge but appears younger. Intermediate treatment may be needed.

In 1990, the Penobscot Nation completed a Forest Management Plan governing the use of the timber resources on all Trust Land. In February of 1990, the Tribal Council adopted management Alternative 3 for T3R1 N.B.P.P. Alternative 3 provides for forest management with a greater emphasis on recreation and wildlife than was practiced prior to Plan adoption. A proposed zoning scheme was developed which designates areas where there are resources which are in need of some level of protection. These areas contain resources which would be destroyed, significantly altered or adversely affected by normal forest management activities. Accordingly, the proposed zoning scheme specifies very restrictive management for these areas, including "no cut" buffers. Forest management activities in these areas would be conducted under the supervision of Penobscot fish and wildlife personnel, and management decisions would be undertaken in accordance with Newbys Foresters Guide to Better Recreation Management. Areas not in need of significant protection measures would be subject to normal harvesting.



T 3 R I NBPP

MAP PE-5

Prepared for Maine Indian Tribal-State Commission

P.O. Box 87, Hallowell, Maine

Road

Unimproved road

Trail

Boundary of Penobscot

CHAPTER 10. GENERAL GOALS AND POLICIES

Broad Goals of the Penobscot Nation

The following broad goals shall guide the actions of the Penobscot Nation with respect to its Trust Lands:

1. *Conserve, protect and enhance the natural resources of the Trust Lands for this and future generations of Tribal members for non-intensive recreation, fisheries and wildlife habitat, and sustained yield timber management.*

2. *Manage all the resources of the Trust Lands based on the principles of sound planning and multiple use, to enhance the spiritual, living, working and recreational condition of Tribal members, to ensure the separation of incompatible uses, to assure the continued availability of outstanding water quality, fisheries, wildlife habitat, forest resources, groundwater, scenic and other natural resource values.*

3. *Maintain the natural character of special areas within the Trust Lands which have significant natural, spiritual, and cultural values.*

NATURAL RESOURCES

Lakes and Great Ponds

Goals:

Protect the quality of the lakes and great ponds lying within the jurisdiction of the Penobscot Nation, and allow reasonable use by and access for Penobscots and their descendants.

Policies:

1. Undeveloped Lakes. Maintain a number of lakes and great ponds in an undeveloped state for the indefinite future so as to protect water quality, fish and wildlife habitat, natural and scenic beauty and unspoiled, tranquil areas.

2. Penobscot Access. Retain, on all lakes, and great ponds, at least one access area for all members of the Penobscot Nation. Ensure that issues of access, use and development for the Nation as a whole take precedence over uses by individuals or families. Ensure that developments that benefit a large number of people take precedence over developments by a single individual or one family.

3. Set-Aside Areas. On every lake and great pond, set aside at least one Tribal recreation area for tenting, camping, and primitive use.

4. Environmentally Sensitive Areas. Retain in an undeveloped state all environmentally sensitive areas, including wetlands, unique wildlife habitat areas, and areas subject to flooding.

5. Culturally Sensitive Areas. In areas where archaeological resources have been discovered, prohibit collection of artifacts except by professional archaeologists who obtain a permit from the Penobscot Nation.

6. Development. Allow controlled development on some lakes that currently have existing development patterns, subject to strict environmental regulations including standards for waste or sewage disposal, timber cutting, and erosion control, as well as additional controls for lakes and great ponds identified by the Penobscot Nation Water Quality Management Program as being in danger of phosphorus overloading. Regulate the nature and extent of development to ensure that similar development opportunities are available for future generations.

Rivers and Streams

Goals:

Protect the rivers and streams lying within the jurisdiction of the Penobscot Nation.

Policies:

1. Undeveloped Shorelines. Maintain the shorelines of rivers and streams in an undeveloped state so as to protect water quality, fish and wildlife habitat, natural and scenic beauty, and unspoiled, tranquil areas.

2. Access. Ensure that access to all rivers and streams is retained as land is settled.

3. Environmentally Sensitive Areas. Retain in an undeveloped state all environmentally sensitive areas, including wetlands, unique wildlife habitat areas, and areas subject to flooding.

4. Culturally Sensitive Areas. In areas where archaeological resources have been discovered, prohibit collection of artifacts except by professional archaeologists who obtain a permit from the Penobscot Nation.

5. Development. Allow controlled development on rivers and streams, subject to strict environmental regulations

including standards for waste or sewage disposal, timber cutting, and erosion control. Regulate the nature and extent of development to ensure that similar development opportunities are available for future generations.

Aquifers/*Groundwater*

Goals:

Protect identified aquifers *and groundwater* for use by all members of the Penobscot Nation.

Policies:

1. **Adverse Impacts.** To the maximum extent possible, protect identified aquifers *and groundwater* from land uses that could adversely affect ground water through the permit review process.

Wetlands

Protect wetland areas from the adverse impacts of land development.

Policies:

1. **Adverse Impacts.** Protect identified wetland areas by limiting fill and structures in these areas.

Mineral Exploration

Goals:

Ensure that mineral exploration activities are conducted in such a manner so as to protect environmentally sensitive areas.

Policies:

1. **Protection of Environmentally Sensitive Areas.** Ensure through regulations that all mineral exploration activities protect environmentally sensitive areas, including but not limited to the habitats of rare and endangered species, deer wintering areas, and set-asides identified by the Nation such as spiritual areas, water falls and trout streams.

Mineral Extraction

Goals:

Ensure that all mineral extraction activities are subject to strict environmental regulation and review. Ensure that all mineral extraction activities, or funds from the sale of mineral extraction, benefit the Penobscot Nation as a whole.

Policies:

1. **Regulations.** Ensure that all mineral extraction activities are subject to a permit, and that all permits are based on State or Federal standards, or comparable standards drafted by the Penobscot Nation.

Timber Management

Goals:

Conduct timber management activities in a manner that provides sustained income to the Penobscot Nation, while at the same time providing for and protecting fish habitat, water quality, wildlife habitat, recreational sites and cultural areas.

Policies:

1. **Forest Management Plan.** Continue to implement the Forest Management Plan adopted in 1990 which specifies that:

   a. **Alternative 3.** Forest Management Alternative 3, as specified in the Plan, is the preferred management plan for Alder Stream, Williamsburg, Matagamon (T6R8 WELS), and T3R1.

   b. **Alternative 4.** Forest Management Alternative 4, as specified in the Plan, is the preferred management plan for Mattamiscontis (T2 and 3R9) and Argyle.

   c. **Other Uses.** Uses to be protected by timber management alternatives 3 and 4 include fish habitat and water quality (by no cut and partial cut zones along lakes and streams), wildlife habitat (timber harvesting to provide habitat diversity and to protect deer yards and deer cover areas), recreational use areas (specific areas designated for special management) and cultural areas (protection of areas along water bodies and protection of other identified sites).

2. Encourage the use of natural biological agents, wherever possible, rather than chemical pesticides, for combating pests and infestations.

3. Encourage long-range practices such as replanting seedlings to encourage maximum timber yield over time.

Wildlife

Goals:

Ensure that substantial areas within the Trust Land are maintained in an undeveloped state so as to provide for abundant fish and wildlife species, especially game species hunted by members of the Penobscot Nation.

Policies:

1. **Deer Wintering Areas.** Maintain known deer wintering areas in an undeveloped state and limit disturbances created by mineral exploration activities, timber harvesting, and other activities.

Individual Wood Harvesting

Goals:

Ensure that wood that is harvested for individual use, including the gathering of firewood and the use of timber for building

structures, does not threaten the Nation's timber resources or otherwise damage or impair sensitive areas.

Policies:

1. **Permits.** Require that a permit be obtained for all gathering of firewood on Trust Land, and that a permit be obtained for the use of any wood that is to be used in building structures.

2. **Protection of Set-Asides.** Limit the gathering of firewood and the removal of timber for building purposes in all set-aside areas, in all sensitive areas such as wetlands, and along common use areas such as wooded areas along woods roads.

3. **Brush Burning.** Require a permit from the Penobscot Nation for the burning of any brush.

Soils and Geological Resources

Goals:

Conserve soil and geologic resources by controlling erosion, by protecting areas of significant geological formations, and by allowing environmentally responsible utilization of the resources.

Policies:

1. *Geologic Formations. Protect areas identified as important natural geologic formations.*

2. *Hazards. Protect land areas with identified geological or topographical hazards, including areas with wet or fragile soils, steep slopes, and high elevation.*

3. *Erosion, Sedimentation. Administer performance standards for timber harvesting, road construction, mineral extraction, stream crossings, and other land use activities in order to prevent soil erosion and sedimentation of water bodies.*

4. *Soil Suitability. Administer standards for structural development and land uses based on soil suitability.*

Scenic Resources

Goals:

Protect scenic character and natural values by requiring that proposed assignments and related land uses fit harmoniously into the natural environment, and that proposed activities minimize adverse aesthetic effects on land uses, scenic beauty, and natural and cultural resources.

Policies:

1. *Scenic Values. Regulate development so as to protect natural, scenic and aesthetic values.*

2. *Scenic Areas. Protect the scenic values of shorelands, mountains, and other scenic areas.*

3. *Forestry. Regulate forestry activities in important recreational and scenic areas to protect aesthetic qualities.*

Air Resources

Goals:

Protect and enhance the quality of air resources throughout the Trust Lands.

Policies:

1. *Incompatible Development. Prohibit development that would create an undue adverse impact on the air quality of the Trust Lands.*

2. *State Standards. Require that any development that would result in air emissions comply with all State and Federal air quality requirements.*

LAND DEVELOPMENT

Goals:

Guide the location of assignments and other development in order to protect and conserve forests, recreational, plant and animal habitats, and other natural resources, to ensure the

compatibility of land uses with one another, and to allow a reasonable range of development opportunities important to Tribal members.

Policies:

1. *Sprawl. Discourage assignments and other development that would result in scattered and sprawling development patterns.*
   Encourage assignments and other developments to be located near other related activities.

2. *Harmonious Development. Require that developments fit harmoniously into the existing natural environment and do not adversely impact scenic areas or natural beauty.*

3. *Site Suitability. Require that site suitability characteristics be taken into account during the review of proposed assignments and other development activities.*

4. *New Developments. Allow new Tribal community areas, family compounds, and multi-unit assignments where the proposed site would be appropriate to the development, where there is a demonstrated Tribal need for the development, and where recreational resources would not be harmed and where wilderness, natural plant or animal habitat values would not be unreasonably degraded.*

5. *Major Roads. Discourage construction of major new accesses which would result in the loss of significant wilderness values and the natural character of remote areas.*

6. *Cumulative Impact. Prevent the degradation of natural and cultural values resulting from the cumulative impacts of incremental development.*

7. *Buffers. Require the use of buffers, building setbacks and landscaping to minimize the impacts of land use activities on one another and to maintain the scenic quality of shorelines and roadways.*

8. *Utilities. Require that new utility lines, pipelines and rights-of-way and their associated facilities be located away from sensitive areas or be constructed and landscaped to that they do not degrade natural areas.*

9. *Signs. Limit the number and size of signs in order to prevent undue or hazardous visual impacts.*

10. *Waste. Regulate the disposal of sewage, solid waste, and other wastes and prohibit their disposal in flood plain areas, unsuitable soils, or other inappropriate areas.*

Definitions

1. Camp Site. Any area designated for transient occupancy by camping primarily in tents or lean-tos, provided that any permanent structures are limited to privies, fireplaces, picnic tables (with or without roofs), lean-tos and water pumps.

2. Primitive Camp. A remote, primitive dwelling unit that is not served by any utilities except for radio communication. A primitive camp may have a pit or privy (outhouse), a wash basin, and wood stove. It is used primarily by those who

hunt, fish, camp, hike, cross-country ski and/or pursue other outdoor activities, but it is not suitable and is not used for year-round occupancy. Generally, an assigned lot for a primitive camp is one acre.

3. Family Compound. A group of 3 to 6 primitive camps with a central dining/kitchen facility, and surrounding sleeping quarters. The central building may or may not be served by running water and a septic system or its equivalent.

4. Seasonal Camp. A dwelling unit that is served by running water and a septic system or its equivalent. A seasonal camp may contain a living room, a family room, a kitchen, a bathroom and bedrooms, and it may also contain modern appliances such as a refrigerator, and a washing machine. It is not suitable and is not used for year-round occupancy. Generally, an assigned lot for a seasonal camp is one acre, but this may be increased at the discretion of the Penobscot Nation to provide for adequate subsurface sewage disposal.

5. Year-Round Dwelling Unit. A room or group of rooms arranged as a living unit for 1 or more individuals or a single family and used as a living unit for at least 7 months during any calendar year. A year-round dwelling unit may contain running water. If it contains running water, it also contains a septic system or its equivalent. Generally, an assigned lot for a year-round dwelling unit is one acre, although this may be increased by vote of the Land Committee up to 10 acres to allow for uses such as tree nurseries and agriculture, or to provide for adequate subsurface sewage disposal.

Assignments

Goals:

Ensure that assignments are administered in an orderly fashion and that all members of the Penobscot Nation are treated equally.

Policies:

1. Specify in lot assignments that lots are to be used only for the use designated by the applicant and approved by the Land Committee.

2. Ensure that assignments on sensitive waterbodies are preceded by an analysis of phosphorus loading capacity.

3. Continue to administer assignments on a first come, first served basis.

4. To the maximum extent possible, identify blocks of lots in advance of assignments.

5. Require that assigned lots be used for the intended purpose within 5 years from the date of the assignment unless the time limit is extended by the Land Committee for extenuating circumstances.

6. Require that all assignments be subject to a removal clause stating that after notice, the Penobscot Nation may rescind an assignment for unusual circumstances, provided there is just compensation (fair market value for improvements to the land) paid to the holder of the assignment. Improvements to the land shall include only those improvements paid for by the holder of the assignment. Unusual circumstances include Tribal economic development use, the discovery of major mineral resources and the intention of the Penobscot Nation to mine those resources, serious environmental impacts such as the flooding of an assignment site, or the pollution of a waterbody, etc.

Permits for Structures

Goal:

Ensure that structures are used in an environmentally sound manner that does not threaten the Nation's resources and that such structures are used for the intended purpose as stated by the original assignee.

Policies:

1. Provide that all structures on Trust Land be subject to the following:

   a. **Permit.** All structures except sweat lodges shall require a permit from the Penobscot Nation.

   b. **Change of Use.** Approval of structures shall be subject to the condition that they shall not be converted to other use(s) without first meeting all requirements for such use(s). All such conversions shall be subject to a prior permit issued by the Penobscot Nation.

   c. **Environmentally Sensitive Areas.** No structures shall be located in environmentally sensitive areas such as, but not limited to, wetlands, aquifers, deer wintering areas, or deer cover areas.

   d. **Slopes.** No structures shall be located on slopes greater than 20%.

   e. **Mountain Tops, Ridges.** No structures shall be located on mountain tops or the tops of ridges.

Sewage/Waste Disposal

Goals:

Provide for adequate disposal of sewage and other wastes and protect the quality of the surface and ground waters of the Nation's Trust Land.

Policies:

1. **Plumbing Code Compliance.** Prior to issuance of any construction (i.e. camps, etc.) permit, the applicant must provide the Penobscot Nation Land Committee with evidence of suitable soils, as determined by a Licensed Site Evaluator, for a subsurface sewage disposal system (i.e. privy, outhouse, septic system, regardless of the structure type). Require that the subsurface sewage disposal system be installed in accordance with all requirements of the State Plumbing Code or comparable standard, drafted by the Penobscot Nation, plus any additional requirements that may be imposed for specific water bodies.

Campsites

Goals:

Ensure that campsites and camping activities are conducted in a manner that preserves water quality, protects fish and wildlife habitat, and retains the scenic, wild and natural character of the Trust Land.

1. **Recreational Vehicles.** Allow recreational vehicles to be used for camping purposes, but require that they be located at least 100 feet from the normal high water mark of a lake or pond.

2. **Fires.** Require a permit from the Penobscot Nation for campfires in all areas other than on an assigned lot.

Primitive Camps

Goals:

Provide maximum flexibility in allowing primitive camps throughout the Trust Land while establishing safeguards to ensure wise use of the Nation's resources.

Policies:

1. Allow the construction of primitive camps throughout the Trust Land subject to the following:

a. Permit. All primitive camps shall require a structure permit and applicants must provide evidence of suitable soils as determined by a licensed Site Evaluator.

b. Construction and Use. Primitive camps shall not be placed on a foundation, shall not be served by electrical power and running water, and shall be a temporary-use structure used only during hunting and fishing seasons or during such times as other outdoor recreational activities are being pursued.

2. Assignments. Allow assignments of up to an acre for each primitive camp.

Family Compound

Goal:

Allow for the establishment of family compounds subject to safeguards to ensure the wise use of the Nation's resources.

Policies:

1. Allow for the establishment of family compounds throughout the Trust Land subject to the following:

   a. Permit. All family compounds shall require a structure permit from the Penobscot Nation and applicants must provide evidence of suitable soils as determined by a licensed Site Evaluator.

   b. Cluster. Family compounds may include a proportionately larger lot than an equivalent number of primitive camps, but the units shall be clustered to preserve open space.

Seasonal Camps

Goals:

Allow members of the Penobscot Nation to establish seasonal camps, but establish standards to protect the integrity of the Nation's water bodies.

Policies:

1. Permit. Require that a permit be obtained from the Penobscot Nation prior to construction of a seasonal camp and applicants must provide evidence of suitable soils as determined by a licensed Site Evaluator.

2. Concentrated Development. Concentrate seasonal dwellings in specific areas to the maximum extent possible.

3. **Assignments.** Allow assignments of up to 1 acre for each seasonal camp provided that more land may be assigned at the discretion of the Nation if some of the land is unusable, or if more land is deemed necessary for such uses as tree nurseries or agriculture, or to provide for adequate subsurface sewage disposal. Require that additional assigned land be returned to the Nation if the use of the additional land ceases or is not used for its intended purposes within a specified period of time.

Year-Round Dwellings

Goals:

Provide for the orderly use and enjoyment of Trust Land by members of the Penobscot Nation. Prohibit development that would diminish the enjoyment and use of Trust Land by all members of the Penobscot Nation.

Policies:

1. **Permit.** Require that a permit be obtained from the Penobscot Nation prior to construction of a year-round dwelling and applicants must provide evidence of suitable soils as determined by a licensed Site Evaluator.

2. **Concentrated Development.** Concentrate dwellings in specific areas to the maximum extent possible.

3. **Assignments.** Allow assignments of up to 1 acre for each year-round home provided that more land may be assigned at the discretion of the Nation if some of the land is unusable, or if more land is deemed necessary for such uses as tree nurseries or agriculture, or to provide for adequate sub-surface sewage disposal. Require that additional assigned land be returned to the Nation if the use of the additional land ceases or is not used for its intended purposes within a specified period of time.

New Communities

1. Allow for the development of new communities as the need arises, provided that the initiative for such communities is taken by the Penobscot Nation.

Recreation Uses

Goal:

To provide for the use of Trust Land for recreation purposes by members of the Penobscot Nation, to allow for future recreation development that may benefit the Nation as a whole, and to limit the use of Penobscot Nation land by non-members when such use

could be detrimental to the land or the enjoyment of that land by members.

Policies:

1. Trail/Road Use. Allow, as a matter of policy, for the use of all trails by members of the Nation for recreational purposes.

   a. Gates. Continue the use of gates, and allow for additional gates, where necessary, to allow for private access by Penobscot Nation members and to protect certain roads and areas from erosion during mud season.

   b. ATV Use by Members. Encourage members of the Penobscot Nation not to use ATVs on Trust Land trails during periods when erosion could be a problem.

   c. Non-Member Vehicle Use. Establish a policy that all ATV use, snowmobiles, and off-road vehicle use requires a permit from the Penobscot Nation.

2. Recreation/Resort Uses. Develop guidelines for the establishment of recreation and resort areas. Designate recreation/resort areas at such future time as such uses are deemed by the Land Committee/Council to be appropriate, provided that such uses do not interfere with set-asides or other uses established or identified by the Nation for use by the Nation.

3. Non-Member Camping. Establish a policy that all camping and campfires require a permit from the Penobscot Nation.

4. Signs. Post signs at appropriate areas, advising the general public that certain restrictions apply to the use of Tribal Lands by non-members.

Energy Resources

Goals:

Provide for environmentally sound and socially beneficial utilization of indigenous energy resources where there are no over-riding, conflicting Tribal values which require protection.

Policies:

1. *Hydroelectric Power Projects. Prohibit hydroelectric power projects on Trust Lands.*

2. *Individual Use. Allow individuals the use of renewable energy resources so as to increase their self-sufficiency.*

3. *Other Power Projects. Prohibit other power projects until such time as this Plan and the Land Use Ordinance have been amended in accordance with the Land and Residency Laws to permit such facilities in specific locations, subject to performance standards*

aimed at minimizing intrusion on natural and human resource values and prohibiting development in environmentally sensitive areas.

Multiple-Assignment Developments

Goals:

In areas near or adjacent to existing development or where another area not adjacent is suitable, allow for the creation, by the Penobscot Nation Tribal Government, of environmentally sound multi-assignment developments (blocks of assignments) in response to demands for assignments by Tribal members and/or for the purpose of guiding and concentrating residential development to avoid scattered development and sprawl.

Policies:

1. *Suitable Areas. Allow multi-assignment developments in areas which may be suitable for such development. Prohibit such developments in deer wintering areas, deer cover areas, special habitat areas, set-asides and wetlands, recreational areas, scenic areas, active timber harvesting areas, and areas of cultural significance to the Nation.*

2. *Soil Suitability. Require that each potential assignment area contain suitable soils for a subsurface sewage disposal system.*

3. *Independent Review. Require that the design of the multi-assignment development be subject to independent review by another agency of Tribal government, and that provision be made to require modification of the development to protect*

   natural resources, recreation, fish and wildlife habitat, or cultural values.

Commercial and Industrial Development

Goals:

In areas near or adjacent to existing development or where another area not adjacent would be suitable, allow only small business ventures on Trust Lands but make provision for future amendments to allow other commercial and industrial development.

Policies:

1. *Small Business Ventures. Allow small business ventures including stores with a maximum size of 2,500 square feet, and home-based businesses including, but not limited to tree farming, basket weaving, the growing of crops, and the creation of arts, crafts and other objects from raw materials contained on Trust Lands.*

2. *Other Development. Prohibit other commercial and industrial development until such time as this Plan and the Land Use Ordinance have been amended in accordance with the Land and Residency Laws to permit such facilities in specific locations, subject to performance standards aimed at minimizing intrusion on natural and human resource values and prohibiting development in environmentally sensitive areas.*

3. *Independent Review. Require that commercial and industrial projects initiated by the Penobscot Nation be subject to independent review by another agency of Tribal government, and that provision be made to require modification of the development to protect natural resources, recreation, fish and wildlife habitat, or cultural values.*

ALDER STREAM

Lakes and Great Ponds

Policies:

1. Blanchard Pond, Snow Mountain Pond. Retain Blanchard Pond and Snow Mountain Pond in an undeveloped, undisturbed state. Prohibit any lakeside development including year-round dwellings, seasonal camps and primitive camps.

2. Round Mountain Pond. Allow structures on Round Mountain Pond as specified below and shown on the land use map.

   a) Retain the Big Pines area for use by all members of the Nation as a camping area and canoe launch/storage area.

   b) Retain in a natural, undeveloped condition the wetland area at the southwest corner of the pond and the area of steep slopes along the southern shore.

   c) Allow the development of primitive camps and seasonal camps, on the remainder of the pond. To protect the quality of the pond, ensure that all development meets the following requirements: at least 200 feet of shorefront for each primitive or seasonal camp; subsurface sewage disposal systems to be at least 200 feet from the shore, and all other structures to be at least 150 feet from the shore.

Dead River

Policies:

Except as otherwise designated, require a setback of 250 feet from the Dead River.

Alder Stream

Policies:

Except as otherwise designated, require a setback of 250 feet from Alder Stream.

All Other Streams

Policies:

Except as otherwise designated, require a setback of 75 feet.

Roads

Maintain a right-of-way width of 50 feet on either side of all roads and prohibit any structures within the right-of-way. Retain a right-of-way access on all roads, including timber harvesting roads.

Set-Asides/Setbacks

Policies

Structure Setbacks. Ensure, through regulations, that all structures observe the following setbacks from designated set-asides:

Snow Mountain Pond:	500 feet
Blanchard Pond:	500 feet
Alder Stream Falls:	500 feet
Sarampus Falls:	500 feet
Round Mountain Pond - south shore:	500 feet
Round Mountain Pond - other areas:	150 feet
Dead River	100 feet
Alder Stream	75 feet
Round Mountain Pond Road	50 feet

Land within 75 feet of all other rivers and streams

Mounton Tops - above following elevations:

Snow Mountain	3700'
Round Mountain A	3000'
Round Mountain B	2900'
Round Mountain C	2800'
Round Mountain D	2480'
Toenail Ridge A	2200'
Toenail Ridge B	2000'
Toenail Ridge C	2000'
Barnard Ridge	2200'
Unknown A	2900'
Unknown B	2500'

Structures

Allow primitive and seasonal camps, family compounds, and year round dwellings in Alder Stream Township exclusive of the areas recommended for retention in an undeveloped state including, but not limited to, set-asides, wetlands, deer cover areas, and deer wintering areas. Allow only primitive and seasonal camps around Round Mountain Pond.

MATAGAMON

Lakes and Great Ponds

Policies:

1. Morrell Pond, Mountain Catcher Pond, Big Logan. Retain Morrell Pond, Mountain Catcher Pond, and the Big Logan portion of First Grand Lake Matagamon in an undeveloped, undisturbed state. Retain all islands in an undeveloped state. Prohibit any lakeside development including primitive camps, family compounds, seasonal camps and year-round dwellings, within 500 feet of these water bodies.

2. First Grand Lake Matagamon. Allow structures on First Grand Lake Matagamon as specified below and as shown on the land use map.

   a. Retain Birch Point in an undeveloped state as a spiritual area for all members of the Penobscot Nation, and require that non-members obtain a permit prior to camping on Birch Point.

   b. Retain all islands in an undeveloped state.

   c. Prohibit all development in wetland/lowland areas as shown on the land use map.

   d. Allow primitive camps, seasonal camps, family compounds, and year-round dwellings on the remainder of the lake subject to a structure setback of 150 feet from the normal high water mark, and a flooding easement of 670 feet elevation.

Set-Asides/Setbacks

Setback. Require setbacks as follows:

Land within 500 feet of Morrell Pond
Land within 500 feet of Mountain Catcher Pond
Land within 500 feet of Big Logan
Land on all islands, Big Logan, Mountain Catcher Pond
Land on Birch Point as shown on land use map
Land on all islands in First Grand Lake Matagamon
Land within 100 feet of First Grand Lake Matagamon
Land within 75 feet of all rivers and streams
Land within 500 feet of Penobscot River
Land within 50 feet of all roads

Structures

Allow primitive and seasonal camps, family compounds, and year-round dwellings in Matagamon exclusive of the areas recommended for retention in a natural state including, but not

limited to, set-asides, wetlands, deer cover areas, and deer wintering areas.

MATTAMISCONTIS

Lakes and Great Ponds

1. East Branch Lake. Allow structures on East Branch Lake as specified below and shown on the land use map.

   a. Retain all islands in an undeveloped state.

   b. Retain the East Branch Lake Campsite in an undeveloped state.

   c. Retain the wetland areas on the western shore of East Branch Lake in an undeveloped state.

   d. Allow the development of primitive camps, seasonal camps, family compounds, and year-round dwellings on the remainder of the Lake subject to a requirement of 200 feet of shore frontage for each structure, as well as a structure setback of 100 feet.

2. Little Mattamiscontis Lake. Allow structures on Little Mattamiscontis Lake as specified below and shown in the land use map.

   a. Retain the entire south shore, including the Little Mattamiscontis campsite, in an undeveloped state.

   b. Retain a 100-foot right-of-way along the western shore for use by all members of the Penobscot Nation.

   c. Allow development only along the western shore of the lake subject to a requirement of 200 feet of shore frontage for each structure, as well as a structure setback of 100 feet.

3. Mattamiscontis Lake. Allow structures on Mattamiscontis Lake subject to the following:

   a. Retain all islands in an undeveloped state.

   b. Retain the Mattamiscontis Lake campsite on the western shore of the lake in an undeveloped state, and retain in an undeveloped state all land area within 100 feet of the road leading from the Loop Road on the western side of the lake to the lake, as well as land areas within 100 feet of the road leading to the Mattamiscontis Lake campsite.

c. Retain the wetland area on the northeast corner of the lake, as well as the deer cover area on the northern and eastern shores, in an undeveloped state.

d. Allow development on the remainder of the lake subject to a requirement of 200 feet of shore frontage for each structure, as well as a structure setback of 100 feet.

Streams

Except where a greater setback is required because of a wetland, require a structure setback of 75 feet.

Roads

Maintain a right-of-way width of 50 feet on either side of all roads and prohibit any structures within the right-of-way. Retain a right-of-way access on all roads, including timber harvesting roads.

Set-Asides/Setbacks:

Require structure setbacks as follows:

Land on all islands in East Branch Lake
Land within 100 feet of East Branch Lake
Land within 100 feet of the western shore of Little Mattamiscontis
Land along the northern, eastern and southern shore of Little Mattamiscontis for a depth of 500 feet
Land on all islands in Mattamiscontis Lake
Land within 100 feet of the road leading from the Loop Road to the western shore of the lake and to the Mattamiscontis Lake campsite
Land within 100 feet of Mattamiscontis Lake
Land within 50 feet of all roads
Land within 75 feet of all rivers and streams
Land on Little Mattamiscontis, Mattamiscontis Mountain, as specified by Land Committee.

Structures

Allow primitive and seasonal camps, family compounds and year-round dwellings in the Mattamiscontis Trust Land exclusive of the areas recommended for retention in a natural state including, but not limited to, set-asides, wetlands, deer cover areas, and deer wintering areas.

WILLIAMSBURG

W. Branch Pleasant River

Maintain the area of land within 500 feet of the W. Branch Pleasant River in an undeveloped state.

All Other Streams

Except where a greater setback is required because of a wetland, require a structure setback of 75 feet.

Roads

Maintain a right-of-way width of 50 feet on either side of all roads and prohibit any structures within the right-of-way. Retain a right-of-way access on all roads, including timber harvesting roads.

Structures

Allow primitive and seasonal camps, family compounds and year-round dwellings in Williamsburg exclusive of the areas recommended for retention in a natural state including, but not limited to, set-asides, wetlands, deer cover areas, and deer wintering areas.

ARGYLE

Streams

Except where a greater setback is required because of a wetland, require a structure setback of 75 feet.

Roads

Maintain a right-of-way width of 50 feet on either side of all roads and prohibit any structures within the right-of-way. Retain a right-of-way access on all roads, including timber harvesting roads.

Set-Asides/Setbacks

Require structure setbacks as follows:

Land within 250 feet of the Penobscot River

Structures

Allow primitive and seasonal camps, family compounds and year-round dwellings in the Argyle Trust Land exclusive of the areas recommended for retention in a natural state including, but

not limited to, set-asides, wetlands, deer cover areas, and deer wintering areas.

T3R1

Streams

Except where a greater setback is required because of wetlands, require a structure setback of 75 feet.

Roads

Maintain a right-of-way width of 50 feet on either side of all roads and prohibit any structures within the right-of-way. Retain a right-of-way access on all roads, including timber harvesting roads.

Structures

Allow primitive and seasonal camps, family compounds and year-round dwellings in the T3R1 Holdings exclusive of the areas recommended for retention in a natural state including, but not limited to, wetlands, deer cover areas, and deer wintering areas.

PENOBSCOT NATION
DEPARTMENT of
NATURAL RESPONSIBILITIES
LAND USE COMPLIANCE
OFFICE

COMMUNITY BUILDING
INDIAN ISLAND, MAINE 04468
TEL.: 207/827-7776 — Ext. 239, 240
207/827-6331

COUNCIL ACTION REQUEST

ISSUE: Where the Council has directed that a Comprehensive Land Use Plan and Ordinance be developed for all Tribal Trust land, and where such a plan has been submitted.

RECOMMENDED ACTION: That Council approve the Comprehensive Plan and Ordinance as presented.

MOTION: To approve the Council Action Request.

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Date: 12/20/94 **(Special/Monthly Meeting)**

(Number in attendance 7) (Approved/Disapproved)

Motion to approve made by Ann Pardilla ;

Seconded by John Mitchell, Jr. .

VOTE: 7 in favor, 0 opposed, 0 abstained.

E. J. Kimball
Deputy Tribal Clerk
Attest