



## MNRCP Project Land Use Guidelines

The Maine Natural Resources Conservation Program (MNRCP) is a grant program that awards competitive grants to projects that restore and protect high quality aquatic resources and habitat throughout Maine. Projects that are funded through this program are considered mitigation projects and must comply with state and federal wetland mitigation regulations. MNRCP funds can be used to acquire properties in fee or to establish conservation easements to preserve valuable wetlands and other natural resources in perpetuity. The information outlined below provides details about allowed and not allowed land uses for parcels conserved with MNRCP funds. After MNRCP funds are awarded, the development and review of a site's Management Plan provides opportunity for MNRCP review and approval of specific proposed activities/land uses.

### Timber Harvesting

Timber harvesting may be allowed in uplands on parcels acquired with MNRCP funds; however, due to federal mitigation policy, MNRCP cannot take mitigation credit for any areas where timber harvesting is proposed to be conducted on the property. Therefore, the inclusion of timber harvesting in a project proposal will affect the scoring and ranking of the project during review. For a project to be approved and funded by MNRCP with portions of the property available for future timber harvest, the following conditions are required.

- Timber harvesting must not occur in the following locations: in forested wetlands or mapped Inland Waterfowl and Wading Bird Habitat; within at least 100' of any mapped wetland, stream, open water body; or within at least 250' of mapped vernal pools.
- Outside of the no-cut areas described above, timber harvesting within larger riparian buffers should conform to the MNRCP Riparian Habitat Management Guidelines available at <http://mnrpc.org/about>.
- Timber harvesting may only occur within areas of upland forest that are accessible from roads that do not impact wetlands or other aquatic resources.
- Timber harvesting may not occur within rare or exemplary natural communities and ecosystems or within rare plant populations or their specified buffers as identified by the Maine Natural Areas Program (MNAP). Buffer sizes may be determined in consultation with MNAP.
- The project site must contain both wetland resources and no-cut upland areas sufficient to generate adequate mitigation credits. The ratio of mitigation credits generated per unit of MNRCP cost is considered by MNRCP reviewers and a higher credit per cost ratio generally leads to a higher project score.
- Timber harvesting in approved upland areas will be performed with the overall goals of sustainable harvesting, mimicking natural disturbance patterns, and enhancing fish and wildlife habitat and climate resiliency. A forest management plan is required and will be reviewed by MNRCP reviewers.





MNRCP reviewers will review each project individually to determine if timber harvesting is appropriate based on the existing site conditions. Even if a project meets the conditions outlined above, MNRCP reviewers may still determine that timber harvesting is not suitable on a particular parcel and may prohibit it as a condition of the MNRCP award.

Note that specific management activities to address invasive species, pest/disease outbreak, or safety concerns are not considered "timber harvesting" for the purposes of MNRCP and are generally allowed, provided they are reviewed and approved in the project's long-term Management Plan.

## Recreation

Recreational use is allowed on properties acquired with MNRCP funds; however, it is not a requirement that public access be provided. Because the program must adhere to state and federal mitigation guidelines, there are limitations on what types of activities are allowed and where they can be located. A site Management Plan reviewed and approved by MNRCP is required. New recreation projects that have not been specifically approved in a current, approved Management Plan require MNRCP review before implementation. MNRCP funding cannot be used to develop recreational amenities. See below for details on specific activities:

- **Trails** – Hiking, walking, biking, and other low impact recreational trails are generally permitted on parcels acquired with MNRCP funds provided that the trails and associated infrastructure do not negatively affect aquatic resources or significantly disturb associated upland buffers. Whenever possible, trails should be located >100' away from aquatic resources (wetlands, vernal pools, streams, etc.), and should avoid stream and wetland crossings. Please allow time for consultation with MNRCP, Maine DEP, and the U.S. Army Corps of Engineers (Army Corps) in advance of any planned trail construction, as additional considerations apply to mitigation sites. Note that most trail crossings of wetlands and streams will require permits from Maine DEP and/or the Army Corps. When/if contacting Maine DEP or the Army Corps regarding any required permits, please be sure to indicate that the project is an MNRCP site, as some activities that are allowed by permit may not be allowed on MNRCP sites.
- **Hunting/Fishing** – Hunting and fishing are generally allowed on MNRCP parcels.
- **Snowmobiling** – Access for snowmobile use on existing trails may be allowed depending on the location of designated trails. Development of new trails is generally not allowed unless they can be sited to avoid aquatic resources and their associated buffers (at least 100' buffers). Upgrade and/or repair of stream and wetland crossings is encouraged and could potentially be funded by MNRCP.
- **ATVs** – ATV use is generally not allowed on MNRCP parcels due to the potential for impact to natural resources.
- **Camping** – Overnight camping and fires are generally not allowed on parcels protected with MNRCP funds.





## Other Land Uses

Additional detail is provided below regarding other potential land uses. These are also subject to review and approval in a Management Plan. New land use projects that have not been specifically approved in a current, approved Management Plan require MNRCP review before implementation.

- **Existing structures** – In general, MNRCP prefers that land protected with MNRCP funds should be maintained in a natural state. On a limited basis, however, MNRCP has allowed existing structures to remain on a parcel protected with MNRCP funds, provided that use of the structure does not threaten protected natural resources or their associated buffers. Use of existing structures would be reviewed on a case-by-case basis.
- **New structures** – MNRCP generally does not allow the construction of new, permanent structures on parcels protected with MNRCP funds. Limited exceptions may be possible for low-impact structures to facilitate recreational use (e.g., platform for bird watching, bog bridge or other crossing structure), provided the structure does not negatively impact natural resources. Signs, fences, and vehicle barriers are generally allowed and may be funded by MNRCP as part of long-term management. Informational kiosks, interpretive signs, and other similar structures are also allowed, but MNRCP funds cannot generally be used for their construction.
- **Parking areas** – MNRCP may allow a limited size parking area on a property for public recreational access; however, the parking area would need to avoid protected natural resources and be located outside of resource buffers (typically >100' away from protected natural resources). MNRCP funds cannot be used for the development of parking areas.
- **Vehicle access/roads** – Vehicle access for maintenance or stewardship purposes is generally allowed on existing roads if they do not impact protected natural resources. The construction of new roads is strongly discouraged but may be considered on a case-by-case basis if they do not impact resources and buffers. Removal of roads through wetlands and removal of stream and wetland crossing structures is encouraged and could potentially be funded by MNRCP.
- **Wildlife habitat management** – Creation or management of habitat for wildlife species such as New England cottontail, woodcock, white-tailed deer, etc. is generally not allowed on MNRCP project sites if it will affect protected natural resources or their associated buffers. Limited projects located outside of resource buffers may be considered on a case-by-case basis. MNRCP funds cannot be used for wildlife habitat management.
- **Agriculture** – Agriculture, including haying of fields, is generally not permitted on MNRCP parcels unless it is proposed to occur a significant distance from aquatic resources and adequate forested buffers are maintained between the agriculture and the protected natural resources. MNRCP funds cannot be used for agriculture projects.





- **Cultural Use Agreements** - The Wabanaki people, which includes the Mi'kmaq, Maliseet, Passamaquoddy, and the Penobscot, and the Abenaki people, lived in what is now the State of Maine for thousands of years prior to colonization. Properties protected with MNRCP funds are likely to include natural and cultural resources that are of importance to the Wabanaki people for medicinal, craft, and ceremonial uses. Cultural use agreements with Indigenous Peoples that do not impair the protected aquatic resources of the site may be considered.

## Questions?

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