**94-293**

**BAXTER STATE PARK AUTHORITY**

MAPA Regulatory Agenda Filing – 2018-2019

August 10, 2018

AGENCY UMBRELLA-UNIT NUMBER: **94-293**

AGENCY NAME: **Baxter State Park Authority**

**CONTACT INFORMATION FOR THE AGENCY**: Georgia Manzo, 64 Balsam Drive, Millinocket, ME 04462. Email: Georgia.Manzo@BaxterStatePark.org . Tel: (207) 723-9500.

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA**: None

**EXPECTED 2018-2019 RULE-MAKING ACTIVITY**

**CHAPTER NUMBER AND TITLE:**

**Chapter 1** (Baxter State Park Rules & Regulations), **Section 1** (Camping, Reservations, and Registration), **Rule 1.2** (Camping is permitted by reservation only…)

STATUTORY BASIS: Pursuant to 12 M.R.S. §903.1: The Baxter State Park Authority may adopt rules pursuant to the *Maine Administrative Procedure Act* it considers necessary for the protection and safety of the public or for the proper observance of the conditions and restrictions expressed in the deeds of trust of the Baxter State Park to the State.

PURPOSE: To allow tents outside of lean-tos at lean-to sites in some areas; the goal is for campsite capacity to be enforced, and we have other means of enforcing those restrictions. This allows a bug-free option for folks staying in lean-tos.

SCHEDULE FOR ADOPTION: between January 2019 and May 2019.

AFFECTED PARTIES: Baxter State Park Rangers, Baxter State Park Gatehouse Attendants, Baxter State Park Reservation Office, visitors to Baxter State Park.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER NUMBER AND TITLE:**

**Chapter 1** (Baxter State Park Rules & Regulations), **Section 1** (Camping, Reservations, and Registration), **Rule 1.3** (All persons entering the Park by road or trail…)

STATUTORY BASIS: Pursuant to 12 M.R.S. §903.1: The Baxter State Park Authority may adopt rules pursuant to the *Maine Administrative Procedure Act* it considers necessary for the protection and safety of the public or for the proper observance of the conditions and restrictions expressed in the deeds of trust of the Baxter State Park to the State.

PURPOSE: To remove redundancy with rule 5.6 concerning aircraft registration and clarify whatpersons entering the Park on foot at any other location means and what they should do.

SCHEDULE FOR ADOPTION: between January 2019 and May 2019.

AFFECTED PARTIES:

Baxter State Park Rangers, Baxter State Park Gatehouse Attendants, Baxter State Park Reservation Office, visitors to Baxter State Park.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER NUMBER AND TITLE:**

**Chapter 1** (Baxter State Park Rules & Regulations), **Section 4** (Resource Protection and Wilderness Preservation), **Rule 4.11** (The removal from, or introduction of natural objects, materials, plants, or animals…)

STATUTORY BASIS: Pursuant to 12 M.R.S. §903.1: The Baxter State Park Authority may adopt rules pursuant to the Maine Administrative Procedure Act it considers necessary for the protection and safety of the public or for the proper observance of the conditions and restrictions expressed in the deeds of trust of the Baxter State Park to the State.

PURPOSE: To broaden those items that are allowed to be consumed for personal use within the Park to include wild edibles, not just berries and fiddleheads.

SCHEDULE FOR ADOPTION: between January 2019 and May 2019.

AFFECTED PARTIES: Baxter State Park Rangers, Baxter State Park Gatehouse Attendants, Baxter State Park Reservation Office, visitors to Baxter State Park.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON for this chapter, if different from the general agency liaison (including mailing address, phone, and email address): N/A

**CHAPTER NUMBER AND TITLE:**

**Chapter 1** (Baxter State Park Rules & Regulations), **Section 4** (Resource Protection and Wilderness Preservation), **Rule 4.12** (Research Studies and Commercial Media Projects within the Park)

STATUTORY BASIS: Pursuant to 12 M.R.S. §903.1: Consistent with public use restrictions to preserve and protect the Park, this would allow better administrative control and understanding of commercial use in Baxter State Park

PURPOSE: To create an enforceable standard that mandates that those using the Park for commercial purposes shall be required to have a permit.

SCHEDULE FOR ADOPTION: between January 2019 and May 2019.

AFFECTED PARTIES: Baxter State Park Rangers, Baxter State Park Gatehouse Attendants, Baxter State Park Reservation Office and various Commercial Recreation entities.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON for this chapter, if different from the general agency liaison (including mailing address, phone, and email address): N/A

**CHAPTER NUMBER AND TITLE:**

**Chapter 1** (Baxter State Park Rules & Regulations), **Section 5** (Vehicles and Transportation), **Rule 5.4** (No person may operate any vehicle within the Park...)

STATUTORY BASIS: Pursuant to 12 M.R.S. §903.1: Consistent with public use restrictions to preserve and protect the Park, this would allow better administrative control and understanding of commercial use in Baxter State Park

PURPOSE: To remove redundant vehicle use laws from our rulesand allow them to go through the appropriate judicial channels.

SCHEDULE FOR ADOPTION: between January 2019 and May 2019.

AFFECTED PARTIES: Baxter State Park Rangers, Baxter State Park Gatehouse Attendants, Baxter State Park Reservation Office.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON for this chapter, if different from the general agency liaison (including mailing address, phone, and email address): N/A

**Late Agenda Item: October 22, 2018**

**CHAPTER NUMBER AND TITLE:**

**Chapter 5:** Vehicles and Transportation Rule**, 5.4**:No persons may operate any vehicle within the Park so as to endanger any persons or property…

STATUTORY BASIS: Pursuant to 12 M.R.S. §903.1: The Baxter State Park Authority may adopt rules pursuant to the *Maine Administrative Procedure Act* it considers necessary for the protection and safety of the public or for the proper observance of the conditions and restrictions expressed in the deeds of trust of the Baxter State Park to the State.

PURPOSE: Confusion over the proper channels to cite violators of this rule have led to BSP LE Rangers to cite violators based on the larger fee incurred, whether BSP Rule or state traffic law.

SCHEDULE FOR ADOPTION: between January 2019 and May 2019.

AFFECTED PARTIES: Baxter State Park Rangers, Baxter State Park Reservation Office, visitors to Baxter State Park.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CONTACT PERSON for this chapter, if different from the general agency liaison (including mailing address, phone, and email address): N/A