

**Annual List of Rule-Making Activity**  
**Rules Adopted January 1, 2022 to December 31, 2022**  
*Prepared by the Secretary of State, pursuant to 5 MRSA, §8053-A, sub-§5*

**Agency name:** Baxter State Park Authority  
**Umbrella-Unit:** 94-293  
**Statutory authority:** 12 MRS §903(1)  
**Chapter number/title:** Ch. 1, Baxter State Park Rules and Regulations  
**Filing number:** 2022-042  
**Effective date:** 3/27/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

**Proposed revision to Rule 1.2 in Section 1: Camping, Reservations and Registration.** The Authority is proposing to remove from this rule information concerning season length, check in and check out times, and specific areas where group camping can occur, and to remove language around whether campers are permitted to set up tents at lean-to sites.

**Proposed revision to Rule 3.1 in Section 3: Hunting, Trapping and Fishing** The Authority proposes to add crossbows to the list of weapons permitted in the hunting areas of the Park to be used in hunting.

**Proposed revision to Rule 4.6 in Section 4: Resource Protection and Wilderness Preservation** – The Authority proposes to include provisions which call out specific actions for those with human waste to dispose above treeline to align with Leave No Trace™ practices.

**Proposed revision to Rule 5.4 in Section 5: Vehicles and Transportation** – The Authority proposes to modify the existing rule to allow motorcycles to travel on certain and limited gravel sections of the Park Tote road outside the main gates.

**Proposed revision to Rule 5.5 in Section 5: Vehicles and Transportation** – The Authority proposes to modify rule language to make drone prohibitions more clear and defensible.

**Basis statement:**

**Basis Statement: Rule 1.2** (Camping is permitted by reservation only...) Revising this text will remove language not judicially enforceable, and allow for alternative management options. The expected operation of this Rule will be in accordance with BSP Policy.

Proposed and Approved Text:

Camping is permitted by reservation only and only in authorized campgrounds and campsites **during certain dates and times**, as specified by the Park. ~~May 15 through October 22 and December 1 through March 31.~~ Campers must register at the gatehouse no later than 8:30 p.m. ~~Check-out time is 11:00 a.m. and check-in time is 1:00 p.m. Tents are not permitted outside of lean-tos at lean-to sites.~~ Camping by groups of more than 12 people is permitted only at **designated** group camping areas. ~~located at Bear Brook, Foster Field, Nesowadnehunk Field, Trout Brook Farm and North Branch Camps.~~

If Adopted as Proposed and Approved above, Rule 1.2 Clean Text:

Camping is permitted by reservation only and only in authorized campgrounds and campsites during certain dates and times, as specified by the Park. Campers must register at the gatehouse no later than 8:30 p.m. Camping by groups of more than 12 people is permitted only at designated group camping areas.

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**Basis Statement: Rule 3.1 (Partial):** (Hunting and trapping are prohibited within the Park.) Revising this text will add “crossbow”. Crossbow hunting has enjoyed increasing popularity in recent years and it is useful from an enforcement standpoint to list this specific activity.

Rule 3.1 (Partial): Proposed and Approved Text:

Hunting and trapping are prohibited within the Park. Use or possession of any firearm, bow and arrow, sling shot, **crossbow**, ~~or~~ air rifle or pistol is prohibited...

If Adopted as Proposed and Approved above, Rule 3.1 (Partial) Clean Text:

Hunting and trapping are prohibited within the Park. Use or possession of any firearm, bow and arrow, sling shot, crossbow, air rifle or pistol is prohibited...

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**Basis Statement: Rule 4.6** (Where toilets are not available...) Revising this text will include provisions which call out specific actions for those with human waste to dispose above treeline to align with Leave No Trace™ practices.

Rule 4.6: Proposed and Approved Text:

Where toilets are not available, human waste must be disposed of at least 200' from water or trail ~~by burying or by carry out.~~ **Below treeline, human waste must be buried or carried out. Above treeline, the digging of catholes is prohibited, and human waste must be carried out or left on the surface of the soil or a rock.**

If Adopted as Proposed and Approved above, Rule 4.6 Clean Text:

Where toilets are not available, human waste must be disposed of at least 200' from water or trail. Below treeline, human waste must be buried or carried out. Above treeline, the digging of catholes is prohibited, and human waste must be carried out or left on the surface of the soil or a rock.

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**Basis Statement: Rule 5.4 (Partial)** (The operation of...) Enforcement of the prohibition of motorcycles beyond where the pavement ends inside the Park is a somewhat arbitrary measure and one that is difficult to enforce. This revision will make this provision more practically enforceable. The expected operation of this Rule will be in accordance with BSP Policy.

Rule 5.4: Proposed and Approved Text (Partial):

(The operation of Motorized trail bikes, and ATVs...). The operation of Motorcycles is prohibited **beyond Togue and Matagamon gatehouses** ~~on unpaved roads~~ within the Park.

If Adopted as Proposed and Approved above, Rule 5.4 Clean Text (Partial):

(The operation of Motorized trail bikes, and ATVs ...). The operation of Motorcycles is prohibited beyond Togue and Matagamon gatehouses within the Park.

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**Basis Statement: Rule 5.5** (Take-off and Landing...) The current rule leaves room for visitors to legally carry and deploy drones as long as they do so off of trails or bodies of water. This proposed revision to existing rule seeks to make this provision more practically enforceable and would bring the rule language into alignment with current enforcement practice.

Rule 5.5 Proposed and Approved Text:

Take-off and landing of aircraft in the Park are prohibited except on Matagamon, Nesowadnehunk, and Webster Lakes. Persons landing aircraft on permitted waters in the Park must register with Park Headquarters or a gatehouse in advance. "Aircraft" is defined to include any machine or device capable of deriving support in the atmosphere from the reactions of the air, including, but not limited to model craft, hot air balloons, hang gliders, para-sails, para-gliders and unmanned aerial vehicles (UAVs). The possession **or use** of a UAV **within the Park boundaries** ~~on any trail, waterway or body of water within the Park~~ is

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prohibited. UAVs may be transported through the Park if kept in a car trunk, enclosed in a case, or otherwise inaccessible to use.

If Adopted as Proposed and Approved above, Rule 5.5 Clean Text:

Take-off and landing of aircraft in the Park is prohibited except on Matagamon, Nesowadnehunk, and Webster Lakes. Persons landing aircraft on permitted waters in the Park must register with Park Headquarters or a gatehouse in advance. "Aircraft" is defined to include any machine or device capable of deriving support in the atmosphere from the reactions of the air, including, but not limited to model craft, hot air balloons, hang gliders, para-sails, para-gliders and unmanned aerial vehicles (UAVs). The possession or use of a UAV within the Park boundaries is prohibited. UAVs may be transported through the Park if kept in a car trunk, enclosed in a case, or otherwise inaccessible to use.

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**Fiscal impact of rule:**

N/A