

MANAGEMENT POLICY
FOR
BUTLER HEAD
Revision B August 26, 2010 THB

Prepared by the Butler Head Subcommittee of the Bath Community Forestry Committee
City of Bath, Parks & Recreation Department
Division of Forestry
1 Oak Grove Avenue
Bath, Maine
(207) 443-8345

Revision History

Rev.	Date	Page	Para.	Description
Initial Issue	2/17/99	All		
A	9/27/04	ii		Added Revision History
		3	IV, B, 1, a, 3 rd sentence	“...is prohibited”. was “...will be monitored.”
			IV, B, 1, a, 4 th sentence	Deleted and added new fourth sentence.
B	8/26/10	Cov.	Title	Change Plan to “Policy”
		Tof C		Change page numbering
		iii	LIST OF APPENDIXES	Appendix I was Butler head Project, Tree Inventory, August 26, 1995 Appendix J was FLOWERS.XLS.
		iv	REFERENCES	Add Ref. (b). – Forest Ecosystem Management Plan
		1	I. A.	Add “...and b) after a)
		2	II	Replace fragile and in need of protection with “unique”; add “stewardship”
		2	I. C. 3. a I. C. 3. b, c & d I. C. 3. b	Was “Trees”. Combined in a. Was e.
		2	I. C. 4	Separated birds from other fauna.
		5	IV. F. 1. a	Change roads to “public rights-of-way”; change Cem & Pks to “City of Bath”
		6	V. B.	Omit “Materials...Butler Head”
		7	V.B.4	Add section on Invasives
		7	V.D.	Change Construction Projects to “Development” Projects
		All	Entire Document	Plan to “Policy” Dept. of Cem. & Parks to “Parks & Recreation” Superintendent of Cem & Pks to “Director of Parks & Recreation”

TABLE OF CONTENTS

Para.	Subject	Pg.
I	<u>DESCRIPTION OF THE PROPERTY</u>	1
I.A	General Description	1
I.B	Political Description	1
I.C	Natural Description	2
II	<u>STATEMENT OF INTENT</u>	2
III	<u>GOAL</u>	3
III.A	Conservation	3
III.B	Education	3
III.C	Recreation	3
IV	<u>POLICY</u>	3
IV.A	Public Relations	3
IV.B	Access	3
IV.C	Development	4
IV.D	Activities	5
IV.E	Maintenance	5
IV.F	Finance	5
V	<u>IMPLEMENTATION</u>	6
V.A	Inventory and Analysis	6
V.B	Clean-up	6
V.C	Surveys	7
V.D	Development Projects	7
VI	<u>ADMINISTRATION</u>	7
VI.A	Responsibility	7
VI.B	Applicability	7
VI.C	Maintenance	7
VI.D	Maintenance of the Policy	8
VI.E	Reference Material	8
Index		9

LIST OF APPENDIXES

Appendix A, Bath Tax Maps 4 and 5

Appendix B, Warranty Deed, Book 354, p. 1092

Appendix C, Reconnaissance Bedrock Geology of the Bath and Small Point Quadrangles, Maine, Open File No. 81-32

Appendix D, Reconnaissance Surficial Geology of the Bath Quadrangle, Maine, Open-File No. 77-8

LIST OF APPENDIXES (Continued)

Appendix E, Coastal Marine Geologic Environments of the Bath NE Quadrangle, Maine, Open-File No. 76-57

Appendix F, Hydrogeologic Data for Significant Sand and Gravel Aquifers in Parts of Cumberland, Kennebec, Lincoln and Sagadahoc Counties, Maine

Appendix G, National Wetland Inventory Map, Bath NW

Appendix H, Customized Soil Information for Butler Head

Appendix I, The Flora of Butler Head, August 26, 2010

Appendix J, The Birds of Butler Head, August 26, 2010

Appendix K, Butler Head Inventory, Animals, Updated 5-7-95

Appendix L, Historical Statement

REFERENCES

- (a) Between the River and the Bay, An Inventory and Evaluation of Bath's Shoreline; Hawes, E. L.; Koulouris, H. D. and Stockwell, L.; October 1988
- (b) Forest Ecosystem Management Plan, Butler Head Preserve & Whiskeag Woods; Armstrong, Walter & Bryan, Robert; Review Draft, December, 2007

I. DESCRIPTION OF THE PROPERTY:

A. General Description: Butler Head is approximately 133 acres of undeveloped, city-owned property in the North End of Bath. The property consists of diverse areas such as a tidal cove, a wetlands area, fields and mixed woodlands. The area is also home to a variety of habitats and ecosystems. Flora is widespread as well as numerous species of resident and transient fauna. Soils studies appear to indicate that the land is not suitable for residential or commercial development. The boundary to the north and west is Merrymeeting Bay. To the east is Butler Cove and West Chops Point. The City of Bath lies to the south. Prominent geographic features include the cove mentioned above, Merrymeeting Bay, and a “rock fall” that is about one hundred feet high and approximately one half mile long. Interesting archeological features include stone walls and several stone foundations. Historical data are available which set the occupation by settlers at or near 1714. The Merrymeeting Bay area was also widely used by native peoples. Cultural and historical information of native occupation and use of Butler Head has not been compiled by the City as of this time. Current access to the property is by dirt road, which connects the major sections of the property to Varney Mill Road, and by paths which weave throughout the area. Any reference to Butler Head in this document applies only to the land owned by the City of Bath including the roads. For further description see Section 8 of Reference (a) and Reference (b).

B. Political Description:

1. Boundaries:

a. Municipal: The property consists of lot 26 on tax map 4 (See Appendix A) within the City of Bath as described on page 1092 in book 354 in the Sagadahoc County Register of Deeds (Attached as Appendix B).

b. Natural: To the northwest, north and northeast the property is bounded by Merrymeeting Bay and Butler Cove.

2. Ownership: The City of Bath owns lot 26 on tax map 4.

3. Encumbrances: The City’s interest in the land is subject to easements of record granting the private owners of abutting parcels rights of ingress and egress for any and all purposes over ways and roads now existing. Utility easements have also been granted. Furthermore, the City has granted a perpetual easement for the establishment, maintenance, and repair of a subsurface sewerage disposal system to one homeowner.

C. Natural Description:

1. Geology: Appendixes C through H provide technical descriptions of various geological characteristics of Butler Head. Appendix C shows that five common bedrock formations underlie Butler Head and Butler Cove. Appendix D indicates that till covers the bedrock. Narrow areas of marsh and flats occur around Butler Head as shown on Appendix E. Appendix E also shows a significant area of supratidal environment and marsh in Butler Cove. No sand or gravel aquifers exist on Butler Head as confirmed by Appendix F. Two wetlands systems, palustrine and estuarine, are indicated on Appendix G as being found in Butler Cove. Details of the eight types of soil found at Butler Head are described in Appendix H.
2. Habitats: Marine, estuarine, supratidal, marsh, palustrine and upland habitats are found.
3. Flora:
 - a. Trees, Shrubs, Flowers, Ferns and Mosses: Appendix I is a list of the trees, shrubs, flowers, ferns and mosses that have been identified at Butler Head.
 - b. Grasses: Not yet inventoried.
4. Fauna:
 - a. Birds: Appendix J is a list of the birds which have been identified at Butler Head.
 - b. Mammals, Reptiles and Amphibians: Appendix K is a list of the mammals, reptiles and amphibians which have been identified at Butler Head.
5. Fungi: Not yet inventoried.

II. STATEMENT OF INTENT: The management policy for Butler Head is founded upon the belief that the Butler Head and Butler Cove area is a critical resource and a treasure for present and future generations of Bath citizens. The policy recognizes that the Butler Head ecosystem is unique. The policy also recognizes that, as a nature sanctuary, the Butler Head area has potential for providing enhanced educational and recreational opportunities. Therefore, it is the intent of the policy to ensure conservation of the marine and wildlife habitats of the area while promoting stewardship, long-term public awareness and involvement within the context of sound environmental practice. It is not expected that this policy will be complete and accurate at the time of its implementation. Therefore, it is also the intent of the policy to continue its development and to maintain it as events unfold and additional information becomes available.

III. GOAL: The City of Bath, through the Bath Community Forestry Committee, will encourage and provide environmentally sound use of the city-owned, forested land known as Butler Head for educational and limited recreational purposes while conserving the basic resource for the enjoyment and benefit of future generations. Initial activity toward meeting the goal by various organizations within the City of Bath is described in Appendix L. The objectives to support achieving the goal are:

A. Conservation: To protect and maintain the existing ecosystems.

B. Education:

1. Schools: To develop and maintain a natural environment for study by the Bath School Department.

2. Public: To encourage the use of Butler Head as a place of learning for people of all ages.

C. Recreation: To provide a place where the citizens of Bath can experience, observe and enjoy the natural characteristics of the local environment, e.g., bird watching and nature study. To provide a location where low impact recreational activities may be enjoyed, e.g., cross country skiing and hiking.

IV. POLICY:

A. Public Relations: The existence and purpose of Butler Head will be made known to citizens of Bath. All citizens of Bath will be encouraged to participate in its use and maintenance.

B. Access: Access will be given to the public for use as described in this policy.

1. Vehicles:

a. Recreation: Recreational vehicles, such as snowmobiles, that leave only seasonal evidence of their presence will be allowed in designated areas with permission. Trucks will not be allowed off the graveled roads. The use of other invasive vehicles, such as ATV's, motorcycles and dirt bikes that can deform the land is prohibited. The use of mountain bikes will be monitored. If there is evidence of permanent deformation, the use of these vehicles may be restricted from the affected areas, after review by City Council.

b. Maintenance: City vehicles as required for clean-up, maintenance and administration will have access to all parts of the area.

c. Power boats will not be permitted in Butler Cove. Boat trailers may not be parked at Butler Head. Canoes, kayaks and other non-powered vessels may be launched at Butler Cove

2. Public: Public access will not be permitted from any point on the perimeter of the property, except via the road and as allowed in IV, B, 1.
3. Abutters: Abutters will have access from any point on the perimeter of their property except in specifically designated, restricted areas.

C. Development: Any development allowed by this section may be accomplished only with the written permission of the Parks & Recreation Director. Prior to initiating a construction project, plans will be reviewed by the Forestry Committee and forwarded with recommendations to the Director for approval.

1. Structures: There will be no development of permanent or seasonal residences on Butler Head, and no private alteration of this public land with expansion of roads or parking lots, septic fields, boat launching facilities, out-buildings, or storage facilities. Small shelters for educational purposes and recreational shelters may be constructed by the City when approved as an amendment to this policy. Foot bridges and erosion control systems may be constructed as necessary to conserve the natural resource. Other structures may be constructed to facilitate maintenance and to enhance trails for the use of visitors.
2. Trails: A limited number of trails may be cleared or improved to allow access to natural features of the area, and other trails, ecologically and geographically undesirable, may be closed and allowed to return to natural growth conditions. A summary plan of the intended trails will be developed by the Bath Community Forestry Committee and approved by the Parks & Recreation Director. Any additional trails will require modification of the plan and subsequent approval by the Parks & Recreation Director.
3. Signs: Informational, regulatory and directional markers or signs for the entrance road, parking, trails and restricted areas, and boundary markers may be erected as the need arises and funding is made available. Special interpretive signs may be posted to identify plants, geological and other natural features.
4. Parking Facilities: A parking facility may be provided for a limited number of cars if use of Butler Head increases significantly over current levels, and funding is available.
5. Rest Room: A rest room facility may be provided if warranted by experience.

D. Activities:

1. Encouraged: Hiking, picnicking, snowmobiling limited to designated areas, bird watching, cross country skiing, snowshoeing, scientific investigation, horse-back riding limited to the graveled road, and educational activities such as limited forestry management.
2. Prohibited: Trapping is prohibited. Camping is prohibited except with the permission of the Department of Parks and Recreation. Cutting of vegetation and collecting of natural specimens (plants, animals and minerals) are prohibited without permission of the Department of Parks and Recreation.

E. Maintenance:

1. Rubbish Disposal. No rubbish disposal receptacles will be provided. Visitors will be required to carry out what they carry in.
2. Dumping: Dumping of household rubbish, appliances, tires, lawn and garden waste, construction waste, hazardous material, petroleum products, or other refuse is prohibited.

F. Finance:

1. Operating Costs:
 - a. The cost of maintaining public rights-of-way will be borne by the City of Bath.
 - b. The cost of maintaining trails and keeping Butler Head clean will be borne by the Parks & Recreation Department.
2. Special Projects: If it is determined that erection of structures, trail development and other such projects will enhance the usefulness and enjoyment of Butler Head, then projects will be planned and managed, and will be funded by special appropriations from the City or other public or private funds which may include grants or the proceeds from timber harvest.

V. IMPLEMENTATION: These implementation functions have been developed to support the three major objectives of this policy, i.e. conservation, education and recreation, as resources become available.

A. Inventory and Analysis:

1. Inventory: The information provided as Appendixes C through K for the natural description in paragraph I.C. represents the initial inventory of Butler Head. At the time of preparation of this policy these appendixes contain the list of known flora, fauna and geological contents, characteristics and attributes of Butler Head. Additional inventories will be taken to determine trends in the characteristics of Butler Head and to evaluate the effects of implementation of various policies.

2. Analysis:

a. Initial Analysis: Based on the initial inventory, an analysis will be conducted to determine what actions should be taken immediately to implement the objectives and policies of this policy, and to protect fragile areas. The report of the analysis will indicate information evaluated, assumptions made, rationale for conclusions drawn and recommendations. Recommendations will be made for immediate and long-term action. A description of information required for further analysis will be included along with the objectives of that further analysis. It may be necessary to segregate certain areas of Butler Head temporarily or permanently for further study to evaluate any long term effects on the ecosystem of the area.

b. Additional analysis: Each inventory taken will be analyzed to determine the effect of implementation activities on Butler Head. These analyses will be used to determine if the policy is still appropriate or whether changes should be made. In addition, the analyses will help to evaluate regulations and indicate if new or modified regulations are required. Analysis should be continuous so that favorable and unfavorable trends in ecological conditions can be detected in time to prevent undesirable, permanent degradation.

c. Revisions procedure: The policy will be revised every five years or, sooner, if there are significant changes or unusual circumstances and submitted to City Council for review.

B. Clean-up:

1. Rubbish. Any material not occurring naturally at Butler Head will be considered to be rubbish. Natural materials that may occur elsewhere will be considered rubbish if they do not occur naturally at Butler Head or in Butler Cove. Accumu-

lated rubbish will be removed, with periodic and ad hoc activities to keep Butler Head clean.

2. **Natural Debris.** Natural debris consists of products of indigenous flora and fauna and geological upheaval. Fallen trees, leaves, driftwood, rocks and other natural debris may be relocated to permit use of trails and other facilities but may not be removed from Butler Head.

3. **Field Reclamation.** Although the natural condition of Butler Head is forested, the field will be reclaimed and maintained in its present condition.

4. **Invasives –** Efforts will be made to monitor, identify, locate and manage invasive vegetation as defines and identified by the USDA Forest Service and by the Invasive Plant Atlas of New England (IPANE).

C. **Surveys:** Formal, detailed, amateur surveys will be made of roads, trails, boundaries, archeological and other features. These surveys will supplement and add detail and precision to the data contained in the Appendixes.

D. **Development Projects:** Development projects will be selected within the scope of Section IV, C of this policy and undertaken as resources become available.

VI. **ADMINISTRATION:** Successful, appropriate use of the City's land will require constant vigilance.

A. **Responsibility:** The responsibility for administration of Butler Head will reside with the Parks & Recreation Department of the City of Bath. The Forestry Committee will recommend policy and act in an advisory capacity in the administration of Butler Head.

B. **Applicability:** Existing ordinances and regulations will be reviewed and additions, deletions and modifications recommended to the appropriate authority as necessary for implementation of this policy.

C. **Maintenance:**

1. Roads will be maintained by the Department of Public Works.

2. The Parks & Recreation Department will maintain trails and keep Butler Head clean.

D. **Maintenance of the Policy:** Maintenance of this policy will be the responsibility of the Forestry Committee.

E. Reference Material: A library of reference material shall be established. The library shall contain books, maps, pamphlets, brochures, photographs and other such documents as may serve to assist in the study, enhance the enjoyment, aid in the care and maintenance or help record the resources of Butler Head. The material shall be catalogued for ready access. The material and catalogue shall be located at the office of the Parks & Recreation Department or other convenient location.

—P—		septic fields	4
palustrine	2	settlers	1
parking	3, 4	shelters	4
paths	1	shrubs	2
permission	3, 4	signs	4
petroleum products	5	skiing	3, 4
picnicking	4	snowmobiles	3
policy	3, 7	snowmobiling	4
power boats	3	snowshoeing	4
project	4	soil	2
projects	5, 6	soils	1
public	3	specimens	4
public relations	3	structures	4, 5
purposes	2	studies	1
		director	4
		surveys	6
		swimming	4
—R—			
reclamation	6	—T—	
recreation	3, 5	tires	5
refuse	5	trail	5
regulations	6, 7	trails	4, 6, 7
residences	4	trapping	4
responsibility	7	trees	2
rest room	4		
riding	4	—V—	
rights of way	1	vehicles	3
road	4	vigilance	7
roads	4, 7	visitors	4
rock fall	1		
rubbish	5, 6	—W—	
		waste	5
—S—		West Chops Point	1
sanctuary	2		
schools	3		