

94-335 WELLS NATIONAL ESTUARINE RESEARCH RESERVE MANAGEMENT
AUTHORITY

Chapter 1: RULES FOR PUBLIC USE OF WELLS RESERVE

SUMMARY: The Wells National Estuarine Research Reserve was established under 15 Code of Federal Regulations, Part 921. It is maintained to provide undisturbed areas as a natural field laboratory and educational site. This includes the protection of the area for short and long-term research, education, and interpretation. The Wells National Estuarine Research Reserve is also maintained to protect fish, wildlife, and plant communities. Multiple uses including low intensity recreational uses are allowed to the extent that they do not conflict with the operation of the Reserve for research and education.

The Wells National Estuarine Research Reserve Management Authority (the Authority) was established by the State legislature through passage of Private and Special Law #108 in 1990. [The legislation was amended in 2003 by LD #777 and in 2013 by LD #987.](#) The purpose of the Authority is to manage and sustain the coastal lands and other resources within the reserve, further coordination and cooperation among state agencies, the Town of Wells and the United States Fish and Wildlife Service, and the Laudholm Trust, develop and implement programs for estuarine research and education and provide public access and opportunities for public enjoyment compatible with the protection of the reserve's natural resources. The Authority, in compliance with the Reserve Management Plan, is responsible for management of the Reserve lands for which the Authority holds a license, lease or other interest or lands that are under agreement with a cooperating agency. The Authority has overall jurisdiction over the establishment and coordination of research, education, and resource management policies for the Reserve. A violation of the rules of the Reserve is a Class E crime.

This chapter outlines the regulations governing the administration and public use of the Wells National Estuarine Research Reserve.

1. Regulations for Administration and Public Use of Wells Reserve

- (A) Reserve regulations are superseded by US Fish and Wildlife Service regulations on the property of the Rachel Carson National Wildlife Refuge.
- (B) Any use of the Reserve and its facilities may be suspended by the Reserve Director without advance notice.
- (C) DEFINITIONS
 - (1) "Authorized Official" means any federal, state, or local official empowered to enforce provisions of these regulations.

- (2) "Daylight Hours" means the hours between [7 a.m. and Sunset](#)~~dawn and dusk.~~

- (3) "Group" means any assemblage of people larger than immediate family.
- (4) "Laudholm Property" describes approximately 400 acres of land within the northern section of Wells National Estuarine Research Reserve and bounded by the Little [and Merriland Rivers](#) and Drakes Island Road. This area, containing the Reserve visitor center, parking lot, and developed trails, comprises the primary contact point for Reserve visitors. [The Laudholm Property is part of a State of Maine-designated "Wildlife Sanctuary" \(see 1-C-8 below\).](#)
- (5) "Laudholm Trust" is a 501(c) (3) public charitable trust whose purpose is to support the programs, [facilities, and land](#) of the Wells National Estuarine Research Reserve.
- (6) "Reserve" shall mean Wells National Estuarine Research Reserve.
- (7) "Wells National Estuarine Research Reserve" means all lands, waters, and interests administered as part of the Reserve. These areas include land owned by the Town of Wells, State of Maine [Department of Agriculture, Conservation, and Forestry, the Authority,](#) and the United States Fish and Wildlife Service included within the boundaries of the Reserve as agreed in various memoranda of understanding.
- (8) ["Wildlife Sanctuary" means specific lands designated by the State of Maine to protect animals and plants as outlined in the Maine Revised Statutes \(12 M.R.S.\) Sections 12701, 12706, 12707.](#)

(D) PUBLIC ENTRY AND ACCESS

- (1) The primary use of the Reserve shall be for research and educational uses by scientists, [educators,](#) the public, and school children.
- (2) Recreational uses, including but not limited to sightseeing, nature observation and photography, hunting, fishing, swimming, boating, and picnicking, are permitted subject to [State and Federal laws and Municipal Ordinances, the provisions in 1.1\(D\)\(1\) and 1.1\(F\)](#)
- (3) No person shall trespass, including but not limited to entering, occupying, using, or being in the Reserve except as specifically authorized in these regulations.
 - (a) Pedestrian access shall be limited to daylight hours and established trails.

- (b) Vehicular access to the Reserve is restricted to the parking lot at Laudholm ~~Property Farm~~ during ~~daylight~~~~the~~ hours, ~~of 8:00 a.m. to 5:00 p.m.~~ Parking fees will be assessed as described in 1. I (~~1E~~) (~~4~~).

- (4) Hours or areas of entry may be modified by special permit by the Reserve Director.

(E) PUBLIC NOTICE

- (1) Whenever public access, use, or activity previously permitted is curtailed, the Public may be notified by any of the following methods:
 - (a) official signs posted conspicuously at appropriate intervals;
 - (b) special regulations posted and available in the Reserve office
 - (c) Maps available in the Reserve office;
 - (d) other appropriate methods which shall give the public actual or constructive notice of permitted or curtailed public access, use, or activity.

Formatted: Indent: Left: 0", Hanging: 2"

(F) PERMITS

- (1) Permits required by these regulations can be obtained at the administrative office of the Reserve.
 - (a) Any person in the Reserve shall, upon request of any authorized official, exhibit the required federal, state, local, or Reserve permit or license authorizing their presence and activity on the area and shall furnish such other information for identification purposes as may be requested.
 - (b) The following activities require permits:
 - ~~(i) Use of the Reserve by groups of eight or more persons;~~
 - (i) Use of the Reserve for any scientific research, including sampling and collecting of specimens.
 - (ii) Deer hunting on the Laudholm Property, which is a State of Maine-designated Wildlife Sanctuary.
- (2) The Reserve Director may issue special permits to allow use of special access not normally allowed.

- (3) A permit may be terminated or revoked at any time for:
 - (a) non-compliance with the terms thereof or of these regulations;
 - (b) non-use
 - (c) violation of any law, regulation, or order applicable to the Reserve or to protect public health or safety or the resources of the Reserve.

(G) PROHIBITED ACTS AND RESTRICTIONS

- (1) Taking or introducing natural objects, harassing wildlife, starting fires, walking off designated trails, bike riding on trails, littering, camping
 - (a) No person shall remove any animal, plant, rock, mineral, or other natural object from within the Reserve with the following exceptions:
 - (i) Shellfish, game fish, or game animals may be taken by persons duly licensed and permitted by the appropriate federal, state, or local agency in specially designated areas.
 - (ii) Collecting for the purpose of management related research may be done by permit from the Reserve Director.
 - (iii) No plant or animal or their parts may be introduced or released into the Reserve except native species under special permit from the Reserve Director.
 - (b) No person shall camp overnight within the Reserve.
 - (c) No person shall light and maintain fires within the Reserve.
 - (d) No person shall harass or disturb wildlife within the Reserve.
 - (e) No person shall litter.
 - (f) No person shall ride a bike on the walking trails.
 - (g) All persons shall remain on the designated trails of the Reserve.

Formatted: Indent: Left: 0", Hanging: 1.5"

Formatted: Indent: Left: 0", First line: 0"

- (2) Vehicles

- (a) Travel or use of any vehicle, including but not limited to automobiles, off-road vehicles, motorcycles, bicycles, mopeds, and snowmobiles shall be limited to access roads and parking areas.
- (b) Vehicles shall be parked only in places designated for that purpose.
- (c) Stopping, parking, or leaving any vehicle so as to obstruct the free movement of other vehicles or persons is prohibited, except in the event of accident or other condition beyond the control of the operator.
- (f) All persons shall obey the lawful order or signal of any authorized official directing, controlling, or regulating the movement of traffic.

(3) Pets

- (a) ~~W~~with the exception of seeing-eye dogs, domestic pets are prohibited from the Reserve.

(4) Smoking

- (a) Smoking is ~~prohibited throughout the Reserve except for one restricted to areas specifically~~ designated ~~area~~ for such purpose.

~~(b) — Smoking is expressly prohibited on Reserve trails.~~

(H) OTHER APPLICABLE LAWS

- (1) Violation of these regulations is a Class E Crime.
- (2) Nothing in these regulations shall be construed to relieve a person from any other applicable requirements imposed by a local ordinance or by a statute or regulation of the State of Maine or of the United States.

(I) FEES

(1) A seasonal entrance fee is charged beginning on the Saturday directly before Memorial Day through Columbus Day. Dues-paying members of Laudholm Trust are admitted free of charge.

(2) The entrance fee is reviewed, established, and approved before the start of the calendar year by the Authority. A schedule of fees is available at the administrative offices of the Reserve

2. Policy for Group Use of Reserve Environmental Education Facilities

(A) DEFINITIONS

- (1) "Reserve sponsored Workshop" means a session held for a fee at Laudholm Farm to train instructors in the use of Reserve environmental education facilities.
- (2) "Student" means an individual enrolled in school between the grades of Kindergarten and senior in college.
- (3) "Reserve Environmental Education Facilities" means the education personnel, interpretive trail system and classroom space at Laudholm Farm.
- (4) "Chaperon" means an adult providing supervision for students.
- (5) "Consultation" means an individual session offered for a fee to train instructors in the use of Reserve environmental education facilities.
- (6) "Tour Leader" means an individual who gives instructional and supervisory assistance to a group leader.
- (7) "Group" means a collection of unrelated people numbering more than eight.
- (8) "Docent" means trained volunteer field trip leader.
- (9) "Education Director" is the staff member of the Reserve Management Authority in charge of Wells Reserve's education program.
- (10) "Group Leader" means the individual from another organization who is responsible for arranging and supervising an excursion to the Reserve.

(B) PROCEDURES2. Policy for Reserve Educational Programs and Group Use of Trails and Education Facilities

- (1) All group requests for use of the Reserve's environmental educational facilities and trails shall be referred to the Education Program Staff~~Director~~.
- (2) ~~A maximum of sixty individuals shall be permitted as a group on the Reserve on a given day.~~

Formatted: Indent: Left: 0", First line: 0"

- ~~(3) A maximum of five self-guided groups will be permitted to use the Reserve's environmental education facilities in any given week.~~
- ~~(4) Groups with fewer than one chaperon per eight students will have limited access to Reserve trails at the discretion of the Education Director.~~
- ~~(25) Any group found violating Reserve rules or trail etiquette may be required to leave and refused future use of Reserve environmental education facilities.~~
- ~~(36) Reservations are required for all group visits of 10 people or more by calling the Education Program staff.~~

~~Group leaders intending to use Reserve environmental education facilities to conduct their own programs must prepare by~~

- ~~(4) Children 15 and under must always be accompanied by an adult; and there must be one adult for every 10 children.:~~

~~(a) attending a workshop (held in April and August and limited to 25 participants); or~~

~~(b) attending a personal consultation (two weeks advance scheduling is required); and~~

~~(c) must submit a written proposal at least two weeks in advance of the event, including:~~

~~(i) clearly stated objectives with measurable evaluation criteria;~~

~~(ii) a map of field trip routes with marked stops;~~

~~(iii) a brief outline of activities to be conducted during the visit, as well as in preparation and follow-up; and~~

~~(iv) an outline of preparation to be given chaperons.~~

- ~~(67) Decent-Staff guided tours of Reserve environmental education facilities and trails are available for pre-kindergarten children through senior citizen audiences year round.:~~

~~(a) fourth grade school classes on Tuesdays and Thursdays April-June and September-November; and~~

Formatted: Indent: Left: 0", Hanging: 1.5"

~~(b) special organizations (i.e. science clubs, scout groups, etc.) by reservation.~~

~~(8) Teachers of grade levels other than fourth must conduct their own programs.~~

(C) FEES

(1) Fees for educational programs and facilities and group use are reviewed and established annually and are approved by the Authority before the start of each calendar year. A schedule of fees is available at the administrative offices of the Reserve

~~The fee for a workshop is \$15.00. All group leaders from the same grade level in the same school or from the same organization may attend for the fee of an individual.~~

~~(2) The fee for a personal consultation will be set at the Education Coordinator's discretion.~~

~~(3) Self-guided group tours will be assessed a fee of \$1.00 per student. Chaperons and tour leaders attend free.~~

~~(4) Docent led tours will be assessed a fee of \$2.00 per participant. Chaperons and tour leaders attend free.~~

~~(5) Based on demonstrated need, grants are available from the Laudholm Trust to defray the cost of Reserve excursions.~~

3. Policy for the use of Non-Reserve Events at Wells Reserve Facilities by Non-Related Organizations for Non-Reserve Related Activities is established in recognition of the fact that they will build useful in public support and in raising funds for the support of the Reserve.

(A) DEFINITIONS

~~(1) "Large Activity" means an activity involving between 150 and 500 people.~~

~~(2) "Small Activity" means an activity involving fewer than 150 people.~~

~~(3) "Daylight Hours" means the hours between dawn and dusk.~~

~~(4) "Reserve Facilities" means the buildings and grounds of Laudholm Farm.~~

~~(5) "Facilities Use Committee" refers to a committee of Laudholm Trust board and staff members.~~

- (6) "Non-Reserve Related Activity" shall refer to weddings, receptions, festivals, anniversary parties, company parties, meetings, retreats, events, etc.
- (7) "Non-Related Organizations" means any group or individual, commercial or non-profit, that does not have as its primary mission and focus environmental science, education, and the conservation of natural resources.
- ~~(8) "Related Organization" means any non-profit organization dedicated to the conservation of natural resources.~~

(B) ORGANIZATIONAL USE OF RESERVE FACILITIES

- (1) The Reserve Director accepts or denies, pursuant to these regulations, requests for use of Reserve facilities by other organizations. A Facilities Use Committee Building Advisory Committee is available to assist the Reserve Director in any decisions regarding the appropriateness of a request, fee, deposit or other issue. Visitors to any gathering at the Reserve are encouraged to view a presentation of Reserve purpose and activities.
- (2) Any organization or individual ("Lessees") using Reserve facilities shall defend or cause to be defended and to indemnify and hold harmless The Wells National Estuarine Research Reserve Management Authority and staff from and against any and all manner of claims, suits, expenses, damages or causes of action for damages arising out of, or allegedly arising out of, in whole or in part, the use or occupancy of the Reserve facilities by the Lessee, its agents, contractors, employees and invitees.
- (3) Fund raising or profit making events are not permitted at the Reserve and its Laudholm Property Farm by any organization for any reason other than exclusively for support of the Wells Reserve.
- (4) Public events sponsored by any entity other than Wells Reserve are not permitted at Reserve facilities without permission.

(C) FEES

- (1) Fees for the use and rental of Reserve facilities and land by Non-Related Organizations are reviewed, established, and approved by the Authority before the start of each calendar year. A schedule of fees is available at the administrative offices of the Reserve
- ~~(5) Related organizations may make use of Reserve facilities for meetings under the following conditions:~~

~~(a) Requests for use of Reserve facilities shall be made at least 30 days in advance.~~

~~(b) The Reserve Director will assess a fee between \$50 and \$250 based on the length of use, hours, number of people, facilities required and cost to the Reserve. The Reserve Director may require an additional refundable deposit.~~

~~(6) Non related activities may be permitted on Reserve facilities under the following conditions:~~

~~(a) Small activities (less than 150 people):~~

~~(i) Requests shall be made at least 60 days in advance.~~

~~(ii) A fee of \$1,000 and a refundable damage deposit of \$100 are required 30 days in advance of the event.~~

~~(iii) Activities shall be restricted to three daylight hours.~~

~~(iv) Serving of alcoholic beverages is prohibited.~~

~~(b) Large activities (maximum 500 people)~~

~~(i) Requests shall be made at least 60 days in advance.~~

~~(ii) A fee of \$5,000 and a refundable damage deposit of \$250 are required 30 days in advance of the event.~~

~~(iii) Activities shall be restricted to six daylight hours.~~

~~(iv) Liability insurance will be carried by the user for the event.~~

~~(v) Alcoholic beverages are:~~

~~(AA) not permitted at casual dress events;~~

~~(BB) may only be provided through the services of a holder of a valid State of Maine liquor license and catering permit.~~

~~(7) An agreement shall be signed by every sponsor of an activity prior to any set up activity. Suggested wording follows:~~

(a) I understand that the fee being paid is for the following facilities:

cold water available outside a building;

minimal electric power (two 110 volt outlets fused at 20 amps each);

access to the Reserve comfort station;

parking; and

mowed areas suitable for tents.

I shall defend or cause to be defended and to indemnify and hold harmless the Wells National Estuarine Research Reserve Management Authority and staff from and against any and all manner of claims, suits, expenses, damages or causes of action for damages arising out of, or allegedly arising out of, in whole or in part, the use or occupancy of the Reserve facilities by myself, my agents, contractors, employees and invitees.

Further, I understand that I am to leave the premises as I found them, removing all refuse. Failure to do so will result in forfeiture of damage deposit. I also understand that the Reserve will be open to the public during my function. I agree to all the conditions highlighted on the attached.

Sponsor Signature _____ Date _____

Address _____

Town _____ State _____ zip _____

Telephone _____

EFFECTIVE DATE:

May 9, 1992

EFFECTIVE DATE (ELECTRONIC CONVERSION):

March 23, 1996

NON-SUBSTANTIVE CHANGE:

January 26, 1999 - converted to Microsoft Word 2.0 format.

SUBSTANTIVE CHANGE

October 18, 2013