



# **NATURAL RESOURCE MANAGEMENT GUIDE**

# **2010**



**MAINE**  
**MAINE**  
**Rural Development**

# **Natural Resource Management Guide**

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**THE MAINE OFFICE OF RURAL DEVELOPMENT**  
**UNITED STATES DEPARTMENT OF AGRICULTURE**  
**NATURAL RESOURCE MANAGEMENT GUIDE**  
Updated: January 13, 2010  
**INTRODUCTION**

The Maine State Office of Rural Development has developed a Natural Resource Management Guide. The Guide serves as an essential mechanism for implementing RD Instruction 1940-G, “Environmental Program,” particularly Paragraph 1940.304, Special Policy, and the Rural Utilities Service (RUS) Staff Instruction 1794-1 for “Water and Environmental Programs,” (“Environmental Polices and Procedures”), stated in Paragraph 1794.1 (b) Purpose:

“Rural Development recognizes that its specific mission of assisting rural areas, composed of farms and rural towns, goes hand-in-hand with protecting the environmental resources upon which these systems are dependent,” as stated by RD Instruction 1940-G.

“The polices and procedures contained in this part are intended to help RUS officials make decisions that are based on an understanding of environmental consequences, and take actions that protect, restore, and enhance the environment,” according to RUS Staff Instruction 1794.

The basic content, purposes, and uses of the Guide are summarized as follows:

1. The Guide shall serve as a mechanism for assembling an inventory of the locations within the State of Maine those natural resources, land uses, and environmental factors that have been specified by Federal, State, and local authorities as deserving some degree of protection or special consideration.
2. The Guide shall summarize the various standards or types of Federal, State, or local protection that apply to the natural resources, land uses, and environmental factors listed in the inventory.
3. The Guide shall be considered by Rural Development management in decisions relating to the use of available program resources.
4. Applications for individual projects must be reviewed for consistency with the Guide.

The Natural Resource Management Guide is not intended to result in a plan or be a plan. It is intended to be an explicit framework of major environmental standards and review requirements that have been promulgated at the Federal level, as well as those that are particular to the State. It provides a listing of natural opportunities and constraints for various land use activities against which proposals for development can be evaluated. Finally, it serves as a useful planning tool for prospective applicants. Program and environmental information can also be found at the following Rural Development websites:

Rural Utilities Service: <http://www.rurdev.usda.gov/rus/index.html>

Rural Housing Service: <http://www.rurdev.usda.gov/rhs/index.html>

Rural Business Service: <http://www.rurdev.usda.gov/rbs/index.html>

# NATURAL RESOURCE MANAGEMENT POLICIES AND GUIDELINES

## I. Environmental Requirements:

Rural Development published its environmental requirements in RD Instruction 1940-G and the RUS Staff Instruction 1794-1. The content of these Instructions is derived from requirements contained in major environmental laws and regulations affecting Rural Development Programs such as the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA), Farm Protection Policy Act, and USDA Departmental Regulation 9500-3, "Land Use Policy." Following is a quotation of Rural Development General and Special Policy as contained in Rural Development Instruction 1940-G, "Environmental Program."

### A. General Policy

1. Rural Development shall consider environmental quality as equal with economic, social, and other relevant factors in program development and decision making processes.
2. In accessing the potential environmental impacts of its actions, Rural Development shall consult early with appropriate Federal, State, and local agencies and other organizations to provide decision-makers with both the technical and human aspects of environmental planning.
3. When adverse environmental impacts are identified, either direct or indirect, an examination shall be made for alternative courses of action including their potential environmental impacts. The objective of the environmental review shall be to develop a feasible alternative with the least adverse environmental impact. The alternative of not proceeding with the proposal shall be considered, particularly with respect to the need for the proposal.
4. If no feasible alternative exists, including the no-action alternative, measures to mitigate the identified adverse environmental impacts shall be included in the proposal.
5. The performance of environmental reviews and the consideration of alternatives shall occur as early as possible in the Rural Development decision-making process so that the Agency will be in the most flexible and objective position to deal with these considerations.

### B. Special Policy

1. Important Land Resources
  - a. Rural Development recognizes that its specific mission of assisting rural areas, composed of farms and rural towns, goes hand-in-hand with protecting the environmental resources upon which these systems are dependent. Basic resources necessary to both farm and rural settlements include important farmlands and forestlands, prime rangelands, wetlands, and floodplains. The definition of these areas is contained in the Appendix to the Departmental Regulation 9500-3, "Land Use Policy." Given the importance of these resources, as emphasized in Departmental Regulation, Executive Order 11988, "Floodplain Management," and Executive Order 11990, "Protection of Wetlands," it is Rural Development's policy not to approve or fund any proposals that, as a result of their identifiable impacts, direct or indirect, would lead to or accommodate either the conversion of these land uses or encroachment upon them. The only exception to this policy is if the approving official determines that (1) there is no practicable alternative to the proposed action, (2) the proposal conforms to the planning criteria identified in paragraph 1.b of this section, and (3) the proposal includes all practicable measures for reducing the conversion/encroachment.

- b. It is also recognized that unless carefully reviewed, some proposals designed to serve the needs of rural communities can adversely affect the existing economic base and settlement patterns of the community, as well as, create development pressures on land and environmental resources essential to farm economies. An example of such a proposal might be the extension of utilities and other types of infrastructure beyond a community's existing settlement pattern and into important farmlands for the purpose of commercial or residential expansion, even though there is available space within the existing settlement pattern for such expansion. Not only may the loss of important farmlands unnecessarily result, but also the community may be faced with the economic costs of providing public services to outlying areas, as well as the deterioration of its central business or commercial areas; the latter may not be able to compete with the newer, outlying commercial establishments. These results are undesirable, and to avoid their occurrence, projects designed to meet rural community needs (i.e., residential, industrial, commercial, and public facilities) will not be approved unless the following conditions are met:
- (1) The project is planned and sited in a manner consistent with the policies of this section, the Farmland Protection Policy Act, and Departmental Regulation 9500-3.
  - (2) The project is inconsistent with an existing comprehensive and enforceable plan that guides growth and reflects a realistic strategy for protecting natural resources, and the project is compatible to the extent practicable, with state, unit of local government, and private programs and policies to protect farmland. (If no such plan or policies exist, there is no Rural Development requirement that either be prepared or adopted as further specified in Paragraph 1.c of this section.)
  - (3) The project will encourage long-term economically viable public investment by fostering or promoting development patterns that ensure compact community development, that is, development that is limited to serving existing settlement patterns or is located in existing settlement patterns, e.g., the rehabilitation and renovation of existing structures, systems and neighborhoods; progression of development; the provision of a range of moderate-to-high residential densities appropriate to local and regional needs. When these development patterns or types are not practicable, the development must be contiguous with the existing settlement pattern and must provide for a range of moderate-to-high residential densities appropriate to local and regional needs. It is recognized that some Rural Development Community Program projects are designed to serve rural residents, such as rural water and waste disposal systems and, therefore, cannot be limited in service area to those areas contiguous with existing structures and rural residents in noncontiguous areas. Any additional capacity within the system will be limited to meet reasonable growth needs and, to the extent practicable, is designed to meet such needs within existing settlements and areas contiguous to them.
- c. The conditions specified in Paragraph 1.b of this section should not be construed as advocating excessive densities, congestion, or loss of open space amenities within rural communities. Desirable living conditions can be obtained under the objectives along with economic and social benefits for the community and the surrounding farm operations. Additionally, these conditions should not be construed as requiring localities to develop plans, which contain the conditions, or to so amend existing plans to incorporate these conditions. In any instance in which these planning conditions or

criteria do not exist within the project area, project reviews will not be postponed until the criteria is adopted. Rather, projects shall be reviewed and funding decisions made in light of a project's consistency with the contents of this Guide (excluding Item (2) of Paragraph 1.a of this section, which would not be applicable).

## II. Existing Federal and State Laws, Regulations, Standards or Procedures that Protect Designated Important Land Uses and Environmental Resources within the State.

(Following is a listing of important land uses or features, as well as environmental and cultural resources that have been designated by Federal and State Agencies as deserving of some form of protection, conservation or other designated level of consideration. The materials that follow specify (a) the designated resource, (b) the level or degree of protection to be afforded the resource, (c) agencies having jurisdiction or special expertise, and (d) brief description where the resource is located within the State. When Federal, State, or local designations overlap, the most restrictive standard applies.)

### A. Resources Protected Only by Federal Requirements

#### 1. Resource – Coastal Barriers

a. Level of Protection: The Coastal Barrier Resources Act of 1982 establishes the Coastal Barrier Resources System and restricts Federal expenditures and financial assistance, which have the effect of encouraging development on undeveloped Coastal Barriers. Under the requirements of the Coastal Barrier Resources Act, Rural Development shall not provide financial assistance for any activity to be located within the Coastal Barrier Resources System unless:

- (1) Such activity meets the criteria for an exception, as defined in Section 6 of the Act, and
- (2) Consultation regarding the activity has been completed with the Secretary of the Interior.

b. Agency Jurisdiction: Confer with:

Federal Level:

U.S. Army Corps of Engineers  
New England Division  
Regulatory Branch, Building 2  
696 Virginia Road  
Concord, MA 01742-2751  
Telephone: 1-800-343-4789  
Fax: (978) 318-8303  
<http://www.usace.army.mil>

Division of Ecological Services  
U.S. Fish and Wildlife Services  
70 Commercial Street, Suite 300  
Concord, NH 03301-5087  
Telephone: (603) 223-2541  
Fax: (603) 223-0104  
<http://www.fws.gov>

State Level:

Maine Coastal Program  
State Planning Office  
38 State House Station  
184 State Street  
Augusta, ME 04333-0038  
Telephone: (207) 287-1486  
Fax: (207) 287-8059  
<http://www.state.me.us/spo/coastal>

- c. Location of Resource: Maps locating the Coastal Barrier Resources in Maine may be purchased at the cost of \$10.00 and a one-time \$5.00 shipping and handling fee each from:

Eastern-National Cartographic Information Center  
U.S. Geological Survey, ESIC-CBRS  
PO Box 25286  
Denver, CO 80255  
Telephone: (303) 202-4200  
Fax: (303) 202-4693  
Map sales: (303) 202-4700  
Email: [infoservices@usgs.gov](mailto:infoservices@usgs.gov)  
<http://www.fws.gov/cep/cbrmapfr.html>

Maps may be inspected at the following New England Area Fish and Wildlife Offices:

Supervisor  
Maine Field Office  
U.S. Fish & Wildlife Service  
1168 Main Street  
Old Town, ME 04468  
Telephone: (207) 827-5938  
Fax: (207) 827-6099  
Email: [FW5ES\\_MFO@fws.gov](mailto:FW5ES_MFO@fws.gov)  
<http://www.fws.gov/northeast/me/mefo.htm>

Supervisor  
Division of Ecological Services  
U.S. Fish & Wildlife Service  
70 Commercial Street, Suite 300  
Concord, NH 03301-5087  
Telephone: (603) 223-2541  
Fax: (603) 223-0104  
<http://www.fws.gov>

Regional Director  
Region 5, U.S. Fish & Wildlife Service  
300 Westgate Center Drive  
Hadley, MA 01035-9589  
Telephone: (413) 253-8200  
Fax: (413) 253-8308  
Email: [Northeast@fws.gov](mailto:Northeast@fws.gov)  
<http://www.fws.gov>

State Planning Office  
38 State House Station  
184 State Street  
Augusta, ME 04333-0038  
Telephone: (207) 287-6077  
1-800-662-4545  
Fax: (207) 287-6489  
<http://www.state.me.us/spo/>

Maps may also be inspected at any Rural Development Area Office and are also contained within updated FEMA Floodplain Maps at <http://www.fema.gov>

The following areas in Maine are in the Coastal Barrier System:

Carrying Place Cove – Harrington	Birch Point – Perry
Lubec Barriers – Lubec	Baileys Mistake – Lubec
Grassy Point – Cutler	Seal Cove – Cutler
Sprague Neck – Cutler	Jasper – Machiasport
Starboard – Machiasport	Bare Cove – Roque Bluffs
Roque Bluff – Roque Bluffs	Popplestone Beach/Roque Island - Jonesport
Flake Point – Steuben	Over Point – Steuben
Pond Island – Deer Isle	Thrumcap – Cranberry Isles
Seven Hundred Acre Island – Islesboro	Nash Point – Owls Head
Little River – Georgetown	Hunnewell Beach – Phippsburg
Small Point Beach – Phippsburg	Head Beach – Phippsburg
Stover Point – Harpswell	Jenks Landing/Waldo Point - Cumberland
Cape Elizabeth- Cape Elizabeth	Crescent Beach – Cape Elizabeth
Scarborough Beach – Scarborough	Etherington Pond - Biddeford
Crescent Surf – Kennebunk	Ogunquit Beach – Ogunquit
Phillips Cove – York	Sea Point - Kittery

2. Resource – **FLOODPLAINS**

- a. **Level of Protection:** It is Rural Development’s policy to ensure that its actions do not diminish, but preserve the beneficial values of floodplains. Rural Development will avoid new construction in floodplains, except where no practicable alternative exists and then after establishing mitigation measures and giving public notification as outlined in Rural Development Instruction 1940-G, Exhibit C.
- b. **Agency Jurisdiction:** Confer with:

Federal Level:

Federal Emergency Management Agency  
John W. McCormack  
Mitigation – Region 1  
P.O.C.  
Room 462  
Boston, MA 02109  
Telephone: (617) 223-9540  
Fax: (617) 223-9561  
<http://www.Fema.gov>

U.S. Army Corps of Engineers  
New England Division  
Regulatory Branch, Building 1  
696 Virginia Road  
Concord, MA 01742-2751  
Telephone: 1-800-343-4789  
Fax: (978) 318-8303  
<http://www.usace.army.mil>

Division of Ecological Services  
U.S. Fish & Wildlife Service  
70 Commercial Street, Suite 300  
Concord, NH 03301-5087  
Telephone: (603) 223-2541  
Fax: (603) 223-0104  
<http://www.fws.gov>

State Level:

Maine Floodplain Management Program  
State Planning Office  
38 State House Station  
184 State Street  
Augusta, ME 04333-0038  
Telephone: (207) 287-6077  
1-800-662-4545  
Fax: (207) 287-6489  
<http://www.state.me.us/spo/flood>

c. Location of Resource: Statewide

Floodplain maps can be acquired from the Federal Emergency Management Agency (FEMA) at: <http://www.fema.gov>

3. Resource – **FARMLAND AND FORESTLANDS**

a. Level of Protection: It is Rural Development's policy not to approve or fund any proposals that as a result of their identifiable impacts, direct or indirect, would lead to or accommodate either the conversion to these land uses or encroachment upon them. The only exception to this policy is if the approval official determines that there is no practicable alternative to the proposed action and the proposal includes all practicable measures for reducing the adverse impact and the amount of conversion encroachment.

- b. Agency Jurisdiction: Confer with:

Federal Level:

U.S. Department of Agriculture  
Rural Development Area Offices (list at back of document)  
and  
Natural Resources Conservation Service  
967 Illinois Avenue, Suite 3  
Bangor, ME 04401  
Telephone: (207) 990-9100 extension (NRCS) 3  
Fax: (207) 990-9599  
<http://www.me.nrcs.usda.gov>

State Level:

Regional Soil and Water Conservation District  
(List on Pages 26 and 27)

- c. Location of Resource: Statewide

4. Resource – **NATURAL LANDMARKS**

- a. Level of Protection: Rural Development shall not authorize, fund, or carry out any proposal or project that is likely to adversely affect a designated natural landmark.
- b. Agency Jurisdiction: Confer with:

Regional Director, North Atlantic Region  
National Park Service  
15 State Street  
Boston, MA 02109  
Telephone: (617) 223-5001  
Fax: (617) 223-5158  
<http://www.nps.gov>

- c. Location of Resource:

Appleton Bog Atlantic White Cedar Stand  
Bigelow Mountain  
Carrying Place Cove Bog  
Colby-Marston Preserve  
Crystal Bog  
Gulf Hags  
Meddybemps Heath  
Monhegan Island  
Mount Katahdin  
New Gloucester Black Gum Stand  
No. 5 Bog and Jack Pine Stand  
Orono Bog  
Passadumkeag Marsh and Boglands.  
Penny Pond – Joe Pond Complex  
The Hermitage

Resources Protected by Federal, State, and local Requirements

1. Resource – **ENDANGERED AND THREATENED SPECIES**

a. Level of Protection:

- (1) Federal: Rural Development shall not authorize, fund, or carry out any proposal or project that is likely to (1) jeopardize the continued existence of any plant or wildlife species listed by the Secretary of Interior or Commerce as endangered or threatened; or (2) destroy or adversely modify the habitats of listed species when such habitats have been determined critical to the species' existence by the Secretary of Interior or Commerce unless Rural Development has been granted an exemption for such proposal by the Endangered Species Committee pursuant to Subsection (h) of Section 7 of the Endangered Species Act.
- (2) State: Rural Development shall not authorize, fund, or carry out any proposal or project that is likely to jeopardize the continued existence of any wildlife species protected by the State of Maine Endangered Species Act, Chapter 12, MRSA Section 7751-7757.

b. Agency Jurisdiction: Confer with:

Federal Level:

U.S. Department of the Interior  
Endangered Species Biologist  
U.S. Fish & Wildlife Service  
70 Commercial Street, Suite 300  
Concord, NH 03301-5087  
Telephone: (603) 223-2541  
Fax: (603) 223-0104  
<http://www.fws.gov>

U.S. Department of the Interior  
ATTN: Project Leader  
U.S. Fish & Wildlife Service  
1168 Main Street  
Old Town, ME 04468  
Telephone: (207) 827-5938  
Fax: (207) 827-6099  
Email: [FW5ES\\_MFO@fws.gov](mailto:FW5ES_MFO@fws.gov)  
<http://www.fws.gov/northeast/me/mefo.htm>

NOAA National Marine Fisheries Service  
Maine Field Station  
17 Godfrey Drive, Suite 1  
Orono, ME 04473  
Telephone: (207) 866-7322  
Fax: (207) 866-7342  
<http://www.nefsc.noaa.gov/nefsc/orono>

State Level

Wildlife –

Environmental Coordinator  
Department of Inland Fisheries & Wildlife  
284 State Street  
41 State House Station  
Augusta, ME 04333-0041  
Telephone: (207) 287-8000  
Fax: (207) 287-6395  
<http://www.mefishwildlife.com>

Plants -

Coordinator  
Department of Conservation  
Maine Natural Areas Program  
157 Hospital Street  
93 State House Station  
Augusta, ME 04333-0093  
Telephone: (207) 287-8044  
Fax: (207) 287-8040  
<http://www.mainenaturalareas.org/index.php>

c. Location of Resource:

Federally Listed Wildlife –

Piping Plover	Coastal Sagadahoc, Cumberland, and York Counties
Roseate Tern	Coastal Statewide
Shortnose Sturgeon*	Kennebec, Lincoln, Sagadahoc, Waldo, Penobscot, Hancock, & Androscoggin Counties
Atlantic Salmon	Aroostook, Franklin, Hancock, Kennebec, Lincoln, Oxford, Penobscot, Piscataquis, Sagadahoc, Somerset, Waldo, & Washington Counties, Oceanic
Right, Humpback, Finback, Blue, Sei, Sperm Whale*	Oceanic Summer Resident
Leatherback Turtle*	Oceanic Summer Resident
Atlantic Ridley Turtle*	Oceanic Summer Resident
Loggerhead Turtle*	Possibly Northern Maine & Western Maine
Gray Wolf	Possibly Statewide
Eastern Cougar	Franklin, Somerset, Piscataquis, Aroostook, and Penobscot Counties
Canada Lynx	

\* Principal responsibility for these species is vested with the National Marine Fisheries Service

Federally Listed Plants –

Small Whorled Pogonia	York, Kennebec, Cumberland, and Oxford Counties
Furbish's lousewort	Aroostook County
Eastern Prairie Fringed Orchid	Aroostook County

An updated list of Federally listed species can be viewed at:  
[http://ecos.fws.gov/tess\\_public/servlet/gov.doi.tess\\_public.servlets.UsaLists?state-ME](http://ecos.fws.gov/tess_public/servlet/gov.doi.tess_public.servlets.UsaLists?state-ME)

State Listed Wildlife and Plants – Consult with Maine Department of Inland Fisheries and Wildlife and the Maine Natural Areas Program.

2. Resource – **WILD AND SCENIC RIVERS**

a. Level of Protection:

- (1) Federal: Rural Development shall not provide financial assistance or plan approval for any water resource project that would have a direct and adverse effect on the values for which a river has been either included in the National Wild and Scenic Rivers System, or is designed for potential addition. Additionally, Rural Development shall not approve or assist developments (commercial, industrial, residential, farming, or community facilities) located below or above a wild scenic, or recreational river area, or on any stream tributary thereto which will invade the area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area.
- (2) Federally Listed Maine River Segments having “Outstandingly Remarkable Value” can be found at the following web site:  
<http://www.nps.gov/ncrc/programs/rtca/nri/states/me.html>
- (3) State: In 1983 the State of Maine passed S.P. 598-L.D. 1721. This was an Act to promote the wise use and management of Maine’s outstanding river resources. This Act recognized the value of rivers and stream segments and protects these values through shoreland zoning. The following is a list of rivers that contain segments that fall under Maine’s “Special Protection for Outstanding River Segments.”

Aroostook River  
Carrabassett River  
Crooked River  
Dennys River  
East Machias River  
Fish River  
Kennebago River  
Kennebec River  
Machias River  
Mattawamkeag River  
Narraguagus River  
Penobscot River  
Piscataquis River  
Pleasant River  
Rapid River  
Saco River  
St. Croix River  
St. George River  
St. John River  
Sandy River  
Sheepscot River  
West Branch Pleasant River  
West Branch Union River

For a current list and description of the river segments, go to the following website:  
<http://janus.state.me.us/legis/statutes/38/title38sec480-P.html>

b. Agency Jurisdiction: Confer with:

Federal Level:

Regional Director  
National Park Service  
Northeast Region  
U.S. Custom House  
200 Chestnut Street, Fifth Floor  
Philadelphia, PA 19106  
Telephone: (215) 597-7013  
<http://www.nps.gov>

U.S. Army Corps of Engineers  
New England Division  
Regulatory Branch, Building 1  
696 Virginia Road  
Concord, MA 01742-2751  
Telephone: 1-800-343-4789  
Fax: (978) 318-8303  
<http://www.nae.usace.army.mil>

Maine Project Office  
New England District  
U.S. Army Corps of Engineers  
675 Western Avenue # 3  
Manchester, ME 04351  
Telephone: (207) 623-8124  
Fax: (207) 623-8206

State Level:

State Planning Office  
38 State House Station  
184 State Street  
Augusta, ME 04333-0038  
Telephone: (207) 287-6077  
1-800-662-4545  
Fax: (207) 287-6499  
<http://www.state.me.us/spo/>

- c. Location of Resources: The Allagash River is listed in the National Wild and Scenic Rivers System. The National Park Service's list of nationwide inventory of wild and scenic rivers, and a list of rivers protected by S.P. 598 L.D. 1721 are available at all Rural Development Area Offices.

3. Resource – **COASTAL ZONE MANAGEMENT**

a. Level of Protection:

- (1) Federal: Rural Development shall not provide financial assistance for a project that has a direct and adverse effect on a state coastal zone program. Projects must be in compliance with the Coastal Zone Management Act of 1972.
- (2) State: Rural Development will, in its project review, take into consideration the shoreland zoning ordinances established by the municipality where the project is located. The intergovernmental review process at the state level will alert various state agencies to see that the project developer applies for the proper permits.

b. Agency Jurisdiction: Confer with:

Federal Level:

Chief of Coastal Zone Management  
The United States Department of Commerce  
Office of Coastal Zone Management  
SSMC-4, 1305 East-West Highway  
Silver Springs, MD 20910  
Telephone: (301) 713-3155  
Fax: (301) 713-4367  
<http://www.nos.noaa.gov>

U.S. Army Corps of Engineers  
New England Division, CT, NH, MA, RI  
Regulatory Branch, Building 1  
696 Virginia Road  
Concord, MA 01742-2751  
Telephone: (978) 318-8338  
Fax: (978) 318-8303  
<http://www.nae.usace.army.mil>

U.S. Army Corps of Engineers  
New England Division, ME  
675 Western Avenue # 3  
Manchester, ME 04351  
Telephone: (207) 623-8124  
Fax: (207) 623-8206  
<http://www.nae.usace.army.mil>

State Level:

Coastal Program Manager  
State Planning Office  
38 State House Station  
184 State Street  
Augusta, ME 04333-0038  
Telephone: (207) 287-3261  
Fax: (207) 287-6499  
<http://www.maine.gov/spo/mcp>

- c. Location of Resource: The Coastal Zone of Maine as defined in the State Coastal Zone Management Program.

4. Resource – **WATER QUALITY/SOLE SOURCE AQUIFERS**

a. Level of Protection:

- (1) Federal: Rural Development shall not fund, authorize, or carry out any project or proposal which violates the Clean Water Air Act, Environmental Protection Agency (EPA) Safe Drinking Water Act (SDWA), and the Federal Water Pollution Control Act.

The Sole Source Aquifer (SSA) program allows individuals and organizations to petition the EPA to designate aquifers as the “sole or principal” source of drinking water for an area. The program was established under Section 1424(e) of the SDWA. The primary purpose of the designation is to provide EPA review of Federal financially assisted projects planned for the area and to determine their potential of contaminating the aquifer “so as to create a significant hazard to public health.” Based on this review, no commitment of Federal financial assistance may be made for projects “which the Administrator (of EPA) determines may contaminate such (an) aquifer,” although Federal funds may be used to modify projects to ensure that they will not contaminate the aquifer. In Maine, there are four designated “Sole Source Aquifers.” They are:

Islesboro Island  
Monhegan Island  
North Haven Island  
Vinalhaven Island

<http://www.epa.gov/region1/topics/water/aquifers.html>

- (2) State: In the State of Maine the Drinking Water Program, within the Department of Human Services, reviews all projects involving public water supplies. The SDWA is enforced by this Agency. In the State of Maine the Wastewater and Plumbing Control Program, also within the Department of Human Services, reviews all on-site wastewater disposal systems that are larger than 2,000 gallons/day or systems that require a plumbing code variance. In the State of Maine, the Department of Environmental Protection (DEP) reviews and enforces all projects that require a discharge license to any water body in Maine. All projects under the Site Location Law require a non-point source evaluation of potential impact to any Great Pond in Maine.

b. Agency Jurisdiction: Confer with:

Federal Level:

Water Supply Branch  
Environmental Protection Agency  
Headquarters Region 1  
One Congress Street, Suite 1100  
Boston, MA 02114-2320  
Telephone: (617) 918-1111  
1-800-372-7341  
Fax: (617) 918-1809  
<http://www.epa.gov>

U.S. Army Corps of Engineers  
New England Division  
Regulatory Branch, Building 1  
696 Virginia Road  
Concord, MA 01742-2751  
Telephone: 1-800-343-4789  
Fax: (978) 318-8303  
<http://www.nae.usace.army.mil>

State Level:

Water

Drinking Water Program  
11 State House Station  
Augusta, ME 04333-0011  
Telephone: (207) 287-2070  
Fax: (207) 287-4172  
<http://www.state.me.us/dhhs/eng/water/index.htm>

Wastewater – (point discharge)

Bureau of Water Quality Control  
Department of Environmental Protection  
17 State House Station  
Augusta, ME 04333-0017  
Telephone: (207) 287-3901  
Fax: (207) 287-7826  
<http://www.maine.gov/dep/index.shtml>

Site Location – (non-point impact)

Bureau of Land Quality Control  
Department of Environmental Protection  
Ray Building, AMHI  
17 State House Station  
Augusta, ME 04333  
Telephone: (207) 287-3901  
Fax: (207) 287-7826  
<http://www.maine.gov/dep/index.shtml>

Wastewater – (on-site disposal)

Wastewater & Plumbing Control Program  
11 State House Station  
286 Water Street, 3<sup>rd</sup> Floor  
Augusta, ME 04333-0011  
Telephone: (207) 287-5689  
Fax: (207) 287-3165  
<http://www.state.me.us/dhhs/eng/plumb>

Local Level: – Municipal Licensed Plumbing Inspectors

c. Location of Resource: Statewide

5. Resource – **AIR QUALITY**

a. Level of Protection:

- (1) Federal: Rural Development shall not authorize, fund, or carry out any proposal or project that will contribute to air quality deterioration. The provisions of the Clear Air Act as amended through 1981 apply to all projects.
- (2) State: The State of Maine has established ambient air quality standards with legally enforceable mechanisms to ensure the standards are met.

b. Agency Jurisdiction: Confer with:

Federal Level:

U.S. Environmental Protection Agency Region  
Air Management Division/SEA  
Headquarters Region 1  
One Congress Street, Suite 1100  
Boston, MA 02114-2023  
Telephone: (617) 918-1111  
Fax: (617) 918-1809/1810  
<http://www.epa.gov>

State Level:

Department of Environmental Protection  
Bureau of Air Quality Control  
17 State House Station  
Augusta, ME 04333-0017  
Telephone: (207) 287-2437  
Fax: (207) 287-7641  
<http://www.maine.gov/dep/index.shtml>

c. Location of Resources: Statewide

6. Resource – **HISTORIC PRESERVATION**

a. **Level of Protection:**

- (1) Federal: At the earliest stages of consideration of an application, Rural Development shall identify any properties that are listed in, or may be eligible for listing in the National Register of Historic Places, and are located within the project's area of potential environmental impacts. Consultation will be undertaken with the State Historic Preservation Officer and the Advisory Council on Historic Preservation in order to determine the most appropriate course of action for protecting such identified properties or mitigating potential adverse impacts to them. Historic property means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places. This term includes, for the purposes of the Section 106 regulations, artifacts, records, and remains that are related to and located within such properties.
- (2) State: The State Historic Preservation Officer (SHPO) will review and provide written comments on all Class I and Class II Assessments and Environmental Impact Statements as outlined in RD Instruction 1940-G, and for Categorical Exclusions, Environmental Assessments and Environmental Impact Statements outlined in the RUS Staff Instruction 1794-1.
- (3) Maine's Federally Recognized Indian Tribes: The State's five Indian Tribes must be consulted when Federal undertakings occur or affect historic properties (or properties of traditional religious and cultural significance to tribes) on or off tribal lands. Tribal lands are lands within boundaries of reservations and all dependent Indian communities. Typically, this consultation is provided through the Intergovernmental Review Bulletin.

b. **Agency Jurisdiction:** Confer with:

Federal Level:

Regional Director  
Northeast Region  
National Park Service  
U.S. Custom House  
200 Chestnut St., 5<sup>th</sup> Floor  
Philadelphia, PA 19106  
Telephone: (215) 597-7013  
<http://www.nps.gov>

State Level:

Earle Shettleworth, Jr., Director and SHPO  
Maine Historic Preservation Commission  
55 Capitol Street, 65 State House Station  
Augusta, ME 04333  
Telephone: (207) 287-2132  
Fax: (207) 287-2335  
<http://www.state.me.us/mhpc/>

Indian Tribes:

Houlton Band of Maliseet Indians  
Tribal Environmental Issues Office  
88 Bell Road  
Littleton, ME 04730  
Telephone: (207) 532-4273  
Fax: (207) 532-6883  
<http://www.maliseets.com/>

Aroostook Band of MicMac Indians  
7 Northern Road  
Presque Isle, ME 04769  
Telephone: (207) 764-1972  
1-800-355-1435  
Fax: (207) 764-7667  
<http://www.micmac-nsn.gov>

Indian Township Passamaquoddy Tribe  
Donald Soctomah, THPO  
Tribal Historic Preservation Office  
PO Box 102  
Princeton, ME 04668  
Telephone: (207) 796-2301  
Fax: (207) 796-5256  
[soctomah@ainop.com](mailto:soctomah@ainop.com)  
<http://www.passamaquoddy.com>

Pleasant Point Passamaquoddy Tribe  
Donald Soctomah, THPO  
Tribal Historic Preservation Office  
PO Box 102  
Princeton, ME 04668  
Telephone: (207) 796-2301  
Fax: (207) 796-5256  
[soctomah@ainop.com](mailto:soctomah@ainop.com)  
<http://www.wabanaki.com>

Penobscot Indian Nation  
Bonnie Newsom, THPO  
Cultural and Historic Preservation Program  
12 Wabanaki Way  
Old Town, ME 04468  
Telephone: (207) 817-7332  
Fax: (207) 817-7450  
[bnewsom@penobscotnation.org](mailto:bnewsom@penobscotnation.org)  
<http://www.penobscotnation.org>

Rural Development Area Offices (list at back of document)

- c. Location of Resource: Throughout Maine, a list of properties that are listed in, or may be eligible for listing in, the National Register of Historic Places is available at the Rural Development Area Offices.

7. Resource – WETLANDS

a. Level of Protection:

- (1) Federal: At the earliest stages of consideration of an application, Rural Development shall identify if a proposed project will either directly or indirectly affect a wetland. If so, Rural Development must determine if there is a practicable alternative or location. If there is no such alternative, Rural Development must determine whether all practicable mitigation measures are included in the project, document steps take to inform the public, locate alternatives, and mitigate potential adverse impacts.
- (2) State: In 1982, the Maine Legislature directed the DEP to “conduct a study to identify fresh-water wetlands in the portion of the State not subject to the jurisdiction of the Land Use Regulation Commission” (38 MRSA 406). Wetlands to be mapped were to be greater than 10 acres in size, be characterized predominantly by wetland vegetation, and not be subject to existing environmental regulations. The mapping was to be performed to determine whether a significant area of wetlands was not protected by either the Great Ponds or Stream Alteration Acts, and whether a protection program should be instituted by the Legislature.

b. Agency Jurisdiction: Confer with:

Federal Level:

Division of Ecological Services  
U.S. Fish & Wildlife Service  
70 Commercial Street, Suite 300  
Concord, NH 03301-5087  
Telephone: (603) 223-2541  
Fax: (603) 223-0104  
<http://www.fws.gov>

Maine Project Office  
U.S. Army Corps of Engineers  
675 Western Avenue # 3  
Manchester, ME 04351  
Telephone: (207) 623-8124  
Fax: (207) 623-8206  
<http://www.nae.usace.army.mil>

State Level:

Bureau of Land Quality Control  
Department of Environmental Protection  
Ray Building, AMHI  
17 State House Station  
Augusta, ME 04333-0017  
Telephone: (207) 287-3901  
Fax: (207) 287-7826  
<http://www.maine.gov/dep/index.shtml>

- c. Location of Resource: Statewide information on the location of wetlands may be obtained from the following agencies:

Natural Resource Conservation Service (list at back of document)

U.S. Fish & Wildlife Service  
Regional Wetlands Coordinator  
300 Westgate Center Drive  
Hadley, MA 01035-9589  
Telephone: (413) 253-8620  
Fax: (413) 253-8482  
<http://www.fws.gov/northeast/index.cfm>

Department of Inland Fisheries & Wildlife  
41 State House Station  
284 State Street  
Augusta, ME 04333-0041  
Telephone: (207) 287-8000  
Fax: (207) 287-6395  
<http://www.maine.gov/ifw>

8. **SOCIO-ECONOMIC ISSUES/ENVIROMENTAL JUSTICE**

- a. Level of Protection:

- (1) Federal: Rural Development shall not authorize, fund, or carry out any proposal or project that may or will have a disproportionately high and adverse human health or environmental effect on minority and low-income populations. E.O. 12989 “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” dated February 11, 1994, and USDA Departmental Regulation 5600-22 “Environmental Justice,” dated December 15, 1997, require the consideration of environmental justice issues into NEPA environmental reviews. These issues include (1) Analyzing for the potential of disproportionately high and adverse human health or environmental effects to minority and low-income populations; (2) Providing opportunities for minority and low-income populations to participate in the NEPA process if these populations may be adversely affected; and (3) Identifying mitigation measures that would reduce adverse human health or environmental effects to minority and low-income populations.
- (2) State: The State of Maine Human Rights Commission should be consulted concerning these issues that may be legally enforceable.

- b. Agency Jurisdiction: (Potential Information Sources)

Federal Level:

U.S. Department of Commerce, Census Bureau  
<http://www.census.gov>

State Level:

Maine Human Rights Commission  
51 State House Station  
Augusta, ME 04333-0051  
Telephone: (207) 624-6050  
TTY/TTD: 1-888-577-6690  
Fax: (207) 624-6063  
<http://www.maine.gov/mhrc>

State Census Data Centers  
<http://www.census.gov/sdc/www/>  
<http://www.state.me.us/spo/economics/census>

Municipal Offices

9. **HAZARDOUS WASTES AND CHEMICALS**

- a. Level of Protection: Rural Development realizes that this is a rapidly evolving field. Location and handling of hazardous wastes and chemicals are to be given consideration in all Rural Development programs. Rural Development recognizes the potential danger associated with such wastes and they will take every precaution to ensure their proper handling and disposal under the guidance of the appropriate Federal and State Agencies.
- b. Agency Jurisdiction: Confer with:

Federal Level:

National Toll Free Number for reporting hazardous wastes:  
Telephone: 1-800-424-8802

New England Toll Free Number for reporting hazardous wastes:  
Telephone: 1-888-372-7341  
TTY/TTD: 1-800-439-2370  
<http://www.epa.gov/osw/hazard>

State Level:

Bureau of Hazardous Material and Solid Waste Control  
Department of Environmental Protection  
Ray Building, AMHI,  
17 State House Station  
Augusta, ME 04333-0017  
Telephone: (207) 287-2651  
Fax: (207) 287-7826  
<http://www.maine.gov/rwm/hazardouswaste/index.htm>

10. **UNDERGROUND STORAGE TANKS**

a. Level of Protection: The State of Maine is authorized by 38 MRSA Section 561 Entrepreneurial seq. as enacted by PL 1985 Chapter 496 to require the registration of all existing, new, and replacement underground oil storage facilities with the DEP. The Rules for Underground Oil Storage Facilities are under Chapter 691. Copies of the regulations are located in Rural Development Area Offices or from the DEP.

b. Agency Jurisdiction: Confer with:

Federal Level:

Environmental Protection Agency  
Regional Underground Storage Tank Coordinator  
Headquarters Region 1  
One Congress Street, Suite 1100  
Boston, MA 02114-2023  
Telephone: (617) 918-1311  
Fax: (617) 918-1291/1294  
<http://www.epa.gov/OUST/fedlaws/fr21fe96.htm>

State Level:

Bureau of Hazardous Material and Solid Waste Control  
Department of Environmental Protection  
Ray Building, AMHI  
17 State House Station  
28 Tyson Drive  
Augusta, ME 04333-0017  
Telephone: (207) 287-2651  
Fax: (207) 287-7826  
<http://www.maine.gov/dep/rwm/hazardouswaste/>  
<http://www.maine.gov/dep/rwm>

**UNITED STATES DEPARTMENT OF  
AGRICULTURE  
MAINE RURAL DEVELOPMENT  
STATE AND AREA OFFICES**

Our web address for each of these offices is: <http://www.rurdev.usda.gov/me/>

**MAINE STATE OFFICE**

USDA, Rural Development  
967 Illinois Avenue, Suite 4  
PO Box 405  
Bangor, ME 04402-0405  
Telephone: (207) 990-9121  
TTD/TTY: (207) 942-7331  
Fax: (207) 990-9129

**AREA OFFICE I – PRESQUE ISLE**

USDA, Rural Development  
735 Main Street, Suite 1  
Presque Isle, ME 04769-2285  
Telephone: (207) 764-4157  
Fax: (207) 762-2246

**AREA OFFICE II – BANGOR**

USDA, Rural Development  
1423 Broadway, Suite 3  
Bangor, ME 04401-2468  
Telephone: (207) 990-3676  
Fax: (207) 990-5092

**AREA OFFICE III – LEWISTON**

USDA, Rural Development  
254 Goddard Road  
PO Box 1938  
Lewiston, ME 04241-1938  
Telephone: (207) 753-9400  
Fax: (207) 784-1335

**AREA OFFICE IV – SCARBOROUGH**

USDA, Rural Development  
306 US Route 1, Suite B1  
Scarborough, ME 04074-9774  
Telephone: (207) 883-0159  
Fax: (207) 883-2740

**UNITED STATES DEPARTMENT OF AGRICULTURE  
NATURAL RESOURCES CONSERVATION SERVICE  
AND  
MAINE SOIL AND WATER CONSERVATION DISTRICTS**

<http://www.me.nrcs.usda.gov/index.htm>

**AUGUSTA FIELD OFFICE**

(Kennebec County)  
Central Maine Commerce Center  
21 Enterprise Drive, Suite 1  
Augusta, ME 04330-6393  
Telephone: (207) 622-7847  
Fax: (207) 626-8196

**BANGOR FIELD OFFICE**

(Penobscot County)  
1423 Broadway, Suite 2  
Bangor, ME 04401-2468  
Telephone: (207) 947-6622  
Fax: (207) 942-1782

**BELFAST FIELD OFFICE**

(Waldo County)  
266 Waterville Road  
Belfast, ME 04915-1224  
Telephone: (207) 338-1964  
Fax: (207) 338-4972

**DOVER-FOXCROFT FIELD &  
SURVEY OFFICE**

(Piscataquis County)  
42 Engdahl Drive  
Dover-Foxcroft, ME 04426-3717  
Telephone: (207) 564-2321 / 564-2628  
Fax: (207) 564-2570

**HOULTON FIELD OFFICE**

(Aroostook County – So. Aroostook)  
304 North Street  
Houlton, ME 04730-9527  
Telephone: (207) 532-2087  
Fax: (207) 532-4379

**LEWISTON FIELD OFFICE**

(Androscoggin & Sagadahoc Counties)  
254 Goddard Road, PO Box 1938  
Lewiston, ME 04241-1938  
Telephone: (207) 753-9400  
Fax: (207) 783-4101

**SKOWHEGAN FIELD OFFICE**

(Somerset County)  
12 High Street, Suite 3  
Skowhegan, ME 04976-1998  
Telephone: (207) 474-8324  
Fax: (207) 474-0638

**OXFORD FIELD OFFICE**

(Oxford County)  
1570 Main Street, Suite 10  
Oxford, ME 04270-3390  
Telephone: (207) 743-5789  
Fax: (207) 743-6256

**UNITED STATES DEPARTMENT OF AGRICULTURE  
NATURAL RESOURCES CONSERVATION SERVICE  
AND  
MAINE SOIL AND WATER CONSERVATION DISTRICTS  
CON'T**

**ELLSWORTH FIELD OFFICE**

(Hancock County)  
190 Bangor Road  
Ellsworth, ME 04605-9806  
Telephone: (207) 667-8663  
Fax: (207) 667-3585

**PRESQUE ISLE FIELD OFFICE**

(Aroostook County – Central)  
735 Main Street, Suite 3  
Presque Isle, ME 04769-2285  
Telephone: (207) 764-4153/4154  
Fax: (207) 768-3407

**FARMINGTON FIELD &  
SURVEY OFFICE**

(Franklin County)  
107 Park Street  
Farmington, ME 04938-1915  
Telephone: (207) 778-4767  
Fax: (207) 778-5785

**MACHIAS FIELD OFFICE**

(Washington County)  
89 Court Street  
PO Box 121  
Machias, ME 04654-0121  
Telephone: (207) 255-3995  
Fax: (207) 255-0936

**FORT KENT FIELD OFFICE**

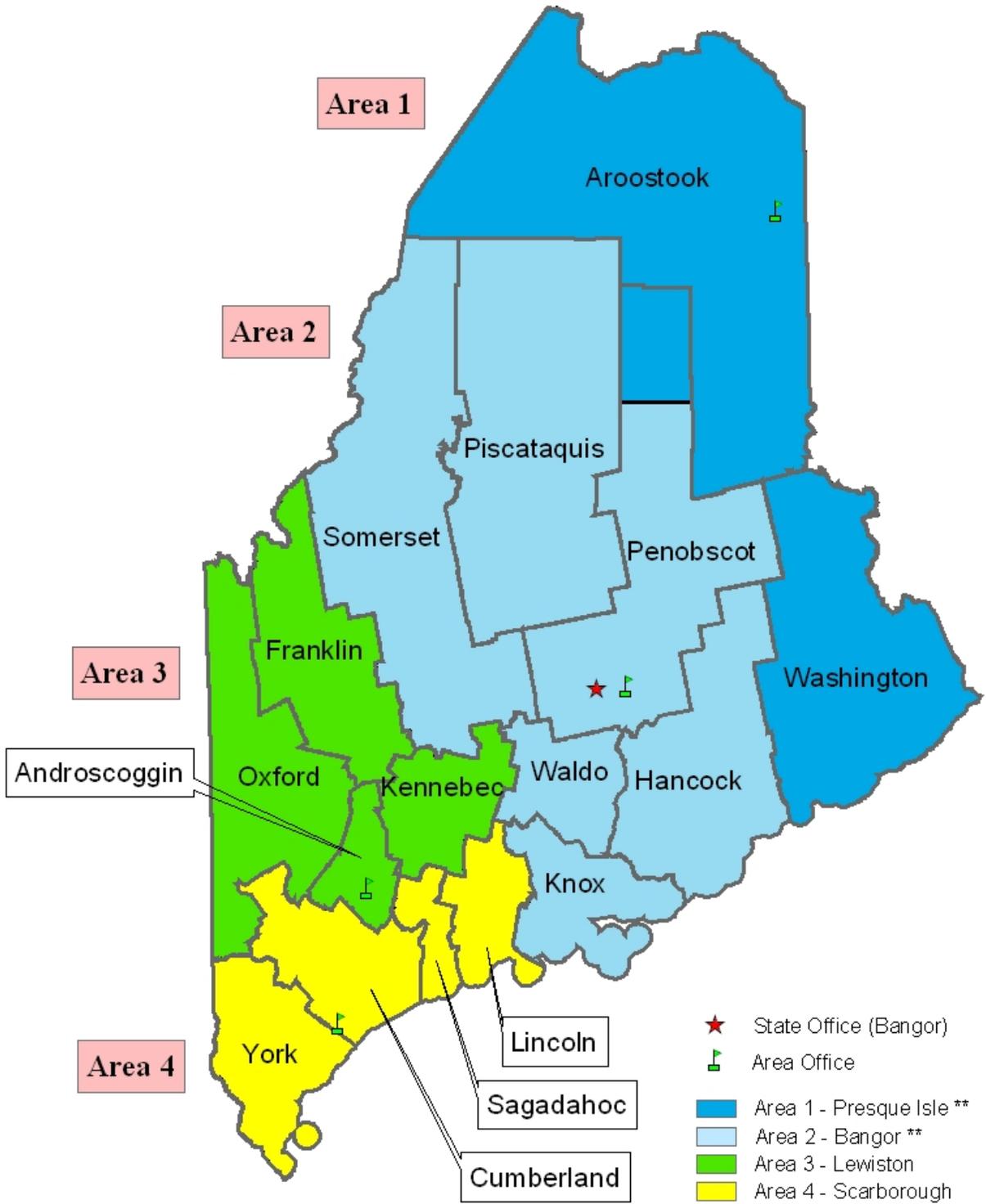
(Aroostook County – St. John Valley)  
139 Market Street, Suite 106  
Fort Kent, ME 04743-1425  
Telephone: (207) 834-3311  
Fax: (207) 834-6435

**SCARBOROUGH FIELD OFFICE**

(Cumberland County)  
306 U.S. Route 1, Suite A1  
Scarborough, ME 04074-9774  
Telephone: (207) 883-0159  
Fax: (207) 883-1139

**WARREN FIELD OFFICE**

(Knox-Lincoln County)  
191 Camden Road  
Warren, ME 04864-4207  
Telephone: (207) 273-2005  
Fax: (207) 273-2228



\*\* Exception - Northern Part of Penobscot County is included in Area 1