STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
18 ELKINS LANE, 22 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0022

Agricultural Water Withdrawal Permit Application for the Land Use Planning Commission (LUPC) of Maine

Irrigation Pond/Impoundment Application

with Shoreline Alteration and Construction of a Dam

This is a print version of the online Agricultural Water Withdrawal Permit Application for the Maine Land Use Planning Commission (LUPC). This application is for **Irrigation Impoundments that require altering the shoreline of an existing water body and construction of a dam**. *Please verify that this is the correct application for your project prior to submission.*

This is an application, NOT a permit. The application must be reviewed and approved before any permit is awarded.

1. Use the Table on page 2 of this application to see which exhibits are necessary for your proposed project.
2. If you would like to request assistance from LUPC staff or would like to schedule a pre-application meeting, please contact the LUPC office that serves your area (see the LUPC website at www.maine.gov/dacf/lupc/about/AgencyContactSheet.pdf). A pre-application meeting can make the application process more efficient by providing an opportunity to verify which exhibits are needed for your proposed project prior to completing the application.
3. Complete each of necessary exhibits, and add all of the documentation requested in those exhibits.
4. Once you have completed this form and added all necessary attachments, mail it and the required application fee to the LUPC office that serves your area (see the LUPC website at www.maine.gov/dacf/lupc/about/AgencyContactSheet.pdf).

PHONE: (207) 287-2631
FAX: (207) 287-7439
WWW.MAINE.GOV/DACF/LUPC

Use this table to figure out if an exhibit is relevant to you. If you're not sure, reach out to your LUPC regional office.
If you are submitting a hard copy application, please mark the Exhibit Number clearly on each page. If you are submitting digital files, please name the attachments according to this table.

Exhibit	Page #	Required?	File Name (if submitting digital copies)
1. Applicant Information	4	Always	Ex1_APPLICANTNAME_DATE
2. Property Information	5	Always	Ex2_APPLICANTNAME_DATE
3. Applicant Right, Title, or Interest	6	Always	Ex3_APPLICANTNAME_DATE
4. Property Frontage	8	Always	Ex4_APPLICANTNAME_DATE
5. Project Description and Fee	9	Always	Ex5_APPLICANTNAME_DATE
6. Development in Flood Prone Areas	10	If your project involves altering the shoreline of a water body.	Ex6_APPLICANTNAME_DATE
7. Financial Capacity	11	Always	Ex7_APPLICANTNAME_DATE
8. Technical Capacity	12	Always	Ex8_APPLICANTNAME_DATE
9. Notice of Filing	13	Always	Ex9_APPLICANTNAME_DATE
10. Land Division History	14	If the propoerties involved in the project are **not** in a LUPC-approved subdivision.	Ex10_APPLICANTNAME_DATE
11. Structures, Features, and Uses of Site	15	Always	Ex11_APPLICANTNAME_DATE
12. Site Photographs	17	Always	Ex12_APPLICANTNAME_DATE
13. Site Plans	18	Always	Ex13_APPLICANTNAME_DATE
14. Dam Specifications	19	If the project involves building a dam.	Ex14_APPLICANTNAME_DATE
15. Construction Schedule	20	Always	Ex15_APPLICANTNAME_DATE
16. Operations and Maintenance	21	If the project involves building an irrigation pond.	Ex16_APPLICANTNAME_DATE
17. Vehicle Access	22	Always	Ex17_APPLICANTNAME_DATE
18. Exterior Lighting	23	If the project involves the use or installation of exterior lighting.	Ex18_APPLICANTNAME_DATE
19. Noise	24	If the project involves the use of a generator.	Ex19_APPLICANTNAME_DATE
20. Archaeological and Historical Resources	25	Always	Ex20_APPLICANTNAME_DATE
21. Rare/Special Plant Communities and Wildlife Habitat	26	Always	Ex21_APPLICANTNAME_DATE
22. Impacts to Existing Recreational Resources	27	If the project involves building an irrigation pond.	Ex22_APPLICANTNAME_DATE

23. Water Transfers	28	If the project involves building an irrigation pond.	Ex23_APPLICANTNAME_DATE
24. Soil Suitability and Mapping	30	Always	Ex24_APPLICANTNAME_DATE
25. Air/Water Quality and Erosion Control	31	Always	Ex25_APPLICANTNAME_DATE

Exhibit 1. Applicant Information

Required: For all applications

Applicant Information		
Applicant and Co-applicant Name(s)	**Phone**	
Email	**Mailing Address**	
Town / Township / Plantation	**State**	**Zip Code**
If representing a corporation:		
Professional Title	**Name of Business / Corporation**	

If you will be authorizing an individual or business other than yourself to act as your legal agent, please enter their information below.

Agent Information (if applicable)		
Agent Name	**Phone**	
Business Name		
Email	**Mailing Address**	
Town / Township / Plantation	**State**	**Zip Code**

Applicant and Agent Signatures

I have personally examined and am familiar with all information submitted in this application, and to the best of my knowledge, it is true, accurate, and complete. I am aware that there may be significant penalties for submitting false information. I understand that the applicant is responsible for complying with all conditions of any permits issued by the Land Use Planning Commission. If signing this document on behalf of a corporation, partnership, trust, or other legal entity, I affirm that I am authorized to bind the entity and execute legal agreements on its behalf.

Authorization of Agent by Applicant: *By signing below, I authorize the individual or business listed above to act as my legal agent in all matters relating to this application (if applicable).*

Select one of the following options:

- ◯ I authorize staff of the Land Use Planning Commission to access the project site as necessary between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.
- ◯ I request that staff of the Land Use Planning Commission make reasonable efforts to contact me in advance to coordinate access to the project site.

Applicant Signature: _____ **Date:** _____

Agent Signature: _____ **Date:** _____

Exhibit 2. Property Information

Required: For all applications

Property Details		
Project Location (address or coordinates)	**Township, Town, or Plantation**	**County**
Tax Plan, Map and Lot Number(s)		
Lot Size in Acres	**Deed Book and Page Numbers**	
Is the lot part of a LUPC-approved subdivision? ☐ **Yes** ☐ **No**	**Subdivision Permit Number**	
Land Use Zone(s) for Entire Property	**Land Use Zone(s) for Proposed Project Site**	
Proposed Activities (select all that apply) ☐ **Agricultural Irrigation Well** ☐ **Shoreline Alteration for Agricultural Irrigation** ☐ **Agricultural Irrigation Pond or Impoundment** ☐ **Constructing a Dam**		
Is the Natural Resources Conservation Service (NRCS) involved in this project? ☐ **Yes** ☐ **No**		
Do you grant permission for the NRCS to share relevant information and data with LUPC for this application? ☐ **Yes** ☐ **No**		

Exhibit 3. Applicant Right, Title, or Interest

Required: For all applications

What is the applicant's right, title, or interest in the project site?
Select one of the following and then complete the corresponding section.

- ○ A. Sole ownership
- ○ B. Common ownership with others
- ○ C. Lease
- ○ D. Have a purchase or sale agreement for relevant property(ies)

Do any of the following apply to any of the property(ies) involved in the proposed project?
Select all that apply and complete the corresponding section.

- ☐ E. The property has restrictions (i.e., conservation easement or any other binding mechanism)
- ☐ F. Any of the proposed project work will occur on the shoreline of a body of water.

A. Sole Ownership

If you selected A:
- **Attach signed copies of registered deeds for all properties relevant to this project.**

B. Common Ownership

If you selected B:
- **Attach signed copies of registered deeds for all properties relevant to this project.**
- **Either: (a) include all other owners as co-applicants or (b) attach documentation from all other owners demonstrating full knowledge of the proposed project and authorizing the applicant(s) to proceed with the application.**

C. Lease

If you selected C:
- **Attach a signed copy of the lease agreement**
- **Attach documentation from the lessor demonstrating full knowledge of the proposed project and authorizing the applicant(s) to proceed with the application, and**
- **Fill out the information below:**

Lessor's Name
Lease Lot Numbers

D. Purchase or Sale Agreement

If you selected D:

- **Submit a copy of a purchase/sale agreement demonstrating a current, binding option to purchase all necessary interest in the land or a similar contract that establishes terms for future title and a description of the property.**
- **Attach signed copies of registered deeds for all properties relevant to this project, demonstrating the current's owner's title/right/interest.**

E. Property Restrictions

If you selected E, submit copies of any existing or proposed restrictions described in a conservation easement or other binding mechanism. Include a parcel map showing the easement/restriction area.

F. Shoreline Property Permissions

If you selected F, follow the instructions below to determine if your proposed project will require submerged land or flowed land approval.

Submerged Land

Many activities below the natural low water line on lakes or ponds must be approved by the Maine Bureau of Parks and Lands (BPL). Contact BPL (207) 287-3061 to determine if your activity requires a submerged lands approval. www.maine.gov/dacf/parks/about/submerged_lands.shtml.

Does your property require a submerged lands approval from BPL? Select one.

- ○ Yes. I will attach a copy of the BPL approval with this application.
- ○ BPL determined that this is not applicable for this proposed project.

If you answered yes, attach a copy of the BPL approval with this application.

Flowed Land

Activities conducted on flowed land must be approved by the owner of the flowed land, if the owner can be identified. Flowed land is the area between the normal high water mark and the natural low water line for lakes where the water level is controlled by a dam. *For general information on flowed land, contact BPL or your LUPC regional representative.*

Does your property require approval from the owner of flowed land? Select one.

- ○ Yes. I will attach a copy of the flowed land owner's approval with this application.
- ○ No, no owner of flowed lands was identified for the property(ies) involved in this project.

If you answered yes, attach a copy of the flowed land owner's approval with this application.

Exhibit 4. Property Frontage

Required: For all applications

Does the property involved in this project have road frontage?
For roads, this includes any public or private roads or other rights of-way adjacent to your lot.

- ○ Yes. I will fill out the fields with road frontages below.
- ○ No. I will explain how the property is accessed below.

Road Frontage	
Road Name	
Road Frontage Length (ft)	
Road Name	
Road Frontage Length (ft)	
Road Name	
Road Frontage Length (ft)	
If you answered no, how do you access property if there is no road frontage?	

Does the property involved in this project have water frontage?
For water, this includes any lakes, ponds, rivers, streams (named and unnamed), or coastal wetlands on or adjacent to your lot.

- ○ Yes. I will fill out the fields with water frontages below.
- ○ No.

Water Frontage	
Water Body Name	
Water Frontage Length (ft)	
Water Body Name	
Water Frontage Length (ft)	
Water Body Name	
Water Frontage Length (ft)	

Exhibit 5. Project Description and Fee

Required: For all applications

Describe your agricultural operation/farm, what you produce, and why this project is needed. Then describe the project, what will be constructed/installed/altered, and how the water will be used.

Do you have a farm water management plan?

- ○ Yes. I will fill out the narrative below and attach my farm water management plan.
- ○ No.

If you have a farm water management plan and your project involves creating an irrigation impoundment or pond, attach a copy of your farm water management plan.

If you are including a farm water management plan, provide a narrative description of how the proposed project fits into the plan, including:

- Amount and location of target acreage to be served by the pond or impoundment;
- Anticipated number, timing and frequency of applications of water during the irrigation season;
- The pumping rate and duration of pumping for each application;
- The anticipated volume of water to be withdrawn from the pond or impoundment during the irrigation season;
- Alternatives to the proposed pond or impoundment that have been examined by the applicant;
- Practices undertaken by the applicant to conserve water and minimize water withdrawals.

How do you plan to pay the application fee?

See LUPC's Fee Schedule (Chp. 1) for more information. A surcharge will apply if paying online.

- ○ I would like to pay my application fee online. Please contact me with the necessary information.
- ○ I plan to mail in a check or money order to pay my application fee.

Exhibit 6. Development in Flood Prone Areas

Required: If a proposed project involves altering the shoreline of a water body.

Is your proposed activity located within a mapped P-FP (Flood Prone Area Protection) Subdistrict, a mapped FEMA (Federal Emergency Management Agency) flood zone, or an unmapped area prone to flooding?

- ☐ P-FP Subdistrict
- ☐ FEMA Flood Zone
- ☐ Unmapped Area Prone to Flooding

Because your project will involve work in a waterbody, the applicant must submit a request to USACE using the Regulatory Request System (RRS) for the LUPC permit to be valid. The RRS will provide guidance on whether the proposed project qualifies as: exempt, non-reporting under a Nationwide Permit Program (NWP), or requires a permit from USACE.

If your project qualifies as exempt or as non-reporting under a Nationwide Permit Program (NWP), you do not have to provide anything to LUPC. However, keep track of which NWP or exemption the activity is being conducted under. If your project requires a USACE permit, you must submit the USACE permit to LUPC once it is granted, before you can begin work.

To learn more, visit the RRS website or contact the USACE Maine regional office, located at 675 Western Ave., Suite #3, Manchester, Maine 04351; Tel. (207) 623-8367.

After completing the RRS process with USACE, which option does the proposed project qualify for?

- ○ This project qualifies as non-reporting under a Nationwide Permit Program (NWP).
- ○ This project is exempt.
- ○ This project requires a permit from USACE.

Exhibit 7. Financial Capacity

Required: For all applications

What is the total estimated cost of the proposed project?

$ _____

Itemized Cost Estimates

Attach documentation listing individual costs, or enter them below.

Cost	*Description*

Financial Capacity Documentation

To demonstrate adequate financial resources to undertake the proposal, submit at least one of the following:

- A letter from a financial institution, government agency or other funding source indicating a commitment to provide a specified amount of funds and their specified uses.
- In cases where approvals must be received before money can be committed, submit a letter of Intent to Fund indicating the amount of funds and their specified uses;
- The most recent corporate annual report indicating availability of sufficient funds to finance the development. Include an explanation of the report;
- If the applicant will personally finance the development, submit copies of bank statements or other similar evidence indicating availability of funds necessary to complete the development, including all proposed improvements, structures, and facilities.

Certification of Corporate Good Standing

If you are representing a business or corporation, submit a certification of corporate good standing from the Maine Secretary of State.
Certification of good standing can be requested using the State of Maine's Interactive Corporation Services website or by contacting the Bureau's Reporting and Information Section at (207) 624-7752.

Exhibit 8. Technical Capacity

Required: For all applications

Summarize the qualifications and experience of any individuals involved in the design and construction of the project.
Include any consultants, contractors, or staff you hire as well as yourself (if you are involved in design and construction decisions and activities). Information demonstrating technical capacity may include a statement of the applicant's or contractor's prior experience and appropriate training relating to the proposed development and a description of professional qualifications of personnel who will be employed to design, install, and oversee development, including soil stabilization and erosion control measures.

For each individual involved in the project, include:

- Name of Individual
- Summary of Qualifications
- Attach Documentation of Qualifications

Exhibit 9. Notice of Filing

Required: For all applications

Within seven days prior to filing an application with the Maine Land Use Planning Commission, the applicant must send by regular mail a completed copy of the notice of filing to:

- all persons owning or leasing property within 1,000 feet of the proposed project;
- co-owners and co-lessors that are not co-applicants;
- the landowner(s) (if applicant is a lessee);
- plantation assessors or town select board (if applicable);
- county commissioners if any area proposed for development is within a township;
- and any persons who have made timely requests to be notified of this application or project.

Please enter the names, mailing addresses, mailing date, and map lot numbers for everyone who has been notified. You can use the table below or attach a document containing all the information.

Notified Individuals	
Name of Individual Notified	
Address of Individual Notified	
Date Applicant Mailed Notice of Filing	
Map Lot Numbers	
Name of Individual Notified	
Address of Individual Notified	
Date Applicant Mailed Notice of Filing	
Map Lot Numbers	
Name of Individual Notified	
Address of Individual Notified	
Date Applicant Mailed Notice of Filing	
Map Lot Numbers	
Name of Individual Notified	
Address of Individual Notified	
Date Applicant Mailed Notice of Filing	
Map Lot Numbers	
Name of Individual Notified	
Address of Individual Notified	
Date Applicant Mailed Notice of Filing	
Map Lot Numbers	

Exhibit 10. Land Division History

Required: If the parcel(s) involved in the proposed project are not already in a LUPC-approved subdivision.

Enter the ownership and land division history of the parcel(s) relevant to the proposed project.
Start the history from **20 years ago** and add each division or change in ownership moving forward in time until the present. If there have been no divisions or ownership changes in the past 20 years, just enter the information from the most recent sale.

Knowledge of the parcel's land division history is needed for the LUPC to issue a permit. Contiguous parcels in the same township under the same legal deed name are considered one parcel when determining land division history. In general, land divisions occur when:

- a parcel is split into smaller lots
- the landowner leases a portion of a parcel that creates exclusive rights, generally for the purpose of development, or
- a new dwelling is placed on a parcel that already has one or more dwellings on it

Exemptions apply to certain types of land divisions, such as transfer of property to an abutting land owner or to a family member.

Land Division Events

Seller / Grantor	Buyer / Grantee	Book / Page Numbers	Date of Transaction	Lot Size (acres)

Exhibit 11. Structures, Features, and Uses of Site

Required: For all applications

Existing Uses:
List and describe separately all current uses and all proposed uses.

Site Conditions:
Describe in detail the present condition of your property and the site to be developed or rezoned. Include descriptions of the following:

- water features (lakes, ponds, man-made ponds, rivers, streams, drainageways, etc.),
- the nature of any water frontage (muddy, sandy, stones, boulders, wooded, cleared, etc.),
- whether there are wetlands or any portions of the site are subject to flooding, ponding, etc.,
- the general slope and topography of the ground (flat, steep, percent slope, etc.),
- the existing vegetation,
- any history of vegetation clearing and timber harvesting activities,
- any special natural areas,
- cultural/historical conditions and features,
- any other relevant features, conditions, or details.

Enter information for any existing structures or infrastructure (roads, power lines, etc.) on the parcel(s) relevant to the proposed project. If you propose altering any existing structures/infrastructure or adding new structures/infrastructure as a part of this application, please enter that information below as well.

Structure/Infrastructure Information

Structure (building) **or Infrastructure** (roads, power lines, etc.)**?**	**Status**	**Type and Use**	**If NEW structure, enter the distance (ft) to nearest:**				
			Road	**Property line**	**Lake or Pond**	**River or Stream**	**Ocean or Coastal Wetland**
	○ New ○ Existing, no alterations ○ Existing, will be altered						
	○ New ○ Existing, no alterations ○ Existing, will be altered						
	○ New ○ Existing, no alterations ○ Existing, will be altered						
	○ New ○ Existing, no alterations ○ Existing, will be altered						
	○ New ○ Existing, no alterations ○ Existing, will be altered						
	○ New ○ Existing, no alterations ○ Existing, will be altered						

Exhibit 12. Site Photographs

Required: For all applications

Attach a series of photographs taken within the past two years that show the project area as it currently exists.
Photographs should include structures, features, and other aspects of the area that are noteworthy and representative. While not required, in some cases, aerial imagery can best illustrate current conditions. Include the date taken and an explanatory caption for each photo.

Exhibit 13. Site Plan(s)

Required: For all applications

Submit site plans showing an overhead view of the project area. One site plan should show the property as it presently exists (the Existing Site Plan). Another site plan should show the proposed changes (the Proposed Site Plan).

A single site plan showing both existing features and proposed changes may be submitted if the information requested below fits conveniently on one drawing.Each site plan drawing must show the following, if applicable:

- Property boundary lines and dimensions (including any road and water frontage)
- Indications of topography, such as contour lines, especially ridgelines and areas with steep slopes
- Setbacks of existing and proposed development from roads, property lines, waterbodies, and wetlands (based on the shortest distances)
- A north arrow

Site Plan(s) should show the following project features. In each case, include both temporary and permanent project features.

- Natural and cultural features (for example: wooded areas, open fields, rivers, perennial and intermittent streams, lakes, ponds, wetlands, floodplains, historic landmarks, etc.). Include names for waterbodies and other features that are named.
- Existing or proposed/modified structures (for example: buildings, signs, etc.). For each structure, indicate its dimensions. The Proposed Site Plan should show the new building footprints resulting from changes to existing structures.
- Existing or proposed/modified infrastructure (for example: wells, roads, walkways, parking areas, utility infrastructure, bridges, culverts, etc.). Indicate all dimensions and include names for any roads or other infrastructure with a name.In addition, for each existing and proposed/upgraded road indicate:
    - the name
    - the center line
    - the width of the travel way, shoulders, and rights of way
    - the depth and type of the minimum base
    - the depth and type of the minimum wearing surface
    - the average grade and maximum sustained grade
    - the sizes and locations of turnouts, if present
    - the sizes and locations of turnarounds, if present
- Existing or proposed areas that have been, or will be, stripped, graded, grubbed, filled, or otherwise have exposed soil. Indicate the dimensions of each area.
    - For any areas of soil disturbance occurring within 250 ft of a water body, flowing water, or wetland, provide the average slope of the land between the disturbed soil and the normal high water mark (water body, flowing water) or upland edge (wetland) of the water feature.
    - For any areas of soil disturbance occurring within 250 ft or a property line or road, provide the average slope of the land between the disturbed soil and the property line or edge of the road.
- Existing or proposed erosion, sedimentation and drainage control measures (hay bales, silt fencing, floating silt booms, level spreaders, culverts, water bars, drainage ditches, etc.)
- Existing or proposed areas of cleared vegetation. Indicate the dimensions of each area.
- Existing or proposed development and uses that are potential sources of water pollution (for example: junk yards, auto repair shops, fuel storage tanks, fertilizer or pesticide storage tanks, areas of sprayed fertilizers and pesticides, road salt, road sand, and chemicals used for de-icing or dust control)
- Be sure to list sources of water pollution that will be present during construction in addition to those that will be present during routine operation.
- Proposed areas for wildlife passage. Indicate the dimensions of each area.
- If practical include the soils mapping on the proposed site plan.

Exhibit 14. Dam Specifications

Required: If the project involves building an irrigation pond.

Attach construction plans for the proposed dam project prepared by a Professional Engineer drawn to scale and showing:

- Plan or aerial view;
- Cross section through the dam;
- Cross section through the outlet;
- Accessory structures such as fish ladders or similar devices if applicable;
- A narrative description of how the impoundment is to be constructed. If fill is to be used, tests on the fill material conducted under the direction of a Professional Engineer which demonstrate its suitability for the proposed use; and
- Proposed pool elevation – normal and maximum levels.

Exhibit 15. Construction Schedule

Required: For all applications

Construction Schedule:
State the approximate start date, anticipated duration and timing of construction activities, any specific timing limitations associated with the construction project (e.g., low water). The description should cover each phase of the project, including site preparation, construction, cleanup, and post-construction. *Note: If this project involves shoreline alteration, the Commission may condition any permit so as to limit the instream work window to protect aquatic resources.*

Exhibit 16. Operations and Maintenance

Required: If the project involves building an irrigation pond.

Provide a narrative description of the plans for the ongoing operation and maintenance of the irrigation pond or impoundment.

Attach a plan to maintain a minimum flow downstream of the dam. Include calculations used to create the plan including an assessment of the site-specific aquatic base flow prepared by a qualified professional.

Exhibit 17. Vehicle Access

Required: For all applications

Please describe how you will access the site during and after construction. If construction or operation will increase traffic volumes, how will you accommodate this and ensure safe vehicle circulation?

Does your project propose new or modified entrances, roads, or driveways off of state, county, town, or plantation roads?

- ○ State Road
- ○ County Road
- ○ Town / Plantation Road
- ○ Not Applicable

Attach any permits for new/modified entrances to state, county, town, or plantation roads.

Exhibit 18. Exterior Lighting

Required: If the project involves the use or installation of exterior lighting (whether in the construction or ongoing maintenance phase).

Provide the following information for each exterior light fixture that will illuminate any part of the project area or surroundings:

Light Fixtures			
Fixture Location	**Proposed or Existing?**	**Is it a Shielded Fixture? (Y/N)**	**Motion Activated? (Y/N)**

Note: A shielded (or cut-off) fixture has a recessed bulb that prevents glare and directs light downward.

Exhibit 19. Noise

Required: If the proposed project requires the use of a generator (whether in the construction or ongoing maintenance phase).

How will generator noise be kept within LUPC's maximum permissible sound pressure levels?

Exhibit 20. Archaeological and Historical Resources

Required: For all applications

Obtain and attach a letter from the Maine Historic Preservation Commission.
The letter must state the location proposed for development and indicating whether or not further action (such as a site survey) is required to determine the potential effect of the proposed development on archaeologically or historically significant resources.

Note: If you do not have the letter at the submission of the final application, LUPC can obtain the letter for the project, but it will add 30 days to the review process and may impact the project design (causing further delays

Did MHPC determine further action is necessary?

- ○ Yes
- ○ No

If the MHPC determined that further action was necessary, attach evidence that the required action was completed.

Exhibit 21. Rare/Special Plant Communities and Wildlife Habitat

Required: For all applications

Maine Natural Areas Program (MNAP)

Obtain and attach a letter from the Maine Natural Areas Program ("MNAP").
The letter must state the presence or absence of rare or special plant communities or significant wildlife habitat in the area proposed for development and its surroundings.
Note: If you do not have the letter at the submission of the final application, LUPC can obtain the letter for the project, but it will add 30 days to the review process and may impact the project design (causing further delays).

Did MNAP indicate that critically imperiled (S1) or imperiled (S2) natural communities or plant species are present?

○ Yes ○ No

If MNAP indicated that S1 or S2 natural communities or plant species are present, describe the resource and the designation, and explain why the proposed development will result in no undue adverse impact to the community or species.

Maine Dept. of Inland Fisheries and Wildlife (MDIFW)

Obtain and attach a letter from the Maine Department of Inland Fisheries and Wildlife ("MDIFW").
The letter must state the presence or absence of rare or special plant communities or significant wildlife habitat in the area proposed for development and its surroundings.
Note: If you do not have the letter at the submission of the final application, LUPC can obtain the letter for the project, but it will add 30 days to the review process and may impact the project design (causing further delays).

Did MDIFW indicate that essential wildlife habitat, significant wildlife habitat, or other important wildlife habitat designated by U.S. Fish and Wildlife or by MDIFW are present?

○ Yes ○ No

If yes, explain why the proposed development will result in no undue adverse impact on the habitat AND how the values that qualify the site for such designation will be maintained.

Exhibit 22. Impacts to Existing Recreational Resources

Required: If the project involves building an irrigation pond.

Describe the existing recreational resources of the project area including outstanding river segments; anticipated and potential adverse impacts to these resources; steps to avoid, minimize and mitigate adverse impacts; and mechanisms to monitor the effects of the project on the project area.

Exhibit 23. Water Transfers

Required: If the project involves building an irrigation pond.

Does this proposal require water transfer from another waterbody?

○ Yes ○ No

If Yes, provide the name and location of water supply source:

Please describe of any modifications to the site that would be needed to withdraw water.



Attach photographs of the site proposed for water withdrawal.

Provide a description of the existing uses and resources associated with the waterbody from which water would be withdrawn, including information on existing water quality and fisheries, wildlife and botanical resources. Then, please provide an assessment of the potential impacts on the waterbody due to water withdrawals, including potential impacts on water quality, flow and use, and associated fisheries, wildlife and botanical resources.

Provide a plan for maintaining minimum flows downstream of the withdrawal point, including the timing of the proposed transfers, the estimated volume of water to be transferred, the mechanism for water transfer and an assessment of the potential impacts of the water transfer on the receiving waterbody.

Exhibit 24. Soil Suitability and Mapping

Required: For all applications

Attach a completed on-site soil survey conducted by a Maine Licensed Soil Scientist or Natural Resources Conservation Service (NRCS) Soil Scientist according to the "Guidelines for Maine Certified Soil Scientists for Soil Identification and Mapping" (Maine Association of Professional Soil Scientists, 2009) and Chpt. 10, Section 10.25,G.

If you are working with NRCS, you can provide the NRCS packet in lieu of this requirement.

The soil survey must include a soil map based on the on-site survey (may be included on the Site Plan), a soil narrative report, and a soil profile log description. All map units on the project site with hydric (frequently flooded or waterlogged) soils, or with a low or very low development potential rating for low density development must be clearly identified as such on the soil survey map.

Use the following guidelines to determine the type of soil survey required in different areas of the proposed project:

- Class A High Intensity Soil Survey (for Nonresidential Development only) – use to identify soils within areas on your project site that will be disturbed. Disturbed areas include areas that are stripped, graded, grubbed or otherwise result in soil exposure at any time during the site preparation for, or construction of, a project.
- Class B High Intensity Soil Survey (for Residential/Subdivision Development only) – use to identify soils within all subdivision lot building envelopes and other disturbed areas on your project site (except for proposed access roads, driveway locations, utility lines, and other linear development components which require a Class L Soil Survey; see below). Disturbed areas include areas that are stripped, graded, grubbed or otherwise result in soil exposure at any time during the site preparation for, or construction of, a project. Class B soil surveys for subdivisions must be completed with a minimum delineation of one acre for similar soils and ¼ acre for dissimilar soils.
- Class L Soil Survey: Use to identify soils for any linear components of the project that involve soil disturbance and have little, or no, adjacent development. Linear components that may qualify for a Class L soil survey include roads, driveways, utility lines, trails, and fairways.
- Class C Soil Survey: Use to identify soils elsewhere within the project area. In lieu of a Class C Survey, the Commission may allow applicants to use USDA Natural Resources Conservation Service Soil Survey published maps in certain conditions:
    - when the published mapping indicates the project area is rated with a medium or high potential for low density development
    - in areas that will be preserved as open space
    - in unusual instances in which the Commission finds that published mapping provides the necessary information.

With the results of your soil survey, identify the development potential rating for each soil type within your project area using the Natural Resources Conservation Service's (NRCS) soils potential ratings for low density development.

If any soils within your project area have a low or very low development potential rating, explain what measures will be used to overcome the limitations that resulted in such a rating.

Exhibit 25. Air/Water Quality and Erosion Control

Required: For all applications

Will your project follow best management practices to minimize and control soil disturbance, erosion, and sedimentation throughout each phase of the project, including site preparation, construction, cleanup, and post-construction?

○ Yes ○ No

Will your project follow best management practices to minimize and control air pollutants generated by your development (such as running a generator), during and after construction?

○ Yes ○ No

Will your project follow best management practices to ensure that point and nonpoint sources of water pollutants generated by your development do not affect the water quality of the project site and other properties, adjacent lakes, ponds, rivers, streams, ocean, wetlands, or groundwater aquifers?

○ Yes ○ No

Are petroleum products to be stored on site (e.g., to power a pump)?

○ Yes ○ No

If you will be storing more that 1,320 gallons of petroleum products on site, attach a Spill Prevention Control and Countermeasures Plan.
The plan must include, at a minimum, the following information: Provisions for secondary containment for fuel storage; Procedures for refueling; Procedures and chain of command for response to and reporting of spills; A list of spill response and emergency contact numbers; A list of spill response materials to be maintained on site.
For more information visit Maine Department of Environmental Protection's webpage: https://www.maine.gov/dep/waste/spcc/index.html