

# Maine Natural Resource Conservation Program

## Annual Report – January 1, 2013-December 31, 2013

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## 1. Executive Summary

After five years of active operation and funding of compensatory mitigation projects, the Maine Natural Resource Conservation Program (MNRCP) is widely viewed as an effective alternative to other mitigation mechanisms available in Maine. Anecdotal estimates suggest that as much as 75% of permitted projects with wetlands impacts in Maine now compensate those impacts through MNRCP. The program aims to achieve ecological success on a biophysical region basis in part by integrating ILF projects with other conservation activities whenever possible. Of the 66 total projects that have been awarded MNRCP funding through the 2013 round, 56% occur within statewide conservation priority areas (Beginning with Habitat Focus Areas), 38% occur within or adjacent to federal or state lands or priorities, and 53% occur within or adjacent to local or private non-profit conservation lands. MNRCP also continues to meaningfully advance its goals of increasing the extent and quality of restoration, enhancement, creation, and protection of protected natural resources over that typically achieved by permittee-responsible mitigation and of providing MDEP and Corps permit applicants greater flexibility in compensating for adverse impacts to protected natural resources.

During the calendar year 2013, MNRCP received In-lieu Fees from 26 projects permitted by state and/or federal agencies, and awarded funds to 12 compensation projects. In 2013, the vast majority of fees received, 86%, were in the Central Interior and Midcoast region and for this reason, 9 of the 12 compensation projects awarded funding were also in this region. Two projects were awarded funding in the Southern Maine Region and one was awarded in the Central and Western Mountains Region. The two largest categories of projects using In-lieu Fee were Transportation (37%) and Energy (29%). Residential and Commercial Development generated 15% of fees; Educational Facilities generated 7% and the remaining 13% included municipal, recreational and other impacts. In 2013, a large proportion of the permitted impacts (approximately 57%) were to vernal pool critical terrestrial habitat. These impacts were from two large state road construction projects where

alternatives were limited and impacts deemed unavoidable. The majority of the remaining impacts were to forested wetlands (approximately 20% of total impacted area), and freshwater emergent wetlands (13%). Compensation projects included 6 preservation projects by fee acquisition, 1 preservation project by conservation easement, 1 dam removal with removal of invasive phragmites, 1 new fishway, 1 culvert replacement with fish passage, and 2 projects to remove tidal flow restrictions.

## **2. Introduction**

In 2007, the State of Maine developed an In Lieu Fee Compensation Program to augment its regulatory program, and created the Maine Natural Resource Conservation Program (MNRCP) to allocate the funds collected for compensatory mitigation projects. An initial agreement for services between the Maine Department of Environmental Protection (DEP) and The Nature Conservancy (TNC) was signed on October 3, 2007 outlining TNC's responsibility to administer MNRCP. A Memorandum of Agreement between the New England District of the U.S. Army Corps of Engineers ("Corps"), the DEP, and TNC was signed on January 31, 2008 to launch the program. On September 21, 2011, a new In Lieu Fee Program Instrument was signed by DEP and the Corps to update the governing documents for MNRCP and to ensure continued compliance with the revised regulations for compensatory mitigation under Section 404 of the Clean Water Act issued by the Corps and the U.S. Environmental Protection Agency in 2008. Among other program enhancements included in the new Instrument, the nineteen biophysical subsections previously used for fund administration were combined into seven MNRCP Regions (see Appendix A for a map). Funds are allocated based on the seven MNRCP Regions, but the original biophysical subsections continue to be tracked for the purposes of determining proximity of compensation projects to impacts. For more information on Maine's In Lieu Fee Program Instrument please visit the US Army Corps of Engineers, New England District website (<http://www.nae.usace.army.mil/Missions/Regulatory/Mitigation/InLieuFeePrograms/ME.aspx>).

This annual report outlines the MNRCP activities from January 1, 2013 to December 31, 2013.

## **3. Impacts and Fees Received**

During the period of this annual report, 26 In Lieu Fee (ILF) payments were received in three of the seven MNRCP Regions. Of the 26 payments received in 2013, 16 were received by the program after the Request for Proposals process commenced in June. While potential additional payments are included in the RFP, low amounts of available funding can influence the proposals submitted in each region, as described in Section 3 below. Three of the ILF payments for impacts in 2013 were received too late in the year to be included in the 2013 funding process and were rolled into the next funding round. This is not uncommon as fees come in year-round but the MNRCP program can only allocate funds that are available during the formal funding process. There were also three payments from 2012 that came in too late for that round which were included in the 2013 available funds. See Appendix B for a complete list of all of the permitted impacts that have generated ILF payments and the funds available for MNRCP award, broken out by both MNRCP Region and biophysical subsection, and Appendix C for a map of the locations.

The tables that follow provide information on ILF payments, impact types and amounts, and funds available for award in 2013.

- Table 1 shows the number of permits using ILF in calendar year 2013, the fees received, and the 2013 funds available for MNRCP award in each MNRCP Region. The table also indicates the percentage of the total ILF payments received during this reporting period that fell within each Region. In the 2013 calendar year, 86.33% of fees received were in the Central Interior & Midcoast Region alone, followed by Southern Maine with 11.15% and the Central and Western Mountains Region with 2.52%. The low amount of fees received in the Southern Maine Region was somewhat unexpected as this region, along with the Central Interior and Midcoast Region, are the most heavily populated areas of the state and are generally the Regions with the most activities that require permits.
- Table 2 provides a breakdown of square footage of impacts and available funds by general habitat category for each Region.
- Table 3 shows the impacts to all habitat types across all MNRCP Regions and indicates the percentage of total impacts represented by each habitat type. Approximately 57% of all of the impacts where ILF was used for compensation in 2013 were to vernal pool critical terrestrial habitat. These impacts were from two large state road construction projects where location alternatives were limited. Impacts to freshwater forested wetlands made up another 20%, and 13% of impacts were to freshwater emergent wetlands. Freshwater scrub-shrub and vernal pool impacts were each 4% of total impacts. Impacts to the all of the coastal wetland habitat types combined totaled 2%.
- Table 4 shows total funds available for award and funds awarded in each MNRCP Region across the last four funding rounds. The program tracks all funds in and out of the Maine Natural Resource Conservation Fund. In each funding round there are generally additional funds over and above the fees directly received in that calendar year. ILF payments that come in after the grant process is underway are carried forward to the next funding round, as are funds that are not allocated during the grant process and any funds that are returned to the program from projects that are rescinded or that do not use the entire amount of their grant.

Table 1: ILF Payments Received in 2013 by Region with Funds Available for MNRCP Award and Percent of Total 2013 ILF Payments Received for all Regions

<b>MNRCP Region</b>	<b>Number of ILF Permits</b>	<b>ILF Payments</b>	<b>Program Administration</b>	<b>Rolled to 2014 Round</b>	<b>2013 Funds Available for Award</b>	<b>Percent of Total 2013 Fees</b>
Aroostook Hills & Lowlands	0	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Central & Eastern Lowlands	0	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Central & Western Mountains	2	\$36,117.77	\$2,889.42	\$0.00	\$33,228.35	2.52%
Central Interior & Midcoast	15	\$1,236,505.50	\$98,920.44	\$7,604.26	\$1,129,980.80	86.33%
Downeast Maine	0	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Northwest Maine	0	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Southern Maine	9	\$159,670.20	\$12,773.62	\$3,961.98	\$142,934.60	11.15%
<b>Grand total</b>	<b>26</b>	<b>\$1,432,293.47</b>	<b>\$114,583.48</b>	<b>\$11,566.24</b>	<b>\$1,306,143.75</b>	<b>100%</b>

Table 2: 2013 Impacts to Habitat Types by MNRCP Region

Habitat	Sq. Ft Impacted	Acres
<b>Central &amp; Western Mountains</b>		
Freshwater wetland Emergent	1,257.0	0.03
Freshwater wetland Forested	48,775.0	1.12
<b>Total for region (all Freshwater Wetland )</b>	<b>50,032.0</b>	<b>1.15</b>
<b>Central Interior &amp; Midcoast</b>		
Estuarine intertidal	3,821.0	0.09
Estuarine subtidal	1,559.0	0.04
Marine intertidal	14,510.0	0.33
<b>Coastal Wetland Subtotal</b>	<b>19,890.0</b>	<b>0.46</b>
Freshwater wetland Emergent	111,879.5	2.57
Freshwater wetland Forested	103,277.0	2.37
Freshwater wetland Scrub-Shrub	21,279.5	0.49
<b>Freshwater Wetland Subtotal</b>	<b>236,436.0</b>	<b>5.43</b>
Vernal pool	32,939.0	0.76
Vernal pool critical terrestrial habitat	488,598.0	11.22
<b>Significant Wildlife Habitat Subtotal</b>	<b>521,537.0</b>	<b>11.98</b>
<b>Total all Habitats for Region</b>	<b>777,863.0</b>	<b>17.86</b>
<b>Southern Maine</b>		
Freshwater wetland Emergent	1,060	0.02
Freshwater wetland Forested	18,075	0.41
Freshwater wetland Scrub-Shrub	13,863	0.32
<b>Total for region (all Freshwater Wetland )</b>	<b>32,998</b>	<b>0.76</b>
<b>Grand Total all regions</b>	<b>860,893</b>	<b>19.76</b>

Table 3: 2013 Impacts to Habitat Types Across All MNRCP Regions

<b>Habitat Type</b>	<b>Habitat</b>	<b>Sq Ft Impacted</b>	<b>Acres</b>	<b>Percent of Total Impacts</b>
Coastal Wetland	Estuarine intertidal	3,821.00	0.09	0.44%
Coastal Wetland	Estuarine subtidal	1,559.00	0.04	0.18%
Coastal Wetland	Marine intertidal	14,510.00	0.33	1.69%
Freshwater Wetland	Emergent	114,196.50	2.62	13.26%
Freshwater Wetland	Forested	170,127.00	3.91	19.76%
Freshwater Wetland	Scrub-Shrub	35,142.50	0.81	4.08%
Significant Wildlife Habitat	Vernal pool	32,939.00	0.76	3.83%
Significant Wildlife Habitat	Vernal pool critical terrestrial habitat	488,598.00	11.22	56.75%
<b>2013 Total Impacts</b>		<b>860,893.00</b>	<b>19.76</b>	<b>100.00%</b>

Table 4: Funds Available for the 2013 Funding Round\* and Awarded

*\*Includes funds available from fees with interest, plus funds carried over after close of previous round, and any unused or rescinded funds*

<b>MNRCP Region</b>	<b>Available for award during 2010</b>	<b>Final 2010 Awards</b>	<b>Available for award during 2011</b>	<b>Final 2011 Awards</b>	<b>Available for award during 2012</b>	<b>Final 2012 Awards</b>	<b>Available for Award during 2013</b>	<b>2013 Awards</b>
Aroostook Hills & Lowlands	\$0.00	0.00	\$166,431.85	0.00	\$166,570.57	\$67,000.00	\$100,405.33	\$0.00
Central and Eastern Lowlands	\$215,813.89	\$0.00	\$216,022.89	\$215,759.00	\$1,346.58	\$0.00	\$1,952.46	\$0.00
Central & Western Mountains	\$152,510.77	\$0.00	\$262,277.32	\$116,633.00	\$147,516.15	0.00	\$181,908.29	\$100,500.00
Central Interior & Midcoast	\$2,038,488.84	\$1,146,651.04	\$1,493,181.66	\$973,316.00	\$1,591,668.60	\$1,299,600.00	\$1,534,535.68	\$951,086.00
Downeast Maine	\$119,212.37	\$50,000.00	\$110,301.46	\$0.00	\$114,480.89	\$114,480.00	\$768.09	\$0.00
Northwest Maine	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Southern Maine	\$1,015,793.18	\$813,191.58	\$842,525.93	\$688,990.19	\$759,469.56	\$616,082.47	\$282,845.42	\$226,000.00
<b>Grand Totals</b>	<b>\$3,541,819.05</b>	<b>\$2,009,842.62</b>	<b>\$3,090,741.11</b>	<b>\$1,994,698.19</b>	<b>\$2,781,052.35</b>	<b>\$2,097,162.47</b>	<b>\$2,102,415.26</b>	<b>\$1,277,856.00</b>

#### **4. MNRCP Awards and Compensation Projects**

The 2013 round of MNRCP funding awards commenced with a Request for Letters of Intent (LOI) released on June 17, 2013, and concluded on January 15, 2014. Inclement weather caused the Interagency Review Team Meeting originally scheduled for December 18, 2013 to be pushed forward into the new year. The final result of the review process was the award of \$1,277,586.00 for 12 compensation projects in three Regions. See Appendix D for a map of the locations of all projects awarded MNRCP funds to-date.

The MNRCP project selection process is purposely divided into two stages. The LOI stage is a short-form process which allows applicants to briefly outline their project to determine if it will meet the program requirements prior to completing a more intensive Full Proposal. Since this program has very specific requirements that differ from most other funding programs with which applicants may be familiar, and many applicants are small land trusts with limited budgets, the LOI stage gives applicants the opportunity to have their project pre-screened for suitability before investing substantial time in a more lengthy application. Sponsors of projects that meet the program's criteria are then invited to submit Full Proposals. In 2012, a new MNRCP website was introduced to both provide information about the program and also to allow applicants to submit their LOI directly through an online form. Letters of Intent were submitted via the website for the 2013 round as well. The website can be found at: <http://mnrcp.org/>.

The LOI package includes the amount of funding projected to be available in each Region at the time of release, and these funding amounts are used by potential project sponsors to determine if sufficient funding will be available for their projects. To date, funds have been received in all but the Northwest Maine Region. If fees are received after the Request for LOI is released, but before the Review Committee makes its final funding recommendations, they are made available for allocation during the funding round. However, since there is no guarantee that additional funds will be received, if the amount of funding available in a particular region is very small when the Request for LOI is released, it may affect a project sponsor's decision about whether or not to submit a LOI.

For this reporting period, 28 Letters of Intent were submitted. Three projects were not invited to Full Proposal, two because they were not consistent with the mandates of the program and one because of late submission and a lack of readiness of the submission.

Twenty five of the LOI projects were invited to submit a Full Proposal. Three of these projects included two non-contiguous, unrelated parcels in one proposal. The project sponsors were invited to submit separate Full Proposals for each parcel. Projects in previous rounds that included unrelated parcels in one proposal caused difficulties both in review of the project and with administration of the grant once awarded. In several cases during review, one parcel was felt to be a good match for the program while another was not. Also, there were often extended time delays between the closings on individual parcels which greatly complicated the processing of the grant and the allocation of funds. Therefore, the program no longer allows unrelated parcels to be bundled together in one proposal, unless the applicant can present a compelling reason for a legal relationship between the parcels and why they must be combined for the project to succeed.

Three of the applicants invited to submit Full Proposals ultimately decided not to apply which, including the 3 projects that were split into separate parcels, brought the final tally of Full Proposals submitted for this round to 25.

The Review Criteria used by the Review Committee and Approval Committee to evaluate the Full Proposals can be found in Appendix E. In addition to the Review Criteria, the Committees also follow three general funding principles to determine the level of funding awards: 1) Awards should be sufficient for project to succeed; 2) Funding levels should reflect project rankings; and 3) Funded projects should meet a minimum threshold for suitability, regardless of funds available.

Table 5 summarizes the funds available for each Region in 2013, the total funds requested by applicants, and the difference. It is very common for the amount of funds requested to exceed the amount of funding available in a given Region, often by a large margin. The Review and Approval Committees must then determine which projects will make the best use of the limited funds and provide the best outcome. Table 6 presents the results of the fund allocation process, including the status of each proposal received. In 2013, 13 Full Proposals ultimately were not funded by the program. Reasons for not funding included a poor fit with program goals, lack of readiness by the applicant, and insufficient funding available to fund all of the proposals in a particular region.

**Table 5: 2013 Funds Available for Compensation Projects vs. Funds Requested**

<b>MNRCP Region</b>	<b>Funds Available During Funding Round</b>	<b>Funds Requested from MNRCP</b>	<b>Difference</b>
Aroostook Hills & Lowlands	\$100,405.00	\$81,855.00	\$18,550.00
Central and Eastern Lowlands	\$1,952.00	0.00	\$1,952.00
Central & Western Mountains	\$181,908.00	\$100,500.00	\$81,408.00
Central Interior & Midcoast	\$1,534,535.00	\$3,016,786.00	(\$1,482,251.00)
Downeast Maine	\$768.00	\$0.00	\$768.00
Southern Maine	\$282,845.00	\$784,750.00	(\$501,905.00)
<b>Grand Totals</b>	<b>\$2,102,413.00</b>	<b>\$3,983,891.00</b>	<b>(\$1,881,478.00)</b>



Table 6: 2013 Full Proposals Received and Final Status

<b>MNRCP Region</b>	<b>Project Title</b>	<b>Applicant</b>	<b>Compensation Type</b>	<b>Total Project Cost</b>	<b>Funds Requested from MNRCP</b>	<b>Funds Awarded</b>
<b>Full Proposals Submitted</b>						
Aroostook Hills & Lowlands	Van Buren Forest Conservation Project	Maine Farmland Trust	Preservation, Enhancement	\$101,855.00	\$81,855.00	\$0.00
Central & Western Mountains	Witt Swamp Preserve Extension	Western Foothills Land Trust	Preservation	\$102,000.00	\$100,500.00	\$100,500.00
Central Interior & Midcoast	Etna Pond Fishway	Atlantic Salmon Federation	Fish Passage	\$220,900.00	\$62,000.00	\$62,000.00
Central Interior & Midcoast	Kate Furbish Preserve Stream Restoration	Maine Coast Heritage Trust	Restoration, Enhancement	\$136,000.00	\$136,000.00	\$136,000.00
Central Interior & Midcoast	Middle Bay Wetlands Partnership: Liberty Farm West	Harpwell Heritage Land Trust	Preservation	\$756,190.00	\$115,000.00	\$115,000.00
Central Interior & Midcoast	Mill Pond Tidal Restoration	The Nature Conservancy	Restoration, Enhancement	\$51,465.00	\$20,150.00	\$20,150.00
Central Interior & Midcoast	Morse Pond III Project - Barabe	Kennebec Estuary Land Trust	Preservation	\$199,500.00	\$199,500.00	\$199,500.00
Central Interior & Midcoast	Sewall Pond Restoration Project	Kennebec Estuary Land Trust	Fish Passage	\$200,200.00	\$166,200.00	\$166,200.00
Central Interior & Midcoast	Sherman Marsh to Salt Bay Linkage	Damariscotta River Association	Preservation	\$120,200.00	\$107,000.00	\$107,000.00
Central Interior & Midcoast	Upper Cathance River Wetlands - Karonis	Brunswick-Topsham Land Trust	Preservation	\$101,000.00	\$60,000.00	\$30,000.00
Central Interior & Midcoast	Wallace Shore Road Tidal Restriction Restoration	Casco Bay Estuary Project	Enhancement	\$125,236.00	\$115,236.00	\$115,236.00
Central Interior & Midcoast	Bomazeen Wetlands Project	Belgrade Regional Conservation Alliance	Preservation	\$235,500.00	\$192,500.00	\$0.00
Central Interior & Midcoast	Branch Bog Wetlands	Medomak Valley Land Trust	Preservation	\$62,800.00	\$62,800.00	\$0.00
Central Interior & Midcoast	Hidden Valley, MOJO, LLC		Preservation	\$1,573,400.00	\$750,000.00	\$0.00
Central Interior & Midcoast	Ingham Pond Project	Belgrade Regional Conservation Alliance	Preservation	\$386,000.00	\$350,000.00	\$0.00
Central Interior & Midcoast	Middle Bay Wetlands Partnership: Skolfield	Brunswick-Topsham Land Trust	Preservation	\$440,500.00	\$70,000.00	\$0.00

MNRCP Region	Project Title	Applicant	Compensation Type	Total Project Cost	Funds Requested from MNRCP	Funds Awarded
Central Interior & Midcoast	Orono Designated Growth Area & Vernal Pools	Town of Orono	Preservation, Enhancement	\$462,000.00	\$384,000.00	\$0.00
Central Interior & Midcoast	Runaround Pond Landscape: Chesley	Royal River Conservation Trust	Preservation	\$145,700.00	\$145,700.00	\$0.00
Central Interior & Midcoast	Runaround Pond Landscape: Colson	Royal River Conservation Trust	Preservation	\$40,700.00	\$40,700.00	\$0.00
Central Interior & Midcoast	Sheepscot Headwaters Wildlands Project	Sheepscot Wellspring Land Alliance	Preservation	\$59,525.00	\$40,000.00	\$0.00
Southern Maine	Perley Pond/Northwest River Project	Loon Echo Land Trust	Preservation	\$191,000.00	\$136,500.00	\$136,000.00
Southern Maine	Salmon Falls Wetlands - Tuckahoe	Great Works Regional Land Trust	Preservation	\$130,000.00	\$90,000.00	\$90,000.00
Southern Maine	Knight's Pond & Blueberry Hill	The Trust for Public Land	Preservation	\$1,046,400.00	\$150,000.00	\$0.00
Southern Maine	Salmon Falls Wetlands - Baxter	Great Works Regional Land Trust	Preservation	\$162,050.00	\$110,000.00	\$0.00
Southern Maine	Smithfield Meadows - Gelardi 2	Saco Valley Land Trust	Preservation, Enhancement	\$312,300.00	\$298,750.00	\$0.00
<b>Invited to Full Proposal, did not submit</b>						
Central & Western Mountains	Cold Stream Forest	The Trust for Public Land	Preservation	\$8,275,000.00	\$70,000.00	\$0.00
Central Interior & Midcoast	Penjajawoc Marsh Cummings	Bangor Land Trust	Preservation	\$48,000.00	\$48,000.00	\$0.00
Southern Maine	Lily Pond	Royal River Conservation Trust	Preservation	\$940,000.00	\$170,000.00	\$0.00
<b>Not Invited to Full Proposal</b>						
Central Interior & Midcoast	Conserve Lake Auburn Watershed	Lake Auburn Watershed Neighborhood Association		\$33,000.00	\$30,000.00	\$0.00
Central Interior & Midcoast	Florida Lake Conservation Area Addition and Restoration	Town of Freeport		\$50,000.00	\$40,000.00	\$0.00
Southern Maine	Trout Brook Management Plan Implementation	Town of Cape Elizabeth		\$25,000.00	\$25,000.00	\$0.00

MNRCP allocates credits based on the type of project and the percentage of total project costs covered by MNRCP funds. Percentage of project costs covered by MNRCP for 2013 ranged from 100% to 15%. Ratios of Compensation Credits used by MNRCP range from 15 to 1 for preservation only projects, to 1 to 1 for some types of creation and restoration projects. Restoration, enhancement and creation credit ratios generally depend on the type of work being done. Compensation Ratios are based on the US Army Corps of Engineers Compensatory Mitigation Guidance for the New England District, which may be found at the link below:

<http://www.nae.usace.army.mil/Portals/74/docs/regulatory/Mitigation/CompensatoryMitigationGuidance.pdf>

## **5. National Historic Preservation Act Consultation**

Prior to the release of MNRCP funds for any project, proposals must first be reviewed by the Maine Historic Preservation Commission (MHPC), as prescribed under Section 106 of the National Historic Preservation Act (16 U.S.C. 470 et seq.). Based on discussions with MHPC, overviews and USGS topo maps for all proposed MNRCP projects with restoration, enhancement or creation components are provided to MHPC so they may determine if any proposed construction activities might adversely impact historic resources. (Proposed preservation projects do not include MNRCP-funded construction or other site disturbing activities so do not need to be reviewed by MHPC.)

In 2013, the details for 6 proposed projects were forwarded to MHPC for their review. Following is a list of these projects and the current status of their Section 106 consultation:

- 1) **Etna Pond Fishway (Carmel).** Section 106 review completed on March 4, 2014. MHPC determined that no historic properties would be affected by the proposed undertaking.
- 2) **Kate Furbish Preserve Stream Restoration (Brunswick).** Section 106 review completed on March 4, 2014. MHPC determined that no historic properties would be affected by the proposed undertaking.
- 3) **Middle Bay Wetlands—Liberty Farm West (Harpowell).** Section 106 review completed on March 4, 2014. MHPC determined that no historic properties would be affected by the proposed undertaking.
- 4) **Mill Pond Tidal Restoration (Arrowsic).** Section 106 review in progress. MHPC determined on February 27, 2014 that the project area may contain historic archeological resources, and indicated that a Phase I archeological survey by a qualified archeologist would be required prior to any ground disturbance. The project sponsor issued a Request for Proposals from qualified surveyors on March 10, 2014 with a deadline for submission of March 28, 2014.
- 5) **Sewall Pond Restoration (Arrowsic).** Section 106 review completed on March 4, 2014. MHPC determined that no historic properties would be affected by the proposed undertaking.
- 6) **Salmon Falls Wetlands – Tuckahoe (Berwick).** Section 106 completed on March 4, 2014. MHPC determined that no historic properties would be affected by the proposed undertaking. However, this finding was conditional upon the following requirement: an archeological survey must be completed and reviewed by MHPC prior to any trail construction or other ground disturbance.

- 7) **Wallace Shore Road Tidal Restoration (Harpwell).** Section 106 review completed on March 4, 2014. MHPC determined that no historic properties would be affected by the proposed undertaking.

## **6. Assessment of Program Progress**

The goals of the MNRCP as stated in the In-Lieu Fee Instrument are listed below, along with an updated assessment of progress towards each goal.

1. *Provide an alternative to permittee-responsible and mitigation bank compensatory mitigation that will effectively replace functions and values lost through permitted impacts.*

After five years of active operation and funding of compensatory mitigation projects, MNRCP is widely viewed as an effective alternative to other mitigation mechanisms available in Maine. Anecdotal estimates suggest that as much as 75% of permitted projects with wetlands impacts in Maine now compensate those impacts through MNRCP. While the program does not require that all permitted impacts are compensated on a strict, one-to-one basis each year, overall program debits and credits are carefully tracked to ensure the timely and effective compensation of functions and values that have been lost. Appendix F shows the debit and credit summary report that is used by MNRCP administrators and committee members to help track progress towards this goal. While this version of the report does not yet assign upland credits to wetland debits as is done when projects are entered in RIBITS, it is still helpful in assessing overall trends (and future versions will be updated to ensure alignment). Upland buffers are an important part of compensation projects as they provide protection to the resources. If concerns are raised that a couple years have passed without compensation of a particular resource in a given region, the program can either actively encourage proposals including that resource or, as a more extreme step, conduct a targeted funding round that solicits proposals only for this particular resource. Because of the relative lack of compensation for vernal pool habitat and vernal pool critical terrestrial habitat, the 2013 Request for Proposals included special emphasis on these habitats, which resulted in a greater number of projects proposing projects compensating this resource.

2. *Substantially increase the extent and quality of restoration, enhancement, creation, and protection of protected natural resources over that typically achieved by permittee-responsible mitigation for activities that impact wetlands, significant wildlife habitats, and other waters of the State of Maine, which include waters of the U.S.*

As stated in MNRCP's In-lieu Fee Instrument, the program aims to "achieve ecological success on a biophysical region basis by directing ILF funds to protected natural resource types and functions that are appropriate to the geographic service area, and by integrating ILF projects with other conservation activities whenever possible." In Maine, a series of important priority habitat areas, called "Beginning with Habitat (BwH) Focus Areas," have been identified across the state (See map in Appendix G). Proposed projects located within or adjacent to a BwH Focus Area generally receive higher scores for Landscape Context during review. Proposed projects are also evaluated based on whether they occur within or adjacent to Federal or State conservation lands or priorities, to regional conservation lands or priorities, or to municipal and private nonprofit conservation organization lands or priorities. Table 9 shows the percentage of the 66 projects with MNRCP awards through the 2013 round that occur in priority conservation areas in Maine.

Table 9. MNRCP Projects within the Major Priority Areas

Priority Area	% of Projects
Beginning with Habitat Focus Area	56%
Within or Adjacent to Federal or State Lands or Priorities	38%
Within or Adjacent to Local or Private Non-Profit Conservation Lands	53%

All of the projects were in or adjacent to conservation lands or priority areas on some level; most on multiple levels. Thirty-seven of the projects were located within or adjacent to 17 different Beginning with Habitat Focus Areas in four MNRCP Regions across the state. Nine of these projects took place in or adjacent to the Kennebec Estuary BwH Focus Area and six were in or adjacent to the Mount Agamenticus BwH Focus Area. These are two of the most active areas for conservation work, with multiple organizations and entities working as partners on conservation projects. Eleven projects were in or adjacent to state public land, including seven different Wildlife Management Areas, three public forest lands, a state park and public reserved land. Nine of these projects were also in or adjacent to a BwH Focus Area. Thirty-five projects were in or adjacent to local conservation lands, 22 of which were also within BwH Focus Areas.

Also considered is whether the proposed project area provides habitat for priority species, as designated either by the State of Maine or the federal government. There are a number of species listed under the state and/or federal Endangered Species Act, as Species of Special Concern or Species of Greatest Conservation Need. There are also habitats designated as Essential Wildlife Habitat or Significant Wildlife Habitat, and a listing of rare plant species and communities. A larger percentage of projects (73% or more, depending on which areas are counted) contained priority habitats or habitat for priority species. See Appendix H for links to more information about priority areas, habitats and species in Maine.

3. *Reduce the extent of cumulative adverse impacts to aquatic resources that are considered protected natural resources under the NRPA and CWA.*

While this is an important aspiration for the state of Maine, it is extremely hard to assess progress without regularly conducting a cumulative impacts assessment across the state. No such assessment has been completed, or is contemplated, for the state. Should such an assessment be conducted in the future, data collected from MNRCP-funded projects will provide important information and context.

4. *Provide MDEP and Corps permit applicants greater flexibility in compensating for adverse impacts to protected natural resources.*

In-lieu fee mitigation through MNRCP gives permit applicants, MDEP and the Corps another effective option to compensate for resource impacts, and one that has been used with increasing frequency (as noted above). MNRCP has been used by permit applicants ranging from private landowners and institutions to large companies and transportation agencies. Table 10 below shows the sources of the \$9,532,004.58 of in-lieu fees paid into MNRCP by October 21, 2013.

Table 10. Sources of In-lieu Fee Payments in Maine

Source of Impact	Total Fees	Percent
Transportation	\$3,531,594.49	37%
Energy	\$2,738,249.34	29%
Development (Residential & Commercial)	\$1,441,172.28	15%
Educational facility	\$627,225.13	7%
Other (municipal, recreation, working waterfront, etc.)	\$1,193,763.34	13%

Private landowners often don't have suitable locations for mitigation or the expertise to do their own mitigation and would have to hire consultants and contractors to carry out projects. While large entities such as energy companies or transportation departments still regularly complete permittee-responsible mitigation for some of their projects, the in-lieu fee compensation offered through MNRCP often provides a more efficient and effective option where suitable on-site mitigation projects are difficult to find.

5. *Achieve ecological success on a biophysical region basis by directing ILF funds to protected natural resource types and functions that are appropriate to the geographic service area, and by integrating ILF projects with other conservation activities whenever possible.*

A set of specific conservation objectives was developed for each MNRCP Region in the Compensation Planning Framework of the In-Lieu Fee Instrument (See Appendix I for MNRCP's regional compensation objectives). While many of the regional objectives are closely linked to the priority areas and species discussed above, several regions also specifically include fish passage, preservation of vernal pools and headwater streams, and restoration of marginal or non-productive land that had been converted to agriculture in the past. Restoring fish passage to the Penobscot River watershed is a high priority for the State of Maine and a number of federal agencies and specific objectives for the Penobscot appear in several of the MNRCP Regions. To date, MNRCP has been able to focus funding for fish passage projects in the Penobscot River watershed through awards to four different projects.

Vernal pool preservation is a regional priority in the Central Interior & Midcoast region and, as was stated above, the program focused attention in the 2013 round on increasing the number of relevant projects for consideration. The MNRCP administrators also contracted wetlands biologists to survey all potential vernal pool sites on MNRCP-funded projects in order to increase the accuracy of vernal pool credits in all regions (the results from this survey were not ready in time to be included in the summary in Appendix F but will be included in future years).

The one regional conservation objective that MNRCP has not yet successfully advanced is pursuing opportunities to restore marginal or non-productive agricultural land to priority resources in the Aroostook Hills & Lowlands or Central & Western Mountains. These regions have received far fewer in-lieu fee payments, and are generally less well-covered by conservation organizations. Further, Maine does not yet have a particularly active culture of restoring agricultural land to wetland or other habitat. While progress may continue to be slow for these reasons, MNRCP will continue to look for opportunities to advance this strategy.

## **7. Updates on Previously Funded Projects**

### 2012 Funding Round

Fourteen projects were awarded funding during the fourth funding round in 2012. One of the projects was a large easement project of which MNRCP funding was only a small part. Ultimately, it was decided that MNRCP requirements were not compatible with desired uses of the property and the project was withdrawn. This round saw the first wetland creation project award to date, along with enhancement of other wetlands on the property after purchase. Of the remaining 12 projects, five were preservation through fee purchase; six were fee purchase with restoration or enhancement after purchase, and one was restoration of fish passage through a fishway.

<b>Project Name</b>	<b>Type</b>	<b>Status</b>
Davis/Holbrook Fishway	Fish Passage	Fishway completed, in monitoring phase.
Indian River - Farnsworth	Preservation	Project complete.
Morse Pond II	Preservation	Purchase completed, management plan under review.
Mt. Agamenticus Pocket Swamp	Preservation	Purchase completed, management plan under review.
Penjajawoc Marsh - Severance	Preservation	Project complete.
Walnut Hill II	Preservation	Awaiting closing.
Moon Valley	Preservation, Creation, Enhancement	Purchase completed. Creation/enhancement work in progress.
Caribou Bog - Dorion	Preservation, Enhancement	Purchase completed. Restoration/enhancement work to be done in 2014.
Moulton's Mill II	Preservation, Enhancement	Awaiting closing.
Ogunquit River Wetlands	Preservation, Enhancement	Purchase and restoration/enhancement work completed, in monitoring phase.
Violette Brook	Preservation, Restoration, Enhancement	Purchase completed, awaiting final documents and/or plans.
Warren Woods Wetland Restoration	Preservation, Restoration, Enhancement	Purchase completed, restoration and management plans under review.
Weskeag Wetlands	Preservation, Restoration, Enhancement	Purchase completed, awaiting final documents and/or plans.

### 2011 Funding Round

Seventeen projects were awarded funding during the third funding round in 2011. One of the projects awarded funding was a restoration project which proposed removal of a berm across a tidal wetland that had created a freshwater pond. Unfortunately, it was discovered that an abutting property owner had a deeded right to maintain the pond water level and the project was not able to

move forward. Of the remaining 16 projects, 12 were preservation through fee purchase, two were preservation through fee purchase with restoration or enhancement after purchase, and two were restoration of fish passage; one through replacement of two perched culverts and the other through construction of a fishway on a dam.

<b>Project Name</b>	<b>Type</b>	<b>Status</b>
Boulter Pond Wetlands	Fee acquisition	Project complete.
Crooked River - Robie Meadows	Fee acquisition	Project complete.
Little Cobbossee Lake	Fee acquisition	Project complete.
Merriland River Corridor - Highpine	Fee acquisition	Project complete.
Sucker Brook/Horseshoe Pond	Fee acquisition	Project complete.
Upper Cathance River Wetlands	Fee acquisition	Project complete.
St George River Tidal Conservation	Fee acquisition	Project complete.
Mattawamkeag River/Eagle Pond	Fee acquisition with enhancement	Purchase completed, enhancement work begun in 2013; to be completed 2014.
Suckfish Brook	Fee acquisition with enhancement	Purchase and restoration/enhancement work completed, in monitoring phase.
Wallamatogus - Great Heath	Fee acquisition with enhancement	Purchase and restoration/enhancement work completed, in monitoring phase.
Jam Black Brook culvert replacement	Restoration of fish passage by culvert replacement	Restoration/enhancement work completed, in monitoring phase.
Pushaw Lake Fishway	Restoration of fish passage by construction of fishway	Fishway constructed and operational, in monitoring phase.
Mt Agamenticus Wetlands II	Fee acquisition	Purchase of one parcel completed, Awaiting closing on second parcel.
Sebasticook River parcels	Fee acquisition with restoration or enhancement	Purchase completed. Management plan for one parcel completed. Restoration and management plan for second parcel to be combined with adjacent 2012 MNRCP project Moulton's Mill.
Seven Mile Stream	Fee acquisition	Awaiting closing.
Varnum Farm	Fee acquisition with enhancement	Farmland conservation project awaiting closing on conservation purchase, then restoration/resource protection provisions will be finalized.

### 2010 Funding Round

Sixteen projects were awarded funding in the second funding round in 2010. One project had secured the majority of its funding from other sources and after trying to work around the differing requirements of their funding sources, ultimately decided to withdraw their MNRCP project. Of the



remaining fifteen projects, eight were preservation through fee purchase, one was preservation through conservation easement, one was preservation through both fee purchase and conservation easement, three were preservation through fee purchase with restoration or enhancement after purchase, and two were fish passage projects.

<b>Project Name</b>	<b>Type</b>	<b>Status</b>
Basin and Curtis Coves	Fee purchase and preservation	Project complete.
Granite State Wetlands	Fee purchase and preservation	Project complete.
Kanokolus Bog	Fee purchase and preservation	Project complete.
Morse Pond	Fee purchase and preservation	Project complete.
Pisgah Hill	Fee purchase and preservation	Project complete.
Spectacle Pond	Fee purchase and preservation	Project complete.
Steele Forest	Fee purchase and preservation	Project complete.
Whiskeag Creek	Fee purchase and preservation	Project complete.
East Branch Piscataqua River	Fee purchase and conservation easement with preservation	Project complete.
Maquoit Bay	Conservation easement and preservation	Project complete.
Bell Marsh	Fee purchase and restoration	Purchase complete; restoration work completed in 2013. In monitoring phase.
Clifford Park	Fee purchase and enhancement	Purchase complete; restoration work completed in 2013. In monitoring phase.
Great Meadow Stream	Fee purchase and restoration	Purchase complete, restoration work completed in 2013. In monitoring phase.
Flanders Stream	Restoration of fish passage by culvert replacement	Restoration/enhancement completed. In monitoring phase.
Muscongus Brook	Restoration of fish passage by culvert replacement	Awaiting final plans. Work to be completed in summer 2014.

### 2009 Funding Round

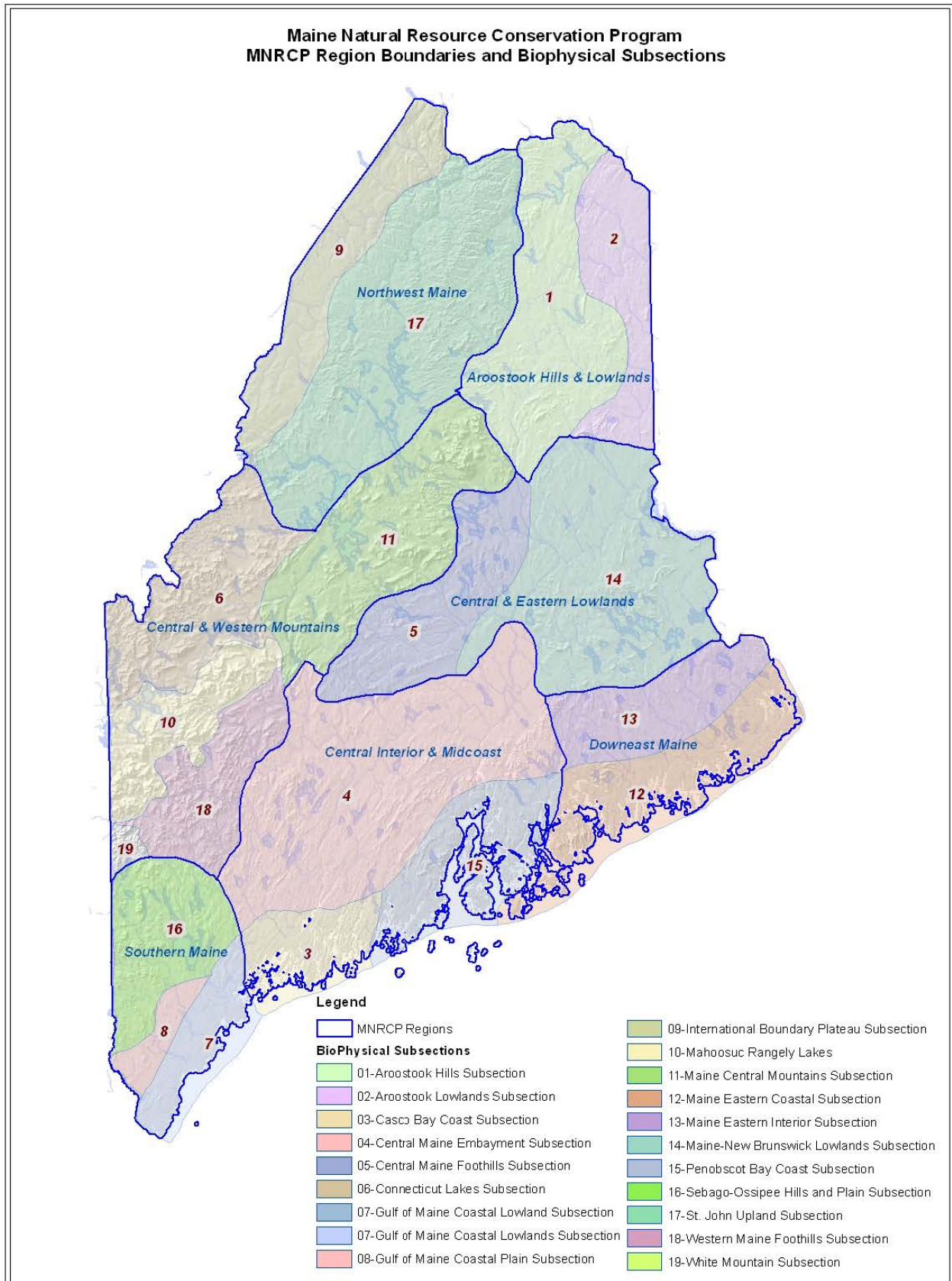
Sixteen compensation projects were funded in the inaugural round in 2009. Two of these 16 were for conservation easements that had substantial funds from other sources and which were very far along in the easement negotiations when they were awarded MNRCP funds. It proved difficult to go back to renegotiate the easements to include MNRCP requirements so these applicants withdrew their applications and the funds were allocated back to the respective Regions. Another easement project also ran into difficulties in accommodating MNRCP requirements and, rather than renegotiate, the landowner decided to donate the easement. This project also had a stream enhancement component and funds were initially held for this part of the project. However, a storm caused damage and erosion along the road and the landowner repaired the damage, which made the enhancement project unnecessary. One applicant ran into a roadblock in its negotiations with a landowner who had expected more than the appraised value. This project was making no progress in reaching an agreement with the landowner so, based on a recommendation from the MNRCP

Review Committee, the Approval Committee voted to rescind the funding for this project. A fourth project also ran into issues when the property they had hoped to purchase was purchased by someone else before they could secure all the necessary funding. The applicant tried to work with the new landowner to purchase the most environmentally significant portion of the property but was not making progress and ultimately asked to withdraw its project. A fifth project ran into problems when it was discovered that another entity held mineral rights on the property. Ultimately, the landowner sold the property to another buyer and the project was withdrawn in early 2012.

The remaining 11 projects included five fee purchases for preservation, two conservation easements, a dam removal, a fishway, a wetland restoration at an old quarry site, and removal of invasive *Phragmites* on a state wildlife preserve. A chart of their status is below.

<b>Project Name</b>	<b>Type</b>	<b>Status</b>
Brookings Bay	Fee purchase and preservation	Project complete.
Whitten Hill	Fee purchase and preservation	Project complete.
Maloney Wetlands	Fee purchase and preservation	Project complete.
Mt. Agamenticus Wetlands	Fee purchase and preservation	Project complete.
Walnut Hill	Fee purchase and preservation	Project complete.
Falmouth Conservation Corridor	Conservation easement and preservation	Project complete.
Gervais <i>Phragmites</i> removal	Restoration of wetland by removal of invasive <i>Phragmites</i>	Retreatment took place in 2012. In monitoring phase.
Montsweag Brook Dam removal	Restoration of stream by dam removal	Dam removed and stream flow restored; easement in place. Approval Committee agreed monitoring and site inspections verified the project was successful and no further monitoring is required.
Blackman Stream Fishway	Restoration of fish passage by construction of fishway	Fishway is operational. In monitoring phase.
Clark Island Wetland Restoration	Removal of granite quarry tailings from wetland and replanting	Restoration/enhancement complete. In monitoring phase.

## Appendix A



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## Appendix B

### Complete List of all Permits Generating MNRCP Payments through 12/31/13 by Region, Subsection and Date

MNRCP Region	Biophysical subsection	TNC Rec'd Date	Applicant/Project	Permits	Town	Total Square Ft	Type of Habitat Impacted	Type of Impact	Available
Aroostook Hills & Lowlands	Aroostook Lowlands	11/2/2011	Maine DOT / Route 1 - Van Buren	PBR 51316, NAE-2010-02342	Van Buren	80,493	Freshwater Wetland	Fill & Conversion	\$166,431.85
Central & Eastern Lowlands	Central Maine Foothills	11/17/2010	Town of Millinocket / Millinocket Municipal Airport	L-24248-TG-A-N, NAE-2008-01362	Millinocket	30,952	Freshwater Wetland	Fill	\$79,162.32
Central & Eastern Lowlands	Maine-New Brunswick Lowlands	11/13/2008	First Wind Energy, LLC / Stetson Mountain Wind Farm Transmission Line	L-23774-TH-B-N	Chester	16,988	Significant Wildlife Habitat	Vegetation conversion	\$7,668.40
Central & Eastern Lowlands	Maine-New Brunswick Lowlands	11/17/2010	First Wind Energy, LLC / Rollins Wind Power (Evergreen Wind Power III, LLC)	L-24402-IW-C-N	Winn	242,193.6	Significant Wildlife Habitat	Vegetation Conversion	\$128,928.80
Central & Western Mountains	Mahoosuc Rangeley Lakes	11/10/2010	Nextera Energy Maine Operating Services, LLC / FPL Energy Maine Hydro Upper Dam	NAE-2010-00197	Richardson-town Twp	17,300	Significant Wildlife Habitat	Fill	\$3,819.84
Central & Western Mountains	Mahoosuc Rangeley Lakes	11/17/2010	Maine DOT / Route 17 upgrades and scenic turnout	NAE-2010-00609	Township D	45,237	Freshwater Wetland	Fill	\$131,233.33
Central & Western Mountains	Western Maine Foothills	5/18/2010	Record Hill, LLC / Record Hill Wind Project	NAE-2008-03763	Roxbury	30,172	Freshwater Wetland	Conversion	\$13,823.61
Central & Western Mountains	Western Maine Foothills	8/23/2010	Central Maine Power / Maine Power Reliability Project	L-24620-26-A-N, L-24620-TG-B-N, L-24620-VP-C-N, L-24620-IW-D-N, L-24620-L6-E-N, NAE-2008-03017	Peru	930	Freshwater Wetland	Fill	\$3,634.00
Central & Western Mountains	Western Maine Foothills	5/18/2011	Central Maine Power / Section 270 & Roxbury Substation	L-24663-TF-B-N, NAE-2009-01866	Rumford	40,400	Significant Wildlife Habitat	Fill and Veg Conv	\$109,600.25

Central & Western Mountains	Western Maine Foothills	6/6/2012	Central Maine Power / Section 52 &54 Rebuild/Fry Station Removal	NAE-2009-01866	Roxbury	1,930	Freshwater Wetland	Fill, conversion, matting	\$740.82
Central & Western Mountains	Western Maine Foothills	10/2/2013	Maine DOT / Martin Memorial Bridge	L-255969-L6-A-N, NAE-2013-00601	Rumford	1,257	Freshwater Wetland	Fill	\$9,379.40
Central & Western Mountains	Western Maine Foothills	11/14/2013	Saddleback Ridge Wind, LLC / Saddleback Ridge Wind project	NAE-2009-202517		48,775	Freshwater Wetland	Conversion	\$23,848.95
Central Interior & Midcoast	Casco Bay Coast	7/30/2008	Washburn & Doughty Associates / Washburn & Doughty Shipyard Expansion	L-20207-4E-C-N, L-20207-4E-E-M, NAE-2008-01157	Boothbay	3,864	Coastal Wetland	Fill	\$27,237.34
Central Interior & Midcoast	Casco Bay Coast	9/1/2008	Washburn & Doughty Associates / Washburn & Doughty Laydown Area	L-20207-4E-D-N, NAE-2008-01157	Boothbay	7,833	Coastal Wetland	Fill	\$55,214.95
Central Interior & Midcoast	Casco Bay Coast	9/1/2008	Maine Yankee / Natural Resources Damages Restoration Plan & Settlement		Wiscasset		Groundwater (ME Yankee Settlement)		\$114,475.00
Central Interior & Midcoast	Casco Bay Coast	4/30/2009	Town of Chebeague Island / Wharf Rd. Reconstruction	L-24345-4E-A-N, NAE-2008-03395	Yarmouth	1,397	Freshwater & Coastal	Fill	\$12,293.59
Central Interior & Midcoast	Casco Bay Coast	6/11/2009	Washburn & Doughty Associates / Washburn & Doughty Drydock Platforms	L-20207-4E-F-N, NAE-2008-01157 mod 2	Boothbay	180	Coastal Wetland	Fill	\$1,269.20
Central Interior & Midcoast	Casco Bay Coast	8/23/2010	US Marine Corps / USMC Reserve Centers	L-20116-87-TG-N	Brunswick	44,393	Freshwater Wetland	Fill	\$166,225.15
Central Interior & Midcoast	Casco Bay Coast	8/23/2010	Bigelow Laboratory / Bigelow Laboratory Research and Educational Facility	L-24771-4E-B-N	Boothbay	594	Coastal Wetland	Fill	\$4,513.52
Central Interior & Midcoast	Casco Bay Coast	8/23/2010	Central Maine Power / Maine Power Reliability Project	L-24620-26-A-N, L-24620-TG-B-N, L-24620-VP-C-N, L-24620-IW-D-N, L-24620-L6-E-N, NAE-2008-03017	Cumberland	297,914	Freshwater Wetland	Fill	\$1,168,166.32
Central Interior & Midcoast	Casco Bay Coast	8/23/2010	Town of Westport / Boat Launch realignment	NAE-2006-2777	Westport Island	150	Coastal Wetland	Fill	\$1,139.88
Central Interior & Midcoast	Casco Bay Coast	8/24/2011	Fisherman Island, LLC / Breakwater, pier, float	L-24619-4P-A-N, NAE-2009-01465	Boothbay	1,995	Coastal Wetland	Fill	\$4,803.32
Central Interior & Midcoast	Casco Bay Coast	12/19/2012	Tom Clemons/J. Lloyd Thompson / Pier,Ramp & Float	NAE-2012-00332	Harpwell	124	Coastal Wetland	Shading	\$923.68

Central Interior & Midcoast	Casco Bay Coast	5/30/2013	Maine DOT / Yarmouth I-295 Park & Ride	L-25825-2G-A-N, NAE-2012-02468	Yarmouth	307,400	Freshwater Wetland	Fill & Conversion	\$308,396.36
Central Interior & Midcoast	Casco Bay Coast	8/14/2013	Bath Iron Works / Pier 4 Riprap Blanket	L-14787-4E-AL-N	Bath	7,020	Coastal Wetland	Fill	\$50,634.04
Central Interior & Midcoast	Casco Bay Coast	10/2/2013	Town of Lisbon / Androscoggin River Trail	L-25298-VP-B-N, NAE-2011-00674	Lisbon	30,132	Freshwater Wetland	Fill & vegetation conversion	\$50,440.84
Central Interior & Midcoast	Casco Bay Coast	12/10/2013	Central Maine Power / MPRP Revision 9	L-24620-TG-AB-N		150	Freshwater Wetland	Fill	\$1,081.92
Central Interior & Midcoast	Central Maine Embayment	9/1/2008	Hannaford Brothers Co. / Winthrop Hannaford Supermarket & Pharmacy	L-24222-TE-B-N, NAE-2007-03386	Winthrop	27,284	Freshwater Wetland	Fill	\$87,349.73
Central Interior & Midcoast	Central Maine Embayment	10/29/2008	Husson College / Husson Metting House and Access Road	NAE-2008-2072	Bangor	11,055	Freshwater Wetland	Fill	\$31,086.66
Central Interior & Midcoast	Central Maine Embayment	12/12/2008	Dirigo Pines Development Company / Dirigo Pines	L-17404-26-O-A	Orono	295	Freshwater Wetland	Fill	\$779.10
Central Interior & Midcoast	Central Maine Embayment	2/24/2009	City of Waterville / Messalonskee Trail	L-24114-L6-A-N	Waterville	3,630	Freshwater Wetland	Fill	\$11,621.35
Central Interior & Midcoast	Central Maine Embayment	3/5/2009	Bangor Hydro Electric Co. / Bangor Hydro Keene Rd Substation	L-20972-TC-F-N, NAE-2008-3073	Chester	253,067	Freshwater & Signif. Wildlife Hab.	Fill and Vegetation conversion	\$102,574.16
Central Interior & Midcoast	Central Maine Embayment	7/29/2009	University of Maine, Orono / AEWC Building Expansion	L-19408-TC-BX-N	Orono	11,890	Freshwater Wetland	Fill	\$31,401.49
Central Interior & Midcoast	Central Maine Embayment	9/30/2009	Maine DOT / Route 1A reconstruction - 2	PBR 47777, NAE-2009-00823	Ellsworth	58,394	Freshwater Wetland	Fill	\$159,211.24
Central Interior & Midcoast	Central Maine Embayment	11/16/2009	University of Maine, Orono / AEWC Building Expansion Modification	L-19408-TC-CB-M	Orono	11,597	Freshwater Wetland	Fill	\$32,170.08
Central Interior & Midcoast	Central Maine Embayment	5/18/2010	Town of Chelsea / Chelsea Elementary School	L-24780-TE-A-N, NAE-2007-03342	Chelsea	40,719	Freshwater Wetland	Fill	\$132,613.40
Central Interior & Midcoast	Central Maine Embayment	6/10/2010	PS Bangor, LLC / Lowe's Home Improvement Center	NAE-1991-02551-M1	Bangor	14,597	Freshwater Wetland	Fill	\$39,213.38
Central Interior & Midcoast	Central Maine Embayment	8/23/2010	University of Maine, Orono / Bike Path Extension	L-19108-TE-CI-N	Orono	1,200	Freshwater Wetland		\$3,223.68

Central Interior & Midcoast	Central Maine Embayment	8/23/2010	Central Maine Power / Maine Power Reliability Project	L-24620-26-A-N, L-24620-TG-B-N, L-24620-VP-C-N, L-24620-IW-D-N, L-24620-L6-E-N, NAE-2008-03017	Lewiston	38,727	Freshwater Wetland	Fill	\$191,831.04
Central Interior & Midcoast	Central Maine Embayment	3/2/2011	City of Brewer / Industrial Park road extension	NAE-2010-02069, L-18110-TG-C-M	Brewer	1,235	Freshwater Wetland	Fill	\$3,317.70
Central Interior & Midcoast	Central Maine Embayment	3/2/2011	University of Maine, Orono / Footbridge on Multi-use trail	L-19408-TE-CK-N, NAE-1997-02618-M3	Orono	480	Freshwater Wetland	Fill	\$1,289.47
Central Interior & Midcoast	Central Maine Embayment	3/9/2011	Hammond Lumber Company / Bangor Expansion	NAE-2005-2842	Bangor	55,321.20	Freshwater Wetland	Fill	\$10,882.61
Central Interior & Midcoast	Central Maine Embayment	3/9/2011	Maine DOT / Downeast Rail Trail, Ellsworth	PBR 49618, NAE-2010-00470	Bangor	25,174	Freshwater Wetland	Fill	\$71,333.05
Central Interior & Midcoast	Central Maine Embayment	3/16/2011	MSB Leasing, Inc. / Machias Savings Bank	NAE-2008-0280	Brewer	24,891	Freshwater Wetland	Fill	\$34,667.18
Central Interior & Midcoast	Central Maine Embayment	8/24/2011	Labree's, Inc. / Labree's Bakery expansion	NAE-1992-1521-M1	Old Town	7,636	Freshwater Wetland	Fill	\$20,513.35
Central Interior & Midcoast	Central Maine Embayment	8/31/2011	Maine DOT / Route 219 Leeds	NAE-2011-00678, PBR 51316	Leeds	22,902	Freshwater Wetland	Conversion	\$11,251.30
Central Interior & Midcoast	Central Maine Embayment	10/13/2011	MaineGeneral Medical Center / MaineGeneral New Regional Hospital	L-122659-TG-J-N, NAE-2009-02019	Augusta	89,791	Freshwater Wetland	Fill	\$297,387.24
Central Interior & Midcoast	Central Maine Embayment	11/2/2011	Maine DOT / Route 15 - Orrington	NAE-2011-01279	Orrington	28,475	Freshwater Wetland	Fill & conversion	\$77,084.16
Central Interior & Midcoast	Central Maine Embayment	12/9/2011	Maine DOT / Route 9 Lisbon-Sabattus Bridge Replacement	PBR 47669	Lisbon	1,100	Freshwater Wetland	Fill	\$7,711.44
Central Interior & Midcoast	Central Maine Embayment	7/18/2012	Husson University / Husson University Parking Lot	NAE-2008-2072-M1	Bangor	6,542	Freshwater Wetland	Fill	\$18,838.34
Central Interior & Midcoast	Central Maine Embayment	7/24/2012	Central Maine Power / Maine Power Reliability Project Revision 7	L-24620-TG-T-N	Lewiston	1,296	Freshwater Wetland	Fill	\$834.62
Central Interior & Midcoast	Central Maine Embayment	8/8/2012	Town of Norridgewock / Central Maine Regional Airport	L-21770-TH-G-N, NAE-2007-02622	Norridgewock	41,723	Freshwater & Coastal	Fill	\$141,256.80
Central Interior & Midcoast	Central Maine Embayment	9/26/2012	Central Maine Motors-T, Inc. / Central Maine Toyota expansion	L-16673-TE-P-N, NAE-2011-00918	Waterville	33,607	Freshwater Wetland	Fill	\$117,180.89

Central Interior & Midcoast	Central Maine Embayment	10/3/2012	Machias Savings Bank / Machias Savings Bank Brewer Amendment	NAE-2008-0280 mod	Brewer	24,891	Freshwater Wetland	Fill	\$11,040.00
Central Interior & Midcoast	Central Maine Embayment	12/19/2012	Maine DOT / Orono Stillwater/Forest Avenue Reconstruction	NAE-2012-00819	Orono	21,796	Freshwater Wetland	Fill & Conversion	\$57,126.80
Central Interior & Midcoast	Central Maine Embayment	2/13/2013	Maine DOT / Route 136 Stabilization	L-25736-L6-A-N, NAE-2012-01566	Durham	234,411	Freshwater Wetland	Fill	\$86,977.09
Central Interior & Midcoast	Central Maine Embayment	4/3/2013	Black Bear Hydro Partners, LLC / Stillwater Dam Upgrade	NAE-2010-02057	Old Town	24,829	Freshwater Wetland	Flooding/Conversion	\$10,724.65
Central Interior & Midcoast	Central Maine Embayment	4/3/2013	Maine DOT / I-95 Exit 113 Reconstruction	L-20756-TG-M-N, NAE-2010-00603	Augusta	44,060	Freshwater Wetland	Fill & Clearing	\$145,906.54
Central Interior & Midcoast	Central Maine Embayment	6/19/2013	Maine DOT / Kennebec Bridge Replacement Route 197	L-25721-4E-A-N, L-25721-2G-B-N, NAE-2011-01991	Dresden	35,981	Freshwater & Coastal	Fill & Conversion	\$139,396.56
Central Interior & Midcoast	Central Maine Embayment	10/2/2013	Dysart's Realty, Inc / Cold Brook Business Park	L-19984-TE-L-N	Hermon	26,930	Freshwater Wetland	Fill	\$77,547.63
Central Interior & Midcoast	Central Maine Embayment	11/14/2013	Summit Natural Gas / Take out Station	I-26050-TE-A-N, NAE-2013-01618	Pittston	21,200	Freshwater Wetland	Fill	\$74,115.20
Central Interior & Midcoast	Central Maine Embayment	11/14/2013	Auburn Business Development / Auburn Industrial Subdivision	L-25043-TG-C-N, NAE-2006-02238	Auburn	33,977	Freshwater Wetland	Fill	\$119,096.18
Central Interior & Midcoast	Central Maine Embayment	12/10/2013	Central Maine Power / MPRP Rev. 9	L-24620-TG-AB-N		1,837	Freshwater Wetland	Fill	\$6,522.34
Central Interior & Midcoast	Penobscot Bay Coast	9/30/2009	Maine DOT / Route 1A reconstruction - 1	PBR 47529, NAE-2008-03622	Ellsworth	63,528	Freshwater Wetland	Fill	\$207,936.52
Central Interior & Midcoast	Penobscot Bay Coast	8/23/2010	Maine Maritime Academy / Retaining wall reconstruction	L-15887-4D-H-N	Castine	1,020	Coastal Wetland	Fill	\$6,062.06
Central Interior & Midcoast	Penobscot Bay Coast	8/23/2010	Central Maine Power / Maine Power Reliability Project	L-24620-26-A-N, L-24620-TG-B-N, L-24620-VP-C-N, L-24620-IW-D-N, L-24620-L6-E-N, NAE-2008-03017	Warren	1,893	Freshwater Wetland	Fill	\$7,011.32
Central Interior & Midcoast	Penobscot Bay Coast	3/9/2011	Gary and Kathryn Simel / Meduncook Bay Subdivision, Lot 18	L-21920-TE-V-N, NAE-2010-02228	Cushing	1,350	Freshwater Wetland	Fill	\$4,794.12
Central Interior & Midcoast	Penobscot Bay Coast	9/8/2011	Verso Paper / Buckport Renewable Energy Project	NAE-2010-2223	Bucksport	9,378	Coastal Wetland	Fill	\$57,460.88



Central Interior & Midcoast	Penobscot Bay Coast	5/2/2012	Greely Associates / Thomaston Commons	L-25428-TG-B-N, NAE-2011-01423	Thomaston	101,374	Freshwater Wetland	Fill	\$370,258.40
Central Interior & Midcoast	Penobscot Bay Coast	9/26/2012	Mary Ballard Trust / Shoreline Stabilization	NAE-2012-00467	Saint George	277	Coastal Wetland	Fill	\$2,023.43
Central Interior & Midcoast	Penobscot Bay Coast	10/11/2012	Maine DOT / Ellsworth Route 180 Relocation	L-25579-TG-A-N, NAE-2008-02119	Ellsworth	300,980	Freshwater Wetland	Fill	\$276,756.55
Central Interior & Midcoast	Penobscot Bay Coast	12/19/2012	Sleepy Hollow Farm, LLC / Caldwell Island Fire Pond	L-25238-TE-F-N	Saint George	12,077	Freshwater Wetland	Dredging	\$44,110.03
Central Interior & Midcoast	Penobscot Bay Coast	1/9/2013	Town of North Haven / Beach Bridge Reconstruction	L-25660-4E-A-N, NAE-2011-01123	North Haven	7,490	Coastal Wetland		\$54,712.95
Central Interior & Midcoast	Penobscot Bay Coast	4/3/2013	Maine DOT / Mill Bridge Replacement	NAE-2012-00981	Islesboro	1,096	Coastal Wetland	Fill	\$3,761.03
Central Interior & Midcoast	Penobscot Bay Coast	8/23/2013	Blue Hill Country Club / Shoreline Stabilization	L-25748-4D-C-N	Blue Hill	1,350	Coastal Wetland	Fill	\$8,271.72
Downeast Maine	Maine Eastern Coastal	5/18/2010	Maine DOT / Acadia Gateway Center	L-24518-2G-B-N, NAE-2006-03036	Trenton	23,742	Freshwater Wetland	Fill	\$71,100.69
Downeast Maine	Maine Eastern Coastal	11/10/2010	Moosabec Mussels, Inc / Retaining wall repair	L-21318-4E-C-N	Jonesport	480	Coastal Wetland	Fill	\$2,587.96
Downeast Maine	Maine Eastern Coastal	8/24/2011	Eastport Port Authority / Eastport Port Authority expansion	L-18175-TE-J-N, NAE-1993-00224-M1	Eastport	10,450	Freshwater Wetland	Fill	\$28,169.48
Downeast Maine	Maine Eastern Coastal	5/2/2012	Diehl Family Partnership, Ltd. / Diehl Pier	NAE-2011-1755	Southwest Harbor	570	Coastal Wetland	Fill and Shading	\$3,492.50
Downeast Maine	Maine Eastern Interior	11/16/2009	Maine DOT / Calais-St. Stephens Border Crossing amendment	NAE-2006-00704	Calais	17,341	Freshwater Wetland	Fill	\$45,468.10
Downeast Maine	Maine Eastern Interior	3/16/2011	Fundy Contractors / Woodland Industrial Park	L-21437-VP-E-N	Baileyville	113,000	Significant Wildlife Habitat	Vegetation removal, Fill	\$12,475.20
Southern Maine	Gulf of Maine Coastal Lowlands	1/10/2008	Central Maine Power / CMP Mussey Road Substation	L-20588-TE-K-N, NAE-2007-2064	Scarborough	29,376	Freshwater Wetland	Fill	\$110,512.55
Southern Maine	Gulf of Maine Coastal Lowlands	10/29/2008	Park North Development, LLC / Park North Subdivision	L-23647-TE-G-N	Saco	289	Freshwater Wetland	Fill	\$1,002.11
Southern Maine	Gulf of Maine Coastal Lowlands	11/25/2008	Central Maine Power / CMP Line 197 Upgrade	L-24199-VP-B-N, L-24199-TE-A-N, L-24199-IW-C-N	South Berwick	6,789	Significant Wildlife Habitat	Vegetation conversion	\$50,078.30

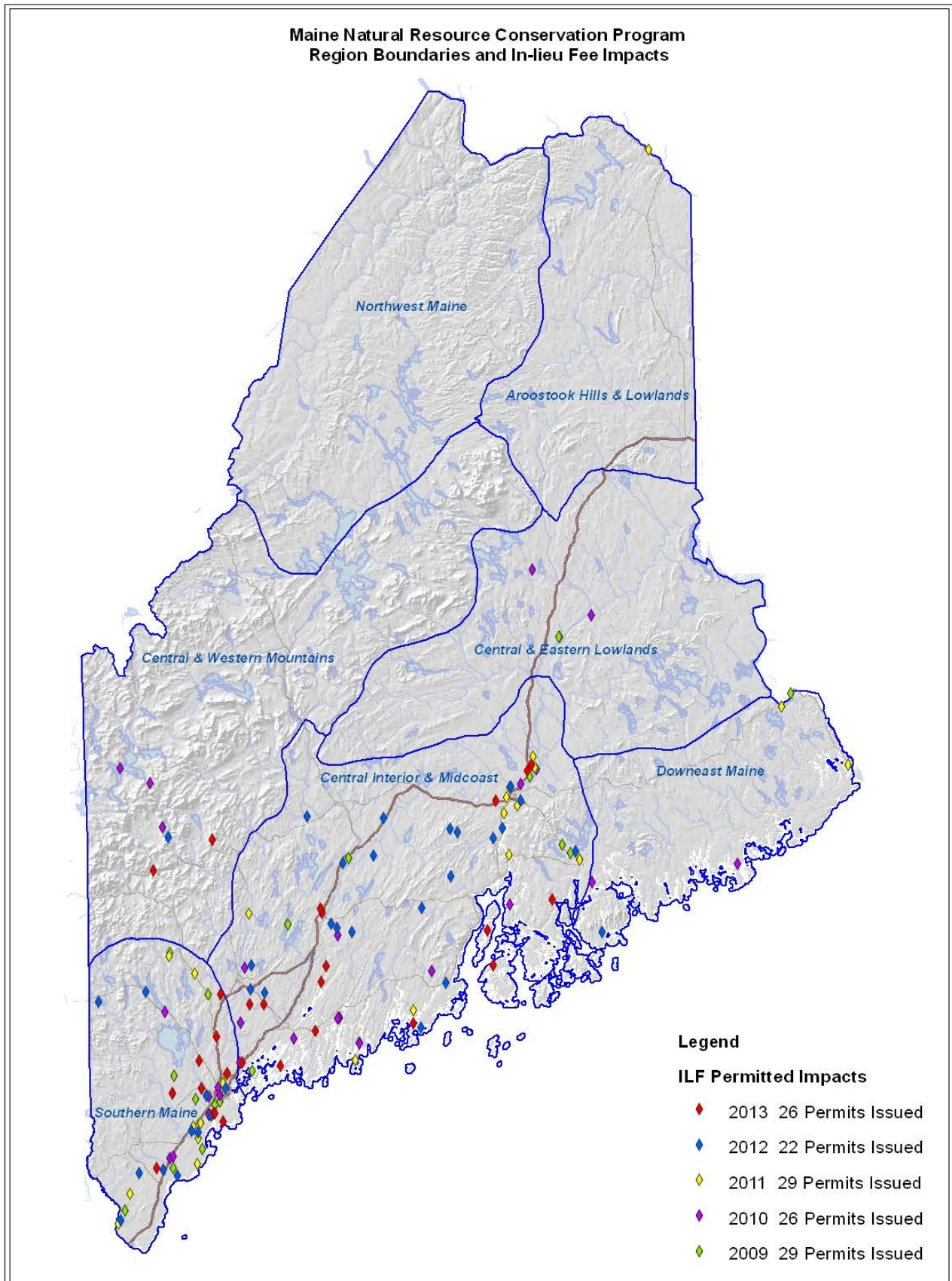
Southern Maine	Gulf of Maine Coastal Lowlands	2/24/2009	Three Diamonds Realty / Haigis Parkway Professional Center	L-24060-TE-B-N, NAE-2006-03126	Scarborough	21,344	Freshwater Wetland	Fill	\$77,254.61
Southern Maine	Gulf of Maine Coastal Lowlands	2/24/2009	MC Portland, LLC / Morrill's Crossing	L-23925-TE-B-N	Portland	19,025	Freshwater Wetland	Fill	\$68,860.75
Southern Maine	Gulf of Maine Coastal Lowlands	5/7/2009	Central Maine Power / CMP South Gorham Substation Expansion	L-17618-TH-E-N, NAE-2008-03010	Gorham	45,468	Freshwater Wetland	Fill	\$164,571.43
Southern Maine	Gulf of Maine Coastal Lowlands	5/19/2009	Kennebunk Sewer District / Kennebunk WWTP Flood Mitigation Berm	L-024457-4C-C-N, NAE-2009-00616	Kennebunk	6,884	Freshwater & Coastal	Fill	\$35,553.75
Southern Maine	Gulf of Maine Coastal Lowlands	6/5/2009	Town of Falmouth Public Schools / Falmouth Athletic Fields	L-19593-TE-H-N, NAE-2009-00612	Falmouth	20,623	Freshwater Wetland	Fill	\$74,644.95
Southern Maine	Gulf of Maine Coastal Lowlands	9/30/2009	Maine DOT / I-95 Exits 3 & 4	PBR 44921, NAE-2007-03377	South Portland	6,000	Coastal Wetland	Fill	\$45,144.00
Southern Maine	Gulf of Maine Coastal Lowlands	11/16/2009	University of New England / UNE Campus Expansion	NAE-2009-01365	Biddeford	83,199	Freshwater Wetland	Fill	\$259,250.25
Southern Maine	Gulf of Maine Coastal Lowlands	5/18/2010	Maine DOT / Eastern Trail	PBR 48073, NAE-2009-01193	Kennebunk	6,027	Freshwater Wetland	Fill	\$20,238.67
Southern Maine	Gulf of Maine Coastal Lowlands	5/18/2010	City of Portland / Westside Sewer Replacement	L-24743-TE-A-N, L-24743-IW-B-N	Portland	24,191	Freshwater Wetland	Fill	\$90,580.44
Southern Maine	Gulf of Maine Coastal Lowlands	5/18/2010	Maine DOT / Eastern Trail 2, amendment	PBR 40873, NAE-2009-01193	Arundel	518	Freshwater Wetland	Fill	\$1,839.52
Southern Maine	Gulf of Maine Coastal Lowlands	5/18/2010	City of Portland / Fall Brook Phase 3	L-20543-TG-E-N	Portland	2,200	Freshwater Wetland	Fill	\$8,237.68
Southern Maine	Gulf of Maine Coastal Lowlands	8/23/2010	Central Maine Power / Maine Power Reliability Project	L-24620-26-A-N, L-24620-TG-B-N, L-24620-VP-C-N, L-24620-IW-D-N, L-24620-L6-E-N, NAE-2008-03017	Westbrook	16,952	Freshwater Wetland	Fill	\$67,812.28

Southern Maine	Gulf of Maine Coastal Lowlands	11/17/2010	Town of Scarborough / Haigis Parkway/Rt 1 intersection improvements	NAE-2010-00718	Scarborough	5,521	Freshwater Wetland	Fill	\$20,672.83
Southern Maine	Gulf of Maine Coastal Lowlands	11/17/2010	City of Portland / Capisic Brk Watershed CSO abatement	L-24743-TG-C-N, NAE-2010-00954	Portland	2,477	Freshwater Wetland	Fill	\$9,274.52
Southern Maine	Gulf of Maine Coastal Lowlands	4/13/2011	City of Portland / Fall Brook Phase 4	L-20543-TE-F-N	Portland	675	Freshwater Wetland	Fill	\$3,067.74
Southern Maine	Gulf of Maine Coastal Lowlands	4/13/2011	Mezoian Development, LLC. / Juniper Knoll	L-21678-TE-G-N	Saco	388	Freshwater Wetland	Fill	\$1,806.22
Southern Maine	Gulf of Maine Coastal Lowlands	8/24/2011	PM Construction / FedEx Distribution Ctr. Expansion	L-20739-TE-F-N, NAE-2011-01111	Saco	4,452	Freshwater Wetland	Fill	\$16,956.78
Southern Maine	Gulf of Maine Coastal Lowlands	8/24/2011	Central Maine Power. / CMP Section 117 Transmission Line	NAE-2011-00460	North Berwick	88,390	Freshwater Wetland	Fill, temp. matting	\$44,099.28
Southern Maine	Gulf of Maine Coastal Lowlands	8/24/2011	Avesta Cascade Brook, LP / Cascade Brook Senior Apartments	L-23647-TA-J-N	Saco	161	Freshwater Wetland	Fill	\$684.31
Southern Maine	Gulf of Maine Coastal Lowlands	9/8/2011	Public Service Company of NH / Eliot Switching Station	NAE-2011-00752	Eliot	36,228	Freshwater Wetland	Fill, conversion, temp. matting	\$32,278.17
Southern Maine	Gulf of Maine Coastal Lowlands	9/8/2011	Central Maine Power / Saco Bay Section 159 Upgrade	NAE-2010-00400	Saco	209,210.97	Freshwater Wetland	Fill, conversion, temp matting	\$108,332.20
Southern Maine	Gulf of Maine Coastal Lowlands	11/2/2011	Town of Falmouth Public Schools / Public school sidewalk project	L-19593-TG-R-N, NAE-2009-00612	Falmouth	2,960	Freshwater Wetland	Fill	\$15,222.32
Southern Maine	Gulf of Maine Coastal Lowlands	11/2/2011	Town of Kennebunkport / Kings Highway reconstruction	L-25202-4E-A-N, NAE-2011-00550	Kennebunkport	1,407	Coastal Wetland	Fill	\$11,960.00
Southern Maine	Gulf of Maine Coastal Lowlands	11/2/2011	IDEXX Laboratories, Inc. / Administrative building amendement and pedestrian access	L-001671-TE-O-N, NAE-2007-01337	Westbrook	2,010	Freshwater Wetland	Fill	\$8,044.02
Southern Maine	Gulf of Maine Coastal Lowlands	4/4/2012	Daniel Higgins / Branch Heights Subdivision Lot 11	L-21743-TE-D-N	Wells	722	Freshwater Wetland	Fill	\$2,749.88

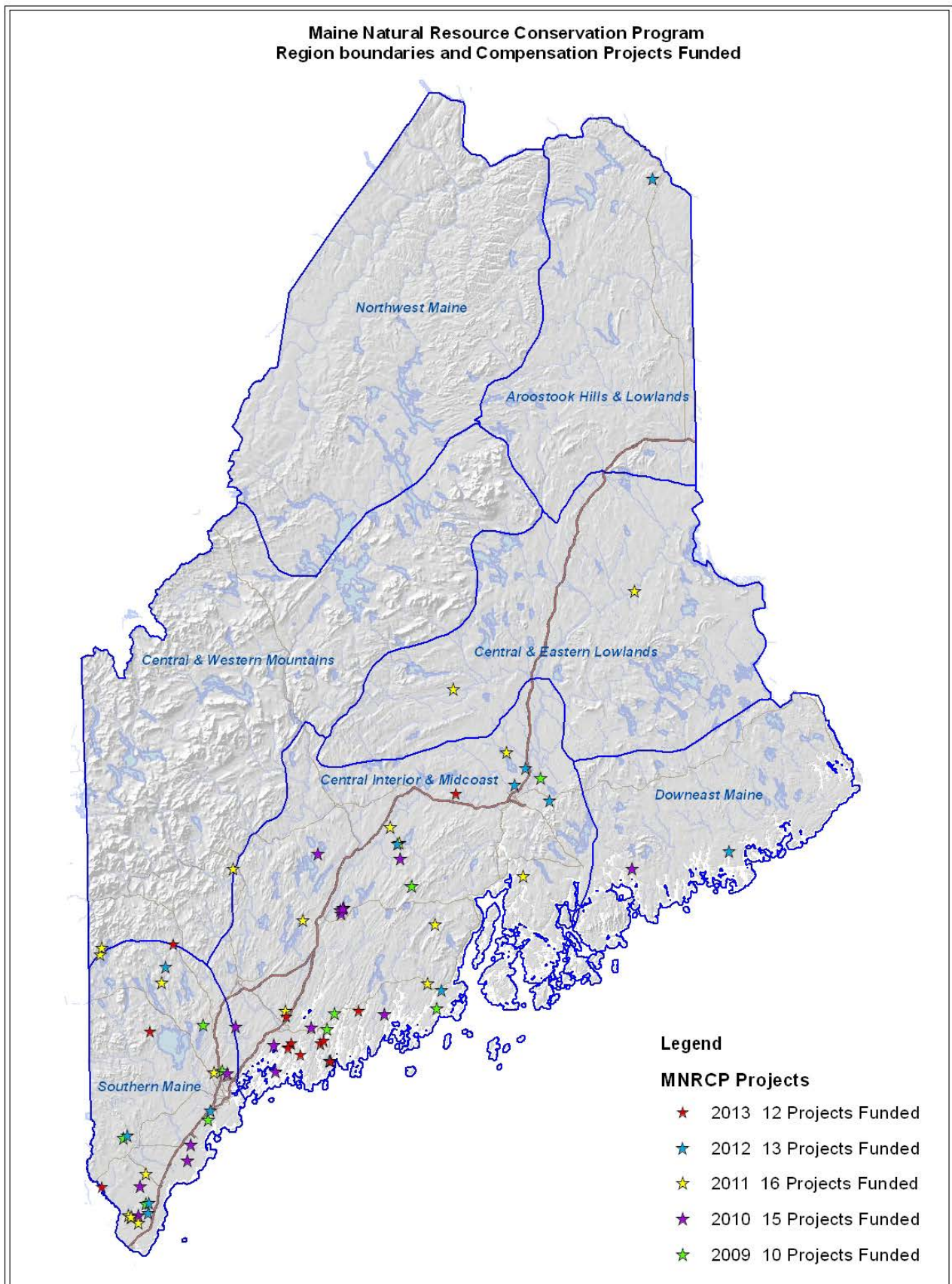
Southern Maine	Gulf of Maine Coastal Lowlands	4/4/2012	Central Maine Power / Saco Bay Section 159 Upgrade Amendment	NAE-2010-00400	Old Orchard Beach	48,823	Freshwater Wetland	Conversion	\$27,893.55
Southern Maine	Gulf of Maine Coastal Lowlands	5/2/2012	South Point Investment Co, LLC / Evergreen Farms Subdivision; lots 38 & 39	L-14355-TE-U-N, NAE-2012-00107	Scarborough	2,520	Freshwater Wetland	Fill	\$10,062.04
Southern Maine	Gulf of Maine Coastal Lowlands	7/24/2012	Central Maine Power / Maine Power Reliability Project Revision 7	L-24620-TG-T-N	Gorham	1,049	Freshwater Wetland	Fill	\$942.08
Southern Maine	Gulf of Maine Coastal Lowlands	9/26/2012	Central Maine Power Co. / Saco Bay Section 159 Reinforcement	L-24867-TH-E-M, NAE-2010-00400	Saco	1,191	Freshwater Wetland	Fill	\$4,536.24
Southern Maine	Gulf of Maine Coastal Lowlands	10/3/2012	City of Portland / Fall Brook Sewer Separation	L-20543-TG-H-N, L-20543-2F-I-N	Portland	1,344	Freshwater Wetland	Fill	\$5,378.69
Southern Maine	Gulf of Maine Coastal Lowlands	10/3/2012	Maine DOT / Clay Hill Bridge Replacement	NAE-2012-00217	Kennebunk	1,000	Coastal Wetland	Fill	\$7,617.60
Southern Maine	Gulf of Maine Coastal Lowlands	4/3/2013	Wegman Family, LLC / Assisted Living Facility	L-23246-TE-I-N	Scarborough	4,115	Freshwater Wetland	Fill	\$16,468.23
Southern Maine	Gulf of Maine Coastal Lowlands	5/30/2013	CMP / MPRP Revision 8	L-24620-TG-X-N, NAE-2008-03017	Gorham	620	Freshwater Wetland	Fill	\$4,025.92
Southern Maine	Gulf of Maine Coastal Lowlands	5/30/2013	Fairway Villas, Inc. / The Woodlands Lot 47	L-13859-TE-K-N, NAE-2012-01001	Falmouth	11,560	Freshwater Wetland	Fill	\$46,263.12
Southern Maine	Gulf of Maine Coastal Lowlands	8/7/2013	Maine Life Care Retirement Community, Inc. / Piper Shores Walking Trail	L-19496-TA-N-N	Scarborough	770	Freshwater Wetland	Fill	\$3,081.54
Southern Maine	Gulf of Maine Coastal Lowlands	10/2/2013	Biddeford Savings / Biddeford Savings Bank Branch	L-23246-TE-N-M, NAE-2013-01006	Scarborough	13,190	Freshwater Wetland	Fill	\$52,786.84
Southern Maine	Gulf of Maine Coastal Lowlands	12/10/2013	Central Maine Power / MPRP Revision 9	L-24620-TG-AB-N		495	Freshwater Wetland	Fill	\$3,961.98
Southern Maine	Gulf of Maine Coastal Plain	4/4/2012	Northeast Trading Company / Bernice Avenue Subdivision	L-22407-TE-E-N	Sanford	2,580	Freshwater Wetland	Fill	\$9,826.52

Southern Maine	Gulf of Maine Coastal Plain	7/24/2012	Central Maine Power / Maine Power Reliability Project Rev. 7	L-24620-TG-T-N	Buxton	32	Freshwater Wetland	Fill	\$107.46
Southern Maine	Gulf of Maine Coastal Plain	5/30/2013	CMP / MPRP Revision 8	L-24620-TG-X-N, NAE-2008-03017	Buxton	11	Freshwater Wetland	Fill	\$70.84
Southern Maine	Sebago-Ossipee Hills and Plain	3/27/2009	Maine DOT / Route 26 Upgrade	PBR 47161, NAE-2008-02836	Poland	100,719	Freshwater Wetland	Fill	\$397,264.78
Southern Maine	Sebago-Ossipee Hills and Plain	7/29/2009	Dana Lampron / Lampron Pit Stop Building Addition	L-17170-TE-I-N	Standish	527	Freshwater Wetland	Fill	\$1,907.60
Southern Maine	Sebago-Ossipee Hills and Plain	7/29/2009	Maine DOT / Route 117 Reconstruction	PBR 47530, NAE-2009-00226	Norway	63,360	Freshwater & Signif. Wildlife Hab.	Fill	\$265,626.73
Southern Maine	Sebago-Ossipee Hills and Plain	11/17/2010	Maine DOT / Naples Bay Bridge reconstruction	PBR 49918, NAE-2008-03014	Naples	6,339	Freshwater Wetland	Fill	\$47,561.37
Southern Maine	Sebago-Ossipee Hills and Plain	3/23/2011	Maine DOT / Rt 117 reconstruction, Norway	PBR 49726, NAE-2010-00469	Norway	56,268	Freshwater & Signif. Wildlife Hab.	Fill	\$205,075.56
Southern Maine	Sebago-Ossipee Hills and Plain	4/22/2011	Black Bear Realty Co. LLC / Oxford Resort Casino	L-25203-TE-B-N, NAE-2010-02257	Oxford	42,430	Freshwater Wetland	Fill	\$135,843.52
Southern Maine	Sebago-Ossipee Hills and Plain	4/22/2011	Pitstop Fuels/Dana Lampron / Pitstop Fuels Bulk Storage Facility	L-25002-2G-B-M	Gray	3,531	Freshwater Wetland	Fill	\$4,147.36
Southern Maine	Sebago-Ossipee Hills and Plain	6/6/2012	Maine DOT / Mountain Division Rail Trail Fryeburg	PBR-53207, NAE-2011-02058	Fryeburg	64,730	Significant Wildlife Habitat	Fill and conversion	\$221,924.21
Southern Maine	Sebago-Ossipee Hills and Plain	7/18/2012	ML Investments, LLC / Bridgton McDonalds	L-22289-TE-G-M, NAE-2010-01768	Bridgton	74,915	Freshwater Wetland	Fill, culvert	\$18,400.00
Southern Maine	Sebago-Ossipee Hills and Plain	10/2/2013	PitStop Fuels Expansion / PitStop Fuels	L-25002-2G-C-N	Gray	1,740	Freshwater Wetland	Fill	\$18,249.12
Southern Maine	Sebago-Ossipee Hills and Plain	10/30/2013	Regional School Unit 14 / RSU Elementary School Improvements	L-15060-TG-I-N, NAE-2013-01265	Windham	497	Freshwater Wetland	Fill	\$1,988.99

## Appendix C



## Appendix D



## **Appendix E**

### **MNRCP Project Review Criteria**

Full Proposals are evaluated by a multi-agency Review Committee, chaired by DEP, that includes representatives from the U.S. Army Corps of Engineers, Maine Department of Inland Fisheries and Wildlife, Maine Department of Conservation, Maine Natural Areas Program, Maine State Planning Office, Maine Department of Transportation, Maine Department of Marine Resources, Maine Audubon, the Maine Association of Conservation Commissions, and The Nature Conservancy, which is a non-voting member. The Review Committee evaluates Full Proposals using the criteria described below.

#### **1. Potential to Meet MNRCP Goals (30%)**

Assesses the extent to which the proposal meets the core program requirement that a project sustainably restores, enhances, preserves, or creates wetlands or other resources determined by the Maine Natural Resource Conservation Program to be Priority Resource Types. Considerations include:

- The sustainability of the proposed conservation action (restoration, enhancement, preservation, creation) and the acreage affected. To fully meet this criterion, projects must include a restoration or enhancement component in addition to permanent preservation.
- The resource types restored, enhanced, preserved or created and the degree to which the proposed project replaces the functional benefits of impacted resources in the Biophysical Region based on a functional assessment of the project.
- The proximity of the proposed project to impacted resources in the Biophysical Region. To fully meet this criterion, projects must occur within the same ecoregional sub-section as a permitted impact. Please contact us for maps to help assess proximity to permitted impacts.
- For preservation projects, the threat of degradation to the site over the next 20 years, if the property is not protected. Zoning, road access, adjacent land uses, regional development trends, and other factors will be considered. Properties that are mostly or entirely wetland may have a difficult time demonstrating likely threat.
- The inclusion of upland areas sufficient to protect, buffer, or support identified resource functions on the property as well as on adjacent conservation areas or undeveloped large blocks of habitat.
- The current and proposed condition of the property, and the “functional lift” provided by the project (e.g., the proposed change in habitat quality, the contribution to functioning biological systems, water quality and the level of degradation).



## **Landscape Context (20%)**

Assesses the extent to which the proposal meets the core program requirement to consider the location of a potential project relative to statewide focus areas for land conservation or habitat preservation identified by a state agency, or other regional or municipal plans. Considerations include:

- Presence within or adjacent to habitat areas of statewide conservation significance (Beginning with Habitat Focus Area) or other natural resource priority areas.
- Presence within or adjacent to public or private conservation lands to maintain and preserve habitat connectivity.
- Presence of natural resources of significant value and/or rarity within the project site boundaries.

## **2. Project Readiness/Feasibility (20%)**

Assesses the extent to which the proposal meets the core program requirement to demonstrate project readiness and likelihood of success, where success is defined by the ability of the project to meet MNRCP goals as stated in the proposal. Considerations include:

- Documentation of the willingness of the landowner and a qualified, long-term management entity to participate in proposed project, including conveying the property or a conservation easement with respect to the property (for projects not on public or private conservation lands).
- Level of project urgency (e.g., area of rapid development or on-going site degradation, other available funding with limited timing, option to purchase set to expire, etc.)
- Degree to which the proposal demonstrates an understanding of resource conservation issues and needs.
- Soundness of the technical approach of the conceptual plan presented in the application.
- Initial progress (e.g., planning, fundraising, contracting, site design, etc.).
- Likelihood that the project will meet proposed schedule and/or required deadlines.
- Likelihood that the proposed actions will achieve the anticipated ecological benefits and results.
- Completeness and feasibility of the long-term stewardship and monitoring plan, including endowment.
- Potential for adverse impacts (such as flooding or habitat loss) associated with the project.
- Conformance with any applicable Army Corps of Engineers and state mitigation policy, guidance and permitting requirements, including appropriate financial assurances for any construction activity.

### 3. **Project Sponsor Capacity** (15%)

Assesses the extent to which the proposal meets the core program requirement to provide for long-term management and/or stewardship by a responsible state or federal resource agency, or conservation organization. Considerations include:

- Presence of a qualified, capable conservation entity willing to sponsor and/or maintain the project.
- Level of support and involvement of other relevant agencies, organizations, and local community.
- Degree to which the project sponsor, and any associated partners, demonstrate the financial, administrative, and technical capacity to undertake and successfully complete the project.
- Adequacy of long-term stewardship to ensure that the project is sustainable over time and presence of a funding mechanism for the associated costs (e.g., endowment or trust).
- Legal and financial standing of the project sponsor.
- Quality and completeness of proposal materials.

### 4. **Cost Effectiveness** (10%)

Assesses the extent to which the proposal meets the program requirement that a project represent an efficient use of funds expended given the condition, location and relative appraised values of the property. Considerations include:

- Clarity and detail of the budget submitted.
- Sufficiency of funds available in the applicable biophysical region.
- Availability and source of matching funds necessary to complete the project.

### 5. **Other Benefits** (5%)

Assesses the potential for this project to support economic activity, job creation, recreational access, scenic enhancements or other contributions to “Quality of Place” in the town or region where the project is located.

## Appendix F

### MNRCP Debit and Credit Summary

(as of September 30, 2013)

MNRCP Region: Aroostook Hills & Lowlands			Funds Remaining:		\$99,570
Habitat Type	Debits (Impact)	% of Total Debits in Region	Credits (Compensation)	% of Total Credits in Region	Balance Credits-Debits
Freshwater wetland Emergent	0.142	7.7%	0.000		-0.142
Freshwater wetland Forested	1.119	60.5%	0.133	3.84%	-0.986
Freshwater wetland Scrub-Shrub	0.587	31.7%	0.166	4.77%	-0.421
Freshwater wetland Unconsolidated Bottom			1.014	29.22%	1.014
Inland waterfowl			1.228	35.39%	1.228
River Riparian			0.000		0.000
River/Stream			0.000		0.000
Upland			0.929	26.78%	0.929
<b>Regional Totals</b>	<b>1.848</b>		<b>3.469</b>		<b>1.621</b>

MNRCP Region: Central & Eastern Lowlands			Funds Remaining:		\$1,346
Habitat Type	Debits (Impact)	% of Total Debits in Region	Credits (Compensation)	% of Total Credits in Region	Balance Credits-Debits
Freshwater wetland Emergent	0.074	1.1%	0.023	0.05%	-0.050
Freshwater wetland Forested			18.291	40.54%	18.291
Freshwater wetland Scrub-Shrub	0.637	9.6%	10.662	23.63%	10.025
Freshwater wetland Unconsolidated Bottom			0.000		0.000
Inland waterfowl	5.560	83.5%	5.601	12.41%	0.041
Lake, Limnetic			0.802	1.78%	0.802
River Riparian			0.000		0.000
River/Stream			0.000		0.000
Upland			9.743	21.59%	9.743
Vernal pool critical terrestrial habitat	0.390	5.9%	0.000		-0.390
<b>Regional Totals</b>	<b>6.661</b>		<b>45.122</b>		<b>38.462</b>

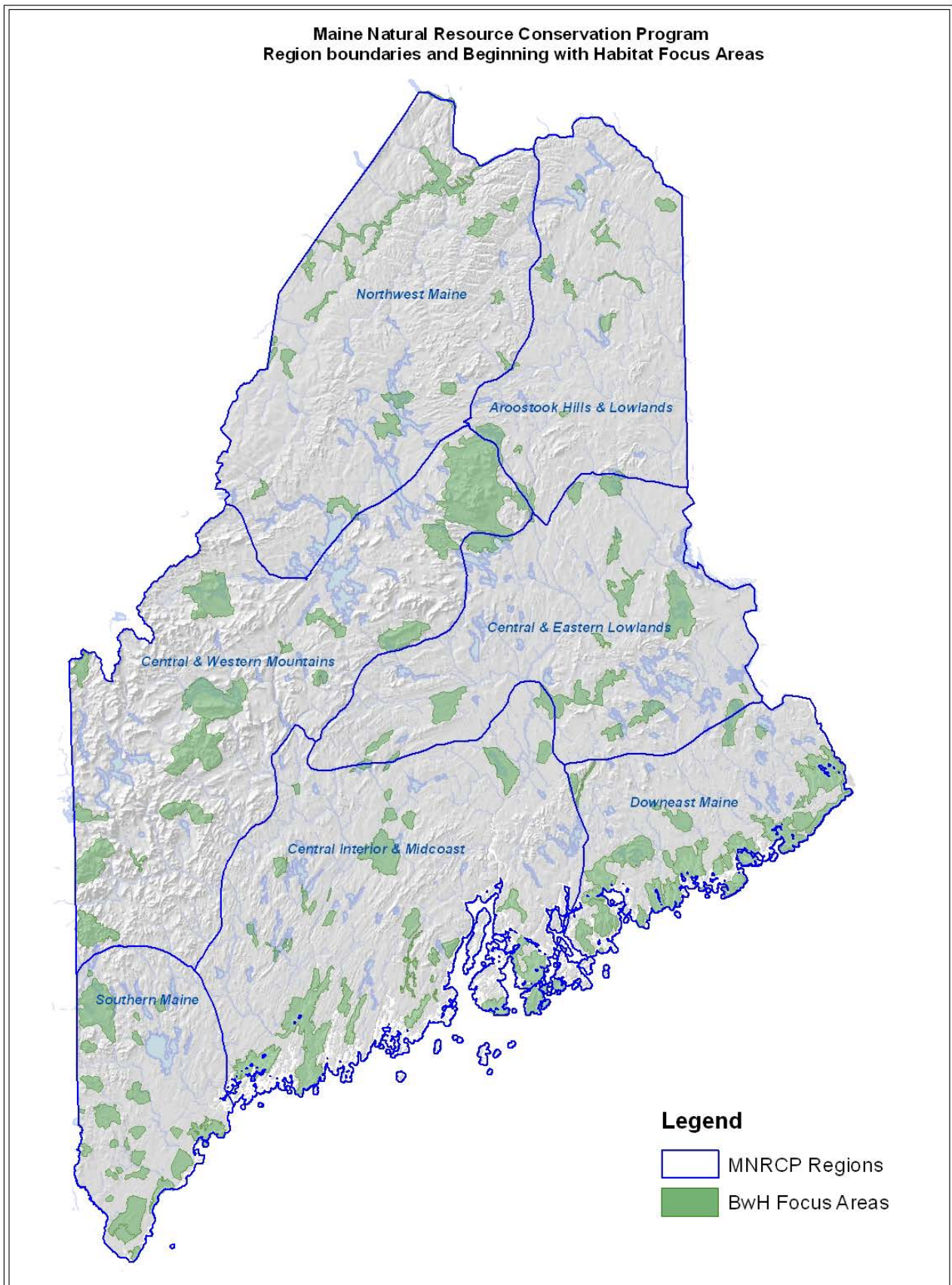
MNRCP Region: Central & Western Mountains			Funds Remaining: \$147,516		
Habitat Type	Debits (Impact)	% of Total Debits in Region	Credits (Compensation)	% of Total Credits in Region	Balance Credits-Debits
Freshwater wetland Emergent	0.763	24.4%	0.132	1.20%	-0.631
Freshwater wetland Forested	1.753	56.2%	1.590	14.46%	-0.163
Freshwater wetland Scrub-Shrub	0.184	5.9%	1.040	9.45%	0.855
Freshwater wetland Unconsolidated Bottom			0.065	0.59%	0.065
Inland waterfowl			1.899	17.27%	1.899
Lake, Limnetic			0.091	0.82%	0.091
River/Stream	0.024	0.8%	0.000		-0.024
Upland			6.182	56.21%	6.182
Vernal pool critical terrestrial habitat	0.397	12.7%	0.000		-0.397
<b>Regional Totals</b>	<b>3.121</b>		<b>10.998</b>		<b>7.876</b>

MNRCP Region: Central Interior & Midcoast			Funds Remaining: \$1,330,998		
Habitat Type	Debits (Impact)	% of Total Debits in Region	Credits (Compensation)	% of Total Credits in Region	Balance Credits-Debits
Coastal wetland Estuarine intertidal	0.308	0.5%	0.910	0.63%	0.602
Coastal wetland Estuarine subtidal	0.058	0.1%	0.002	0.00%	-0.056
Coastal wetland Marine intertidal	0.507	0.9%	0.606	0.42%	0.099
Coastal wetland Marine subtidal	0.196	0.3%	0.000		-0.196
Freshwater wetland Emergent	8.026	14.1%	7.680	5.33%	-0.346
Freshwater wetland Forested	15.067	26.5%	53.381	37.06%	38.313
Freshwater wetland Open Water			0.004	0.00%	0.004
Freshwater wetland Scrub-Shrub	8.927	15.7%	11.900	8.26%	2.973
Freshwater wetland Unconsolidated Bottom			1.338	0.93%	1.338
Inland waterfowl			4.056	2.82%	4.056
Lake, Limnetic			0.000		0.000
River Riparian			0.755	0.52%	0.755
River/Stream	0.091	0.2%	0.106	0.07%	0.015
Upland			61.810	42.92%	61.810
Vernal pool	0.766	1.3%	0.086	0.06%	-0.680
Vernal pool critical terrestrial habitat	22.866	40.2%	1.385	0.96%	-21.481
<b>Regional Totals</b>	<b>56.812</b>		<b>144.019</b>		<b>87.207</b>
<i>River/stream fish passage projects</i>	<i>NA</i>		<i>4,395.02</i>		

MNRCP Region: Downeast Maine			Funds Remaining:		\$0
Habitat Type	Debits (Impact)	% of Total Debits in Region	Credits (Compensation)	% of Total Credits in Region	Balance Credits-Debits
Coastal wetland Estuarine intertidal			0.010	0.14%	0.010
Coastal wetland Estuarine subtidal			0.011	0.15%	0.011
Coastal wetland Marine intertidal	0.011	0.3%	0.000		-0.011
Coastal wetland Marine subtidal	0.013	0.3%	0.000		-0.013
Freshwater wetland Emergent	0.247	6.5%	0.786	10.68%	0.539
Freshwater wetland Forested	0.467	12.3%	2.498	33.93%	2.031
Freshwater wetland Scrub-Shrub	0.468	12.3%	2.113	28.69%	1.644
Inland waterfowl			1.944	26.41%	1.944
Lake, Limnetic			0.000		0.000
Vernal pool critical terrestrial habitat	2.594	68.2%	0.000		-2.594
<b>Regional Totals</b>	<b>3.801</b>		<b>7.363</b>		<b>3.562</b>
<i>River/stream fish passage projects</i>	<i>NA</i>		<i>196.16</i>		

MNRCP Region: Southern Maine			Funds Remaining:		\$256,472
Habitat Type	Debits (Impact)	% of Total Debits in Region	Credits (Compensation)	% of Total Credits in Region	Balance Credits-Debits
Coastal wetland Estuarine intertidal	0.210	0.8%	0.200	0.33%	-0.010
Freshwater wetland Emergent	3.382	12.9%	0.963	1.58%	-2.419
Freshwater wetland Forested	16.376	62.3%	18.115	29.77%	1.739
Freshwater wetland Scrub-Shrub	5.331	20.3%	4.475	7.35%	-0.856
Freshwater wetland Unconsolidated Bottom			1.020	1.68%	1.020
Freshwater wetland Unconsolidated Shore			0.023	0.04%	0.023
Inland waterfowl			1.938	3.18%	1.938
Lake, Limnetic	0.146	0.6%	0.058	0.10%	-0.088
Lake, Littoral	0.015	0.1%	0.000		-0.015
River Riparian			0.585	0.96%	0.585
River/Stream	0.210	0.8%	0.010	0.02%	-0.200
Upland	0.078	0.3%	25.832	42.44%	25.754
Vernal pool	0.094	0.4%	0.365	0.60%	0.270
Vernal pool critical terrestrial habitat	0.446	1.7%	7.277	11.96%	6.831
<b>Regional Totals</b>	<b>26.288</b>		<b>60.860</b>		<b>34.572</b>

## Appendix G



## **Appendix H**

### **Information on Priority Areas, Species and Habitats**

Projects that provide the best outcomes in habitat areas of statewide significance, or that are within or adjacent to other public or private conservation lands, or other natural resource priority areas or that contain habitat for priority species are preferred. Listed below are online resources that may be useful in determining whether a project is located within or adjacent to a resource priority area, though they are not intended to be a complete listing.

***Beginning with Habitat Focus Areas (BwH):*** BwH provides information about important habitat features including riparian habitats, large habitat blocks, and high value plant and animal habitats including rare plant locations and rare or exemplary Natural Communities; Essential Habitat (designated for some endangered animals); Significant Wildlife Habitat (for deer, waterfowl and wading birds, nesting seabirds, shorebirds, and vernal pools); and Rare Animal Locations.

*For more information about Beginning with Habitat Focus Areas, contact Maine Department of Inland Fisheries and Wildlife (IFW) or go to:* <http://www.maine.gov/dacf/mnap/focusarea/index.htm>

***State public lands:*** Lands owned by the State of Maine including areas such as IFW Wildlife Management Areas, and Maine Department of Conservation (DOC) Public Reserved Lands and parks (State Historic Sites are not included in the Maine Natural Resource Conservation Program).

***IFW Wildlife Management Areas:*** <http://www.maine.gov/ifw/wildlife/land/department/wma.html>

***Public Reserved Lands or Parks:*** [http://www.maine.gov/doc/parks/programs/db\\_search/index.html](http://www.maine.gov/doc/parks/programs/db_search/index.html)

***Significant Wildlife Habitat:*** Significant Wildlife Habitats covered under the Maine Natural Resource Conservation Program include: Significant Vernal Pools, Inland Waterfowl and Wading Bird Habitat, Tidal Waterfowl and Wading Bird Habitat, Shorebird Feeding & Staging Areas. The Maine Department of Environmental Protection (DEP) provides links to locations of significant wildlife habitats via Google Earth: [http://www.maine.gov/dep/gis/datamaps/#NRPA\\_Bird](http://www.maine.gov/dep/gis/datamaps/#NRPA_Bird)

DEP's Natural Resources Protection Act page provides additional information about resource types: <http://www.maine.gov/dep/blwq/docstand/nrpapage.htm>

Maine Office of GIS has interactive online maps of ***Significant Wildlife Habitats*** (under DEP maps) and ***Maine Atlantic Salmon Habitat*** (under DMR maps: <http://megis.maine.gov/maps/>)

***Endangered and Threatened Wildlife*** information: <http://www.maine.gov/ifw/wildlife/endangered/>

***Endangered & Threatened Species lists:*** [http://www.maine.gov/ifw/wildlife/endangered/listed\\_species\\_me.htm](http://www.maine.gov/ifw/wildlife/endangered/listed_species_me.htm)

***Essential Wildlife Habitats:*** [http://www.maine.gov/ifw/wildlife/endangered/essential\\_habitat/index.html](http://www.maine.gov/ifw/wildlife/endangered/essential_habitat/index.html)

***Maine Species of Special Concern:*** <http://www.maine.gov/ifw/wildlife/endangered/specialconcern.htm>

***Species of Greatest Conservation Need:*** See Maine's Comprehensive Wildlife Conservation Strategy September 2005; Chapter 3 – Distribution and Abundance of Wildlife, section 3.3  
[http://www.maine.gov/ifw/pdfs/reports\\_chapter3.pdf](http://www.maine.gov/ifw/pdfs/reports_chapter3.pdf)

***Brook Trout*** information can be found on the Eastern Brook Trout Joint Venture website: <http://128.118.47.58/EBTJV/ebtjv2.html>

***Natural Communities and Rare Plant*** information from the Maine Natural Areas: <http://www.maine.gov/dacf/mnap/features/index.htm>

## **APPENDIX I**

### **Compensation Planning Framework**

#### **Summary of Conservation Objectives for each MNRCP Region**

##### **Aroostook Hills and Lowlands**

- Encourage preservation projects, particularly in areas of projected development expansion, to ensure that the region's extensive aquatic resources remain intact and functional into the future.
- Pursue opportunities to restore marginal or non-productive agricultural land to priority resources.

##### **Central and Eastern Lowlands**

- Encourage preservation projects, particularly in areas of projected development expansion, to ensure that the region's extensive aquatic resources remain intact and functional into the future.
- Support efforts to restore fish passage in the Penobscot River watershed.

##### **Central and Western Mountains**

- Encourage preservation projects, particularly in areas of projected development expansion, to ensure that aquatic resources remain intact and functional into the future.
- Support efforts to restore fish passage in the Penobscot River watershed.
- Pursue opportunities to restore marginal or non-productive agricultural land to priority resources.

##### **Central Interior and Midcoast**

- Actively pursue opportunities to restore priority resource types, particularly coastal resources, as well as opportunities to restore marginal or non-productive agricultural land.
- Support efforts to restore fish passage in the Penobscot River watershed.
- Encourage preservation projects, particularly for vernal pools and headwater streams (1st and 2nd order), and in areas of projected development expansion, to ensure that the region's extensive aquatic resources remain intact and functional into the future.

##### **Downeast Maine**

- Encourage preservation projects, particularly in areas of projected development expansion, to ensure that aquatic resources remain intact and functional into the future.
- Pursue opportunities to restore priority resource types, particularly coastal resources.
- Support efforts to restore diadromous fish passage.

##### **Northwest Maine**

- Encourage preservation projects to ensure that the region's largely intact aquatic resources remain intact and functional into the future.

##### **Southern Maine**

- Actively pursue opportunities to restore priority resource types, particularly coastal resources, as well as opportunities to restore marginal or non-productive agricultural land.
- Encourage preservation projects, particularly for vernal pools and headwater streams (1st and 2nd order), and in areas of projected development expansion, to ensure that the region's remaining aquatic resources remain intact and functional into the future.