



JOHN ELIAS BALDACCI
Governor

MARTHA E. FREEMAN
Director

November 12, 2008

Janet White, Selectperson
Judith Wills, Chairperson
Town of New Portland
PO Box 629
New Portland, ME 04954

Dear Ms. White & Ms. Wills:

Thank you for submitting the 2004 Town of New Portland Comprehensive Plan to the State Planning Office (Office) for review for consistency with the Maine Growth Management Act (M.R.S.A. 30-A §4312 et seq - the Act). The Town and the Comprehensive Planning Committee are to be congratulated for all of the hard work that went into producing the Plan.

The Office has completed our review of your Plan for consistency with the Act using the “old” Comprehensive Planning Criteria Rule (Chapter 202), per the request of the Town. We regret to inform you that the State Planning Office finds the Town of New Portland Comprehensive Plan to be *inconsistent* with the Act and Rule.

These findings consist of four sections:

1. The first provides the State Planning Office’s (SPO) general Conclusions about the Plan, indicating overall strengths and weaknesses.
2. The second section identifies Inconsistencies of the Plan and SPO’s Recommendations for addressing them. Inconsistencies indicate those parts of the Plan that do not adequately address the goals in the Act. Recommendations provide one way, though certainly not the only way, the Town could modify the Plan to address the inconsistency. Occasionally suggestions, that do not affect consistency, are included in this section. The Town need not follow these suggestions to address an inconsistency with the Act. See comment on Suggestions in the third section below.
3. The second section provides Suggestions for how the Town might modify the Plan or issues it might explore to improve or strengthen the Plan to better meet State and Local goals.
4. The forth section identifies Other Agency Comments that have been received from State agencies, regional councils, or other interested parties (attached and printed on blue paper). As with the Suggestions from our office, incorporation of the Agency Comments are not necessary in order for the Plan to be found consistent, however they point up areas where the town might strengthen sections of the Plan to better address agency interest and goals.

SECTION I. CONCLUSIONS

New Portland is a unique community situated in a unique landscape in the Carrabassett River watershed. New Portland has three village areas and has seen most new development, which happens to be seasonal in character, occurring along roads connecting these villages.

The Plan appears to be an update of an earlier plan prepared in 1992 and is dated October 2004. It is unclear what happened between that time and when it was submitted to SPO in September 2008. The Plan has significant deficiencies that require a full review, assessment, and update of nearly all chapters of the 2004 document. In addition, pages 72 and 73 are missing.

To achieve the intent of the Town's historic planning efforts and the intent of the Growth Management Act a new Planning Committee should be appointed by the Select Board to undertake an intensive and extensive review of the current document. The committee should seek guidance from Kennebec Valley Council of Governments (KVCOG) in Fairfield to outline a strategy for undertaking a new planning process. State agencies offering comments and recommendations in this review should be solicited for additional technical assistance, access to current information (including maps) and approaches for managing natural resources and the built environment.

SECTION II. INCONSISTENCIES

Inconsistency 1

The Plan dated October 2004 is outdated and lacks significant amounts of inventory and analysis and includes many implementation strategies whose time frames have already expired. (see CPRCR Section 3. A. and Section 7. A.)

Recommendation 1

The entire Plan should be reviewed and updated with current information including additional mapped information. Implementation strategies should be assessed for achievement and outcomes, where appropriate strategies should be recalibrated with appropriate timelines or new strategies prepared to address incomplete policy objectives. Strategies found to be vague, unclear or impractical should be redrafted to allow for clear direction and measurable outcomes. The Plan's Fiscal Capacity section and Capital Investment Plan should be reviewed and updated with current information and to reflect current capital investment needs, priorities, and funding strategies and capacity.

Inconsistency 2

The Plan fails to adequately characterize the Water Resources of the Town. (see Comprehensive Plan Review Criteria Rule Chapter 202 [hereinafter CPRCR] : Sections 3. C. 8.)

Recommendation 2

The Plan should include mapped information depicting the watershed of the several lakes and ponds. The Plan should also include updated information regarding water quality of the Carrabassett River and the phosphorous loading information for lakes and ponds contained in comments from DEP attached hereto.

Inconsistency 3

The Plan fails to incorporate adequate strategies to adequately protect the Town's water bodies. (see CPRCR Section 7. A. 7)

Recommendation 3

The Plan should include specific strategies related to phosphorous control measures that should be incorporated into a subdivision ordinance to regulate the character of development in lake and pond watersheds. The discussion on pages 76 and 77 is vague and noncommittal. See DEP comments for additional strategies to improve resource protection.

Inconsistency 4

The Plan fails to adequately characterize the Towns critical natural resources and establish effective policies and strategies to protect these resources. (See CPRC Section 3. C. 9 and Section 5. A. 6.)

Recommendation 4

The Plan should include narrative and mapped information as provided in and recommended by the comments provided by (attached) the Department of Inland Fisheries and Wildlife and Department of Conservation, Beginning with Habitat Program (BwH). The committee organized to prepare revisions to this Plan should coordinate with Departmental program staff and schedule a presentation of available information to improve its understanding of these critical natural resources. Additional discussion with BwH staff will aid in selecting appropriate policies and strategies from among those contained in the BwH toolbox.

In addition the committee should undertake an analysis of scenic resources and present a mapped assessment of such valued resources in New Portland.

Inconsistency 5

The Plan fails to include a strategy that calls for a zoning ordinance to implement the Future Land Use Plan. (See CPRC Section 7. A. 9.)

Recommendation 5

The Plan discusses and presents its land use strategy (p. 74-77). It appears to rely primarily on a Subdivision Ordinance and a Commercial Development Review Ordinance as the tools managing growth. Such ordinances can to some degree regulate the impact of certain types of development, however they are in and of themselves unable to regulate the location or guide the character of

development. For example, there is no provision in the land use plan which would direct the development off mobile home parks. Under current and proposed ordinance provisions such development could legally locate anywhere in Town. While this example may be extreme and unlikely, it illustrates the distinction between regulating impacts and regulating the character of proposed growth and rural areas.

The Plan recognizes some of the problem but proposes no specific measures to guide the outcomes. On page 75, the following statements appear: “We can do this by **establishing stricter rules for development in rural areas. By having more lenient rules near villages, we make it easier for a developer to locate there** than in rural areas.”

The Plan must include specific measures for a land use ordinance in order to achieve the desired outcome.

Similarly on page 77 the Plan says: “The ordinance **might** include some of the following: Building notification requirement; Basic set-back and lot size requirements; Basic environmental standards such as erosion control and road drainage.”

A legally enforceable land use ordinance must be consistent with and pursuant to an adopted comprehensive plan. “Might” is noncommittal and provides inadequate guidance to those responsible for drafting an ordinance.

Land use recommendation 8 on page 76 mentions an existing point system. The land use plan provides no additional information about the “point system”, its intended purpose, and does not evaluate its effectiveness in achieving its purposes.

Such ordinance provisions must be adequately described in the comprehensive Plan in order to be enforceable.

Lastly, the plan should include the missing pages 72 and 73 or as revised.

SECTION III. SUGGESTIONS

Forestry

Incorporate information provided by Maine Forest Service and see additional comments and recommendations for improvements from Maine Forest Service, attached.

Water Resources

The Town’s Flood Plain ordinance (last updated according to our records in 1992) should be updated to the more recent 2005 standards.

(see <http://www.maine.gov/spo/flood/ordinances/index.htm> for links to the latest ordinance info and for staff contact information at the Maine Flood Plain Management Program).

It is vital that the Committee obtain and incorporate a watershed map to illustrate and better understand water flows within lake watersheds.

Public Facilities/Capital Investment Plan (CInP)

Review recommended improvements for recreation presented (p. 60-61) identify estimated costs and include in capital facilities recommendations in the Capital Investment Plan.

The CInP should be reviewed and updated with revised timeframes for implementation.

SECTION IV – OTHER AGENCY COMMENTS

The following agencies reviewed and provided comments on the New Portland Plan (attached):

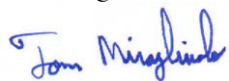
- The Maine Natural Areas Program, Maine Department of Inland Fisheries and Wildlife
- Maine Department of Environmental Protection (including phosphorous data)
- Department of Conservation Maine Forest Service
- Maine Historic Preservation Commission

The comments provide additional detail and other suggestions that you might find useful. While the State Planning Office agrees that the inclusion of these suggestions would improve the plan, including all of the suggestions may not be necessary to achieve a consistent finding.

We strongly encourage the Town to reconstitute a Planning Committee to update the Plan. Where agency recommendations include additional or updated data and information, the Committee should include such information in the revised Plan. In addition, corrections to references to documents mentioned in Agency findings should be corrected or adjusted to reflect current information provided. Note especially comments from the Maine Forest Service regarding forest management standards in the Forest Practices Act and the new provisions regarding forestry practice in the Shoreland Zone areas.

In closing, thank you again for submitting this plan for review. Please keep in mind the New Portland has only until November 12, 2010 to resubmit under Chapter 202. After that date New Portland must submit under Chapter 208. If we can be of assistance in any way, please contact me at 287-3215 or tom.miragliuolo@maine.gov. I would be happy to work with the Comprehensive Planning Committee or your consultant to address any questions you might have.

Best Regards,



Tom Miragliuolo
Senior Planner

cc: Chris Huck, Kennebec Valley Council of Governments
MacGregor Stocco, Kennebec Valley Council of Governments

Enclosures:

- Section IV - COMMENTS FROM OTHER STATE AGENCIES.
- Comprehensive Plan Review Criteria Rule (Chapter 202)

SECTION IV

COMMENTS FROM OTHER STATE AGENCIES



Maine Department of Inland
Fisheries and Wildlife
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John Elias Baldacci, Governor

Roland D. Martin,
Commissioner

Date: October 29, 2008
To: Tom Miragliuolo
From: Bethany Atkins
Re: Town of New Portland Comprehensive Plan Review

On behalf of the Maine Department of Inland Fisheries and Wildlife (MDIFW), the Beginning with Habitat Program (BwH), and the Maine Natural Areas Program (MNAP), I have reviewed the 2004 New Portland Comprehensive Plan and have provided the following comments.

As you are aware, MDIFW's mission is focused on the protection and enhancement of the State's freshwater fisheries and wildlife. MNAP has a commitment to conserving lands in Maine that support rare, threatened, and endangered plants and animals, and rare or exemplary natural communities. The BwH program provides objective and comprehensive habitat information to equip local decision-makers with the necessary tools to make informed and responsible land use decisions that mesh wildlife habitat conservation with future town growth needs. The comments submitted below are based on the Maine State Planning Office's (SPO) instructions for agency commentors as included on the SPO web-site. Included are comments from MDIFW Region D Wildlife and Fisheries Biologists Charles Hulsey and Dave Boucher.

Please feel free to contact me should you have any questions regarding this information.

- **Appropriate use of data provided by MDIFW & MNAP**

MDIFW data has not been used adequately in drafting the New Portland Comprehensive Plan. The plan fails to identify several mapped resources in the community in the narrative (inland wading bird and waterfowl habitats, significant vernal pools and rare species occurrences, for example) and the habitat types that are mentioned in the plan narrative are not clearly described and lack information on their functions and importance to the community. The plan also lacks a map depicting the community's important habitat types.

We recommend the Town of New Portland obtain up-to-date inventory from BwH and host a BwH workshop to answer any questions the Comprehensive Plan Committee may have. Specific suggestions for revisions and for updating natural resource inventory sections are included below.

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- **Relation of plan's policies and implementation strategies to MDIFW & MNAP principal objectives and directives**

The Town of New Portland's plan identifies very few specific strategies for implementation that would result in effective local policy changes that would promote conservation of habitat, maintain rural character, and support traditional rural industries within town boundaries. In addition, the proposed growth areas overlap with several important mapped habitats and rare species occurrences and the New Portland Action Plan does not identify any specific recommendations for addressing the protection of these habitats and for meshing the community's habitat needs with their future growth needs.

The Beginning with Habitat (BwH) program compiles tools crafted by municipalities throughout the state that address a broad range of local concerns each with habitat implications and provides these tools with technical assistance to towns in the process of comprehensive plan implementation. We encourage the Town of New Portland, whether through its planning board or future comprehensive plan implementation committee to work closely with BwH as it begins to consider plan implementation efforts that would better mesh habitat conservation with future growth needs.

- **Consistency of plan with MDIFW & MNAP programs and policies**

The Town of New Portland's Comprehensive Plan is not consistent with the program goals of MDIFW and MNAP.

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- **Further recommendations and suggestions**

Chapter 6 New Portland's Natural Resources

Pg. 29: When addressing maintaining the environmental quality of New Portland, wildlife habitat should be included in the list of elements important to preserve.

Surface Water Resources:

Pg. 30: The definition of wetlands included in the plan is very informal and includes the language "...areas which are too soggy to develop without expensive filling or engineering". The plan should include a standard and acceptable definition of a wetland.

Also, the plan incorrectly mentions that state and federal definitions of wetlands differ and can lead to difficulty for local authorities enforcing laws. State and federal definitions of regulated wetlands are, in fact, consistent with each other. It is the definition of regulated wetlands under Municipal Shoreland Zoning that differs. Towns can, however, adopt definitions consistent with state and federal rules to avoid confusion and by doing so will gain an added level of local authority leaving these towns not entirely reliant on the state and federal review process to protect these important local landscape features. For more information on the differences in definitions under federal, state and local rules, visit the BwH Toolbox section on wetlands and shoreland zoning http://www.beginningwithhabitat.org/toolbox/wetland_intro.html.

Pg 30: See *pg. 34* comments below related to inland wading bird and waterfowl habitat.

Pg 30: The description of development on New Portland's lakes and ponds is confusing and should be clarified. The first paragraph states that none of the lakes and ponds are significantly developed, however, the second paragraph states that there has been significant house building on New Portland's ponds.

Other Natural and Scenic Features:

Pg 33: The "Maine Natural Heritage Program" title is incorrect and should, instead read "Maine Natural Areas Program".

Pg. 33-34: The plan incorrectly states "there is no local information concerning rare species or natural areas in town". There are, in fact, two separate rare species that have been documented at three locations in New Portland. Creeper, a freshwater mussel species of special concern, has been documented at Lemon Stream and at Gilman Stream and the brook floater, a freshwater mussel species listed as Threatened in Maine, has also been documented at Gilman Stream. BwH can provide New Portland with the most up to date plant and wildlife data available. Contact BwH for more information.

Pg. 34: The plan states that only one wetland was identified as valuable for waterfowl. The most recent data, however, identifies several wetlands that have been identified as high or moderate value wading bird and waterfowl habitat. We encourage New Portland to use the most up to date information available in their planning. BwH can provide up to date natural resource information to the Town, including up to date wading bird and waterfowl habitat information.

Pg. 34: The plan states that Deer Wintering Areas "are candidate areas meaning the existence of deer habitat is not confirmed". That is not the meaning of "candidate".

Candidate means they qualify as Significant Wildlife Habitat under the Natural Resources Protection Act if they were rated and adopted by the Department of Environmental Protection. Formal aerial surveys have documented these areas as habitat for wintering deer. The plan further states that many of these areas center around lowland and water sources and by protecting critical water sources the majority of known deer and waterfowl habitat will be protected. Shoreland zoning may provide some protection for inland wading bird and waterfowl habitats but is not designed to protect forested wetland or upland habitats that constitute deer wintering areas.

Pg. 34: While inland wading bird and waterfowl habitats and deer wintering areas are mentioned in the plan, we encourage the town to provide more information about these important habitat types, their functions and values to the community. In addition it is important to include a description of the regulations associated with these habitats. Clearly outlining these habitats and their regulations will help to build awareness among the town citizens.

High and moderate value inland wading bird and waterfowl habitat and deer wintering areas, both mentioned in the plan, are defined and regulated as Significant Wildlife Habitats. Significant Wildlife Habitats are defined under the Natural Resources Protection Act (NRPA) for certain species with very specific habitat requirements. FMI on Significant Wildlife Habitats and NRPA visit: <http://www.maine.gov/dep/blwq/docstand/nrpapage.htm>.

The draft should also include a description of significant vernal pools, also a Significant Wildlife Habitat type. Vernal pools are seasonal wetlands that fill with water in the fall, winter and spring and dry up in the summer, although not always. The seasonal nature of vernal pools limits predatory fish from becoming established making them an important breeding habitat for a variety of amphibians including rare, threatened and endangered species. Amphibians are an important part of the food chain and help to sustain many other species of wildlife. Although vernal pools are common, they are also vulnerable to changes if forest habitats from timber harvesting, road building, and clearing for forests for residential development.

It is important to note that at this time the identification of *significant* vernal pools is definition based. These areas have not been comprehensively mapped by MDIFW (this is why they do not appear on BwH maps) nor do they need to be to be eligible for protection by MDEP. For more information on vernal pools and the Natural Resources Protection Act, visit: <http://www.maine.gov/dep/blwq/docstand/nrpa/vernalpools/index.htm>.

Other comments:

The plan should include a discussion of undeveloped habitat blocks and their importance to the community. Undeveloped habitat blocks are relatively unbroken areas of habitat that are crossed by few roads and contain relatively little development and human habitation. They are important for supporting animals with large home ranges and offer

some of the last strongholds for many of Maine's Species of Greatest Conservation Need as identified in the State Wildlife Action Plan. Conserving undeveloped blocks locally by developing tools to minimize future fragmentation will help to keep many of these declining species from appearing on the State's endangered species list in the future and will also protect important recreational and commercial opportunities, such as hunting, farming and forestry. We recommend communities set goals and strive to maintain at least several 150-500 acre blocks of undeveloped land as well as some 500-1000+ acre blocks and that they work together with neighboring communities to protect even larger blocks in the region.

Very little is included in the plan regarding New Portland's fishery resources. In particular there should be some mention of the threats posed by invasive fishes to the town's native fishery resources.

Chapter 8 New Portland's Roads and Transportation

As mentioned in the plan roads can have an impact on municipal budgets, traffic, and public safety, but they also have a large impact on habitats. Their impact on habitat should be considered in both the maintenance of existing roads and in the construction of new roads and should be addressed in the proposed road improvement plan mentioned on pg. 62. We recommend the town update road standards and maintenance practices to better address the design and installation of crossing structures installed over New Portland's many local streams and brooks. Poorly sized and installed culverts can effectively cut off passage for fish and aquatic invertebrates thereby isolating populations and potentially resulting in localized extinctions. The BwH toolbox offers example crossing standard language for consideration (http://www.beginningwithhabitat.org/toolbox/stand_roads.html). The Maine Department of Transportation is also working on creating an aquatic passage handbook for local public works departments that will provide assistance to communities as they complete road improvement projects that also consider aquatic organism passage.

New Portland's Plan of Action

Recreation:

Pg. 60: The draft plan indicates that public access to surface waters is a goal, but it lacks specifics. We suggest they provide an inventory of existing public access sites, then identify present and future access needs based on input and guidance from the local community, MDIFW regional staff, local DOC staff, and the State Access plan. New Portland should plan to seek funding from local, state, and federal sources, if required.

Natural Resources:

Overall the New Portland Comprehensive Plan identifies very few specific implementation strategies that would adequately address the preservation of the community's important habitats and natural resources. We encourage New Portland to revise this draft plan to include more specific implementation strategies related to habitat and natural resource conservation. The Beginning with Habitat (BwH) program compiles tools crafted by municipalities throughout the state that address a broad range of local concerns each with habitat implications and provides these tools with technical assistance to towns in the process of comprehensive plan implementation. We encourage the Town of New Portland to work closely with BwH as it begins to consider plan implementation efforts that would better mesh habitat conservation with future growth needs.

Pg. 69: Issue #1 does not include all the environmental regulations, for example the Natural Resources Protection Act is not listed. We encourage the town to complete a thorough inventory on local environmental regulations and as well as thorough inventory of the community's natural resources before assessing the adequacy of these regulations in protecting the Town's natural resources.

Pg. 70: The Maine Association of Conservation Commissions (www.meacc.net) has been recently re-invigorated and will be able to provide assistance to New Portland in its creation of a conservation commission.

Pg. 70: The plan proposes cooperation with other local and regional groups to promote land conservation and other approaches to maintaining open space. We suggest including a specific list of these other organizations and a description of their work.

A Strategy for Managing New Development

Pg. 74: We encourage the town to include "Protect natural resources" in their list of objectives for building a strategy.

Pg. 75-76: The list of land use recommendations lacks recommendations that address the protection of the community's important habitats and natural resources. We encourage the town to include specific land use recommendations to protect these important areas and the values they provide the town.

Maps

In general, the maps are very difficult to read.

The plan lacks a map showing the extent of the town of New Portland's habitats. BwH can provide the information to complete a map depicting these resources.

The growth areas depicted on the map showing New Portland's Village and Growth Areas Identified contain important habitats. The growth area on the west side of town, in particular, is almost entirely mapped deer wintering areas and also includes important inland wading bird and waterfowl habitats as well as rare species occurrences. The growth area identified on the east side of town includes rare species occurrences as well as inland wading bird and waterfowl habitat. We encourage the town to consider adjusting these growth area boundaries to consider these important habitats and to develop specific strategies to protect the habitats that still remain in the growth boundaries.



JOHN ELIAS BALDACCI
GOVERNOR

David P. Littell
COMMISSIONER

To: Tom Miragliuolo, State Planning Office

From: Mary Ellen Dennis, DEP-Division of Watershed Management

Date: October 1, 2008

Re: New Portland Comprehensive Plan Review

I have completed a review of New Portland's Comprehensive Plan for surface water resources. Comments are as follows:

Conclusions

Overall the comprehensive plan committee did a commendable job with the plan and it is well organized and written. They did particularly well with the land use section and with describing what type and where growth is occurring. New Portland is a slow growing area, but there is seasonal growth which is mostly occurring along the Carrabassett River. Roads are another issue and in rural areas can be a primary nonpoint source issue, especially as a large percent of the roads are often gravel surface. To address the development concerns, the plan includes policies to begin tracking seasonal housing and develop building permit standards. They have also included a policy to establish a Conservation Commission and a number of good road policies-all excellent policies.

There were few inconsistencies in the plan and most of the specific comments are recommendations for how the plan can be strengthened.

Inconsistencies and Recommendations

Inventory and Analysis

- (Lakes and Ponds) The plan briefly mentions the ponds in New Portland (Gammon Pond, Gilman Pond, and Pennell Pond) on page 30. It first states that "only Gilman Pond has any development" and then later states that "there has been significant house building on New Portland's ponds, particularly near Gammon Pond. Nevertheless, the extent of shoreline and watershed area within New Portland is negligible." These statements should be corrected as to whether or not development is occurring in the ponds' watershed. Also, from the DEP watershed maps, it looks like about half of Gammon Pond's watershed is in New Portland and is a fairly large area. The plan should include a map that has the watersheds of the significant ponds delineated on them. DEP can provide a map that has lake/pond watersheds and stream watersheds on it if the town needs it.

This whole section on page 30 that discusses the ponds should include further information and discussion. In particular, this would include: value of the ponds (ecological, economic, recreational value), threats to water quality and summary of any available water quality data. There is limited water quality data for Gilman Pond which is available at

www.pearl.maine.edu. A good reference for a discussion of lake water quality threats is the “2007 Maine Lakes Report” available at www.mainevolunteerlakemonitors.org. In particular, the issue of phosphorus should be included in the discussion of threats. Phosphorus allocation numbers for New Portland should be included here-these numbers are attached in an excel spreadsheet. It should also reference the DEP manual, “Phosphorus Control in Lake Watersheds: A Technical Guide to Evaluating New Development” located at www.maine.gov/dep/blwq/docstand/stormwater/stormwaterbmps/

- (Streams and Rivers) Similarly, there should be further information and discussion about the Carrabassett River and streams in New Portland (page 30). The plan does mention the Carrabassett River and states that it’s water quality classification is B-2. This is not correct-the river through New Portland is Class A. Tributaries to the Carrabassett River above the Wire Bridge are Class A and tributaries to the river below the Wire Bridge are Class B. Also, include here a discussion about threats to water quality and the importance of protecting streamside (riparian) areas. The DEP Stream Team and Nonpoint Source webpages have information that can be used for this:
www.maine.gov/dep/blwq/docstream/team/streamteam.htm and www.maine.gov/dep/blwq/doceducation/nps/background.htm

Policies and Strategies

Policies and strategies that address concerns for existing or potential threats to water quality as discussed above should be included. Recommended policies/strategies include:

(Lakes and Ponds)

- Minimize input of phosphorus runoff from future development. Although it may not currently be a concern, it should be considered as an issue for review of subdivision development occurring in pond watersheds.
- Educate residents living along the ponds’ shorelines or in the watersheds about their water quality impacts and how to mitigate these impacts.
- Provide educational materials about invasive species to include posting signs at public access points. Also provide DEP invasive plant brochures to residents who register their boat or buy fishing licenses.

(Streams and Rivers)

- Protect streamside (riparian) areas-these areas are particularly important areas to protect since they perform several functions (e.g. habitat, filter runoff, regulate stream water temperature, stabilization). The town might consider upgrading shoreland zoning to include first order streams.

(Best Management Practices)

- Provide water quality “best management practices” information to loggers. Booklets can be purchased or downloaded from the Maine Forest Service website:
www.maine.gov/doc/mfs/pubs/bmp_manual.htm.

(Road impacts and standards)

- Adopt water quality best management practices standards for construction and maintenance of town roads. These standards should include practices that minimize erosion of ditches and distribute stormwater runoff into natural buffer areas (rather than directly to a stream, pond or wetland).

- Encourage erosion and sediment control certified contractors be used for town road maintenance contracts. The DEP provides classes and certification (see the DEP Nonpoint Source Training Center on the DEP website).

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Per-Acre Phosphorus Allocations for Selected Lake Watersheds in New Portland

LAKE	TOWN	DDA	ANAD	AAD	GF	D	F	WQC	LOP	C	FC	P	SWT
Gammon Pond	New Portland	126	30	96	0.2	19	0.97	mod-sensitive	m	1.00	0.97	0.051	5
Gilman Pond	New Portland	2908	450	2458	0.2	492	16.14	mod-sensitive	m	1.00	16.14	0.033	123
Hancock Pond	New Portland	14	0	14	0.2	3	0.15	mod-sensitive	h	0.75	0.11	0.040	1
Pennell Pond	New Portland	279	5	274	0.2	55	2.09	mod-sensitive	m	1.00	2.09	0.038	14
	DDA	Direct land drainage area in Township in acres											
	ANAD	Area not available for development in acres											
	AAD	Area available for development in acres (DDA - ANAD)											
	GF	Growth Factor											
	D	Area likely to be developed in acres (GF x AAD)											
	F	lbs. phosphorus allocated to towns share of watershed per ppb in lake											
	WQC	Water quality category											
	LOP	Level of Protection (h=high(coldwater fishery);m=medium)											
	C	Acceptable increase in lake's phosphorus concentration in ppb											
	FC	Allowable increase in annual phosphorus load to the lake (lb/year)											
	P	Per acre phosphorus allocation (FC/D) (lb/acre/year)											
	SWT	Small Watershed Threshold in acres											



STATE OF MAINE
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JOHN ELIAS BALDACCI
GOVERNOR

PATRICK K. MCGOWAN
COMMISSIONER

Comprehensive Plan Review Town of New Portland

Maine Forest Service

October 30, 2008

Conclusions: *general observations about the document's consistency with the agency's programs and policies.*

The Town of New Portland's Comprehensive Plan is a well-crafted document, using charts, maps, and surveys to illustrate major points and support conclusions. The plan does an adequate job of addressing natural resource issues, including forests. New Portland's goals generally appear consistent with MFS goals of conserving forest land as forest, promoting responsible forest practices, and protecting water resources.

One goal of the Maine Forest Service (MFS) is to ensure that Maine's forests, both urban and rural, will continue to provide benefits for present and future generations of Maine citizens. We do this by:

- a) developing, advocating for, and promoting activities that encourage sound, long-term management of forest resources;
- b) protecting forest resources from the effects of fire, insects, disease, and misuse; and,
- c) Providing accurate, relevant, and timely information about forest resources.

The Town of New Portland's Comprehensive Plan recognizes the role that forests have played in the town's development and continue to play in supporting the economy of the town. New Portland's goals generally appear consistent with MFS goals of conserving forest land as forest, promoting responsible forest practices, and protecting water resources.

MFS respectfully submits these comments and observations for consideration.

Inconsistencies: There do not appear to be any inconsistencies between this plan and MFS programs and policies.

Suggestions and comments: Page 21 - The plan identifies the importance of the forests in the development of the town by including a special section on forests "A Farming and Forest Heritage". However there is no specific section devoted to forests in Chapter 6 New Portland's Natural Resources (page 29). The plan does state that the town is currently 70-80% forested by second growth woodland and early succession habitat (referred to in the plan as "scrub"). These forests are clearly important to the

MAINE FOREST SERVICE
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town's economy with the opinion survey indicating that 23% of respondents derived income from either their home or commercial woodlot. The Maine Forest Service maintains records of timber harvesting for each town. Timber harvest data for New Portland is given in (Table 1):

YEAR	Selection harvest, acres	Shelterwood harvest, acres	Clearcut harvest, acres	Total Harvest, acres	Change of land use, acres	Number of timber harvests
1991	1244	20	35	1299	20	30
1992	1762	10	3	1775	1	36
1993	1824	55	5	1884	0	35
1994	1116	619	3	1738	3	27
1995	710	10	0	720	0	25
1996	1217	28	7	1252	11	28
1997	1518	5	6	1529	4	44
1998	1708	70	0	1778	6	46
1999	1243	329	0	1572	0	70
2000	1134	108	0	1242	14	72
2001	1165	65	5	1235	5	52
2002	656	127	0	783	11	54
2003	787	68	0	855	2	45
2004	1263	85	0	1348	4	56
2005	773	12	0	785	22	41
2006	745	50	0	795	3	35
2007	601	102	0	703	0	44

Total 19,466 1,763 64 21,293 106 740

Table 1 Timber Harvesting Data for New Portland 1991-2007.

The Maine Forest Service is pleased that the Town of New Portland and its citizens recognize the importance of its Natural Resources, including forests and water resources, to the health of its community (pg. 29). We are also pleased to see that the town has identified safeguarding "...the town's agricultural and forest resources from development..." as a natural resource goal (pg 69). Policy 4 of this section state that the town shall "...promote the use of conservation easements and other similar tools to maintain agriculture, forested and open space lands for future generations." The Tree Growth Tax Law could also be considered as part of this effort. The plan makes reference to nearly one half of the town land being enrolled in the Tree Growth tax program (pg 21). This is consistent with the data reported to the Maine Forest Service (Table 2). In general, MFS staff is available to provide technical assistance regarding the Tree Growth Tax program to towns and landowners. MFS recommends that:

- The Tax Assessor should ensure that owners of enrolled land have current, valid management plans, approved by a licensed forester, and that the plans are being followed; and,
- The Tax Assessor should ensure that changes in land use on enrolled lands are reflected in future assessments, and that the appropriate withdrawal penalty is

imposed (as provided in the Tree Growth Tax Law) when land is withdrawn from Commercial Forest designation.

Town Name	Total Acres	Number of Landowners	Number of Parcels	Date Recd
NEW PORTLAND	13408	113	160	7/30/2008

Table 2 Tree growth data for New Portland.

Page 31 – The plan mentions Shoreland Zoning in reference to its surface water resources. MFS encourages municipalities to adopt Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas. Adoption strategies include a reverse state mandate authorizing MFS as the sole enforcement agency for timber harvesting in shoreland areas. It is anticipated that statewide regulatory consistency will increase voluntary compliance and protection of riparian forests and their adjacent public trust water resources.

Page 71 – Issue 8. “What can be done to promote agriculture and forestry?” Unfortunately the pages containing the policies for this issue were missing from the copy of the plan, so we are unable to comment on policy proposal. However as a general comment the MFS administers the **WoodsWISE** program, which is directed toward family forest landowners with ownerships of less than 5000 acres. District Foresters are available to walk the woods and talk with these landowners, to get them started on a path of stewardship and responsible forest management. MFS will help landowners secure consulting services from a licensed forester. Cost-share assistance is available through the Forest Stewardship Program to help with obtaining a Forest Management Plan, prepared by consultants. MFS can help landowners participate in other federal conservation programs in collaboration with the Natural Resources Conservation Service (NRCS). When harvesting is recommended, further advice and referral to trained and certified logging companies is available.

General comments: As a matter of general policy, MFS objects to recommendations to enact land-use ordinances that regulate forestry on the grounds that it is redundant with existing state law. All landowners who intend to harvest timber for commercial purposes on their land are required by state law to notify MFS. MFS is required by law to send copies of harvest notifications to the municipality where the harvest will occur. Our standard practice is to send copies of Forest Operations Notifications to the municipal Code Enforcement Officer. Performance standards within the state’s forest practices laws, Natural Resources Protection Act, and municipally adopted Shoreland Zoning Ordinances provide adequate protection of natural resources. Additional regulation could bring about duplication of effort, inconsistent and overlapping regulation, confusion for regulators and forest landowners, and serve as a disincentive to retain private forestland in active management.

To adopt municipal ordinances that regulate timber harvesting, a municipality must follow the process described in the state’s forest practices laws (those administered by MFS can be found at www.maine.gov/doc/mfs/pubs/pdf/FPA_04_w_history.pdf).

For landowners who choose to be long-term stewards of forest land, well-planned and managed timber harvesting can be economically rewarding to landowner and logger alike. Providing a policy and regulatory environment that rewards beneficial outcomes of forest management will help with stated goals concerning open space and rural character.

In addition to the WoodsWISE Program mentioned above, MFS administers other programs that have and can continue to benefit both the town and its residents. **Project Canopy**, MFS's community forestry assistance program, is available to all Maine towns and cities. Project Canopy can assist financially with street tree inventory and continued forest management planning. MFS encourages planners to recognize street trees and shade trees as part of infrastructure, particularly in village and historical districts. Tree planting and maintenance is a viable way to improve downtown appearance, reduce pollution, and mitigate storm water runoff. Cost-share grants are available on a limited, competitive basis. Grant applications typically are available annually. Project Canopy grant funding may be appropriate for projects in the village areas of the town including North, West and East New Portland. For more information go to: www.maine.gov/doc/mfs/projectcanopy/ or contact Jan Santerre at 207-287-4987.

The plan recognizes the importance of maintaining the quality of the town water quality. MFS's "[Best Management Practices for Forestry: Protecting Maine's Water Quality](#)" is an appropriate reference manual for forestry and road, trail and driveway construction in and around New Portland's waters. Copies are available from MFS at www.maine.gov/doc/mfs/pubs.htm.

MFS's Forest Policy and Management Division supports sustainable forest management by providing technical assistance, information and educational services to the public, forest landowners, forest products processors and marketers, municipalities, and other stakeholders.

MFS has ten District Foresters that provide technical assistance, conduct educational workshops, field demonstrations, media presentations, and can provide one-on-one contact with individual landowners. Patty Cormier is the District Forester who assists landowners in New Portland. She can be contacted by phone at 207-474-3499, by regular mail at Maine Forest Service, P.O. Box 416 Norridgewock, ME 04957 or by e-mail at patty.cormier@maine.gov.

Please direct questions or comments to:

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Water Resources Forester, Forest Policy & Management
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STATE OF MAINE
Inter-Departmental Memorandum

To: Tom Miragliuolo

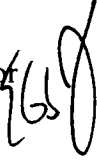
Dept: State Planning Office

From: Earle G. Shettleworth, Jr., Director

Dept: Maine Historic Preservation Commission

Date: October 14, 2008

Subject: New Portland Comprehensive Plan



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The Maine Historic Preservation Commission has reviewed the above-referenced comprehensive plan as it pertains to Historic and Archaeological Resources.

INVENTORY AND ANALYSIS SECTION

The Inventory and Analysis Section of the plan adequately addresses the following types of resources:

Prehistoric Archaeology	Yes <u>X</u>	No
Historic Archaeology	Yes ___	No <u>X</u>
Historic Buildings/Structures/Objects	Yes <u>X</u>	No

Comments: The plan should state that the Wire Bridge is listed in the National Register of Historic Places. There is no mention whatsoever of historic archaeology.

POLICY DEVELOPMENT SECTION

The Policy Development Section of the plan adequately addresses the following types of resources:

Prehistoric Archaeology	Yes <u>X</u>	No
Historic Archaeology	Yes <u>X</u>	No
Historic Buildings/Structures/Objects	Yes <u>X</u>	No

Comments:

IMPLEMENTATION STRATEGY SECTION

The Implementation Strategy Section of the Plan adequately addresses the following types of resources:

Prehistoric Archaeology	Yes <u>X</u>	No
Historic Archaeology	Yes <u>X</u>	No
Historic Buildings/Structures/Objects	Yes <u>X</u>	No

Comments:

07 EXECUTIVE DEPARTMENT

105 STATE PLANNING OFFICE

Chapter 202: COMPREHENSIVE PLAN REVIEW CRITERIA RULE

SUMMARY: This chapter establishes the criteria the Office of Comprehensive Planning uses to review municipal comprehensive plans for consistency with the goals and guidelines of the Comprehensive Planning and Land Use Regulation Act (30-A MRSA §4311 et seq.). The Office uses this rule to review and comment on proposed comprehensive plans under §4343, sub-§2 of the Act, and to review the plan component of local growth management programs for which certification has been requested under §4343, sub-§5.

SECTION 1. PURPOSE.

A. PURPOSE

The primary purpose of this rule is to establish the criteria the office of Comprehensive Planning uses to review comprehensive plans developed by municipalities under the Comprehensive Planning and Land Use Regulation Act (30-A MRSA §4311 et seq.). The objective of this review is to judge whether a municipality's comprehensive plan is consistent with the goals and guidelines of the Act. The Office uses this rule to review and comment on proposed comprehensive plans submitted to the Office pursuant to the procedural rule in Chapter 201. If a municipality requests certification of its local growth management program under §4343, sub-§5 of the Act, the Office also uses this rule to review the plan component of that program.

B. PRINCIPLES,

The criteria contained in this rule are based on the following principles:

1. Maine municipalities are diverse in terms of their size, goals, problems, issues, planning experience, and planning resources. They are likely to produce a diversity of plans. The criteria should be flexible enough and general enough to accommodate that diversity. The Office's review of comprehensive plans should be predictable and consistent. The criteria should be certain enough and detailed enough to provide this predictability and consistency.
2. The criteria should call for a municipality's comprehensive plan to address each of the Act's State goals. The exception is if the plan's

inventory and analysis clearly shows that promotion of a particular State goal is clearly inapplicable to the municipality. A plan need not address each applicable State goal to the same degree. But the degree to which, the plan addresses a State goal should reflect the degree of the municipality's problems in attaining the goal and the priority given the goal by the municipality.

3. The criteria should not emphasize a need for technical detail. Nor should they question the local priorities shown in the plan. They should rather focus on the substance of the plan and whether or not the plan reflects a rational planning process. A rational planning process is one in which a municipality 1) collects and analyzes information to identify and define what problems and issues exist in regard to State and local goals and State Coastal Management Policies, 2) develops policies to address those problems and issues, and 3) develops strategies to implement the developed policies.
4. The criteria should call for a level of inventory, analysis, policy development, and implementation strategy development that is within the reasonable capacity of any municipality.
5. The primary purpose of the rule is to help the Office of Comprehensive Planning review comprehensive plans in a consistent manner. But the Office recognizes that municipal planning officials may also use the criteria to guide their preparation of comprehensive plans. This rule, therefore, should have a format and style that allows the average Maine citizen to understand what the Office considers to be a "consistent" plan.
6. The rule sets forth the fundamental elements of a written plan, which is the end product of a planning process. It should not be used as a guide to the dynamic process of comprehensive planning. Municipalities should obtain guidance on how to develop a comprehensive plan from publications and advice from the Office of Comprehensive Planning, regional councils, and professional planners.

C. CRITERIA NOT LIMITING

This rule's criteria are based on the Act's goals and substantive guidelines. They are not intended to prohibit or discourage a municipality from developing a comprehensive plan that is more specific or detailed, or that covers more subject areas, than called for by the review criteria.

SECTION 2. DEFINITIONS.

The following definitions shall apply When interpreting the provisions in this chapter:

- A. Act: "Act" means the Comprehensive Planning and land Use Regulations Act (30-A MRSA §4311 et seq.).
- B. Affordable housing: "Affordable housing" means the same as defined in Chapter 100 of Department of Economic and Community Development Rules ("Affordable Housing Definition Rule")

Note: Chapter 100 of Department of Economic and Community Development Rules defines "affordable housing" as "decent, safe, and sanitary living accommodations that are affordable to lower income households and moderate income households, in accord with the following provisions.

- A. An owner-occupied housing unit is "affordable" to a household if the unit's expected sales price is reasonably anticipated to result in monthly housing costs (including mortgage principal and interest payments, mortgage insurance costs, homeowners' insurance costs, real estate taxes, and basic utility and energy costs) that do not exceed 28% to 33% of the household's gross monthly income. Determination of mortgage amounts and payments are to be based on down payment rates and interest rates generally available to lower and moderate income households.
- B. A renter-occupied housing unit is "affordable" to a household if the unit's monthly housing costs (including rent and basic utility and energy costs) do not exceed 30% of the household's gross monthly income.
- C. A "Lower income household" is a household with a gross income less than or equal to 80% of the applicable MSA/County median income. Lower income households include both very low income households and two income household. A "very low income household" is a household with a gross income less than or equal to 50% of the applicable MSA/County median income. A "Low income household" is a household with a gross income over 50%, but Less than or equal to 80%, of the applicable MSA/County median income.

- D. A "moderate income household" is a household with a gross income over 80%, but less than or equal to 150%, of the applicable MSA/County median income.
 - E. The "applicable MSA/County median income" is the median family income most recently published by the U.S. Department of Housing and Urban Development for the federally-designated Metropolitan Statistical Area (MSA) or County (non-MSA part) in which the housing unit is located.,, Where appropriate to use of this definition, median family income may be adjusted for family size.
 - F. A household's "gross income" includes the income of all household members from all sources.]
- C. Coastal municipality: "Coastal municipality" means any municipality that contains or abuts tidal waters.
 - D. Comprehensive plan: "Comprehensive plan" means a document or interrelated documents developed by a municipality in accord with the procedural provisions of §4324 of the Act and with the intent of complying with the substantive requirements of §4326, sub-§1 to sub-§4 of the Act.
 - E. Heritage Coastal Area: "Heritage Coastal Areas" means any area listed as a Heritage Coastal Area pursuant to 5 M.R.S.A. §3316.
 - F. Historic and archeological resource: "Historic and archeological resource" means any prehistoric or historic district, site, building, structure, or object that is significant in American history, architecture, engineering, archeology, and culture, including artifacts and remains that are related to such a district, site, building, structure, or object.

A district, site, building, structure, or object is significant if it possesses integrity of location, design, setting, materials, workmanship, feeling, and association, and:

1. is associated with events that have made a significant contribution to the broad patterns of national, state, regional, or local history; or
2. is associated with the lives of persons significant in the past; or
3. embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity (even if its components lack individual distinction); or

4. has yielded, or may be likely to yield, information important in prehistory or history.
- G. Planning period: "Planning period" means the future period of time covered by a comprehensive plan - that is, the future time period for which the plan estimates future conditions and needs and sets forth policies to address those future conditions and needs. A comprehensive plan's planning period must extend to at least 10 years after the plan's anticipated adoption.
- H. Region: "Region," in relation to a particular municipality, means any of the following:
1. a regional planning and development district or subdistrict designated under 30 MRSA, Subchapter II, within which the municipality is located; or
 2. any subarea of the state or of a regional planning and development district that includes the municipality and that defines
 - a. a geographical or ecological system (such as a river or lake basin, air shed, coastal area, etc.) or
 - b. an area of functional interdependence (such as a labor market area, housing market area, commuter shed, etc.) or
 - c. a non-municipal governmental jurisdiction (such as a county); or
 3. any subarea of a regional planning and development district or subdistrict, or of such contiguous districts or subdistricts, that includes the municipality and at least those contiguous municipalities located within the district or subdistrict, or within the contiguous districts or subdistricts.
- I. Sand dunes: "Sand dunes" means "coastal sand dune systems," as defined in the Natural Resources Protection Act (38 MRSA §480-B, sub-§1).

Note: The Natural Resources Protection Act (38 MRSA §480-B, sub-§1) defines "coastal sand dune systems" as "sand deposits within a marine beach system, including, but not limited to, beach berms, frontal dunes, dune ridges, back dunes and other sand areas deposited by wave or wind action. Coastal sand dunes may extend into the coastal wetlands.")

- J. Significant wildlife habitat: "Significant wildlife and fisheries habitat" means any of the following:
1. habitat for animal species appearing on official State or federal lists of endangered or threatened species;
 2. high and moderate value deer wintering areas and travel corridors, as defined by the Department of Inland Fisheries and Wildlife;
 3. high and moderate value waterfowl and wading bird habitats, including nesting and feeding areas, as defined by the Department of Inland Fisheries and Wildlife;
 4. critical spawning and nursery areas for Atlantic sea run salmon, as defined by the Atlantic Sea Run Salmon Commission; and
 5. shorebird nesting, feeding, and staging areas, and seabird nesting islands, as defined by the Department of Inland Fisheries and Wildlife.
- K. Unique natural areas: "Unique natural areas" may include any of the following:
1. areas registered as a Critical Area pursuant to 5 M.R.S.A. §3314;
 2. areas designated as a National Natural landmark pursuant to the National Park Service's National Natural Landmark Program;
 3. occurrences of endangered, threatened, or rare plants, animals, and natural communities identified by the Maine Natural Heritage program; and
 4. "fragile mountain areas", as defined in the Natural Resources Protection Act (38 MRSA §480-B, sub-§3).

Note: The Natural Resources Protection Act (38 MRSA §480-B, sub-§3) defines "fragile mountain areas" as "areas above 2,700 feet in elevation from mean sea Level."]

- L. Water-dependent uses: "Water dependent uses" means "functionally water-dependent uses," as defined in the State's shoreland zoning law (38 MRSA §436-A, sub-§6).

Note: The State's shoreland zoning law (38 MM §436-A, sub-§6) defines "functionally water-dependent uses" as "those uses that require, for their primary purpose, location on submerged lands or

that require direct access to, or location in, coastal waters and which cannot be located away from these waters. These uses include commercial and recreational fishing and boating facilities, finfish and shellfish processing, fish storage and retail and wholesale marketing facilities, waterfront dock and port facilities, shipyards and boat building facilities, marinas, navigation aids, basins and channels, industrial uses dependent upon water-borne transportation or requiring large volumes of cooling or processing water that cannot reasonably be located or operated at an inland site and uses which primarily provide general public access to marine or tidal waters."

- M. Wetlands: "Wetlands" means any coastal wetlands or freshwater wetlands as defined below:
1. Coastal wetlands include any of the following:
 - a. all tidal and subtidal lands, including all areas below any identifiable debris line left by tidal action;
 - b. all lands containing vegetation that is tolerant of salt water and occurs primarily in a salt water or estuarine habitat; and
 - c. any swamp, marsh, bog, beach, flat, or other contiguous low land that is subject to tidal action during the maximum spring tide level identified in tide tables published by National Ocean Services.
 2. Freshwater wetlands include freshwater swamps, marshes, bogs, and similar areas (other than areas considered part of a great pond, coastal wetland, river, stream, or brook) that are inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils. Freshwater wetlands may contain small stream channels or inclusions of land that do not conform to the above defining criteria.

SECTION 3. INVENTORY AND ANALYSIS.

A. THRESHOLD APPROACH

The more information and analysis a plan contains, the better it can support its findings and its choices of policies and implementation strategies. Municipalities, however, should not spend an inordinate

amount of time and resources on a plan's inventory at the expense of adequately analyzing inventoried information and developing the plan's policies and implementation strategies. Recognizing these limits, this rule uses a two-stage threshold approach to defining how much inventory and analysis a plan must contain.

First - For each topic raised by the State goals or the Act's requirements, a plan must contain enough background information and analysis to show whether or not there will be a problem or need relating to the topic during the planning period.

Second - If a plan's first-stage threshold inventory and analysis shows that there will be a problem or need relating to a particular topic, the plan must contain enough information and analysis to justify the particular policies and implementation strategies chosen to address the problem or need.

B. APPLICABILITY OF FIRST-STAGE INVENTORY AND ANALYSIS CRITERIA

The first-stage threshold inventory and analysis criteria contained in Subsection C are based on the scope and detail of information generally available to most Maine municipalities, or within the capacity of most Maine municipalities to generate. There may be instances, however, where a criterion calls for information that is not available to a municipality and where the municipality cannot be reasonably expected to have generated the information. In such instances, the criterion shall not apply to the review of the municipality's comprehensive plan.

The threshold inventory and analysis criteria do not necessarily require the collection of numerical data or the statistical analysis of inventory information. Unless numerical data or statistical analysis is specifically called for, a plan may contain general observational information and reasoned analysis.

C. FIRST-STAGE THRESHOLD INVENTORY AND ANALYSIS

This subsection contains the first-stage threshold inventory and analysis criteria applicable to each topic raised by the State goals or the Act's requirements. The Appendix to this chapter lists the types of information that a plan would typically need to provide the level of inventory called for by these criteria. To the extent applicable (see Subsection B above), every plan must contain the information and analysis called for by the following criteria:

1. Population: The plan must demonstrate an understanding of the municipality's population characteristics - that is, it must:

- a. profile the municipality's and region's populations in terms of those population and household characteristics most significant in describing the municipality's character and in influencing future demands for housing, land, and community facilities and services;
 - b. identify and understand important changes in those characteristics and how they might reflect the characteristics of future populations;
 - c. identify and understand how the municipality's population characteristics and changes in population relate to those for the region; and
 - d. identify and understand the size and significant characteristics of the municipality's and region's populations ten years into the future.
2. Economy: The plan must demonstrate an understanding of the municipality's economic characteristics - that is, it must:
- a. profile the municipality's and region's economies in terms of significant employment characteristics and commercial and industrial activity;
 - b. identify and understand important changes in those characteristics and activity, and how they might reflect future economic conditions;
 - c. identify and understand the municipality's dependence on the regional economy for employment and economic vitality; and
 - d. identify those businesses and sectors of the municipal and regional economy most important to the municipality's employment and economic vitality, and describe the outlook for their growth or decline over the next 10 years.
3. Housing: The plan must demonstrate an understanding of the municipality's housing characteristics - that is, it must:
- a. profile the municipality's and region's housing stocks in terms of their size and significant characteristics;

- b. describe the affordability of the municipality's housing stock for very low income, low income, and moderate income households;
 - c. identify and understand important changes in those housing characteristics and how they might reflect the size and characteristics of future housing demands;
 - d. identify and understand how the municipality's housing stock and housing stock changes relate to the region's housing stock and housing demand; and
 - e. predict the size, characteristics, and affordability of new and rehabilitated housing needed to meet the housing demands of the projected future population, and whether the local housing market will meet the predicted housing needs.
4. Transportation: The plan must demonstrate an understanding of the municipality's transportation systems - that is, it must:
 - a. identify and profile the municipality's roadway and transportation systems in terms of their extent, capacity, and use;
 - b. assess the adequacy of those systems in handling current use demands;
 - c. predict whether transportation improvements will be needed to adequately accommodate the use demands generated by projected increases in population and development within the municipality and region;
 - d. describe the municipality's major public parking facilities and assess whether improvements will be needed to adequately accommodate the needs of the projected population and economy; and
 - e. estimate the general costs of providing the needed transportation system and parking facility improvements.
5. Public Facilities and Services: The plan must demonstrate an understanding of the municipality's public facility and service systems that is, it must:
 - a. identify and profile the municipality's public facility and service systems in terms of their extent, capacity, and use;

- b. assess the adequacy of those systems in handling current use demands;
 - c. predict whether public facility or service system additions and improvements will be needed to adequately accommodate the use demands of the projected population; and
 - d. estimate the general costs of providing the needed public facility and service system additions and improvements.
6. Recreation: The plan must demonstrate an understanding of the municipality's recreation opportunities - that is, it must:
- a. identify and profile the municipality's major public recreation areas and facilities, major private open space areas and facilities used for public recreation, and public access points to surface waters, in terms of their characteristics and use;
 - b. assess the adequacy of those recreation areas and facilities, and public access points, in handling current use demands;
 - c. predict whether additional recreation areas, recreation facility improvements, and public access points will be needed to adequately accommodate the use demands of the projected population
 - d. predict whether the availability of major private open space areas for public recreation use will be threatened by the impacts of growth and development; and
 - e. estimate the general costs of providing the needed recreation area and facility additions and improvements.
7. Marine Resources Industry: The plan must demonstrate an understanding of the municipality's marine resources and its marine resource industries that is, it must:
- a. identify and profile the municipality's marine resource areas, harbors, and water-dependent uses in their accessibility, use, and importance to the municipality's and region's economy;
 - b. assess the adequacy of existing harbor basins, facilities, and public access points to handle current use demands;

- c. predict whether harbor improvements will be needed to adequately accommodate the use demands of the projected population;
 - d. predict whether the viability or productivity of marine resource areas, or the viability of commercial fishing and other important water-dependent uses will be threatened by the impacts of growth and development;
 - e. assess the effectiveness of existing measures to protect and preserve marine resource areas and important water-dependent uses; and
 - f. estimate the general costs of providing the needed harbor improvements.
8. Water Resources: Use plan must demonstrate an understanding of the municipality's water resources - that is, it must:
- a. identify and profile the municipality's significant water resources in terms of their characteristics, uses, quantity, and quality;
 - b. predict whether the quantity or quality of significant water resources will be threatened by the impacts of future growth and development; and
 - c. assess the effectiveness of existing measures to protect and preserve significant water resources.
9. Critical Natural Resources: The plan must demonstrate an understanding of the municipality's other critical natural resources - that is, it must:
- a. identify and profile the municipality's critical natural resources (such as wetlands, wildlife and fisheries habitats, significant plant habitats, coastal islands, sand dunes, shorelands, Heritage Coastal Areas, scenic areas and vistas, and unique natural areas) in terms of their extent, characteristics, and significance;
 - b. predict whether the existence, -physical integrity, or quality of critical natural resources will be threatened by the impacts of future growth and development; and

- c. assess the effectiveness of existing measures to protect and preserve critical natural resources.
10. Agricultural and Forest Resources: The plan must demonstrate an understanding of the municipality's agricultural and forest resources that is, it must:
 - a. identify and profile the municipality's commercial farmlands and forest lands in terms of their extent, characteristics, and importance to the municipality's and region's economy and rural character;
 - b. predict whether the viability of important commercial farmlands and forest lands will be threatened by the impacts of future growth and development; and
 - c. assess the effectiveness of existing measures to protect and preserve important commercial farmlands and forest lands.
11. Historic and Archeological Resources: The plan must demonstrate an understanding of the municipality's historic and archeological resources - that is, it must:
 - a. outline the municipality's history;
 - b. identify and profile the municipality's significant historic and archeological resources in terms of their type and significance;
 - c. predict whether the existence or physical integrity of those historic and archeological resources will be threatened by the impacts of future growth and development; and
 - d. assess the effectiveness of existing measures to protect and preserve significant historic and archeological resources.
12. Land Use: The plan must demonstrate an understanding of the municipality's patterns of land use and the suitability of land areas for different land uses in the future - that is, it must:
 - a. identify and understand the uses of land throughout the municipality in terms of the amounts and location of land generally devoted to various land use classifications;

- b. identify and understand changes in the municipality's land use patterns and how they might reflect future land use patterns; and
 - c. identify land areas suitable and unsuitable for the growth and development predicted for the next ten years.
13. Fiscal Capacity: The plan must demonstrate an understanding of the municipality's capacity to pay for its share of whatever is needed to address problems and needs raised by the inventory and analysis - that is, it must:
- a. identify and understand the municipality's fiscal condition;
 - b. identify and understand recent changes in the municipality's fiscal condition and how they might reflect the municipality's future fiscal condition;
 - c. predict the amounts of the municipality's revenues, expenditures, and debts for the next ten years; and
 - d. assess the municipality's fiscal capacity to finance capital expenditures during the next ten years.

SECTION 4. INTEGRATION OF INVENTORY AND ANALYSIS.

The plan must identify the most significant conclusions reached about the various problems and needs raised and defined in the first and second stages of inventory and analysis. The plan must also compare the implications of the various conclusions - that is, how they might conflict with, complement, or otherwise interrelate to each other.

Because of time and resource limitations, a plan's inventory and analysis of a particular topic may not be enough to justify policies and implementation strategies as comprehensive as the municipality would like to have in its plan.]If the municipality wishes to include such comprehensive policies and strategies in a future update of the plan, the plan must identify whatever further study would be needed to make the inventory and analysis sufficient to justify the desired policies and implementation strategies.

The plan must, either in its inventory and analysis or in a separate "regional coordination program" (as referred to in 30-A MRSA §4326, sub-§4), identify those natural resources and those transportation, public service, and other facilities the municipality shares with other municipalities (e.g., lakes, rivers, shorelines, aquifers, estuaries, wetlands, ports and harbors, transportation

systems and corridors, water and sewage treatment facilities, waste disposal facilities, schools, recreation areas).

SECTION 5. POLICIES.

A policy is what a municipality will do to achieve a goal; an implementation strategy is how and when the municipality will carry out the policy.

The plan must include policies that, when taken together, represent a coordinated approach to addressing all problems and needs raised and defined by the inventory, and analysis. The policies must address the identified problems and needs in a way that furthers the achievement of the State goals identified in Subsection A and, where applicable, the Coastal Management Policies identified in Subsection B.

A. STATE GOALS

The policies must specify what approaches the municipality will take to address the following State goals:

1. to encourage orderly growth and development in appropriate areas of each community, while protecting the State's rural character, making efficient use of public services, and preventing development sprawl.
2. to plan for, finance, and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development;
3. to promote an economic climate that increases job opportunities and overall economic well-being;
4. to encourage and promote affordable, decent housing opportunities for all Maine citizens;
5. to protect the quality and manage the quantity of the State's water resources, including lakes, aquifers, great ponds, estuaries, rivers, and coastal areas;
6. to protect the State's other critical natural resources, including without limitation, wetlands, wildlife and fisheries habitat, sand dunes, shorelands, scenic vistas, and unique natural areas;
7. to protect the State's marine resources industry, ports, and harbors from incompatible development, and to promote access to the share for commercial fishermen and the public;

8. to safeguard the State's agricultural and forest resources from development that threatens those resources;
9. to preserve the State's historic and archeological resources; and
10. to promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to surface waters.

B. STATE COASTAL MANAGEMENT POLICIES

If the municipality is a coastal community, the policies must also specify what approaches the municipality will take to address the following State Coastal Management Policies:

1. to promote the maintenance, development, and revitalization of the State's ports and harbors for fishing, transportation, and recreation;
2. to manage the marine environment and its related resources to preserve and improve the ecological integrity and diversity of marine communities and habitats, to expand our understanding of the productivity of the Gulf of Maine and coastal waters, and to enhance the economic value of the State's renewable marine resources;
3. to support shoreline development that gives preference to water-dependent uses over other uses, that promotes public access to the shoreline, and that considers the cumulative effects of development on coastal resources;
4. to discourage growth and new development in coastal areas where, because of coastal storms, flooding, landslides, or sea-level rise, it is hazardous to human health and safety;
5. to encourage and support cooperative state and municipal management of coastal resources;
6. to protect and manage critical habitats and natural areas of state and national significance, and to maintain the scenic beauty and character of the coast, even in-areas where development occurs;
7. to expand the opportunities for outdoor recreation, and to encourage appropriate coastal tourist activities and development;

8. to restore and maintain the quality of our fresh, marine, and estuarine waters to allow for the broadest possible diversity of public and private uses; and
9. to restore and maintain coastal air quality to protect the health of citizens and visitors, and to protect enjoyment of the natural beauty and maritime character of the Maine coast.

C. OTHER POLICY CRITERIA

The policies must be supported by the findings of the inventory and analysis section. They must also be focused enough to lead to the development of specific implementation strategies.

The policies must be detailed enough to provide specific and measurable targets for addressing identified problems and needs and achieving stated goals. They must also be realistic, given fiscal, administrative, and political constraints.

The plan must identify how its policies regarding one State goal are likely to conflict with policies regarding the other State goals. It must also address how the municipality intends to resolve these conflicts.

The plan must identify how its policies are likely to conflict with established regional policies. It must also address how the municipality intends to resolve these conflicts.

The plan must, either in its policies section or in a separate "regional coordination program" (as referred to in 30-A MRSA §4326, sub-§4), identify those policies directly pertaining to resources and facilities the municipality shares with other municipalities, and identify how such policies are likely to affect the other municipalities' management of the shared resources and facilities. Where feasible, the plan's policies pertaining to shared resources and facilities must be consistent with those of the sharing municipalities. Otherwise, the plan's policies section or "regional coordination program" must include policies that specify what approaches the municipality will take to coordinate its management of shared resources and facilities with that of the sharing municipalities. Any such coordination policies must be consistent with any corresponding coordination policies of the sharing municipalities.

SECTION 6. LAND USE PLAN/DESIGNATION OF GROWTH AND RURAL AREAS.

A. LAND USE PLAN

The plan must include a land use plan that divides the municipality into basic geographical areas for the purpose of applying the plan's various policies and implementation strategies. The land use plan must include one or more plans or maps that designate and show general land use classifications. It must also include a narrative that states the rationale for the designations of land use classifications and generally describes the character of development intended to be included within each classification. The narrative must also estimate the amount of land area needed to accommodate the predicted future growth and development in housing, commercial and industrial development, transportation systems, public facility and service systems, recreation areas and facilities, and harbor facilities and water-dependent uses, and must assess whether the municipality has enough land area suitable for development or redevelopment to accommodate the predicted land area needs.

The land use plan must include a "growth area" classification or a combination of land use classifications that constitutes a "growth area" that is consistent with the provisions in Subsection B below. The land use plan must also include a "rural area" classification - or a combination of land use classifications that constitutes a "rural area" - that is consistent with the provisions in Subsection C below. The land use plan may also include additional general classifications for purposes other than those provided for growth areas and rural areas (such as a transitional or future growth area that designates areas intended to become growth areas at some time beyond the planning period, a conservation or resource protection area intended to provide for the effective long-term management and protection of significant or irreplaceable natural land areas, etc.).

B. GROWTH AREAS

The land use plan must designate as "growth area" those land areas within the municipality into which the municipality intends to direct the future growth and development planned to occur during the planning period. Use designation of growth areas is intended to ensure that planned growth and development is directed to areas most suitable for such growth and development and away from areas in which growth and development would be incompatible with the protection of rural resources. Land areas designated as "growth area" must be consistent with the following provisions.

1. Growth areas must be limited to land areas within which public facilities and services are efficiently provided or can be efficiently provided during the planning period.

2. Growth areas must be limited to land areas that are physically suitable for development or redevelopment. (Growth areas may include land areas that are physically unsuitable for development or redevelopment if such areas constitute small areas or corridors of land surrounded by growth areas such as a river, stream, floodplain, small natural hazard area, small lake, or small critical natural resource area running through or located in the middle of a growth area.)
3. Growth areas must include enough land area suitable for development or redevelopment to accommodate all growth and development planned to occur during the planning period, based on the plan's policies and implementation strategies.
4. Growth areas must be limited to an amount of land area and a configuration that will encourage compact, efficient development patterns and discourage development sprawl and strip development along roads.
5. Growth areas may not include an unreasonable proportion of the municipality's total land area - that is, growth areas must not include so much land area as to encourage development sprawl or to hinder the efficient provision of public services.

C. RURAL AREAS

The land use plan must designate as "rural area" those land areas within the municipality within which the municipality intends to protect agricultural, forest, scenic areas, and other open space land areas from incompatible development. The designation of rural areas is intended to provide for the long-term protection of resource production and open space and scenic lands from incompatible development. Land areas designated as "rural area" must be consistent with the following provisions.

1. Rural areas must include agricultural and forest lands important to the local or regional economy.
2. Rural areas must include land areas consisting of large areas of contiguous open space, farmland, or forest land. They must include land areas in which the predominant pattern of development is intended to consist of very low intensity development broadly dispersed within what would otherwise be a rural landscape. They must also include land areas containing other rural resources that significantly contribute to the municipality's rural character.

3. Rural areas must include land areas in which the municipality can ensure that the level and type of development will be compatible with maintenance of rural character and will not constitute or encourage development sprawl or strip development along roads.
4. Rural areas may include, but may not be limited to, land areas containing natural resources and scenic open spaces that are intended to be protected.
5. Rural areas may not include land areas in which a significant portion of the municipality's future residential development is planned to occur. Nor may they include land areas in which the municipality plans the occurrence of large-scale or widespread residential development that would alter the municipality's rural character.

SECTION 7. IMPLEMENTATION STRATEGIES.

An implementation strategy is how and when the municipality will carry out a policy; a policy is what a municipality will do to achieve a goal.

The plan must include strategies that, when taken together, represent a coordinated approach to carrying out all of the plan's stated policies.

A. STRATEGIES

Use implementation strategies must specify actions the municipality will take to

1. encourage the siting and construction of affordable housing within the community, comply with State laws regarding the siting and design of mobile homes and mobile home parks, and seek to achieve that 10%, or whatever greater percentage the inventory and analysis identifies as necessary, of the new housing units constructed in the municipality in the 5 years after plan adoption will be affordable housing (see definition of affordable housing in Section 2);
2. ensure the provision of the public services needed to accommodate development projected to occur within designated growth areas;
3. ensure the recognition and preservation of valued historic and archeological resources;

4. encourage the availability of and access to traditional outdoor recreation opportunities, encourage the creation of greenbelts, public parks, trails, and conservation easements, and encourage the protection of undeveloped shoreland valued as access to surface waters;
5. ensure the protection of valued agricultural and forest resources from development that is incompatible with uses related to the agricultural and forestry industries;
6. ensure the preservation of access to coastal waters, including access to related parking facilities, that is needed for commercial fishing, mooring, and docking activities, and discourage new development that is incompatible with uses related to the marine resources industry;
7. protect, maintain, and, Where warranted, improve the quality of water bodies in accordance with the requirements of Maine's Water Classification Program (38 MRSA §464 to §470);
8. ensure that its land use policies and ordinances are consistent with applicable State law regarding critical natural resources;
9. develop a zoning ordinance that reflects the land use classifications, including growth and rural areas, designated on the land use plan;
10. establish regulatory standards and timely permitting procedures to manage development projected to occur within designated growth areas;
11. prevent inappropriate development in those natural hazard areas within designated growth areas;
12. establish land use policies and ordinances discouraging development within designated rural areas that is incompatible with the preservation of agricultural uses, forest uses, significant water resources, and critical natural resources; and
13. provide for the coordinated management of the resources and facilities it shares with other municipalities .

B. OTHER IMPLEMENTATION STRATEGY CRITERIA

Use plan must include a timetable that sets forth the dates by which, or time periods during which, the municipality will carry out each of the

implementation strategies. The plan must also identify the entity responsible for carrying out each strategy.

The implementation strategies must be consistent with the State's shoreland zoning law and other State planning, land use, and environmental laws.

The implementation strategies must be realistically feasible, given the municipality's fiscal and administrative capacities. The plan must indicate how the carrying out of the implementation strategies will be dependent on actions or events outside the control or influence of the municipality.

The implementation strategies must incorporate a "capital investment plan" (as referred to in 30-A MRSA §4326, sub-§3, Paragraph B). The capital investment plan must establish a framework for programming and financing those new or expanded public service facilities that are needed to accommodate projected growth and development and that constitute major capital improvements for which the municipality has fiscal responsibility. It must set forth general funding priorities among the needed municipal capital improvements. It must also identify potential funding sources and financing

The plan must, either in its implementation strategies or in a separate "regional coordination program" (as referred to in 30-A MRSA §4326, sub-§4), specify actions the municipality will take to carry out those policies regarding the coordinated management of resources and facilities the municipality shares with other municipalities.

APPENDIX: TYPICAL INVENTORY AND ANALYSIS INFORMATION

To meet the first-stage threshold inventory and analysis criteria contained in Section 3, a plan would typically need to contain and analyze the following information. The listed information items are presented here as illustration of what types of information a plan would generally include to meet those criteria; inclusion of all listed information items is not necessarily required to meet Section 3's criteria.

1. POPULATION

- a. year-round population (municipality and region) - for the last two Census years, the most recent year for which information is available (est.), and the year 10 years after the anticipated adoption of plan (est.)

Note: The State Department of Human Services annually publishes current and future population estimates for all municipalities which can be used to profile the year-round population.

- b. proportional make-up of population by age groups reflecting at least preschool, school, child-bearing, working, and retirement ages (municipality and region) - for the last two Census years, the most recent year for which information is available (est.), and the year 10 years after the anticipated adoption of plan (est.)

Note: The State Department of Human Services annually publishes current and future age distribution estimates for all municipalities, which can be used to profile the population's make-up by age

- c. number of households (municipality and region) - for the last two Census years, the most recent year for which information is available (est.), and the year 10 years after the anticipated adoption of plan (est.)
- d. average household size and/or proportional make-up of households by size (municipality) - for the last two recent Census years, the most recent year for which information is available (est.), and the year 10 years after the anticipated adoption of plan (est.)
- e. median household income (municipality and region) - for the most recent year for which information is available

- f. proportional make-up of households by income (municipality)-for the most recent year for which information is available
- g. peak seasonal population, only if significant (municipality)-for the most recent year for which information is available (est.), and the year 10 years after the anticipated adoption of plan (est.)

2. ECONOMY

- a. size of labor force (municipality and region) - for the most recent Census year and the most recent year for which information is available (est.)
- b. unemployment rate (municipality and region) - far the most recent Census year and far the most recent year for which information is available
- c. proportional make-up of employed labor force by occupation type (municipality and region) - far the most recent Census year
- d. proportional make-up of employed labor force by industry (municipality and region) - for the most recent year for which information is available
- e. general description of major employers (municipality and region) and major employers gained and lost in the past 10 years
- f. value of taxable retail consumer sales (municipality and region) far the last 5 years for which information is available
- g. proportional make-up of value of taxable retail consumer sales by retail sector (municipality and region) - for the last 5 years for which information is available
- h. proportional make-up of value of taxable retail sales by time of year (municipality) - for the last 5 years far which information is available
- i. proportional make-up of municipality's employed labor force by location of employment (within or outside municipality) - far the most recent year for which information is available
- j. identification of communities where outside employment of municipal residents is principally located - for the most recent year for which information is available

3. HOUSING

- a. number of year-round housing units (municipality and region) - for the last two Census years, the-most recent year for which information is available (est.), and the year 10 years after the anticipated adoption of plan (est.)
- b. vacancy rates of year-round housing units (municipality) - for the most recent year for which information is available (est.)
- c. proportional make-up, of housing units by structure type [single-family, 2-family, multifamily, mobile home] (municipality) - for the last two Census years, the most recent year for which information is available (est.), and the year 10 years after the anticipated adoption of plan (est.)
- d. proportional make-up of occupied housing units by tenure (renter-occupied v. owner-occupied] (municipality) - for the last two Census years, the most recent year for which 'the information is available (est.), and the year 10 years after the anticipated adoption of plan (est.)
- e. proportional make-up of housing units by general physical condition (municipality) - for the most recent year for which the information is available (est.)
- f. proportional make-up of housing units by affordability to very low income, low income, and moderate income households (municipality and region) - far the most recent year for which information is available (est.)

Note: The Office of comprehensive Planning annually publishes current affordable housing rents and sales prices.

- g. number of housing units with subsidized rents or prices, and location and size (number of housing units) of housing developments with subsidized rents or prices (municipality) - for the most recent year for which information is available (est.)
- h. number and general location of seasonal housing units, only if significant (municipality) - far the most recent year for which the information is available (est.)

4. TRANSPORTATION

- a. location and mileage of roadways by maintenance responsibility (State, local, private), classification (major arterial, collector road,

local read), surfacing (paved v. unpaved), and physical condition (good, fair, poor) - for the most recent year for which the information is available

- b. level of service along major arterials (i.e., the relationship of average daily traffic volumes along major arterials to the arterial's traffic-handling capacity) - for the most recent year for which information is available (est.; where available from the Maine Department of Transportation)
- c. general description (service area, time of service, ridership) of public transit facilities and services
- d. location and capacity (number of spaces) of major public parking facilities
- e. general description (location, type) of network of sidewalks and other pedestrian ways
- f. location of airports and general description (usage volume and types, general condition) of airport facilities and service
- g. location of rail lines (existing and abandoned) and railway stations, and general description (usage volumes and types, general condition) of rail facilities and service
- h. location of public ferry terminals and general description (routes, service frequency, usage volumes, general condition) of ferry facilities and service

5. PUBLIC FACILITIES AND SERVICES

- a. Water supply
 - i. source, geographical service area, volume of water consumption, and capacity of public water supply system - for the most recent year for which information is available
 - ii. location, physical condition, and expected life of major public water supply, storage, treatment, and distribution facilities for the most recent year information is available
- b. Sewerage

- i. geographical service area, volume of sewage, and capacity of public sewerage system - for the most recent year information is available
 - ii. location, physical condition, and expected life of major public sewage collection, treatment, disposal, and discharge facilities - for the most recent year information is available
- c. Solid waste
 - i. geographical service area, volume of waste, and capacity of public solid waste disposal system - for the most recent year information is available (est.)
 - ii. location, physical condition, and expected life of major public solid waste transfer, disposal, and recycling facilities - for the most recent year for Which information is available
- d. Stormwater management
 - i. geographical service area and volume of water of stormwater management facilities - for the most recent year information is available
 - ii. location, physical condition, and expected life of major facilities for stormwater collection, storage, and discharge for the most recent year information is available
 - iii. location of identified combined sewer overflows - for the most recent year information is available
- e. Public safety
 - i. location and physical condition of fire, police, emergency, and rescue facilities, and general description of fire, police, and rescue services and staffing - for the most recent year for which information is available
- f. Education
 - i. primary/secondary school system enrollment - for the most recent year information is available and the year 10 years after the anticipated adoption of plan (est.)

- ii. location, capacity, and general physical condition of primary and secondary schools - for the most recent year information is available
- g. Health care
 - i. location of major health care facilities (hospitals, clinics) serving the municipality, and general description of health care services - for the most recent year information is available in cultural facilities
- h. Cultural facilities
 - i. location, volume of usage, and general condition of public libraries, museums, art centers, and other major cultural facilities - for the most recent year information is available
- i. Municipal facilities and services (other than those included above)
 - i. location and physical condition of municipal administrative and public works facilities, and general description of municipal administrative and public works services and staffing - for the most recent year information is available

6. RECREATION

- a. location, use, capacity, condition, and size of major public parks and other major public open space areas, and general description of their major uses and facilities - for the most recent year information is available
- b. location, use, capacity, and condition of major public recreation facilities (indoor and outdoor), and general description of community recreational opportunities they provide - for the most recent year information is available
- c. location of public access points to surface waters, and general description of their major facilities, capacity, and level of use for the-most recent year information is available
- d. location of important private open space areas used for public recreation, and general description of their principal uses, level of use, and terms of use (easements, use agreements, open access policies) - for the most recent year information is available

7. MARINE RESOURCES INDUSTRY

- a. location of major shellfishing areas, worming areas, fisheries, and other marine resource areas, and general description of their size, water quality, accessibility, users, and level of production - for the most recent year information is available
- b. location, size, and depth of harbor basins and channels - for the most recent year information is available
- c. location and type of major harbor facilities (wharves, docks, piers, mooring areas, etc.), and general description of their principal uses, capacity, and physical condition - for the most recent year information is available
- d. location of public access points and parking facilities associated with marine resource use, and general description of their principal uses - for the most recent year information is available
- e. location and type of facilities directly associated with other water-dependent uses important to the local economy, and general description of their size and physical condition - for the most recent year information is available

8. WATER RESOURCES

- a. location, area, water quality, State classification, DEP Water Quality Category and phosphorus coefficient, and principal uses of lakes - for the most recent year information is available
- b. location, water quality, State classification, and principal uses of rivers, streams, and estuarine and coastal waters - for the most recent year information is available
- c. boundary and area of the watersheds of lakes and rivers
- d. location and estimated yield of identified sand and gravel aquifers - for the most recent year information is available
- e. location and type of identified point source discharges into rivers and the watersheds of lakes and rivers - for the most recent year information is available
- f. general description of identified and potential sources of non-point discharges into rivers and the watersheds of lakes and rivers - for the most recent year information is available preservation of the quantity and quality of significant water resources

9. CRITICAL NATURAL RESOURCES

- a. general boundaries, size, and importance of identified wetlands, significant wildlife habitats, significant fisheries habitats, significant plant communities, and significant coastal sand dune systems - for the most recent year information is available
- b. boundary, size, importance, and type of Heritage Coastal Areas - for the most recent year information is available
- c. general location, importance, and type of identified unique natural areas - for the most recent year information is available
- d. location and importance of significant scenic areas and scenic views
- e. general description of identified and potential threats to the existence, physical integrity, or quality of the identified critical natural resources
- f. description of existing measures providing protection and preservation of the identified critical natural resources

10. AGRICULTURAL AND FOREST RESOURCES

- a. general description of the location, size range, and principal products of commercial farmlands and forest lands, and their importance to municipal and regional economies.
- b. general description of the location and type of agriculture-dependent and forestry-dependent land uses and facilities
- c. number of farms and acres of farmland participating in the State Farm and Open Space Law taxation program - for the most recent year for which information is available
- d. number of parcels and acres of forest land participating in the State Tree Growth Tax Law program - for the most recent year for which information is available
- e. general description of already identified and potential threats to the existence, physical integrity, or quality of those farmlands and forest lands identified as important
- f. description of existing measures providing protection and preservation of important farmlands and forest lands

11. HISTORIC AND ARCHEOLOGICAL RESOURCES

- a. brief description of historic settlement patterns and events contributing to the history, development, and character of the municipality and its surroundings
- b. location and type of already identified historic and archeological resources, and general description of their character, significance, and condition - for the most recent year for which information is available
- c. general description of already identified and potential threats to the existence, physical integrity, or quality of the identified historic and archeological resources
- d. description of existing measures providing protection and preservation of the identified historic and archeological resources

12. LAND USE

- a. location and general amount of land devoted to various existing land uses, by land use classifications (such as residential, commercial, institutional, industrial, agricultural, forestry, extractive, park/recreational, and undeveloped) - far the most recent year for which information is available
- b. general description of changes in the amount or location of land generally devoted to the identified land use classifications over the past 10 years
- c. location and general amount of land physically unsuitable for development (such as land with soil types unsuitable for development and land posing a hazard to development - floodplains, steep slopes, areas of high erosion) - far the. most recent year for which information is available

13. FISCAL CAPACITY

- a. total value of municipal tax base - for the most recent year for which information is available
- b. general description of sources of municipal revenue - for the most recent year far which information is available

- c. amount of annual recurring municipal revenues, by major revenue source - for the last 5 years
- d. amount of annual recurring municipal expenditures, by major purpose - for the last 5 years
- e. amount of debt by type of debt, and legal debt limit - for the most recent year for which information is available

AUTHORITY: 30-A M.R.S.A. §4341, sub-§5

EFFECTIVE DATE: July 7, 1990

EFFECTIVE DATE (ELECTRONIC CONVERSION): May 22, 1996