



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

IN THE MATTER OF

STATE OF MAINE, DEPARTMENT OF	) APPLICATION FOR JUNIPER RIDGE
ADMINISTRATIVE AND FINANCIAL	) LANDFILL EXPANSION LICENSE
SERVICES,	) MAINE HAZARDOUS WASTE, SEPTAGE
ALTON, OLD TOWN,	) AND SOLID WASTE MANAGEMENT ACT
PENOBSCOT COUNTY	) PUBLIC HEARING
# HQH-D4D1-RJBBR	) THIRD PROCEDURAL ORDER

On August 14, 2026, the Presiding Officer held a virtual pre-hearing conference regarding the application for expansion of the Juniper Ridge Landfill. The purpose of the pre-hearing conference was to review the roles and responsibilities of the participants, the scope of the public hearing, the statutory and regulatory standards, the proposed schedule for the public hearing and required filings, and to discuss other administrative matters. This third procedural order reviews matters discussed at the pre-hearing conference and sets forth the rulings of the Presiding Officer.

Participants:

Ronald Mongeon, Presiding Officer	Daisy Goodman, Individual Intervenor
Valerie Wright, Assistant Attorney General (AAG)	Edward Spencer, Individual Intervenor
Kelsey Gagnon, AAG	Lane Gould, Dept. of Administrative and Financial Services / Bureau of General Services
Susanne Miller, DEP Bureau of Remediation and Waste Management (BRWM)	Halliday Moncure, AAG, for Bureau of General Services
Victoria Eleftheriou, DEP BRWM	Brian Rayback, Dentons Bingham Greenebaum LLP, for NEWSME Landfill Operations, LLC (NEWSME)
Vera Maheu, DEP BRWM Project Manager	

Joseph Siviski, Perkins Thompson, for
Intervenor City of Old Town

Nora Bosworth, Conservation Law
Foundation, for The Penobscot Nation

Peter Nichols, Penobscot Bay
Waterkeeper

David Perkins, Curtis Thaxter, for
Penobscot Bay Waterkeeper

Chales Owen Verrill, Jr., President, for
Maine Rivers

1. Applicable Procedural Rules

The Presiding Officer will conduct the proceedings in accordance with the provisions of the Maine Administrative Procedure Act (MAPA) governing adjudicatory proceedings (5 M.R.S. §§ 9051-9064), the Department's Rule Concerning the Processing of Applications and Other Administrative Matters, 06-096 C.M.R. ch. 2 (Chapter 2) and Rules Governing the Conduct of Licensing Hearings, 06-096 C.M.R. ch. 3 (Chapter 3). The parties should familiarize themselves with these provisions of statute and rule.

Copies of Chapter 3 are distributed to the parties with this procedural order.

2. Roles and Responsibilities

a. Presiding Officer: The role of the Presiding Officer is set forth in 5 M.R.S. § 9062 and Chapter 3, § 4. The Presiding Officer may vary from any procedure described in Chapter 3 or the MAPA chapter 375, subchapter IV, if the parties and the Presiding Officer agree to such variation, or if the variance will achieve greater fairness or economy and no prejudice to any party will result (5 M.R.S. § 9053(4) and Chapter 3, § 4(C)(11)). Certain rulings of the Presiding Officer such as those pertaining to the relevant statutes and rules, the admissibility of

evidence, and the issues to be heard may be appealed to the Commissioner (see Chapter 3, § 4(D)). An appeal of the Presiding Officer's Ruling is not required to preserve a party's objection for the purpose of judicial appeal (Chapter 3, § 4(D)).

b. Applicant: Under provisions of Chapter 2, § 10(F), the Applicant has the burden of proof to affirmatively demonstrate that each of the licensing criteria in statute and rule is met. While all licensing criteria must be met, the Presiding Officer has authority to limit the issues to be addressed at the hearing if the parties and the Presiding Officer agree to such limitation or if no prejudice to any party will result (5 M.R.S. § 9053(4) and Chapter 3, § 4(C)(11)). The Presiding Officer intends to focus the hearing on the issues that are in dispute. For issues that are not disputed, the Presiding Officer does not intend to require pre-filed testimony; rather, the Applicant may rely on the information contained in the application and any supplemental submissions filed in response to comments received. Any narrowing of issues for the purpose of the hearing will be discussed at a future pre-hearing conference or in a procedural order.

c. Intervenor: Under provisions of Chapter 3, § 11(A), an intervenor is a party to the proceeding and has the right to offer testimony and evidence and conduct cross-examination. At the hearing, each intervenor is required to present its case during the time allotted for parties and not during the portion of the hearing that will be reserved for testimony from the general public. Intervenor are required to copy the Applicant and the other parties on all documents and correspondence they file with the Presiding Officer. Intervenor will be required to file written

testimony of their witnesses in advance of the hearing, and their witnesses must be available at the hearing for cross-examination. An intervenor may elect not to present testimony or evidence while reserving the right to cross-examine the witnesses of the Applicant and other parties.

d. Department Staff: The role of Department staff entails gathering facts on behalf of the Presiding Officer, which includes asking questions of witnesses at the hearing (see Chapter 3, § 5). At the conclusion of the hearing, Department staff will analyze the record, review the record with Presiding Officer in one or more deliberative sessions, and draft a recommendation (in the form of a draft Presiding Officer Order) for the Commissioner's consideration. Participation in the deliberative session is limited to Presiding Officer and Department staff; no additional evidence or argument is heard at a deliberative session.

e. Interested Persons: Under Chapter 3, § 2(I), an interested person is a person who submits written comments on an application or makes a written request to receive notices related to an application. Pursuant to Chapter 3, interested persons receive the following information regarding the hearing: all procedural orders; notice of all meetings at which the Presiding Officer will take an official action in the matter (including a copy of the Presiding Officer agenda, Department memorandum(s), and draft proposed order); public hearing notices; notice of opportunity to comment on the draft decision document; and a copy of the final decision. Distribution of these documents is the responsibility of Department staff.

Interested persons may submit comments on the application at any time until the close of the evidentiary record and may testify at the portion of the hearing reserved to receive testimony from the general public. Interested persons do not have the right to cross-examine or to present witnesses during the public hearing. At the Presiding Officer's discretion, interested parties may be allowed to ask a specific question of a witness through the Presiding Officer.

f. General Public: The general public may submit comments on the application at any time until the close of the evidentiary record, which generally occurs at the close of the hearing. The entire hearing is open to the public. The specific timing of the portion of the proceeding in which the general public may provide comment and testimony will be provided in a public notice for the public hearing. Public testimony is sworn and persons testifying are subject to questioning by the Presiding Officer and examination by the parties. At the Presiding Officer's discretion, members of the public may be allowed to ask a specific question of a witness through the Presiding Officer.

All parties are expected to comply with deadlines and filing requirements established by the Presiding Officer. Failure to comply may result in appropriate sanctions, including the rejection of argument, evidence or testimony the party seeks to offer. The representatives of the parties are expected to conduct themselves appropriately in their dealings with the Department, with each other, and with the general public throughout the proceedings.

Submissions not received by the Presiding Officer by a prescribed deadline will be deemed untimely and may not be accepted, absent a showing of good cause (Chapter 3, § 3(D)). The risk of material not being received in a timely manner is on the sender.

3. Scope of the Public Hearing

38 M.R.S. § 1310-S(2): “The department may hold an adjudicatory public hearing within the municipality in which the facility may be located or in a convenient location in the vicinity of the proposed facility. The department shall hold an adjudicatory public hearing on an application for a new or expanded commercial or state-owned solid waste disposal facility that accepts special waste upon request from a resident or a property owner in the municipality in which the proposed facility is located...”

The issues that are relevant to this proceeding are those that are in dispute related to the current expansion application. Issues relating to licenses and facilities that have already been approved and issued or the issuance of the public benefit determination of this expansion application are not relevant and may be excluded by the Presiding Officer pursuant to the MAPA, 5 M.R.S. § 9057(2), and 06-096 C.M.R. ch. 3, § 20(A). Topics that overlap between the current expansion application and the Commissioner’s public benefit determination, dated March 23, 2026, may be found to be relevant and allowed by the Presiding Officer.

4. Statutory and Regulatory Criteria

On August 10, 2026, the Presiding Officer notified the parties via email of the statutory and regulatory criteria that will be used when the Department considers the current

expansion application. A list of statutes and rules applicable to this proceeding are attached as Appendix A to this Procedural Order.

5. Service List, Filing Requirements and Attendance

As a reminder, all testimony including public testimony will be under oath and witnesses are subject to cross-examination by the parties, and questions from the Presiding Officer, Department staff, and Counsel for the Department.

The Presiding Officer considered the request made at the pre-hearing conference to forgo the requirement for pre-filed testimony and exhibits and hereby denies the request and orders that all parties pre-file testimony, exhibits and rebuttals (see Chapter 3, § 16). It is the Presiding Officer's determination that pre-filed testimony, exhibits and rebuttals allow all parties appropriate time to prepare questions for the public hearing and promotes the most efficient and effective use of the public hearing by allowing the maximum amount of time during the public hearing for parties' questions and cross-examination.

Parties are reminded that a witness for a party will not be allowed to testify at the hearing if the witness has not pre-filed testimony. For expert witnesses, their credentials should be submitted with their pre-filed testimony. Oral testimony by parties at the hearing will be limited to a concise summary of their pre-filed testimony so that the majority of time may be allocated to questioning and cross-examination of witnesses. A very limited exception may be made by the Presiding Officer for a new exhibit to be introduced at the hearing.

In addition, Parties are advised to demonstrate how written testimony and exhibits relate to specific licensing criteria. Irrelevant evidence may be excluded pursuant to MAPA, 5 M.R.S. § 9057(2) and Chapter 3, § 20(A).

a. Format and Numbering of Testimony and Exhibits

- i) The form for testimony is set forth in Chapter 3, § 3(A). Parties are reminded that written testimony must be sworn. As set forth in Chapter 3, § 16(C), written testimony is sworn if “the witness declares by oath or affirmation that the testimony is true and correct to the best of the witness’s knowledge and belief.” Such oath or affirmation must be before a notary, a Maine licensed attorney or other person authorized to administer oaths or affirmations in the State of Maine.
- ii) For expert witnesses, the witnesses’ credentials must be submitted as an exhibit with their pre-filed testimony.
- iii) Exhibits should be uniquely numbered sequentially as follows:
 - (1) Applicant: BGS 1, BGS 2, etc.
 - (2) City of Old Town: Old Town 1, Old Town 2, etc.
 - (3) Mr. Spencer: Spencer 1, Spencer 2, etc.
 - (4) Dr. Goodman: Goodman 1, Goodman 2, etc.
 - (5) Maine Rivers: MR 1, MR 2, etc.
 - (6) Penobscot Bay Waterkeeper: PBW 1, PBW 2, etc.
 - (7) Penobscot Nation: PN 1, PN 2, etc.

While there may be gaps in numbering, numbers should not be repeated.

- iv) In instances where a witness is referring in their testimony to a specific portion of a document, the relevant portion must be appended as an exhibit to that witness' testimony. For example, if a witness directs the reader to a specific table in the application, a copy of the table should be appended as an exhibit to the testimony for clarity and ease of reference. If testimony includes an excerpt from a document, the excerpt must be clearly identified and sufficient context provided so that the reader can comprehend the testimony without the need to refer to the complete document.
- v) Any proposed exhibits that are compilations of data in the form of charts, tables, graphs, etc. taken from various documents in the record that are newly created for the purpose of this proceeding must be clearly labeled as to their source and must be submitted with the witness' pre-filed testimony.
- vi) The introduction at the hearing of additional exhibits which are revised or reformatted pre-filed exhibits are not likely to be permitted because the other parties will have reviewed the evidence and formulated cross-examination using the exhibits as presented in the pre-filed testimony.

Some very limited exceptions to this rule may be allowed by the Presiding Officer at the hearing if circumstances warrant it, such as in response to questions raised at the hearing or information that has been developed through questioning of a witness at the hearing.

b. Filing of Testimony and Exhibits

- i) Each party is required to file with the Presiding Officer an electronic copy of its testimony and exhibits. Each party (including intervenors) is also required to provide each of the other parties with a written/paper copy of the pre-filed testimony and exhibits of its witnesses by the filing deadline to the addresses listed in the service list. Parties may agree amongst themselves to provide by email pre-filed testimony and exhibits to other party members. Such agreement must be in writing, which may include emails from each of the parties agreeing to forgo the distribution of physical/paper copies, and be provided to the Presiding Officer. Any party may decline to receive testimony and exhibits electronically, in which case they must receive a paper copy.
- ii) Pre-filed testimony and exhibits will be posted on the Department's webpage for review by members of the interested public.
- iii) For expert witnesses, their credentials should be submitted with their pre-filed testimony.

- iv) Evidence: Scientific papers or expert reports can be used as exhibits in support of a party's sworn testimony; however, such papers or reports must be included with the testimony.
- v) The requirement for witnesses to appear for cross-examination does not preclude the submission of scientific papers or other information which is in the public domain as an exhibit. However, parties are cautioned not to attach an exhibit to their testimony in an attempt to circumvent the requirement that a witness appear for cross-examination. If a report submitted as an exhibit is specific to the Juniper Ridge Landfill application for expansion, the party is advised to make the author available for cross-examination. Parties are advised to consult the MAPA, 5 M.R.S. § 9057 and Chapter 3, § 20 regarding evidence.

To provide further clarification regarding the submission of documents, the Presiding Officer will not accept links to documents. To be included in the record, scientific journals, reports or related documents, or relevant portions thereof, must be submitted as exhibits.

6. Other Procedural Matters

- a. At the conclusion of the hearing, no other evidence will be admitted except as authorized by the Presiding Officer.

- b. All parties will have the right to submit post-hearing briefs, comments and objections to the Presiding Officer's draft proposed order for the Commissioner.
- c. Along with the portion of the public hearing in which the general public may provide comments in person, there will be a period of time set by the Presiding Officer for the public to submit written comments.
- d. The application and documents related to this licensing proceeding are available online for public review at <http://www.maine.gov/dep/projects.html> under "Juniper Ridge Landfill."
- e. In accordance with Chapter 3, § 19(C), "where a member of the public is affiliated with a party to the proceeding, the member of the public shall speak on his or her own behalf and shall not provide evidence that should have been provided by the party as part of its case in chief."
- f. Members of the public will be encouraged to focus their testimony on the issues the Presiding Officer has authority to address in this licensing proceeding.
- g. Interested persons are not required to pre-file testimony; they will have an opportunity to address the Presiding Officer during the portion of the hearing reserved for the general public.
- h. If an intervenor wants to change status from an intervenor to an interested person, they should contact the Presiding Officer.

- i. The public hearing will be transcribed to ensure that, after the hearing, the parties and the general public may review them as part of the record. A transcriptionist will be present during the entire hearing.
- j. **Service List:** Whenever a party files a document with the Presiding Officer, the party must send a copy to each person on the most recent service list. The current service list is attached to this order. Department staff will copy all parties on procedural orders, formal decisions of the Presiding Officer, agency review comments, and other similar documents.
- k. If any party wants to change its designated representative, the party shall notify all other persons on the service list. Department staff will distribute revisions to the service list periodically as necessary.

7. Submission of Issues and Topics

On or before, **September 4, 2026, at 5:00 p.m.**, the intervenors must submit to the Presiding Officer and other parties the specific topics or issues that they intend to address during the public hearing. While it is not required that submissions include intervenors' entire argument and evidence that will be presented, it should include enough specificity to describe the way in which the provisions of the permit application, rules, statutes or standards are at issue or not properly addressed in the permit application. In addition, intervenors must file the number of witnesses they expect to present, identify how many of these are expert witnesses, and estimate the amount of time each witness will need to present their evidence during the hearing. When estimating time needed, intervenors are reminded that witnesses will be pre-filing their

direct and rebuttal testimony and that parties are asked to limit presentations by their witnesses to a concise summary of the major points of their testimony. Since each witness will summarize their testimony only once, each witness should, in their summary, weave together his/her direct and rebuttal testimony.

On or before, **September 11, 2026, at 5:00 p.m.**, the applicant must submit to the Presiding Officer and other parties the number of witnesses it expects to present, identify how many of these are expert witnesses, and estimate the amount of time each witness will need to present their evidence during the hearing.

8. Draft of Agenda and Issues and Topics to be Addressed

On or before, **September 18, 2026**, the Presiding Officer will provide the parties with a draft agenda for the Public Hearing, including the proposed topics and issues to be discussed. Pursuant to MAPA, 5 M.R.S. § 9054(4) and Chapter 3, § 11(A)(6), the Presiding Officer may require intervenors to consolidate their presentations of evidence and argument in part or in whole if their interests or contentions are substantially similar and such consolidation would expedite or simplify the hearing without prejudice to the right of any party. A consolidation may be for all purposes of the proceeding, all of the issues of the proceeding, or with respect to any one or more issues thereof.

Pursuant to MAPA, 5 M.R.S. § 9057(2) and Chapter 3, § 20(A), "Evidence will be admitted if it is relevant and material to the subject matter of the hearing and is of a kind upon which reasonable persons are accustomed to rely in the conduct of serious affairs. Evidence which is irrelevant, immaterial or unduly repetitious will be excluded."

On or before, **September 25, 2026**, the parties may submit any objections or comments on the draft agenda, including, but not limited to, any required consolidation of presentations of evidence or argument.

On or before, **October 2, 2026**, the Presiding Officer will issue a procedural order finalizing the draft agenda. The Presiding Officer may amend or modify the schedule and draft agenda of the public hearing at their discretion, with appropriate notice to all parties.

9. Schedule for Pre-filed Testimony and Exhibits

On or before, **November 6, 2026, at 5:00 p.m.**, the parties must submit to the Presiding Officer and other parties their pre-filed testimony and exhibits. As a reminder, the testimony and exhibits presented should include information as to how the testimony or exhibits apply to the particular licensing criteria or regulatory standard at issue and the credentials of any expert witnesses.

10. Schedule for Pre-filed Rebuttals and Objections

On or before, **November 25, 2026, at 5:00 p.m.**, the parties must submit to the Presiding Officer and other parties any rebuttal testimony, exhibits or objections they may have to previously pre-filed testimony and exhibits of other parties.

11. Tentative Schedule for Public Hearing

The public hearing is tentatively scheduled for **December 7, 8 and 9, 2026**, with a portion of the public hearing dedicated to comments and testimony from the General Public, to be held on the afternoon or evening of **December 9, 2026**.

The current proposed venue is the Rangely Hall of the Eastern Maine Community College located at 268 Sylvan Road in Bangor.

DONE AND DATED AT BANGOR, MAINE THIS 20th DAY OF AUGUST 2026.

By:
/s/ Ronald Mongeon
RONALD MONGEON,
PRESIDING OFFICER

Appendix A

Relevant Licensing Criteria – Solid Waste Landfill Standards

This list of relevant solid waste landfill licensing criteria has been compiled by Department staff in summary form for ease of reference to pertinent statutes and rules. The specific language and requirements in the applicable rules and statutes supersede the summaries in this document.

I. Title 38, Chapter 2, Subchapter 1, Department of Environmental Protection Organization and Powers, 38 M.R.S. §§ 341-A – 349-B, as applicable:

Applicable provisions include, but are not limited to:

§ 341-D. Board responsibilities and duties

§ 344. Processing of applications

§ 345-A. Hearings

II. Maine Hazardous Waste, Septage, and Solid Waste Management Act, 38 M.R.S. §§ 1301 - 1310-AA, as applicable

Applicable provisions include, but are not limited to:

§ 1302. Declaration of Policy

§ 1303-C. Definitions

§ 1304-B. Delivery of solid wastes to specific waste facilities

§ 1306. Prohibition

§ 1310-N. Solid waste facility licenses

§ 1310-N(1). Licenses

§ 1310-N(1-A). Surface water protection

§ 1310-N(2-A). Aquifer protection

§ 1310-N(2-F). Siting standards

§ 1310-N(3-A). Public benefit determination

§ 1310-N(5-A). Recycling and source reduction determination

§ 1310-N(7). Criminal or civil record

§ 1310-N(9). Host Community agreements

§ 1310-N(11). Waste generated within the state

§ 1310-N(12). Citizen advisory committee notification

§ 1310-S. Public and local participation

§ 1310-Y. Financial assurance

§ 1310-AA. Public benefit determination

III. Solid Waste Management and Recycling Law, 38 M.R.S. §2101

§2101. Solid waste management hierarchy

IV. Solid Waste Management Rules: General Provisions, 06-096 C.M.R. ch. 400, as applicable

Applicable provisions include, but are not limited to:

Section 1 – Definitions

Section 2 – Applicability

Section 3 – Solid Waste Licensing Process

Section 4 – General Licensing Criteria

A. Title, Right or Interest

B. Financial Ability

C. Technical Ability

D. Provisions for Traffic Movement

E. Fitting the Solid Waste Facility Harmoniously into the Natural Environment

F. No Unreasonable Adverse Effect on Existing Uses and Scenic Character

G. No Unreasonable Adverse Effect on Air Quality

H. No Unreasonable Adverse Effect on Surface Water Quality

I. No Unreasonable Adverse Effect on Other Natural Resources

J. Soil Types That Are Suitable and Will Not Cause Unreasonable Erosion

K. No Unreasonable Risk That a Discharge to a Significant Ground Water Aquifer Will Occur

L. Adequate Provision for Utilities and No Unreasonable Adverse Effect on Existing or Proposed Utilities

M. Not Unreasonably Cause or Increase Flooding

N. Solid Waste Management Hierarchy

Section 5 – Public Benefit Determination

Section 6 – Recycling

Section 7 – Host Community Agreements and Municipal Intervenor Grants

B (j). Right of Municipal Intervenors to Gain Entry

Section 8 – Right of Entry

Section 9 – Hazardous and Special Waste Handling and Exclusion Plan

Section 10 – Liability Insurance

Section 11– Financial Assurance for Solid Waste Disposal Facility Closure and Post-Closure Care and Corrective Action

Section 12 – Criminal or Civil Record

Section 13 – Variances

V. Solid Waste Management Rules: Landfill Siting, Design and Operation, 06-096 C.M.R. ch. 401, as applicable

Applicable provisions include, but are not limited to:

Section 1 – General Licensing Requirements

A. Applicability

B. Two Stage Process for Licensing Landfills

C. Performance Standards and Siting Criteria

D. General Requirements

E. Preliminary Information Reports and Other Pre-Application Requirements

Section 2 – Application Requirements

A. General Information

B. Site Specific Investigation

C. Site Assessment Report

D. Design Standards for Landfills

E. Alternative Design Process

F. Engineering Report for Landfills

G. Contaminated Transport Analysis

H. Plan View and Profile View Drawings

I. Quality Assurance Plan

J. Construction Contract Bid Documents

K. Water Quality Report and Proposed Monitoring Program [see 06-096 C.M.R. ch. 405, section 2]

L. Operations Manual [see 06-096 C.M.R. ch. 401, section 4]

Section 3 – Landfill Construction [applies post licensing decision]

Section 4 – Landfill Operations

A. Operations Manual

B. Operator Training and Certification Program

C. Operating Requirements

Section 5 – Landfill Closure [separate approval at time of closure]

Section 6 – Post-Closure Monitoring and Maintenance

VI. Solid Waste Management Rules: Water Quality Monitoring, Leachate Monitoring, and Waste Characterization, 06-096 C.M.R. ch. 405, as applicable

Applicable provisions include, but are not limited to:

Section 1 – General

Section 2 – Water Quality Monitoring

Section 3 – Standards for Ground and Surface Water Data Evaluation and Reporting

Section 4 – Leachate, Leachate Collection, Leachate Detection System and Leachate Treatment Residue Monitoring

Section 5 – Standards for the Installation, Construction and Maintenance of Wells and Piezometers, and for the Advancement of Borings

Section 6 – Solid Waste Characterization Program

This list of relevant licensing criteria has been compiled by Department staff in summary form for ease of reference. The specific language in the statutes and rules supersedes the summary descriptions in this document. The parties should familiarize themselves with the following licensing criteria.

Natural Resources Protection Act. 38 MRS §§ 480-A through 480-JJ.

38 M.R.S. § 480-B. Definitions

38 M.R.S. § 480-C. Prohibitions

38 M.R.S. § 480-D. Standards

1. Existing uses. The activity will not unreasonably interfere with existing scenic, aesthetic, recreational, or navigational uses.
2. Soil erosion. The activity will not cause unreasonable erosion of soil or sediment nor unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.
3. Harm to habitats; fisheries. The activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine or marine fisheries or other aquatic life.
4. Interfere with natural water flow. The activity will not unreasonably interfere with the natural flow of any surface or subsurface waters.

5. Lower water quality. The activity will not violate any state water quality law, including those governing the classification of the State's waters (38 MRS § 464).

6. Flooding. The activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties.

7. Sand or gravel supply. n/a

8. Outstanding river segments. n/a

9. Dredging. n/a

10. Significant groundwater well. n/a

11. Offshore wind project. n/a

38 M.R.S. § 480-X. Alterations of freshwater wetlands.

38 M.R.S. § 480-Z. Compensation. The Department may establish a program providing for compensation of unavoidable losses to an area listed in subsection 7 due to a proposed activity.

(7) Areas. Freshwater wetlands; coastal wetlands; significant vernal pool habitat; high and moderate value waterfowl and wading bird habitat, including nesting and feeding areas; and shorebird nesting, feeding and staging areas.

38 M.R.S. § 480-BB. Significant wildlife habitat; major substantive rules.

Chapter 305. Permit by Rule. (19) Activities in, on or over significant vernal pool habitat.

Chapter 310. Wetlands and Waterbodies Protection

Chapter 315. Assessing and Mitigating Impacts to Existing Scenic and Aesthetic Uses

Chapter 335. Significant Wildlife Habitat

Other: US Fish & Wildlife and Army Corps' review of impacts to critical habitat of Atlantic Salmon and impacts to wetlands.

Appendix B

Service List

Filings with Presiding Officer must be submitted to Ronald Mongeon by 5:00 p.m. on the due date.

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