



## DEPARTMENT OF HEALTH & HUMAN SERVICES

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Public Health Service  
Indian Health Service  
Federal Bldg., Rm. 21100  
202 Harlow St.  
Bangor, ME 04401  
Phone: 207-852-9269  
Email: kenneth.grant@ihs.gov

November 6, 2024

Kathleen Leyden  
Maine Coastal Program  
22 State House Station  
Augusta, ME 04333

Re: Indian Health Service (IHS) Project NS-24-H76: Scattered Site Housing Project  
Coastal Zone Management Act of 1972 (CZMA)-National Environmental Policy Act  
(NEPA): Request for Review

Dear Ms. Leyden:

The Indian Health Service (IHS) and the 5 Maine Tribes (Mi'kmaq Nation, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe – Indian Township, the Passamaquoddy Tribe – Pleasant Point, and the Penobscot Indian Nation) have entered into an agreement for the provisions of sanitation facilities for approximately 30 residential homes belonging to members of federally recognized Indian Tribes. The homes will be located within each Tribe's Purchased/Referred Care Delivery Area (PRCDA). Pertinent details of the project are summarized below.

**Project Summary:** This Project Summary proposes a project to serve homes with necessary sanitation facilities that may consist of individual onsite or community sanitation facilities. All of the homes to be served by this project are classified as New, Like-New, or Homes of Referred Patients with Medical Conditions. Construction will be typically limited to areas less than one acre per site. Due to the nature of this project, some participants for services and their locations are unknown at this time. Applications for services are received continually and each site is thoroughly reviewed upon receipt of the application.

**Site Evaluation:** IHS conducts a site evaluation of each home site prior to conducting any construction activities. The site evaluation includes inspecting the structural integrity of each home, determining what type of sanitation facilities are required, and visually looking for any obvious environmental concerns related to the National Environmental Policy Act, including concerns related work that may be proposed near wetlands and flood zones. FEMA mapping resources and online mapping data are reviewed to further evaluate a site. At this time, we do not anticipate any construction activities that would occur in a flood zone, wetland or not in accordance with the above mentioned Acts. Most construction activity will occur on previously established sites that involve replacement or new individual sanitation facilities.

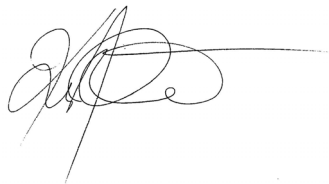
**Project Area (Area of Potential Effect):** The project will be located within each Tribe's PRCDA. The combined PRCDA consists of Aroostook, Hancock, Penobscot, and Washington Counties, Maine. IHS abides by or exceeds all Federal, State, Local and Tribal health codes, guidelines and regulations to accomplish this work.

**Funding Agency:** The Department of Health and Human Services/Indian Health Service, under the provisions of Public Law 86-121, is the funding agency for this project.

Please provide review of this project within thirty (30) calendar days that the above action will not adversely affect any requirements of the Maine Coastal Program.

Should you have any further questions, please contact me at 207-852-9269 or by email at [kenneth.grant@ihs.gov](mailto:kenneth.grant@ihs.gov).

Sincerely,

A handwritten signature in black ink, appearing to be 'KJ Grant', with a long horizontal line extending to the right.

Kenneth J. Grant, P.E., Field Engineer

Cc: Project File



# Maine Coastal Program

## Coastal Zone Management Act

### Federal Consistency Submission Form

The Maine Coastal Program (MCP) is the lead agency for Coastal Zone Management in Maine. MCP strongly suggests that applicants for a federal consistency determination or certification use this form for activities regulated under the Coastal Zone Management Act (CZMA) of 1972, as amended, and the National Oceanic and Atmospheric Administration (NOAA) Federal Consistency Regulations under 15 CFR Part 930. Although use of this form is not required, it is provided to applicants to facilitate the submission and timely review of a consistency determination or certification. Federal agencies and applicants are only required to provide the information listed in NOAA's Federal Consistency Regulations unless otherwise described in the [Maine Guide to Federal Consistency Review](#), as approved by NOAA.

#### I. Applicant Information:

Project/Activity Name: IHS NS-24-H76 Scattered Water and Sewer Facilities		
Contact Name: Ken Grant	Authorized Agent (if applicable):	
Federal Agency: DHHS/Indian Health Service (IHS)/Nashville Area Office (NAO)/Bangor Field Office		
Address: MC Smith Federal Building, Room 21100, 202 Harlow Street		
City: Bangor	State: ME	Zip Code: 04401
Email: kenneth.grant@ihs.gov	Phone Number: 207 852-9269	

#### II. Federal Consistency Category:

<input checked="" type="checkbox"/>	Federal Agency Activity (15 CFR Part 930, subpart C)
<input type="checkbox"/>	Federal License or Permit Activity (15 CFR Part 930, subpart D)
<input type="checkbox"/>	Outer Continental Shelf Activity (15 CFR Part 930, subpart E)
<input type="checkbox"/>	Federal Financial Assistance Activity to State/Local Government (15 CFR Part 930, subpart F)

#### III. Summary Description:

Indian Health Service (IHS) Project 24-H76 will provide water and/or sewer (W&S) services for eligible homes (owned by Native Americans) within the services areas of the five Maine Tribes. The service areas are Aroostook, Hancock, Penobscot, and Washington Counties. The W&S services typically are on-site potable water well drilling and development or the installation of septic tank and subsurface drainfield for individual homes. However, some urban homes may be connected to community water and/or wastewater systems. All construction takes place within the property boundaries of the homes and any utility right-of-ways. The construction will proceed according to all local, state and federal rules and regulations.
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**IV. Select enforceable policies relevant to project or activity:**

<input checked="" type="checkbox"/>	Natural Resources Protection Act (38 M.R.S. §§480-A to 480-S; and 480-U to 480-HH)
<input type="checkbox"/>	Site Location of Development Law (38 M.R.S. §§481 to 485-A; 486-A, -B; 487-A to 490-FF)
<input type="checkbox"/>	Maine Metallic Mineral Mining Act (38 M.R.S. §§490-LL to 490-TT)
<input type="checkbox"/>	MaineDOT Traffic Movement Permit Law (23 M.R.S. §704-A)
<input checked="" type="checkbox"/>	Erosion Control and Sedimentation Law (38 M.R.S. §420-C)
<input type="checkbox"/>	Expedited Permitting of Grid-scale Wind Energy Development (35-A M.R.S. §§3451-3459)
<input type="checkbox"/>	Solar Energy Development Decommissioning Law (35-A M.R.S. chapter 34-D)
<input type="checkbox"/>	Storm Water Management Law (38 M.R.S. §420-D)
<input type="checkbox"/>	Maine Waterway Development and Conservation Act (38 M.R.S. §§630 to 636-A; 640)
<input type="checkbox"/>	Protection and Improvement of Air Law (38 M.R.S. §§581 to 610-A, -B)
<input type="checkbox"/>	Protection and Improvement of Waters Act (38 M.R.S. §§361-A, 362, 362-A, 363-D, 372; 410-N; 411 to 424; 451, 451-A, 452; 464 to 470)
<input type="checkbox"/>	Nutrient Management Act (7 M.R.S. §§4201 to 4214)
<input type="checkbox"/>	Land Use Regulation Law (12 M.R.S. §§681 to 689)
<input type="checkbox"/>	Maine Hazardous Waste, Septage and Solid Waste Management Act (38 M.R.S. §§1301 to 1310-BB; 1316 to 1316-L; 1317 to 1319-Y)
<input type="checkbox"/>	Uncontrolled Hazardous Substance Sites Law (38 M.R.S. §§1362, 1367, 1367-B)
<input type="checkbox"/>	Asbestos Law (38 M.R.S. §§1273 and 1281)
<input type="checkbox"/>	Lead Abatement Law (38 M.R.S. §§1296 and 1298(3))
<input type="checkbox"/>	Sale of Consumer Products Affecting the Environmental Law (38 M.R.S. §§1608 and 1609-10)
<input type="checkbox"/>	Mercury-Added Products and Services Law (38 M.R.S. §§1661 to 1661-C; 1665-A, -B; 1672)
<input type="checkbox"/>	Solid Waste Management and Recycling Law (38 M.R.S. §§2101; 2133, sub-§2(A); 2165)
<input type="checkbox"/>	Priority Toxic Chemical Use Reduction Law (38 M.R.S. §§2321 to 2330)
<input type="checkbox"/>	Wellhead Protection Law (38 M.R.S. §§1391 to 1399)
<input type="checkbox"/>	Nuclear Facility Decommissioning Laws (PL 1999 c. 739; PL 1999 c. 741)
<input type="checkbox"/>	Oil Discharge Prevention & Pollution Control Law (38 M.R.S. §§541 to 560)
<input type="checkbox"/>	Oil Storage Facilities and Ground Water Protection Law (38 M.R.S. §§561; 562-A; 563, sub-§1(A) and 2; 563-A to -B; 564; 565-A; 566-A; 568; 568-A to -B; 569-C; 570; 570-C to -G, I to M)
<input checked="" type="checkbox"/>	Maine Endangered Species Act (12 M.R.S. §12801 to 12810; 12 M.R.S. §6971 to 6976; 12 M.R.S. §10001, sub-§§19 and 62)
<input type="checkbox"/>	General Licensing and Enforcement Authorities; Fees (38 M.R.S. §§341-D; 344 to 349; 352 to 353; 353-A, -B)
<input checked="" type="checkbox"/>	Maine Rivers Act (12 M.R.S. §§403; 407)
<input type="checkbox"/>	Marine Resources Law (12 M.R.S. §§6171 to 6192; 6432-A)
<input type="checkbox"/>	Importing of Certain Marine Organisms (12 M.R.S. §6071)
<input type="checkbox"/>	Aquaculture Leasing Laws (12 M.R.S. §6071-A; 12 M.R.S. §6072; 12 M.R.S. §6072-A; 12 M.R.S. §6073)
<input type="checkbox"/>	Subdivision Law (30-A M.R.S. §§4401 to 4408)
<input checked="" type="checkbox"/>	Mandatory Shoreland Zoning Law (38 M.R.S. §§435 to 448)
<input type="checkbox"/>	Coastal Management Policies Act (38 M.R.S. §§1801 to 1802)
<input type="checkbox"/>	Coastal Barrier Resources System Act (38 M.R.S. §§1901 to 1905)

**V. Supporting Documentation. Please list all maps, diagrams, reports, and other materials below:**


Location map and list of known participants for Project 24-H76.

**VI. Other Coordination. Please list all agencies and contacts required to review this project below:**

The Mi'kmaq Nation, Houlton Band of Maliseet Indians, Passamaquoddy Tribes Indian Township & Pleasant Point, Penobscot Indian Nation, Historic Preservation, Endangered Species Act, Safe Drinking Water Act, Wetlands and Water Resources, Floodplains, Wilderness Act, Farmland Protection Policy Act, Wild and Scenic Rivers Act.

**VII. Statement of Determination/Certification and Signature. Check one and sign below:**

<input checked="" type="checkbox"/>	<b>FEDERAL AGENCY CONSISTENCY DETERMINATION.</b> Based upon the information, data, and analysis included herein, the federal agency or its authorized agent finds the proposed activity is consistent to the maximum extent practicable with the enforceable policies of the Maine Coastal Program.
<input type="checkbox"/>	<b>FEDERAL AGENCY NEGATIVE DETERMINATION.</b> Based upon the information, data, and analysis included herein, the federal agency or its authorized agent finds the proposed activity will not have any reasonably foreseeable effects on Maine's coastal uses or resources.
<input type="checkbox"/>	<b>NON-FEDERAL APPLICANT CONSISTENCY CERTIFICATION.</b> Based upon the information, data, and analysis included herein, the non-federal applicant certifies that the proposed activity complies with the enforceable policies of Maine Coastal Program and will be conducted in a manner consistent with such program.

Signature: <b>Kenneth J. Grant -S</b>  Digitally signed by Kenneth J. Grant -S Date: 2025.01.03 13:49:25 -05'00'	
Printed Name: Kenneth J. Grant	Date: January 3, 2025

## MALI

- 46.1172798, -67.8267757
- 46.2642534, -67.8408613
- 45.7264176, -67.9456721
- 46.1465040, -68.0344090
- 46.0628616, -67.8860731

## MMAC

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- 46.8877219, -67.8727966
- 46.1951739, -67.8930738
- 46.8311957, -68.0422933
- 46.7056708, -68.0090887

## PASI

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- 44.4220599, -68.0209689
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- 45.2165604, -68.0893646
- 45.2360339, -67.6531754

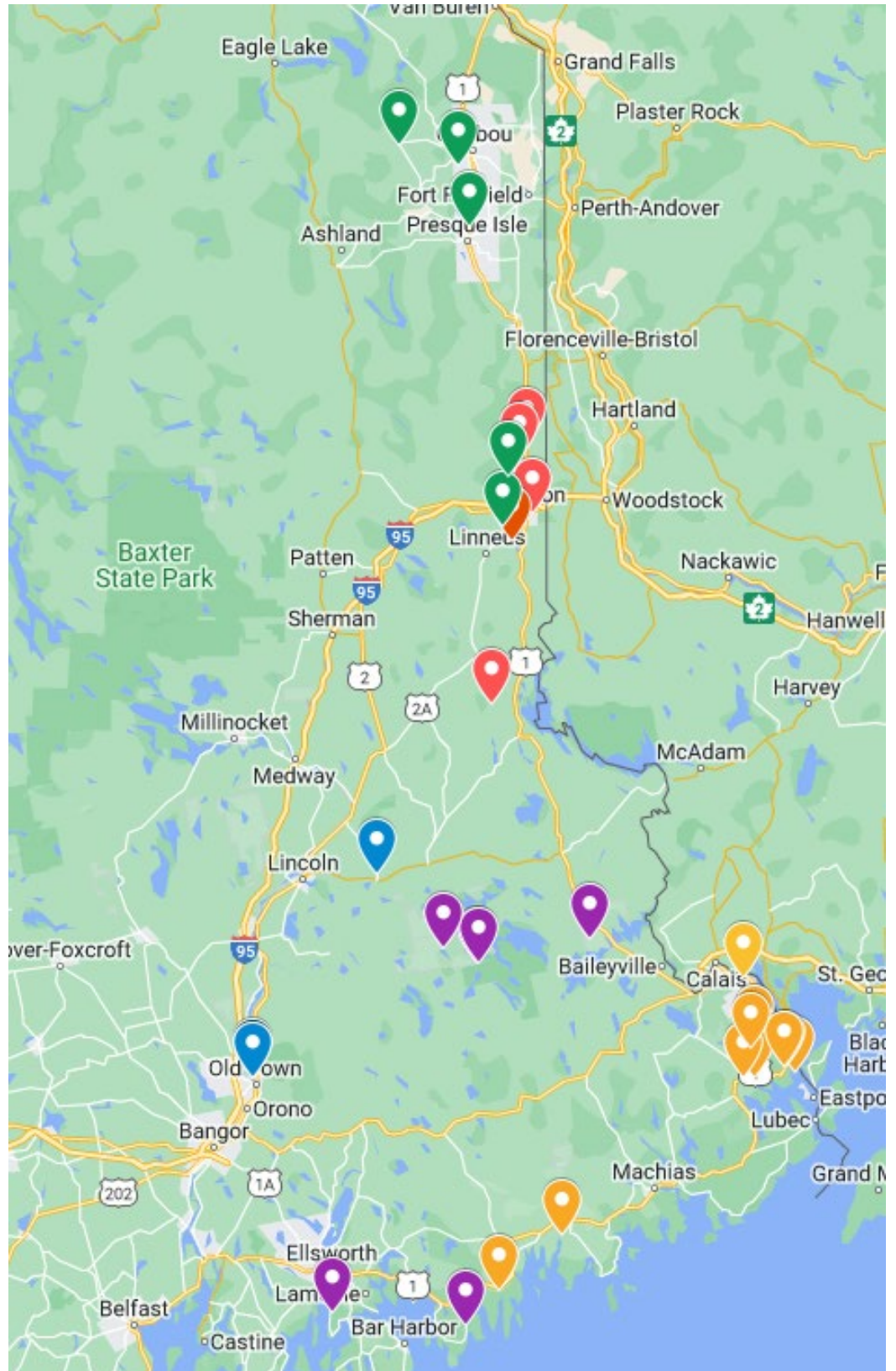
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- 44.9579900, -67.0428300
- 44.9684700, -67.0720200
- 44.9689900, -67.0769100
- 45.0077900, -67.1757000
- 45.1563834, -67.2005059

## PENO

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- 44.9535, -68.6556000
- 44.9465000, -68.6537000
- 44.9446324, -68.6539204

## Indian Health Service (IHS) FY24 Scattered Housing Project H76 Known Participants





COMMUNITY & NUMBER OF HOMES		LOCATION OF KNOWN PARTICIPANTS PROJECT 24-H77				WATER SUPPLY		WASTE DISPOSAL	
#	County	Northing	Easting	Town	Tribe	Well	Comm	STDF	Comm
1	Aroostook County	46.2642534 N	-67.8408613 W	Littleton	MALI	X		X	
1	Aroostook County	45.7264176 N	-67.9456721 W	Houlton	MALI	X		X	
1	Aroostook County	46.1172798 N	-67.8267757 W	Houlton	MALI		X		
1	Aroostook County	46.0628616 N	-67.8860731 W	Hodgdon	MALI	X		X	
1	Aroostook County	46.1465040 N	-68.0344090 W	Ludlow	MALI			X	
1	Aroostook County	46.1951739 N	-67.8930738 W	Littleton	MMAC	X		X	
1	Aroostook County	46.8311957 N	-68.0422933 W	Caribou	MMAC	X		X	
1	Aroostook County	46.7056708 N	-68.0090887 W	Presque Isle	MMAC			X	
1	Aroostook County	46.0937236 N	-67.9108913 W	Linneus	MMAC	X			
1	Aroostook County	46.8877219 N	-67.8727966 W	Limestone	MMAC	X		X	
1	Penobscot County	45.3730767 N	-68.2864211 W	Lee	PENO	X		X	
1	Penobscot County	44.9535000 N	-68.6556000 W	Indian Island	PENO				X
1	Penobscot County	44.9465000 N	-68.6537000	Indian Island	PENO		X		X
1	Penobscot County	44.9446324 N	-68.6539204 W	Indian Island	PENO		X		X
1	Washington County	44.4978605 N	-67.9236625 W	Machias	PASP	X		X	
1	Washington County	44.9279323 N	-67.2248836 W	Dennysville	PASP	X			
1	Washington County	44.9684700 N	-67.0720200 W	Pleasant Point	PASP			X	
1	Washington County	45.0077900 N	-67.1757000 W	Pleasant Point	PASP			X	
1	Washington County	44.9689900 N	-67.0769100 W	Pleasant Point	PASP	X		X	
1	Washington County	44.9579900 N	-67.0428300 W	Pleasant Point	PASP				X
1	Washington County	44.9460249 N	-67.1956659 W	Pembroke	PASP	X		X	
1	Washington County	45.0244972 N	-67.1634228 W	Robbinson	PASP			X	
1	Washington County	44.6121025 N	-67.7352488 W	Jonesport	PASP	X		X	
1	Washington County	45.1563834 N	-67.2005059 W	Calais	PASP	X			
1	Washington County	44.4220599 N	-68.0209689 W	Prospect Harbor	PASI	X		X	
1	Washington County	45.1870005 N	-67.9842933 W	Princeton	PASI	X		X	
1	Washington County	45.2165604 N	-68.0893646 W	Hancock County	PASI	X		X	
1	Washington County	45.2360339 N	-67.6531754 W	Indian Township	PASI	X		X	
1	Washington County	45.1866981 N	-67.9873832 W	Princeton	PASI	X		X	
1	Washington County	44.4480807 N	-68.4182205 W	Trenton	PASI			X	