

**Wetlands Regulation Under the
Natural Resources Protection Act:
Program Overview
2002**



Prepared by the Maine Department of Environmental Protection,
Division of Land Resource Regulation, and the
State Planning Office

**WETLANDS REGULATORY
PROGRAM OVERVIEW
Department of Environmental Protection
State of Maine
2002**

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Preface

This report to the Maine Legislature's Joint Standing Committee on Natural Resources is submitted in accordance with the Natural Resources Protection Act (NRPA), 38 M.R.S.A. Section 480-Z(5), which, in pertinent part, requires that the department report annually by February 1st on the amount and type of freshwater wetlands altered, associated impacts on wetland functions and values and the amount of compensation required by the department. Additionally, that section of the NRPA requires an annual evaluation of the effectiveness and efficiency of the compensation program.

Introduction

In June 1995, the Maine Legislature enacted an amendment to the Natural Resources Protection Act, expanding its jurisdiction to include all freshwater wetlands regardless of size. This amendment came in response to recommendations from the Wetlands Regulatory Work Group (WRWG). The WRWG was a sub-group of Maine's Wetlands Conservation Plan Task Force and consisted of State and Federal agency staff, and members from both business and environmental interest groups. The Task Force was created by a 1993 Legislative Resolve with an initial focus to develop recommendations on the feasibility of applying to the Environmental Protection Agency to assume jurisdiction over wetlands under Section 404 of the Clean Water Act. Additionally, the Task Force was to report on other options for reducing duplication and inefficiencies in the wetland permitting process.

The changes in the State's wetlands regulatory program included the following:

1. Wetlands of less than 10 acres in size are now regulated;
2. An exemption was created for alterations that affect less than 4,300 square feet of freshwater wetland, depending on the wetland's type and location; and
3. A 3-tiered review process was established in order to streamline the application review process for most activities affecting freshwater wetlands.

Concurrent with the changes in the State's jurisdiction and regulatory program, the U.S. Army Corps of Engineers (ACE) adopted changes to its wetlands regulatory program to align with the State's Tier review process in order to allow "one stop permitting" to occur in most instances. The ACE issued a Programmatic General Permit, also effective on September 29, 1995, in which similar review thresholds to those adopted by the State were established. In so doing, the ACE agreed to accept applications filed with the Maine DEP for its review and to meet the State's mandated processing times on most projects.

The Tier Review Process

The changes in the State's wetlands regulatory program contained in P.L. 1995, Chapter 460, effective September 29, 1995, established a 3-Tiered review process in order to streamline the review process for most activities affecting freshwater wetlands. The Tiers are as follows:

- Tier 1: For projects affecting up to 15,000 square feet of wetland, where the wetland is not considered to be of special significance (defined under 38 M.R.S.A. Section 480-X.(4)); a maximum 30-day review allowed; application form is simple (does not require professional assistance to complete).

- Tier 2: For projects affecting between 15,000 square feet and 1 acre of wetland not of special significance; a maximum 60-day review allowed; if alteration is over 20,000 square feet, additional application requirements pertain (wetland functional assessment and compensation, if required).
- Tier 3: For projects affecting wetlands of special significance or affecting greater than 1 acre of wetland; a full review occurs (DEP rules allow up to 120 days for review); these projects are generally the most complex due to analysis of project alternatives and compensation requirements to mitigate for lost wetland functions).

There are 4 types of physical compensation allowed in the regulatory program: creation, enhancement, restoration and preservation.

- Creation – this involves making a wetland where one didn't exist before. Such projects are often expensive and risky to undertake.
- Enhancement – this activity increases the net value of a wetland. It may include efforts such as the planting of vegetation beneficial to wildlife, improving buffers in and around remaining wetland or increasing the amount of standing water for amphibians or waterfowl.
- Restoration – this involves returning a disturbed or altered wetland to its previous or better condition. Such efforts may include fill removal, replanting of vegetation, regrading and reestablishing ground or surface water flows.
- Preservation – This involves utilizing protection measures, such as conservation easements and deed covenants, to maintain a wetland area and/or associated upland areas in their natural or undeveloped condition

In some cases, it is appropriate for an applicant to propose, or be required to perform, more than one type of compensation. For example, in order to offset the loss of functions and values of some wetlands, it may be necessary to enhance remaining wetland areas on the property as well as preserve the surrounding upland.

Freshwater wetlands: Impacts/Compensation

The appendix contains two tables (A and B) illustrating the total amount of licensed impacts to freshwater wetlands and the total amount of compensation provided since the start of the new wetlands regulatory program, September 29, 1995, through the end of calendar year 2001. Impacts are broken down by Tier review level and by the wetland type. The impact amounts are further broken down into how much filling occurred versus other types of alterations such as clearing vegetation or dredging. While filling results in the permanent loss of wetland area, other types of alterations result in the conversion of one type of wetland to another. These conversions may not result in any significant loss of wetland function or value.

For tracking purposes, the department categorizes freshwater wetland as follows:

- Open water: open water areas within wetlands, usually less than 6 feet deep.

- Emergent: commonly referred to a marshes; common plants include reeds and cattails.
- Scrub-shrub: contains low growing woody plants such as speckled alder and winterberry; may or may not have standing water.
- Forested: areas dominated by trees at least 20 feet in height.
- Wet meadow: areas dominated by herbaceous plants such as sedges and rushes but seldom flooded.
- Peatland: dominated by sphagnum moss and low growing ericaceous shrubs such as leather leaf and sheep laurel.
- Other/mixed: areas not clearly dominated by one type of vegetation or with mixed types of vegetation categories.

The appended tables show that the majority of licensed freshwater wetland impacts (63%) occur in either “forested” or “other/mixed” types of wetlands. The majority of compensation also occurs in these types of wetlands (68%). Clearly, preservation is the dominant type of compensation used to offset impacts. It is important to remember that under department rules, preservation is typically required at an 8:1 ratio to the impact: for every acre impacted, a minimum of 8 acres is preserved. All of the compensation shown in Appendix B results from 136 projects.

Over 1500 permits have been issued for freshwater wetland alterations during the reporting period. However, a number of projects actually receive several permits due to modifications of design, expansions, etc. Therefore, the actual number of sites where impacts occur is less than 1500. The majority of applications are reviewed at the Tier 1 level, which does not require compensation. Projects reviewed under the Tier 1 process result in 25% of the total amount of impacts. The majority of wetland impact (61%) is associated with projects reviewed under the Tier 3, or full permit, review process.

To date, all compensation projects were implemented by the applicant. There are no mitigation banks established nor is there currently an established program for paying compensation fees. The department has approved a banking proposal by the Maine Department of Transportation that consists of excess compensation credits at sites where compensation was required. To date, no withdrawal of the excess compensation credits has occurred, perhaps due to the reluctance on the part of the federal agencies to consider their use for permits in excess of 1 acre. Separate sections found later in this report discuss the State’s efforts, study and recommendations regarding the establishment of a compensation fee program.

Coastal wetlands: Impacts/Compensation

The appendix contains two tables (C and D) illustrating the total amount of impact to the various types of coastal wetland habitat as well as the compensation provided. All the impact and compensation reported in the tables results from projects reviewed under the full licensing process under the Natural Resources Protection Act.

For tracking purposes, the department categorizes coastal wetland as either intertidal –those areas subject to the tidal cycle every 12 hours- or subtidal – those areas below the low tide line. As such, the department recognizes 5 types of coastal wetland:

- Intertidal – vegetated: includes salt marshes and areas covered with rock weed.
- Intertidal – mudflat: area contains fine sediments, usually on a shallow slope.
- Intertidal – other: areas not fitting the above, typically containing rocks/ledge.
- Subtidal – aquatic bed: typically vegetated areas such as eel grass and kelp beds
- Subtidal – other: areas not vegetated

Over the course of the reporting period, very little intertidal or subtidal habitat has been lost to filling. The majority of filling impacts result from water dependent structures (e.g. piers) and shoreline stabilization projects, such as riprap, that occupy the fringes of the intertidal zone in order to protect the upland and structures.

The majority of impact in coastal wetlands is from other types of alteration, not filling. Lobster pounds account for most of the altered intertidal habitat: dredges account for essentially all of the subtidal impacts. For example, the Portland Harbor dredge accounted for more than 175 acres of the total 219 acres altered during the reporting period.

Program Assessment

Prior to the amendments to the NRPA in 1995 and the ACE's implementation of the Programmatic General Permit (PGP), many freshwater wetland alterations were either not regulated at the State level if they occurred in wetlands less than 10 acres in size, or were not carefully scrutinized if affecting less than 1 acre under the Federal PGP process. By applying a standard of requiring the public to first avoid the wetland impact to the extent practicable and then minimizing that impact, the protection of the State's freshwater wetland resources has been greatly enhanced.

Coastal wetlands have been protected by comprehensive regulation since the early 1970s. Since June of 1990, when the department adopted Chapter 310 Wetlands Protection rules, projects in coastal wetlands have been subject to the avoidance and minimization criteria described in the paragraph above as well as compensation when required.

The department has committed to ongoing efforts to assist applicants in defining wetlands, providing guidance on project design and providing assistance on application requirements. The wetlands regulatory program is functioning very effectively, especially compared with the process in place prior to the change in the law. Judging by staff interactions with applicants, there appears to be a good understanding of the law within the regulated community.

Compensation Fee Program

In 1997 the Legislature enacted a further amendment to the NRPA authorizing the DEP to establish a program providing for compensation of unavoidable wetland losses due to proposed freshwater wetland alterations. The amendment allowed the DEP to require that compensation include the design, implementation and maintenance of a compensation project, or, in lieu of such a project, allowed an applicant to purchase credits from a mitigation bank or pay a compensation fee. The dual goals of a compensation fee program are to ease the burden on applicants by reducing the time-consuming search for acceptable compensation alternatives, as well as to improve the benefits to the environment by identifying priorities for wetland protection in a watershed approach. The law further required that a Compensation Fee Program be developed in consultation with the State Planning Office and other state and federal agencies.

The State Planning Office and Department of Environmental Protection reviewed the requirements of the compensation fee program as presented in Section 480-Z to assess the potential for success in achieving the goals established by the Legislature. The program was to include:

(Section 480-Z(3)(A))

1. Identification of wetland management priorities on a watershed basis;
2. Identification of the types of wetland losses eligible for compensation under this subsection;
3. Standards for compensation fee projects;
4. Calculation of compensation fees based on the functions and values of the affected wetlands and the cost of compensation, taking into account the potential higher cost of compensation when a project is implemented at a later date (i.e., inflation); and,
5. Methods to evaluate the long-term effectiveness of compensation fee projects implemented under this subsection in meeting the wetland management priorities identified.

The State Planning Office began working on elements of this program in 1998, and completed development of a pilot wetlands watershed characterization for Casco Bay in 2000. From 2000 through 2001, the characterization work was extended to include the towns within the remainder of southern Maine. Maps showing the completed characterization work will be available to the Committee, and maps have been provided upon request to towns throughout this area for use in a variety of local planning efforts. Since the adoption of the statute allowing for creation of a compensation fee program, several developments have occurred which affect the State Planning Office and Department of Environmental Protection's recommendations concerning the development of a statewide compensation fund. These current conditions are summarized here and then discussed below:

- Federal agencies responsible for joint permitting of wetlands have expressed considerable reluctance to allow use of a fund for alterations over 1 acre. The state's own requirements do not mandate compensation under 20,000 square feet.

This limits the eligible projects to those between 20,000 square feet and 1 acre, an insufficient number of projects to warrant the establishment of a statewide fund.

- Analysis of the approximately 5 years of data since the 1995 NRPA changes indicate that a state-wide market does not exist for a state-wide wetland compensation fund, particularly given the limitations in (1) (See Appendix E).
- Upon request by localities to become involved with local initiatives to protect wetlands, the State Planning Office assessed the freshwater wetlands permit data since 1995 by town (see Appendix E.) Analysis of wetland loss data by town does indicate that certain towns within limited regions of the state are experiencing substantial cumulative wetland losses from multiple alterations each of which is under 1 acre.
- Analysis of DEP permit actions for these alterations under 1 acre indicates that the goals and standards of NRPA and the 310 guidelines are being met, thus concerns about cumulative wetland loss are not due to the implementation of the wetlands statute, but rather due to the existing thresholds for regulation and compensation.
- Many Maine municipalities, primarily those in the southern, more developing part of the state, are implementing or considering local wetland ordinances to regulate wetland fill at a smaller level than the NRPA standards and/or requiring compensation for such activities.
- Localities interested in extending the state's wetland regulations to include local controls have expressed interest in developing local wetland compensation funds tied to local wetland priorities.

Compensation Committee:

In the fall of 2001, the State Planning Office and Department of Environmental Protection convened an advisory committee to develop recommendations on the future of a compensation fund for wetland alterations. This informal group included representation from: Maine Audubon; the Maine Chamber of Commerce and Industry; Maine Association of Wetland Scientists, the Maine Municipal Association; US Environmental Protection Agency, as well as several state agencies and local representatives. The advisory committee considered several perspectives and information prior to making recommendations to the Department of Environmental Protection and State Planning Office.

Assessing the market:

As stated above, the current market for a state compensation fund is limited to alterations under one acre by federal reticence to allow use of such a program, and also limited by the state's current thresholds for requiring compensation. The federal agencies have expressed interest in seeing how a compensation fund program would work for smaller wetland fills. However, statewide, wetlands alterations under one acre which require compensation under state law are fairly limited, and highly localized. (See Appendix F.) The limited and localized nature of these fills, coupled with the inability to consider smaller fills (given current regulations) and larger fills

(given federal concerns) in a compensation fund, means that the state-wide market for a compensation fund is inadequate to support development of this program at this time.

Local perspective:

As development pressure and sprawl has crept north along Route 95, increasing numbers of localities have sought ways to balance increasing development with enhanced protection of vulnerable natural resources. Over the past 5 years, some localities have adopted wetlands regulations with local thresholds for regulatory action that are lower than those of the state, while several other are poised to consider such local regulation. This is due to the fact that, although the NRPA thresholds provide for statewide wetland protection and seek to achieve a no net loss of wetland functions and values, wetland fill that occurs under the state's thresholds for permits and compensation can still result in significant impacts when they are concentrated. The state's program allows for a 4300 exemption from wetland regulation for most wetlands, and requires compensation at 20,000 square feet, unless the fill occurs in a wetland of special significance.

Review of 5 years of data shows that the state is meeting or exceeding its statutory obligations in requiring appropriate levels of compensation (Appendices A-D). However, there is nevertheless a net loss of wetland acreage, functions and values, particularly in the southern part of the state. This is due to two factors: 1. small wetland fills without compensation add up to a cumulative loss of wetland acreage; 2. for those fills requiring compensation, the frequent necessity of accepting preservation (as compensation) results in a net loss of some wetlands in exchange for more ironclad protection of others. Appendix E shows the cumulative wetland losses greater than 4300 square feet and under 1 acre since 1995 by town; please note that these estimates do not include losses occurring under the 4300 square foot exemption. The loss of wetland acreage has been most noticeable in some towns in southern Maine, where development pressure and the resulting change in open space and natural areas has made towns more attentive to the limitations of state law in preventing wetland loss. Town attention to wetland loss provides an opportunity for more comprehensive and perhaps more focused natural resources protection, but also poses the possibility for a new patchwork of wetlands ordinances that present different standards and obligations to the regulated community. Both localities and members of the business community have agreed that providing consistency where possible in local ordinances is a desirable goal, and have requested that the state consider drafting a model ordinance for local wetlands regulation.

Calculation of fees:

Although the agencies are not proposing to establish a state fund at this time, the issue of appropriate fees has been explored in some detail. The State Planning Office assessed both the existing, although limited, information on the costs of compensation in Maine, as well as national efforts to attribute costs to wetland loss. Neither of these avenues of research proved particularly helpful in establishing a firm basis for assessing adequate or defensible fees for wetlands compensation activities, for the following reasons:

- Review of costs of compensation in Maine has found widely varying and thus highly unpredictable costs for the same types of compensation from project to project (the types

of compensation are creation, restoration, enhancement, and preservation of wetlands related in function and value to those lost.)

- National models for assessing the costs to society of lost wetland functions and values create wetland value estimates that do not correlate well to the admittedly quite variable information about actual compensation costs in Maine.

Given the above difficulties, the State Planning Office looked to the Chapter 310 regulations, which include compensation requirements, to attempt to create a justifiable link to a compensation fund fee formula. Although creation, restoration and enhancement of wetlands are highly variable depending upon site-by-site constraints, creating a formula for a given project's contribution to a wetland fund based upon preservation, accomplished under 310 at an 8:1 ratio, appears to offer the best hope for a consistent and defensible fee formula. After performing some trial calculations with interested towns which have good databases, State Planning Office staff believes that the average assessed value of land alone on a town-by-town basis could provide an appropriate basis for a compensation fund. This possibility needs to be explored in more detail at the local or state level prior to the implementation of such a fee formula for a compensation fund.

Recommendations

Based upon the current conditions with respect to wetland fill trends and the discussions of the advisory committee, the Department of Environmental Protection and the State Planning Office make the following recommendations:

1. Development of a state-level compensation fund for permitted wetland alterations is not warranted given current market limitations; however, the option to create such a fund should be available for the future should those conditions change, just as mitigation banking remains an available option.
2. The quantity of wetland alterations occurring in the rapidly developing part of the state may present an adequate market for compensation funds at the regional or local level.
3. The state should support local initiatives to protect wetland resources and encourage consistency by providing a model ordinance, guidance on identifying local wetland priorities, and guidance on establishing compensation funds at the local and regional level.
4. Localities or regions that establish compensation funds tied to appropriately established priorities for compensation action should be able to have their goals considered within the state and federal processes on permit actions. If local priorities are developed, these targeted wetlands and uplands could be considered in state or federal permit actions for compensation.

DEP and SPO will suggest statutory changes to N.R.P.A. Section 480-Z.3 to accomplish the above, as well as to strike the repeal clause. Staff will be bringing suggested statutory alterations to the Committee upon review by the Attorney General's Office.

APPENDIX A

Freshwater Wetland Impacts*
9/29/1995 – 12/31/2001

	Tier 1 (859 projects)	Tier 2 (180 projects)	Full NRPA (537 projects)	Total (1576 projects)	% of total
Emergent	2.8 [2.4/0.4]	1.1 [1.1/0]	6.2 [5.8/0.4]	10.1 [9.3/0.8]	1.7%
Forested	86.1 [81.3/5.8]	47.1 [39.9/7.2]	98.2 [36.8/61.4]	232.4 [158.0/74.4]	36.7%
Open Water	1.0 [1.0/0]	0 [0/0]	2.2 [0.0/2.2]	3.2 [1.0/2.2]	0.5%
Other/mixed	19.5 [16.1/3.4]	13.4 [9.9/3.5]	133.8 [41.3/92.5]	166.7 [67.3/99.4]	26.3%
Peatland	0.1 [0.1/0]	0 [0/0]	73.4 [3.0/70.4]	73.5 [3.1/70.4]	11.6%
Scrub-shrub	32.9 [29.6/3.3]	12.6 [11.0/1.6]	39.9 [18.7/21.2]	85.4 [59.3/26.1]	13.5%
Wet Meadow	15.7 [12.9/2.8]	11.8 [9.9/1.9]	34.7 [27.4/7.3]	62.1 [50.2/11.9]	9.8%
Total	159.2 [143.5/15.7]	86.0 [71.8/14.2]	388.3 [133.0/255.4]	633.5 [348.2/285.3]	
% of total	25.1%	13.6%	61.3%		

* All amounts in ACRES

Numbers in [] specify acres of filled wetland vs. altered wetland. Altered wetland includes removing vegetation, dredging, flooding, etc.

APPENDIX B

Freshwater Wetlands Compensation*
9/29/1995 – 12/31/2001

	Creation	Enhancement	Preservation	Restoration	Total	% of total
Emergent	0.2	0	0	0	0.2	0%
Forested	4.8	9.3	174.6	12.1	200.8	30%
Other/mixed	21.2	29.5	199.7	6.1	256.5	38%
Peatland	0	0.7	97.0	0	97.7	14%
Scrub-shrub	9.6	1.8	26.0	16.0	53.4	8%
Wet Meadow	5.6	20.3	42.6	1.0	69.5	10%
Total	41.4	61.6	539.9	35.2	678.1	
% of total	6%	9%	80%	5%		

* all figures in ACRES

APPENDIX C

Coastal Wetlands Impacts*
9/29/1995 – 12/31/2002

	<u>Intertidal- Vegetated</u>	Intertidal- Mudflat	Intertidal- Other	Subtidal- Aquatic bed	Subtidal- Other	Total
Filled	0.85	0.4	1.21	0.31	0.31	3.08
Altered	0.28	4.14	10.78	11.55	192.76	219.51
Total	1.13 (22)	4.54 (17)	11.99 (102)	11.86 (21)	193.07 (56)	222.59 (218)

* All figures in acres. Figures in () indicate the number of projects approved resulting in the impact shown

APPENDIX D

Coastal Wetlands Compensation*

9/29/1995 – 12/31/2002

	Creation	Restoration	Enhancement	Preservation	Total
Intertidal-Vegetated	0.20 (1)	0.05 (1)	0	41.2 (2)	41.45
Intertidal-Mudflat	0	0	0	2.3 (1)	2.3
Intertidal-Other	0.3 (1)	1.2 (4)	0	17.2 (1)	18.7
Subtidal-Aquatic bed	0	0	0	4.7 (1)	4.7
Subtidal-Other	0	0	0	0	0
Total	0.5	1.25	0	65.4	67.15

* All figures in acres. Numbers in () indicate the number of projects approved that result in the acreage figure shown.

Appendix E

**Wetland fill and alteration by town
1995-2001**

Projects from 4300 sf - 1 acre

All figures in square feet

Town	Projects	Total filled	Total altered
ADDISON	4	6800	0
ALBION	1	0	14520
ALTON	1	14400	0
ARUNDEL	5	91442	0
ATHENS	1	0	14900
AUBURN	25	234036	86114
AUGUSTA	14	68407	67427
BANGOR	16	198432	0
BAR HARBOR	3	23075	0
BATH	4	28150	4950
BEALS	4	10475	0
BELFAST	10	134921	0
BELGRADE	2	23445	0
BERWICK	5	44575	0
BETHEL	6	48496	2513
BIDDEFORD	27	250323	38672
BLUE HILL	20	188961	47375
BOOTHBAY	2	0	12175
BOOTHBAY HARBOR	4	2601	72
BOWERBANK	1	5000	0
BRADLEY	1	7650	0
BREWER	16	145558	38366
BRIDGTON	3	15080	0
BRISTOL	1	0	375
BROOKLIN	2	28175	0
BROOKSVILLE	3	9744	112
BROWNFIELD	1	13000	0
BROWNVILLE	1	0	19999
BRUNSWICK	8	122277	0
BUCKSPORT	2	8085	5800
BURNHAM	3	15493	0
BUXTON	5	47355	0
CAMDEN	8	73771	17461
CANTON	2	9000	0
CAPE ELIZABETH	5	36700	0

CAPE NEDDICK	2	9957	16600
CARIBOU	1	10930	0
CARRABASSETT VALLEY	3	55632	0
CHELSEA	1	0	14999
CHESTERVILLE	1	0	300
COOPER	1	2000	0
CRANBERRY ISLES	1	0	50
CUMBERLAND	15	124176	0
CUSHING	2	5100	14400
DAMARISCOTTA	1	5892	0
DAYTON	1	13295	0
DEER ISLE	4	13946	5400
DENMARK	2	1616	125
DEXTER	1	6040	0
DIXMONT	1	9781	0
DOVER- FOXCROFT	3	56866	0
DURHAM	1	6200	0
EAST LEBANON	1	12000	0
EASTBROOK	1	6500	0
EDDINGTON	1	11300	0
EDGECOMB	1	14999	0
ELIOT	14	146975	0
ELLSWORTH	9	150090	0
ENFIELD	1	12000	0
FAIRFIELD	2	15400	0
FALMOUTH	27	372598	0
FARMINGTON	7	57074	0
FAYETTE	2	8501	0
FORT KENT	2	18318	0
FREEPORT	21	226867	0
FRYEBURG	2	6290	0
GARDINER	2	13513	19999
GEORGETOWN	1	3600	0
GLENBURN	3	38630	0
GORHAM	22	229087	16784
GRAY	12	113587	0
GREENE	1	10235	0
GREENVILLE	1	210	0
GREENWOOD	1	2000	0
HALLOWELL	3	23953	0
HAMPDEN	8	106914	0
HANCOCK	4	34365	21735
HANOVER	1	1300	150

HARPSWELL	2	18000	0
HARRINGTON	1	5000	0
HARTFORD	1	0	1000
HARTLAND	1	14879	0
HEBRON	1	12611	0
HERMON	14	169886	0
HOLDEN	7	110948	38635
HOPE	2	39136	14411
HOULTON	2	21490	0
INDIAN TWP	1	14500	0
PASSAMAQUODD Y RESRV			
ISLESBORO	3	25831	0
JAY	3	15900	3750
JONESPORT	1	9000	0
KENNEBUNK	33	295621	0
KENNEBUNKPOR T	12	31276	2100
KITTERY	6	56705	0
LAMOINE	5	50378	0
LEBANON	3	27882	0
LEEDS	3	27560	13760
LEVANT	2	17556	0
LEWISTON	10	62454	25015
LIMINGTON	1	12800	0
LINCOLN	1	4505	10295
LINCOLNVILLE	6	41239	7500
LINNEUS	2	15600	0
LISBON	2	13900	13900
LOVELL	1	3024	0
MACHIAS	4	27616	3600
MADAWASKA	2	13391	0
MADISON	5	59695	18745
MANCHESTER	1	14625	0
MECHANIC FALLS	2	6500	0
MEDWAY	1	2000	0
MILBRIDGE	1	13000	0
MILFORD	2	24574	0
MILO	2	9050	14486
MONMOUTH	3	22871	0
MOUNT DESERT	7	49798	0
NAPLES	2	12517	0
NEW GLOUCESTER	5	25382	0
NEW SHARON	1	0	5000
NEWBURGH	1	11250	0

NEWCASTLE	1	4000	0
NEWPORT	3	32363	0
NEWRY	1	14378	0
NORTH HAVEN	3	23171	0
NORTH	11	47797	0
YARMOUTH			
NORTHPORT	6	71204	41300
NORWAY	1	6500	0
OAKLAND	4	31492	0
OGUNQUIT	2	12550	0
OLD ORCHARD	1	25242	0
BEACH			
OLD TOWN	4	32332	13125
ORLAND	1	18778	0
ORONO	5	41227	0
ORRINGTON	3	38425	1000
OWLS HEAD	4	28200	21200
OXFORD	1	0	11200
PENOBSCOT	2	31348	0
PITTSFIELD	2	4440	4400
PLYMOUTH	1	1000	0
POLAND	4	20100	15848
PORTAGE LAKE	1	10800	0
PORTLAND	36	402050	4168
POWNAL	2	10400	0
PRESQUE ISLE	2	28386	0
PRINCETON	1	4999	0
PROSPECT	1	12100	0
RAYMOND	10	91037	0
READFIELD	4	30041	14875
RICHMOND	2	17805	0
ROBBINSTON	1	14999	0
ROCKLAND	10	87977	41923
ROCKPORT	17	140295	60521
ROQUE BLUFFS	2	9350	3575
ROXBURY	1	8000	0
RUMFORD	1	19242	0
SABATTUS	1	9200	0
SACO	27	215460	32766
SANFORD	3	39991	0
SANGERVILLE	1	4900	0
SCARBOROUGH	43	424599	28645
SEARSMONT	1	0	1170
SEBAGO	1	700	0
SEDGWICK	1	6400	0
SKOWHEGAN	4	35930	12500

SOUTH BERWICK	4	46654	0
SOUTH BRISTOL	1	7435	0
SOUTH PORTLAND	22	269036	14375
SOUTH THOMASTON	5	46972	9200
SOUTHPORT	2	10715	14999
SOUTHWEST HARBOR	5	26392	0
ST ALBANS	4	17250	255
ST GEORGE	9	48044	6400
STACYVILLE	1	5850	0
STANDISH	2	17350	0
STETSON	1	4500	0
STOCKTON SPRINGS	1	17600	0
STONINGTON	2	5350	0
SULLIVAN	1	3600	0
SURRY	2	0	34982
THOMASTON	1	1200	0
TOPSHAM	12	106608	41397
TREMONT	6	62790	0
TRENTON	8	75958	0
TROY	1	3600	0
TURNER	5	8870	17468
UNITY	3	29722	0
VEAZIE	4	49367	0
VINALHAVEN	1	26100	0
WALDOBORO	4	32849	0
WALLAGRASS	1	8000	0
WARREN	4	27680	11800
WATERBORO	2	6900	0
WATERVILLE	4	10110	29998
WAYNE	1	0	6276
WELLS	14	135155	9320
WESTBROOK	18	191874	39500
WHITEFIELD	4	12414	47336
WILLIMANTIC	1	2868	0
WILTON	1	14990	0
WINDHAM	5	58843	0
WINDSOR	1	13916	0
WINSLOW	1	0	13200
WINTERPORT	1	11250	0
WISCASSET	4	61250	0
WOODLAND	1	14999	0
WOODSTOCK	1	1500	0

WOOLWICH	1	14536	0
YARMOUTH	10	57434	0
YORK	16	137462	19190
YORK VILLAGE	1	1320	0
	2	30500	0

Appendix F

**Compensation required for permits 20,000 sf to 1 acre
1995-2001**

All figures in square feet

Town	Projects	Enhancement	Creation	Preservation	Restoration
ARUNDEL	1	3000	0	0	0
AUBURN	2	0	11584	0	0
AUGUSTA	1	3690	0	0	0
BANGOR	1	10890	0	0	0
BIDDEFORD	5	36000	46160	130680	0
BREWER	1	0	0	1307100	0
BRUNSWICK	2	0	0	251067	16060
CAMDEN	1	0	0	0	42000
CAPE ELIZABETH	1	2721	0	0	0
CARRABASSETT VALLEY	1	0	0	305791	0
ELIOT	1	0	0	0	33077
FALMOUTH	8	4548	0	520549	119686
FREEPORT	2	0	20000	87120	0
HOLDEN	1	0	0	0	44085
HOPE	2	0	64082	15211	0
KENNEBUNK	4	100027	0	0	1890
MADISON	3	0	0	1001880	0
ORRINGTON	2	11692	0	43560	0
PORTLAND	4	18800	10100	574475	0
SACO	5	0	9334	175400	4525
SCARBOROUGH	4	0	49223	261360	9148
SOUTH PORTLAND	3	51903	15000	0	0
TOPSHAM	1	0	0	1054152	0
WESTBROOK	3	45700	0	744440	0
WHITEFIELD	1	0	0	283140	0
YORK	2	11500	0	0	15500