

SPO



Maine State Planning Office

Executive Department

PAUL R. LEPAGE
Governor

PETER J. ROGERS
Acting Director

March 15, 2012

Ruth E. Birtz, Economic Development Assistant
Town of Lincoln
63 Main Street
Lincoln, ME 04457

Dear Ms. Birtz;

The State Planning Office wishes to thank the Town of Lincoln for submitting its January 2012 draft Comprehensive Plan for review for consistency with the Growth Management Act (the Act) in accordance with the Comprehensive Plan Review Criteria Rule. We appreciate the hard work put into this plan by you and other Town staff, the Comprehensive Plan Committee, the Town Council, other interested citizens, and the Committee's consultants.

Upon accepting your plan for review, we solicited comments from relevant state agencies, neighboring towns and your regional planning organization. We subsequently received comments from the Maine Departments of Environmental Protection, Economic and Community Development, and Inland Fisheries and Wildlife. Those written comments are attached to this letter.

Having reviewed the comments, we have now concluded our review of the plan's completeness. With receipt of the 3/14/12 email from your planning consultant, Gwen Hilton, regarding a needed revisions to the plan's Critical Natural Resources map and text, and we are happy to inform you that we find the draft 2011 Lincoln Comprehensive Plan Update to be **complete**. This Notification of Completeness means that all portions of the plan, aside from the Future Land Use section, have been found by the Office to be consistent with the Act.

We will now begin the final phase of the process - the review of the plan's Future Land Use section for consistency with the Act. We will complete that review and issue our findings regarding the consistency of the entire plan no later than Thursday, March 29, 2012.

Again, thank you for submitting your plan for our review. Please do not hesitate to contact me at 624-6216 or phil.carey@maine.gov if you have any questions.

Sincerely,

Phil Carey
Senior Planner
Land Use Planning Program

Cc (via email): Elizabeth Hertz, SPO Land Use Planning Program
Tyler Collins, Eastern Maine Development Commission
Gwen Hilton, Hilton Associates

OFFICE LOCATED AT: 19 UNION STREET, 38 STATE HOUSE STATION, AUGUSTA MAINE

PHONE: (207) 624-7660

internet: www.maine.gov/spo

FAX: (207) 287-6489



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

Date: February 6, 2012
To: Phil Carey – State Planning Office
From: Greg Beane – Maine DEP - Eastern Maine Regional Office, Bangor
Re: Town of Lincoln Draft Comprehensive Plan Review

On behalf of the Maine Department of Environmental Protection, I reviewed the Town of Lincoln's Draft Comprehensive Plan in regards to surface freshwater resources and find it to be acceptable. I would comment that the draft represents that all lakes in town have been surveyed in collaboration with Penobscot County Soil & Water Conservation District/UMaine Cooperative Extension and I don't think that's correct. I suggest a listing of the lakes that have been surveyed (I know there have been some). Additionally, for the sake of clarity, the Maine DEP is referred to as "the Maine Department of Environmental Regulation" several times in the draft and I suggest correcting this in the redraft. Overall, I thought Lincoln's draft plan is very well done.

- **Appropriate use of data provided by MDEP**

The Town of Lincoln has appropriately used surface water quality data for comprehensive planning purposes.

- **Relation of Plan's policies and implementation strategies to MDEP principal objectives and directives**

The Town of Lincoln's Comprehensive Plan includes several policies and related strategies that, if successfully implemented, will effectively protect surface freshwater resources.

- **Consistency of Plan with MDEP programs and policies**

Pursuant to the goals, guidelines and policies of the MDEP the Town of Lincoln's Draft Comprehensive Plan is consistent with MDEP programs and policies in carrying out the goal of protecting surface water quality. Please feel free to contact me if you have questions.

cc: file

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04679-2094
(207) 764-0477 FAX: (207) 760-3143



STATE OF MAINE
DEPARTMENT OF ECONOMIC
AND COMMUNITY DEVELOPMENT



PAUL R. LEPAGE
GOVERNOR

George Gervais
COMMISSIONER

January 27, 2012

Phil Carey, Senior Planner
Land Use Program
Maine State Planning Office
38 SHS
Augusta, ME 04333-0038

Dear Mr. Carey:

On behalf of the Department of Economic and Community Development (DECD), Office of Community Development, I have reviewed the Town of Lincoln 2012 Comprehensive Plan submittal and have the following comments.

DECD's top priority is to create economic opportunity for the people of Maine. The Town of Lincoln has utilized DECD's programs to improve the economic vitality of the community. The town adopted a Tax Increment Financing (TIF) program in 1998. One TIF District includes an area around Lincoln Paper and Tissue, a second TIF is associated with the Penquis Lakeview Senior Housing project, and a third is for the Rollins Wind project. The town has businesses that have participated in the Pine Tree Zone performance-based tax reimbursement program. Lincoln has benefited from Community Development Block Grant (CDBG) funding for planning, economic development infrastructure and downtown redevelopment. The town is experienced in seeking and managing grant and economic development programs. The town has proven themselves capable of accessing and implementing the programs consistent with the objectives of the DECD.

Lincoln officials are aware of the Maine Downtown Center and its' program offerings, and hopes to participate in the future. Such participation is encouraged because of the breadth and depth of technical assistance available through the resources of the Downtown Center. The Center provides opportunities for engagement at a variety of levels to meet the community needs.

I appreciate this opportunity to comment and if I can be of further assistance do not hesitate to contact me at 624-9814.

Sincerely,

A handwritten signature in cursive script that reads 'Terry Ann Stevens'.

Terry Ann Stevens
Development Program Manager



Maine Department of Inland

Fisheries and Wildlife

284 State Street
Augusta, Maine 04333-0041
Telephone: 207-287-5878
Fax: 207-287-6395

Email: bethany.atkins @maine.gov



Paul LePage, Governor

Chandler Woodcock,
Commissioner

Date: February 28, 2012
To: Phil Carey
From: Bethany Atkins
Re: Town of Lincoln 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), we have reviewed the Town of Lincoln 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.

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

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

This plan provides an accurate and thorough inventory of most of the rare species and significant wildlife and fishery habitats present in Lincoln. However, data depicted on the Critical Natural Resources Map is from 2008. New information about the rare species present in town is now available and there are several bald eagle nest sites as well as freshwater mussel occurrences that are not included on the Critical Natural Resources Map. Additionally, although present on the Critical Wildlife Habitat Map, the text does not mention the numerous Inland Waterfowl and Wading Bird Habitats present in town. Up-to-date information and a description of Inland Waterfowl and Wading

Bird Habitats will help to inform citizens as well as to guide the Future Land Use Plan. See below for specific recommendations related to data use.

Data depicting high value habitats and critical natural resources is available to all Maine towns through the Beginning with Habitat program. This information is regularly updated and we encourage Lincoln to update this plan and to request data often in the future to ensure that land use decisions are based on the best available information.

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

Enforcement of town shoreland zoning, use of critical natural resource information to guide development review, revision of the subdivision ordinance, and public outreach and education are the primary strategies for fish and wildlife protection proposed in this plan. The strategies proposed will be effective tools to help Lincoln mesh its habitat conservation and growth goals and also help implement MDIFW objectives.

We encourage the town to visit the BwH Online Toolbox (http://www.beginningwithhabitat.org/toolbox/about_toolbox.html) to find examples of many of the proposed approaches. The toolbox can serve as a good starting point as Lincoln begins to implement the strategies identified in this plan that address habitat protection.

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

With updated data and a few improvements to the critical natural resources inventory we feel this plan will be consistent with MDIFW programs and policies.

Specific plan comments and recommendations are provided below. Comments provided by Nels Kramer, Mark Caron, and Bethany Atkins, MDIFW.

Transportation

While fragmentation of terrestrial habitats may not be an issue in the Town of Lincoln at this time, with the abundance of streams and brooks and the numerous miles of roads including private camp roads, fragmentation of aquatic habitats is a concern. We encourage the town to identify and assess existing water crossing structures for their potential as barriers to fish and aquatic species passage and to incorporate this information and the repair or replacement of these structures into the town's existing road maintenance and repair plans or stream restoration efforts. In addition, providing information and assistance to private road owners with respect to maintaining fish passage at road stream crossings could help to avoid additional fragmentation. For more information on the effects of roads on streams and aquatic habitats visit:

http://www.maine.gov/doc/mfs/fpm/water/docs/stream_crossing_2008/MaineStreamCrossingsPoster.pdf.

Critical Natural Resources

While a very thorough description of most of the rare species and significant wildlife and fisheries habitats is provided in this plan, it lacks a discussion of Inland Waterfowl and Wading Bird Habitats (IWWH). There are numerous IWWH's present in Lincoln. These habitats, associated with wetlands, streams and ponds, provide important feeding and/or breeding habitat to numerous waterfowl and wading bird species. A description of this habitat type and its value to the community should be included in this plan.

Pg. 154: The plan states three freshwater mussels present in Lincoln. There are, however, four. Although not documented recently, Tidewater Mucket, a Threatened species, has been found in Cold Stream Pond.

Pg. 155: Bald eagles were, in fact, removed from the State Endangered and Threatened species list. They are now listed as special concern. Bald eagles and their nests are protected under the Bald and Golden Eagle Act which is administered by the US Fish and Wildlife Service.

Pg 160: Several streams in town also provide habitat for Eastern Brook Trout, an important sport fish. MDIFW typically recommends limiting the harvest of trees and alteration of other vegetation within 100 feet of brook trout streams and their associated fringe and floodplain wetlands. Maintaining buffers along these cold water fisheries is critical to the protection of water temperatures, water quality, and inputs of coarse woody debris necessary to support conditions required by brook trout.

Pg. 160: American Eel are present in Mattanawcook Pond, Folsom Pond, Upper Pond, Upper Cold Stream Pond and Cold Stream Pond. American Eel are a species of special concern in Maine and they are currently being assessed by USFWS as threatened under the Endangered Species Act.

Pg. 166: The plan lists a 10% open space set aside requirement in the subdivision ordinance as an existing protection to the Town's natural resources. While this set aside could provide natural resource protections, 10% is a very small requirement for open space and likely won't result in very significant benefits to wildlife. Most cluster/conservation subdivision ordinances require at least 50% open space set asides. Should the Town of Lincoln consider updating their subdivision

ordinance, we encourage them to visit the Beginning with Habitat Toolbox for examples of Conservation Subdivision Ordinances that include larger open space requirements and additional design considerations that can protect local wildlife resources. The Toolbox is available at: http://beginningwithhabitat.org/toolbox/about_toolbox.html.

Critical Wildlife Habitat Map: Data depicted on this map is from 2008. The map lacks some recent information depicting rare species, including several bald eagle nest sites along the Penobscot River and one on Mattanawcook Lake. It also lacks some data depicting freshwater mussels. Please contact Beginning with Habitat for the current information.

Future Land Use Plan

There are several Inland Waterfowl and Wading Bird Habitats located within the proposed Commercial and Industrial districts. We encourage the town to consider additional protections to these resources (performance standards, etc.) to limit impacts to wetlands and their associated habitats from development in these zones.