Permit # 91 3259 City of Portland 91 3259 BUILDING PERMIT APPLICATION Fee $170 Zone _____ Map # _____

Please fill out any part which applies to job. Proper plans must accompany form.

Owner: [illegible] Phone # 766-3375

Address: P.O. Box 48 Peaks Island, ME 04108

LOCATION OF CONSTRUCTION: Lake Ave - Peaks Isl 83-D-23

Contractor: owner Sub.: _____

Address: _____ Phone # _____

Est. Construction Cost: 30,000. Proposed Use: 1-fam dwlg

Past Use: lot w barn

# of Existing Res. Units _____ # of New Res. Units _____

Building Dimensions L 36 W 26 Total Sq. Ft. _____

Stories: 2 # Bedrooms _____ Lot Size: _____

Is Proposed Use: Seasonal _____ Condominium _____ Conversion _____

Explain Conversion: Construct foundation & framing - 1-fam dwl

minor, minor site plan

For Official Use Only

Date: 11-15-91 Subdivision: _____ Name: _____

Inside Fire Limits: _____

Bldg Code: _____ Ownership: _____ Private

Time Limit: _____

Estimated Cost: _____

Zoning: IR-1

Street Frontage Provided: _____

Provided Setbacks: Front _____ Back _____ Side _____ Side _____

Review Required:

Zoning Board Approval: Yes ____ No ____ Date: _____

Planning Board Approval: Yes ____ No ____ Date: _____

Conditional Use: ____ Variance ____ Site Plan ____ Subdivision ____

Shoreland Zoning: Yes ____ No ____ Floodplain Yes ____ No ____

Special Exception _____

Other _____ (Explain) _____

PERMIT ISSUED

NOV 26 1991

CITY OF PORTLAND

Foundation:

1. Type of Soil: _____
2. Set Backs - Front _____ Rear _____ Side(s) _____
3. Footings Size: _____
4. Foundation Size: _____
5. Other _____

Floor:

1. Sills Size: _____ Sills must be anchored.
2. Girder Size: _____
3. Lally Column Spacing: _____ Size: _____
4. Joists Size: _____ Spacing 16" O.C.
5. Bridging Type: _____ Size: _____
6. Floor Sheathing Type: _____ Size: _____
7. Other Material: _____

Exterior Walls:

1. Studding Size _____ Spacing _____
2. No. windows _____
3. No. Doors _____
4. Header Sizes _____ Span(s) _____
5. Bracing: Yes _____ No. _____
6. Corner Posts Size _____
7. Insulation Type _____ Size _____
8. Sheathing Type _____ Size _____
9. Siding Type _____ Weather Exposure _____
10. Masonry Materials _____
11. Metal Materials _____

Interior Walls:

1. Studding Size _____ Spacing _____
2. Header Sizes _____ Span(s) _____
3. Wall Covering Type _____
4. Fire Wall if required _____
5. Other Materials _____

Ceiling:

1. Ceiling Joists Size: _____ Spacing _____
2. Ceiling Strapping Size _____
3. Type Ceilings: _____
4. Insulation Type _____ Size _____
5. Ceiling Height: _____

Roof:

1. Truss or Rafter Size _____ Span _____
2. Sheathing Type _____ Size _____
3. Roof Covering Type _____

Chimneys: Type: _____ Number of Fire Places _____

Heating: Type of Heat: _____

Electrical: Service Entrance Size: _____ Smoke Detector Required Yes ____ No ____

Plumbing:

1. Approval of soil test if required Yes _____
2. No. of Tubs or Showers _____
3. No. of Flushes _____
4. No. of Lavatories _____
5. No. of Other Fixture _____

Swimming Pools:

1. Type: _____
2. Pool Size _____ x _____ Square Footage _____
3. Must conform to National Electrical Code and State Law.

Permit Received By _____

Signature of Applicant _____

CEO's District _____

PERMIT ISSUED WITH LETTER

CONTINUED TO REVERSE SIDE

White - Tax Assessor Ivory Tag - CEO

HISTORIC PRESERVATION

Not in District or Landmark

Does not require review.

Requires Review.

Action: Approved

Approved with Conditions

Denied

Date: _____

Signature: _____

PLOT PLAN

N

FEES (Breakdown From Front)

Base Fee $ 70
Subdivision Fee $
Site Plan Review Fee $ 50
Other Fees $
(Explain)
Late Fee $

Inspection Record

Type	Date
	/ /
	/ /
	/ /
	/ /
	/ /
	/ /

COMMENTS

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as has authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the code official or the code official's authorized representative shall have the authority to enter areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit.

J. [illegible] — SIGNATURE OF APPLICANT

P.O Box 48 Peaks Island Me — ADDRESS

7663325 — PHONE NO.

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE

PHONE NO.

Inspection Services
Samuel P. Hoffses
Chief

Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

November 26, 1991

T. Covington Johnson
POB 48
Peaks Island, ME 04108

Re: Park Ave, Peaks Island 88-J-2/3

Dear Sir:

Your application to construct a single family dwelling has been reviewed and a permit is herewith issued subject to the following requirements:

No certificate of occupancy can be issued until all requirements of this letter are met.

Site Plan Review Requirements

Inspection Services - Approved with the understanding that you have obtained all necessary permits from D.E.P. and the CORE if needed - S. Hoffses

Public Works - Approved - S. Harris

Building Code Requirements

Please read and implement items 1,2,6,7 and 9 of the attached building permit report.

If you have any questions regarding theses requirements, please do not hesitate to contact this office.

Sincerely,

P. Samuel Hoffses
Chief of Inspection Services

BUILDING PERMIT REPORT

ADDRESS: Park Ave. Peaks Island 8-J-2, 3 DATE: 26 Nov 91

REASON FOR PERMIT: To Construct Foundation and a construct one Family dwelling

BUILDING OWNER: T. Coomyton Johnson

CONTRACTOR: "

PERMIT APPLICANT: "

APPROVED: *1 *2 *6 *7 *9

CONDITION OF APPROVAL:

*1.) Before concrete for foundation is placed, approvals from Public Works and Inspection Services must be obtained.

*2.) Precaution must be taken to protect concrete from freezing.

3.) All vertical openings shall be enclosed with construction having a fire rating of at least one(1) hour, including fire doors with self-closers.

4.) Each apartment shall have access to two(2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units.

5.) The boiler shall be protected by enclosing with one(1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment. Sprinkler piping serving not more than six sprinklers may be connected to a domestic water supply system having a capacity sufficient to provide 0.15 gallons per minute, per square foot of floor throughout the entire area. An INDICATING shut-off valve shall be installed in an accessable location between the sprinkler and the conne[illegible] the domestic water supply. Minimum pipe size shall be 3/[illegible]per or 1 inch steel. Maximum coverage area of a residential [illegible] is 144 square feet per sprinkler.

*6.) Every sleeping room be[illegible] the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside opening without the use of separate tools. Where windows are provided as a means of egress or rescue, they shall have a sill height not more than 44 inches (1118 mm) above the floor. All egress or rescue windows from sleeping rooms must have minimum net clear openings of 5.7 square feet ($0.53m^2$). The minimum net clear opening height dimension shall be 24 inches (610 mm). The minimum net clear opening width dimension shall be 20 inches (508 mm).

7.) All single and multiple-station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the building code (BOCA National Building Code 1990, and N.F.P.A. 74).

8.) Private garages located beneath rooms in buildings of Use Groups R-1, R-2, R-3 or I-1 shall have walls, partitions, floors and ceilings separating the garage space from the adjacent interior spaces constructed of not less than 1-hour fireresistance rating. Attached private garages shall be completely separated from the adjacent interior spaces and the attic area by means of 1/2-inch gypsum board or equivalent applied to the garage side. The sills of all door openings between the garage and adjacent interior spaces shall be raised not less than 4 inches (102 mm) above the garage floor. The door opening protectives shall be 1 3/4-inch solid core wood doors or approved equivalent.

9.) A guardrail system located near the open side of deck or elevated walking surfaces shall be constructed. Guards in buildings of Use Group R-3 shall be not less than 36 inches in height. Open guards shall have intermediate rails, balusters or other construction such that a sphere with a diameter of 4 inches cannot pass through any opening. Handrails on stairs shall be no less than 34 inches nor more than 38 inches. Handrails within individual dwelling units shall not be less than 30 inches nor more than 38 inches.

10.) Section 25-135 of the Municipal Code for the City of Portland states: "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year.

11.) The builder of a facility to which Section 4594-C of the Maine State Human Rights Act, Title 5 M.R.S.A. refers, shall obtain a certification from a design professional that the plans of the facility meet the standards of construction required by this section. Prior to commencing construction of the facility, the builder shall submit the certification to the Division of Inspection Services.

Sincerely,

P. Samuel Hoffses
Chief of Inspection Services

11 88
11/27/90
8/14/91

CITY OF PORTLAND, MAINE
SITE PLAN REVIEW
Processing Form

T. Covington Johnson
Applicant

Date 11/15/91

P O Box 43; Peaks Island, ME 04108
Mailing Address

Park Ave - Peaks IS
Address of Proposed Site

83-J-2,3
Site Identifier(s) from Assessors Maps

1-fam dwlg
Proposed Use of Site

IR-1
Zoning of Proposed Site

90,655 sq ft / 20% 36'x26'
Acreage of Site / Ground Floor Coverage

Site Location Review (DEP) Required: ( ) Yes ( ) No

Board of Appeals Action Required: ( ) Yes ( ) No

Planning Board Action Required: ( ) Yes ( ) No

Proposed Number of Floors

Total Floor Area

Other Comments: 766-3375

Date Dept. Review Due:

MINOR MINOR SITE PLAN

BUILDING DEPARTMENT SITE PLAN REVIEW
(Does not include review of construction plans)

[X] Use does NOT comply with Zoning Ordinance
[ ] Requires Board of Appeals Action
[ ] Requires Planning Board/City Council Action

Explanation

[ ] Use complies with Zoning Ordinance — Staff Review Below

Zoning: SPACE & BULK, as applicable

	DATE	ZONE LOCATION	INTERIOR OR CORNER LOT	40 FT. SETBACK AREA (SEC. 21)	USE	SEWAGE DISPOSAL	REAR YARDS	SIDE YARDS	FRONT YARDS	PROJECTIONS	HEIGHT	LOT AREA	BUILDING AREA	AREA PER FAMILY	WIDTH OF LOT	LOT FRONTAGE	OFF-STREET PARKING	LOADING BAYS	
COMPLIES																			
COMPLIES CONDITIONALLY																			CONDITIONS SPECIFIED BELOW
DOES NOT COMPLY																			REASONS SPECIFIED BELOW

REASONS:

SIGNATURE OF REVIEWING STAFF/DAT

BUILDING DEPARTMENT—ORIGINAL

CITY OF PORTLAND, MAINE

SITE PLAN REVIEW

Processing Form

Applicant: [illegible] Date: [illegible]

Mailing Address: [illegible] Address of Proposed Site: [illegible]

Proposed Use of Site: [illegible] Site Identifier(s) from Assessors Maps: [illegible]

Acreage of Site: [illegible] Ground Floor Coverage: [illegible] Zoning of Proposed Site: IR-1

Site Location Review (DEP) Required: ( ) Yes ( ) No Proposed Number of Floors _____

Board of Appeals Action Required: ( ) Yes ( ) No Total Floor Area _____

Planning Board Action Required: ( ) Yes ( ) No

Other Comments: [illegible]

Date Dept. Review Due: _____

[illegible] SITE PLAN

PUBLIC WORKS DEPARTMENT REVIEW

(Date Received) _____

	TRAFFIC CIRCULATION	ACCESS	CURB CUTS	ROAD WIDTH	PARKING	SIGNALIZATION	TURNING MOVEMENTS	LIGHTING	CONFLICT WITH CITY CONSTRUCTION PROJECT	DRAINAGE	SOIL TYPES	SEWERS	CURBING	SIDEWALKS	OTHER	
APPROVED																
APPROVED CONDITIONALLY															✓	CONDITIONS SPECIFIED BELOW
DISAPPROVED																REASONS SPECIFIED BELOW

REASONS: Question on HHE-200 on total number of bedrooms to septic system ratio

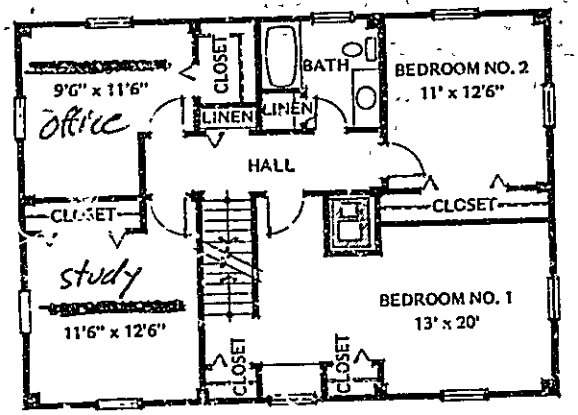
(Attach Separate Sheet If Necessary)

Not his area

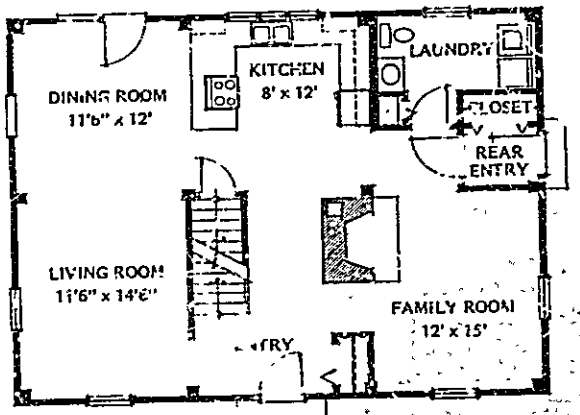
Stephen K. Harris 11/21/91

SIGNATURE OF REVIEWING STAFF/DATE

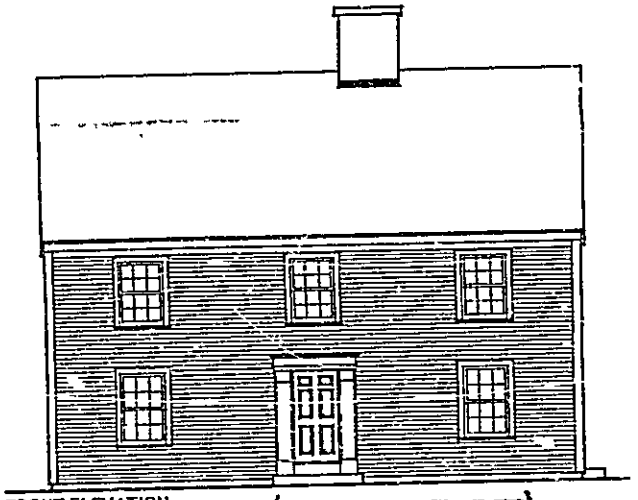
PUBLIC WORKS DEPARTMENT COPY



SECOND FLOOR PLAN



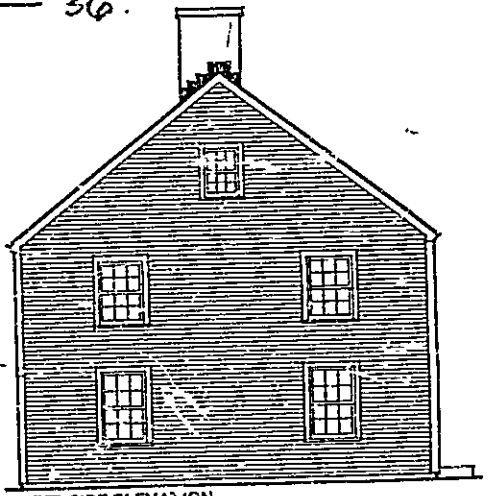
FIRST FLOOR PLAN



FRONT ELEVATION

36'

Colonial 28'x36'

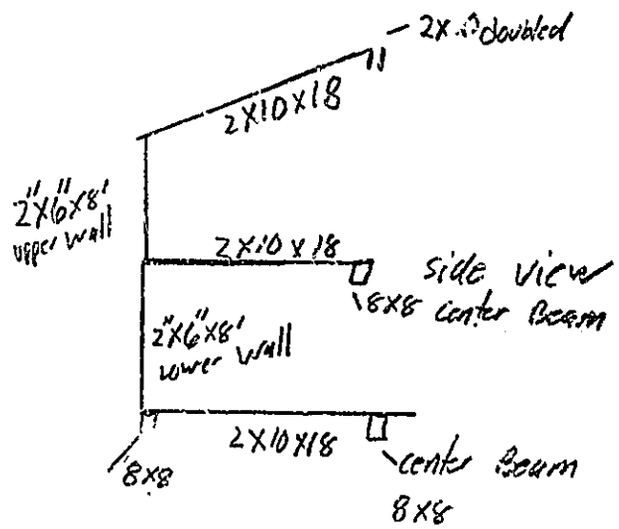


LEFT SIDE ELEVATION

26'

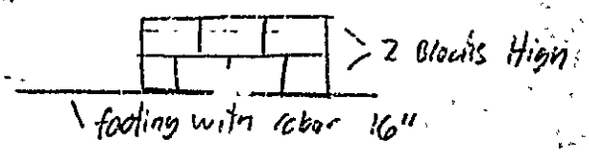
Materials

Floors - 2x10-16" on center
Roof - 2x10-16" on center
walls - plywood - 3/4"
roof - plywood 3/4"
wall studs 2"x 6"x8" - 16" on center



Foundation

14" footing
12" Block



SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services
Division of Health Engineering

PROPERTY ADDRESS	
Town Or Plantation	PORTLAND PEAKS ISLAND
Street Subdivision Lot #	PARK AVENUE TAX MAP 88 BLOCK J LOTS 2,3

PROPERTY OWNERS NAME	
JOHNSON Last	COVEY First.
Applicant Name:	COVEY JOHNSON
Mailing Address of Owner/Applicant (If Different)	PLEASANT AVENUE PEAKS ISLAND, MAINE 04108

PORTLAND PERMIT # 2,544 APPLICANTS COPY

Date Permit Issued 6/11/89 FEE $ Double Fee Charged

Local Plumbing Inspector Signature L.P.I. # 1/1213

THE WORK SPECIFIED IN THIS APPLICATION IS HEREBY AUTHORIZED TO BE INSTALLED IN ACCORDANCE WITH THE RULES. THIS PERMIT EXPIRES AFTER TWO YEARS FROM DATE ISSUED UNLESS WORK HAS COMMENCED.

Owner/Applicant Statement

I certify that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Local Plumbing Inspector to deny a Permit.

Signature of Owner/Applicant — Date

Caution: Inspection Required

I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules.

Local Plumbing Inspector Signature — Date Approved

PERMIT INFORMATION

THIS APPLICATION IS FOR:

1. ☒ NEW SYSTEM
2. ☐ REPLACEMENT SYSTEM
3. ☐ EXPANDED SYSTEM
4. ☐ SEASONAL CONVERSION
5. ☐ EXPERIMENTAL SYSTEM

THIS APPLICATION REQUIRES:

1. ☒ NO RULE VARIANCE REQUIRED
2. ☐ NEW SYSTEM VARIANCE Attach New System Variance Form
   ☐ REPLACEMENT SYSTEM VARIANCE Attach Replacement System Variance Form
3. ☐ Requires only Local Plumbing Inspector Approval
4. ☐ Requires both State and Local Plumbing Inspector Approval

INSTALLATION IS

COMPLETE SYSTEM

1. ☒ NON ENGINEERED SYSTEM
2. ☐ PRIMITIVE SYSTEM (Includes Alternative Toilet)
3. ☐ ENGINEERED (+2000 gpd)

INDIVIDUALLY INSTALLED COMPONENTS:

4. ☐ TREATMENT TANK (ONLY)
5. ☐ HOLDING TANK
6. ☐ ALTERNATIVE TOILET (ONLY)
7. ☐ NON-ENGINEERED DISPOSAL AREA (ONLY)
8. ☐ ENGINEERED DISPOSAL AREA (ONLY)
9. ☐ SEPARATED LAUNDRY SYSTEM

IF REPLACEMENT SYSTEM:

YEAR FAILING SYSTEM INSTALLED _____

THE FAILING SYSTEM IS:

1. ☐ BED 3. ☐ TRENCH
2. ☐ CHAMBER 4. ☐ OTHER _____

DISPOSAL SYSTEM TO SERVE:

1. ☒ SINGLE FAMILY DWELLING
2. ☐ MODULAR OR MOBILE HOME
3. ☐ MULTIPLE FAMILY DWELLING
4. ☐ OTHER _____ SPECIFY

SIZE OF PROPERTY: 98,655 SF

ZONING: IR 1

TYPE OF WATER SUPPLY: DRILLED WELL

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)

TREATMENT TANK

1. ☒ SEPTIC: ☒ Regular ☐ Low Profile
2. ☐ AEROBIC

SIZE: 1000 GALS.

WATER CONSERVATION

1. ☐ NONE
2. ☒ LOW VOLUME TOILET
3. ☐ SEPARATED LAUNDRY SYSTEM
4. ☐ ALTERNATIVE TOILET

SPECIFY: _____

PUMPING

1. ☒ NOT REQUIRED
2. ☐ MAY BE REQUIRED (DEPENDING ON TREATMENT TANK LOCATION AND ELEVATION)
3. ☐ REQUIRED

DOSE: _____ GALS

CRITERIA USED FOR DESIGN FLOW (BEDROOMS, SEATING, EMPLOYEES, WATER RECORDS ETC.)

3 BEDROOM CONSERVATIVE 450

LOW VOLUME TOILET 45

DESIGN FLOW 405 (GALLONS/DAY)

SOIL CONDITIONS USED FOR DESIGN PURPOSES

PROFILE _____ CONDITION C

DIMINISHING SIZING FACTOR 22

SIZE RATINGS USED FOR DESIGN PURPOSES

1. ☐ SMALL
2. ☒ MEDIUM
3. ☐ MEDIUM-LARGE
4. ☐ LARGE
5. ☐ EXTRA LARGE

DISPOSAL AREA TYPE/SIZE

1. ☐ BED _____ Sq. Ft.
2. ☒ CHAMBER 525 Sq. Ft.
   ☒ REGULAR ☐ H 20
3. ☐ TRENCH _____ Linear Ft.
4. ☐ OTHER _____

SITE EVALUATOR STATEMENT # USED 21 INFILTRATOR CHAMBERS IN TRENCH CONFIGURATION

☐ SITE EVALUATION WAIVED BY LOCAL OFFICIAL

On NOVEMBER 29 1988 (date) I conducted a site evaluation for this project and certify that the data reported is accurate. The system I propose is in accordance with the Subsurface Wastewater Disposal Rules

William B. Goodwin — 0003/4814 — 5/30/89

Site Evaluator or Professional Engineer's Signature — SE# / PE# — Date

* Local Plumbing Inspector Signature if a Local Site Evaluator is licensed under a local Option

HHE-200 Rev 4/83

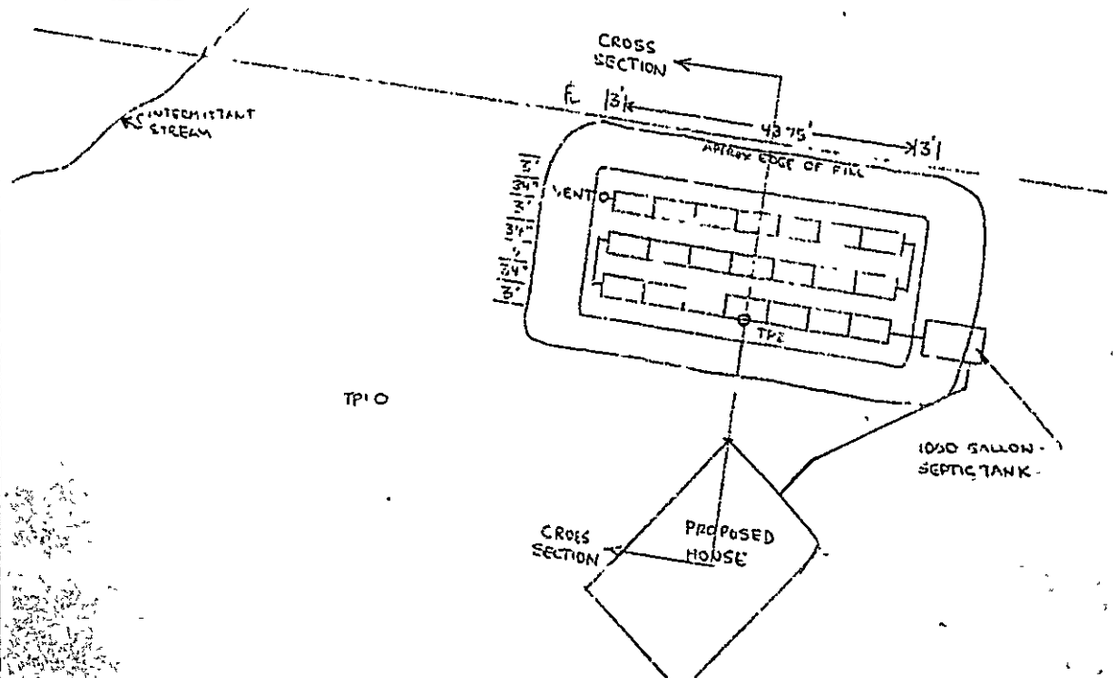
WASTEWATE. DISPOSAL SYSTEM APPLICATION

Department of Human Services
Division of Health Engineering

Sheet, Road, Subdivision	Owner's Name
PEAKS ISLAND 88-J-2,3	COVEY JOHNSON

SUBS WASTEWATER DISPOSAL PLAN

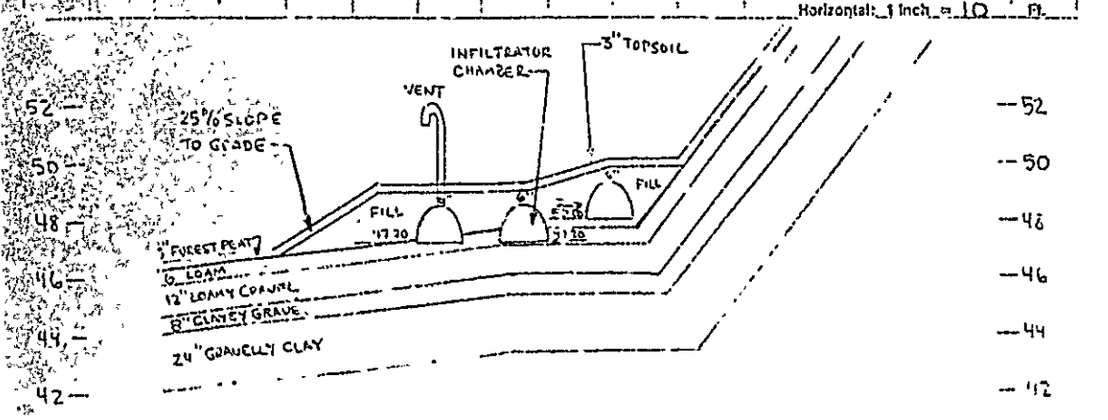
Scale 1" = 20 Ft.



FILL REQUIREMENTS		CONSTRUCTION ELEVATIONS		ELEVATION REFERENCE POINT LOCATION & DESCRIPTION
Depth of Fill (Upslope)	18±	Reference Elevation is	64.86	COPPER BOLT IN LEDGE ON NORTHERLY
Depth of Fill (Downslope)	18±	Bottom of Disposal Area	SEE X SECTION	SIDELINE OF PARK 191.97' FROM MONUMENT
		Top of Distribution Lines or Chambers	SEE X SECTION	AT WESTERLY PROPERTY CORNER

DISPOSAL AREA CROSS SECTION

Scale:
Vertical: 1 Inch = 5 Ft.
Horizontal: 1 Inch = 10 Ft.



William B. Goodwin
Site Evaluator or Professional Engineer's Signature

0003/4814
SE # / PE #

5/30/89
Date

HHE 200 Rev 4 83

STATE OF MAINE

Department of Environmental Protection

MAIN OFFICE, [illegible] BUILDING, HOSPITAL STREET, AUGUSTA.
MAIL ADDRESS: State House Station 17 Augusta, 04333
207-289-7688

JOHN A. McKERNAN, JR
GOVERNOR

DEAN C. MARRIOTT
COMMISSIONER

Dear Permit Holder:

Please find enclosed your land use permit. The permit is presented in a format that includes findings of fact relevant to the criteria of the law under which the permit is issued, conclusions based on those facts and conditions of approval. Please carefully read your permit, especially the conditions of approval. If you find any errors please let us know immediately.

In addition to the permit, several forms have been enclosed for your possible future use:

1. Appeal procedures have been enclosed for your information.

2. [illegible]ect Modification application has been included should you find it desirable to modify your project in the future. Proposed project modifications must be submitted to and receive approval form the Department.

3. A Condition Compliance form is also attached and must be submitted for any condition that requires "review and approval by the Commissioner".

4. Transfer forms (not included) are available upon request. If you sell or transfer title of the permitted property, the new owner must notify the Department and submit qualifying information if he/she wishes to continue with the project.

If we can be of additional service to you, let us know.

Sincerely,

DONALD T. WITHERILL, Director
Division of Natural Resources
Bureau of Land Quality Control

DTW/rlc

printed on recycled p[illegible]

EROSION CONTROL STANDARDS

1. No soil shall be disturbed during any period when soils are saturated due to rain or snow melt.

2. Prior to the start of an activity, erosion control measures shall be installed and adequately maintained to prevent the wash of materials into the resource.

3. All disturbance activities must start and finish within a one month time frame.

4. Disturbed soil shall be immediately stabilized, upon activity completion or if the area is not to be actively worked for more than one week, using temporary or permanent measures such as placement of riprap (in accordance with these rules), sod, mulch or erosion control blankets, or other comparable measures.

5. Hay or straw mulch, where used, shall be applied at a rate of at least one bale per 500 square feet (1 1/2 to 2 tons per acre).

6. Mulch shall be anchored with netting, peg and twine, or other suitable method and shall be maintained until a catch of vegetation is established over the entire disturbed area.

7. In addition to placement of riprap, sod, erosion control blankets or mulch, additional steps shall be taken where necessary, in order to prevent sedimentation of the water. Evidence of sedimentation includes visible gully erosion, discoloration of water by suspended particles and slumping of banks. Silt fences, staked hay bales and other sedimentation control measures, where planned for, shall be in place prior to commencement of work, but shall also be installed whenever necessary due to sedimentation.

Note: The discharge of sediment to a waterbody violates Section 413 of Title 38 M.R.S.A.

8. Mulch or other temporary erosion control measures shall be maintained until the site is permanently stabilized with vegetation or other permanent control measures.

9. Permanent revegetation or seeding of all disturbed areas shall occur, immediately upon project completion or, if temporary stabilization measures were used, within 30 days from the time the areas were last actively worked except where precluded by the type of activity (e.g. riprap, road surfaces, etc.). For fall or winter activities, permanent revegetation measures must be undertaken by June 15. Temporary erosion and sedimentation controls (e.g. mulch, hay bale barriers, etc.) must be installed and maintained in the interim. The vegetative cover shall be maintained.

10. Lime and fertilizer may be applied based on requirements determined through a soil test; or in lieu of a soil test, application rates shall not exceed the following:

    Ground limestone: 3 tons/acre (130 lbs./1000 sq. ft.)

    Fertilizer, 10-10-10 or equivalent: 600 lbs./acre (14 lbs./1000 sq. ft.)

    Fertilizer shall not be applied before the start of the growing season, nor after September 30th. Fertilized areas shall be mulched to reduce off-site transport of nutrients until used by vegetative growth.

Note: Erosion and sedimentation control measures should comply with Soil Conservation Service/Soil and Water Conservation District specifications.

DEP FACT SHEET

Appealing a Department Decision

(applications accepted as complete after July 14, 1990)
revised: August 1990 **contact:** (207) 289-7688

Background
The Department of Environmental Protection's statutes and regulations establish two types of review that may be requested by the public: (1) Appeals to the Board of Environmental Protection of a decision made by the DEP Commissioner, and (2) Petitions for Reconsideration to the Board of a decision made by the Board. An appeal or petition may be made by the applicant and/or any other person aggrieved by a decision.

Purpose
This Fact Sheet describes the procedure for appealing a decision signed by the Commissioner of the Department of Environmental Protection. Its purpose is to assist an aggrieved person in filing an effective appeal. (Procedures for Petitions for Reconsideration are addressed in another Fact Sheet.)

Statutory Reference
38 MRSA 341-D(4).

Appeal Period
Your notice of appeal must be received within 30 calendar days of the date the Commissioner's decision is filed with the Board of Environmental Protection. The filing date is stamped on the last page of the decision.

Filing
Send the original appeal documents to: Chair, Board of Environmental Protection, c/o Department of Environmental Protection, State House Station 17, Augusta, ME 04333.

At the same time, send a copy of the documents to: Commissioner, Department of Environmental Protection, State House Station 17, Augusta, ME 04333.

Finally, send a copy of the documents to the applicant.

All material supporting the appeal should be submitted with the appeal. Material submitted after the appeal is filed may not be considered.

Appeal Contents
An appeal must contain the following information:

1. *The findings, conclusions, or conditions objected to or believed to be in error.* Be sure to provide specific references and facts.
2. *The basis of the objections or challenge.* If possible, cite specific regulations, statutes, or other factual basis as reference. This may include omissions of relevant requirements as well as errors believed to have been made in interpretations, conclusions, and relevant requirements.
3. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.

4. *New or additional eviden* New or additional evidence may be presented only when the party can show due diligence in bringing the evidence to the licensing process at the earliest possible time or the evidence is newly discovered and could not have been presented earlier in the process.
5. *All the matters you wish to contest.* Only those arguments specifically raised in your written notice of appeal will be considered by the Board as part of the appeal.

Further Considerations
In order to file an effective appeal:

1. *Be familiar with all relevant material in the applicant's file.* This is public information that is easily accessible. With prior notice, the Department will make the material available during normal working hours, provide space to review the file, and provide opportunity for you to photocopy materials or have materials photocopied for you. (There is a minimal charge for copies or copying services.)
2. *Be familiar with the regulations and laws the application was processed under.* Department staff will provide this information upon request and will answer questions regarding applicable requirements.
3. *Remember that the filing of an appeal does not operate as a stay to any decision.* However, if an applicant proceeds with a project pending the outcome of an appeal, he or she runs the risk of the decision being reversed or modified as a result of the appeal.
4. *Make sure that all information and materials are submitted to the project manager assigned to your appeal.* The role of DEP staff is to evaluate relevant material contained in the file and in your argument or appeal and to make a recommendation to the Board.

Appeal Process
All relevant material submitted will be sent to the Board along with any materials the applicant wishes to submit. In addition, a Department staff recommendation will be sent to the Board.

Board Action
The Board may affirm, amend, or reverse a decision of the Commissioner. The Board may hold a hearing at its discretion.

You will be notified of the Board's decision.

Additional Information
If you have questions or need additional information on the appeal process, contact your DEP project manager.

Note: This Fact Sheet is intended for general guidance purposes only; it is not intended for use as a legal reference.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Land Quality Control
State House - Station #17
Augusta, Maine 04333
Telephone: 289-2111

FOR DEP USE

#L-_____
Fees Paid _____
Date Received_____

APPLICATION FOR PROJECT MODIFICATION

This form shall be used to request approval of minor changes to: (a) project design or operation; or (b) the conditions of a permit as previously approved by the Board or Department of Environmental Protection.

A processing fee of $50 is required at the time of application submittal. Depending on the degree of review required, additional fees may be assessed. The Department will bill you if additional fees are needed.

If significant changes are proposed, then a complete new project application will be required by the Department.

(Please type or print)

Name of Applicant: _____

Address: _____

Telephone Number: _____

Name of Contact or Agent: _____

Telephone: _____

LOCATION OF ACTIVITY

Name of Project: _____

Municipality or Township: _____ County: _____

REQUIRED INFORMATION

1. Existing DEP permit number: _____
2. DEP Project Analyst for original application (if known): _____
3. Description of Proposed Change: _____

(Attach additional sheet(s), if necessary.)

4. Provide all documentation necessary to support the proposed change. This documentation shall include, as appropriate, revised site plans, construction drawings and technical data.

5. Does your proposal involve a physical expansion or an increase in density of your project, such as an increase in number of lots, size of buildings, area of fill, etc.? _____

   If yes, you must provide public notice (see attached form). By signing this application, you certify that identical information has been sent to notify abuttors and municipal officials; and has been circulated in a local newspaper where the project site is located

6. By signing this application, you certify that all the presented information on this form and attached, is complete and accurate to the best of your knowledge.

THE $50 APPLICATION FEE IS DUE AT THE TIME OF APPLICATION SUBMITTAL. THE APPLICATION WILL NOT BE PROCESSED UNTIL THIS FEE IS PAID.

_____ DATE: _____

SIGNATURE OF APPLICANT

_____

PRINT OR TYPED NAME

_____

TITLE

5/89

MOD

NOTE: The applicant shall use this form or one containing identical information to notify abutters, municipal officials, and local newspapers.

NOTICE

Please take notice that _____
Name of Applicant

_____
Address of Applicant

is filing for a modification to an existing permit with the Maine Department of Environmental Protection pursuant to the provisions of* _____

_____

This modification involves:

_____
(State specifically what is to be done)

_____

_____

_____

in the Town of _____

The application will be filed for public inspection at the Department's Office in Augusta and at the municipal offices on _____
Date

Written comments and/or a request for a public hearing from an interested person must be sent to the Department of Environmental Protection, State House Station #17, Augusta, Maine 04333, within 14 days of filing the application to receive consideration. A public hearing may or may not be held at the discretion of the Commissioner or Board of Environmental Protection.

* *

*NOTE: Please insert appropriate statute name and section number into the above paragraph.

Site Location of Development, Title 38, M.R.S.A. Sections 481 to 489
Great Ponds, Title 38, M.R.S.A. Sections 391 to 396
Coastal Wetlands Alteration or Sand Dune, Title 38, M.R.S.A. Section 4[illegible]
Alteration of River, Stream or Brook, Title 38, M.R.S.A. Sections 425 to 430
Freshwater Wetlands, Title 38, M.R.S.A. Sections 405 to 410
Maine Waterways, Title 38, M.R.S.A. Sections 630 to 636
Sentage Land Disposal, Title 38, M.R.S.A. Section 1301

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Land Quality Control
State House - Station 17
Augusta, Maine 04333
Telephone: 289-2111

FOR DEP USE

#L-
Fees Paid
Date Received

APPLICATION FOR CONDITION COMPLIANCE

This form shall be used to comply with conditions on Orders which require approval by the Board or Department of Environmental Protection. A fee of $50 (check payable to Treasurer, State of Maine) must be submitted with this application.

(Please Type or Print)

Name of Applicant: _____

Address: _____

Name of Contact or Agent: _____

Telephone: _____

LOCATION OF ACTIVITY

Name of Project: _____

Municipality or Towns _____ County: _____

REQUIRED INFORMATION:

1. Existing DEP permit number: _____
2. Permit condition number(s): _____
3. Summary of the information being provided: _____

NOTE: All supporting documents summarized above must be attached to this form.

4. DEP Project Analyst for original application (if known): _____

_____ Date: _____
Signature of Applicant

_____ _____
Print or Typed Name Title

1-88

"CONDCOMP"

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

DEPARTMENT ORDER

IN THE MATTER OF

T. COVINGTON JOHNSON PORTLAND, MAINE DITCH DREDGING/STRUCTURE L-17745-L6-A-N (APPROVAL) AFTER THE FACT	) NATURAL RESOURCE PROTECTION ACT) FRESHWATER WETLAND ALTERATION AND) WATER QUALITY CERTIFICATION) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of Title 38, M.R.S.A., Section 480-A et seq and Section 401 of the Federal Water Pollution Control Act, the Department of Environmental Protection has considered the application of T. Covington Johnson with the supportive data, staff summary, agency review comments, and other related materials on file and finds the following facts:

PROJECT DESCRIPTION

1. The applicant seeks after-the-fact approval to dredge an existing drainage way and construct a permanent structure within a freshwater wetland on Peaks Island. The dredging of the drainage way involved the removal of soil and reshaping of 80 feet of drainage ditch. Soils removed from the ditch will be spread on upland areas. The ditch is 4 feet wide. The dredging was needed to restore the original dimensions of the ditch so that water draining from recreational fields adjacent to the applicant's property does not cause flooding. The applicant also constructed a 35 foot by 60 foot barn adjacent to, and within, the wetland. Approximately 225 square feet of wetland was eliminated by the barn. Creosote treated poles were driven into the ground to provide the frame for the barn. The barn will be used to house livestock and as a residence.

SITE DESCRIPTION

2. The wetland alteration took place on the applicant's property on Central Avenue on Peaks Island. A drainage way bisects the applicant's property. The drainage way carries runoff from recreational fields to an area of open water adjacent to the property. Wetland adjacent to the drainage way is dominated by shrubs and sedge. The wetland is not within the floodplain of the drainage ditch. The wetland vegetation boundary on the applicant's property has been obscured due to the presence of livestock. Determination of the boundary by Woodlot Alternatives Inc. staff placed the edge of the barn either just outside, or slightly within, the area of historic wetland.

HABITAT/WATER QUALITY CONSIDERATIONS

3. The use of creosote treated timbers can result in destruction of plant and animal life. The movement of surface or ground water can transport this pollutant. In this location, the presence of clay soils with low permeability will restrict the leaching of creosote. Similarly, surface water will not come in contact with the poles. Staff concludes that the use of creosote treated poles on this site should not result in a significant loss of wetland plant and animal habitat and should not impact water quality.

N. COVINGTON JOHNSON
PORTLAND, MAINE
DITCH DREDGING/STRUCTURE
L-17745 -A-N (APPROVAL)
AFTER THE FACT

2 NATURAL RESOURCE PROTECTION ACT
) FRESHWATER WETLAND ALTERATION AND
) WATER QUALITY CERTIFICATION
) FINDINGS OF FACT AND ORDER

WETLAND CONSIDERATIONS

4. Staff has determined this wetland to be a Class III wetland under the Wetland Protection Rules (Chapter 310).

5. The applicant is proposing to fill less than 20,000 square feet of wetland. Staff concluded that mitigation for wetland loss is not required.

EROSION CONSIDERATIONS

6. Soils exposed during ditch dredging have been stabilized with native vegetation.

Based on the above finding of fact, the Department makes the following conclusions:

A. The activity has not unreasonably interferred with existing scenic, aesthetic, recreational or navigational uses.

B. The activity has not caused, and will not cause unreasonable erosion or sedimentation and has not inhibited the natural transfer of soil from the terrestrial to the marine or freshwater environment.

C. The activity has not harmed, and will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, aquatic habitat, travel corridor, freshwater, estuarine or marine fisheries or other aquatic life.

D. The activity has not interferred, and will not unreasonably interfere with the natural flow of any surface or subsurface waters.

E. The activity has not violated and will not violate any state water quality law including those governing the classifications of the State's waters.

F. The activity has not caused or increased, and will not unreasonably cause or increase the flooding of the alteration area or adjacent properties.

G. The proposed activity is not on or adjacent to a sand dune.

H. The proposed activity is not on an outstanding river segment as noted in Title 38 M.R.S.A., Section 480.

T. COVINGTON JOHNSON PORTLAND, MAINE DITCH DREDGING/STRUCTURE L-17745-L6-A-N (APPROVAL) AFTER THE FACT	))))	NATURAL RESOURCE PROTECTION ACT FRESHWATER WETLAND ALTERATION AND WATER QUALITY CERTIFICATION FINDINGS OF FACT AND ORDER

THEREFORE, the Department APPROVES WITH THE ATTACHED CONDITIONS the application of T. Covington Johnson, in accordance with the following conditions.

1. Standard Conditions of Approval, a copy attached.

2. This approval does not imply conformance with municipal Shoreland Zoning requirements. Applicants must also comply with the municipal Shoreland Zoning Ordinance, including the receipt of a local permit, if necessary, prior to construction.

3. This order does not release or compromise any claim which the Department or the State of Maine may have for any previous or existing violations of any law of the State of Maine.

DONE AND DATED AT AUGUSTA, MAINE, THIS 1ST DAY OF October, 1991.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Dean C. Marriott
Dean C. Marriott, Commissioner

PLEASE NOTE THE ATTACHED SHEET FOR APPEAL PROCEDURES....

Date of initial receipt of application 7/22/91
Date of application acceptance 8/6/91

Date filed with Board of Environmental Protection

FILED
OCT - 1 1991
BOARD OF ENVIRONMENTAL PROT.
STATE OF MAINE

document name

T. Covington Johnson
P.O. Box 48
Peaks Island, ME 04108
October 16, 1991

Department of Environmental Protection
State House Station 17
Augusta, ME 04333

Att: Donald T. Witherhill Director
Division of Natural Resources
Division of Land Quality Control

RE: T. Covington Johnson
Portland, ME
Ditch Dredging/Structure
L-17745-16-A-N (approval)
After the Fact

MR. Witherhill,

I have received my after the facts permit. The following errors were made in the paperwork and I have provided you with the correct information.

1. Barn measurements are 40'x50', not 35'x60'.
2. Property location is Vermont and Park Ave., not Central Ave.
3. Treated poles were dug into the ground, not driven.
4. The drainage system was built by the Work Corps back in the 10's and there is no open water within a mile, other than the old ice pond which is about a mile and a half from the city ball field. This pond connects to the ditches which were designed to remove excess water from the ball field and surrounding areas to prevent flooding.

I brought these mistakes to your attention so that you may make the necessary corrections. Also if Possible would you send me a complete copy of my D.E.P. file. ~~for my records~~. I would also like a copy of the Natural Resource and Protection Act Wetlands Protection Rules Chapter 311.

I appreciate your time and cooperation.

Sincerely,

T. Covington Johnson

T. Covington Johnson
P.O. Box 48
Peaks Island, ME 04108
October 16, 1991

Department of Environmental Protection
State House Station 17
Augusta, ME 04333

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I appreciate your time and cooperation.

Sincerely,

T. Covington Johnson

Woodlot Alternatives, Inc.

2 October 1990

Covey Johnson
Pleasant Avenue
Peaks Island
Portland, Maine 04101

Re: Wetlands on your property and the Natural Resources Protection Act.

Dear Mr. Johnson:

On 1 October 1990, we visited your property to: a) review the location of wetlands on the site in relation to a newly constructed barn; and b) review the channel that was dredged in the wetland.

Location of Wetlands on the Site

Our first objective during the site visit was to determine, or attempt to determine, the location of the edge of the freshwater wetland in relation to the newly constructed barn. Based on a letter from the Department of Environmental Protection (DEP) dated 7 September 1990, it was our understanding that you had started construction of a barn in a freshwater wetland. In order to verify if the barn was in the wetland, we used methods contained in The Federal Manual for Identifying and Delineating Jurisdictional Wetlands (hereafter the Manual) (Federal Interagency Committee for Wetland Delineation, 1989) to first identify the wetland, and second to determine the edge of the wetland.

The Manual recognizes three environmental parameters or site conditions that must exist for an area to be considered a wetland: 1) hydrophytic vegetation; 2) hydric soils; and 3) wetland hydrology. The technical criteria and the methods used to evaluate each of the three parameters are summarized in the attached pages. A more detailed description of the methods can be found in the Manual.

The first step in wetland delineation required locating areas within the project site that were clearly wetland and areas that were clearly upland. We reviewed all available background information (such as topographic maps, soil surveys, and aerial photos), and identified all major plant communities. We then delineated the wetland/upland boundaries by walking the site and determining where vegetation, soils, and hydrology changed from predominantly wetland to predominantly upland. Four wetland delineation plots were analyzed (Figure 1).

54 Cumberland Street • Brunswick, Maine 04011 • 207-729-1199

the Manual) was used to determine if hydric soils were present; 1) Organic soils - peats and mucks; 2) Histic epipedon - organic surface layer; 3) Sulfidic materials - usually indicates soil saturation; 4) Aquic and Peraquic moisture regime - indicates saturated soil or presence of groundwater always at or near surface; 5) Direct observation of reducing conditions - ferrous state detected by colorimetric test; 5) Gleyed soils - blueish, greenish, or grayish colors immediately below the A horizon; 7) Low color matrix chroma - value of 2 or less in mottled soils, value of 1 or less in unmottled soils; 8) Bright mottling; 9) Iron or manganese concretions - local concentrations of chemicals (i.e. iron oxide); 10) Coarse-textured or sandy soils with high organic matter in surface horizon, dark vertical streaking of subsurface horizons, or wet spodosols.

Wetland Hydrology

Wetland hydrology is defined as either the permanent or periodic inundation of an area, or soil saturation for a significant period (usually a week or more) during the growing season. The existence of wetland hydrology was determined at each site or sample plot by examining aerial photographs of the area from various times of the year (if available) and/or by the presence of field indicators outlined in the Manual.

These indicators are: 1) Visual observation of inundation (considering seasonal and recent weather conditions); 2) Visual observation of soil saturation - using an observation hole up to 18 inches deep if necessary; 3) Oxidized channels (rhizospheres) - along living roots and rhizomes; 4) Water marks - stains on tree trunks or other objects; 5) Drift lines - debris deposited by high water flows; 6) Waterborne sediment deposits - on ground or vegetation; 7) Waterstained leaves; 8) Surface scoured areas - absence of litter on ground; 9) Wetland drainage patterns - meandering or braided features; 10) Morphological plant adaptations - buttressed or multiple trunks, adventitious roots, etc.; 11) Hydric soil conditions - if other indicators absent, it can be assumed that hydric soil conditions indicate wetland hydrology in unaltered situations.

The following is a summary of the technical criteria for the 3 parameters used in delineation of jurisdictional wetlands.

Hydrophytic Vegetation

The Manual defines hydrophytic vegetation as macrophytic plant life growing in water or in soil, or on substrate that is at least periodically deficient in oxygen as a result of excessive water content. These wetland plants are contained in the National List of Plant Species that Occur in Wetlands: 1988 Maine (Reed 1988), which separates them into 5 basic categories according to wetland indicator status: 1) Obligate Wetland (OBL) - plants occurring almost always in wetlands (est. probability >99%) under natural conditions; 2) Facultative Wetland (FACW) - plants usually occurring in wetlands (est. probability 67-99%), but are occasionally found in non-wetlands; 3) Facultative (FAC) - plants that are equally likely to occur in wetlands or non-wetlands (est. probability 34-66%); 4) Facultative Upland (FACU) - plants that usually occur in nonwetlands (est. probability 67-99%), but are occasionally found in wetlands (estimated probability 1-33%); and 5) Obligate Upland (UPL) - plants that occur almost always in nonwetlands (est. probability >99%) under natural conditions.

In deciding whether a site or plot met the Manual's criteria for hydric vegetation, we first determined what the dominant plants were in each of six strata: 1) trees, 2) saplings, 3) shrubs, 4) woody vines, 5) herbaceous plants and seedlings, and 6) bryophytes (mosses and liverworts). Bryophytes are sampled as a separate stratum only when they represent an important part of the plant community (50% or more of the herbaceous stratum); otherwise, they are included in the herbaceous stratum. Dominant species of each strata are those that, when ranked in descending order of abundance and cumulatively totaled, immediately exceeded 50 percent of the total dominance measure (eg. basal area or percent areal coverage), plus any additional species comprising 20 percent or more of the total dominance measure.

Under the above scheme, a plant community was considered hydrophytic if: 1) under normal circumstances, more than 50 percent of the composition of dominant species from all strata were rated OBL, FACW, or FAC; 2) all dominant species of each strata were rated OBL; and/or 3) the visually estimated coverage of OBL and FACW species exceeded the percent coverage of FACU and UPL species.

Hydric Soils

Hydric soils are those that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part (FICWD 1989). Soils were determined to be hydric or nonhydric according to the criteria in the Manual. Also, any soils that met the criteria of the National Technical Committee for Hydric Soils (NTCHS), and therefore were listed in Hydric Soils of the State of Maine 1985 (USDA 1985), were considered hydric. Presence of the following field indicators (described in detail in

Plots # 1 and # 3 were located in upland, and plots # 2 and # 4 were in wetland. The upland/wetland boundary line occurs in an area between these plots. However, an exact boundary line could not be delineated near the barn because of the disturbance to soil and vegetation that has occurred from excavation. In addition, two horses have been kept in an area adjacent to the barn. The horses have trampled the soils in both upland and wetland areas, and they have eaten and/or trampled some of the vegetation.

Because we could not determine an exact wetland boundary line, we could not determine, with any certainty, if a portion of the barn was built in wetland. We were able to determine that the majority of the structure was built in upland. We determined this based on topography, soil characteristics, and the characteristics of adjacent areas in topographically similar positions.

Dredged Channel

A channel approximately 3 feet wide and 400 feet long exists in the wetland (Figure 1). It is my understanding that this channel was created a number of years ago, and portions of it have been periodically maintained by both the City of Portland and the former landowner. During our site visit, I suggested that you collect as much historical information regarding the date of the initial dredging, and subsequent maintenance dredging. Once this information is compiled, we can determine if the channel was constructed legally, and if the periodic maintenance activities were legal.

After you review this letter, please forward a copy to James Cassida, Maine Department of Environmental Protection. I suggest that we meet with Mr. Cassida as soon as possible regarding the need for filing for an after-the-fact Natural Resources Protection Act permit. In the interim, I will be trying to gather information regarding the impacts of using creosote treated logs (old telephone poles) in a wetland. To do this, it would be very helpful to know the age and general history of the telephone poles that you used as posts under the barn. Please call me with this information as soon as possible.

Please call if you have any questions. Thank you.

Sincerely,

Woodlot Alternatives, Inc.

John P. Lortie

John P. Lortie
President

Project Title: Covey Johnson	Transect & Plot: PLOT 4
File Number:	Name of Delineator: J Cortie
State & County: Maine, Cumberland	Date: 10/4/90

Stratum and Species (DOMINANTS ONLY)	Dominance Ratio	Percent Dominance	NWI Status
TREES: Acer rubrum	4/6	66	FAC
Pinus strobus	2/6	33	FACU
SAPLINGS Betula papyrifera	5/25	20	FACW
Acer rubrum	10/25	40	FAC
Alnus rugosa	10/25	40	FACW
SHRUBS: Alnus rugosa	15/30	50	FACW
Abies balsamea	10/30	33	FAC
Viburnum cassinoides	5/30	17	
SEEDLINGS: Rubus hispidus	10/38	26	FACW
Impatiens capensis	10/38	26	FACW
Lysimachia terrestris	2/38	5	
Arisema atrorubens	1/38	3	
Sphagnum sp.	10/38	26	OBL
Rumnecrus sp.	5/38	13	

Tally (Dominants ONLY): | OBL | FACU | FACW | FACU | UPL | SUM

100 % Dominant (OBL+FACW+FAC)/Tally Sum = 8/10 = 80

Area Disturbed? T N ✓ Describe Problem Area:

SOIL

Depth & Horizon	Munsell Color (wet) Matrix/Mottle	USDA Texture (wet)	Remarks
0 inch		muck	
16 inch	5Y 6/1 mat. 10YR 5/8 mot.	Sandy clay	
>18 inch			
inch			

Soil Pedigree:

Series & Phase: | Drainage Class:

CHECK (✓): __On NTCHS List __Organic Soil ✓ Histic Epipedon __Sulfidic Material __Aquic Moisture Regime __Peraquic Moisture Regime __Observed Reducing Condition __Iron Concretions __Manganese Concretions

Coarse-textured (Sandy) Soils: __High Organic Content in Surface Horizon __Dark Vertical Streaking of Subsurface Horizons __Wet Spodosols

(THE LESSER) Immediately below the A-horizon OR at: (A) 18in. for organic soils and for mineral soils with low permeability (<6in./hr.): (B) 12in. for coarse textured (sandy) mineral soils with high permeability (>6in./hr.): (C) 6in. for somewhat poorly drained soils: __Gleyed __Mottled w/ Matrix Chroma ≤2 __Matrix ≤1

All Dominant Plant Species: __OBL (i.e. Indicator Status) __OBL to FACW, and Wetland Boundary Abrupt

HYDROLOGY

RECORDED DATA: from stream, lake, and/or tidal gages or site wells, or aerial photographs indicating that the area is inundated or saturated periodically during the growing season. CHECK (✓): ___ No available record of this condition ___ The following record indicates this condition

Source: Dated:

Depth of STANDING WATER: ____ inches; Depth to SATURATION: 4" inches

OBSERVATIONS CHECK (✓): __Inundated ✓ Saturated in upper 12in. __Water Marks __Drift Lines __Water-borne Sediment Deposits __Oxidized Rhizospheres __Surface Scoured Areas __Wetland Drainage Patterns __Water-stained Leaves

__No Evidence of Significant Hydrological Modification FAC

Morphological Plant Adaptations SUCH AS: __Pneumatophores __Buttressed Trees __Stooling __Adventitious Roots __Shallow Root Systems __Floating Stems __Polymorphic Leaves __Hypertrophied Lenticels __Inflated Leaves, Stems, or Roots __Aerenchyma in Roots & Stems

✓ Hydric Soils and No visible evidence of significant Hydrological Modification

CONCLUSIONS

Hydrophytes Prevalent?	Hydric Soils?	Hydrology Evident?	WETLAND?
T ✓ N	T ✓ N	T ✓ N	T ✓ N

Project Title: Covey Johnson	Transect & Plot: PLOT 1
File Number:	Name of Delineator: J. Lortie
State & County Maine, Cumberland	Date: 10/4/90

Status and Species (DOMINANTS ONLY)	Dominance Ratio	Percent Dominance	NWI Status
Plot 1 is in stable area. Area is extremely disturbed, with little vegetation but:			
Pinus strobus			
Ulmus americana			
Pyrus malus			
Acer rubrum			

Tally(Dominants ONLY): OBL | FACW | FAC | FACU | UPL | Sum

100 x Dominant(OBL+FACW+FAC)/Tally Sum =

Area Disturbed? Y ✓ N | Describe Problem Area:

SOIL

Depth & Horizon	Munsell Color (wet) Matrix/mottle	USDA Texture (wet)	Remarks
0 inch -			
9 inch -	10YR 3/2		
12 inch -	2.5Y 4/3	stony sand	
18 inch -	5Y 5/2	Gleyed SAND lightly cemented	

Distinct mottling starts at 15"

Soil Pedigree:

Series & Phase: | Drainage Class:

CHECK (✓): __On NTCHS List __Organic Soil __Histic Epipedon __Sulfidic Material __Aquic Moisture Regime __Peraquic Moisture Regime __Observed Reducing Condition __Iron Concretions __Manganese Concretions

Coarse-textured (Sandy) Soils: __High Organic Content in Surface Horizon __Dark Vertical Streaking of Subsurface Horizons __Wet Spodosols

(THE LESSER) Immediately below the A-horizon OR at: (A) 18in. for organic soils and for mineral soils with low permeability (<6in./hr.); (B) 12in. for coarse textured (sandy) mineral soils with high permeability (>6in./hr.); (C) 6in. for somewhat poorly drained soils: __Gleyed __Mottled w/ Matrix Chroma ≤2 __Matrix ≤1

All Dominant Plant Species: __OBL (i.e. Indicator Status) __OBL to FACW, and Wetland Boundary Abrupt

HYDROLOGY

RECORDED DATA: from stream, lake, and/or tidal gages or site wells, or aerial photographs indicating that the area is inundated or saturated periodically during the growing season. CHECK (✓): __ No available record of this condition __ The following record indicates this condition

Source: Dated:

Depth of STANDING WATER: inches Depth to SATURATION: inches

OBSERVATIONS CHECK (✓): __Inundated __Saturated in upper 12in. __Water Marks __Oxidized Rhizosphere __Drift Lines __Water-borne Sediment Deposits __Water-stained Leaves __Surface Scoured Areas __Wetland Drainage Patterns

__No Evidence of Significant Hydrological Modification AND __Morphological Plant Adaptations SUCH AS: __Pneumatophores __Buttressed Trees __Stooling __Adventitious Roots __Shallow Root Systems __Floating Stems __Po' morphic Leaves __Hypertrophied Lenticels __Inflated Leaves, Stems, or Roots __Aerenchyma in Roots & Stems

__Hydric Soils and NO visible evidence of significant Hydrological Modification

CONCLUSION?

Hydrophytes Prevalent? Y N | Hydric Soils? Y N | Hydrology Evident? Y N | WETLAND? Y N

Project Title: Covey Johnson	Transect & Plot: PLOT 3
File Number:	Name of Delineator: J. Lortie
State & County: Maine, Cumberland	Date: 10/4/90

Stratum and Species (DOMINANTS ONLY)	Dominance Ratio	Percent Dominance	NWI Status
TREES:			
Pinus strobus	2/8	25	FACU
Betula papyrifera	2/8	25	FACW
Picea rubens	1/8	12	
Acer rubrum	3/8	38	FAC
SAPLINGS:			
Acer rubrum	5/10	50	FAC
Abies balsamea	5/10	50	FAC
SHRUBS: Picea rubens	15/30	50	FACW
Cornus alternifolia	5/30	17	
Viburnum cassinoides	10/30	33	FACW
HERBS: Abies balsamea	5/51	27	FAC
Picea rubens	15/51	27	FACW
Gaultheria procumbens	10/51	19	
Viburnum cassinoides	5/51	10	
Osmunda claytonia	5/51	10	
Poa pratensis	1/51	2	

Tally (Dominants ONLY):	OBL	FACW	FAC////	FACU////	UPL	SUM

.50 x Dominant(OBL+FACW+FAC)/Tally Sum = 5/9 = .55

Area Disturbed? Y ___ N ✓ Describe Problem Area:

SOIL

Depth & Horizon	Munsell Color (wet) matrix/mottle	USDA Texture (wet)	Remarks
__inch			
0 inch		Organic mat'l.	
2 inch	10 YR 2/2	Sandy loam	many fine roots
6 inch	10 YR 3/2	STONEY silt loam	
10 inch	2.5 Y 5/3	stones and silt	
10			

Soil Pedigree:

Series & Phase: Drainage Class:

CHECK (✓): __On HTCHS List __Aquic Moisture Regime __Iron Concretions __Manganese Concretions __Sulfidic Material __Reduced Reducing Condition

Coarse-textured (Sandy) Soils: __High Organic Content in Surface Horizon __Dark Vertical Streaking of Subsurface Horizons __Wet Spodosols

(THE LESSER) Immediately below the A horizon OR at: (A) 18in. for organic soils and for mineral soils with low permeability (<6in./hr.); (B) 12in. for coarse textured (sandy) mineral soils with high permeability (>6in./hr.); (C) 6in. for somewhat poorly drained soils: __Gleyed __Matrix Chroma ≤2 __Matrix ≥3

All Dominant Plant Species: __OBL (Status) __OBL to FACW Land Boundary Abrupt

HYDROLOGY

RECORDED DATA: from stream, lake, and/or nearby gages or site wells, or aerial photographs indicating that the area is inundated or saturated periodically during the growing season. CHECK (✓): ___ No available record of this condition ___ The following record indicates this condition

Source: Dated:

Depth of STANDING WATER: ____ inches Depth to SATURATION: ____ inches

OBSERVATIONS CHECK (✓): __Inundated __Saturated in upper 12in. __Water Marks __Oxidized Rhizospheres __Drift Lines __Waterborne Sediment Deposits __Water-stained Leaves __Surface Scoured Areas __Wetland Drainage Patterns

__No Evidence of Significant Hydrological Modification AND

Morphological Plant Adaptations SUCH AS: __Pneumatophores __Buttressed Trees __Stoolins __Adventitious Roots __Shallow Root Systems __Floating Stems __Polymorphic Leaves __Hypertrophied Lenticels __Inflated Leaves, Stems, or Roots __Aerenchyme in Roots & Stems

__Hydric Soils and NO visible evidence of significant Hydrological Modification

CONCLUSIONS

Hydrophytes Prevalent?	Hydric Soils?	Hydrology Evident?	WETLAND?
Y ✓ N ___	Y ___ N ✓	Y ___ N ✓	Y ___ N ✓

Project Title: Covey Johnson	Transect & Plot: PLOT 2
File Number:	Name of Delineator: J. Cortie
State & County: Maine, Cumberland	Date: 10/4/90

Stratum and Species (DOMINANTS ONLY)	Dominance Basis	Percent Dominance	NWI Status
In paddock area. No vegetation			

Tally(Dominants ONLY):	OBL	FACW	FAC	FACU	UPL	SUM

100 x Dominant(OBL+FACW+FAC)/Tally Sum =

Area Disturbed? Y ___ N ___ | Describe Problem Area:

SOIL

Depth & Horizon	Munsell Color (wet) matrix/mottle	USDA Texture (wet)	Remarks
0 inch	10YR 3/2	Sandy loam	
7 inch	5Y 5/2	Sand Gleyed mottled	
11 inch	5Y 5/1 10YR 5/6	Gleyed mottled clay	
18 inch			

Soil Pedigree:

Series & Phase: | Drainage Class:

CHECK (✓): __On NRCS List __Organic Soil __Histic Epipedon __Sulfidic Material __Aquic Moisture Regime __Peraquic Moisture Regime __Observed Reducing Condition __Iron Concretions __Manganese Concretions

Coarse-textured (Sandy) Soils: __High Organic Content in Surface Horizon __Dark Vertical Streaking of Subsurface Horizons __Wet Spodosols

(THE LESSER) Immediately below the A-horizon OR at: (A) 18in. for organic soils and for mineral soils with low permeability (<6in./hr.); (B) 12in. for coarse textured (sandy) mineral soils with high permeability (≥6in./hr.); (C) 6in. for somewhat poorly drained soils: __Gleyed __Mottled w/ Matrix Chroma ≤2 __Matrix ≤1

All Dominant Plant Species: __OBL (i.e. Indicator Status) __OBL to FACW-, and Wetland Boundary Abrupt

HYDROLOGY

RECORDED DATA: from stream, lake, and/or tidal gages or site wells, or aerial photographs indicating that the area is inundated or saturated periodically during the growing season CHECK (✓): ___ No available record of this condition ___ The following record indicates this condition

Source: Dated:

Depth of STANDING WATER: 14 inches Depth to SATURATION: ___ inches

OBSERVATIONS CHECK (✓): __Inundated __Saturated in upper 12in. __Water Marks __Oxidized Rhizosphere __Drift Lines __Water-borne Sediment Deposits __Water-stained Leaves __Surface Scoured Areas __Wetland Drainage Patterns

__No Evidence of Significant Hydrological Modification AND Morphological Plant Adaptations SUCH AS: __Pneumatophores __Buttressed Trees __Stooling __Adventitious Roots __Shallow Root Systems __Floating Stems __Polymorphic Leaves __Hypertrophied Lenticels __Inflated Leaves, Stems, or Roots __Aerenchyma in Roots & Stems

__Hydric Soils and NO visible evidence of significant Hydrological Modification

CONCLUSIONS

Hydrophytes Prevalent?	Hydric Soils?	Hydrology Evident?	WETLAND?
Y ___ N ___	Y ✓ N ___	Y ✓ N ___	Y ✓ N ___

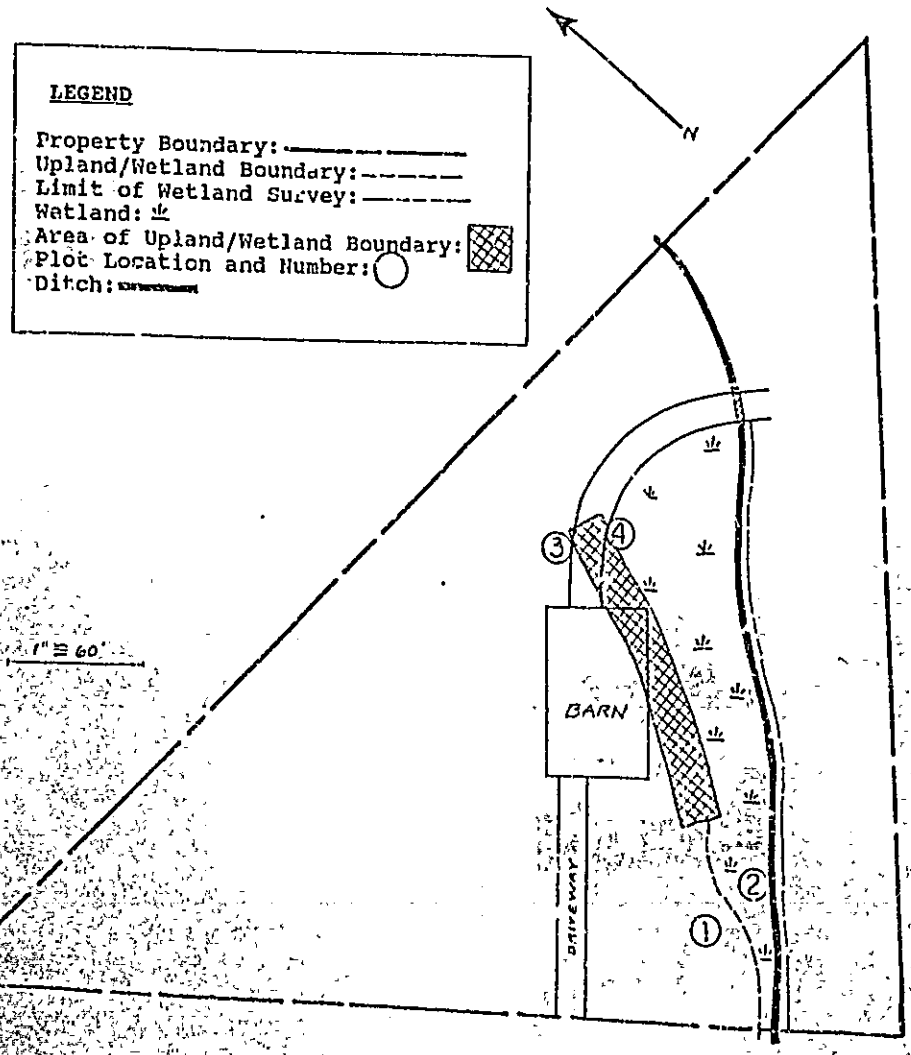

Figure 1. Approximate location of upland and wetland habitat on the Johnson property, Peaks Island, Maine.

W.A., Inc.