

SPO



Maine State Planning Office

Executive Department

JOHN ELIAS BALDACCI
Governor

MARTHA E. FREEMAN
Director

August 24, 2010

Cornell Knight
Town Manager
17 Highland Ave.
Winthrop, ME 04364

Dear Mr. Knight,

On July 1, 2010 the State Planning Office received and accepted for review the Town of Winthrop Comprehensive Plan. We understand that organizing, processing, writing, debating, and eventually completing a Comprehensive Plan is an arduous task, and for doing this we extend our sincere appreciation to you, your committee, and your residents. With great pleasure, I inform you that this Office has found your Plan to be both '*complete*' and *consistent* with the Maine Growth Management Act.

According to state law, our review process consists of two phases. First, we review all elements of the Plan, save the Future Land Use Plan. This is called a review for 'completeness.' If we determine that the Comprehensive Plan is 'complete,' we undertake phase two, which is a focused review of the Future Land Use Plan, ultimately leading to a determination of consistency with the Growth Management Act. This process was created to encourage collaboration with municipalities, and, if necessary, giving opportunities to modify the Comprehensive Plan prior to official notification of whether a Plan is consistent with the Growth Management Act. Fortunately, Winthrop does not require any extra opportunities to modify the Plan. Rather than write two separate letters, I am combining both the review for 'completeness' and review for consistency with the Growth Management Act into this single letter.

This Office has completed our review of the Winthrop Comprehensive Plan for consistency with the Growth Management Act using the Comprehensive Planning Criteria Rule (Chapter 208). Using this criteria, we have found the Comprehensive Plan dated March 2010 consistent with the Maine Growth Management Act.

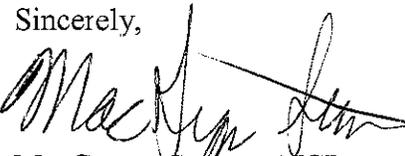
As prescribed by state law, our office has solicited comments on the Plan from other state agencies. These comments provide additional detail and other suggestions that the comprehensive plan committee should find useful. The comments are meant as recommendations, actions you can take to improve your Plan, but not requirements from this Office. Our finding of consistency is not conditioned on their inclusion. The following agencies provided comments on your Plan (attached):

- Department of Transportation
- Department of Environmental Protection
- Department of Inland Fisheries & Wildlife

We do understand the complexity of the comprehensive planning process. Our goal in developing the Rules that govern this process is to help each town end up with a plan that reflects that town's unique character and style while also supporting the State's goals and policies for managed growth. We appreciate any input you wish to make on the Comprehensive Plan Rule and your experience with it so that we can continue to refine the process.

Thank you

Sincerely,



MacGregor Stocco, AICP
Senior Planner

Cc: Chris Huck, Kennebec Valley Council of Governments

Enclosure: Comments from other agencies



John Elias Baldacci,
Governor

**Maine Department of
Transportation**

**16 State House Station
Augusta, Maine 04333-0016**

Telephone: 207-624-3240
Fax: 207-624-3099
Email: penny.vaillancourt@maine.gov

David A. Cole,
Commissioner

Date: August 9, 2010
To: MacGregor Stocco
From: Penny Vaillancourt
Re: Town of Winthrop Comprehensive Plan Review

On behalf of the Maine Department of Transportation, I reviewed the Town of Winthrop's July 2010 Comprehensive Plan and find it to be accurately represented in the Self Assessment Checklist.

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

The Town of Winthrop has appropriately used transportation data for comprehensive plan purposes.

- **Relation of plan's policies and implementation strategies to MaineDOT principal objectives and directives**

The Town of Winthrop's 2010 Comprehensive Plan includes several policies and related strategies that, if successfully implemented, will effectively utilize transportation facilities and resources.

- **Consistency of plan with MaineDOT programs and policies**

Pursuant to the goals, guidelines and policies of the Growth Management Act (30-A M.R.S.A. §4312 et seq.) and the Sensible Transportation Policy Act (23 M.R.S.A. §73) the Town of Winthrop's 2010 Comprehensive Plan is consistent with MaineDOT programs and policies in carrying out the goals of these Acts. Please feel free to contact me should you have any questions regarding this information.

cc: Jerry Douglass, MaineDOT
File



John Elias Baldacci,
Governor

**Maine Department of
Transportation**

**16 State House Station
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cc: Jerry Douglass, MaineDOT
File



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

David P. Littell
COMMISSIONER

Date: July 27, 2010

To: MacGregor Stucco, State Planning Office

From: Mary Ellen Dennis, DEP-Division of Watershed Management

Re: Town of Winthrop Comprehensive Plan Review

The Department of Environmental Protection's Division of Watershed Management provides review of the surface water resources section of town comprehensive management plans. The mission of the Division of Watershed Management is to protect and restore the values of Maine's water and wetland resources by promoting environmentally sound land use throughout the watersheds of these resources. The comments submitted below follow the Maine State Planning Office's instructions for agency comments.

Please feel free to contact me directly at 287-7729 or by email at mary-ellen.c.dennis@maine.gov if you have any questions or need further information.

Appropriate use of data provided from the DEP Division of Watershed Management

- The plan appropriately used water resource information. This information in the plan includes water quality information, description, watershed boundaries, water quality classification and phosphorus allocation for lakes; and stream water quality classification.
- It does however erroneously state in the plan that there are no urban impaired streams. Mill Stream is an urban impaired stream and is listed as such in the DEP Stormwater Rules-Chapter 502. It is also listed in the "2008 Integrated Water Quality Monitoring and Assessment Report" as impaired and requiring a TMDL (Total Maximum Daily Load) report.

Relation of plan's policies and implementation strategies to DEP's principal objectives and directives

- The town of Winthrop's comprehensive plan includes policies and strategies that address protection of the town's lakes. The town is fortunate to have the Cobbossee Watershed District and Friends of Cobbossee that provide water quality monitoring, technical assistance and education toward protection and restoration of the lakes. The plan provides a particularly good job in including policies for addressing private road impacts to water quality.
- The plan could be strengthened by providing further discussion about stream water resources, their value and threats-particularly for riparian (streamside) areas. In addition, protecting streams that flow into lakes is also important for protecting lake water resources. Information about stream values and threats can be found on DEP's Stream Team website www.maine.gov/dep/blwg/docstream/team/streamteam.htm
- In regard to policies- the town might consider upgrading shoreland zoning to include first order streams and/or creating conservation easements for sensitive (e.g riparian) areas.

Consistency of plan with DEP's programs and policies

- The town of Winthrop's Comprehensive Plan is consistent with the DEP Division of Watershed Management's programs. Specific plan comments and recommendations follow in the checklist below.

Water Resources	✓	N/A	Page	DEP Review
Analyses and Key Issues				
1. Are there point sources (direct discharges) of pollution in the community? If so, is the community taking steps to eliminate them?	X		100	
2. Are there non-point sources of pollution related to development, agriculture, forestry or other uses that are affecting surface water resources and riparian areas? If so, are existing regulations sufficient to protect these resources?	X		100	
3. Are point and/or non-point sources of pollution threatening groundwater supplies?			92-93	
4. Are public groundwater supplies and surface water supplies and their recharge areas adequately protected? Are any public water supply expansions anticipated? If so, have suitable sources been identified and protected?			93	
6. What non-regulatory measures can the community take to protect or enhance water quality? Are there opportunities to partner with local or regional advocacy groups that promote water resource protection?	X		100	
7. Do local road construction and maintenance practices and standards adequately protect water resources? Do public works crews and contractors use best management practices in daily operations (e.g. salt/sand pile maintenance, culvert replacement street sweeping, public works garage operations)?	X		81	
8. Are floodplains adequately identified and protected? Does the community participate in the National Flood Insurance Program? If not, should it? If so, is the floodplain management ordinance up to date and consistently enforced?			92	
Conditions and Trends				
1. The community's Comprehensive Planning Water Resources Data Set prepared and provided to the community by the Department of Inland Fisheries and Wildlife, the Department of Environmental Protection, and the Office, or their designees.	X		89-100	
2. A description of each lake, pond, river and stream including: a. Ecological, economic, and recreational values; b. Current watershed land uses; c. Threats to water quality or quantity; d. Documented water quality and/or invasive species problems.	X		94-98	MED (1)
3. A list of water resource advocacy groups active in the community.	X		100	
4. A summary of past and present activities to monitor, assess and/or improve water quality, mitigate sources of pollution, and control or prevent the spread of invasive species.	X		94-99	
5. A description of the location and nature of significant threats to			92-93	

drinking water supplies.				
6. A summary of existing lake, pond, river, stream and drinking water protection and preservation measures, including local ordinances.	X		101	
Comments: MED (1)- Add brief discussion of streams (page 94) including value of streams for aquatic life and wildlife, and threats to streams.				

Water Resources (cont.)	✓	N/A	Page	SPO Review
Policies (minimum required to address State goals)				
1. To protect current and potential drinking water sources.	X		103	
2. To protect significant surface water resources from pollution and improve water quality where needed.	X		103	
3. To protect water resources in growth areas while promoting more intensive development in those areas.	X		103	
4. To minimize pollution discharges through the upgrade of existing public sewer systems and wastewater treatment facilities.	X		103	
5. To cooperate with neighboring communities and regional/local advocacy groups to protect water resources.	X		103	
Comments:				
Strategies (minimum required to address State goals)				
1. Amend local land use ordinances as applicable to incorporate stormwater runoff performance standards consistent with: <ul style="list-style-type: none"> a. The Maine Stormwater Management Law and Stormwater Rules (Title 38 MRSA Section 420-D and 06-096 CMR 500 and 502). b. DEP's allocations for allowable levels of phosphorus in lake/pond watersheds. c. The Maine Pollution Discharge Elimination System Stormwater Program 	X		103	
2. Update the floodplain management ordinance to be consistent with state and federal standards.		x		
3. Consider amending local land use ordinances, as applicable, to incorporate low impact development standards.		x		
4. Where applicable, develop an urban impaired stream watershed management or mitigation plan that will promote continued development or redevelopment without further stream degradation.	x	x		MED (2) MED (3)
5. Enact public wellhead and aquifer recharge area protection mechanisms, as necessary.			103	
6. Provide water quality "best management practices" information to farmers and loggers.	X		104	
7. Adopt water quality protection practices and standards for construction and maintenance of public roads and properties and require their implementation by the community's officials, employees and contractors.	X		104	
8. Participate in local and regional efforts to monitor, protect and, where warranted, improve water quality.	X		104	
9. Provide educational materials at appropriate locations regarding invasive species.	X		104	

Comments: #2 – Floodplain ordinance is up to date. See page 92.

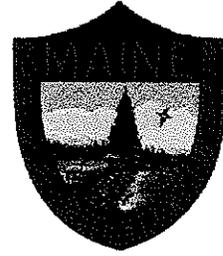
#3 – Advised against by CWD. See page 104 (c) #4 – no urban impaired streams in Winthrop

MED (2)- Mill Stream is urban impaired. Add to the plan to work with DEP on restoration (TMDL) plan for the stream.

MED (3)- Consider upgrading Shoreland Zoning to include first order streams. Page 101 states that Shoreland Zoning is currently being updated to be consistent with State model.



**Maine Department of Inland
Fisheries and Wildlife**
284 State Street
Augusta, Maine 04333-0041



Telephone: 207-287-5758
Fax: 207-287-5254
Email: steve.walker@maine.gov

John Elias Baldacci,
Governor

Roland D. Martin,
Commissioner

Date: July 7, 2010
To: Mac Stucco
From: Steve Walker
Re: Town of Winthrop 2010 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), I have reviewed the Town of Winthrop 2010 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 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 plant and animal habitat conservation with future town growth needs. The comments submitted below are based on the Maine State Planning Office's (SPO) instructions for agency comments.

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

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

The Town of Winthrop Plan includes some Beginning with Habitat data on its Critical Natural Features map, but several species occurrences and Significant Habitat types are not appropriately depicted. Furthermore, the plan lacks narrative descriptions of Winthrop's rare plants, animals and significant habitat types and the implications these features have for Winthrop's future open space and growth planning efforts. The plan also does not mention

the town's focus area of statewide ecological significance. Over 140 of these areas have been mapped statewide as conservation priority areas intended to build local awareness, appreciation, and support for regional conservation efforts. Including focus area information in local comprehensive plans is the first step for conservation success.

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

The plan has relied on the minimum required strategies to address most resource issues despite increasing growth pressures and limited success to date in directing growth to designated growth areas and minimizing further fragmentation of rural resources that not only protect habitat, but support Winthrop's rural resource industries. The plan does not designate Critical Resource Areas, but recommends a follow up open space plan to identify local conservation priorities and to develop strategies for protection. Beginning with Habitat can provide technical assistance necessary to help guide drafting of this future plan and is available to provide successful open space plan examples from communities throughout the state.

Consistency of plan with MDIFW & MNAP programs and policies

Although we generally feel that the Town of Winthrop 2010 Comprehensive Plan is consistent with our program policies, the plan should be revised to address comments below regarding incomplete analysis and key issue sections, and missing data on resource maps. We would be happy to meet with the comprehensive planning committee to discuss our comments if such a meeting would be helpful.

Specific plan comments and recommendations follow in the checklist below.

Completed by: Steve Walker, MDIFW.

Date: 08/09/10

Comprehensive Plan Review Checklist

Completed by: MDIFW & MNAP _____

Date: August 5, 2010

Future Land Use Plan	✓	N/A	Page	MDIF&W Review
Analyses and Key Issues				
1. How does the Future Land Use Plan align and/or conflict with the community's vision statement?			42	
2. How is the configuration of the growth areas shaped by natural opportunities and/or constraints (i.e. the physical suitability or unsuitability of land for development)? The location of public facilities? The transportation network?			44	
3. How does the Future Land Use Plan relate to existing regional economic, housing, transportation and natural resource plans? How does the Future Land Use Plan relate to recent development trends?			45	
4. Are most municipal capital investments currently directed toward growth areas? Why or why not?			62	
5. How can critical resource areas be effectively protected from future development impacts?			101	SW 1
Components				
1. A map or maps showing the following land use areas and any smaller land use districts within them: Growth (unless exempted), Rural, Critical Resource, and Transition (if proposed).			46	
2. A narrative description of each land use area including: <ul style="list-style-type: none"> a. The area's relationship to the community's vision; b. The names of any smaller land use districts within the area; c. The area's natural opportunities and/or constraints; d. The area's transportation system; e. The types and intensity of proposed land uses, including the range of residential densities; f. The area's proximity to existing and proposed public facilities and services; g. The compatibility or incompatibility of proposed uses to current uses within and around the area along with any special development considerations (e.g. need for additional buffers, architectural design standards, etc.); and h. Any anticipated major municipal capital investments needed to support the proposed land uses. 			39-41	

<p>3. A summary of the key regulatory and non-regulatory approaches, including investment policies and strategies, the community will use to implement its Future Land Use Plan.</p>		47-49	
<p>Comments:</p> <p>SW 1: The primary strategy to protect critical natural resources identified in this plan is to assign a subsequent committee with the task of drafting an open space plan that identifies Critical Resource Areas and then devises mechanisms of the protection of these resource areas. Although this strategy is not an unreasonable approach, the lack of guidance provided by this plan regarding what portions of the existing land use ordinance should be evaluated and the scope of other protections and conservation mechanisms the future committee should consider is concerning.</p>			

Future Land Use Plan (cont.)	✓	N/A	Page	MDIF&W Review
Policies				
1 To coordinate the community's land use strategies with other local and regional land use planning efforts.			47	
2 To support the locations, types, scales, and intensities of land uses the community desires as stated in its vision.			47 (p.6#7)	
3 To support the level of financial commitment necessary to provide needed infrastructure in growth areas.			47	
4 To establish efficient permitting procedures, especially in growth areas.			47	
5 To protect critical resource areas from the impacts of development.			49	SW 2
Strategies				
1. Assign responsibility for implementing the Future Land Use Plan to the appropriate committee, board or municipal official.			49	
<p>2. Using the descriptions provided in the Future Land Use Plan narrative, enact or amend local ordinances as appropriate to:</p> <p>a. Clearly define the desired scale, intensity, and location of future development;</p> <p>b. Establish fair and efficient permitting procedures and appropriate fees, and streamline permitting procedures in growth areas; and</p> <p>c. Clearly define protective measures for critical resource areas.</p>			44	SW 1&2
3. Include in the Capital Investment Plan anticipated municipal capital investments needed to support proposed land uses.			62	
4. Meet with neighboring communities to coordinate land use designations and regulatory and non-			47	

regulatory strategies.				
5. Provide the code enforcement officer with the tools, training, and support necessary to enforce land use regulations, and ensure that the Code Enforcement Officer is certified in accordance with 30-A MRSA §4451.			37, 47	
6. Track new development in the community by type and location.			6, 47	
7. Periodically (at least every five years) evaluate implementation of the plan in accordance with Section 2.8.			6	
Comments: SW 2: We recommend that the strategies outlined be re-crafted to provide better guidance for the future committee charged with drafting an open space plan (see SW 1). Beginning with Habitat stands ready to assist Winthrop when the open space planning process is started and if technical assistance is needed in designating strategic Critical Resource Areas				

Transportation (cont.)	✓	N/A	Page	MDIF&W Review
Analysis and Key Issues (cont.)				
<i>Other modes of transportation</i>				
1. What transit services are available to meet the current and future needs of community residents? If transit services are not adequate, how will the community address the needs?			77-78	
2. If the community hosts a major transportation terminal, such as an airport, rail or ferry terminal, how does it connect to other transportation systems?			n/a	
3. If the community hosts any public airports, what coordination has been undertaken to ensure that required airspace is protected now and in the future? How does the community coordinate with the owner(s) of private airports?			n/a	
<i>Environmental and cultural considerations</i>				
4. What, if any, environmental degradation caused by state or local transportation facilities or operations (i.e. wildlife mortality, habitat fragmentation, erosion, groundwater contamination, non-point source pollution) is occurring?			81	SW 3
5. What are community's objectives for preserving or protecting important identified scenic, historic, or cultural resources adjacent to transportation facilities?			81	
6. How does the community address any transportation-related noise concerns?			81	
7. What steps can the community take to encourage development to occur in a manner that minimizes transportation-related environmental impacts such as habitat fragmentation and/or vehicular CO ₂ emissions?			81	
<i>Land use</i>				

8. How do existing and proposed major transportation facilities complement the community's vision?			4,45	
9. How do local land use decisions affect safety, congestion, mobility, efficiency and interconnectivity of the transportation system?			79-80	
10. How do existing land uses and development trends support or inhibit cost effective passenger transportation systems and the efficient use of freight rail systems?			80-81	
11. Does the community have in place, or does it need to put into place, access management or traffic permitting measures? How do these measures correlate with MaineDOT's access management program and regulations for traffic permitting of large development?			79	
12. How do the community's local road design standards support the type of village, suburban, or rural land use patterns the town wants?		x		
13. Do planned or recently built subdivision roads (residential or commercial) simply dead-end or do they allow for expansion to adjacent land and encourage the creation of a network of local streets? Where dead-ends are unavoidable, are mechanisms in place to encourage shorter dead-ends resulting in compact and efficient subdivision designs?		x		SW 4
Comments:				
<p>SW 3: The plan fails to discuss habitat fragmentation as caused by long dead-end roads into remaining unfragmented blocks of forest, and aquatic habitat fragmentation caused by poorly installed and improperly sized culverts and other road crossing structures. This latter issue has significant consequences for the local recreational fishing economy. Both issues should be identified on page 81, and strategies should be developed to address these concerns</p> <p>SW 4: It is unclear why Winthrop considers this issue to not apply to local development trends. If Winthrop's remaining undeveloped forest blocks are not threatened by dead-end road type development, the plan should explain this.</p>				

Transportation (cont.)	✓	N/A	Page	MDIF&W Review
Conditions and Trends (cont.)				
2. Known locations with opportunities to restore habitat connections disrupted by a transportation facility owned and maintained by the community.		x		SW 5
3. Identify current local land use management strategies (such as access management, zoning, density, minimum lot size standards) that enhance or detract from the safety and efficiency of the transportation system (including highway, air, bus, bike, pedestrian, marine, and rail services.)			80-81	
<i>Coastal Communities only:</i>				
4. Location of current and potential seaport terminals. Identify whether seaport terminal is of local, regional, or state significance, its ownership/management and use (type and quantity/frequency of goods shipped in or out). List land-side and water-side facilities associated with port.		X		
5. Identify public ferry service and private boat transportation support facilities (may be covered under Marine Resources with		X		

cross reference) including related water-side (docks/piers/wharves) and land side (parking) facilities.				
<p>Comments:</p> <p>SW 5: We do not concur that this item is not applicable to the Town of Winthrop. Poorly installed and undersized culverts are significant contributing factors to the declines in local recreational fisheries. The problem crossing structures not only increase downstream erosion, but also block passage for both fish and aquatic invertebrates. These factors often lead to local extirpation of fish species. Loss of these species has impacts to the local economy and quality of local water bodies. The plan should include a recommended action to inventory crossing structures on town roads and evaluate passage potential based on methodology developed by the Maine Forest Service. With this knowledge in hand, the town can then identify priority problem sites and apply for funding to restore aquatic habitat conditions.</p>				

Recreation	✓	N/A	Page	MDIF&W Review
Analyses and Key Issues				
1. Will existing recreational facilities and programs in the community and region accommodate projected changes in age groups or growth in your community?			68	
2. Is there a need for certain types of services or facilities or to upgrade or enlarge present facilities to either add capacity or make them more usable?			68	
3. Are important tracts of open space commonly used for recreation publicly owned or otherwise permanently conserved?			67-68	
4. Does the community have a mechanism, such as an open space fund or partnership with a land trust, to acquire important open spaces and access sites, either outright or through conservation easements?			67	
5. Does the public have access to each of the community's significant water bodies? Is the type of access compatible with the protection of public drinking water sources?			66	SW 6
6. Are recreational trails in the community adequately maintained? Are there use conflicts on these trails?			67	
7. Is traditional access to private lands being restricted?			68	
<p>Comments:</p> <p>SW-6: We are concerned by the statement: "Right-of-way ownership issues must be resolved before recommending any improvements or greater use of this facility" regarding the MDIF&W access site on Turtle Run Road in East Winthrop. We are unaware of ownership issues.</p>				

Water Resources	✓	N/A	Page	MDIF&W Review
Analyses and Key Issues				
1. Are there point sources (direct discharges) of pollution in the community? If so, is the community taking steps to eliminate them?			100	
2. Are there non-point sources of pollution related to development, agriculture, forestry or other uses that are affecting surface water resources and riparian areas? If so, are existing regulations sufficient to protect these resources?			100	
3. Are point and/or non-point sources of pollution threatening groundwater supplies?			92-93	
4. Are public groundwater supplies and surface water supplies and their recharge areas adequately protected? Are any public water supply expansions anticipated? If so, have suitable sources been identified and protected?			93	
6. What non-regulatory measures can the community take to protect or enhance water quality? Are there opportunities to partner with local or regional advocacy groups that promote water resource protection?			100	
7. Do local road construction and maintenance practices and standards adequately protect water resources? Do public works crews and contractors use best management practices in daily operations (e.g. salt/sand pile maintenance, culvert replacement street sweeping, public works garage operations)?			81	SW 7
8. Are floodplains adequately identified and protected? Does the community participate in the National Flood Insurance Program? If not, should it? If so, is the floodplain management ordinance up to date and consistently enforced?			92	
Conditions and Trends				
1. The community's Comprehensive Planning Water Resources Data Set prepared and provided to the community by the Department of Inland Fisheries and Wildlife, the Department of Environmental Protection, and the Office, or their designees.			89-100	
2. A description of each lake, pond, river and stream including: a. Ecological, economic, and recreational values; b. Current watershed land uses; c. Threats to water quality or quantity; d. Documented water quality and/or invasive species problems.			94-98	SW 8
3. A list of water resource advocacy groups active in the community.			100	
4. A summary of past and present activities to monitor, assess			94-99	

and/or improve water quality, mitigate sources of pollution, and control or prevent the spread of invasive species.			
5. A description of the location and nature of significant threats to drinking water supplies.			92-93
6. A summary of existing lake, pond, river, stream and drinking water protection and preservation measures, including local ordinances.			101
Comments: SW 7: This analysis should include a discussion of proper culvert and other crossing structure sizing and installation. Poorly installed and undersized crossing structures not only impede fish passage, but also result in increased stream velocities that contribute to downstream erosion and phosphorous input to ponds. SW 8: The plan provides no information regarding lake or stream fisheries and their economic importance to the town. This section is incomplete.			

Water Resources (cont.)	✓	N/A	Page	MDIF&W Review
Policies (minimum required to address State goals)				
1. To protect current and potential drinking water sources.			103	
2. To protect significant surface water resources from pollution and improve water quality where needed.			103	
3. To protect water resources in growth areas while promoting more intensive development in those areas.			103	
4. To minimize pollution discharges through the upgrade of existing public sewer systems and wastewater treatment facilities.			103	
5. To cooperate with neighboring communities and regional/local advocacy groups to protect water resources.			103	
Comments:				
Strategies (minimum required to address State goals)				
1. Amend local land use ordinances as applicable to incorporate stormwater runoff performance standards consistent with: a. The Maine Stormwater Management Law and Stormwater Rules (Title 38 MRSA Section 420-D and 06-096 CMR 500 and 502). b. DEP's allocations for allowable levels of phosphorus in lake/pond watersheds. c. The Maine Pollution Discharge Elimination System Stormwater Program			103	
2. Update the floodplain management ordinance to be consistent with state and federal standards.		x		
3. Consider amending local land use ordinances, as applicable, to incorporate low impact development standards.		x		SW 9
4. Where applicable, develop an urban impaired stream watershed management or mitigation plan that will promote continued development or redevelopment without further		x		

stream degradation.				
5. Enact public wellhead and aquifer recharge area protection mechanisms, as necessary.			103	
6. Provide water quality "best management practices" information to farmers and loggers.			104	
7. Adopt water quality protection practices and standards for construction and maintenance of public roads and properties and require their implementation by the community's officials, employees and contractors.			104	SW10
8. Participate in local and regional efforts to monitor, protect and, where warranted, improve water quality.			104	
9. Provide educational materials at appropriate locations regarding invasive species.			104	
Comments:				
<p>#3 – Advised against by CWD See page 104 (c)</p> <p>SW 9: This needs clarification Low impact development standards provide additional opportunity to protect water quality by minimizing runoff. We do not understand why a water district would advise against LID standards in strategic locations of town.</p> <p>SW 10: As stated in previous comments, water quality issues resulting from public roads can be addressed through proper surface and ditch maintenance, but just as importantly, through the proper sizing and installation of crossing structures such as culverts. Poorly sized and installed crossing structures can create unnaturally high flow velocities resulting in increased bank erosion and channel scouring. These effects are not only damaging to local fisheries, but contribute significantly to down stream siltation phosphorous export to ponds. Water quality protection policies adopted by Winthrop need to include policies regarding crossing structure design and maintenance.</p>				

Critical Natural Resources	✓	N/A	Page	MDIF&W Review
Analysis and Key Issues				
1. Are existing regulations sufficient to protect the community's critical natural resources threatened by development, overuse, or other activities?			100-101	SW 11
2. Are local shoreland zone standards consistent with state guidelines and with the standards on adjacent shorelands in neighboring towns?			101	
3. What non-regulatory measures can the community take to protect critical natural resources? Are there opportunities to partner with local or regional advocacy groups?			101	SW 12
4. Is there current regional cooperation or planning underway to protect shared critical natural resources?			101	
5. In what other areas will protection of critical natural resources advance comprehensive plan policies (e.g. water resources, economy, recreation, agriculture and forestry, etc.)?			101	SW 13
Comments:				
<p>SW 11: This section is incomplete. The plan should be revised to provide a narrative description of each critical natural resource type and the local regulations that apply to them or where gaps in protection occur. Currently, the plan does not include adequate descriptions of the various significant habitat types present, it does not name or describe</p>				

<p>existing rare plant and animal occurrences other than on the map, and it includes no information regarding the town's Focus Area of Statewide Ecological Significance.</p> <p>SW 12: This analysis is not included in the plan as indicated. We feel that this section is incomplete.</p> <p>SW 13: Not addressed in the plan as indicated. We feel that this section is incomplete.</p>			
Conditions and Trends			
1. The community's Comprehensive Planning Critical Natural Resources Data Set prepared and provided to the community by the Department of Inland Fisheries and Wildlife, Department of Environmental Protection, and the Office or their designees.		89-100	SW 14
2. A map or description of significant scenic areas and scenic views of local importance, and regional or statewide importance if available.		92	
Comments:			
<p>SW 14: The Critical Natural Features map included in the plan does not identify several known rare species occurrences, and several Significant Wildlife Habitats are incorrect, or not identifiable as a result of cartographic errors. The plan narrative fails to identify rare species known to occur in the community and describe their significance. Additionally, the plan does not include an adequate description of the different Significant Wildlife Habitat types and their implications for local conservation and development planning. Lastly, the plan should include information regarding the Cobbossee / Annabessacook South Focus Area of Statewide Ecological Significance.</p>			

Critical Natural Resources (cont.)	✓	N/A	Page	MDIF&W Review
Strategies (minimum required to address State goals)				
1. Amend local shoreland zone standards to meet current state guidelines.			104	
2. Designate critical natural resources as Critical Resource Areas in the Future Land Use Plan.			49, 104	SW 15
3. Through local land use ordinances, require subdivision or non-residential property developers to look for and identify critical natural resources that may be on site and to take appropriate measures to protect those resources, including but not limited to, modification of the proposed site design, construction timing, and/or extent of excavation.			104	
4. Through local land use ordinances, require the planning board (or other designated review authority) to incorporate maps and information provided by the Maine Beginning with Habitat program into their review process.			104	
5. Adopt natural resource protection practices and standards for construction and maintenance of public roads and properties and require their implementation by the community's officials, employees, and contractors.			104	

6. Initiate and/or participate in interlocal and/or regional planning, management and/or regulatory efforts around shared critical natural resources.			104	
7. Pursue public/private partnerships to protect critical natural resources such as through purchase of land or easements from willing sellers.			104	
8. Distribute or make available information to those living in or near critical natural areas about applicable local, state or federal regulations.			104	
<p>Comments:</p> <p>SW 15: We encourage the Town of Winthrop to utilize Beginning with Habitat technical assistance in the drafting of its proposed open space plan. BwH staff is available to attend local meetings and discuss open space planning approaches proven to be successful in communities throughout Maine. BwH can also assist Winthrop by customizing resource data for committee needs in identifying local priority areas.</p>				