



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

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COMMISSIONER

July 7, 2017

Town of Fayette
Attn: Mark Robinson
2589 Main St
Fayette, ME, 04349

Mr. Robinson,

In regards to the dam structure discovered on David Pond, an investigation of the situation is still in progress. The Natural Resources Protection Act prohibits the placement or alteration of a structure within a protected natural resource, such as David Pond and its outlet stream, without first obtaining a permit from the Department of Environmental Protection (Department).

At this point in time, the landowners of the property are in the process of being notified of the violation and the Department will encourage them to voluntarily comply with environmental laws and rules. To my understanding, there are two options to achieve compliance with the Natural Resources Protection Act at this point in time. The first option is to remove the structure completely, and let the area revert to its natural condition. The second option is to apply for the construction of a new, engineered dam in that area. The application process will require a set of engineered drawings, a biological assessment of the area to be impacted and a thorough alternatives analysis. The landowners will need to meet with Department staff to discuss this option further.

Regards,

Dustin Dorr
Environmental Specialist III
Bureau of Land Resources

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