

Damon, Jessica

From: Burrowes, Todd
Sent: Tuesday, March 8, 2022 12:26 PM
To: chaskell@haleyward.com
Cc: Damon, Jessica
Subject: Bowden Point Properties, LLC; proposed project/Prospect ME; CZMA,

Hi, Mr. Haskell. I understand from Jessica Damon (DEP) that you are working with Bowden Point Properties, LLC (BPP), on licensing and permitting matters concerning BPP's proposal to construct a mineral extraction processing facility and an associated pier and other related development in Prospect, Maine (proposed project), and that BPP has recently filed a permit application for the proposed project with DEP.

The town of Prospect is located within Maine's designated coastal zone and the proposed project will require review for consistency with the enforceable policies of the Maine Coastal Program pursuant to Section 307 of the Coastal Zone Management Act (CZMA) if it also requires a listed federal license or permit, including an individual permit from the United States Army Corps of Engineers pursuant to Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, or Section 103 of the Marine Protection, Research, and Sanctuaries Act ("Ocean Dumping Act"). See the [Maine Guide to Federal Consistency Review](#) for additional information. If applicable, CZMA consistency review would be integrated with DEP's review of applications for licenses and permits under state environmental laws, such as the Site Location of Development Act and Natural Resources Protection Act, whose standards and criteria of approval serve as the enforceable policies of the Maine Coastal Program. DEP's decisions on such applications would provide a basis for the state response to BPP's CZMA consistency certification. BPP's consistency certification, completed pertinent state license and permit application(s), and a copy of the pertinent federal application(s) would provide data and information necessary for CZMA consistency review, which involves publication of notice of opportunity to comment. Please follow up with a call (207-707-2324) or e-mail if you have questions or need additional information.

Is an individual permit from USACE under one of the federal authorities listed above or another federal license or permit required for the project? If so, does BPP have an active application for the proposed project before USACE or another federal agency?

- Todd Burrowes
Federal Consistency Coordinator
Maine Coastal Program