

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Bureau of Land Resources  
17 State House Station  
Augusta, ME 04333

FOR DEP USE  
AIS # L- \_\_\_\_\_  
Fees Paid: \$ \_\_\_\_\_  
Date Fees Rec'd: \_\_\_\_\_  
ATS # \_\_\_\_\_

### PETITION TO SET WATER LEVELS/MINIMUM FLOWS

PLEASE TYPE OR PRINT

#### GENERAL INFORMATION

The undersigned PETITIONERS hereby petition the Department of Environmental Protection to hold a public hearing and establish a water level regime and/or minimum flows for the water body described below.

NAME OF WATER BODY: \_\_\_\_\_

LOCATION OF WATER BODY- TOWN(S): \_\_\_\_\_

COUNTY(IES): \_\_\_\_\_

The undersigned PETITIONERS hereby represent that, to the best of their knowledge, the water body named above is impounded by or receives flows from the man-made dam described below.

LOCATION OF DAM: \_\_\_\_\_

\_\_\_\_\_

NAME OF DAM OWNER: \_\_\_\_\_

ADDRESS OF DAM OWNER: \_\_\_\_\_

The undersigned PETITIONERS hereby agree to have all official correspondence and notices regarding this petition served in their behalf on the spokesperson identified below.

NAME OF SPOKESPERSON: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

TELEPHONE NUMBER(S): HOME: \_\_\_\_\_ BUSINESS: \_\_\_\_\_

The undersigned PETITIONERS hereby represent and aver that they are littoral or riparian proprietors on the water body impounded by or receiving flows from the dam described above.

#### CERTIFICATION OF FILING

By signing below, the spokesperson agrees to: (1) serve as an intermediary between other petitioners and the DEP; (2) share information, correspondence, notices, draft orders and other official documents with other petitioners; and (3) send comments on behalf of other petitioners to the DEP.

\_\_\_\_\_  
SIGNATURE OF SPOKESPERSON  
DEPLW0864

\_\_\_\_\_  
DATE

REVISED 03/18

## **PETITION TO SET WATER LEVELS/MINIMUM FLOWS**

### **FILING INSTRUCTIONS AND PROCEDURES**

1. The petition form is to be filled out completely and submitted along with all the required information.
2. A filing fee must accompany the completed petition form. Please contact the DEP for current fee schedule information. Fees are payable to treasurer, State of Maine.
3. Any incomplete petition, or one without the filing fee, will be returned by the DEP.
4. You are encouraged to make a copy of the completed petition for your records.
5. You will be contacted once a DEP analyst has been assigned to review your petition.
6. After gathering available information and comments from the dam owner, the affected towns, and other state agencies, the DEP will schedule a public hearing on your petition.
7. Hearings are usually held in the general area of the water body that is named in a petition, or may be held in Augusta.
8. Following the hearing, the DEP will issue an order establishing a water level regime and, if applicable, minimum flow requirements for the water body named in the petition.
9. Any DEP order can be appealed to the Board of Environmental Protection or subsequently to Superior Court.

## PETITION TO SET WATER LEVELS/MINIMUM FLOWS

### REQUIRED INFORMATION

The following information must be provided for this petition to be complete. Please be as accurate as possible, and attach as many additional pages as necessary to describe the situation that has led to the petition.

1. Describe the nature of the problems you wish to have resolved through the setting of water levels and/or minimum flows by the DEP. Try to quantify the extent of these problems.

Thinking about your answers to the following questions may be helpful: Is the problem high water? Is the problem low water? Is the problem high water at one time of the year and low water at another? Is the problem lack of flows from the dam? What impacts are being caused (examples include erosion, reduced water quality, flooding, unusable docks)? Do all petitioners have the same problem? What is the cause of the problem? How does the dam affect the problem? Has the operation or maintenance of the dam changed recently? Has this made the problem better or worse?

2. Provide a map of the water body in question with locations of impacts marked and types of impacts (erosion, flooding, exposed dock, etc.) labeled.
3. Describe any attempts that have been made by you or others to resolve your problems with the dam owner or operator.
4. Provide any historical information (for example, records of water levels) you believe will be useful in the DEP's evaluation of the cause, duration, and extent of your problem.
5. Describe your proposal for a water level regime and/or minimum flows that will resolve the problems you have identified.
6. Provide the signatures, printed names, location (town) of shoreland property, and mailing addresses of at least 25% or 50, whichever is less, of the landowners around the pond or lake impounded by the dam in question or along the river or stream receiving flows from the dam in question.

Blank petition signature sheets are attached and may be reproduced as necessary.

7. Provide a certification from the appropriate town/city clerk(s) of the number of valid petition signatures from each affected municipality; a fill-in-the-blank page for certification of petitioners is attached.

**CERTIFICATION OF PETITIONERS**

The undersigned town/city clerk(s) hereby certify the number of valid petitioners from each affected municipality who have signed the attached petition to set water levels/minimum flows.

To be a valid petitioner, a person (including individuals, partnerships, corporations, governmental entities, associations, and public or private organizations of any character) must own or lease property on the shore of the pond or lake impounded by a dam or on the banks of the river or stream receiving flows from a dam.

If the number of valid petitioners from a given municipality is less than 50, the appropriate town/city clerk(s) also hereby certify the total number of land owners in that municipality on the shore of the pond or lake impounded by a dam or on the banks of the river or stream receiving flows from to dam.

Name of Town/City	Number of Valid Petitioners	Total Number of Riparian/ Littoral Landowners	Signature of Town/City Clerk
Name of Town/City	Number of Valid Petitioners	Total Number of Riparian/ Littoral Landowners	Signature of Town/City Clerk
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**PETITION FOR ESTABLISHMENT OF WATER LEVELS**

\_\_\_\_\_ IN \_\_\_\_\_  
Name of Waterbody Name of Town(s)

<u>SIGNATURE</u>	<u>PRINTED NAME OF SIGNER</u>	<u>TOWN WHERE PROPERTY IS LOCATED</u>	<u>MAILING ADDRESS</u>
1.			
2.			
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