

United States Department of Agriculture



Natural Resources Conservation Service  
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DATE: June 25, 2012

SUBJECT: Sole Source Justification for the Maine Natural Areas Program (MNAP)

NRCS needs the best available science to meet obligations of state and federal law and internal policy (NRCS General Manual, Title 190, Part 410.22(E)) to conduct environmental reviews of its proposed actions to identify and analyze likely effects, and to avoid and minimize any potential adverse effects. The aforementioned NRCS policy requires interagency consultations with State regulatory agencies for state protected habitats and species. NRCS policy also requires our planners follow a nine-step planning process to evaluate practice effects on soil, water, air, plant, and animal resources during conservation plan development.

Spatial Geographic Information Systems datasets are used by Maine NRCS to screen proposed projects to determine if at-risk habitats or species are in or near the action area. The datasets are specific to Maine protected habitats and species, and are State-owned and are developed, and annually updated by Maine's Beginning with Habitat Program (BWH). The BWH is co-administered by Maine's Natural Areas Program and Inland Fisheries and Wildlife. These data on the location of state protected resources are not available from any other source.

Maine's Natural Areas Program (MNAP) and Inland Fisheries and Wildlife (MDIFW) staff are the experts on rare and/or protected state plants (MNAP), natural communities (MNAP) and animals (MDIFW). These priority resources are protected by state law, and permitting for these resources are regulated by Maine's Natural Resources Protection Act (NRPA) administered by Maine's Department of Environmental Protection (organized towns) and Land Use Regulation Commission (unorganized towns).

To ensure NRCS and our clients are compliant with the NRPA, NRCS seeks the council of MNAP's and MDIFW's expert staff on proposed practice effects on Maine protected habitats, plants and animals. It benefits the NRCS and USDA-program participants to have our draft conservation plans reviewed by specialists to either concur with NRCS' environmental review process, or to make recommendations to change conservation plans to benefit priority species and habitats, or to avoid or minimize potential adverse effects. Therefore, these proprietary data of the State and opinions of the expert staff are needed to meet NRCS policy on environmental review, consultation obligations, and the nine-step planning process.

Signed \_\_\_\_\_

Date: \_\_\_\_\_

In accordance with FAR 6.303-1(a), I justify that the above statement is accurate and complete to the best of my knowledge and belief.

GERALD F. JACOBS  
Contracting Officer