



PUBLIC NOTICE

In Reply Refer to: Coral Siligato
Email: nae-pn-nav@usace.army.mil
Phone: (978) 318-8012
Navigation Section
Date: 1/25/2024
Comment Period Closes: 2/26/2024

30 DAY PUBLIC NOTICE MAINTENANCE DREDGING OF THE NARRAGUAGUS RIVER FEDERAL NAVIGATION PROJECT MILBRIDGE, MAINE

Interested parties are hereby notified that the U.S. Army Corps of Engineers (USACE), New England District plans to perform work in the navigable waters of this District, subject to the provisions of Section 404 of the Clean Water Act (P.L. 95-217) and the National Environmental Policy Act (P.L. 91-190). The work involves the removal of approximately 150,000 cubic yards (cy) of silty material, over an area of about 29 acres, to address shoaling of the channel and anchorages in the Narraguagus River Federal Navigation Project (FNP). This project is authorized by the River and Harbor Act of 1874, as amended. Attachment 1 lists pertinent laws, regulations, and directives.

Project Description: The existing FNP provides for a channel that is 11-feet deep at Mean Lower Low Water (MLLW) and 150-feet wide from deep water in Narraguagus Bay to Wyman, then 9-feet deep and 100-feet wide to the lower town landing at Milbridge, and then 6-feet deep and 100-feet wide to the larger upper town landing downstream from the Route 1A Bridge with a small turning basin at the head of the channel. The project area includes three 6-foot anchorage areas adjacent to the 6-foot channel in Milbridge, two 9-foot anchorages and an 11-foot anchorage adjacent to the 11-foot channel between Wyman and Jordan Pier, and a 6-foot turning basin near the town landing.

Maintenance dredging will remove about 150,000 cubic yards of shoaled silty material. The FNP material will be mechanically dredged using a bucket dredge, put in scows and placed at the Douglas Island disposal Site (DIDS), a formerly used open water disposal site. Maintenance dredging will take place over approximately three to five months and will occur in the year in which funds become available, potentially over one to two dredge seasons. USACE is not aware of any dredging or material discharge being conducted by others in the project areas.

Purpose of Work: The purpose of this project is to dredge the shoaled areas of the FNP to restore the channel and associated anchorage areas to their authorized depths. Shoaling of sediments occurring in the FNP makes vessels more susceptible to groundings, exposing them to hazardous conditions when tides and weather create rough seas. Hydrographic surveys of the FNP have identified enough shoaling to be a hazard to vessel navigation. This shoaling has

presented the need for USACE to perform maintenance dredging within the federal channel to bring these areas to their authorized depths.

Alternatives: In addition to the proposed action of open water placement at a disposal site, the Environmental Assessment evaluated the no action alternative. Alternative dredge material disposal locations that were considered included upland placement, direct beach placement, nearshore placement, aquatic/upland capping or fill, and wetland restoration.

Additional Information: Additional information may be obtained from the U.S. Army Corps of Engineers, Project Manager, Coral E. Siligato, at 978-318- 8012, or email at Coral.E.Siligato@usace.army.mil; or the Project Biologist, Reid Lichwell at 978-318-8148, or email at Reid.E.Lichwell@usace.army.mil.

Coordination: The proposed work has, or will be coordinated with the following agencies:

Federal:

U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service
National Marine Fisheries Service

State of Maine:

Maine Department of Environmental Protection
Maine Department of Marine Resources
Maine State Historic Preservation Officer

Tribal Nations:

Houlton Band of Maliseets
Mi'kmaq Nation
Narragansett Indian Tribe
Passamaquoddy Tribe, Pleasant Point
Passamaquoddy Tribe, Indian Township
Penobscot Indian Nation
Wampanoag Tribe of Gay Head (Aquinnah)

Local Municipality:

Town of Milbridge

Environmental Impacts: A draft environmental assessment is available for review upon request. I have made a preliminary determination that an environmental impact statement for the proposed maintenance dredging is not required under the provisions of the National Environmental Policy Act of 1969. This determination will be reviewed in light of facts submitted in response to this notice.

Other Information:

- a. **Local Sponsor:** Town of Milbridge, Maine.

b. Endangered Species: It is our preliminary determination that the project is not likely to adversely affect threatened or endangered species. USACE is in consultation with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service to ensure that the proposed activity will not significantly affect any species or critical habitat designated as endangered or threatened pursuant to the Endangered Species Act of 1973 (87 Stat. 844).

c. Cultural Resources: USACE is conducting coordination for the proposed project with the Maine State Historic Preservation Office (SHPO) and the Houlton Band of Maliseets; Mi'kmaq Nation; Narragansett Indian Tribe, Passamaquoddy Tribe, Pleasant Point; Passamaquoddy Tribe, Indian Township; Penobscot Indian Nation; and the Wampanoag Tribe of Gay Head (Aquinnah) in accordance with the National Historic Preservation Act (NHPA) of 1966, as amended. The project area has been previously dredged; therefore, no effects to historic properties as defined by the NHPA, as amended, and 36 CFR 800 are anticipated. As disposal will occur at a continuously used disposal site, no effects to historic properties are expected. We expect the SHPO and Tribes to concur with this determination.

d. Essential Fish Habitat Assessment: USACE has determined that the project may have a temporary adverse effect on Essential Fish Habitat (EFH). The project site is contained within areas designated as EFH as defined by the Magnuson-Stevens Fishery Conservation and Management Act as amended by the Sustainable Fisheries Act of 1996 for federally managed fish species. USACE assessed the effects that the project is likely to have on EFH and determined that they will be short-term and localized and that there will be no significant impacts on EFH. USACE is in consultation with the National Marine Fisheries Service to ensure that any potential impacts will be minimized.

e. Additional Requirements: USACE will request a Section 401 Water Quality Certification from the Maine Department of Environmental Protection and concurrence with our Coastal Zone Management Consistency Determination from the Maine Coastal Program. I find that maintenance dredging of the authorized navigation project is consistent, to the maximum extent practicable, with the State of Maine's coastal management program established in accordance with the Coastal Zone Management Act of 1972. The dredging and placement operations will be conducted in a manner that is consistent to the maximum extent practicable with the approved management program.

The decision whether to perform the proposed work will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposal will be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

As this proposed work involves the discharge of dredged material into the waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, (40 CFR part 230).

Any person who has an interest which may be affected by the disposal of dredged material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest that may be affected and the manner in which the interest may be affected by this activity.

Please bring this notice to the attention of anyone you know to be interested in this project. Comments are invited from all interested parties and should be directed to the U.S. Army Corps of Engineers, New England District, 696 Virginia Road, Concord, MA 01742-2751, ATTN: Coral E. Siligato; or emailed to nae-pn-nav@usace.army.mil within 30 days of this notice.

25 January 2024

Date

Scott E. Acone
Deputy District Engineer for Programs and
Project Management

Attachment 1

PERTINENT LAWS, REGULATIONS, AND DIRECTIVES

Clean Water Act, as amended (33 U.S.C. 1251 et seq.)

National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)

Fish and Wildlife Coordination Act (16 U.S.C. 661-667e)

Fish and Wildlife Act of 1956 (16 U.S.C. 742a, et seq.)

Coastal Zone Management Act of 1972 (16 U.S.C. 1451)

National Historic Preservation Act of 1966 (54 U.S.C. 100101 et seq.)

Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.)

Clean Air Act, as amended (42 U.S.C. 7401 et. seq.)

Estuary Protection Act (16 U.S.C. 1221 et. seq.)

Federal Water Project Recreation Act, as amended (16 U.S.C. 460L-12 et seq.)

Land and Water Conservation Fund Act of 1965, as amended (54 U.S.C. 200301 et seq.)

Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (16 U.S.C. 1801 et seq.)

Executive Order 11988, Floodplain Management, 24 May 1977

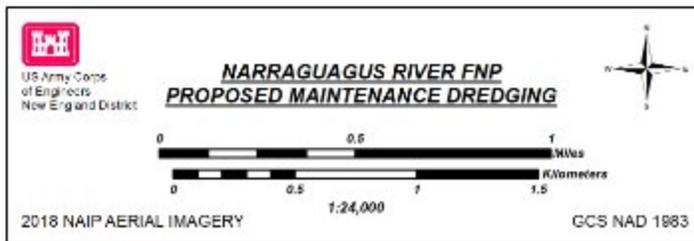
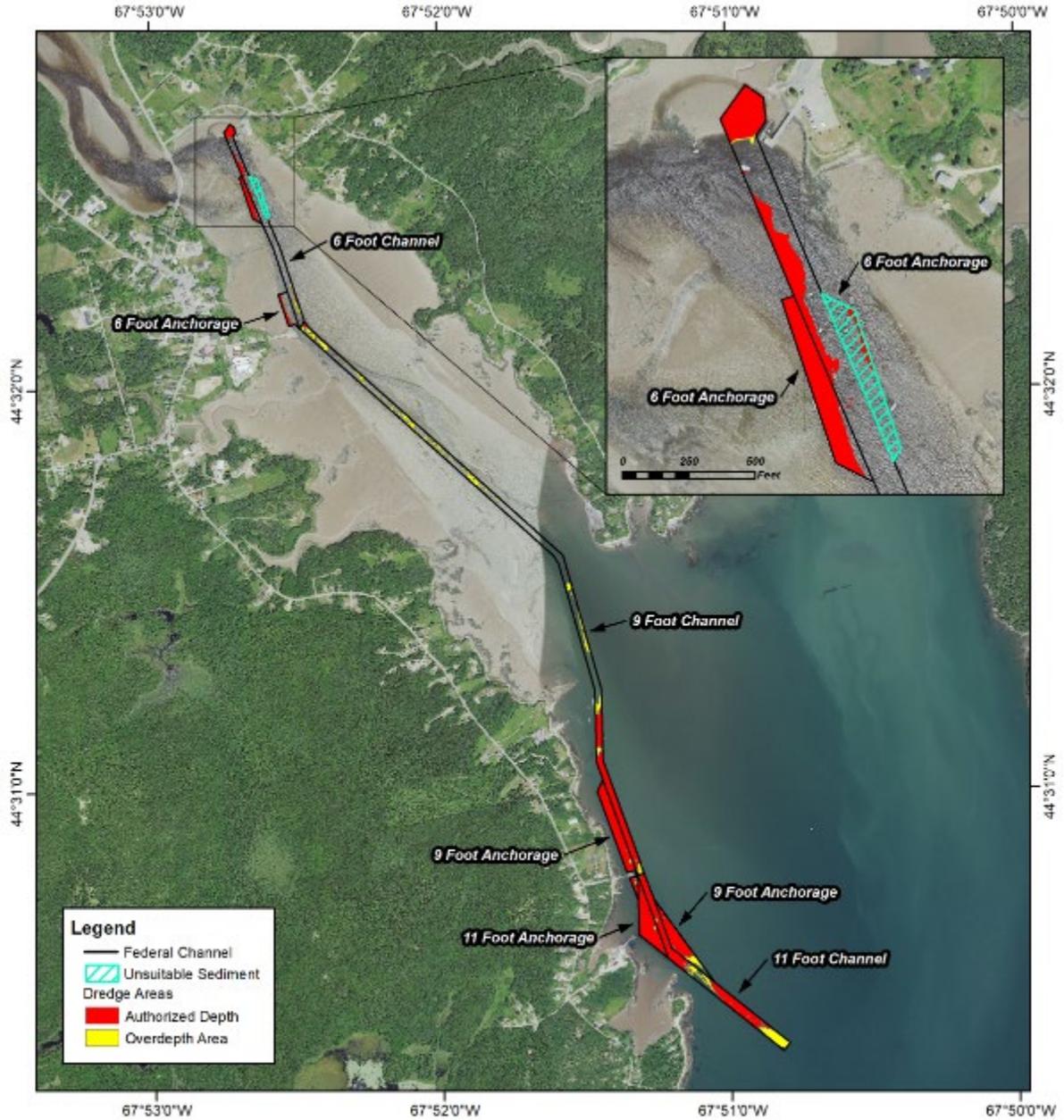
Executive Order 11990, Protection of Wetlands, 24 May 1977

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, 11 February 1994

Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks, 21 April 1997

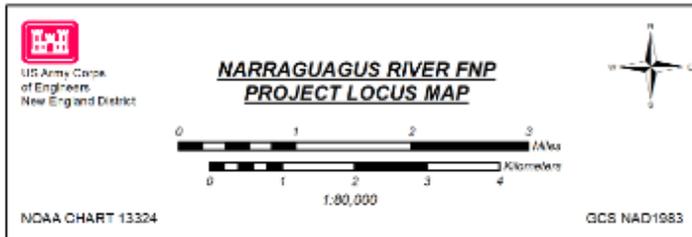
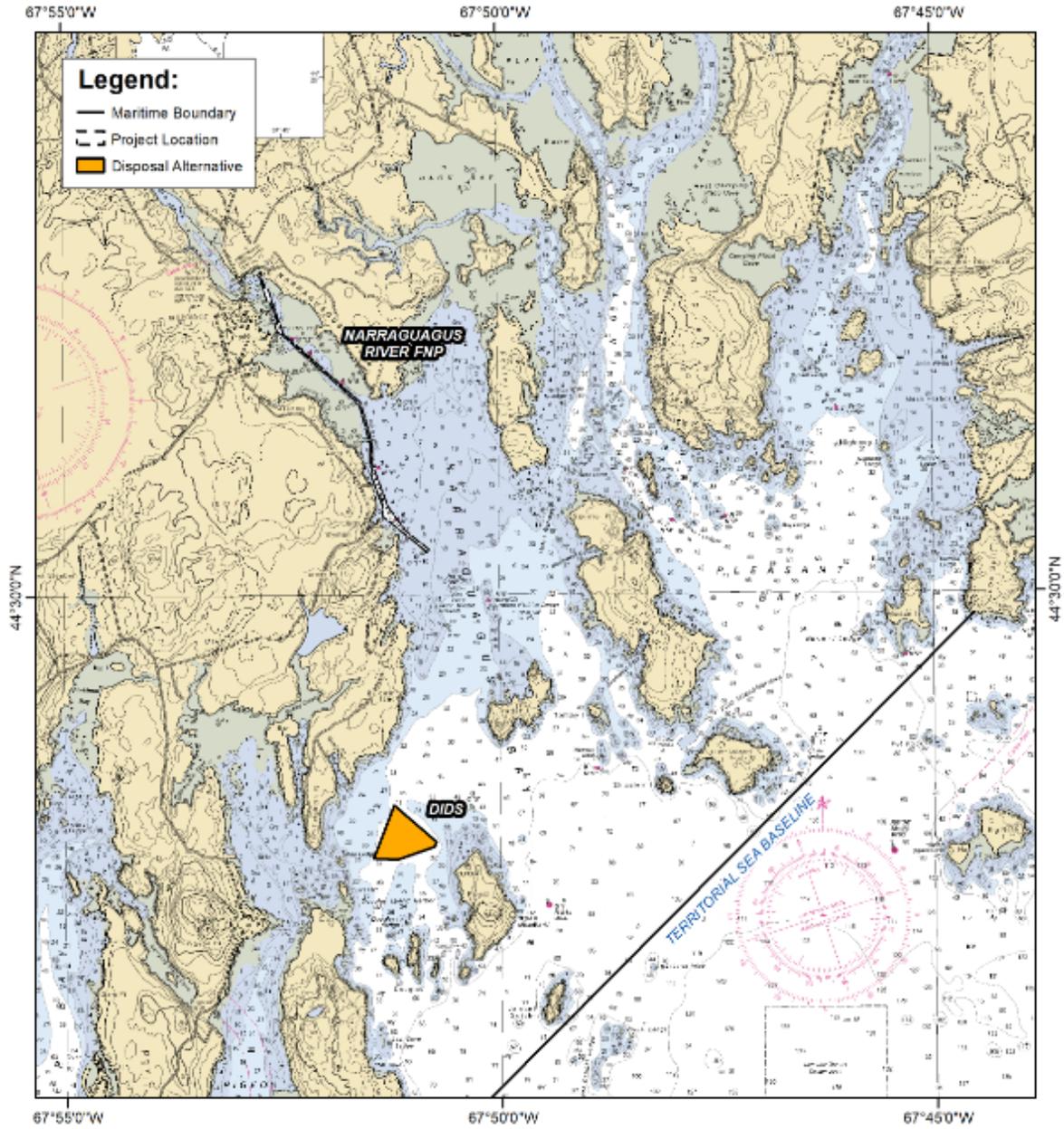
Attachment 2

Narraguagus River FNP Dredge Areas and Unsuitable Material (No Dredge Area), Milbridge, Maine.



Attachment 3

Location of Narraguagus River FNP and Douglas Island Disposal Site (DIDS).



Attachment 4

Scow Haul Route from the Narraguagus River FNP to Douglas Island Disposal Site (DIDS), Milbridge, Maine

