



**US Army Corps
of Engineers®**
New England District

Maine Project Office
442 Civic Center Drive, Suite 350
Augusta, Maine 04330

PUBLIC NOTICE

Date: JUNE 4, 2019
Comment Period Ends: JULY 4, 2019
File Number: NAE-2018-02924
In Reply Refer To: Jay L. Clement
Or by e-mail: jay.l.clement@usace.army.mil

30 DAY NOTICE

The District Engineer has received a permit application from the applicant below to **conduct work in waters of the United States** as described below. The Corps is soliciting comments on both the project itself and the range of issues to be addressed in the environmental documentation.

APPLICANT: MAINE TURNPIKE AUTHORITY; 2360 CONGRESS STREET; PORTLAND, MAINE 04102

ACTIVITY: Place temporary and permanent fill in freshwater wetlands adjacent to Red Brook, Long Creek, and their unnamed tributaries in conjunction with the reconstruction of Exit 45 off the Maine Turnpike (Maine Mall Exit). The project is designed to maintain and enhance safety and operational efficiency for current and future traffic by replacing the substandard Exit 45 ramp bridge to remedy deficiencies, replacing the current obsolete toll plaza with modern tolling facilities and technology meeting turnpike-wide system requirements, and improving the highway and toll plaza geometrics in accordance with design standards

Impacts to aquatic resources include approximately 5.86 acres of permanent and 2.15 acres of temporary wetland fills. All but 2.86 acres of the 5.86 acres of permanent wetland impact will be to wetlands routinely kept cleared as part of turnpike right-of-way maintenance.

To compensate for the project's projected natural resource impacts, including unavoidable impacts to waterways and wetlands, the applicant proposes a \$1,302,166.00 contribution to the Maine Natural Resource Mitigation Fund (Maine In Lieu Fee Program) in the compensation plan. The applicant is proposing these measures seeking to compensate for and lessen the project's impact on aquatic and other natural resources. This notice solicits comments on this proposed measure from the interested or affected public as well as those agencies who speak to the public interest. It also solicits recommendations for alternative measures not yet identified by the applicant. After receipt of the comments, the Corps of Engineers will obtain any necessary additional information from the applicant and determine whether the proposed measure is practicable and serves to help mitigate this project's unavoidable impacts.

WATERWAY AND LOCATION OF THE PROPOSED WORK: This work is proposed in numerous waterways and wetlands in the vicinity of existing Exit 45 at South Portland, Maine (USGS Portland West quadrangle sheet; Lat/Long 43.630864°N; -70.341297°W).

AUTHORITY

Permits are required pursuant to:

Section 10 of the Rivers and Harbors Act of 1899

Section 404 of the Clean Water Act

Section 103 of the Marine Protection, Research and Sanctuaries Act).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

ESSENTIAL FISH HABITAT (EFH): The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (“EFH”).

The District Engineer has made a preliminary determination that the project will not affect EFH. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

SECTION 106 COORDINATION: Based on his initial review, the District Engineer has determined that the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfil requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

ENDANGERED SPECIES ACT CONSULTATION: The New England District, Army Corps of Engineers has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur along the project corridor. It is our preliminary determination that the proposed activity for which authorization is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect any federally listed endangered or threatened species or their designated critical habitat. Consultation with the Services is on-going. By this public notice, the District Engineer is requesting that the

appropriate federal agency provide comments regarding the presence of and potential impacts to other listed species or its critical habitat not already identified.

OTHER APPROVALS: The applicant has supplied the Maine Department of Environmental Protection with a permit application for the work described in this public notice and is requesting that the Department either grant or waive Water Quality Certification in accordance with Section 401 of the Clean Water Act. Comments regarding the applicant's Permit/Water Quality Certification request may be submitted in writing to: Mark Bergeron, Director, Bureau of Land Resources, Department of Environmental Protection, 17 State House Station, Augusta, ME, 04333-0017 or by email to: mark.bergeron@maine.gov

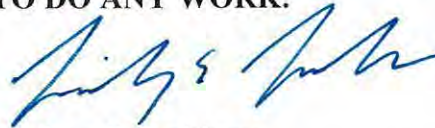
In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Jay Clement at 207-623-8367, ext. 1 at our Augusta, Maine Project Office.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

For more information on the New England District Corps of Engineers programs, visit our website at <http://www.nae.usace.army.mil>.

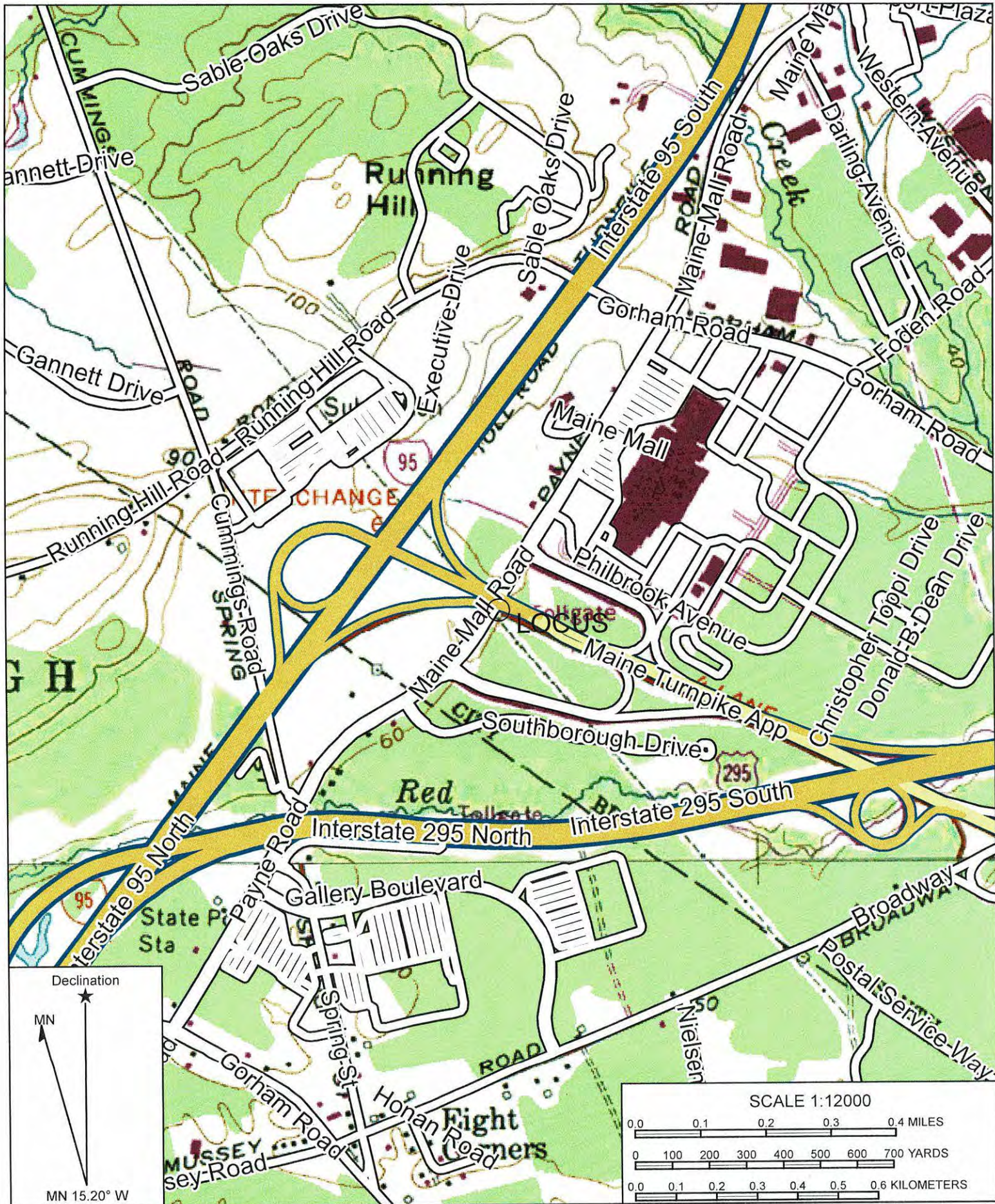
THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.



Lindsey E. Lefebvre
Chief, Permits and Enforcement Branch
Regulatory Division

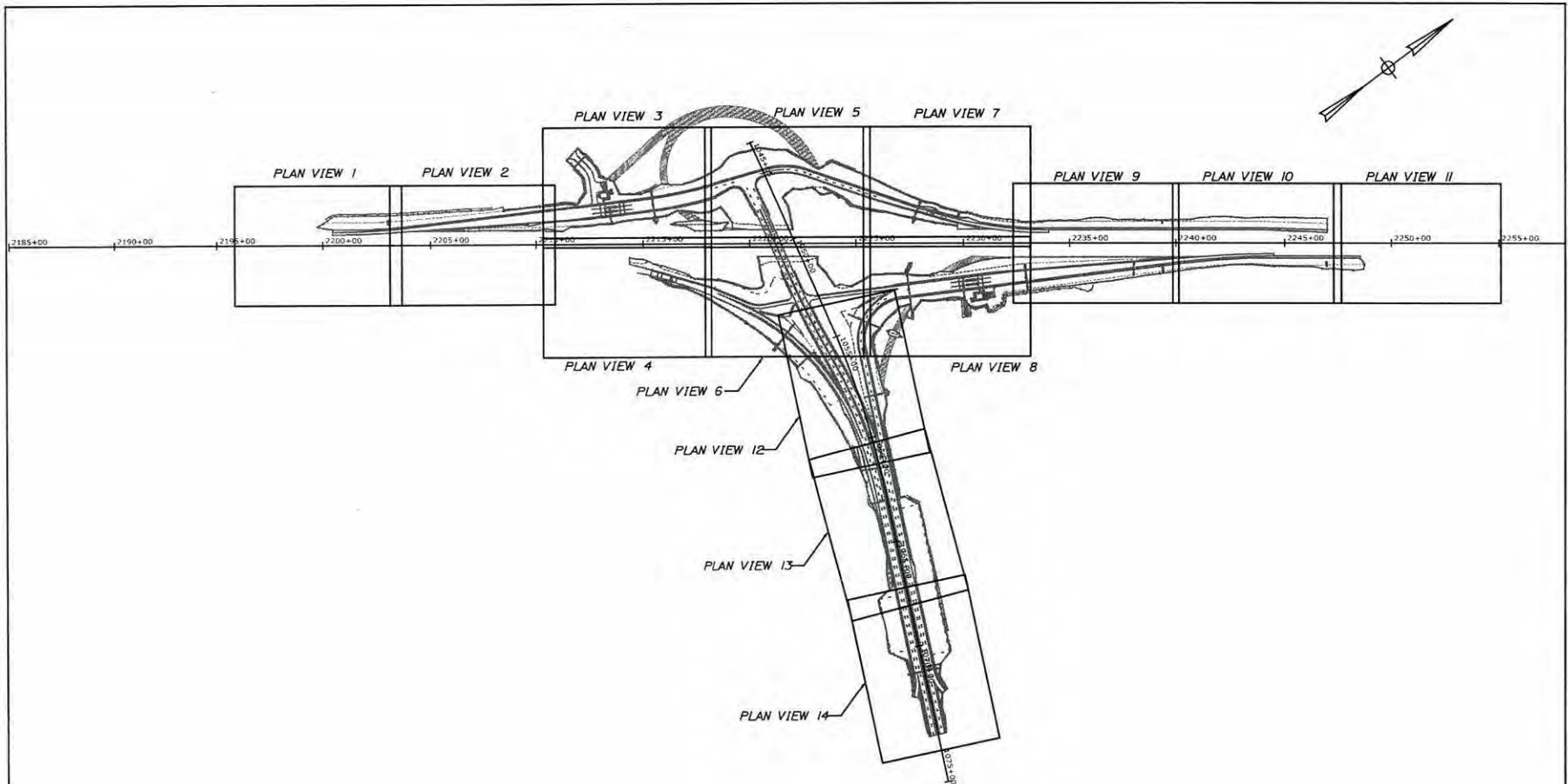
If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____













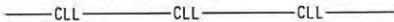


Name: PORTLAND WEST
 Date: 05/23/19
 Scale: 1 inch = 1,000 ft.

Location: 43.630651° N, 70.341196° W
**EXIT 45 INTERCHANGE
 RECONFIGURATION PROJECT** **DATE: MARCH 2019**



Plan Legend

-  Temporary stone check dam
-  Wetland
-  Temporary wetland impact
-  Permanent wetland impact
-  Remove Pavement, Loam, & Seed
-  Limit of Portland Area Widening wetland impacts
-  Limit of field delineated wetland of special significance (WSS)
-  ROW line
-  Cut line
-  Fill line
-  Silt fence
-  Clearing limit
-  Riprap



SCALE: 1"=750'

HNTB
ARCHITECTS ENGINEERS PLANNERS



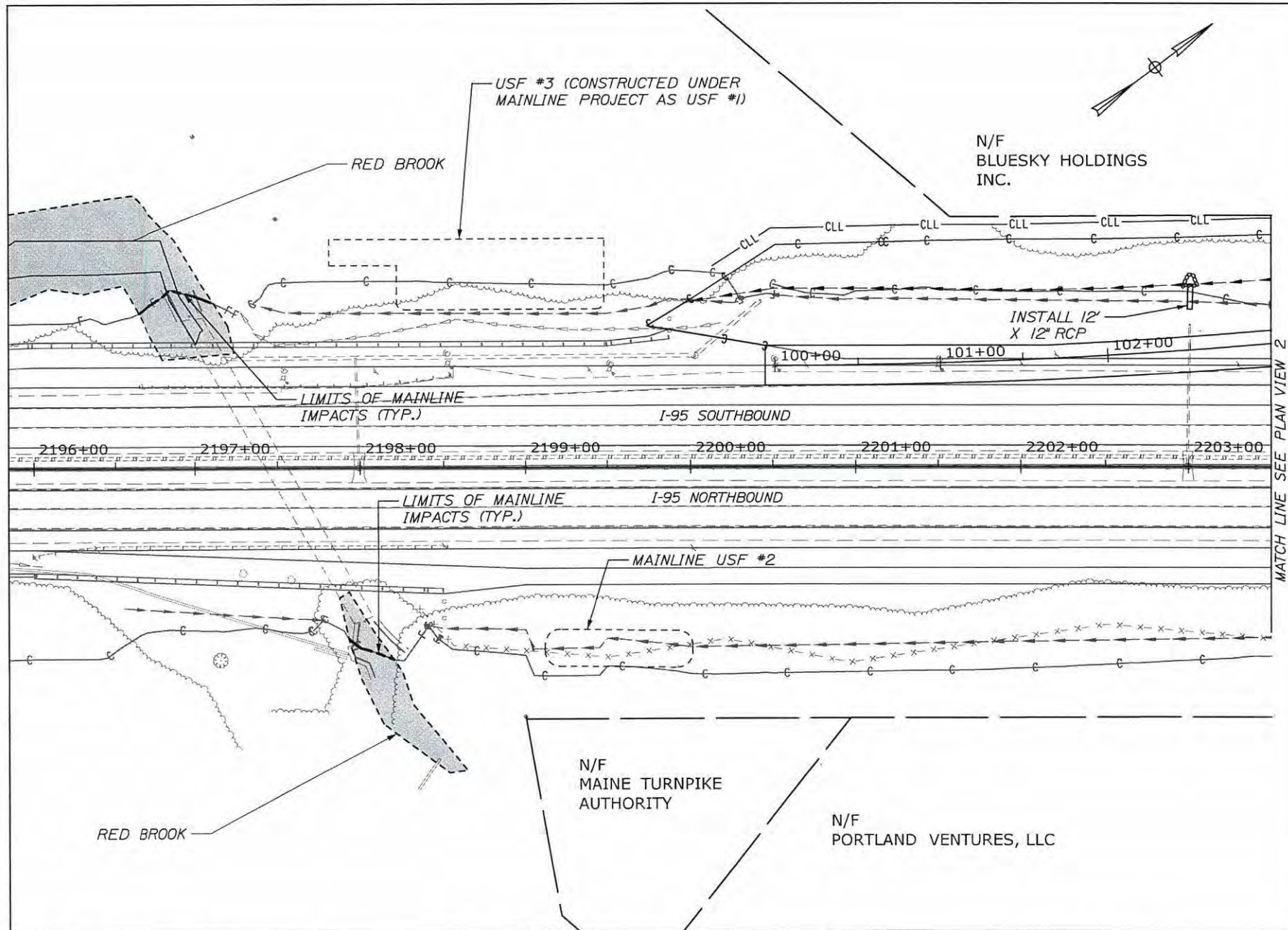
**THE GOLD STAR
MEMORIAL HIGHWAY**

**EXIT 45
INTERCHANGE
RECONFIGURATION
PROJECT**

**WETLAND IMPACTS
INDEX PLAN**

DATE: MARCH, 2019

SHEET 1 OF 15



SCALE: 1"=80'

HNTB
ARCHITECTS ENGINEERS PLANNERS



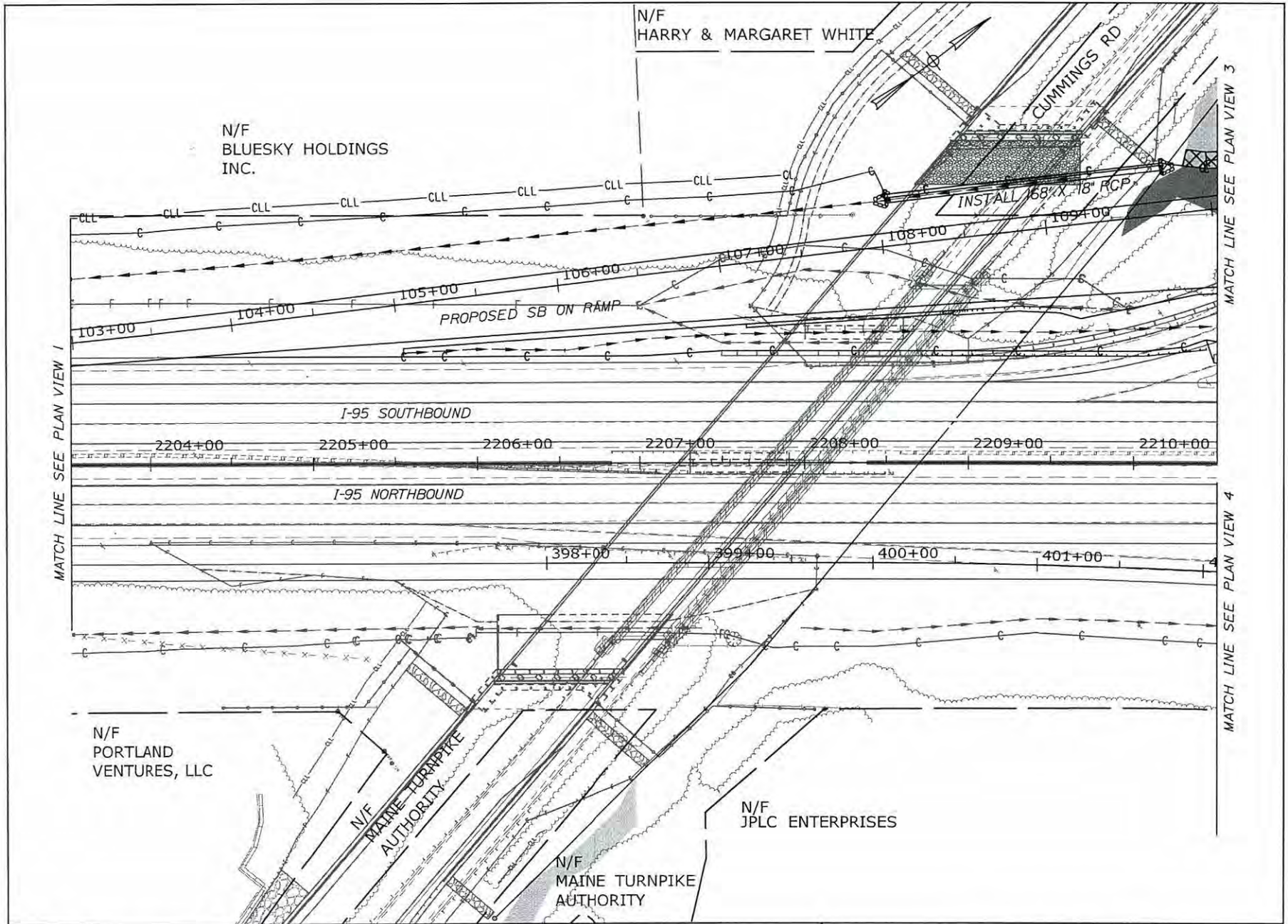
THE GOLD STAR
MEMORIAL HIGHWAY

EXIT 45
INTERCHANGE
RECONFIGURATION
PROJECT

WETLAND IMPACTS
PLAN VIEW 1

DATE: MARCH, 2019

SHEET 2 OF 15



HNTB
ARCHITECTS ENGINEERS PLANNERS



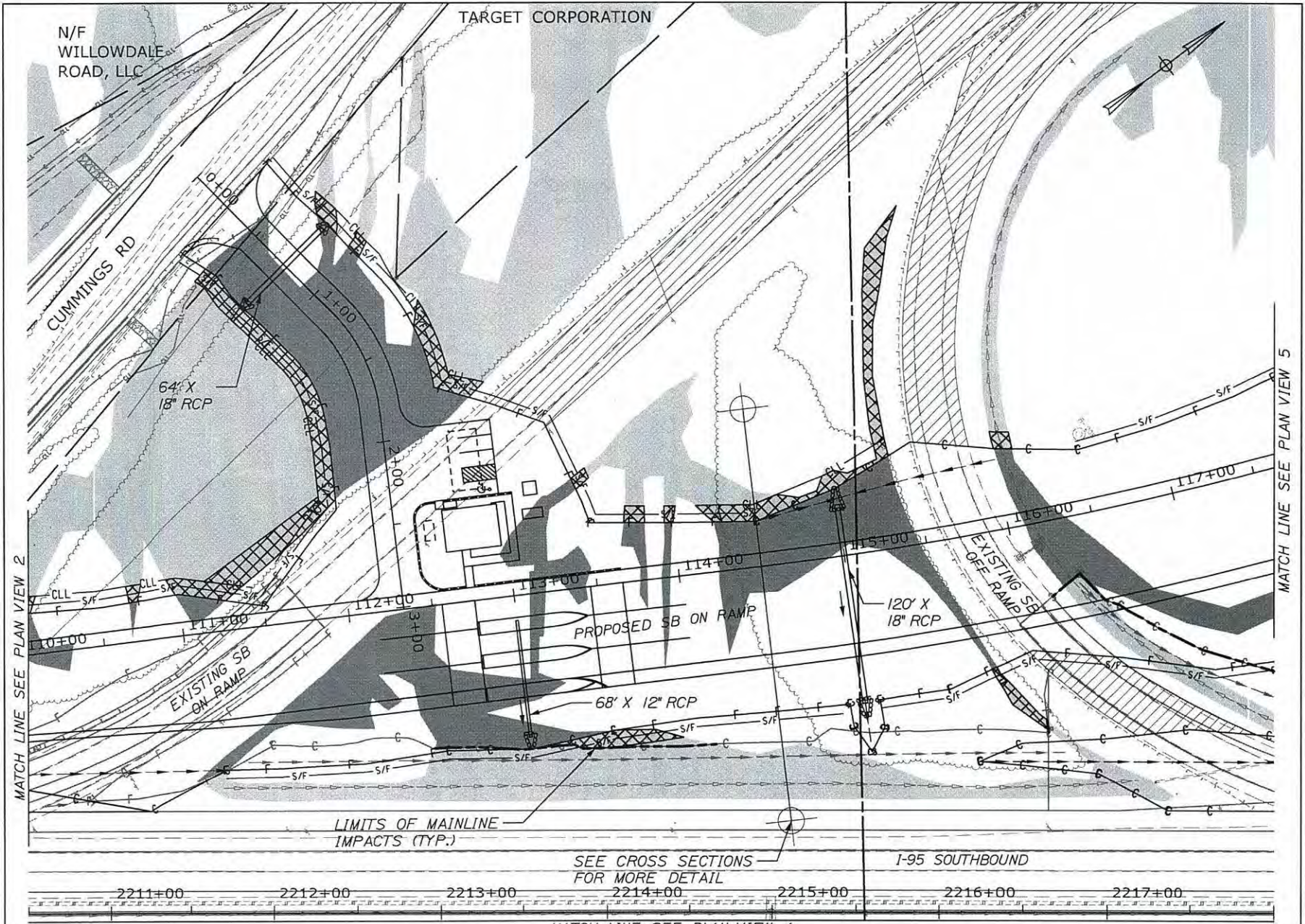
THE GOLD STAR
MEMORIAL HIGHWAY

EXIT 45
INTERCHANGE
RECONFIGURATION
PROJECT

WETLAND IMPACTS
PLAN VIEW 2

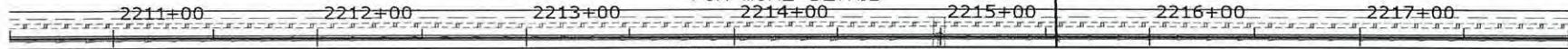
DATE: MARCH, 2019

SHEET 3 OF 15



MATCH LINE SEE PLAN VIEW 2

MATCH LINE SEE PLAN VIEW 5



MATCH LINE SEE PLAN VIEW 4

80 0 80 160

SCALE: 1"=80'

HNTB
ARCHITECTS ENGINEERS PLANNERS

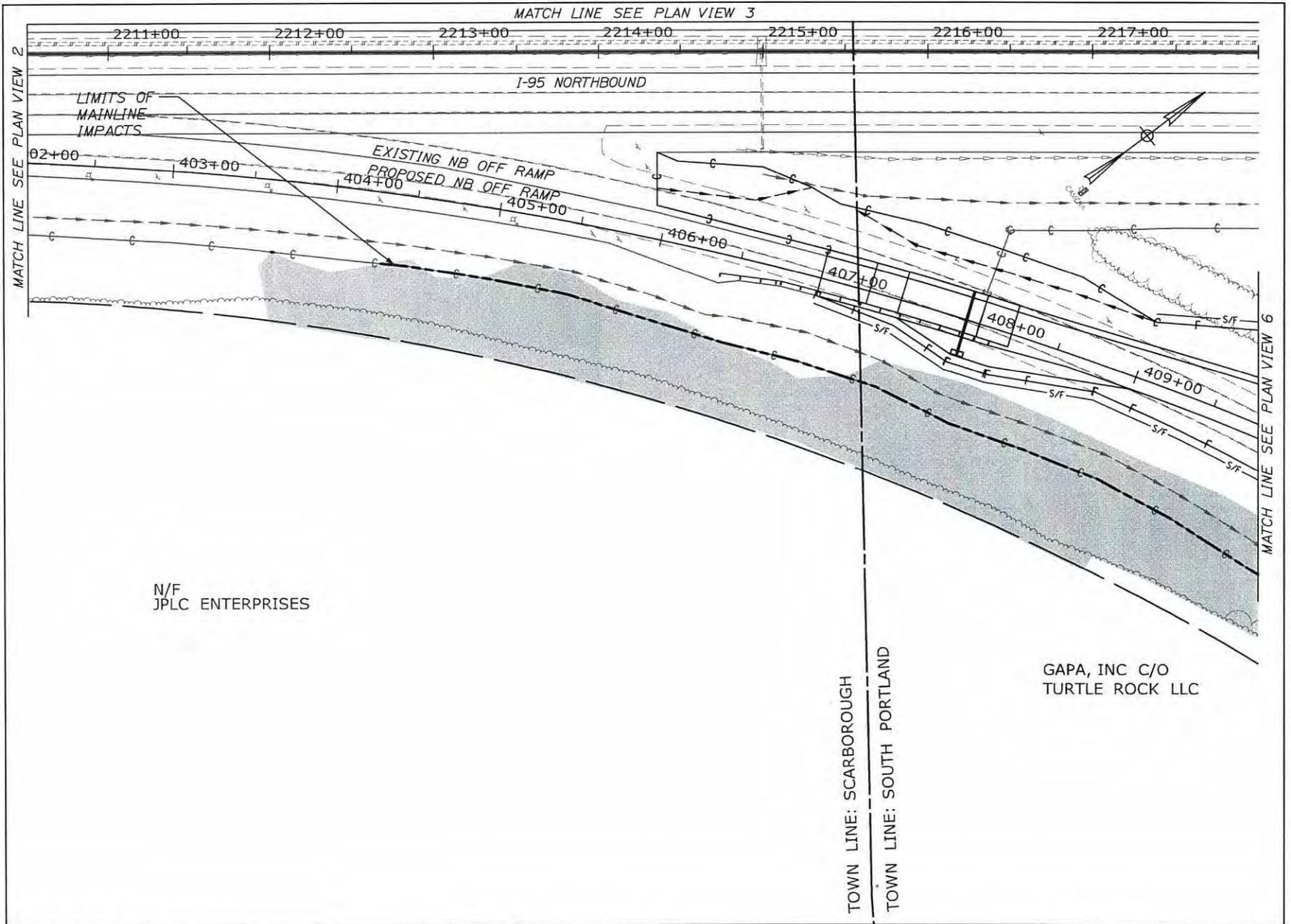
THE GOLD STAR
MEMORIAL HIGHWAY

EXIT 45
INTERCHANGE
RECONFIGURATION
PROJECT

DATE: MARCH, 2019

WETLAND IMPACTS
PLAN VIEW 3

SHEET 4 OF 15



SCALE: 1"=80'

HNTB
ARCHITECTS ENGINEERS PLANNERS



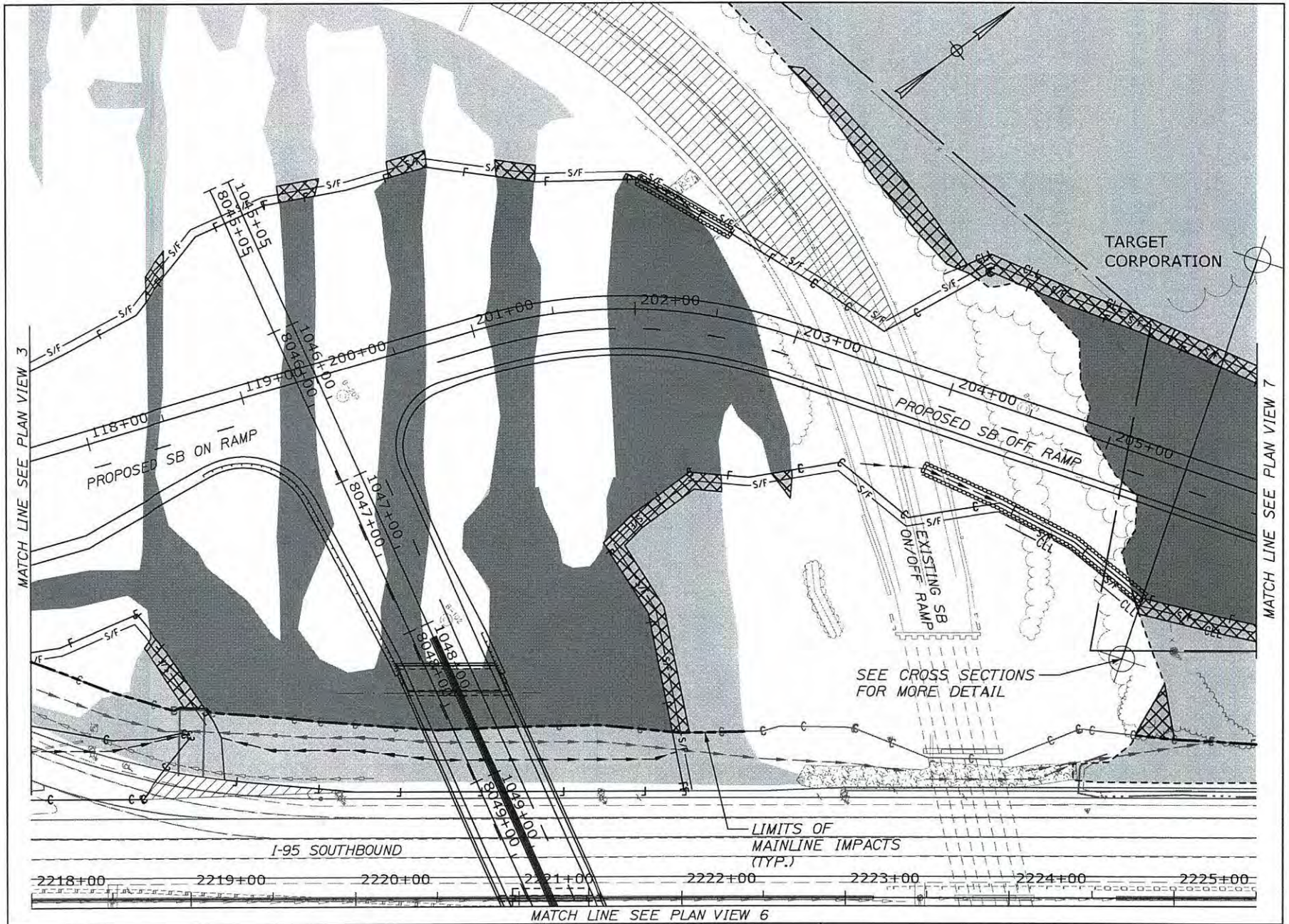
THE GOLD STAR
MEMORIAL HIGHWAY

EXIT 45
INTERCHANGE
RECONFIGURATION
PROJECT

WETLAND IMPACTS
PLAN VIEW 4

DATE: MARCH, 2019

SHEET 5 OF 15



80 0 80 160
 SCALE: 1"=80'
HNTB
 ARCHITECTS ENGINEERS PLANNERS

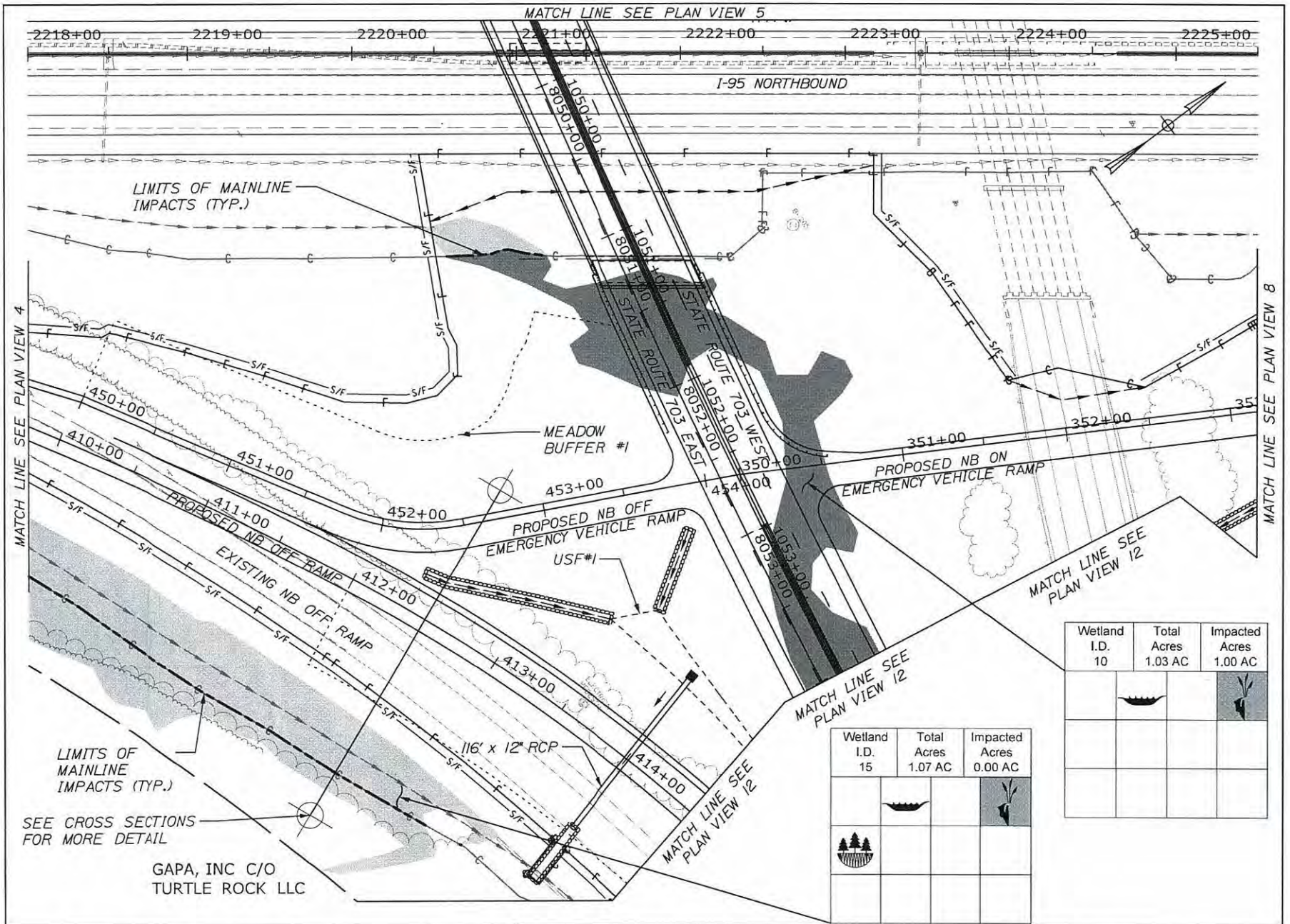
THE GOLD STAR
 MEMORIAL HIGHWAY

EXIT 45
 INTERCHANGE
 RECONFIGURATION
 PROJECT

WETLAND IMPACTS
 PLAN VIEW 5

DATE: MARCH, 2019

SHEET 6 OF 15



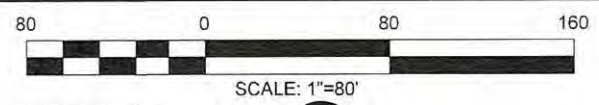
LIMITS OF MAINLINE IMPACTS (TYP.)

SEE CROSS SECTIONS FOR MORE DETAIL

GAPA, INC C/O
TURTLE ROCK LLC

Wetland I.D.	Total Acres	Impacted Acres
10	1.03 AC	1.00 AC

Wetland I.D.	Total Acres	Impacted Acres
15	1.07 AC	0.00 AC



HNTB
ARCHITECTS ENGINEERS PLANNERS



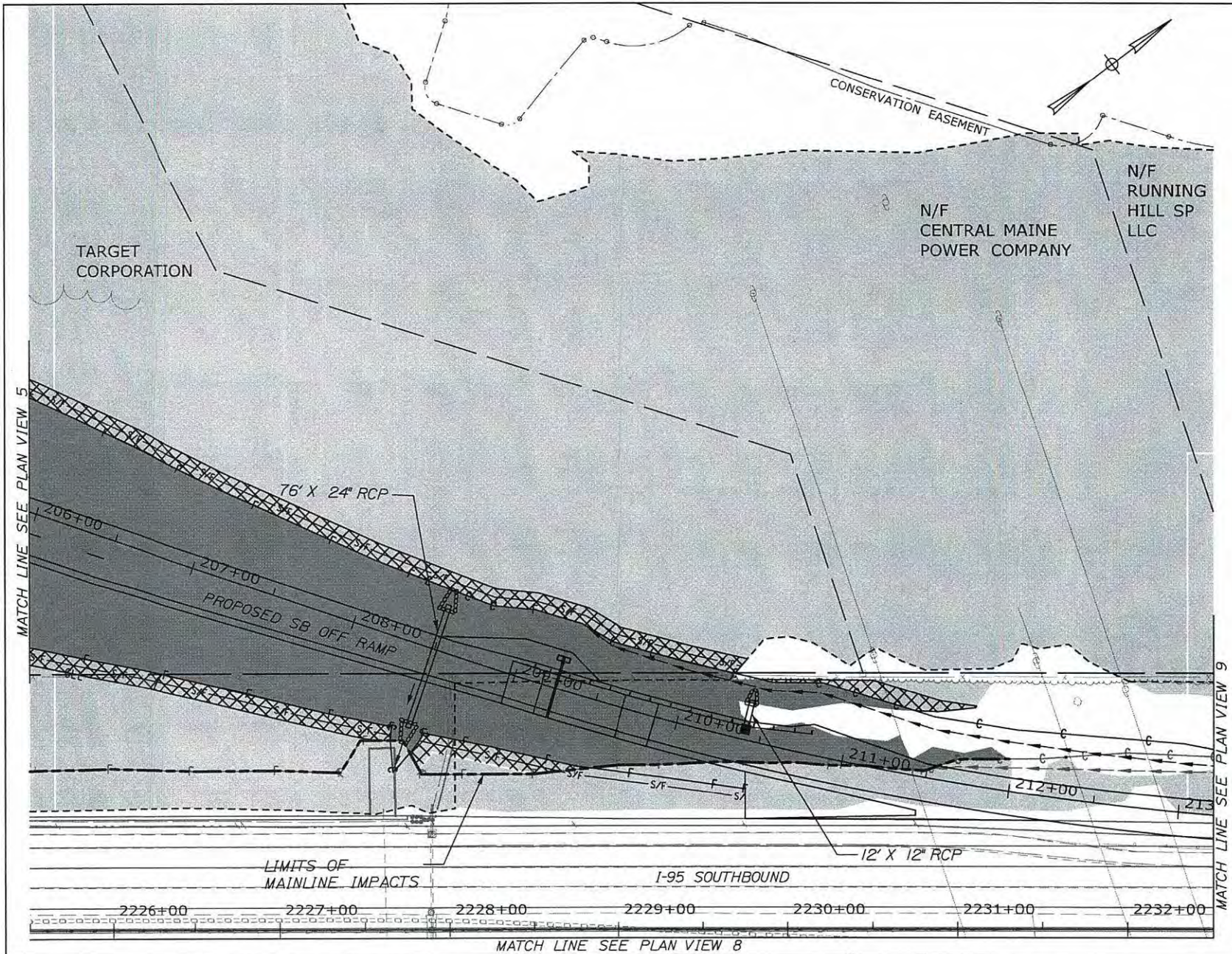
THE GOLD STAR
MEMORIAL HIGHWAY

EXIT 45
INTERCHANGE
RECONFIGURATION
PROJECT

WETLAND IMPACTS
PLAN VIEW 6

DATE: MARCH, 2019

SHEET 7 OF 15



80 0 80 160

SCALE: 1"=80'

HNTB
ARCHITECTS ENGINEERS PLANNERS

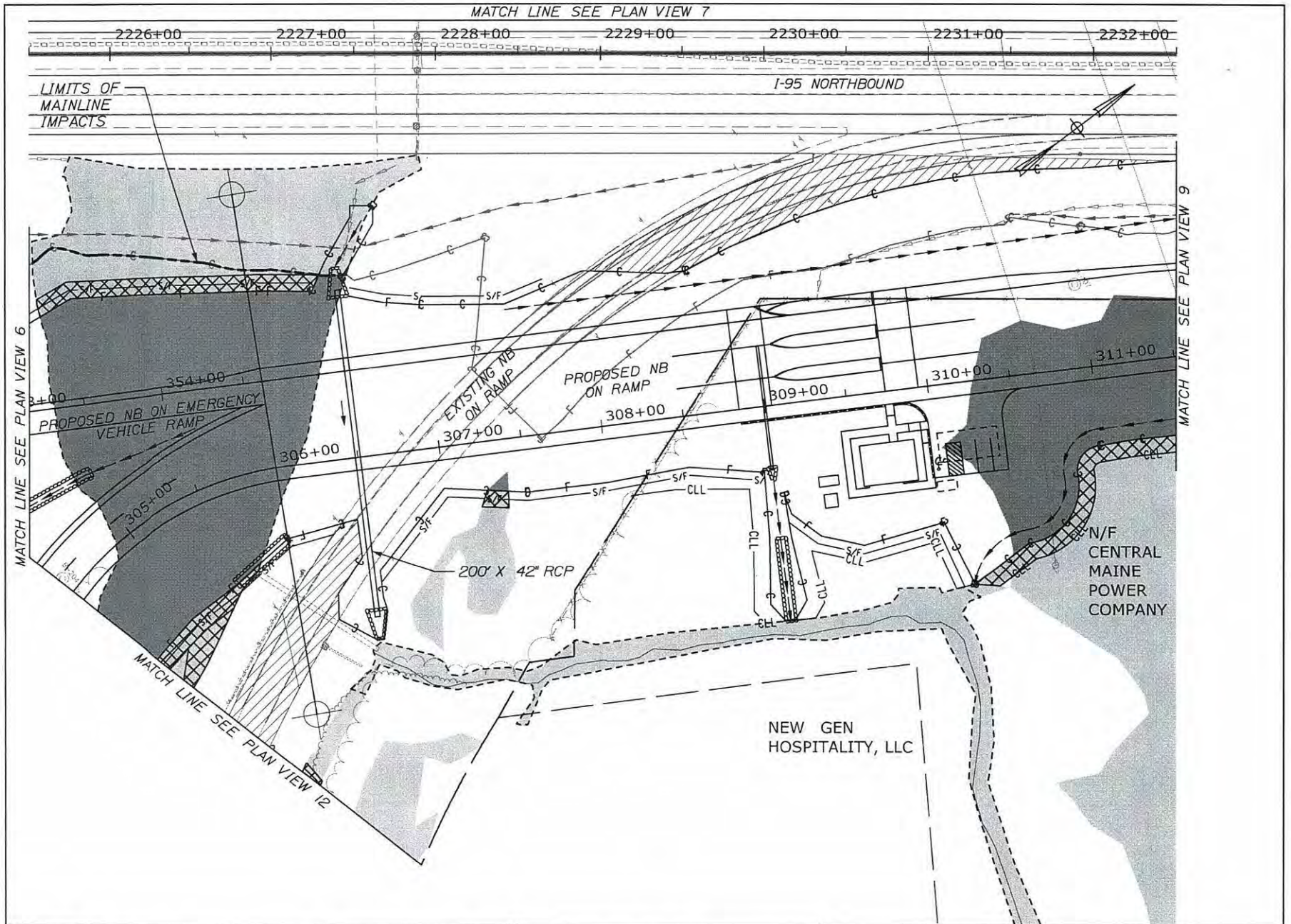
THE GOLD STAR
MEMORIAL HIGHWAY

EXIT 45
INTERCHANGE
RECONFIGURATION
PROJECT

WETLAND IMPACTS
PLAN VIEW 7

DATE: MARCH, 2019

SHEET 8 OF 15



80 0 80 160



SCALE: 1"=80'

HNTB
ARCHITECTS ENGINEERS PLANNERS



THE GOLD STAR
MEMORIAL HIGHWAY

EXIT 45
INTERCHANGE
RECONFIGURATION
PROJECT

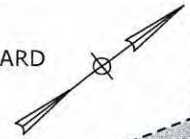
WETLAND IMPACTS
PLAN VIEW 8

DATE: MARCH, 2019

SHEET 9 OF 15

N/F
RUNNING HILL SP LLC

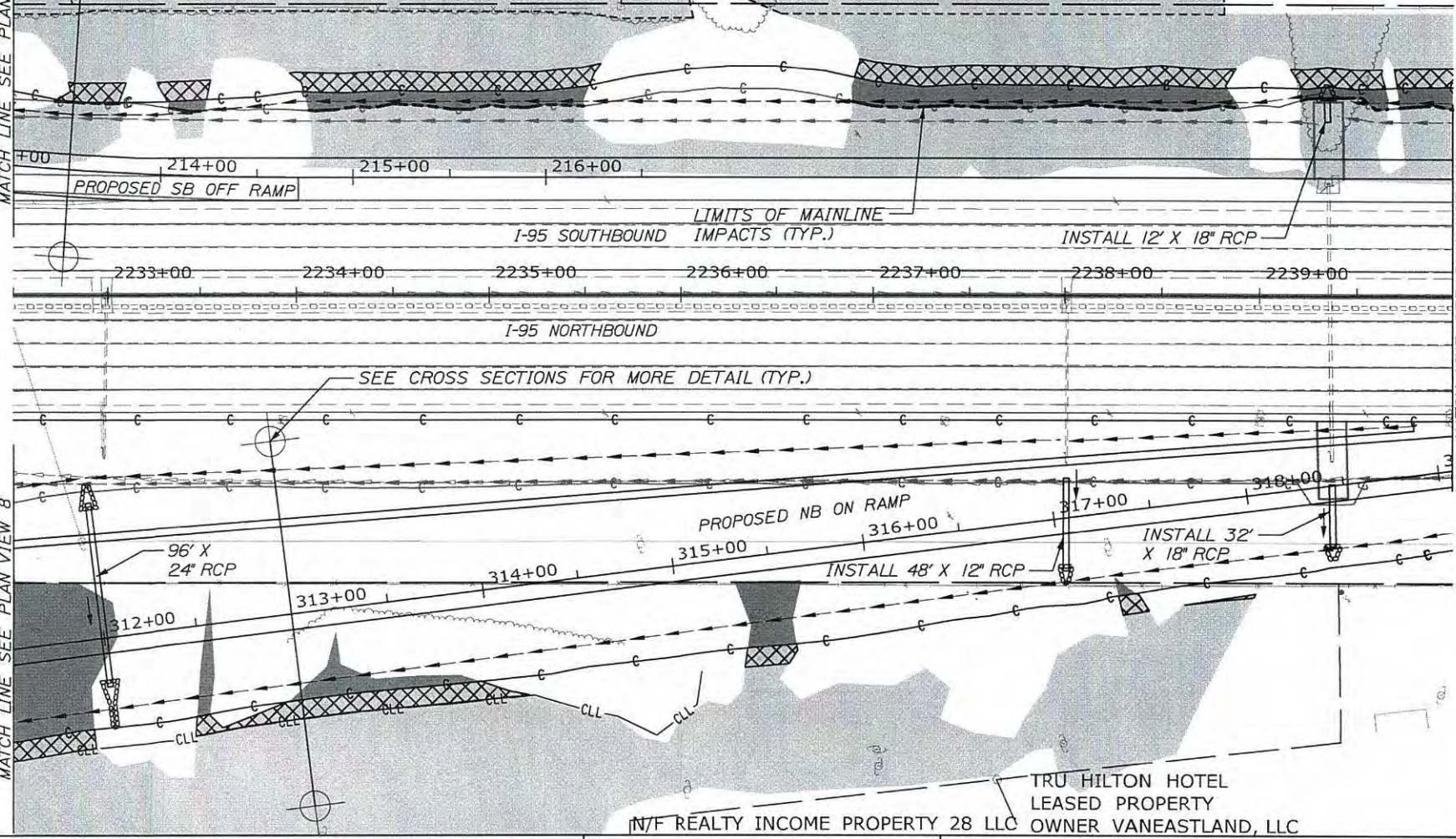
N/F
607 NORTHERN BOULEVARD
REALTY CORP



MATCH LINE SEE PLAN VIEW 7

MATCH LINE SEE PLAN VIEW 8

MATCH LINE SEE PLAN VIEW 10



80 0 80 160



SCALE: 1"=80'

HNTB
ARCHITECTS ENGINEERS PLANNERS



THE GOLD STAR
MEMORIAL HIGHWAY

EXIT 45
INTERCHANGE
RECONFIGURATION
PROJECT

WETLAND IMPACTS
PLAN VIEW 9

DATE: MARCH, 2019

SHEET 10 OF 15

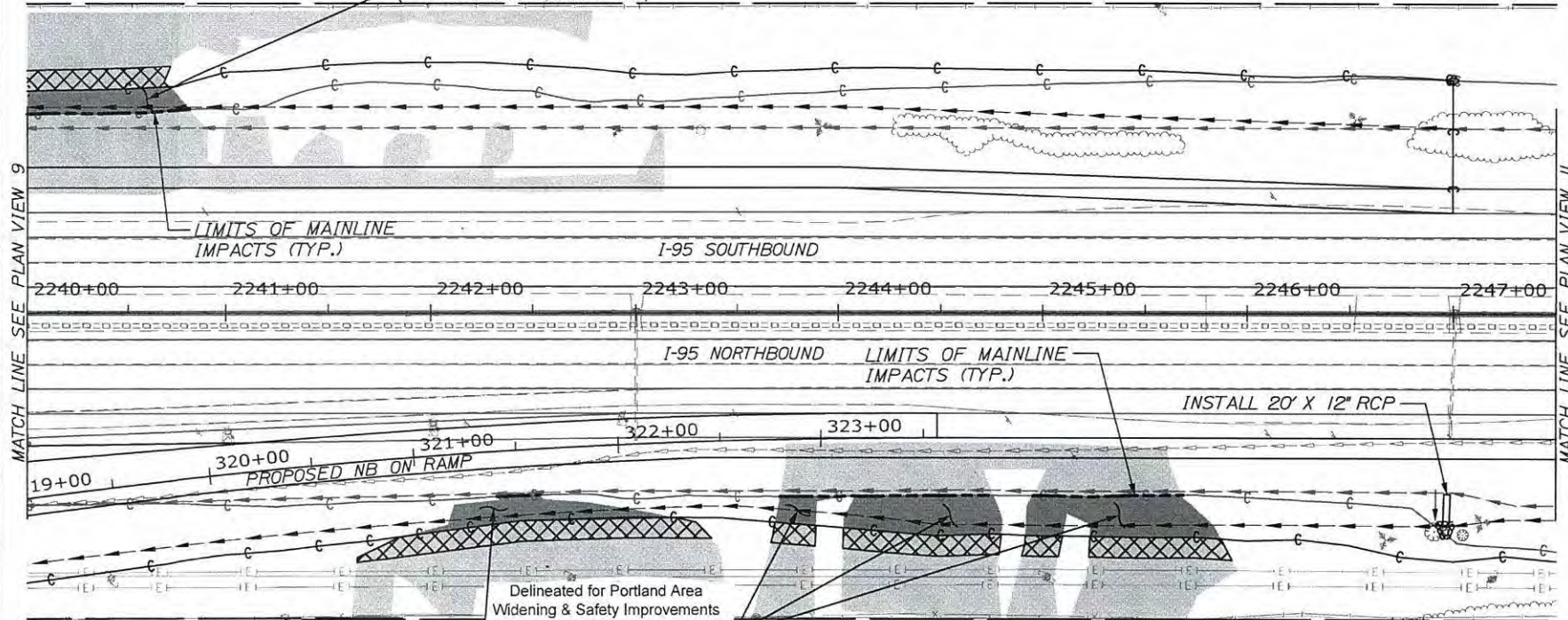
N/F REALTY INCOME PROPERTY 28 LLC
TRU HILTON HOTEL
LEASED PROPERTY
OWNER VANEASTLAND, LLC

Wetland I.D.	Total Acres	Impacted Acres
1	18.31 AC	1.76 AC
		ES

N/F
607 NORTHERN
BOULEVARD
REALTY CORP

N/F
RLC PORTLAND RETIREMENT
COMMUNITY LLC

WSS: 1.12 AC Perm, 0.27 AC Temp



MATCH LINE SEE PLAN VIEW 9

MATCH LINE SEE PLAN VIEW 11

Delineated for Portland Area
Widening & Safety Improvements
Project

Wetland I.D.	Total Acres	Impacted Acres
PAW 6	0.73 AC	0.10 AC

TRU HILTON
HOTEL
LEASED
PROPERTY
OWNER
VANEASTLAND,
LLC

LEASED
PROPERTY
OWNER
VANEASTLAND,
LLC

CRACKER BARREL
LEASED PROPERTY
OWNER
VANEASTLAND, LLC

N/F
TRU-2005 REALTY LLC

80 0 80 160



SCALE: 1"=80'

HNTB
ARCHITECTS ENGINEERS PLANNERS



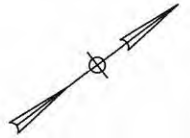
THE GOLD STAR
MEMORIAL HIGHWAY

EXIT 45
INTERCHANGE
RECONFIGURATION
PROJECT

WETLAND IMPACTS
PLAN VIEW 10

DATE: MARCH, 2019

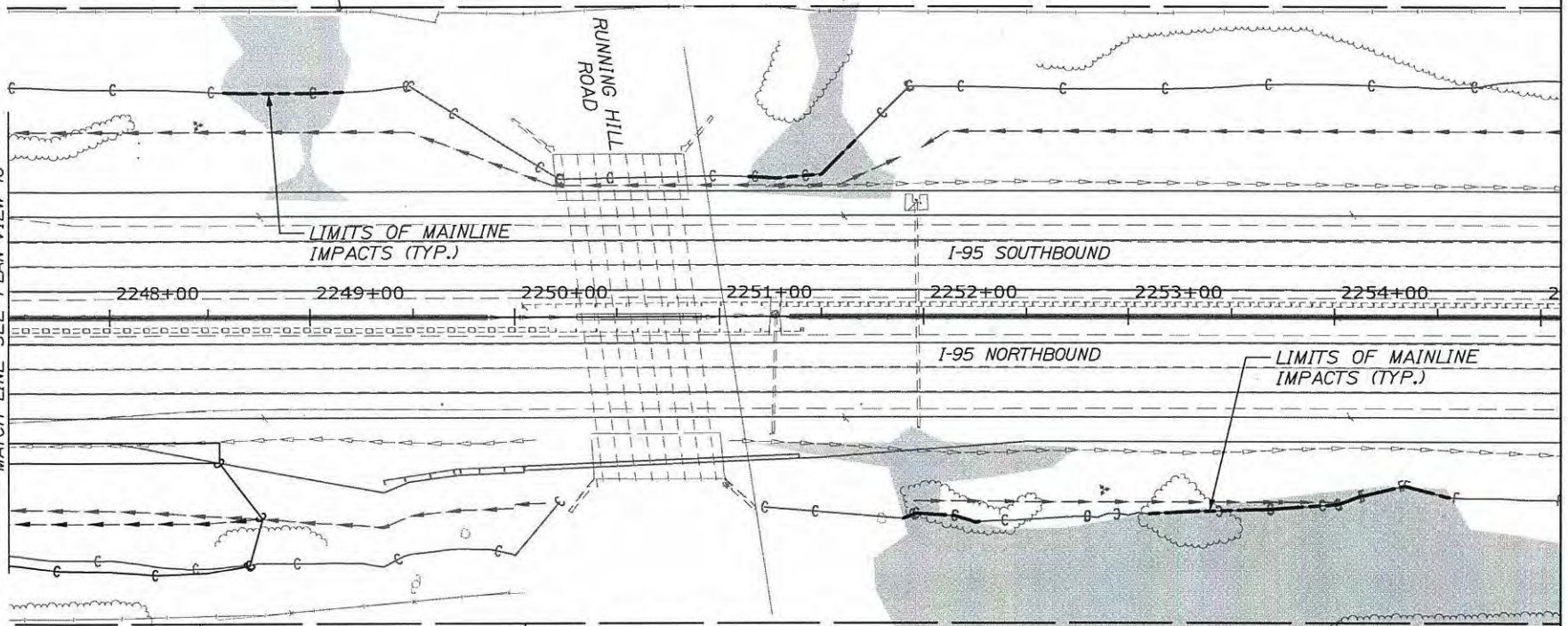
SHEET 11 OF 15



N/F
RLC PORTLAND RETIREMENT
COMMUNITY LLC

SABLE OAKS DR

MATCH LINE SEE PLAN VIEW 10



N/F
TRU-2005
REALTY LLC

N/F
AMA REALTY VENTURES



SCALE: 1"=80'

HNTB
ARCHITECTS ENGINEERS PLANNERS



THE GOLD STAR
MEMORIAL HIGHWAY

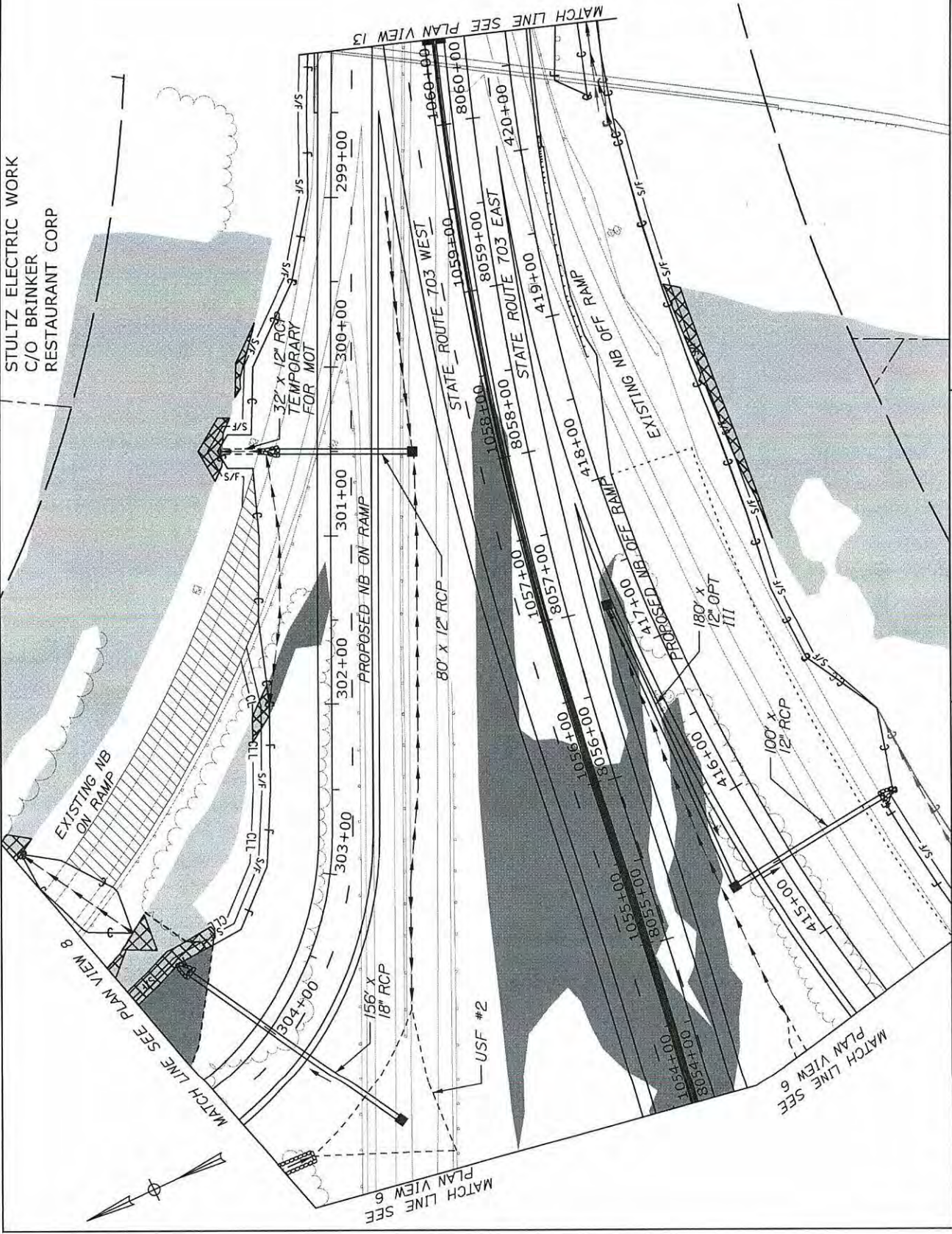
EXIT 45
INTERCHANGE
RECONFIGURATION
PROJECT

WETLAND IMPACTS
PLAN VIEW 11

DATE: MARCH, 2019

SHEET 12 OF 15

STULTZ ELECTRIC WORK
C/O BRINKER
RESTAURANT CORP



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ARCHITECTS ENGINEERS PLANNERS

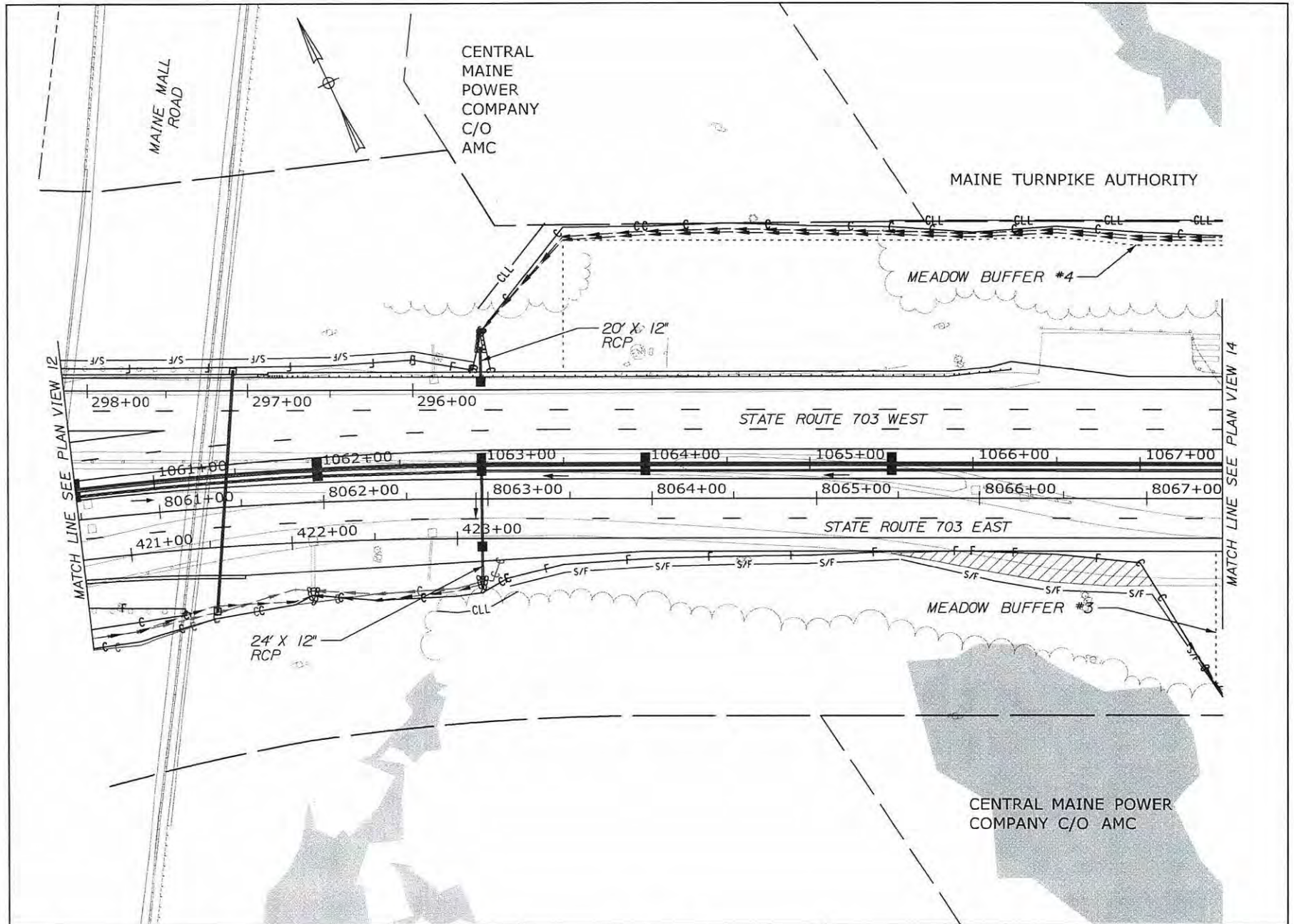
**THE GOLD STAR
MEMORIAL HIGHWAY**

**EXIT 45
INTERCHANGE
RECONFIGURATION
PROJECT**

**WETLAND IMPACTS
PLAN VIEW 12**

DATE: MARCH, 2019

SHEET 13 OF 15



SCALE: 1"=80'

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ARCHITECTS ENGINEERS PLANNERS



THE GOLD STAR
MEMORIAL HIGHWAY

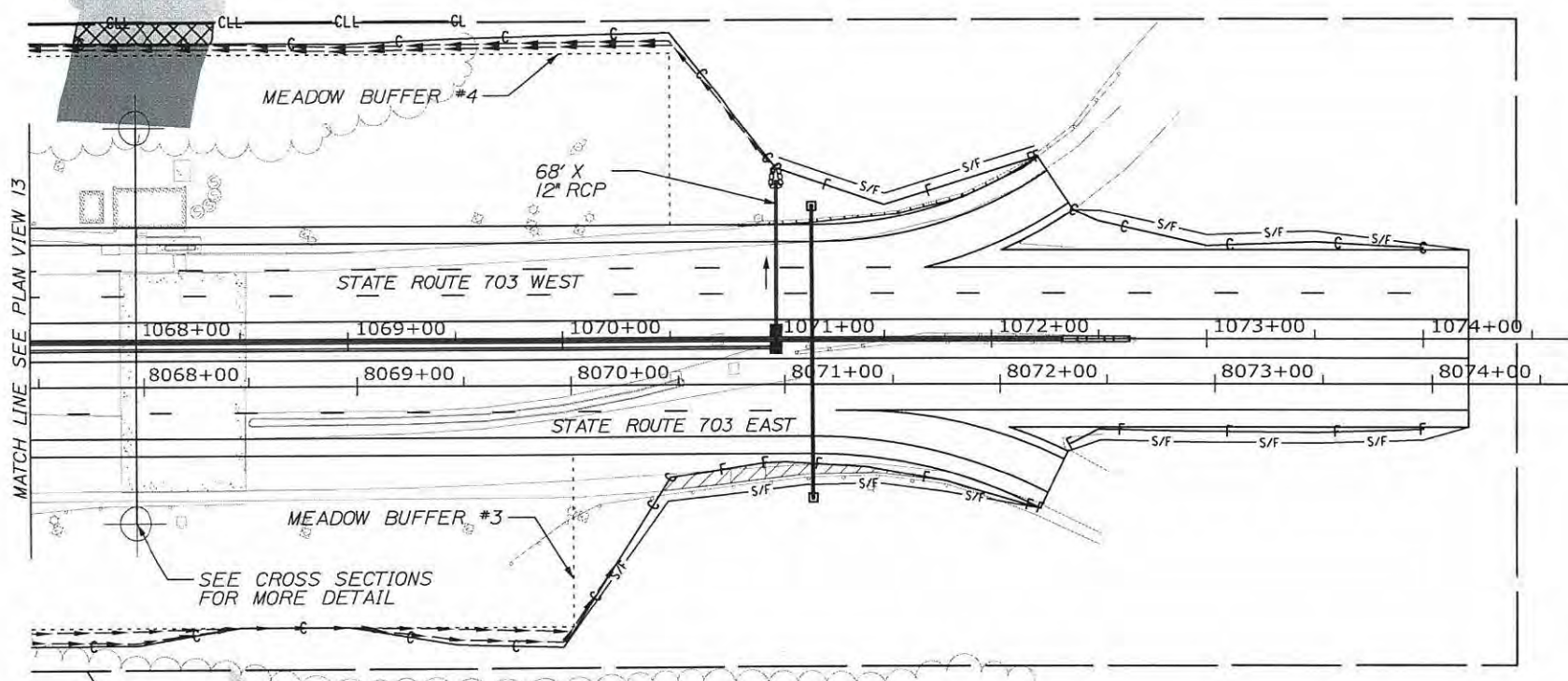
EXIT 45
INTERCHANGE
RECONFIGURATION
PROJECT

WETLAND IMPACTS
PLAN VIEW 13

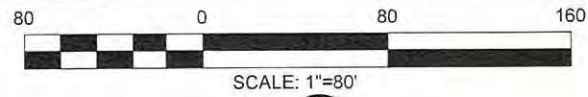
DATE: MARCH, 2019

SHEET 14 OF 15

MAINE TURNPIKE AUTHORITY



MAINE TURNPIKE AUTHORITY



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THE GOLD STAR
MEMORIAL HIGHWAY

EXIT 45
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WETLAND IMPACTS
PLAN VIEW 14

DATE: MARCH, 2019

SHEET 15 OF 15