



**US Army Corps  
of Engineers**®  
New England District  
**696 Virginia Road  
Concord, MA 01742-2751**

# PUBLIC NOTICE

**Comment Period Begins:** October 2, 2018  
**Comment Period Ends:** November 1, 2018  
**File Number:** NAE-2005-01143  
**In Reply Refer To:** Ruth M. Ladd  
**Phone:** (978) 318-8818  
**E-mail:** [ruth.m.ladd@usace.army.mil](mailto:ruth.m.ladd@usace.army.mil)

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## 30 DAY NOTICE

**The District Engineer is soliciting comments on the 11 projects which have applied for 2018 funding through Maine's In Lieu Fee ("ILF") program, the Maine Natural Resources Conservation Program ("MNRCP").** The sponsor for the program is the Maine Department of Environmental Protection. The program serves as an alternative form of compensation for impacts to aquatic resources authorized by the New England District Army Corps of Engineers (Corps) and/or the State of Maine Department of Environmental Protection. These projects were submitted in response to a Request for Proposals ("RFP") issued in July 31, 2018.

The RFP includes the criteria used to evaluate projects, the information required for a proposal, and other related information. The RFP and additional information can be found at the MNRCP website: <http://mnrpc.org/>

Any of the projects which involve restoration, enhancement, and/or creation and will require Corps, state, or local permits will be applying individually, not through this public notice.

Attached are the following:

- Summary sheet of projects and the bioregion in which they are located;
- Funds available and the aquatic resource types which have been authorized to be impacted; and
- Project descriptions and locus maps for the projects.

The decision whether to approve funding for projects will be based on an evaluation of each proposed activity and how and where it will compensate for aquatic resources lost through authorizations issued under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act. The decision will reflect the national concern for no net loss of aquatic resources. The benefit which may reasonably accrue from each proposal must be balanced against its reasonably foreseeable detriments and/or its appropriateness considering the ecological needs of the bioregion in which it is located.

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 determine the most appropriate projects to receive funding from the MNRCP. Any comments received will be considered by the Interagency Review Committee, including the Corps of Engineers, and will be considered in the evaluation of the projects and the determination of which will receive funding. 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. 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.

### **ESSENTIAL FISH HABITAT**

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 site-specific adverse effect will not be substantial. 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 projects may affect properties 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 proposal review process.

### **ENDANGERED SPECIES 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 at the project sites. It is our preliminary determination that the proposed activity for which funding 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. By this Public Notice, we are requesting that the appropriate federal Agency concur with our determination.

**CENAE-R**  
**FILE NO. NAE-2005-01143**

The State of Maine has an approved **Coastal Zone Management Program**. Although Coastal Zone Management consistency will be required for some of the individual proposals, by this public notice we are requesting the state provide any applicable comments at this time.

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 Ruth M. Ladd at (978) 318-8818, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts, or at the email address noted above.

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.

**THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.**

**Robert J. DeSista**  
**Acting Chief, 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](mailto: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: \_\_\_\_\_

**2018 MNRCP Proposal List**

<b>MNRCP Region</b>	<b>Project Name</b>	<b>Sponsor</b>	<b>Town</b>	<b>Total Acres</b>	<b>Total Cost</b>	<b>Funds Requested</b>	<b>Compensation Type</b>	<b>Compensation Method</b>
Aroostook Hills & Lowlands	Aroostook NWR Wetland Restoration	Friends of Aroostook National Wildlife Refuge	Limestone	5	\$75,000.00	\$63,500.00	Restoration	Fill removal, restoration
Central & Eastern Lowlands	Third Lake Stream Restoration	Project SHARE	T43 MD BPP	20	\$65,000.00	\$65,000.00	Restoration, Enhancement	Instream habitat restoration/enhancement
Central Interior & Midcoast	Sherman Marsh Northern Headwaters-Arter	Damariscotta River Association	Newcastle	91	\$101,700.00	\$99,500.00	Preservation	Fee acquisition
Central Interior & Midcoast	Heal Pond Wetlands	Kennebec Estuary Land Trust	Westport Island	44	\$261,500.00	\$200,000.00	Preservation	Fee acquisition
Central Interior & Midcoast	Taylor Bait Ponds Restoration	Orono Land Trust	Orono	36.3	\$83,790.00	\$62,300.00	Preservation, Restoration, Enhancement	Fee acquisition with restoration or enhancement
Downeast Maine	Spring Point, Hog Bay	Frenchman Bay Conservancy	Franklin	17	\$109,500.00	\$94,500.00	Preservation	Fee acquisition
Southern Maine	Tiger Hill Forest	The Trust for Public Land	Sebago	1417	\$1,806,000.00	\$480,000.00	Preservation	Fee acquisition
Southern Maine	Norton Brook to Mill Creek Conservation Corridor Phase I	Falmouth Land Trust	Falmouth	52	\$825,700.00	\$400,000.00	Preservation	Fee acquisition
Southern Maine	Fixing Furbish Phase I	Rachel Carson National Wildlife Refuge, USFWS	Wells	25	\$202,550.00	\$134,550.00	Restoration, Enhancement	Salt marsh/tidal flow restoration/enhancement
Southern Maine	Blandings Park Wildlife Sanctuary - Brandt	Blandings Park Wildlife Sanctuary	Biddeford	34	\$40,000.00	\$40,000.00	Preservation	Fee acquisition
Southern Maine	Josias Woods	York Land Trust, Inc.	York	103	\$483,800.00	\$430,000.00	Preservation	Fee acquisition

Maine Natural Resource Conservation Program  
2018 Proposals

*Maine Natural Resource Conservation Program  
Funds Available*

The table below lists the funds available for each MNRCP biophysical region as of September 27, 2018. Available funds may differ at the time of the awards. Also shown are the natural resources that have been prioritized for restoration, enhancement, preservation, and/or creation within each region.

<u>MNRCP Region</u>	<u>Amount</u>	<u>Priority Resource Type</u>
Aroostook Hills & Lowlands	\$551,899	Freshwater wetland Emergent; Freshwater wetland Forested; Freshwater wetland Scrub-Shrub; Vernal pool critical terrestrial habitat
Central & Eastern Lowlands	\$556,508	Freshwater wetland Emergent; Vernal pool critical terrestrial habitat
Central & Western Mountains	\$439,067	Freshwater wetland Emergent; Freshwater wetland Forested; Inland waterfowl & wading bird habitat
Central Interior & Midcoast	\$205,806	Coastal wetland Estuarine subtidal; Coastal wetland Marine intertidal; Coastal wetland Marine subtidal; Freshwater wetland Emergent
Downeast Maine	\$267,916	Coastal wetland Marine intertidal; Coastal wetland Marine subtidal; Vernal pool critical terrestrial habitat
Northwest Maine	\$0	
Southern Maine	\$1,990,344	Coastal wetland Estuarine intertidal; Coastal wetland Marine intertidal; Freshwater wetland Emergent; Freshwater wetland Forested; Freshwater wetland Scrub-Shrub; Freshwater wetland Unconsolidated Bottom
<b><i>Total Amount Available:</i></b>	<b>\$4,011,540</b>	



Maine Natural Resource Conservation Program  
2018 Proposals

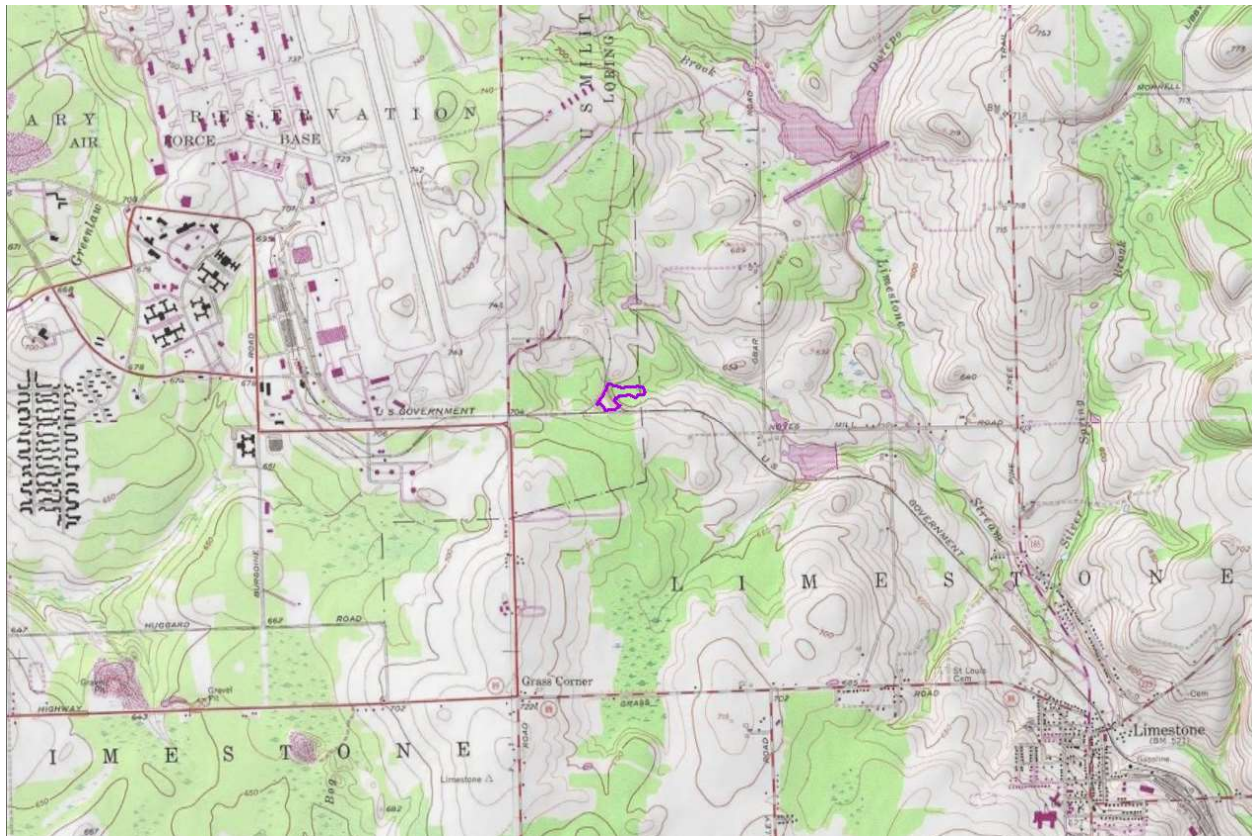
**Aroostook Hills and Lowlands Region**

**Project: Aroostook National Wildlife Refuge Wetland Restoration**

Location: Limestone, Maine

Sponsor: Friends of Aroostook National Wildlife Refuge / US Fish and Wildlife Service

The Friends of Aroostook National Wildlife Refuge, with assistance from the US Fish and Wildlife Service (USFWS), proposes to remove an old railroad bed constructed by the Air Force through a wetland at the former Loring Air Force Base, now the Aroostook National Wildlife Refuge (Refuge). The plan is to remove around 15,000 cubic yards of material that is dividing the wetland into two smaller wetlands, 7.5 and 1.6 acres in size, respectively. Benefits of the restoration and enhancement efforts will include connectivity between two freshwater wetlands that were divided by the railroad bed, which are currently used by waterfowl, amphibians and other wildlife. Work will be coordinated by USFWS personnel; excavation of the railroad bed and removal of the material will be conducted by a private contractor. Refuge staff will clear trees and vegetation from the railroad bed and coordinate the placement of the fill material on upland sites on the refuge, as in-kind contribution. The proposed project will directly restore approximately 0.8 acres of freshwater wetland and enhance approximately 9.1 acres of wetland by restoring connectivity between two isolated wetlands.



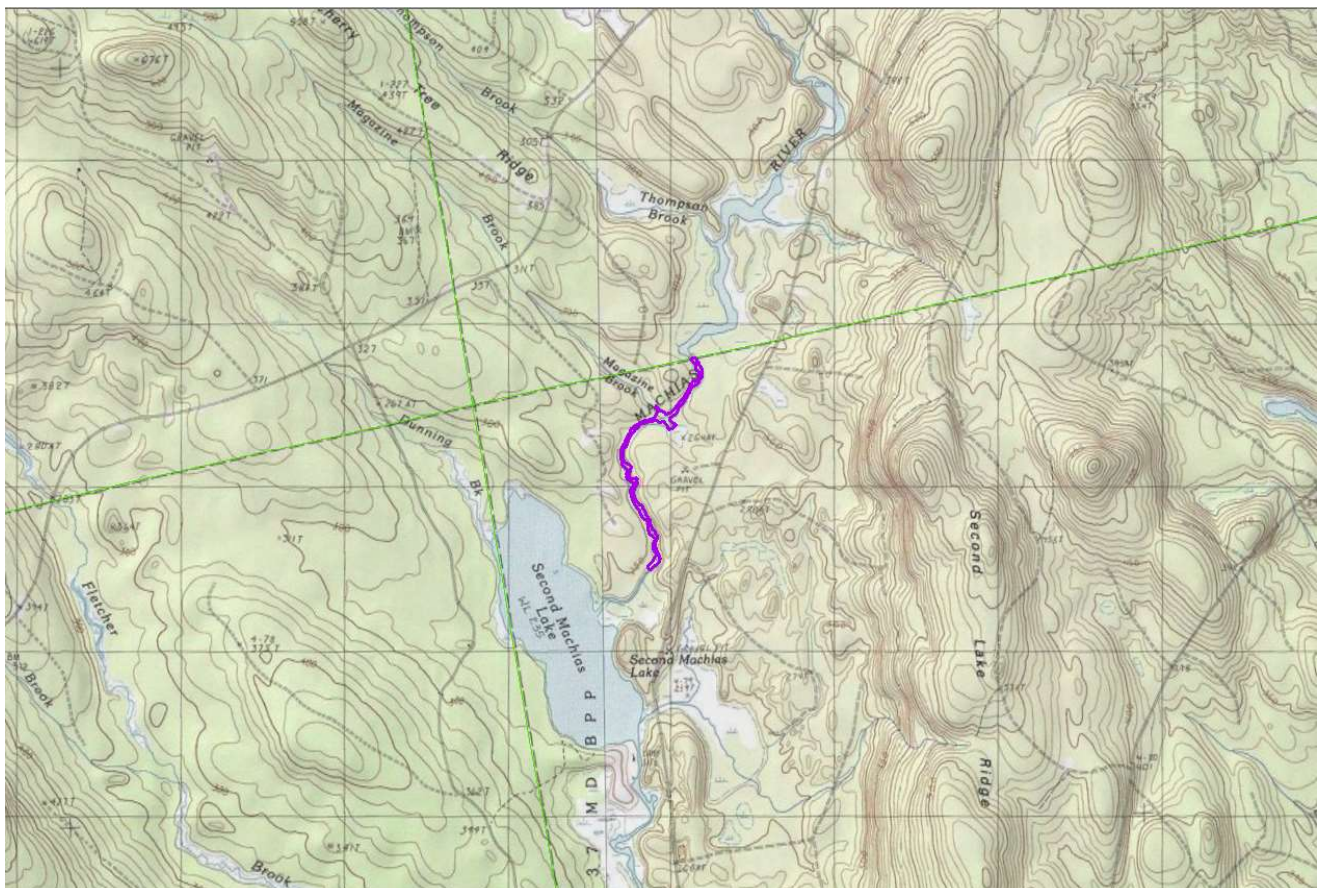
## Central and Eastern Lowlands Region

### **Project: Third Lake Stream Restoration**

Location: T43 MD BPP, Washington County, Maine

Sponsor: Project SHARE

Project SHARE proposes to perform a restoration of stream/wetland/riparian processes in Third Lake Stream. Third Lake Stream was highly engineered during the log drive era. A preliminary assessment has identified 17 rock walls, some of which are several hundred feet long that block 11 side channels and original meander bends of the Machias River. The rock walls are built from large boulders removed from the river channel; the sizes of which are too large for the river to mobilize and redistribute. Straightening the channel and reducing instream complexity has “locked” the channel in an altered state with increased gradient and current velocities. Lateral connectivity between the river and riparian buffer has been severely altered affecting current velocities, hyporheic flow, and sediment transport. In addition, deposition of wetland seed from native plants within the upper drainage has been limited, affecting wetland formation and maintenance along the channel margins. The side channels also have an associated wetland component and potential for reestablishing vernal pools along their buffers once high flow events through the channels is reestablished, however an assessment and inventory of those impacts has not been conducted. Project SHARE proposes to breach the rock dams sufficiently to restore stream flow to the blocked channels. Working with MDMR and USFWS biologists, Project SHARE will randomly place the boulders back in the stream channel enhancing habitat complexity for Atlantic salmon and Eastern brook trout. The project has the potential to restore access to 4,000’ of blocked channels and improve habitat complexity and natural stream processes to 2 miles of the Machias River.





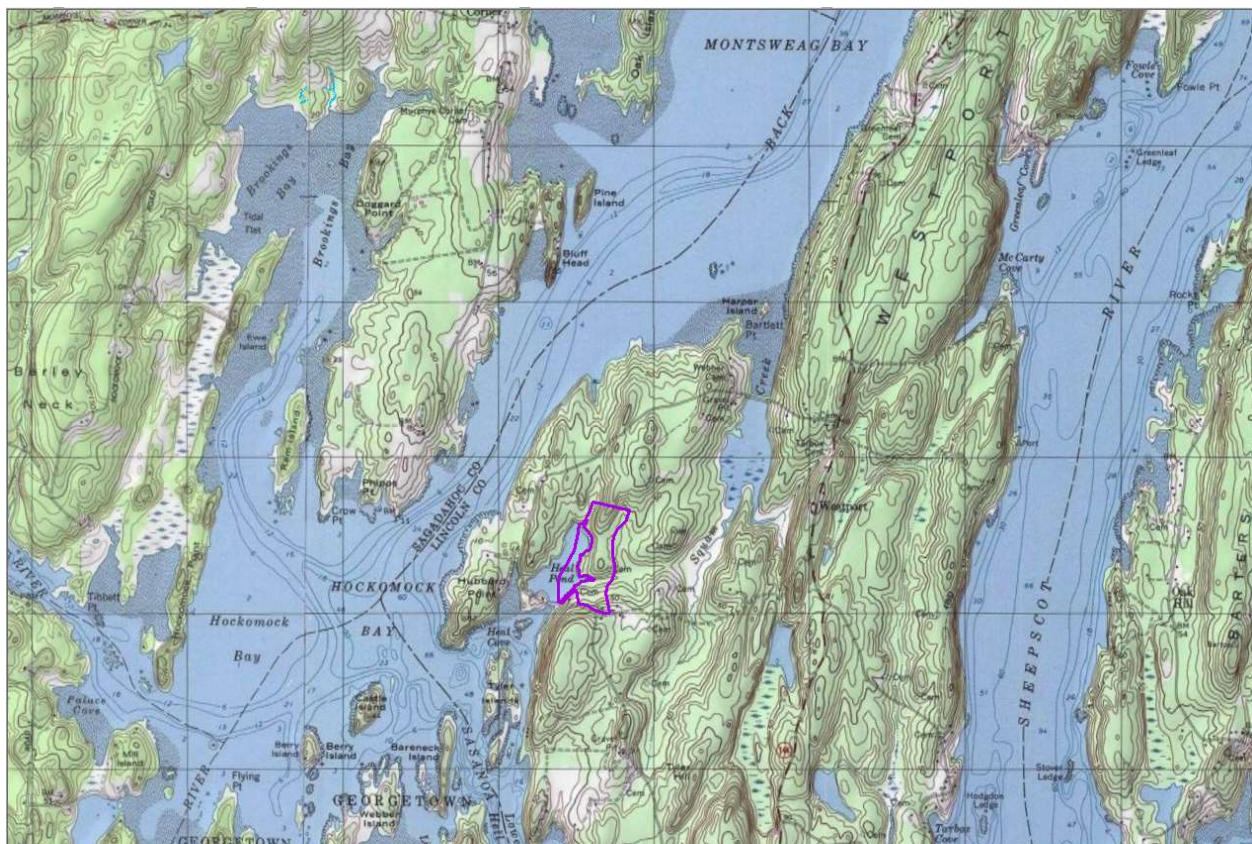
## Central and Interior Midcoast Region

### **Project: Heal Pond Wetlands**

Location: Westport Island, Maine

Sponsor: Kennebec Estuary Land Trust

The 44-acre Heal Pond property on Westport Island is located at the intersection of West Shore Road and Post Office Road and abuts the Kennebec Estuary Land Trust's (KELT) Segerstrom Preserve to the north. KELT began protecting land on Westport Island in 2002 to prevent development of shoreline and to protect wildlife habitat, scenic values, and water quality. Since then KELT has protected an additional 245 acres through fee acquisitions and a conservation easement. The acquisition and public opening of the Segerstrom Preserve at Squam Creek in the summer of 2017 highlighted the momentum and enthusiasm for KELT's renewed land protection efforts on Westport Island in the past few years. The recent projects have focused on protecting the unique wetland resources of the town and the Heal Pond project is a natural next step in this effort. KELT plans to permanently protect through fee acquisition the estuarine subtidal and forested wetlands, as well as the supporting upland forest on the Heal Pond property and add it to the already 159-acre Segerstrom Preserve. KELT can ensure that this important part of Westport Island's landscape remains in a natural state forever. The project includes preservation of approximately 9.5 acres of estuarine and freshwater wetlands and 32.5 acres of upland buffer. The property also contains mapped Tidal Waterfowl and Wading Bird Habitat and mapped Deer Wintering Area.



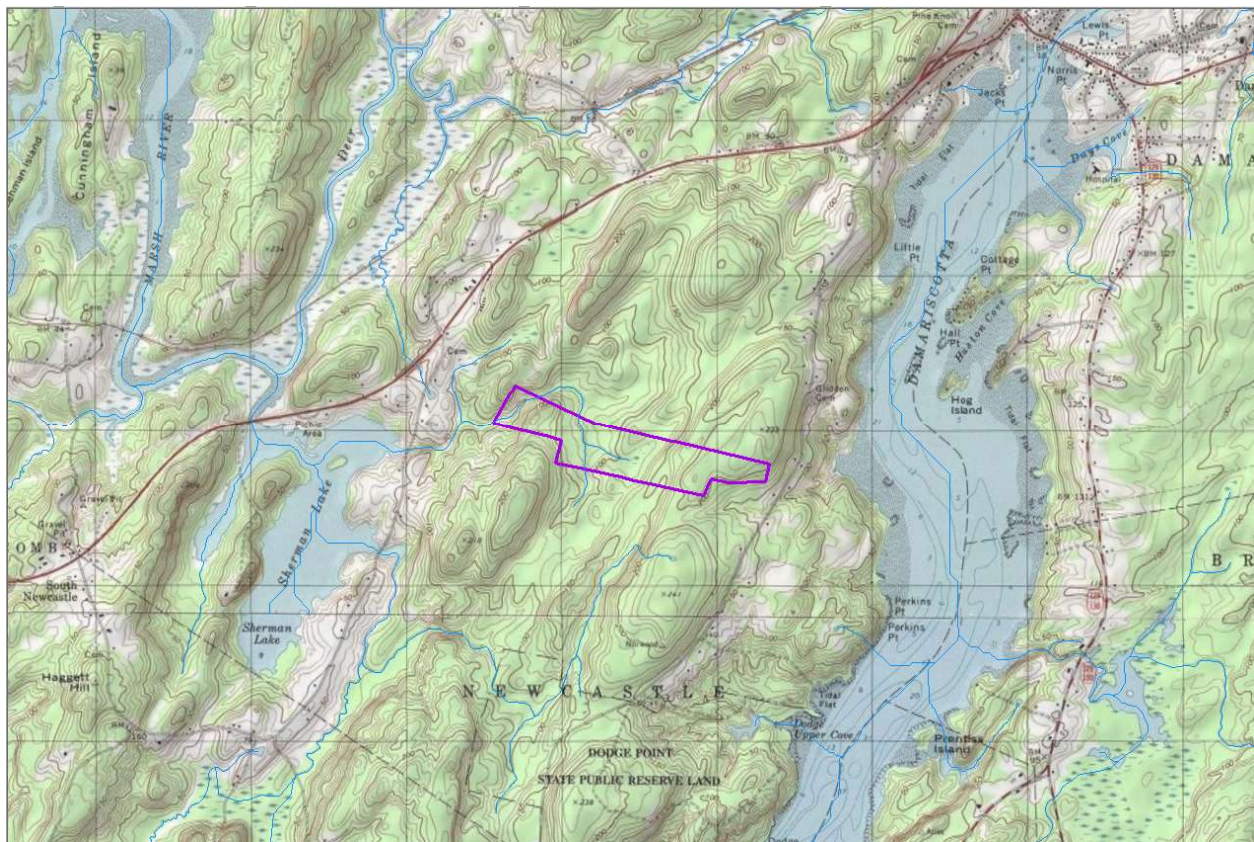


**Project: Sherman Marsh Headwaters – Arter**

Location: Newcastle, Maine

Sponsor: Damariscotta River Association

This project consists of a 91-acre fee purchase of a forested tract that borders Baker Forest, a conservation parcel that is owned and managed by Damariscotta River Association (DRA). Less than a mile south of this site lies the River~Link project, which includes over 600 acres of unfragmented forests. Priority wetland resources on the site include significant critical terrestrial habitat acreage, high value fish (including brook trout) and shellfish habitat, sediment/toxicant retention, flood-flow alteration, and sediment stabilization. Conservation of this property would not only safeguard on-site wetland resources, but also eliminate development threats that could degrade the nearby and adjacent state-owned and DRA conserved lands and wetlands. Additionally, this project represents a key opportunity to build on the success of the 2001 River~Link project, which was initially funded by Land for Maine's Future to address habitat and recreation connectivity in the Midcoast. If acquired, this parcel of land could enable the River~Link project to eventually add up to 800 acres of unfragmented wetlands and forests by securing a key and vulnerable connecting parcel. This project includes preservation of approximately 17.8 acres of freshwater wetlands and 73.2 acres of upland buffer.



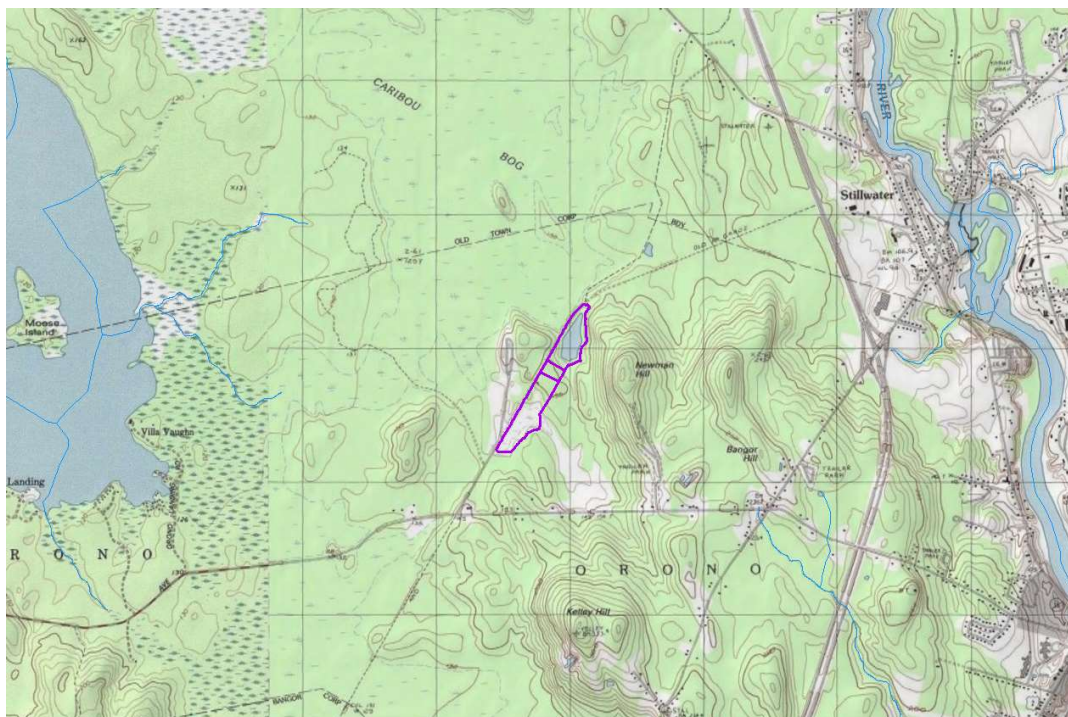
**Project: Taylor Bait Ponds Restoration**

Location: Orono, Maine

Sponsor: Orono Land Trust

In the 1970s Robert Taylor established two fish-rearing ponds, now known as Boulder and Black Ponds, by diverting a stream, constructing berms, excavating within the berms, and installing water-regulation devices. The ponds were used to grow golden shiners for anglers until 1997. Some waterfowl and wading birds use the area now, especially in migration, but use for breeding is minimal and well below the potential for the area unless the ponds are restored to more diverse habitats of an emergent marsh. The project goal is to return Boulder Pond to its former streambed and associated marsh vegetation for maximum wildlife occupancy. Black Pond does not have water inflow from a stream, but the goal is similar, that of restoring the area to an emergent marsh and some open water, maximizing diversity and interspersed aquatic plants. At both ponds, Orono Land Trust (OLT) will remove water control structures, resize culverts, and adjust the water levels to maximize emergent vegetation.

The proposed restoration site lies within Maine Natural Areas Program's (MNAP) Caribou Bog Focus Area, contains MDIFW's Inland Wetland Wading Bird Habitat (IWWH), is in Bangor Land Trust (BLT) and OLT's Caribou Bog-Penjawoc Marsh Wildlife and Recreation Corridor (18,000 acres), and is imbedded in >3,700 acres of the Caribou Bog Conservation Area (CBCA) located in Orono and Old Town. CBCA is managed by MDIFW, OLT, University of Maine (UM), and the Town of Orono (Town). The proposed project is a joint effort of OLT and the Orono Economic Development Corporation (OEDC), who will purchase the entire site and retain the developable upland portion of the area. OLT will reimburse OEDC for the wetlands and conduct the restoration, while the Town will aid in the installation of culverts and road maintenance. The Orono Land Trust is ready to begin work immediately on the project. The two bait ponds are approximately 36.3 acres in size and OEDC will retain approximately 7.5 acres of upland area between the ponds.





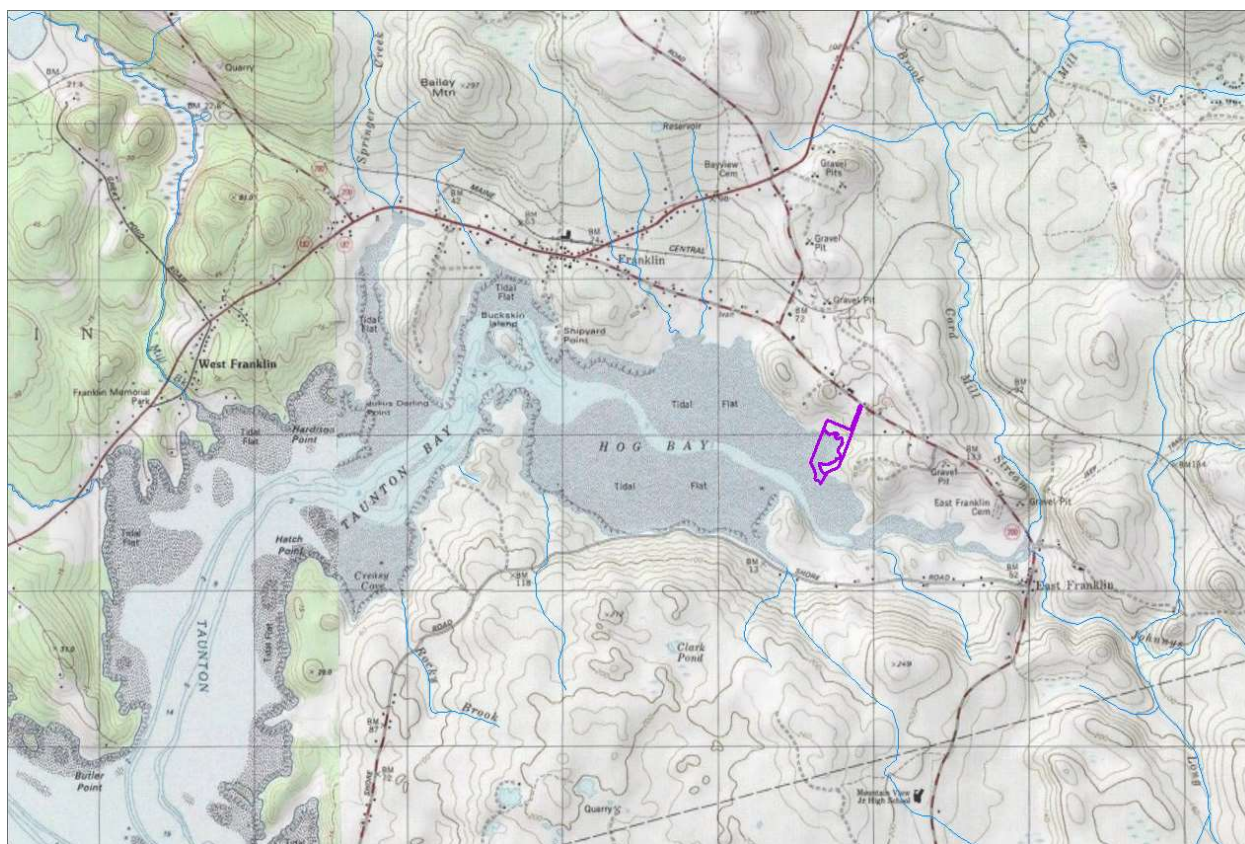
## Downeast Maine Region

### **Project: Spring Point, Hog Bay**

Location: Franklin, Maine

Sponsor: Frenchman Bay Conservancy

Frenchman Bay Conservancy, a 31-year old land trust, will purchase a 17-acre (11 coastal wetland acres) property in Franklin, Maine. The subject property is an approved subdivision currently listed on the market. The project is adjacent to 80 acres of land with pending conservation easement, and the subject property is close to over 15,000 acres of State conserved land. This project will protect high value Tidal Waterfowl and Wading Bird habitat, including documented habitat for Nelson's Sparrow. The property contains 1,600 linear feet of salt marsh shoreline and is adjacent to an additional approximately 5,000 feet of contiguous marine shoreline in the process of being conserved by FBC.





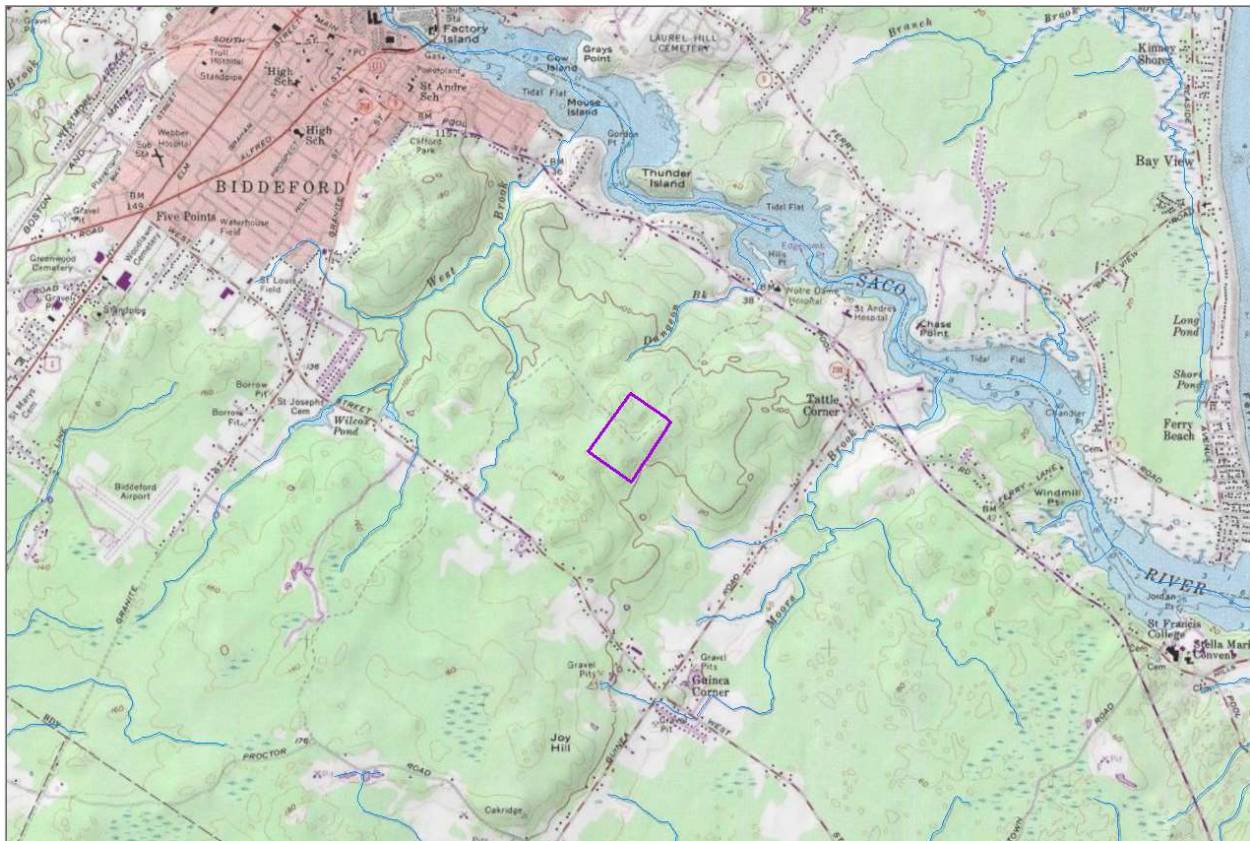
## Southern Maine Region

### **Project: Blandings Park Wildlife Sanctuary – Brandt**

Location: Biddeford, Maine

Sponsor: Blandings Park Wildlife Sanctuary

The goal for this project is to acquire in fee the property known as the Brandt Parcel. This 34-acre parcel will bring Blandings Park Wildlife Sanctuary's (BPWS) total holdings to almost 260 acres. The Brandt parcel is centrally located in the BPWS focus area, an area of approximately 1,000 vacant acres, rich in forested wetlands, significant vernal pools and home to the endangered Blanding's turtle and the threatened spotted turtle, as well as many other species of plant and animal life. As part of the Biddeford/Kennebunkport Vernal Pool Complex Area of Statewide Ecological Significance as identified by Beginning With Habitat, the goal is for the BPWS focus area to provide a safe, protected, permanent and secure environment for this fragile ecosystem and the plants and animals that live here. Blandings Park Wildlife Sanctuary is a grassroots, all volunteer 501(c) 3 land trust, created and dedicated to preserve and protect all species through conservation, education, recreation, and research to benefit all. This project will preserve approximately 13.4 acres of freshwater wetlands and approximately 20.6 acres of upland buffer.

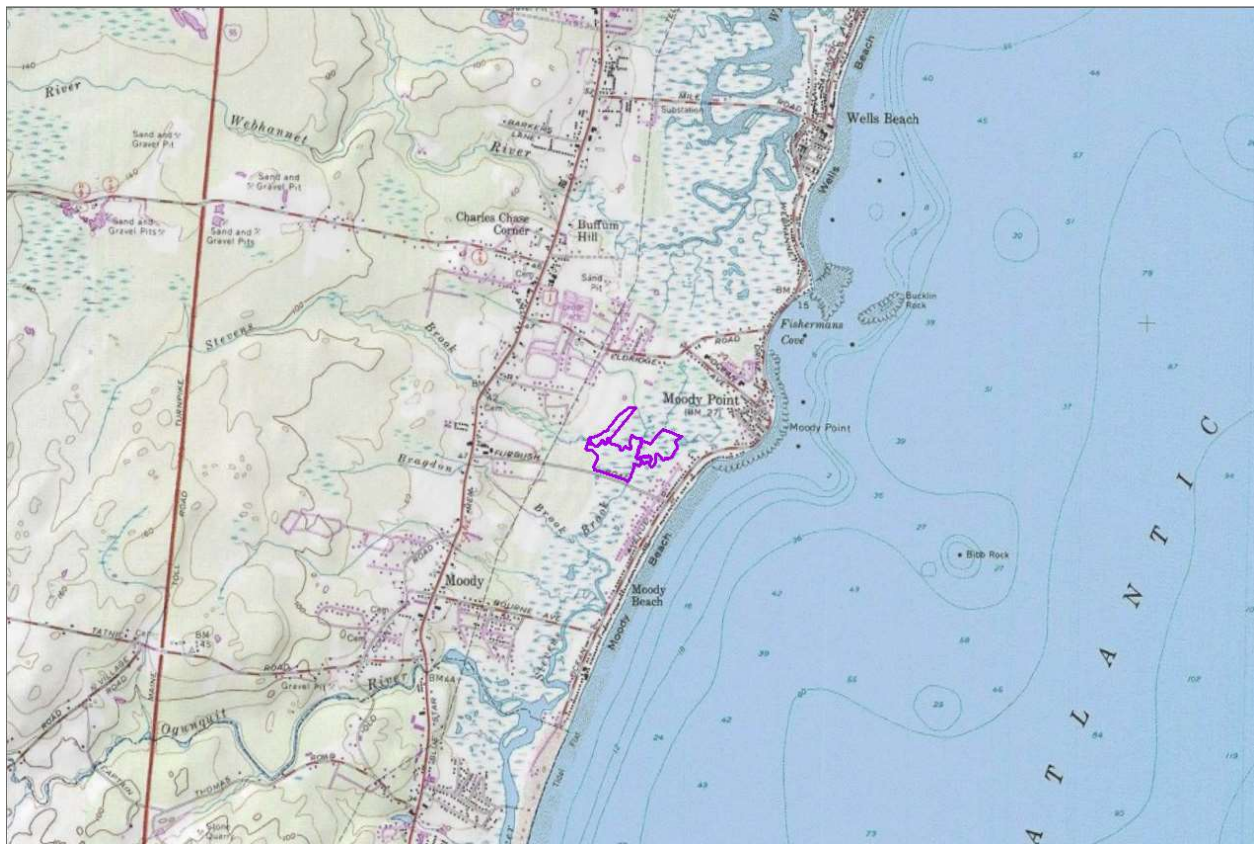


**Project: Fixing Furbish Phase 1**

Location: Wells, Maine

Sponsor: Rachel Carson National Wildlife Refuge

This approximately 27-acre project takes place in Wells, ME, just to the north of Furbish Rd. The Furbish Marsh has been degraded from an embankment-ditch system that is consistent with historic agricultural alterations prescribed throughout the East Coast. The degradation is manifested by the conversion of high marsh to *Spartina alterniflora* of intermediate height, loss of vegetation over broad areas, and formation of pools in a variety of stages (shallow standing water, deeper areas caused by root collapse, small tightly-fit pools, and mega-pools). Using enhancement techniques, the goals include restoring vegetation to areas improperly inundated, rebuilding interior marsh elevation, and providing suitable saltmarsh sparrow nesting habitat. The project will use innovative techniques proven at National Wildlife Refuges (NWR) including tideshed definition, runneling, partial embankment removal, and ditch remediation. The project will work with natural processes to improve ecosystem functionality. It is believed that a “no action” scenario will lead to further subsidence, continued loss of high marsh conditions, and depletion of productive saltmarsh sparrow nesting areas. This project will enhance 27 acres of coastal, estuarine intertidal wetland.



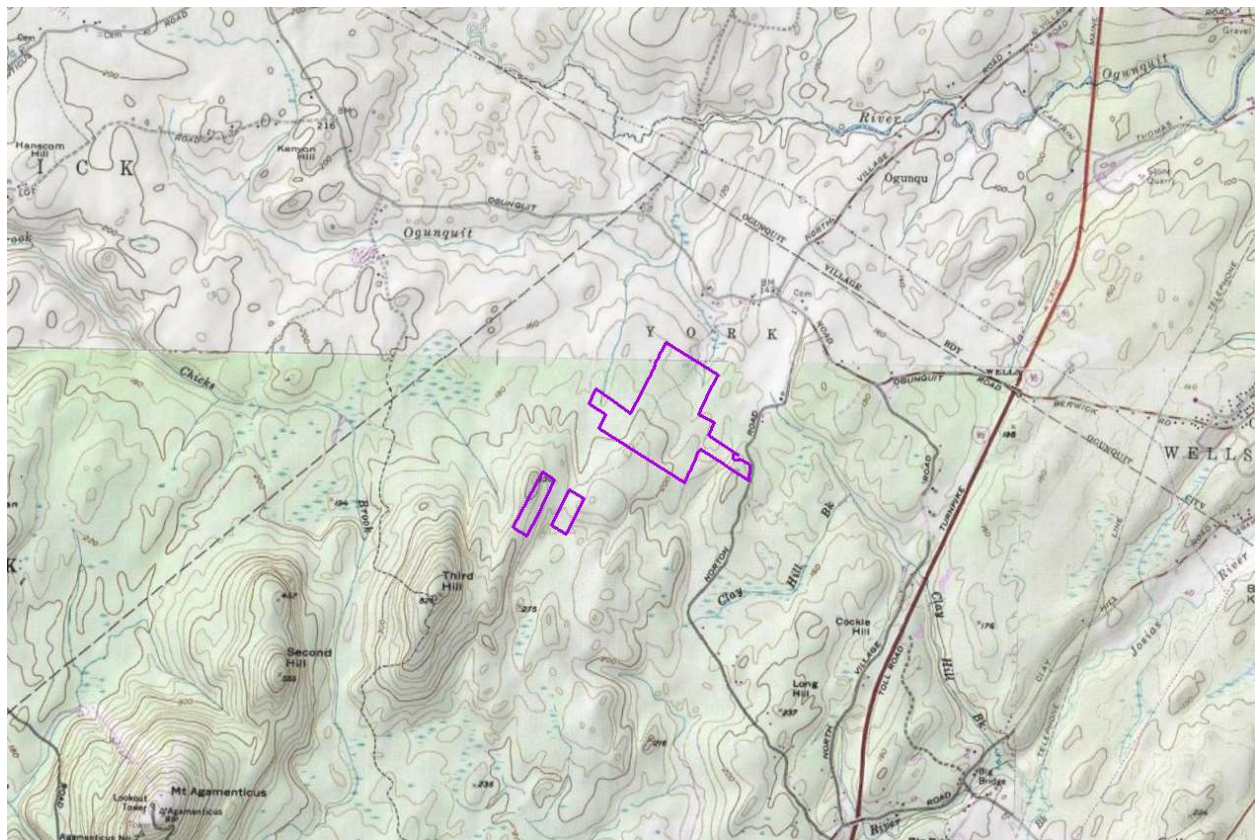


**Project: Josias Woods**

Location: York, Maine

Sponsor: York Land Trust

The project consists of 9 wooded parcels totaling 103 acres located off of Josiah Norton Road in York, adjacent to thousands of acres of conservation land owned by York Land Trust (YLT), MDIFW, and other entities. It is within a 5,441-acre unfragmented forest block, within the Mt. Agamenticus Beginning with Habitat Focus Area and near MDIFW's Mt. Agamenticus Wildlife Management Area. It is also a priority property within the Mt. Agamenticus to the Sea (MtA2C) Focus Area where a coalition of ten conservation partners has been protecting land since 2002. The Conservation Plan for the MtA2C area has been placed in the Town of York's Comprehensive Plan. The Town's Comprehensive Plan makes references to the significance of the greater Mt. A region and the Town's interest in protecting more land here. The upland forest on the property is part of a rare Central Hardwoods Oak Forest Ecosystem, which has only one location in the state. Multiple rare plants were found within the property, including Chestnut oak (*Quercus montana*), Smooth winterberry holly (*Ilex laevigata*) and Sweet pepperbush (*Clethra alnifolia*). Wetland and aquatic features on the property include 34.3 acres of NWI-mapped forested wetlands, .2 acres of scrub-shrub wetlands, as well as .3 acres of potential vernal pools and perennial and ephemeral drainages. The forested wetlands are part of a Red Maple Sensitive Fern Swamp. The forested and the unconsolidated shore wetlands are ranked high value for wildlife habitat, especially for Blanding's and spotted turtles which have been documented on parcels surrounding this property. They are also ranked high value for production export reflecting an abundance of wildlife food sources present and high value for uniqueness/heritage because of the rare plants present.

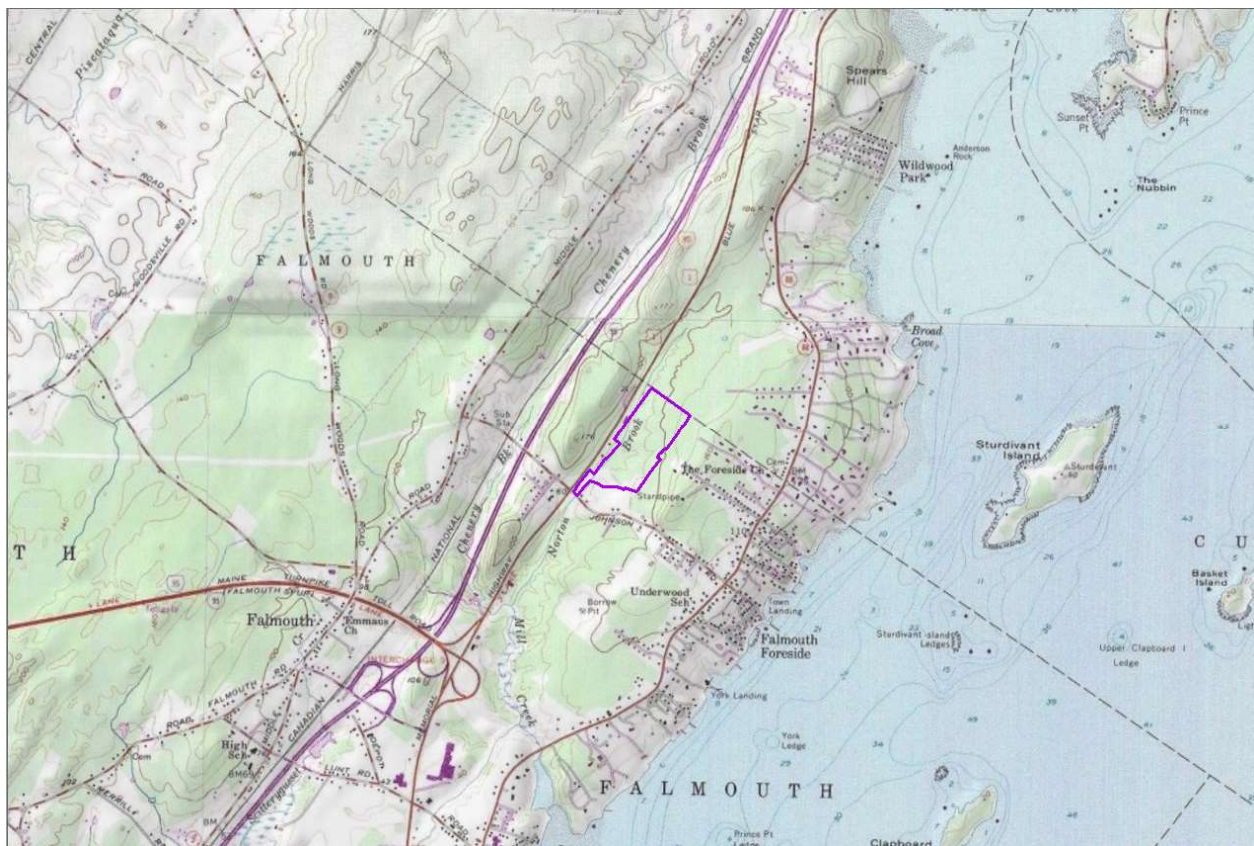




**Project: Norton Brook to Mill Creek Phase I**

Location: Falmouth, Maine  
Sponsor: Falmouth Land Trust

The Falmouth Land Trust seeks to protect this 52-acre property through a fee acquisition using MNRCF funds to leverage other funding. The 52-acre Hinks property has been on the market for several years and is currently listed at \$1.9 million as a development site for a business park or commercial use. The property is one of a handful of 50+ acre undeveloped blocks of land remaining in Falmouth and is located in the town's "Growth Area" where future development will intensify as the Rt. 1 corridor builds out. Properties of this size have been identified as a priority in the recently drafted Greening of Falmouth 2.0 plan which is the town's new open space plan. An outdated NWI map identified approximately 16-acres as containing freshwater forested and shrub wetland. In addition, the property contains a riparian corridor on Norton Brook. Norton Brook is a tributary to Mill Creek which enters Casco Bay at Mussel Cove. The upland forest is part of a larger contiguous block of forest that has habitat for mammals including New England Cottontail (threatened species) as mapped on Rare and Threatened species map. A plant survey indicated the presence of variable sedge, identified by the Maine Natural Areas Program.



**Project: Tiger Hill Forest**

Location: Sebago, Maine

Sponsor: Trust for Public Land / Loon Echo Land Trust

Conservation of the 1,417-acre Tiger Hill Forest, located less than an hour from Portland, will help protect significant aquatic resources and the water quality of Sebago Lake, a source of drinking water for over 1/6th of Maine residents. The property contains two substantial wetland complexes and nearly three miles of the Northwest River, which flows into Sebago Lake. In partnership with local residents, Loon Echo Land Trust, and the Town of Sebago, The Trust for Public Land will facilitate the acquisition of the 1,417-acre property. Loon Echo Land Trust will acquire the property directly from the current landowners and will manage it in perpetuity as a community forest. The project will preserve approximately 326.5 acres of freshwater emergent, scrub-shrub, and forested wetlands as well as known vernal pools and river/stream frontage.

