



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

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

PUBLIC NOTICE

Date: DECEMBER 11, 2018
Comment Period Ends: JANUARY 10, 2019
File Number: NAE-2008-00053
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: CITY OF PORTLAND/PORTLAND INTERNATIONAL JETPORT, 1001 WESTBROOK STREET, PORTLAND, MAINE 04102

ACTIVITY: Fill approximately 1.26 acres and selectively clear another 0.5 acres of freshwater wetlands adjacent to the Fore River and Long Creek Creek at Portland and South Portland, Maine in order to implement improvements for the Portland International Jetport as shown on the attached plans and described as follows:

Regulated activities on site include the construction of a long-term airplane holding, de-icing, and overnight storage apron west of the current de-icing pad and de-icing fluid recovery area; and the relocation of the eastern end of Taxiway A. These improvements are intended to enhance safety and operational efficiency at the Jetport. They are included in a list of improvements that will occur as part of a 2018 Sustainable Airport Master Plan that do not otherwise affect jurisdictional waters. The selective clearing of forested wetlands will occur on Jetport property located off site, off Dawson Street and I-295, at South Portland and is intended to clear potential obstructions to approaching or departing aircraft. Potential hazard trees will be cut and removed without removing the stumps or otherwise disturbing soils.

In anticipation of unavoidable impacts to aquatic resources, the applicant is proposing compensatory mitigation. He has agreed to compensate for the project's unavoidable wetland impacts by funding \$236,009.80 toward Maine's Natural Resources Conservation Fund (In Lieu Fee Program). The applicant is proposing this compensation seeking to lessen the project's impacts. This notice solicits comments on this proposal from the interested or affected public as well as those agencies who speak to the public interest. After receipt of the comments, the Corps of Engineers will obtain any necessary additional information from the applicant and determine whether the proposed compensation is practicable and serves to adequately mitigate this project's unavoidable impacts.

WATERWAY AND LOCATION OF THE PROPOSED WORK: This work is proposed in freshwater wetlands adjacent to the Fore River, Long Creek, and a tributary to Long Creek at South Portland, Maine. The airport site is located on the USGS PORTLAND WEST, ME quadrangle sheet at latitude 43.6465774°N; and longitude -70.3098803°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"). This project will not impact EFH.

SECTION 106 COORDINATION: The Federal Aviation Administration (FAA) has initiated consultation with the Maine Historic Preservation Commission and Maine's Indian Tribes pursuant to Section 106 of the National Historic Preservation Act of 1966 as amended. Although FAA has taken the lead in this consultation, the District Engineer has determined that the proposed work is not likely to affect properties listed in, or eligible for listing in, the National Register of Historic Places. FAA and the Corps will continue review and consultation to fulfil requirements under the Historic Preservation Act as part of the permit review process.

ENDANGERED SPECIES ACT CONSULTATION: FAA has initiated consultation with the US Fish & Wildlife Service pursuant to Section 7 of the Endangered Species Act regarding the presence of Northern Long-Eared Bats. Although FAA has taken the lead in this consultation, the District Engineer is hereby requesting that the Service also provide comments to the Corps regarding the presence of and potential impacts to listed species or critical habitat.

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 Stebbins, Director, Division of Land Resources, Department of Environmental Protection, 17 State House Station, Augusta, ME, 04333-0017 or by email to: Mark.N.Stebbins@maine.gov

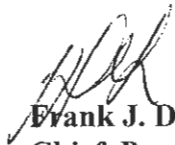
In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Jay Clement at 207-623-8367, ext. 1 at our Augusta, Maine Project Office.

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>.

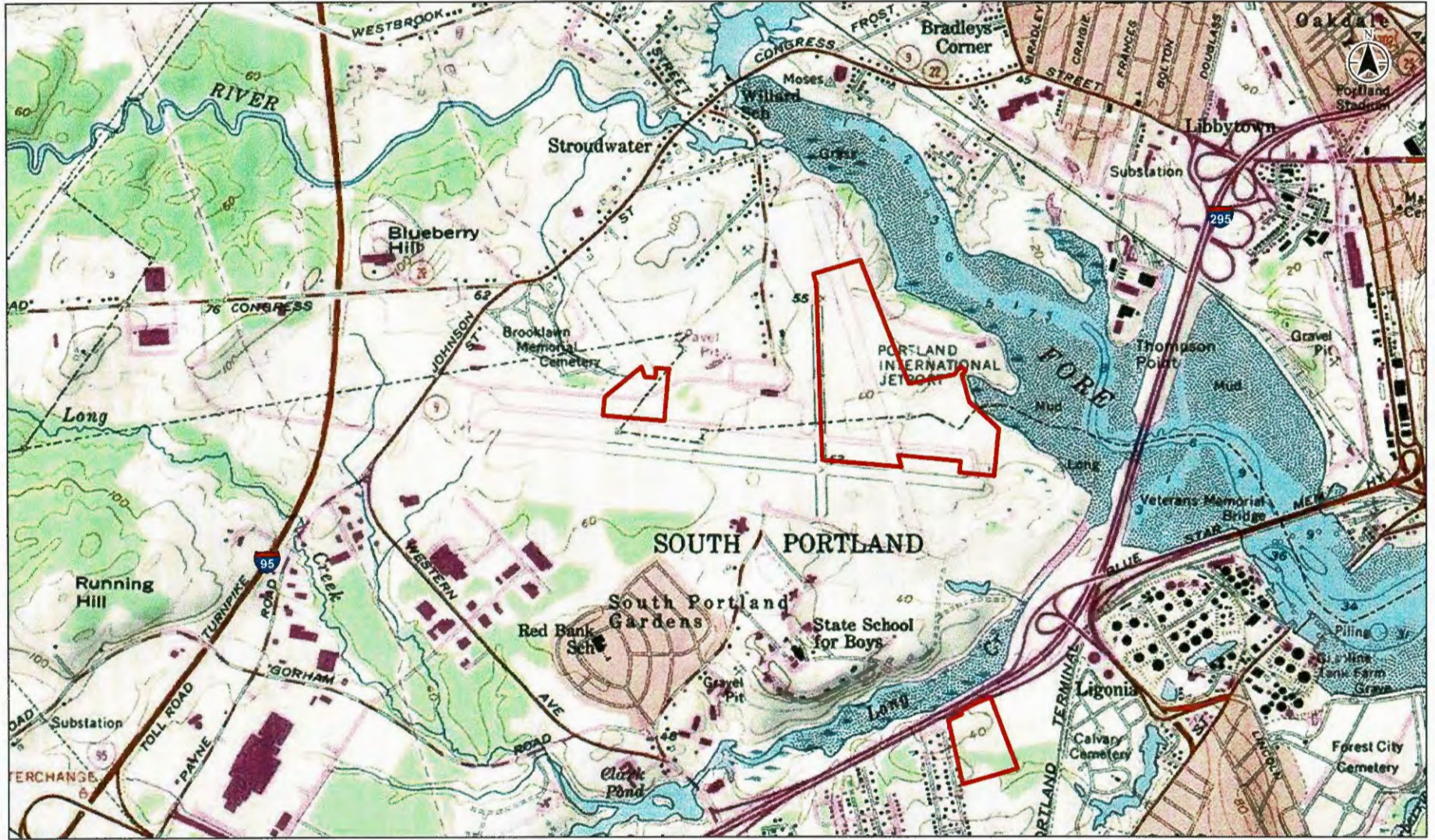
THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.



Frank J. Del Giudice
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: _____



Legend
 Project Area



Notes
 1. Coordinate System: NAD 1983 StatePlane Maine West FIPS 1802 Feet
 2. USGS Imagery/Topo provided by The National Map Accuracy Service
<http://baseimap.nationalmap.gov/arcgis/services/USGSImageryTopo>

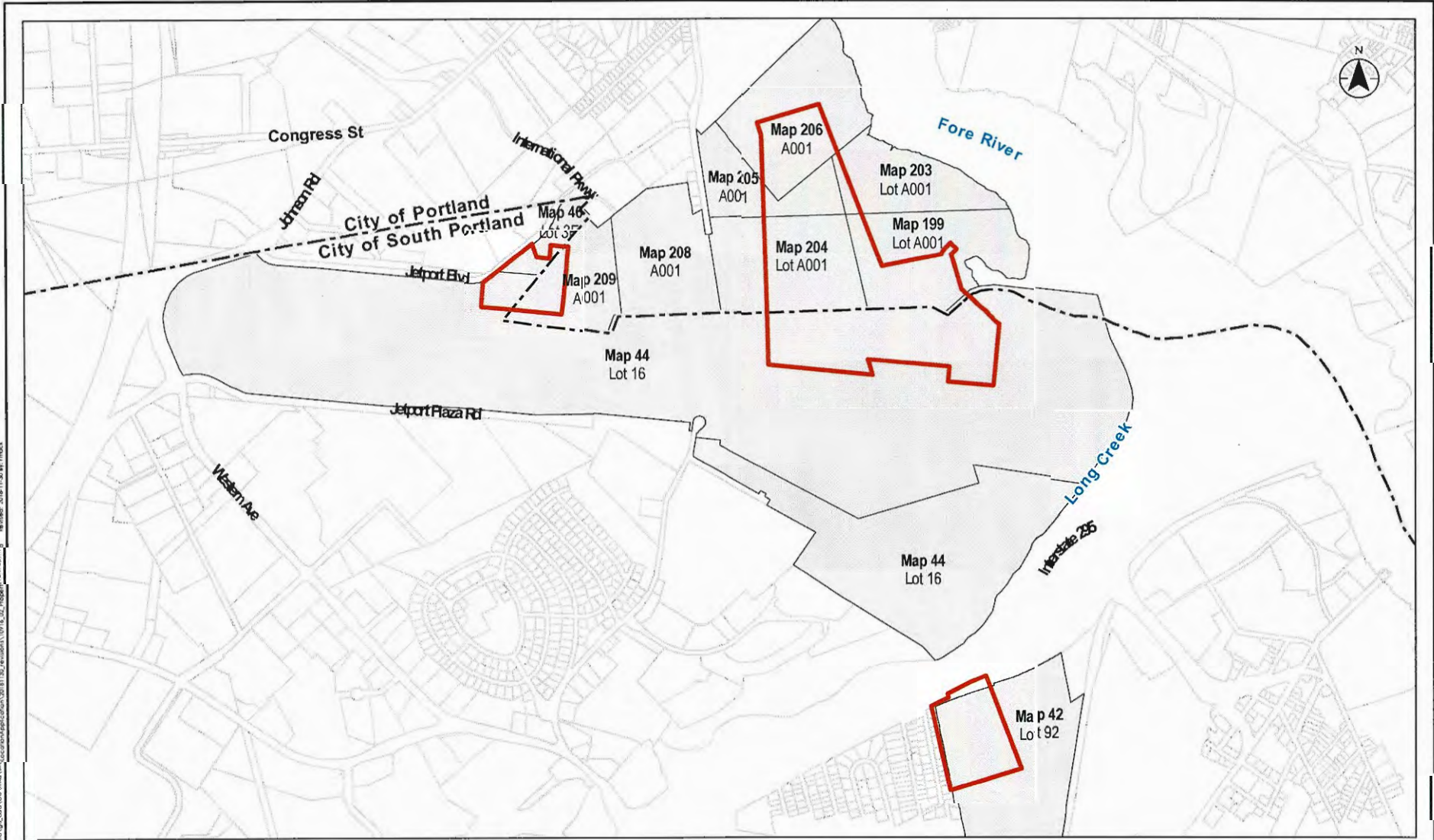
Project Location: Portland & South Portland, ME
 Prepared by REM on 2018-11-30
 Technical Review by KWH on 2018-11-30
 Independent Review by AG on 2018-11-30

Client/Project: Portland International Jetport
 Proposed Capital Improvements

Figure No.: 1
 Title: Site Location



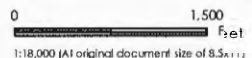
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 Project Location: Portland & South Portland, ME
 Prepared by REM on 2018-11-30
 Technical Review by KWH on 2018-11-30
 Independent Review by AG on 2018-11-30



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- Legend**
- Tax Parcel
 - Project Area
 - Municipal Boundary



- Notes**
1. Coordinate System: NAD 1983 StatePlane Maine West FIPS 1802 Feet
 2. Tax parcels obtained from the Maine Office of GIS (MEGIS), with Map Book - Lot numbers.

Project Location: Portland & South Portland, ME
 Prepared by REM on 2018-11-30
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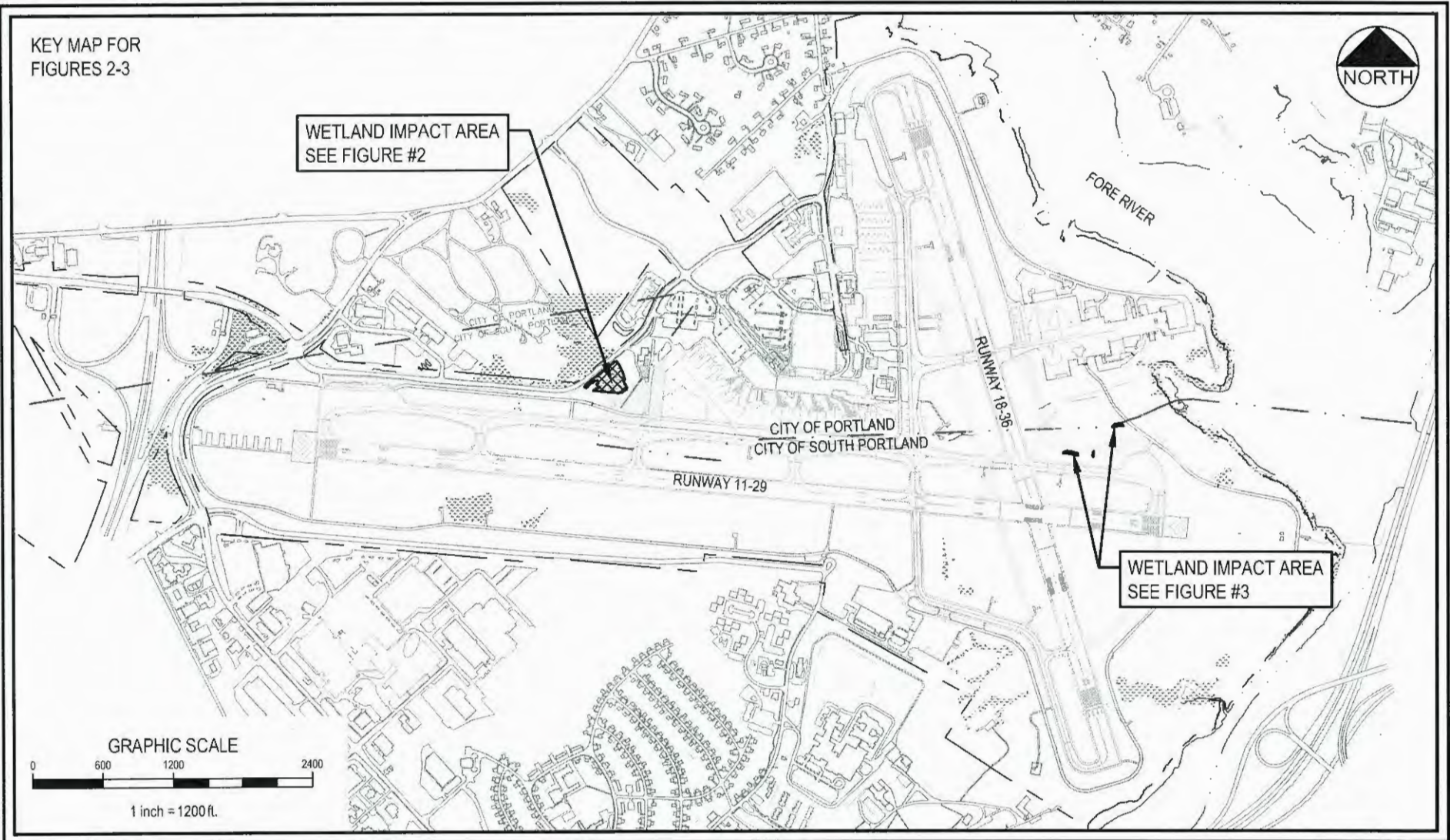
Client/Project: Portland International Jetport
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Figure No.: 2

Title: Property Tax Map



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1	FIGURE: 	BOOK: REFER TO EXHIBIT A IN SLDA APPLICATION, SECTION 2	PAGE: 	LOCATION: CITY OF PORTLAND AND SOUTH PORTLAND, MAINE	PROPOSED ACTIVITY: PROPOSED AIRCRAFT APRON, TAXIWAY SERVICE ROAD, TREE REMOVAL AND WATER QUALITY PROJECTS	PROJECT APPLICANT: PORTLAND INTERNATIONAL JETPORT
	LEGAL DESCRIPTION: REFER TO BOUNDARY SURVEY IN SLDA APPLICATION, SEC. 2	WATER BODY: UNNAMED WETLANDS	ABUTTERS: SEE EXHIBIT 25 OF SLDA APPLICATION	SCALE: 1"=1200' DATUM: NAD83	DATE: 10-12-18	STANTEC CONSULTING SERVICES INC.

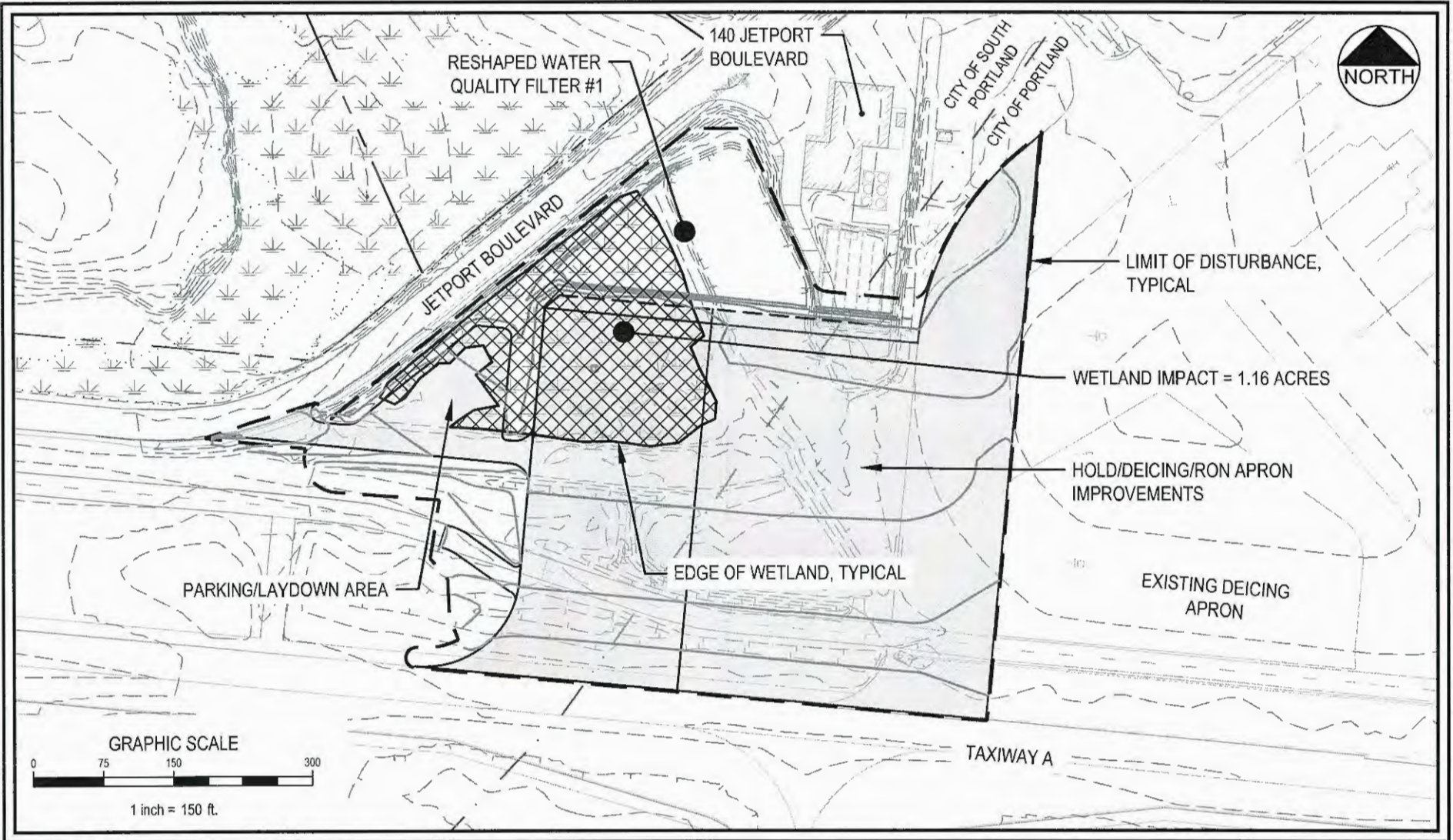
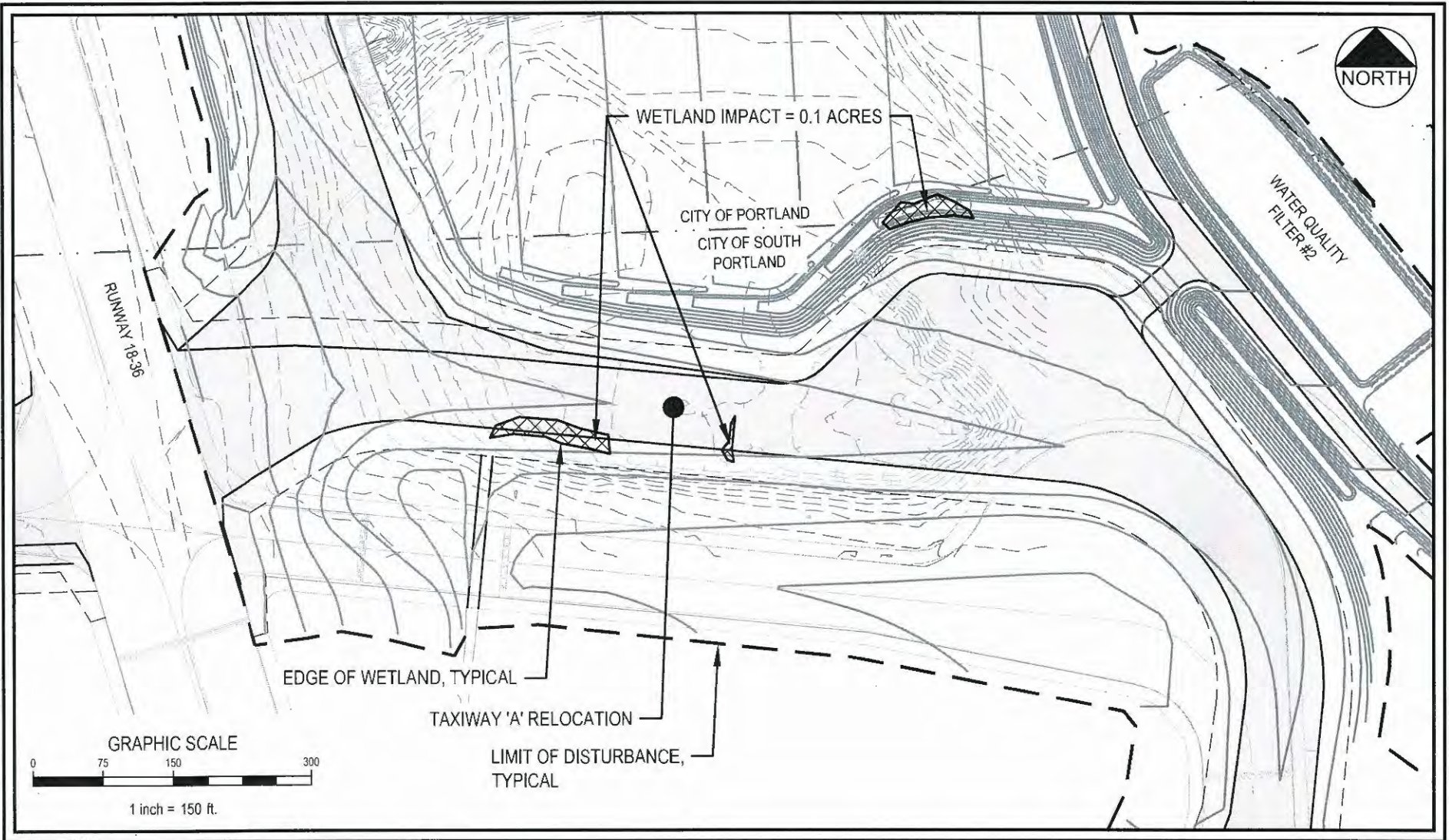


FIGURE: 2	BOOK: REFER TO EXHIBIT A IN SLDA APPLICATION, SECTION 2 PAGE:	LOCATION: CITY OF PORTLAND AND SOUTH PORTLAND, MAINE	PROPOSED ACTIVITY: PROPOSED AIRCRAFT APRON, TAXIWAY SERVICE ROAD, TREE REMOVAL AND WATER QUALITY PROJECTS	PROJECT APPLICANT: PORTLAND INTERNATIONAL JETPORT
	LEGAL DESCRIPTION: REFER TO BOUNDARY SURVEY IN SLDA APPLICATION, SEC. 2	WATER BODY: UNNAMED WETLANDS	ABUTTERS: SEE EXHIBIT 25 OF SLDA APPLICATION	SCALE: 1"=150' DATUM: NAD83 DATE: 10-12-18



<p>FIGURE:</p> <h1>3</h1>	<p>BOOK: PAGE:</p> <p>REFER TO EXHIBIT A IN SLDA APPLICATION, SECTION 2</p>	<p>LOCATION:</p> <p>CITY OF PORTLAND AND SOUTH PORTLAND, MAINE</p>	<p>PROPOSED ACTIVITY:</p> <p>PROPOSED AIRCRAFT APRON, TAXIWAY SERVICE ROAD, TREE REMOVAL AND WATER QUALITY PROJECTS</p>	<p>PROJECT APPLICANT:</p> <p>PORTLAND INTERNATIONAL JETPORT</p>	
	<p>LEGAL DESCRIPTION:</p> <p>REFER TO BOUNDARY SURVEY IN SLDA APPLICATION, SEC. 2</p>	<p>WATER BODY:</p> <p>UNNAMED WETLAND</p>	<p>ABUTTERS:</p> <p>SEE EXHIBIT 25 OF SLDA APPLICATION</p>	<p>SCALE: 1"=150'</p> <p>DATUM: NAD83</p>	<p>DATE: 10-12-18</p>

MAINE PUBLIC NOTICE WORKSHEET		Deadline: 30-day X or 20-day	
Project Name: City of Portland/Portland International Jetport	File Number: NAE-2008-00053	Project Manager: Clement	
(If applicable) Date of 401 WQC application: NA	(If applicable) Date CZM Consistency Statement sent to State: NA	(If applicable) Date Suitability Determination completed for open water disposal: NA	
<u>Senator Angus King</u> United States Senate 188 Russell Senate Office Building Washington, D.C. 20510-1904		<u>Senator Susan Collins</u> United States Senate 172 Russell Senate Office Building Washington, D.C. 20510-1904	
US Congress – For ME Congressional Districts (CD) see Maine.gov: Government: Local ** or Map- (Select one)			
1 st CD <u>Representative Chellie Pingree</u> The Honorable Chellie Pingree United States House of Representatives 1037 Longworth HOB Washington, D.C. 20515			
<u>Mayor/Selectman/Town Manager</u> City of Portland 389 Congress Street Portland, Maine 04101		<u>Conservation Commission**</u> City of Portland 389 Congress Street Portland, Maine 04101 Portland Trails 305 Commercial Street Portland, Maine 04101 Scarborough Land Conservation Trust 7 Stonebrooke Road Scarborough, Maine 04074	
<u>Other Town Officials</u>		<u>POSTMASTER</u> City of Portland Portland, Maine 04101	
Maine Historic Preservation Commission, 55 Capital Street, 65 State House Station, Augusta, Maine 04333 Aroostook Band of Micmacs, Tribal Historic Preservation Officer, 7 Northern Road, Presque Isle, Maine 04769 Passamaquoddy Tribe of Indians, Pleasant Point Reservation, P.O. Box 343, Perry, Maine 04667 Houlton Band of Maliseet Indians, Tribal Historic Preservation Officer, 88 Bell Road, Littleton, Maine 04730 Passamaquoddy Tribe of Indians, Indian Township Reservation, P.O. Box 301, Princeton, Maine 04668 Penobscot Indian Nation, 12 Webanaki Way, Indian Island, Maine 04468			
ABUTTERS ADDRESSES attached as: Mailing Labels X Mailing List 15-0 ME Data File <input type="checkbox"/>			

**Footnote: Hyperlink to the State of Maine/links and services for the community – Maine.gov: Living: Cities & Towns Online

COPIES:

Paul Bradbury, Portland International Jetport, 1001 Westbrook Street, Portland, Maine 04102
Michelle Ricci, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803
Dwight Anderson, Stantec, 482 Payne Road, Scarborough Court, Scarborough, Maine 04074

** Maine.gov offers a wealth of information, including: Legislators and the phone numbers to Town Offices where a call may help you obtain correct mailing addresses for the Mayor, the Conservation Commission and other useful links.