



# PUBLIC NOTICE

**US Army Corps  
of Engineers**®  
New England District  
**Maine Project Office**  
675 Western Avenue #3  
Manchester, Maine 04351

**Date:** 01-May-2012  
**Comment Period Ends:** 30-May-2012  
**File Number:** NAE-2011-01871  
**In Reply Refer To:** Jay L. Clement  
**Or by e-mail:** jay.l.clement@usace.army.mil

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: TOWN OF SCARBOROUGH SCHOOL DEPARTMENT, P.O. BOX 370,  
SCARBOROUGH, MAINE 04070-0370**

**ACTIVITY:** Fill approximately 1.35 acres of freshwater wetlands adjacent to Mill Brook at Scarborough, Maine in order to construct a replacement intermediate school on the same site as the existing school. The new school will be built just west of the existing school; the existing school will be demolished. The new facility will include parking lots, access drives, walkways, playgrounds, and a recreation field.

Previous Corp permits have authorized another 3.92 acres of wetland impact within the same multi-school campus since 1994 for a cumulative total with this proposal of 5.27 acres.

To compensate for the project's projected unavoidable impacts to wetlands, the applicant is currently proposing off site compensation. This proposal, shown on the attached plans, involves the preservation of approximately 27 acres of mixed upland and wetland adjacent to an unnamed stream, off Coulthards Farm Way at Scarborough, Maine. The parcel abuts a division of the US Fish & Wildlife Service Rachel Carson National Wildlife Refuge. The applicant is proposing this measure seeking to lessen the project's impact on aquatic 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 sites or 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 measures are practicable and serve to help mitigate this project's unavoidable impacts.

**ESSENTIAL FISH HABITAT:** This project will not impact Essential Fish Habitat ("EFH"). Further consultation with the National Marine Fisheries Service regarding this determination will be concluded prior to the final decision.

**WATERWAY AND LOCATION OF THE PROPOSED WORK:** Freshwater wetlands adjacent to Mill Brook at Scarborough, Maine.

## **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 or the transportation of dredged material for the purpose of disposing it in ocean waters, 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, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

**SECTION 106 COORDINATION:** Based on his initial review, the District Engineer determined that the project will not affect properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s)

**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 at the project site. It is our 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. Further consultation with the US Fish & Wildlife Service regarding this determination will be concluded prior to the final decision.

The following authorizations have been applied for, or have been, or will be obtained:

- Permit, License or Assent from State.
- Permit from Local Wetland Agency or Conservation Commission.
- Water Quality Certification in accordance with Section 401 of the Clean Water Act.

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 Manchester, 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.

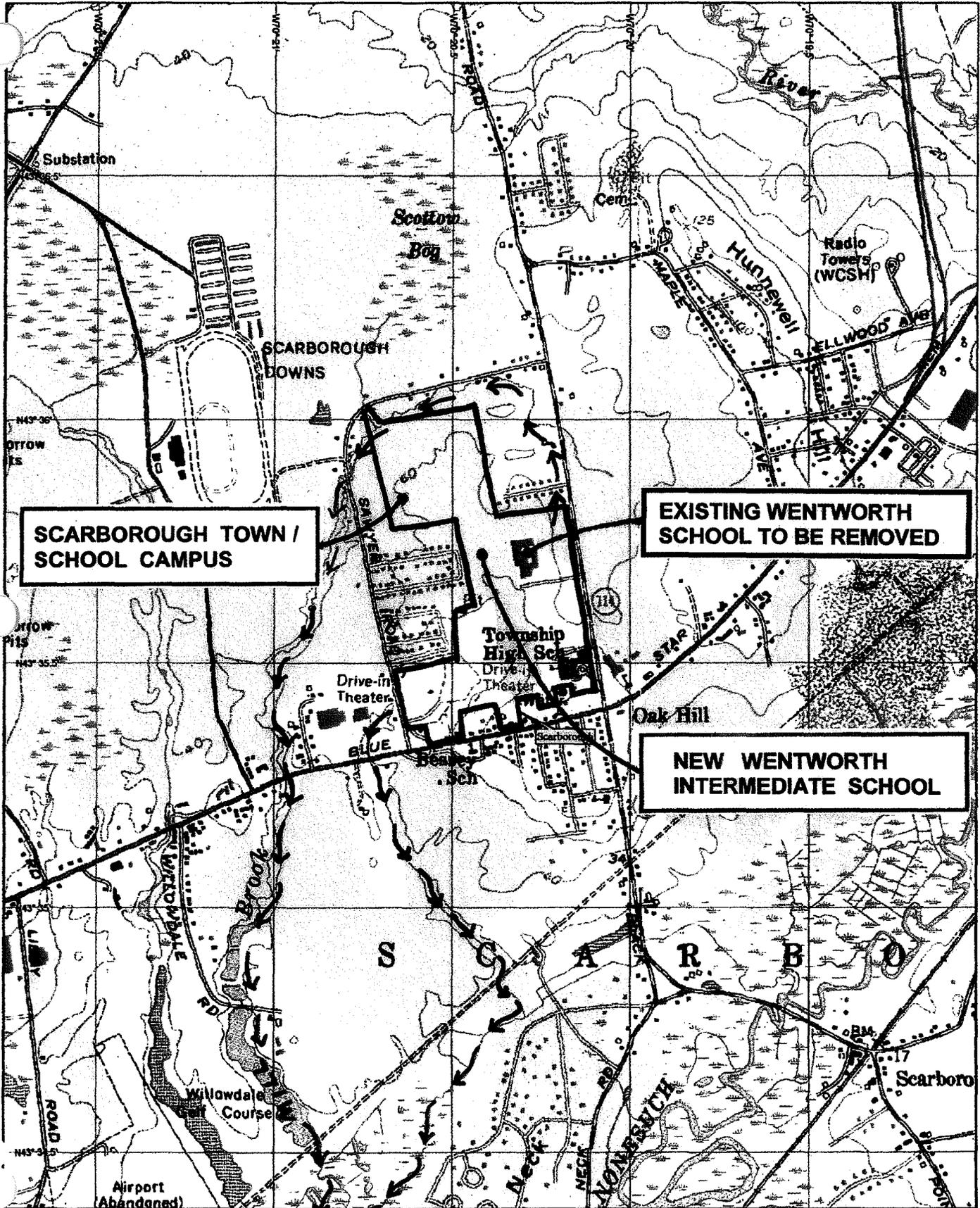
For more information on the New England District Corps of Engineers programs, visit our website at <http://www.nae.usace.army.mil>.

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

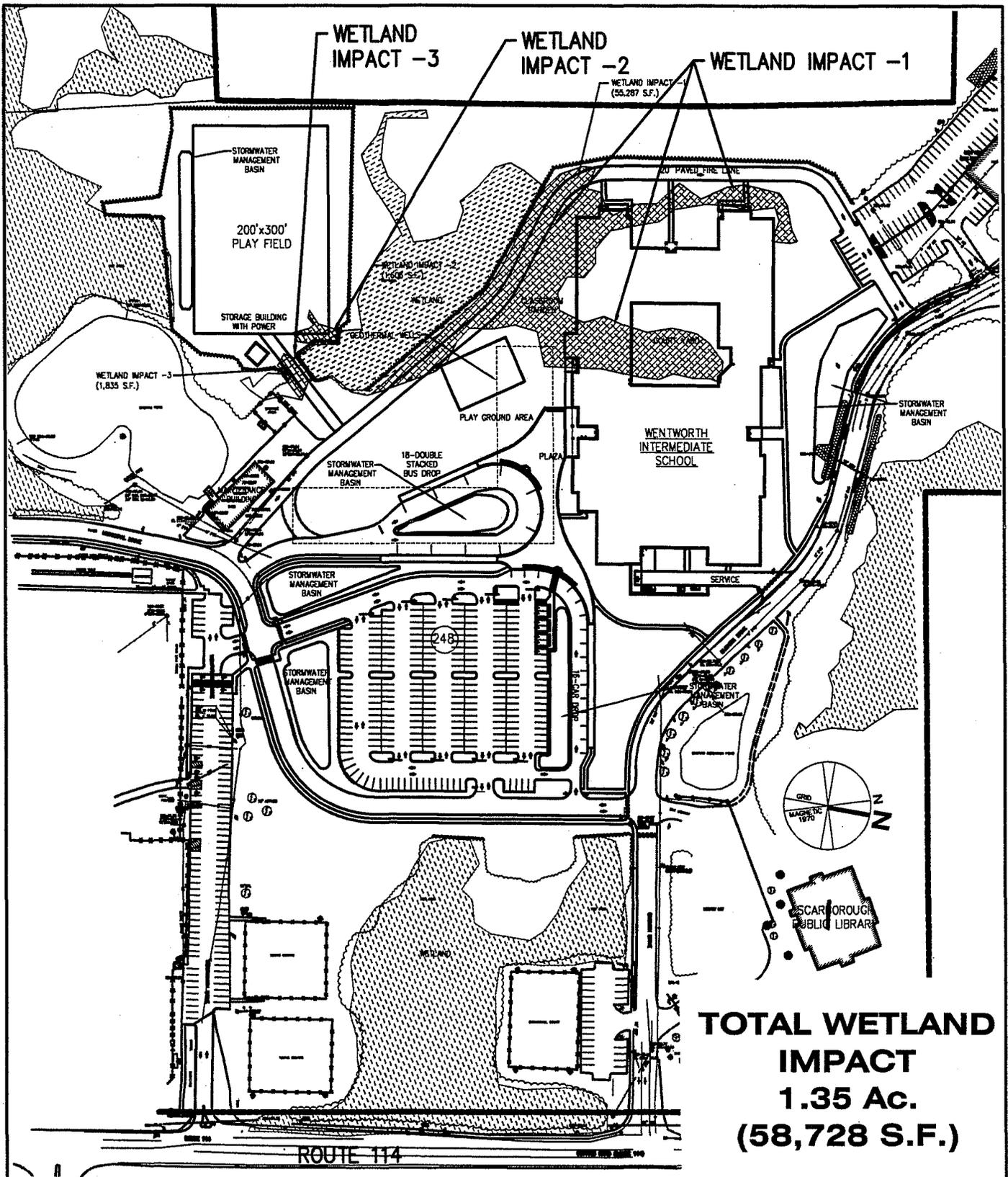
  
**Frank J. Del Giudice**  
**Chief, Permits and Enforcement Branch**  
**Regulatory Division**

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](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: \_\_\_\_\_



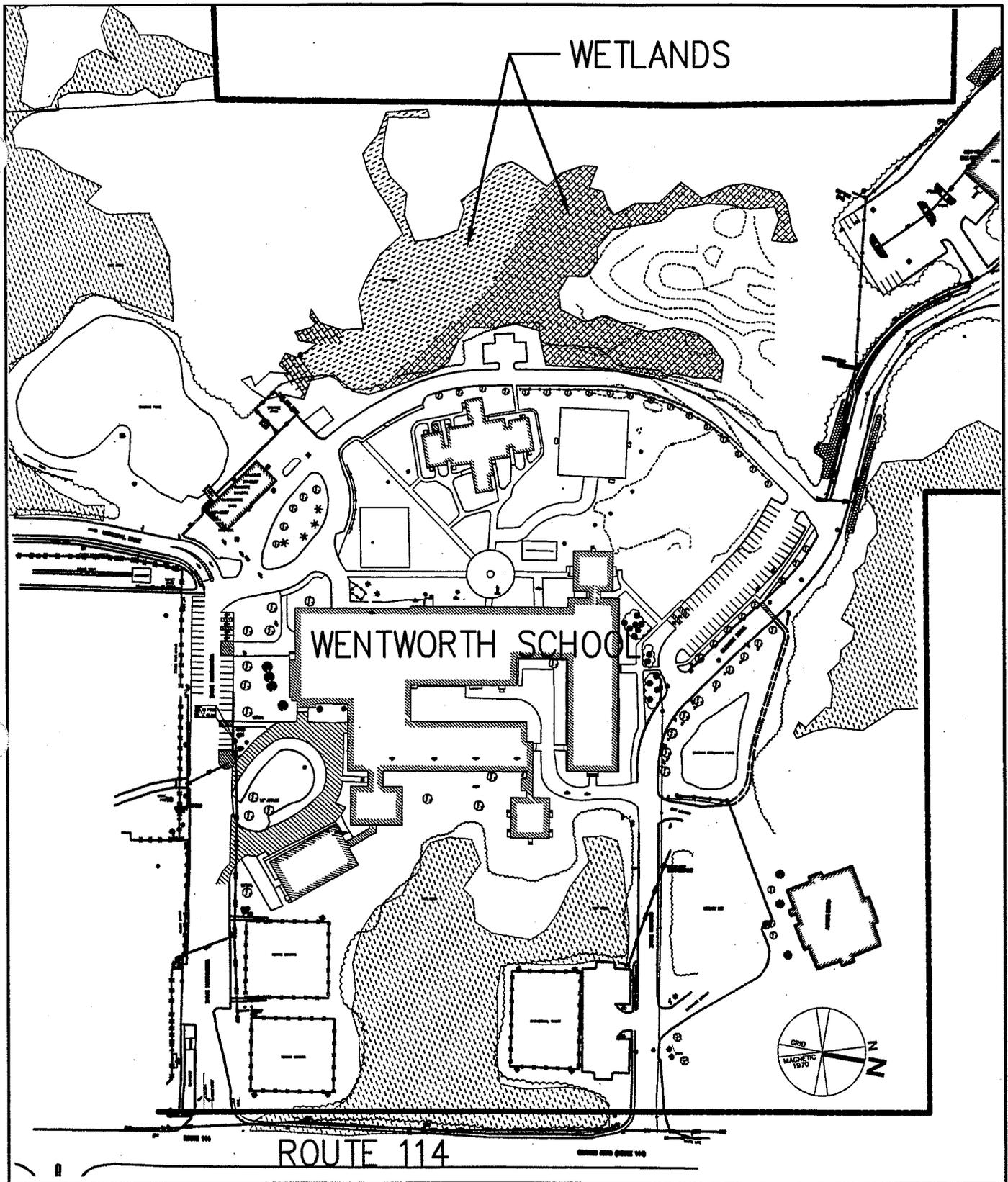
TO MILL  
BROOK



**TOTAL WETLAND  
IMPACT  
1.35 Ac.  
(58,728 S.F.)**

<b>FINAL LAYOUT OVERVIEW</b>	Scale 1" = 200'
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<p><b>HARRIMAN</b> Architects + Engineers www.harriman.com © 2012 46 Harriman Drive Auburn, ME 04210 207.784.5100 tel 123 Middle Street Portland, ME 04101 207.775.0053 tel One Perimeter Road Manchester, NH 03103 603.626.1242 tel</p>	<p>Project Title <b>WENTWORTH INTERMEDIATE SCHOOL SCARBOROUGH, MAINE</b></p>	<p>Drawing Number 1</p>
	<p>HA Project No. 10642</p>	<p>Date 2-1-12</p>



<b>EXISTING CONDITIONS</b>	Scale      1" = 200'
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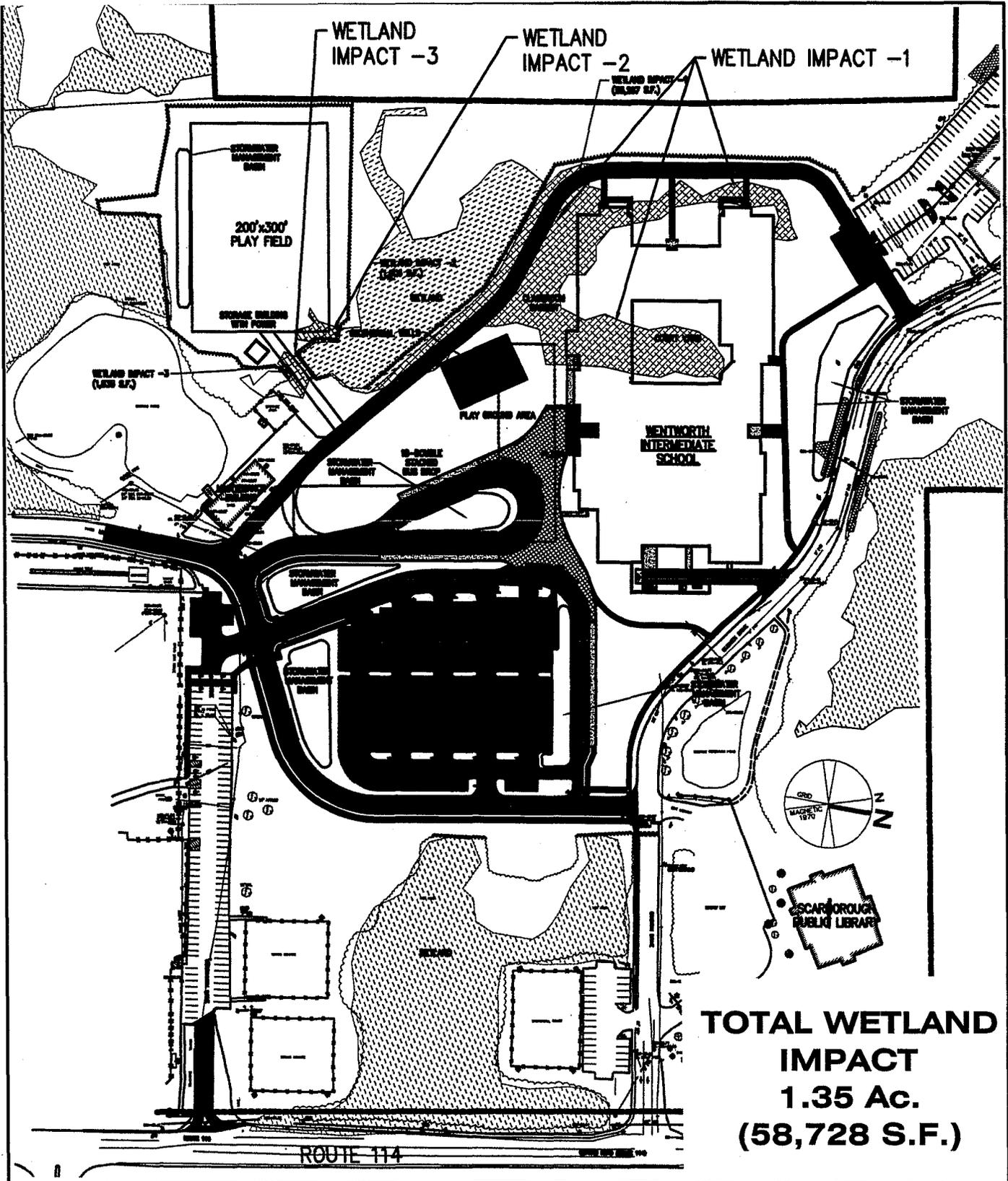
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 207.775.0053 tel  
 One Perimeter Road  
 Manchester, NH 03103  
 603.626.1242 tel

Project Title      **WENTWORTH  
 INTERMEDIATE SCHOOL  
 SCARBOROUGH, MAINE**

HA Project No.	10642	
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Drawing Number  
**ACE-1**

Date	2-1-12
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**LAYOUT OVERVIEW**

Scale 1" = 200'

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123 Middle Street  
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207.775.0053 tel  
One Perimeter Road  
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603.626.1242 tel

Project Title

**WENTWORTH  
INTERMEDIATE SCHOOL  
SCARBOROUGH, MAINE**

Drawing Number

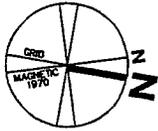
**ACE-2**

HA Project No.

10642

Date

2-1-12



WETLAND IMPACT -1  
(55,287 S.F.)

WETLAND IMPACT -1  
(55,287 S.F.)

WETLAND IMPACT -2  
(1,606 S.F.)

WETLAND

CLASSROOM GARDEN

GEOTHERMAL WELLS

COURT YARD

PLAY GROUND AREA

WENTWORTH  
INTERMEDIATE  
SCHOOL

WATER  
CEMENT  
SIN

18-DOUBLE  
STACKED  
BUS DROP

PLAZA

**WETLAND IMPACT - 1**

Scale

1" = 100'

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Auburn, ME 04210  
207.784.5100 tel  
123 Middle Street  
Portland, ME 04101  
207.775.0053 tel  
One Perimeter Road  
Manchester, NH 03103  
603.626.1242 tel

Project Title

**WENTWORTH  
INTERMEDIATE SCHOOL  
SCARBOROUGH, MAINE**

Drawing Number

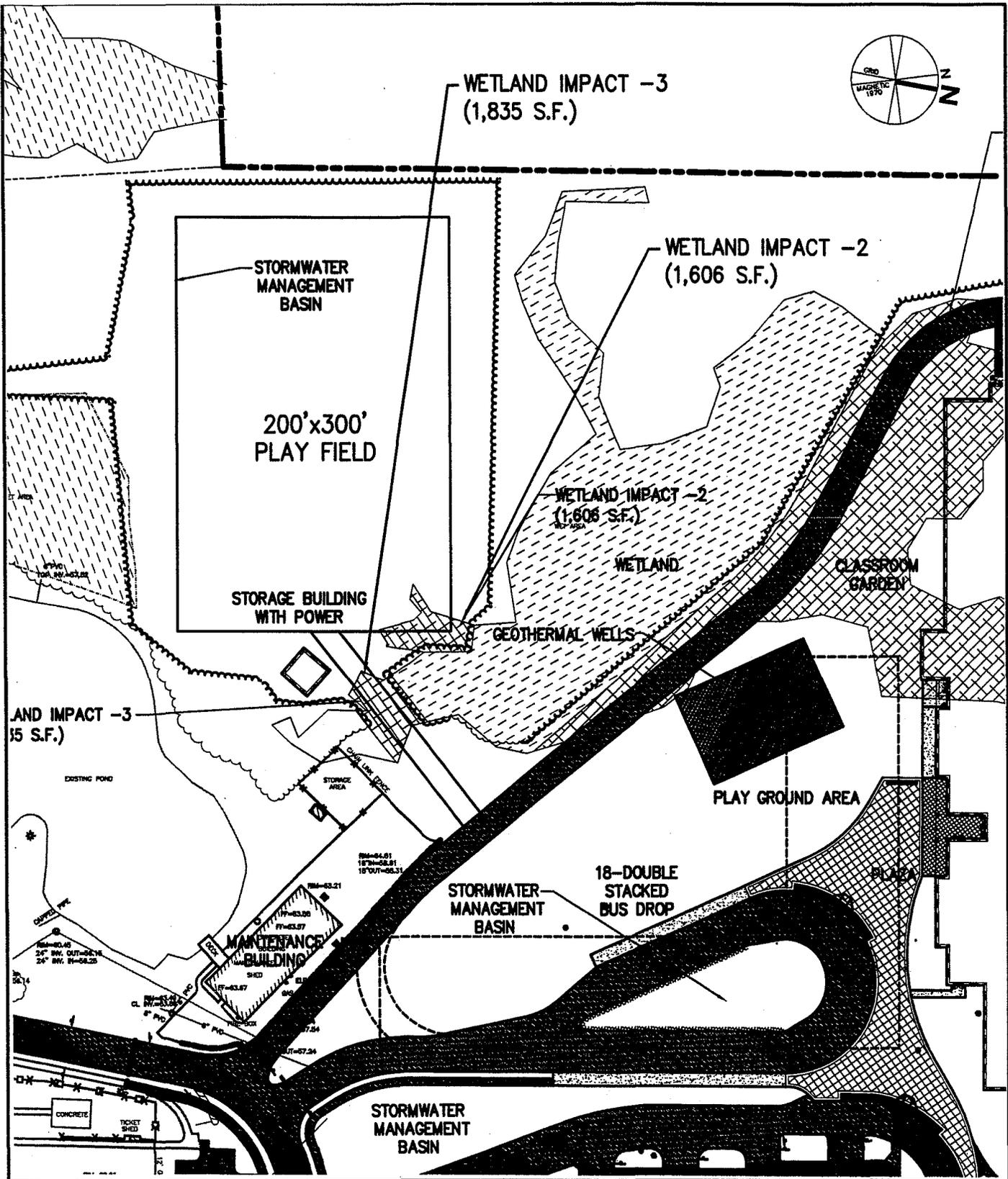
**ACE-3**

HA Project No.

10642

Date

2-1-12



**WETLAND IMPACT - 2 & 3** Scale 1" = 100'

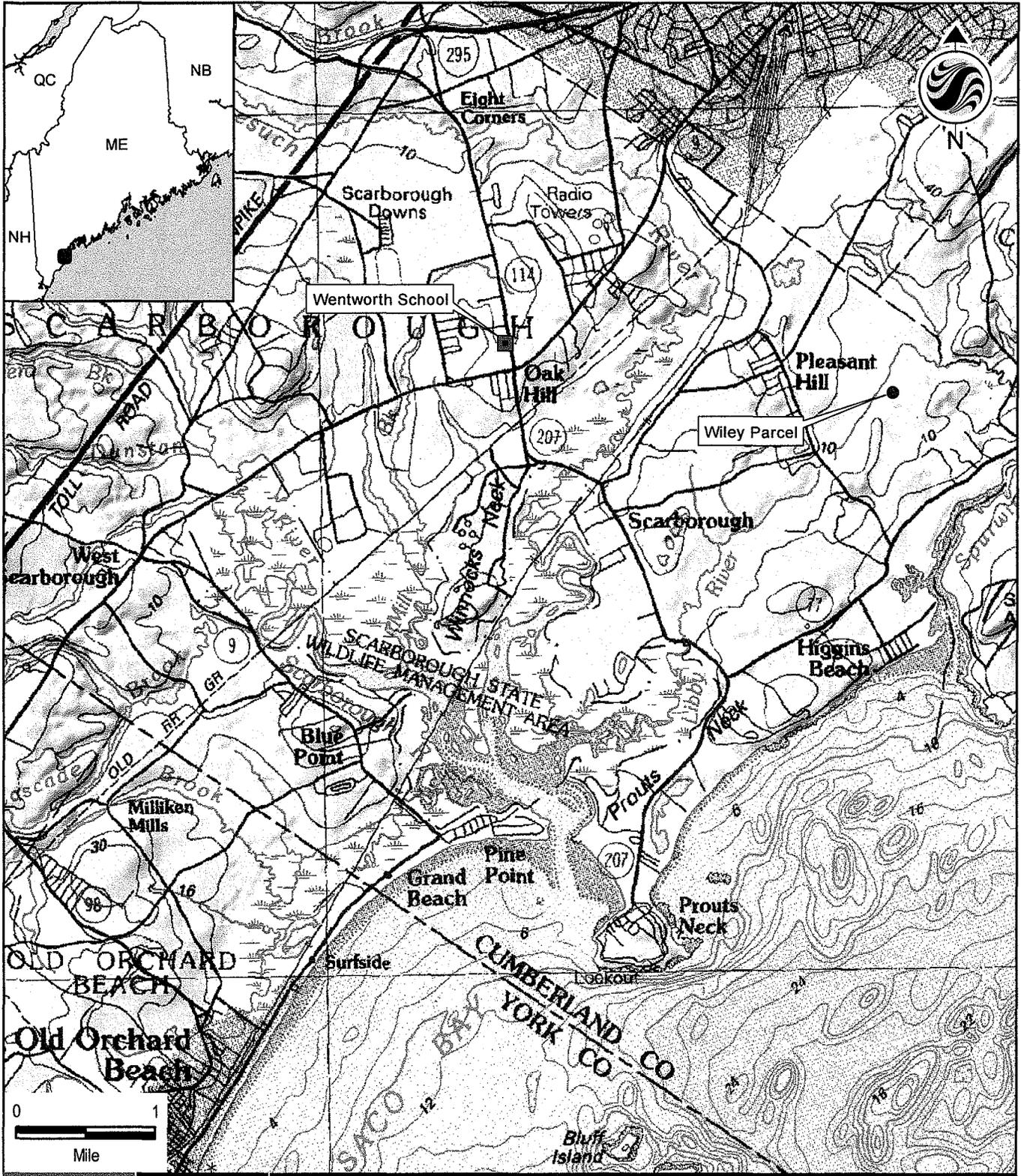
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 207.784.5100 tel  
 123 Middle Street  
 Portland, ME 04101  
 207.775.0053 tel  
 One Perimeter Road  
 Manchester, NH 03103  
 603.626.1242 tel

Project Title **WENTWORTH INTERMEDIATE SCHOOL SCARBOROUGH, MAINE**

HA Project No. 10642

Drawing Number **ACE-4**

Date 2-1-12



195600706



**Stantec**

**Stantec Consulting Services Inc.**  
 30 Park Drive  
 Topsham, ME USA  
 04086  
 Phone: (207) 729-1199  
 Fax: (207) 729-2715  
 www.stantec.com

**Legend**

- Proposed Compensation Site
- Wetland Impact Site

**Client/Project**

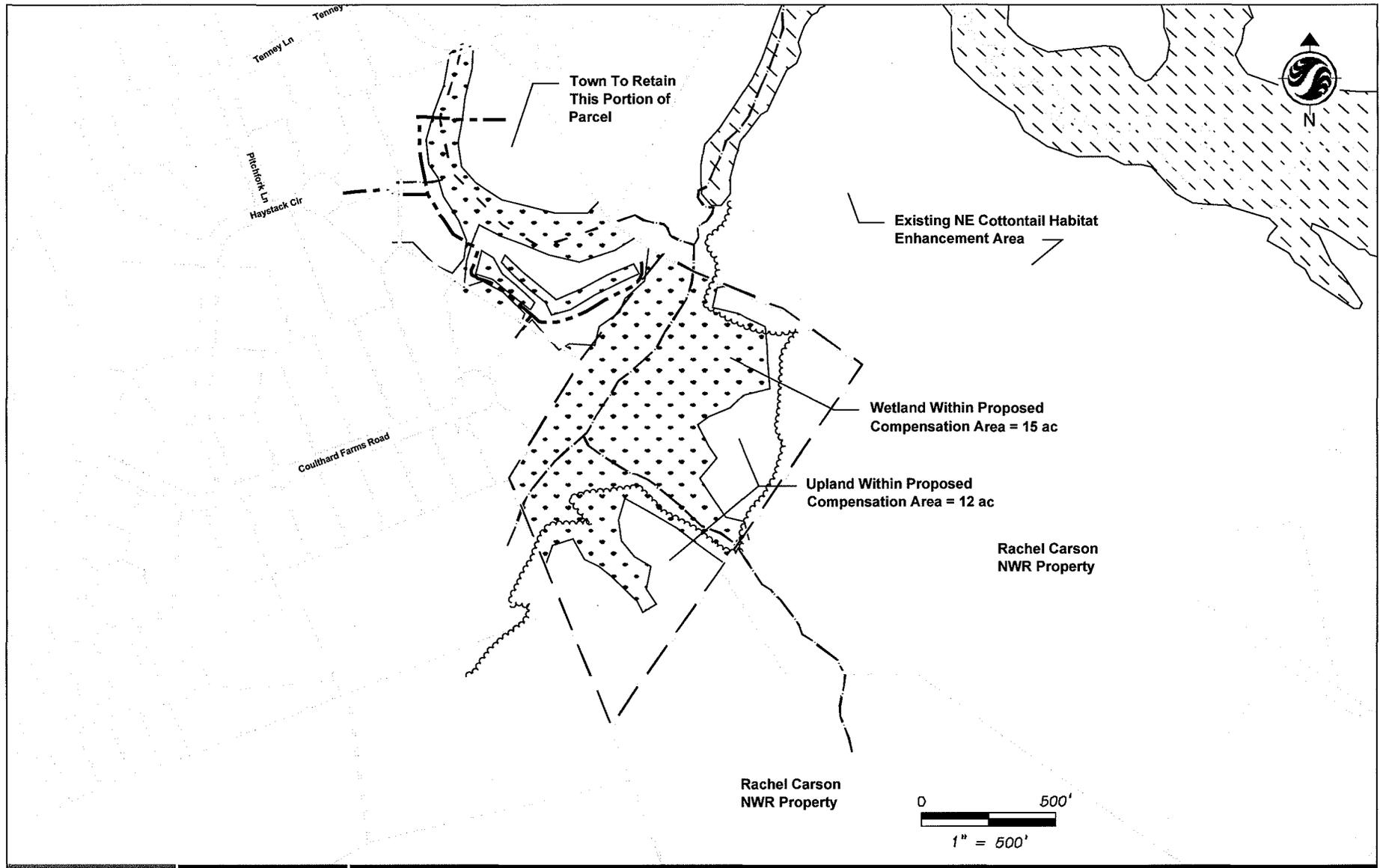
Scarborough School Department  
 Wentworth School Redevelopment  
 Scarborough, Maine

Figure No.

1

Title

**Site Location Map**  
**Wiley Compensation Parcel**  
 April 11, 2012



**Stantec Consulting Services Inc.**

30 Park Drive  
 Topsham ME U.S.A.  
 04086  
 Tel. 207.729.1199  
 Fax. 207.729.2715  
 www.stantec.com

**Legend**

-  Wetland Identified by Stantec
-  Stream identified by Stantec
-  Tidal Waterfowl & Wading Bird Hab.
-  Proposed Compensation Area (27ac)
-  Wiley Parcel Boundary
-  Parcel Boundaries
-  Existing Trail
-  Existing Treeline

**Notes**

1. Wetland boundaries were identified during a reconnaissance level winter survey and should be considered approximate.
2. Wetland boundaries were located utilizing a Trimble PRO Series Receiver. Expected accuracy of GPS data is within 1 to 2 meters of actual position.
3. Parcel data obtained from the Maine Office of GIS (MEGIS).

Client/Project 195600706  
 Scarborough School Department  
 Wentworth School Project  
 Scarborough, Maine

Figure No.  
 2

Title  
 Wetland Compensation Plan  
 Wiley Parcel  
 April 2012