



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

# PUBLIC NOTICE

Comment Period Begins: August 30, 2016  
Comment Period Ends: September 29, 2016  
File Number: NAE-1991-1909-M1  
In Reply Refer To: Shawn Mahaney  
Phone: (978) 318-8492  
E-mail: [Shawn.B.Mahaney@usace.army.mil](mailto:Shawn.B.Mahaney@usace.army.mil)

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The District Engineer has received a permit application to conduct work in waters of the United States from the **State of Maine, Bureau of General Services, 77 State House Station, Augusta, Maine 04333-0077**. This work is proposed in freshwater wetlands off 2828 Bennoch at Old Town, Maine. The site coordinates are: Latitude 44.9838889°N, Longitude -68.7250000°W.

The work involves the expansion of the Juniper Ridge Landfill. Over the next 10-12 years, the State proposes to fill up to 2.04 acres of freshwater wetland, clear 0.10 acres of freshwater wetlands and impact 6 vernal pools off Bennoch Road in Old Town, Maine in conjunction with the expansion of the existing landfill facility. The expansion would consist of approximately 54 acres of additional landfill footprint, 20 acres of infrastructure (roads, sedimentation ponds, scales, administrative building and the like), and a relocated perimeter fence and electrical line.

An analysis of need was done by the Maine Department of Environmental Protection (MEDEP) as part of a Public Benefit Determination for the project. As part of that analysis MEDEP determined that the Expansion's 9.35 million cubic yards are needed to ensure the long term waste disposal needs of the State. The State has evaluated options to avoid wetland impacts including off-site options and several alternate on-site development options for the expansion and determined that the proposed footprint design is the least environmentally damaging practicable alternative to provide the State-approved capacity and avoid and minimize impacts to on-site wetlands and other protected natural resources to the maximum extent practicable.

To compensate for the project's unavoidable impacts to wetlands and vernal pools, the applicant proposes to preserve an onsite 266 acres parcel. The site includes approximately 57 acres of freshwater wetlands, 209 acres of adjacent upland, and 25 documented vernal pools. The compensation would be in place prior to the expansion of the facility.

The work is shown on the attached plans entitled "Juniper Ridge Landfill Expansion, Old Town, Maine" on 2 sheets, and dated "7/9/2015" and "2015 Proposed Preservation Area," on 1 sheet, and dated "July 10, 2015". A complete copy of the application and plans are available online at:  
<http://www.maine.gov/dep/waste/juniperridge/index.html>



#### 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.

#### NATIONAL HISTORIC PRESERVATION ACT

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon 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 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 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. By this Public Notice, we are requesting that the appropriate Federal Agency concur with our determination.

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

- (X) Permit, License or Assent from State.
- ( ) Permit from Local Wetland Agency or Conservation Commission.
- (X) 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 Shawn Mahaney at (978) 318-8492.

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 MEDEP will conduct public hearings on this project. The Corps will attend the hearing and be available to address questions, concerns and explain the Corps permit process. The State public hearings for this project are tentatively scheduled for October 18-19, 2016, with possible spillover to Oct. 20. For more information, check the MDEP website: <http://www.maine.gov/dep/waste/juniperridge/index.html>

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.

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

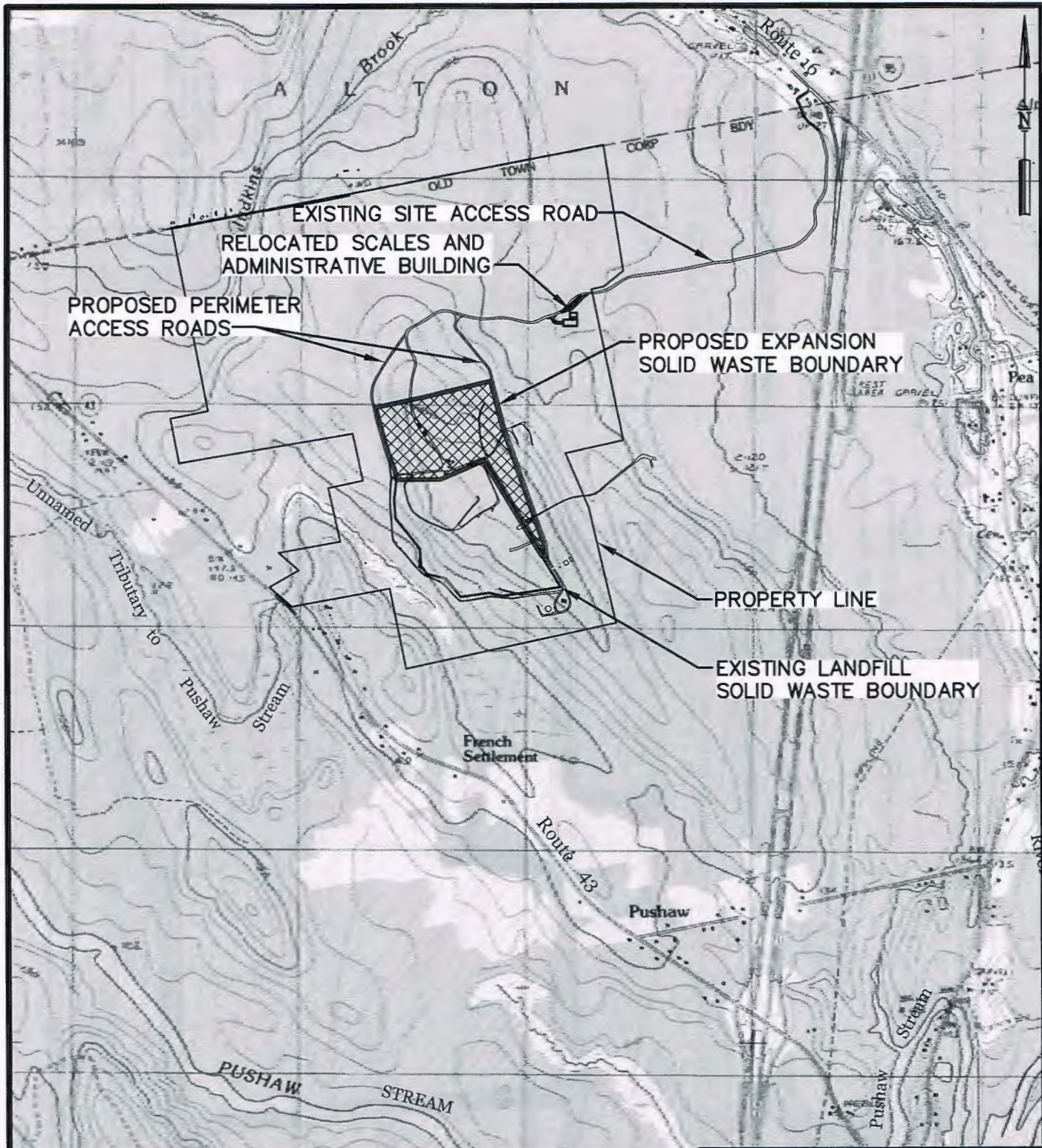
  
**Frank J. Del Giudice**  
Chief, Permits and Enforcement Branch  
Regulatory Division



**CENAE-R**  
**FILE NO. NAE-1991-1909-M1**

If you would prefer not to continue receiving Public Notices by email, 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: \_\_\_\_\_  
PHONE: \_\_\_\_\_



**NOTE:**

BASE MAP ADAPTED FROM 7.5 MIN  
USGS TOPOGRAPHIC QUADRANGLE  
OLD TOWN, MAINE-1988

1000 0 2000 4000 FEET

7/9/2015

**FIGURE 1-1**  
**SITE LOCATION MAP**  
**JUNIPER RIDGE LANDFILL EXPANSION**  
**OLD TOWN, MAINE**

**SME**

Sevee & Maher Engineers, Inc.

ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE

DWG: SITELOC LMN: SITELOC CTB: SME-STD REV: 6/9/2015



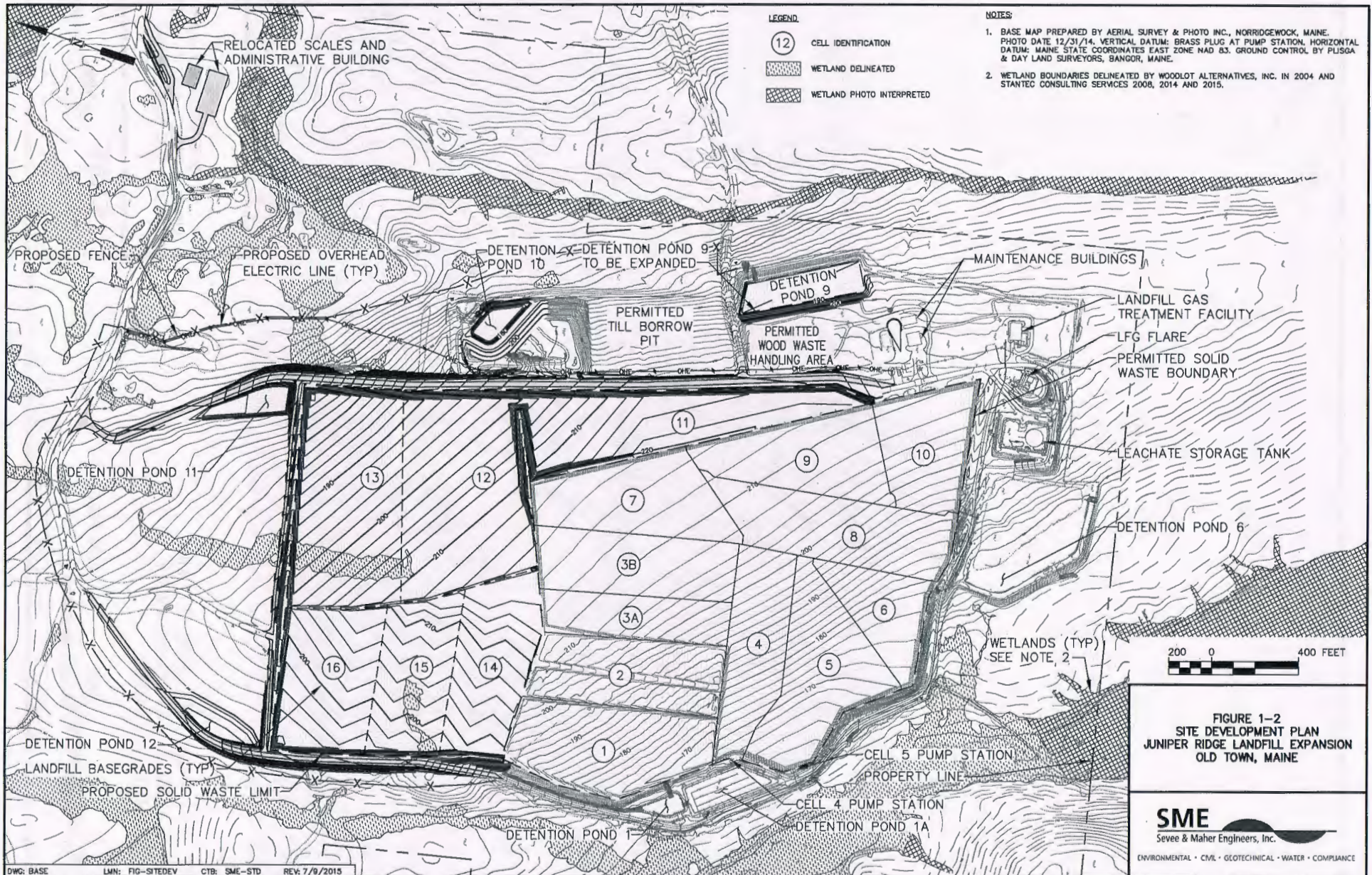




Photo interpreted wetland boundaries were field verified in September and October 2004 and are approximate.



#### LEGEND

-  2015 PROPOSED PRESERVATION AREA
-  APPROXIMATE PROPERTY BOUNDARY
-  ADDITIONAL NEWSME PARCELS
-  APPROXIMATE 2015 PROPOSED EXPANSION
-  PHOTO INTERPRETED STREAM
-  PREVIOUSLY PRESERVED AREAS
-  2014 AND 2015 DELINEATED WETLAND
-  2015 DELINEATED SIGNIFICANT VERNAL POOL
-  250' SIGNIFICANT VERNAL POOL CRITICAL TERRESTRIAL HABITAT
-  2008 DELINEATED WETLAND
-  2005 PHOTO INTERPRETED WETLAND
-  2015 VERNAL POOL DESIGNATOR



#### 2015 PRESERVATION AREA

UPLAND	WETLAND	TOTAL	VERNAL POOLS
209 ACRES	57 ACRES	266 ACRES	25*

\*-3 OF WHICH ARE SVP

#### NOTES:

1. This figure is based on "Juniper Ridge Landfill Expansion, Old Town, Maine, Mitigation Areas" map dated January 7, 2009.
2. Wetland and vernal pool delineated in 2005, 2008, 2014, and 2015.
3. Photo interpreted wetland boundaries were field verified in September and October 2004 and are approximate.
4. Basemap obtained from Sevee & Maher Engineers, Inc.
5. Aerial orthoimagery from 2013 provided by Maine Office of GIS.