



PUBLIC NOTICE

US Army Corps
of Engineers®
New England District

Maine Project Office
675 Western Avenue #3
Manchester, Maine 04351

Date: April 15, 2008
Comment Period Ends: May 15, 2008
File Number: NAE-2007-03383
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: PHOENIX SALMON US, INC., ESTES HEAD ROAD, EASTPORT, MAINE 04631

ACTIVITY: Expand an existing salmon aquaculture facility in Cross Island Narrows, west of Cutler Peninsula, at Cutler, Maine as shown on the attached plans and described as follows:

1. The existing facility was previously authorized by the Corps under permit no. 1991-01882-R-92. Up to twenty 100m diameter circular pens will be installed within an expanded 2000'x 750' rectangular shaped area. The pens will be connected together into a grid system and anchored by 1000 kg anchors. They will continue to be used to raise Atlantic salmon for commercial retail and will be serviced by a 33'x 23' work float that will provide a platform for feeding, employee shelter, and general service.
2. The project will impact approximately 34.43 acres of Essential Fish Habitat (EFH) - see attached sheet for list of species and life stages. This habitat consists of subtidal bottom composed of sand, gravel, and stone with depths ranging from 27' to 35' mean low water. The proposed project is expected to have only short-term impacts on fish. During the placement of anchors and pens, suspended sediments and noise may temporarily displace fish in the project area. Minimal impacts are expected from structures or benthic degradation.

Based upon this assessment of impacts to 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.

WATERWAY AND LOCATION OF THE PROPOSED WORK: This work is proposed in Cross Island Narrows at Culter, Maine. The project site is located on the USGS MACHIAS BAY, ME quadrangle sheet at latitude 44.6362541°N; and longitude 67.2956921°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.

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 CONSULTATION

On November 13, 2000, the National Marine Fisheries Service and the U.S. Fish and Wildlife Service (Services) listed a distinct population segment (DPS) of Atlantic salmon (*Salmo salar*) in the Gulf of Maine as an endangered species under the Endangered Species Act (ESA). Consultation with the Services regarding ESA recommendations for the raising and harvesting of Atlantic salmon at this site is being conducted and will be concluded prior to the final decision.

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.
- () 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 at our Manchester, Maine Project Office.

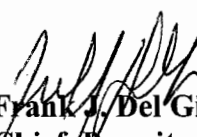
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining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

public hearing for this type of project. The Corps regularly attends these hearings to address questions, concerns, and to testify on Federal permit requirements. The State public hearing for this project is scheduled for May 12, 2008 at 6:00 PM at the Bay Ridge Elementary School at Cutler, Maine.

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

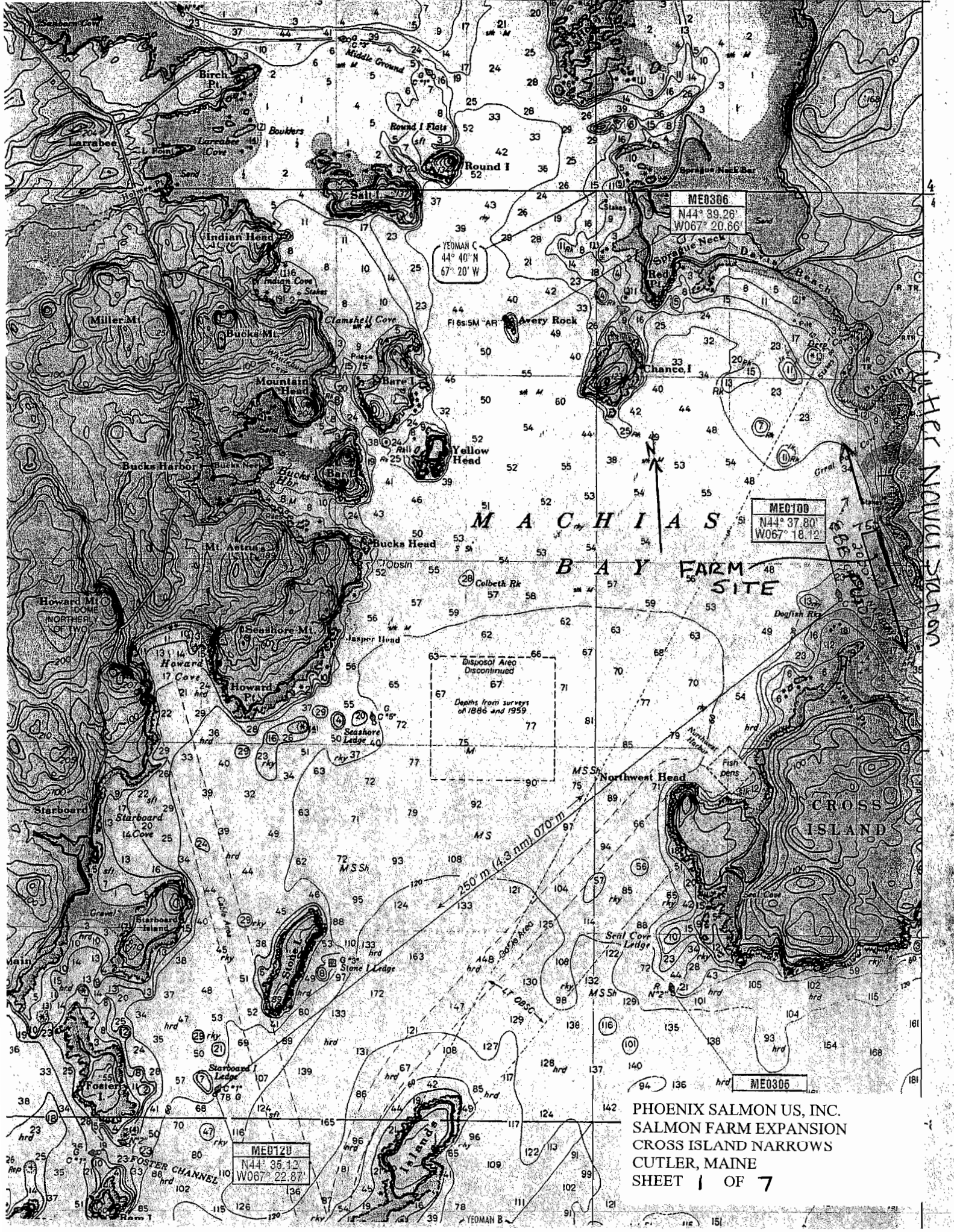
If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers,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

NAME: _____
ADDRESS: _____

PROPOSED WORK AND PURPOSE

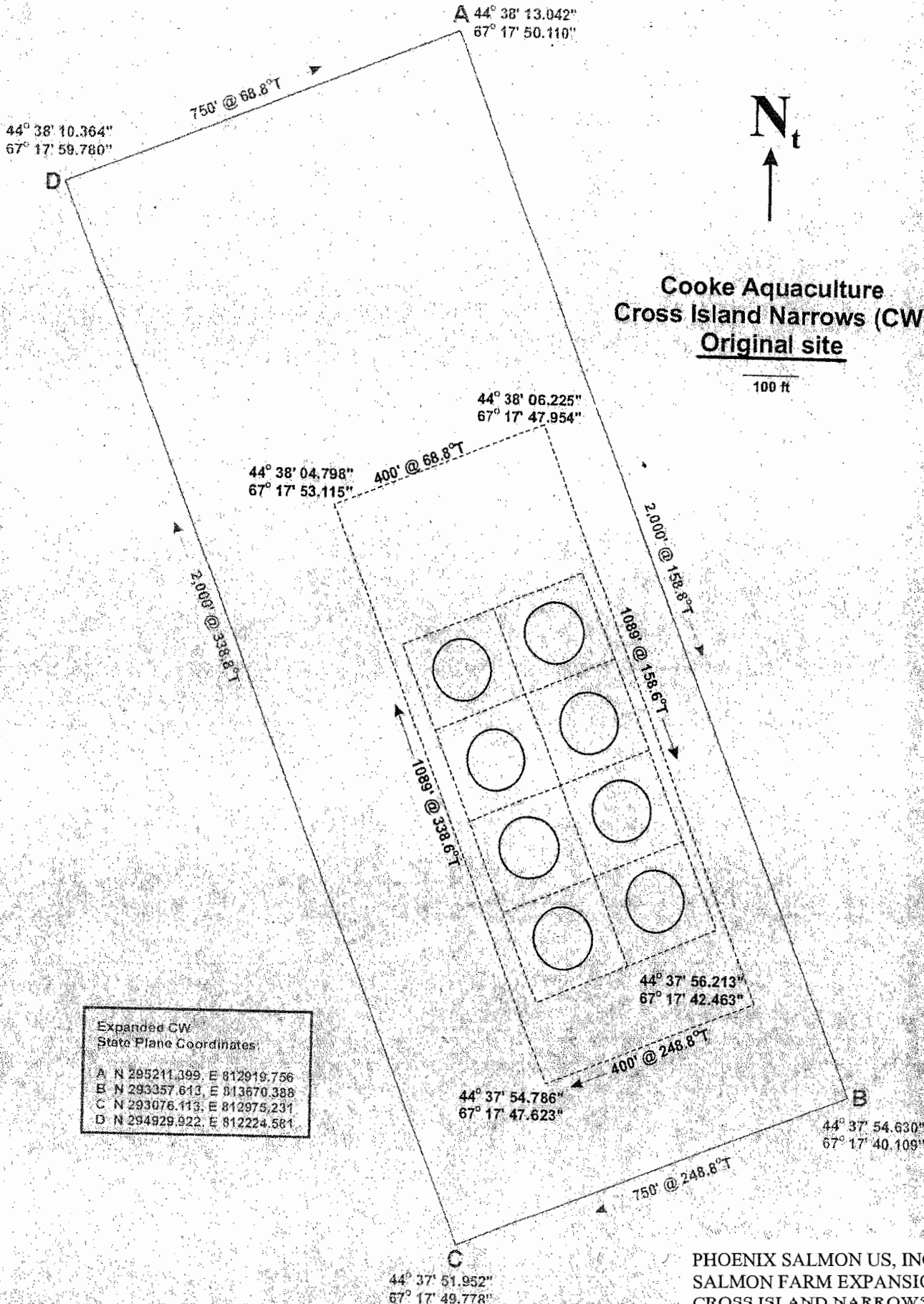
The work includes the installation of up to twenty 100m diameter circular pens within an expanded 2000'x 750' rectangular shaped area in Cross Island Narrows at Cutler, Maine. The pens will be connected together into a grid system and anchored by 1000 kg anchors. They will continue to be used to raise Atlantic salmon for commercial retail and will be serviced by a 33'x 23' work float that will provide a platform for feeding, employee shelter, and general service.

The work is described on the enclosed plans entitled "PHOENIX SALMON US, INC., SALMON FARM EXPANSION, CROSS ISLAND NARROWS, CUTLER, MAINE" in seven sheets undated.



CUTLER NAVAL STATION

PHOENIX SALMON US, INC.
SALMON FARM EXPANSION
CROSS ISLAND NARROWS
CUTLER, MAINE
SHEET 1 OF 7



**Cooke Aquaculture
Cross Island Narrows (CW)
Original site**

100 ft

Expanded CW State Plane Coordinates	
A	N 295211.399, E 812919.756
B	N 293357.613, E 813670.388
C	N 293076.113, E 812975.231
D	N 294929.922, E 812224.581

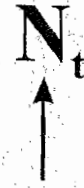
PHOENIX SALMON US, INC.
SALMON FARM EXPANSION
CROSS ISLAND NARROWS
CUTLER, MAINE
SHEET 2 OF 7

A 44° 38' 13.042"
67° 17' 50.110"

44° 38' 10.364"
67° 17' 59.780"

D

750' @ 68.8°T



**Cooke Aquaculture
Cross Island Narrows (CW)
Site Expansion**

100 ft

2,000' @ 338.8°T

2,000' @ 158.8°T

Expanded CW State Plane Coordinates	
A	N 295211.399, E 812919.756
B	N 293357.613, E 813670.388
C	N 293076.113, E 812975.231
D	N 294929.922, E 812224.581

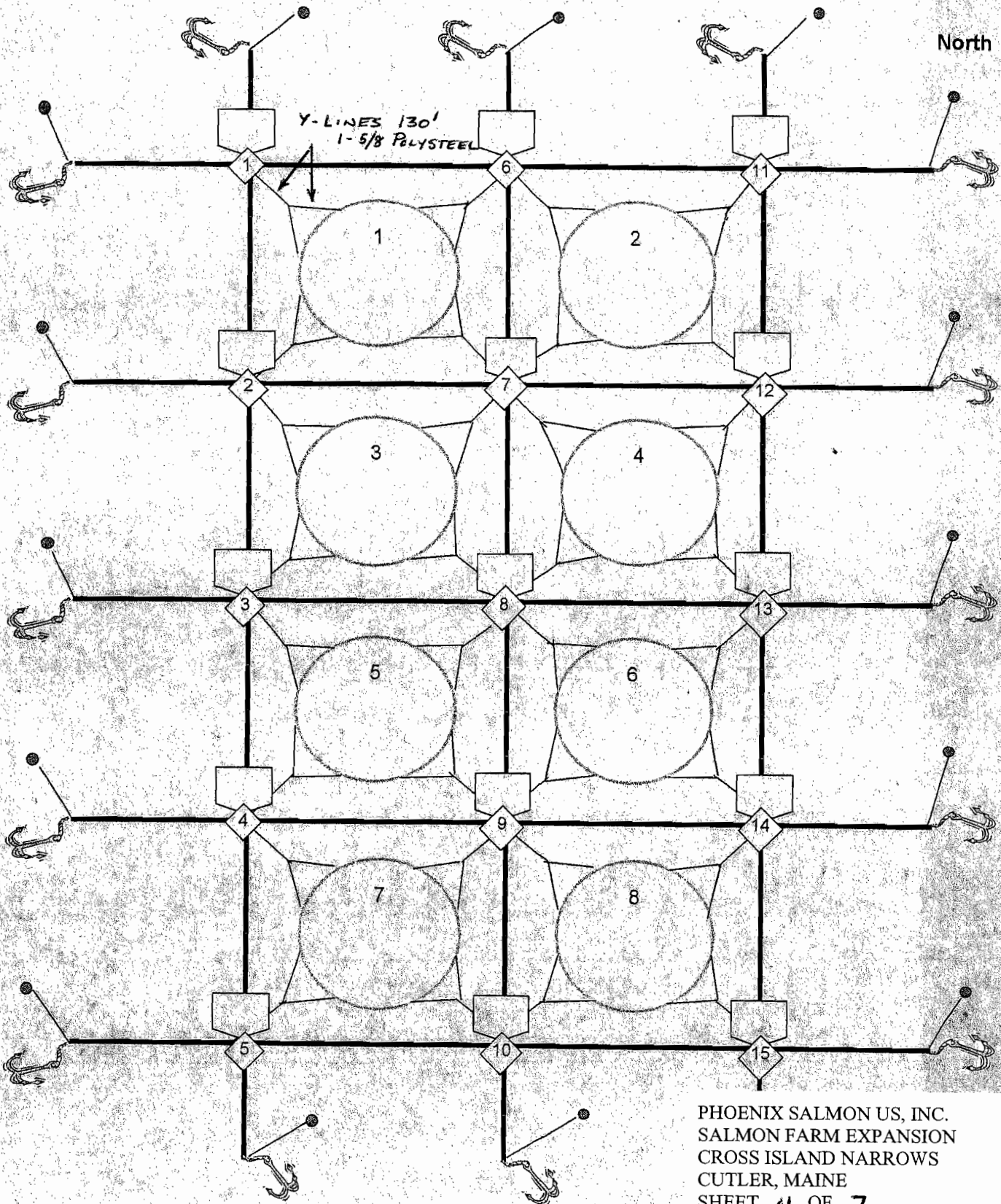
B 44° 37' 54.630"
67° 17' 40.109"

C 44° 37' 51.952"
67° 17' 49.778"




750' @ 248.8°T




PHOENIX SALMON US, INC.
SALMON FARM EXPANSION
CROSS ISLAND NARROWS
CUTLER, MAINE
SHEET 3 OF 7


Cutler West, USA MACH CW



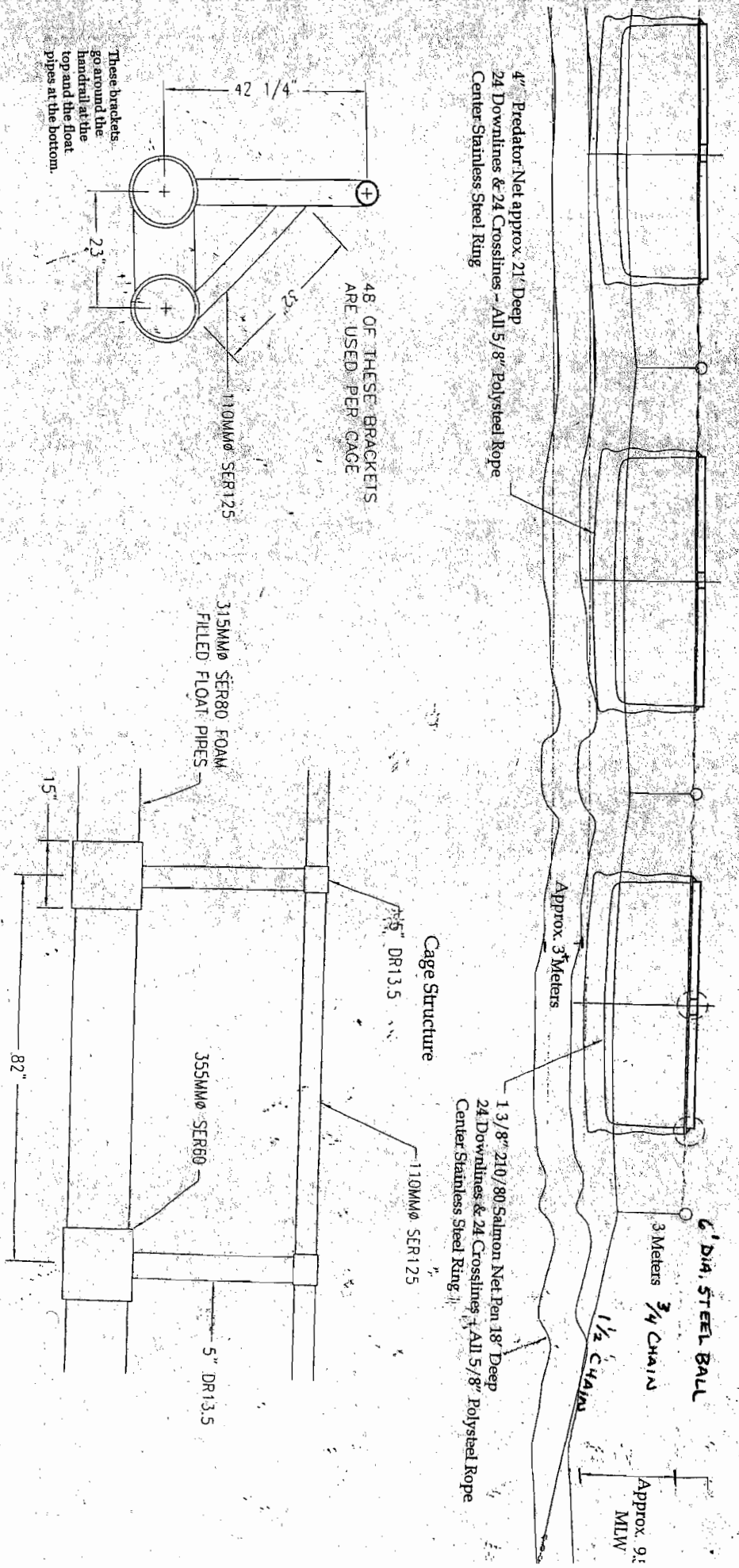
PHOENIX SALMON US, INC.
 SALMON FARM EXPANSION
 CROSS ISLAND NARROWS
 CUTLER, MAINE
 SHEET 4 OF 7

-  Grid plate
-  Mussel ball on lift line
-  2000 L Compensator

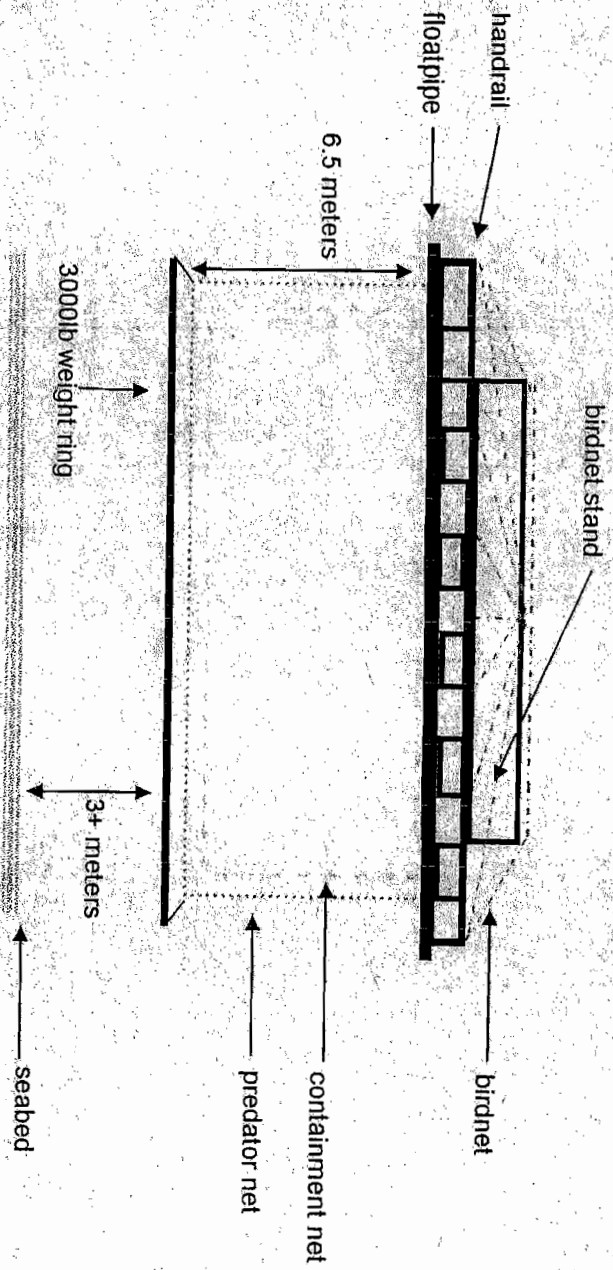
-  1000 kg Sea Grip
-  1 5/8" gridlines
-  bridles 1 1/2" polysteel

-  100 meter cage
cage number inset

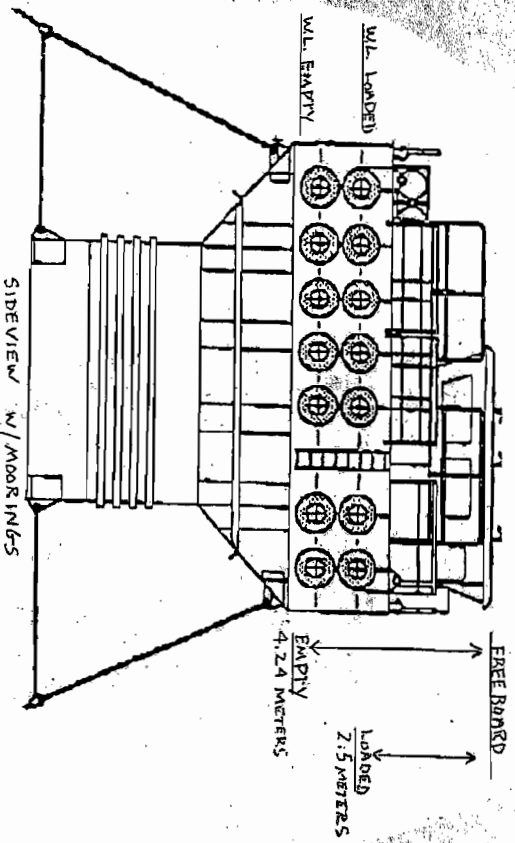
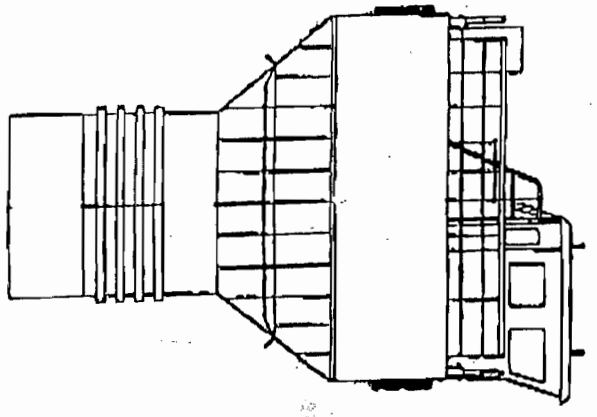
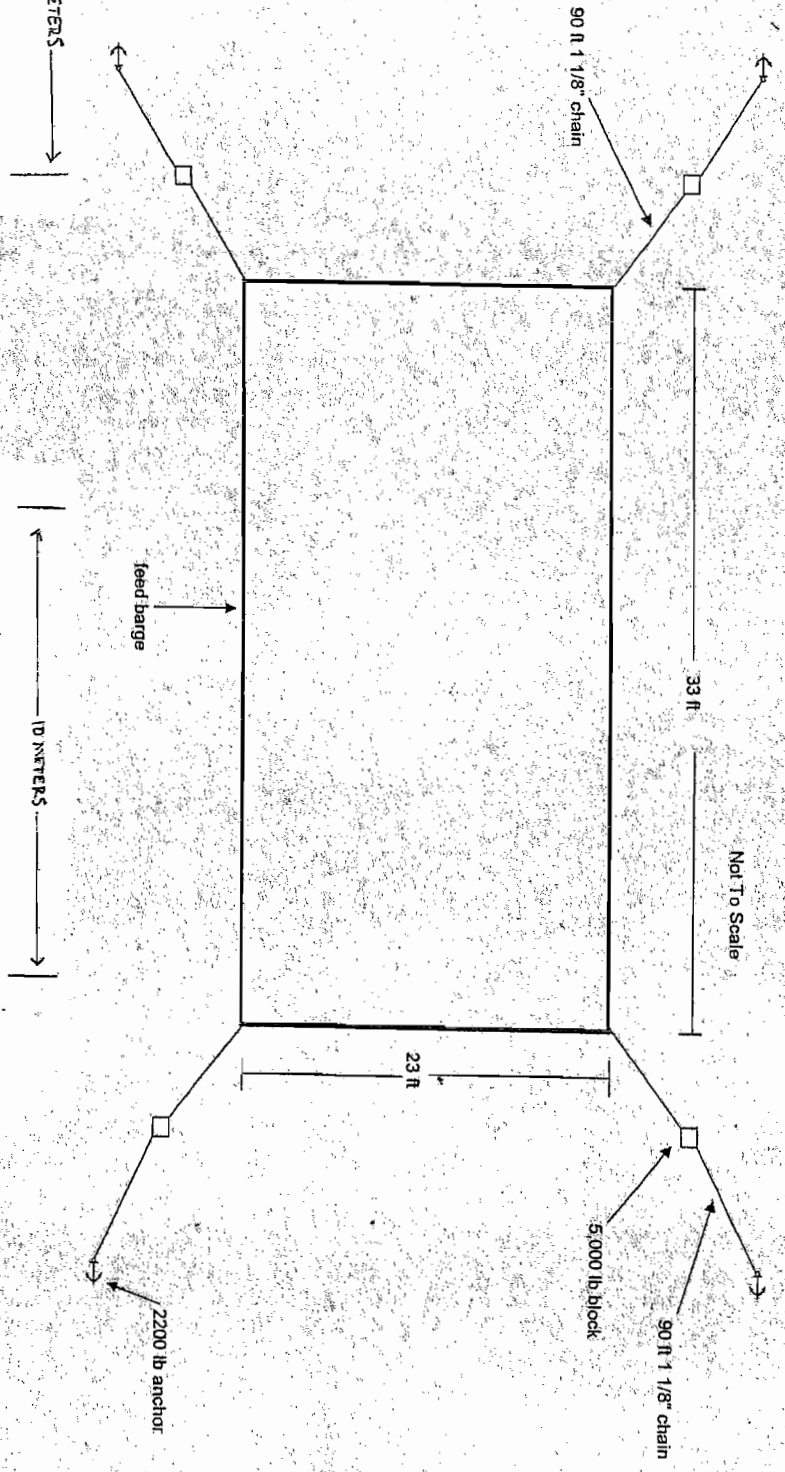
**2. d. PEN SYSTEM & MOORING SYSTEM SCHEMATIC
CROSS SECTION**



Description - Cages are constructed of high density foam filled plastic pipe in the shape of a circle serving to both float and shape the nets. The nets are tensioned with a concrete filled plastic ring 100 meters in circumference suspended from the bottom of the net. Superstructure consists of a handrail system which is part of the floatpipe and extends one meter above the sea. This handrail system suspends the above surface portion of the containment net and also supports the outer edge of the bird net. The bird net stand extends two meters above the sea and support the center portion of the bird net.



Cutler West
Feed Barge Mooring System



PHOENIX SALMON US, INC.
SALMON FARM EXPANSION
CROSS ISLAND NARROWS
CUTLER, MAINE
SHEET 7 OF 7