



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

Maine Project Office
675 Western Ave. #3
Manchester, ME 04351

PUBLIC NOTICE

Date: APRIL 13, 2004

Comment Period Ends: MAY 14, 2004

File Number: 200301170

In Reply Refer To: Peter Tischbein

Or by e-mail: Peter.Tischbein @usace.army.mil

Kerramerican Inc., P.O. Box 200, Bathurst, NB Canada E2A 3Z2 has requested a Corps of Engineers permit under Section 404 of the Clean Water Act to place fill into 3.12 acres of freshwater wet meadow and scrub-shrub wetlands, flood approx. 3.88 acres of open water, wet meadow and scrub-shrub wetlands by the creation of an impounded pond and restoring 400 linear feet of stream channel back to its original stream corridor. These wetlands, open water and streams are located on the premises of the former Kerramerican zinc and copper mine situated south of Route 15/176 in Blue Hill, Maine.

The purpose of the filling action is to cover with clean soils select areas which are now exposed to the environment and are known to contain high concentrations of the heavy metals (Copper, Zinc, Iron, Cadmium). These metals were found to be leaching into the surface waters of Second Pond and Carleton Stream. The purpose of the flooding is to similarly isolate contaminated wetland and open water areas by covering them with an additional deeper layer of water to provide the needed long-term isolation. A low earthen berm will be constructed in order to create the impounded pond. The purpose of the stream restoration is to reestablish pre-mine natural drainage conditions.

Much of this work will be taking place at the location of the mine's settling basins which were used to collect mine tailings and wastewater generated during the ore processing operation. The work is described in additional detail on the enclosed plans entitled "Kerramerican," Figures 1-5 & 6, and dated "March, 2004."

The applicant maintains that the primary Functions and Values currently provided by the wetland and open water areas proposed for impact include: Groundwater Recharge/discharge, Floodflow alteration, Sediment/Shoreline Stabilization and Wildlife Habitat. The applicant further maintains that these proposed contamination reduction measures will improve the watershed's water quality, vegetatively stabilize exposed and erosional areas and increase wildlife habitat. The Corps has not yet taken a position as to if compensatory mitigation should be required for the planned work. Comments in this regard are being sought by this public notice.

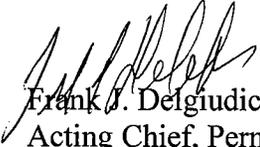
This project is located on the USGS Blue Hill quadrangle sheet at Lat/Long coordinates 044° 23' 18.21"N and 068° 37' 23.03"W.

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 Peter Tischbein at (207) 623-8367.

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.

SEE NEXT PAGE FOR
DETAILS OF EVALUATION
FACTORS



Frank J. DeGiudice
Acting Chief, Permits & Enforcement Branch
Regulatory Division

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.

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.

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)

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

~~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.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved Coastal Zone Management Programs. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

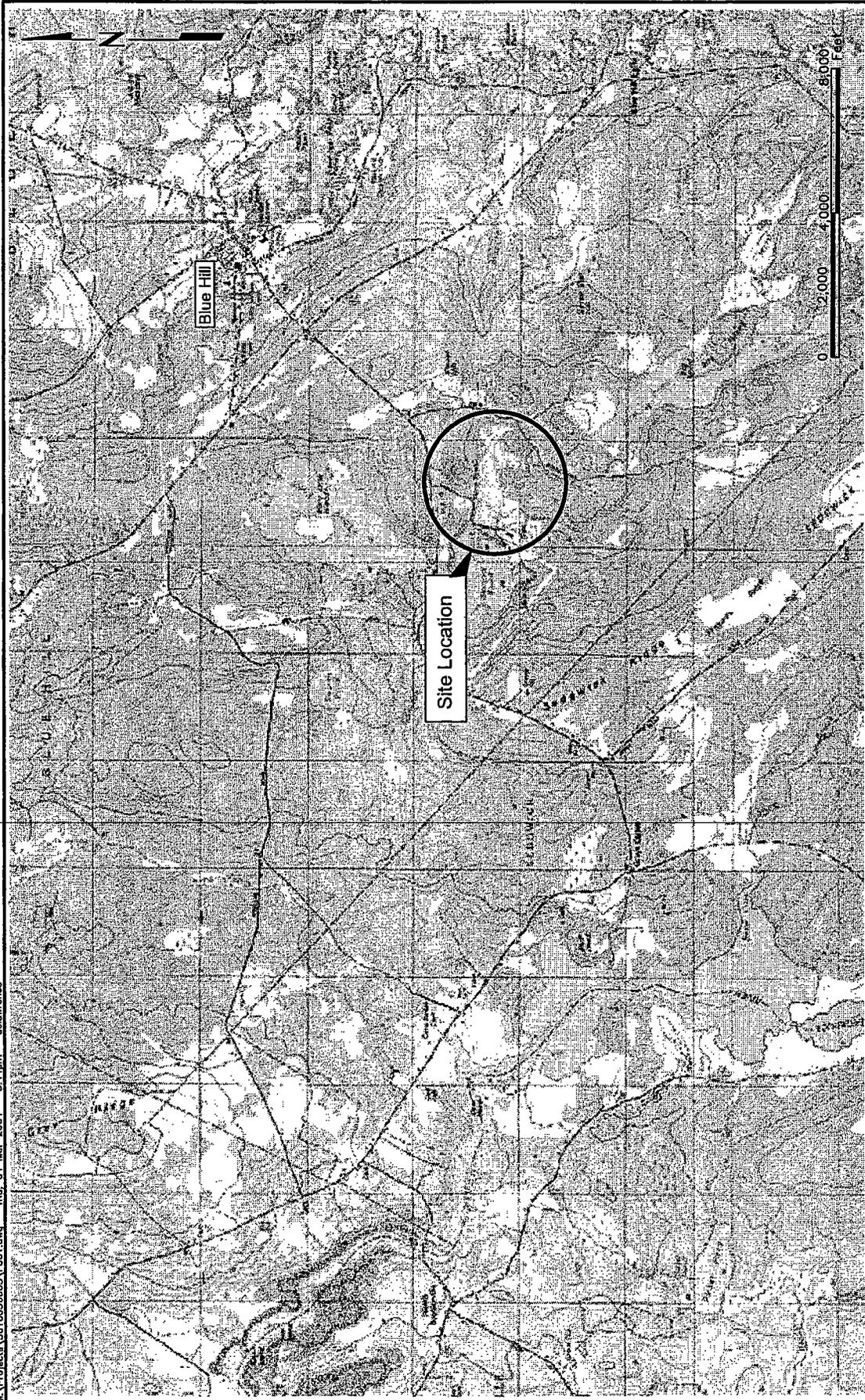
The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

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: _____

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511 Congress Street
 P.O. Box 7050
 Portland, Maine 04112

Prepared by: PHT Checked by: IB

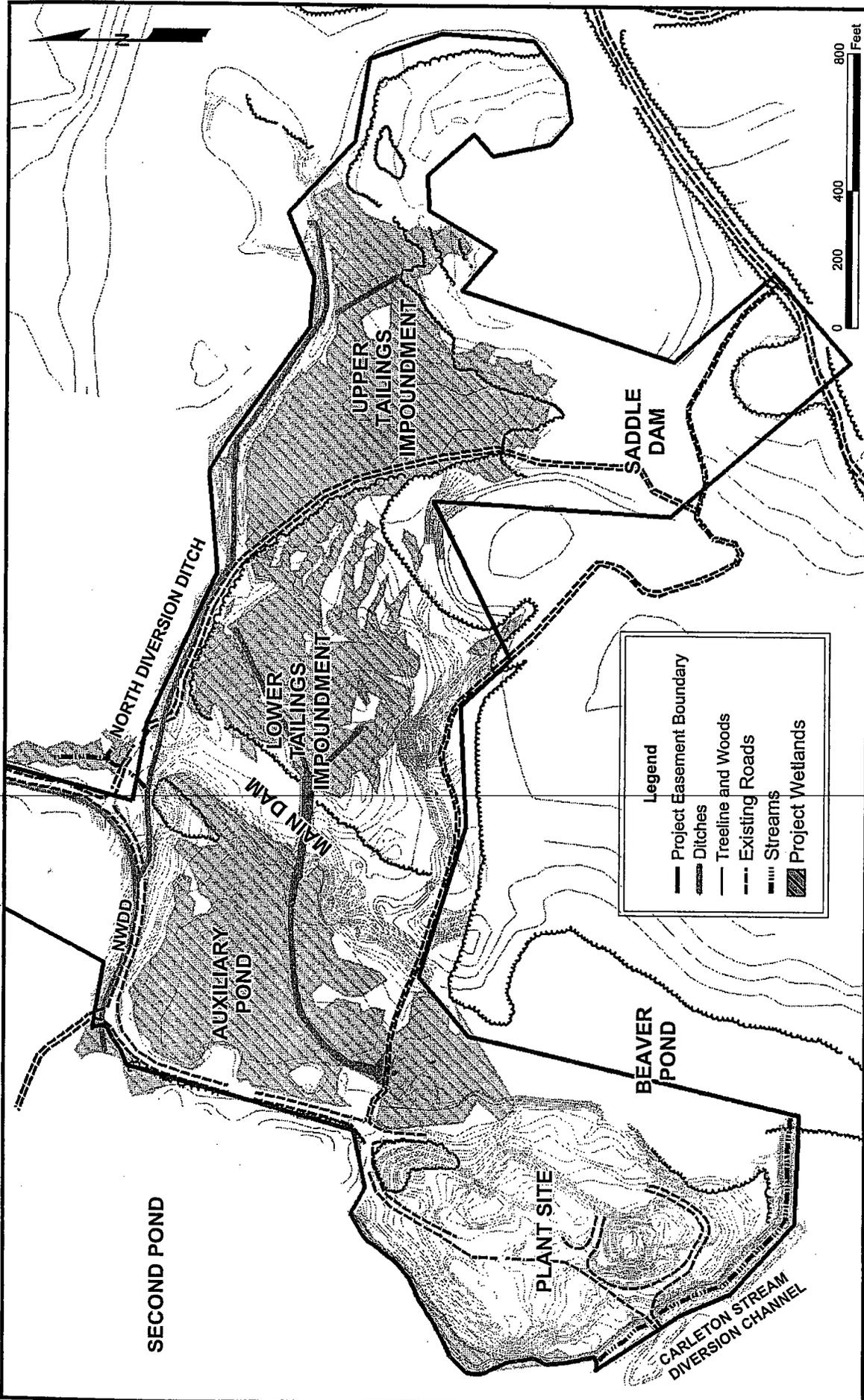
**AT: BLUE HILL
 IN: HANCOCK COUNTY
 STATE OF MAINE**

**FIGURE 1
 SITE LOCATION MAP**

APPLICATION BY:
KERRAMERICAN, INC.

DATE: **MARCH, 2004**

SHEET: **1** OF **8**



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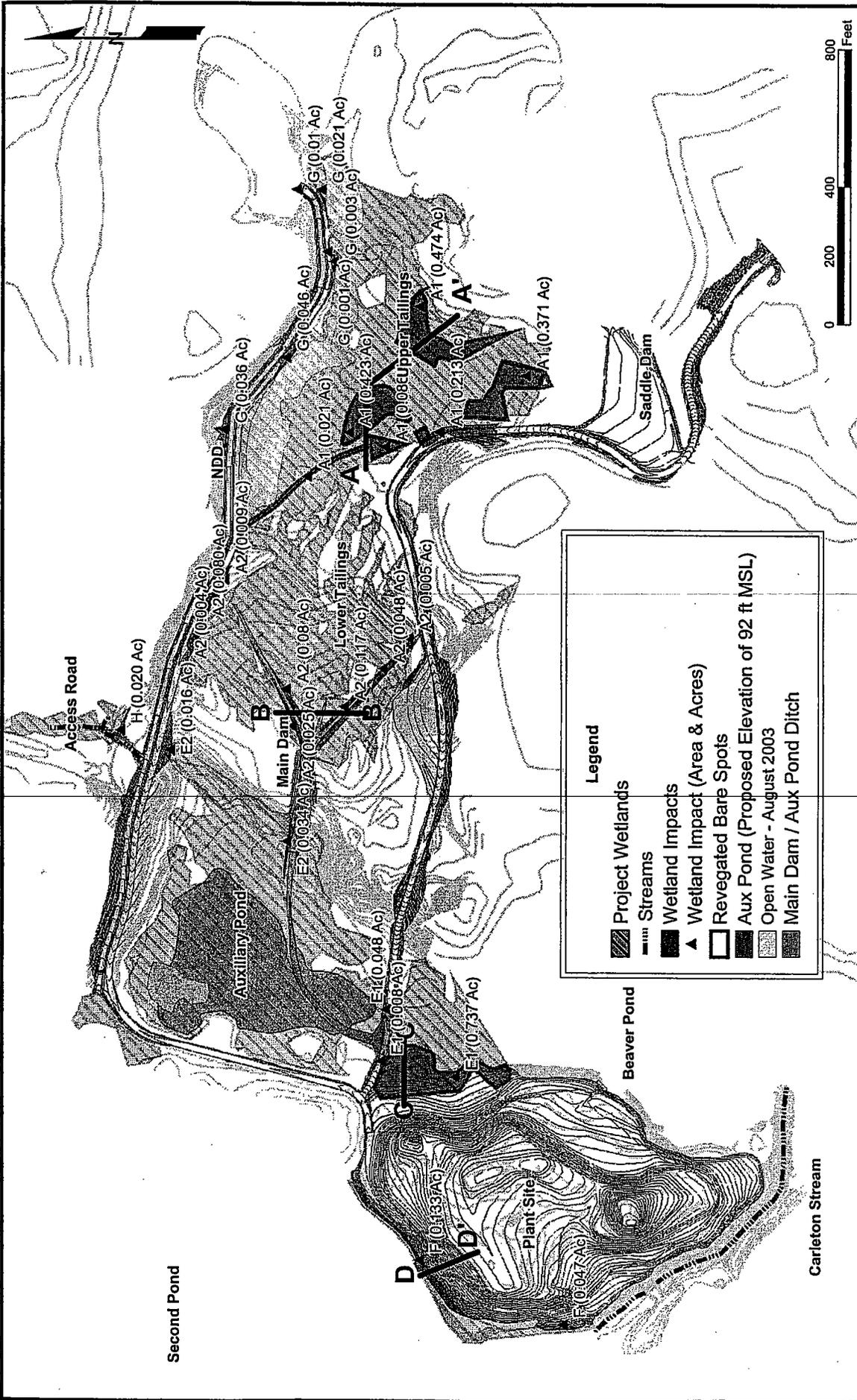
FIGURE 2
EXISTING WETLANDS AND CONDITIONS

AT: BLUE HILL
 IN: HANCOCK, COUNTY
 STATE OF MAINE

APPLICATION BY:
KERRAMERICAN, INC.

DATE: MARCH, 2004

SHEET 2 OF 8

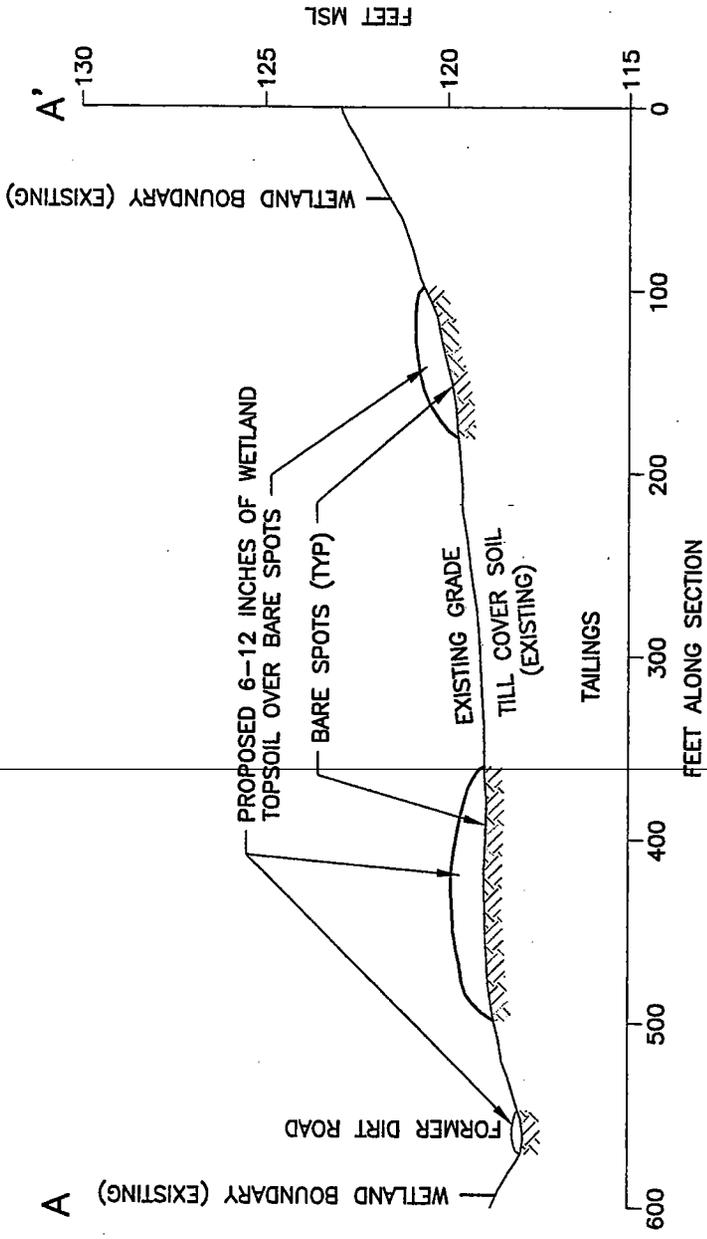


Legend

- Project Wetlands
- Streams
- Wetland Impacts
- Wetland Impact (Area & Acres)
- Revegated Bare Spots
- Aux Pond (Proposed Elevation of 92 ft MSL)
- Open Water - August 2003
- Main Dam / Aux Pond Ditch



<p>MACTEC 511 Congress Street P.O. Box 7050 Portland, Maine 04112</p>	<p>FIGURE 3 PROPOSED CONDITIONS WITH WETLAND IMPACTS</p>		<p>DATE: MARCH, 2004</p>
	<p>AT: BLUE HILL IN : HANCOCK, COUNTY STATE OF MAINE</p>	<p>APPLICATION BY: KERRAMERICAN, INC.</p>	<p>SHEET 3 OF 8</p>
<p>Prepared by PHT Checked by IB</p>	<p>P:\Projects\Kerramerican\GIS\MapDocuments\Wetlands Permit Application.mxd P:\Projects\Kerramerican\Wetlands\Figures\...pdf</p>		



HORIZONTAL SCALE: 1 INCH = 100 FEET
 VERTICAL SCALE: 1 INCH = 5 FEET



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Prepared by: PHT Checked by: IB

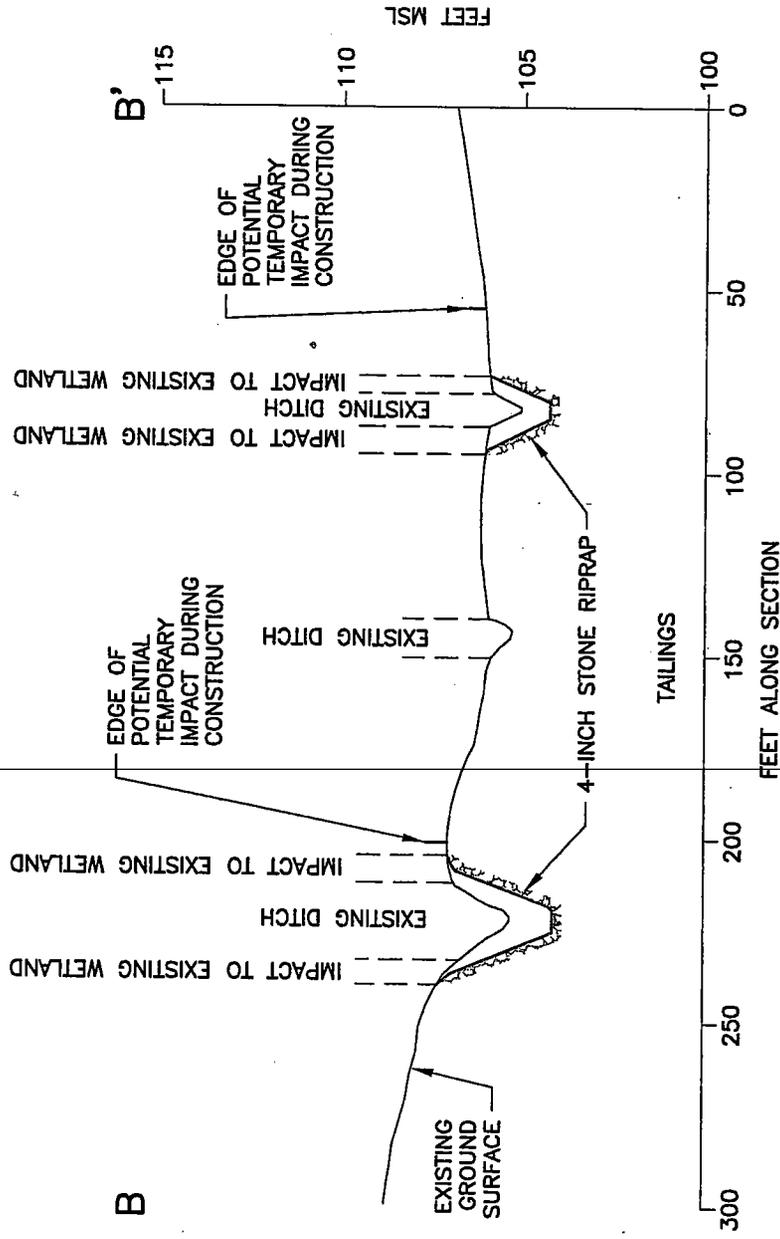
FIGURE 4
 CROSS SECTION A-A' - TAILINGS IMPOUNDMENT BARE SPOT COVER

AT: BLUE HILL
 IN: HANCOCK COUNTY
 STATE OF MAINE

APPLICATION BY:
 KERRAMERICAN, INC.

DATE: MARCH, 2004

SHEET: 4 OF 8



HORIZONTAL SCALE: 1 INCH = 50 FEET
 VERTICAL SCALE: 1 INCH = 5 FEET

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FIGURE 5
 CROSS SECTION B-B' - TAILINGS IMPOUNDMENT DITCH IMPROVEMENT

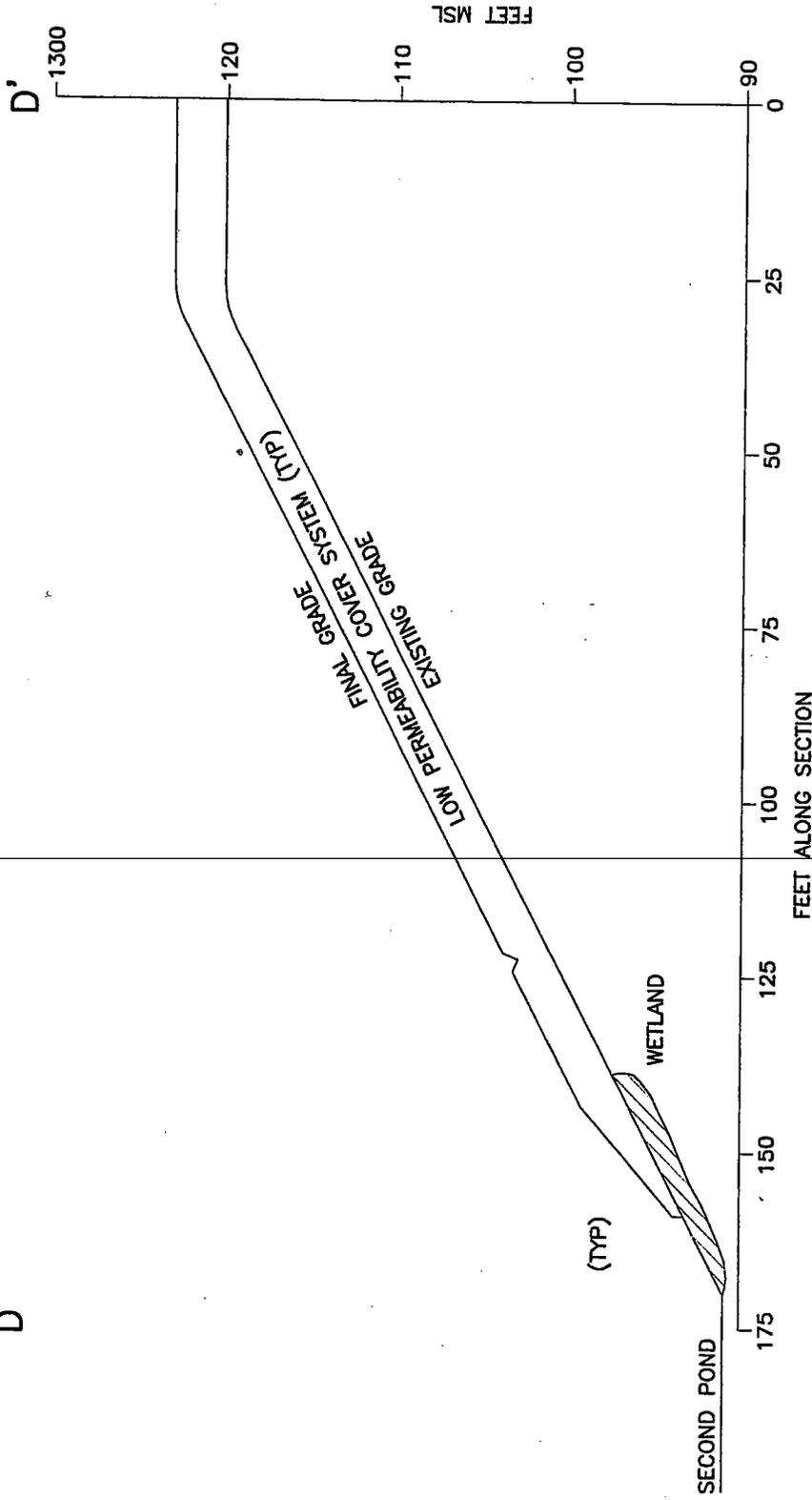
AT: BLUE HILL
 IN: HANCOCK COUNTY
 STATE OF MAINE

APPLICATION BY:
 KERRAMERICAN, INC.

DATE: MARCH, 2004

SHEET: 5 OF 8

D



HORIZONTAL SCALE: 1 INCH = 25 FEET
 VERTICAL SCALE: 1 INCH = 10 FEET

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Prepared by: PHT Checked by: IB

FIGURE 7

CROSS SECTION D-D' - PLANT SITE CAP IMPACTS (TYP)

AT: BLUE HILL
 IN: HANCOCK COUNTY
 STATE OF MAINE

APPLICATION BY:

KERRAMERICAN, INC.

DATE: MARCH, 2004

SHEET: 7 OF 8