



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Andrew Savage
Louisiana-Pacific Corporation

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**New England District
Permit Application No. NAE-2006-02285-M2**

TO WHOM IT MAY CONCERN: The New England District of the U.S. Army USACE of Engineers (USACE) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: Andrew Savage
Louisiana-Pacific Corporation
240 Station Road
New Limerick, Maine 04761

AGENT: Heather Storlazzi Ward
TRC Companies
63 Marginal Way
4th Floor
Portland, Maine 04101

WATERWAY AND LOCATION: The project would affect waters of the United States associated with unnamed freshwater wetlands adjacent to Mill Brook and the Meduxnekeag River. The project/review area is located on the east side of Station Road, approximately 0.75 miles north of the intersection of Station Road and Drews Lake Road at Latitude 46.1091° and Longitude -67.9542°; in New Limerick, Aroostook County, Maine.

EXISTING CONDITIONS:

The Louisiana Pacific (LP) Houlton Mill Facility occupies 86.1 acres at 240 Station Road, New Limerick, Aroostook County, Maine. Zoned for industrial use, the site includes developed infrastructure supporting engineered wood product manufacturing. The Maine Northern Railway (formerly Bangor and Aroostook Railroad) bisects the property and currently supports outbound shipment of finished products.

Since 1981, LP has executed multiple Facility expansions; in 1994, 2006, 2007, and 2021, each requiring U.S. Army USACE of Engineers (USACE) and Maine Department of Environmental Protection (MDEP) authorization due to unavoidable freshwater wetland impacts (see Table 1-1).

Table 1-1. LP Houlton Mill MDEP NRPA and USACE Authorization Summary

MDEP/USACE Order Number	Effective Date	Approved Impacts	Wetland Impact Completed
NRPA #L-7047-31-G-M USACE #1994-02153	10/25/1994	Approximately 5,500 square feet ("sq ft") of freshwater wetland impacts for the installation of the Warehouse Rail Spur Extension.	5,340 square feet
NRPA #L-7047-TC-K-N USACE #NAE-2006-2285	08/08/2006	Approximately 12,134 sq ft of freshwater wetland impacts to accommodate the expansion of stormwater and fire control ponds.	12,134 square feet
NRPA #L-7047-TG-M-N USACE #NAE-2006-2285-M1	10/25/2007	Approximately 35,043 (inclusive of 2006 impacts – 12,134 sq ft) of freshwater wetland impacts for the construction of an additional road/rail spur and log storage area.	18,855 square feet
PBR#71712	01/27/2021	Work adjacent to Maine Wetlands of Special Significance	Activity completed

Mill Brook borders the site to the north and east, Station Road to the west, and the Meduxnekeag River to the south. The Facility lies within the Meduxnekeag watershed (HUC 01010005), a tributary of the Saint John River (USEPA, 2021). Surrounding land is primarily used for logging and agriculture, with scattered rural residences northwest along Station Road and southeast along Drews Lake Road.

The project area includes the existing mill, roundwood storage, mainline and spur rail tracks, and a field used for construction debris storage. All proposed facility expansions will occur within previously developed land either within active operations areas or along developed property boundaries.

PROJECT PURPOSE:

Basic: Industrial development

Overall: The applicant’s stated overall purpose of the project is to expand an existing wood product manufacturing facility to add a second line of product and construct a project storage pad with access to the Maine Northern Railroad, in order to meet increasing market demands for high quality engineered wood projects.

PROPOSED WORK: The applicant requests authorization to permanently discharge dredge and fill material into no more than approximately 3.20 acres (139,275 SF) of unnamed forested wetlands for the purpose of the facility expansion and to temporarily discharge fill material into approximately 1.03 (44,725 SF) for construction access.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

Due to project siting requirements, development needs, and the configuration of existing wetlands on site, the Project could not be entirely designed without impacts to wetlands while meeting the Project objectives. Unavoidable wetland impacts are proposed in seven locations and would impact four freshwater wetlands (W-1, W-3, W-9, and W-10) on site. As summarized in the Wetland Impact Summary Table below, direct, permanent impacts to wetlands are limited to 139,275 square feet (SF) for direct fill and grading for the proposed access roads to the new Product Storage Pad east of the mill, and for rail spur improvements proposed south of the mill. Direct, temporary impacts to wetlands are limited to 44,275 SF for timber mat use during the construction phase of the Project to allow equipment to work safely within wetlands while also limiting disturbance to underlying wetland soils and for temporary vegetation clearing required to allow for safe work conditions for installation of the new facilities.

WETLAND IMPACT SUMMARY				
WETLAND ID	WETLAND IMPACT AREA COVERTYPE	TEMP.	PERM.	UPLAND CONVERTED TO WETLAND (RESTORATION)
W-1.1	PFO	2214	-	-
W-1.1	PEM	-	6325	-
W-1.2	PFO	1088	4447	-
W-3	PFO	4,915	12,518	-
W-9	PFO	11,347	39,551	-
W-10*	PFO	23,419	76,434	-
FARM ROAD RESTORATION	PFO	1744	-	6724
TOTALS		44,727	139,275	6724
CUMULATIVE IMPACT TOTAL		184,002		6724

COMPENSATORY MITIGATION: The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

As described in the application, unavoidable wetland impacts are proposed in three locations and would impact four freshwater wetlands (W-1, W-3, W-9, and W-10) totaling 139,275 SF of permanent wetland fill required to build the access road to the

new Product Storage Pad east of the mill and for rail spur improvements south of the mill. Direct, temporary impacts to wetlands are limited to 44,275 SF for timber mat use during the construction phase of the Project to allow equipment to work safely within wetlands while also limiting disturbance to underlying wetland soils and for temporary vegetation clearing required to allow for safe work conditions for installation of the new facilities.

LP requested authorization for a similar road crossing of the same wetland east of the mill requiring 16,188 SF of impact that was never built. These impacts were authorized by the MDEP via NRPA Permit #L-7047-TG-M-N and by the USACE via permit NAE-2006-02285-M1 in 2007. As the result of the same 2007 application with proposed impacts, LP built a wetlands compensation area south of the tracks totaling 42,062 SF for compensation for historic unavoidable wetland impacts for the site. LP also committed to removing the wetland fill for the existing farm road crossing of the same wetland (located within the 100-year floodplain and therefore classified as a Maine wetland of special significance) as a means for minimizing impacts to wetland W-1. Because the road crossing was never built in 2007, the wetland fill associated with the existing farm road was not removed (this road provides the only access to the eastern portion of the property.)

LP has committed to the removing the farm road as wetlands mitigation as part of the Project and to fully restoring the underlying section of wetland W-1 (containing wetlands of special significance (WOSS)), following installation of the now proposed road crossing of wetland W-1.

Compensation for anticipated loss of freshwater wetland and WOSS is payment into the Maine In Lieu Fee (ILF) Compensation Program. The Resource Compensation Rate for Aroostook County is \$4.71/SF. There are 139,275 SF of permanent wetland impact, less impacts that were approved in 2007 and not constructed (16,188 SF) therefore; the ILF for impacts to wetlands is **\$579,739**.

In Lieu Fee for Permanent Wetland Impacts

- 2026 Wetland Impact = 139,275 SF
 - 2007 Wetland Impact Not Completed = 16,188 SF (credit)
 - \$4.71/ SF = Aroostook County Resource Compensation Rate
- $(139,275\text{SF} - 16,188\text{SF}) = 123,087\text{ SF}$
 $(123,087\text{SF}) * (\$4.71) = \mathbf{\$579,739\text{ In Lieu Fee}}$

The District Engineer's final compensatory mitigation plan and any crediting will be based upon compliance with the New England District Compensatory Mitigation Standard Operating Procedures, updated April 26, 2024.

CULTURAL RESOURCES:

The USACE is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those

from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the USACE-identified permit area.

ENDANGERED SPECIES: The USACE has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the USACE has made a preliminary determination that the proposed project may affect species and critical habitat listed below. No other ESA-listed species or critical habitat will be affected by the proposed action.

The USACE reviewed the IPaC official species list and preliminarily determined that the federally threatened Canada Lynx (*Lynx canadensis*) and federally endangered Northern Long-eared Bat (*Myotis septentrionalis*) may be affected by the activity.

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

ESSENTIAL FISH HABITAT: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the USACE reviewed the project area, examined information provided by the applicant, and consulted available species information.

The USACE intends to initiate Essential Fish Habitat (EFH) consultation separately from this public notice. A separate EFH consultation package will be sent to the National Marine Fisheries Service (NMFS). The USACE will not make a permit decision until the consultation process is complete.

Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a USACE Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the Maine Department of Environmental Protection. The applicant has initiated the process.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the USACE jurisdiction has not been verified by USACE personnel.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to 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 cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The USACE 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 USACE to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to 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 (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The New England District will receive written comments on the proposed work, as outlined above, until September 15, 2025. Comments should be submitted electronically

via the Regulatory Request System (RRS) at or to Jeremy Lessard at Jeremy.s.lessard@usace.army.mil. Please refer to the permit application number in your comments.

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 public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.