

PUBLIC NOTICE

Comment Period Begins: 21 JANUARY 2025 Comment Period Ends: 19 FEBRUARY 2025

File Number: NAE-2008-02480 In Reply Refer to: Jami MacNeil

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Email: jami.e.macneil@usace.army.mil

The District Engineer, U.S. Army Corps of Engineers, New England District (USACE), has received a permit application, file number NAE-2008-02480, to conduct work in waters of the United States from the Maine Department of Transportation, 16 State House Station, Augusta, Maine 04333. This work is proposed in Clark Brook, Williams

Brook, and unnamed tributaries, as well as in freshwater wetlands located in a 6.53-mile-long right-of-way extending from U.S. Route 1 in Westfield, Aroostook County, Maine to Conant Road in Presque Isle, Aroostook County, Maine. The project begins at Latitude 46.59572°, Longitude -67.96537° and ends at Latitude 46.67486°, Longitude -

67.97101°.

The work would involve the placement of permanent and temporary fill in streams and freshwater wetlands for the construction of Phase 2 of the Presque Isle Bypass, a two-lane controlled-access highway that would connect U.S. Route 1 to Phase 1 of the Bypass. Phase 1, which connects Conant Road to Fort Fairfield Road, is already constructed and open to traffic. The purpose of the project is to enhance regional transportation connectivity and reduce travel times around Presque Isle and improve traffic safety and traffic flow in downtown Presque Isle. Phase 2 would involve five new stream crossings, four relocated or replacement stream crossings, and one stream channel relocation. The project would result in approximately 19.6 acres of permanent wetland fill, 2.4 acres of permanent wetland conversion, and 19.3 acres of temporary wetland impacts for construction access. The project layout is shown on the enclosed plans titled "Presque Isle Bypass," in two sheets dated November 3, 2024. The proposed stream and wetland impacts are shown on the enclosed plan set titled "Presque Isle Bypass Phase 2, Aroostook County, Impact Plans," in 35 sheets dated September 5, 2024.

The project has been designed to avoid and minimize impacts to waters of the U.S. to the greatest extent practicable through an iterative design process and best management practices, including the installation of temporary erosion and sedimentation controls around the project site. To compensate for unavoidable impacts to wetlands and other waters of the U.S., the applicant proposes to restore wetlands within the Clark Brook floodplain, preserve an area of existing forested wetlands, and make a one-time In-Lieu Fee contribution to the Maine Natural Resource Conservation Program.

AUTHORITY

Permi	its are required pursuant to:
	Section 10 of the Rivers and Harbors Act of 1899
Χ	Section 404 of the Clean Water Act
	Section 103 of the Marine Protection, Research and Sanctuaries Act.
	Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408)

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 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. The USACE will consider all comments received 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.

NATIONAL HISTORIC PRESERVATION ACT

The Federal Highway Administration (FHWA) is the lead federal agency responsible for coordination pursuant to Section 106 of the National Historic Preservation Act (NHPA). FHWA has assigned this and other consultation responsibilities under the National Environmental Protection Act (NEPA) to the Maine Department of Transportation (ME DOT), through execution of a memorandum of understanding (MOU).

Based on its initial review of the proposed project and coordination with the State Historic Preservation Officer (SHPO), ME DOT has identified one historic property within the permit area and the area of potential effects. This property is the Maine Northern Railway, which is eligible for listing on the National Register of Historic Places.

The proposed project would involve a new highway bridge over the railway. ME DOT anticipates a finding of no adverse effect to the railway. Additional review and consultation with the SHPO and tribal historic preservation officers to fulfill requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). EFH describes waters and substrate necessary for fish for spawning, breeding, feeding, or growth to maturity.

The FHWA is the lead federal agency and has assigned EFH coordination responsibilities to ME DOT. The proposed project involves impacts to an unnamed tributary to Merritt Brook, which is a tributary to the Aroostook River. The Aroostook River and portions of Merritt Brook provide EFH for Atlantic salmon. Based on initial coordination with the National Marine Fisheries Service (NMFS), ME DOT has made a preliminary determination that adverse effects to EFH due to the proposed work will be minimal provided that in-water work is conducted during periods of low flow between July 15 and September 30, of any year(s), and provided that all new and replacement culverts are designed to not interfere with passage of fish and other aquatic organisms. Further consultation with NMFS regarding EFH conservation recommendations will be concluded prior to the final decision.

ENDANGERED SPECIES ACT CONSULTATION

The FHWA is the lead federal agency and has assigned its responsibilities for coordination pursuant to Section 7 of the Endangered Species Act (ESA) to ME DOT. USACE has reviewed and evaluated ME DOT's documentation of the potential impacts of the proposed work on federally listed threatened or endangered species and their designated critical habitat. ME DOT has made a preliminary determination that the proposed activities for which authorization is being sought are designed, situated or will be operated/used in such a manner that they are not likely to adversely affect listed species or their critical habitat. USACE will review further coordination between ME DOT and the U.S. Fish and Wildlife Service on listed species under their jurisdiction and the ESA consultation will be concluded prior to the final decision.

OTHER GOVERNMENT AUTHORIZATIONS

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.

COMMENTS

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. People submitting comments are advised that all comments received will be available for public review in their entirety and will be considered a matter of public record.

Comments should be submitted in writing by the above date. Comments may be submitted through the Regulatory Request System, which can be found online at https://rrs.usace.army.mil/rrs. If you have any questions, please contact Jami MacNeil, Project Manager, at jami.e.macneil@usace.army.mil or (978)-318-8676, (800) 343-4789 or (800) 362-4367.

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 USACE 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. 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.

Daniel B. Breen

Chief, Transportation & Utility Section

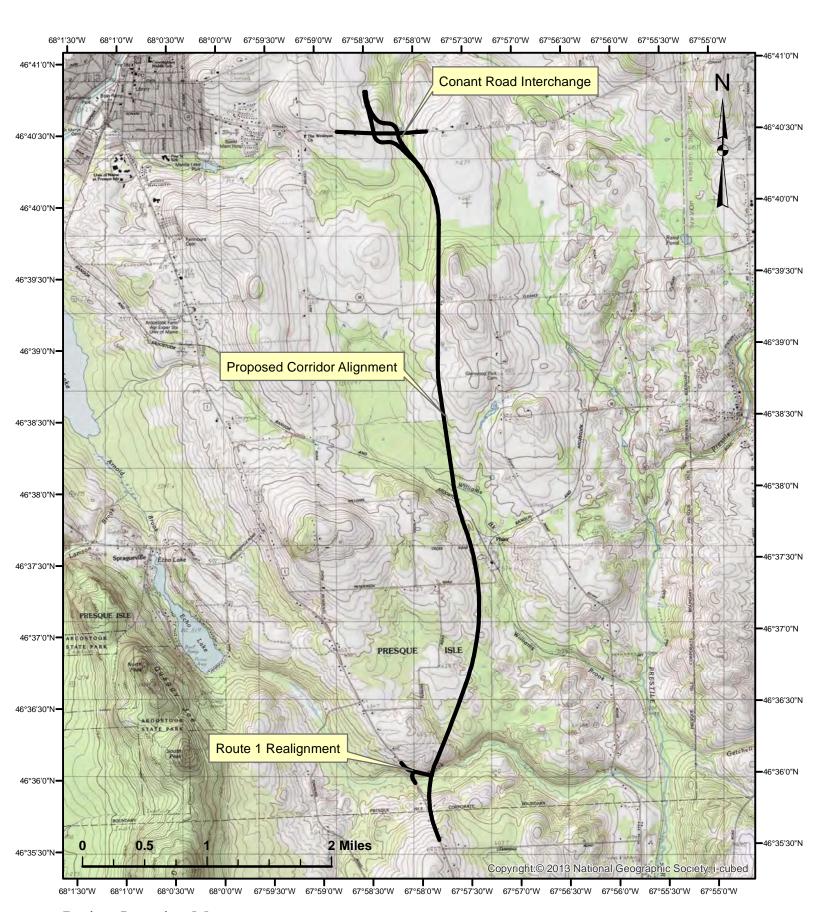
Daniel B. Bream

Regulatory Division

Please contact Ms. Tina Chaisson at bettina.m.chaisson@usace.army.mil or (978) 318-8058 if you would like to be removed from our public notice mailing list.



Figure 1-1. Project Location



Project Location Map Presque Isle Bypass - Phase 2 MaineDOT WIN 6462.92 Presque Isle, ME Aroostook County

Date: 2024-02-07

Project Coordinates

Start (Route 1): 46.595716, -67.96537 End (Conant Road): 46.674864, -67.97101

R/W Lines-Proposed -

Outline of Bodies of Water

Boring HB-XXX-###

Culvert-Existing ===

Curbing

Test Pit

PLAN LEGEND

Railroad =

Manholes

Proposed Underdrain

Existing Water Line -Existing San. Sewer

Guardrail-Cable, Other

Guardrail-Proposed

Existing San. Sewer Manhole 💿 Guardrail-Existing

Proposed Ditch Existing Ditch

Utility Poles

Fire Hydrants

Catch Basins ■ Existing ■ Propose

C Existing Proposed

STATE OF MAINE DEPARTMENT OF TRANSPORTATION



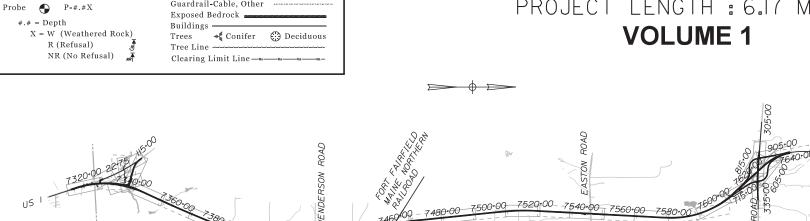
PRESQUE ISLE Travelway-Existing R/W Lines-Existing — — — — Travelway-Proposed

AROOSTOOK COUNTY

PRESQUE ISLE BYPASS SECTION I - PHASE ILCONSTRUCTION

HPP-6462(920)

PROJECT LENGTH: 6.17 MILES



AYOUT SCALE 2500

PRESQUE ISLE BYPASS

TRAFFIC DATA

Current (2015) AADT	4100
Future (2035) AADT	
DHV - % of AADT	
Design Hour Volume	-
% Heavy Trucks (AADT)	
% Heavy Trucks (DHV)	13%
Directional Distribution (DHV)	
18 kip Equivalent P 2.0	
18 kip Equivalent P 2.5	
Design Speed (mph)	55
Functional Class:PRINCIPAL AR	RTERIAL
Corridor Priority	1

PROJECT LOCATION:	PROJECT BEGINS 0.60 MILES SOUTH OF THE PRESQUE ISLE - WESTFIELD TOWN LINE AND INCLUDES A NEW 2-LANE CONTROLLED ACCESS (BYPASS) PRINCIPAL ARTERIAL EXTENDING NORTH FOR APPROXIMATELY 6.17 MILES CONNECTING TO CONANT ROAD.
PROGRAM AREA:	HIGHWAY PROGRAM
SCOPE OF WORK:	HIGHWAY LIGHTING STANDARDS, FOUNDATIONS, CONDUIT, LED LUMINAIRES, WIRING AND INCIDENTALS.

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