



PUBLIC NOTICE

Comment Period Begins: December 3, 2024

Comment Period Ends: January 3, 2025

File Number: NAE-2023-02299

In Reply Refer to: Heather S. Stukas, Regulatory Division

Phone: (978) 318-8678

Email: heather.s.stukas@usace.army.mil

The District Engineer, U.S. Army Corps of Engineers, New England District (USACE), has received a permit application, file number NAE-2023-02299, to conduct work in waters of the United States from James Foley, Knox Solar Energy Center LLC, 179 Green Street Suite 100, Boston, MA 02130. This work is proposed in freshwater wetlands adjacent to tributaries of the Saint George River near Rocky Hill Road in Warren, Maine. The site coordinates are: Latitude 44.137989°N Longitude - 69.226726°W.

The work involves the discharge of permanent fill into 0.11 acres of freshwater wetlands adjacent to tributaries of the Saint George River to facilitate construction of a ground-mounted solar energy facility. Additionally, the project will result in the permanent conversion of 4.42 acres of forested wetlands into emergent wetlands.

The applicant has demonstrated that they have avoided and minimized waterway/wetland impacts to the maximum extent possible. To compensate for unavoidable impacts to waterways/wetlands, the applicant proposes a one-time In-Lieu-Fee contribution to the Maine Natural Resource Conservation Program.

The work is shown on the enclosed plans entitled "Knox Solar Energy Center, Alternative Wetland Impact Plan" on five (5) sheets, and dated "August 8, 2024."

Additional plans are available per request.

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 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.

Where the activity involves the discharge of dredged or fill material into waters of the United States the evaluation of the impact of the activity 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.

NATIONAL HISTORIC PRESERVATION ACT

Based on our initial review of the proposed project, historic properties were identified within the area of potential effects. However, the applicant currently proposes to avoid all effects to known historic properties. 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

The USACE has reviewed the application for the potential impact on federally-listed threatened or endangered species and their designated critical habitat pursuant to section 7 of the Endangered Species Act (ESA) as amended. 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 a listed species or their critical habitat. We are coordinating with the National Marine Fisheries Service and/or 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 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 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. If you have any questions, please contact Heather S. Stukas, Regulatory Division, at heather.s.stukas@usace.army.mil, (978) 318-8678, (800) 343-4789 or (800) 362-4367.

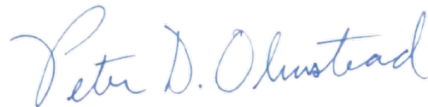
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The USACE holds public hearings for the purpose of obtaining 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

CENAE-R
File No. NAE-2023-02299

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.



Peter D. Olmstead
Chief, Maine Section
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.

38 MW DC | 33.1 MW AC SOLAR ARRAY

ROCKY HILL ROAD · WARREN · MAINE
KNOX SOLAR ENERGY CENTER

AUGUST 8, 2024

PREPARED FOR
KNOX SOLAR ENERGY CENTER LLC
179 GREEN STREET
JAMAICA PLAIN, MA 02130

PREPARED BY
FUSS & O'NEILL
5 FLETCHER STREET, SUITE 1
KENNEBUNK, MAINE 04303
207.363.0669
www.fando.com

SHEET INDEX

SHEET No.	SHEET TITLE
GI-001	COVER SHEET
CN-001	GENERAL NOTES
EX-101	EXISTING CONDITIONS PLAN
CS-110	WETLANDS IMPACT PLAN
CS-120	STORMWATER BUFFER PLAN
CS-200	OVERALL SITE PLAN
CR-100	SITE PLAN KEY
CR-101 - CR-105	SITE GRADING & UTILITIES PLANS
DR-100	COLOR SOILS & SYMBOLS MAP
DR-200	EXISTING WATERSHED SUBCATCHMENT PLAN
DR-300	PROPOSED WATERSHED SUBCATCHMENT PLAN
EC-101 - EC-102	EROSIONS CONTROL PLANS
CD-501 - CD-504	EROSION CONTROL DETAILS
CD-505 - CD-511	DETAILS

PROJECT TEAM

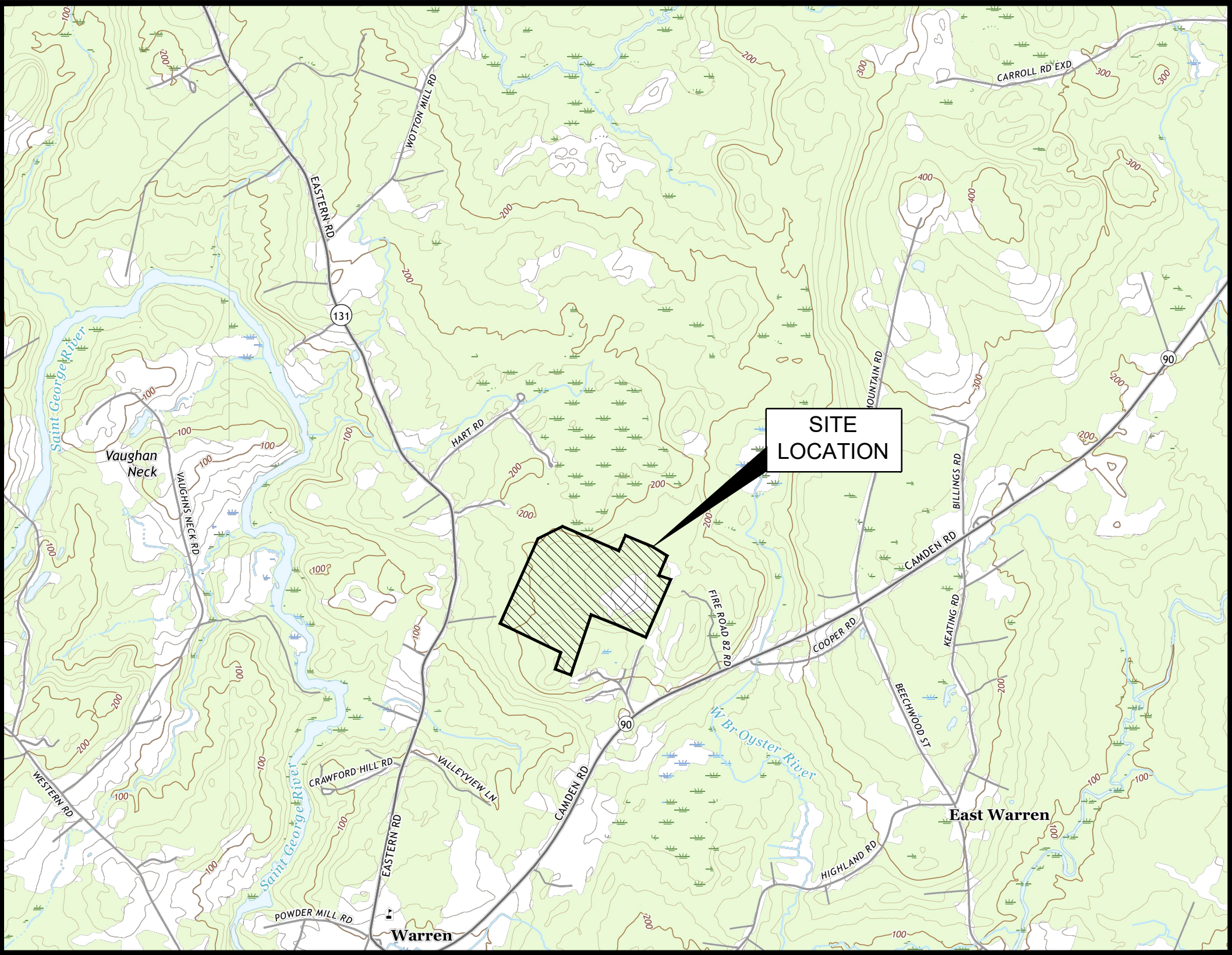
LAND SURVEYOR
DOUCET SURVEY LLC
10 STORER STREET
KENNEBUNK, ME 04043
207.502.7005

NATURAL RESOURCES CONSULTANT
MOYSE ENVIRONMENTAL SERVICES
355 HUSSON AVENUE, SUITE 4
BANGOR, ME 04401
207.945.6179

VERNAL POOL ASSESSMENT
MOYSE ENVIRONMENTAL SERVICES
355 HUSSON AVENUE, SUITE 4
BANGOR, ME 04401
207.945.6179

GEOTECHNICAL ENGINEERS
S.W. COLE ENGINEERING, INC.
286 PORTLAND ROAD
GRAY, ME 04039
207.657.2866

SOIL SCIENTISTS
MOYSE ENVIRONMENTAL SERVICES
355 HUSSON AVENUE, SUITE 4
BANGOR, ME 04401
207.945.6179



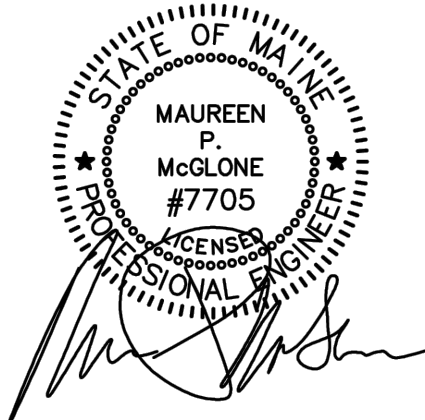
LOCATION MAP
SCALE: 1" = 2000'

STATE AND FEDERAL PERMITS REQUIRED:		
PERMIT	REQUIRED / NOT REQUIRED	STATUS / PERMIT NO.
MEDEP WETLANDS BUREAU STANDARD DREDGE AND FILL	REQUIRED	PENDING
MEDEP NRPA	REQUIRED	PENDING
MEDEP SLODA	REQUIRED	PENDING
MEDOT ENTRANCE PERMIT	REQUIRED	PENDING
EPA, NPDES CONSTRUCTION GENERAL PERMIT (CGP)	REQUIRED	PENDING
MAINE ARMY CORPS	REQUIRED	PENDING

NO TEMPORARY OR PERMANENT FILL SHALL BE PLACED IN ANY WETLAND UNLESS THE APPROPRIATE PERMIT HAS BEEN GRANTED BY MAINE DEP & USACE.



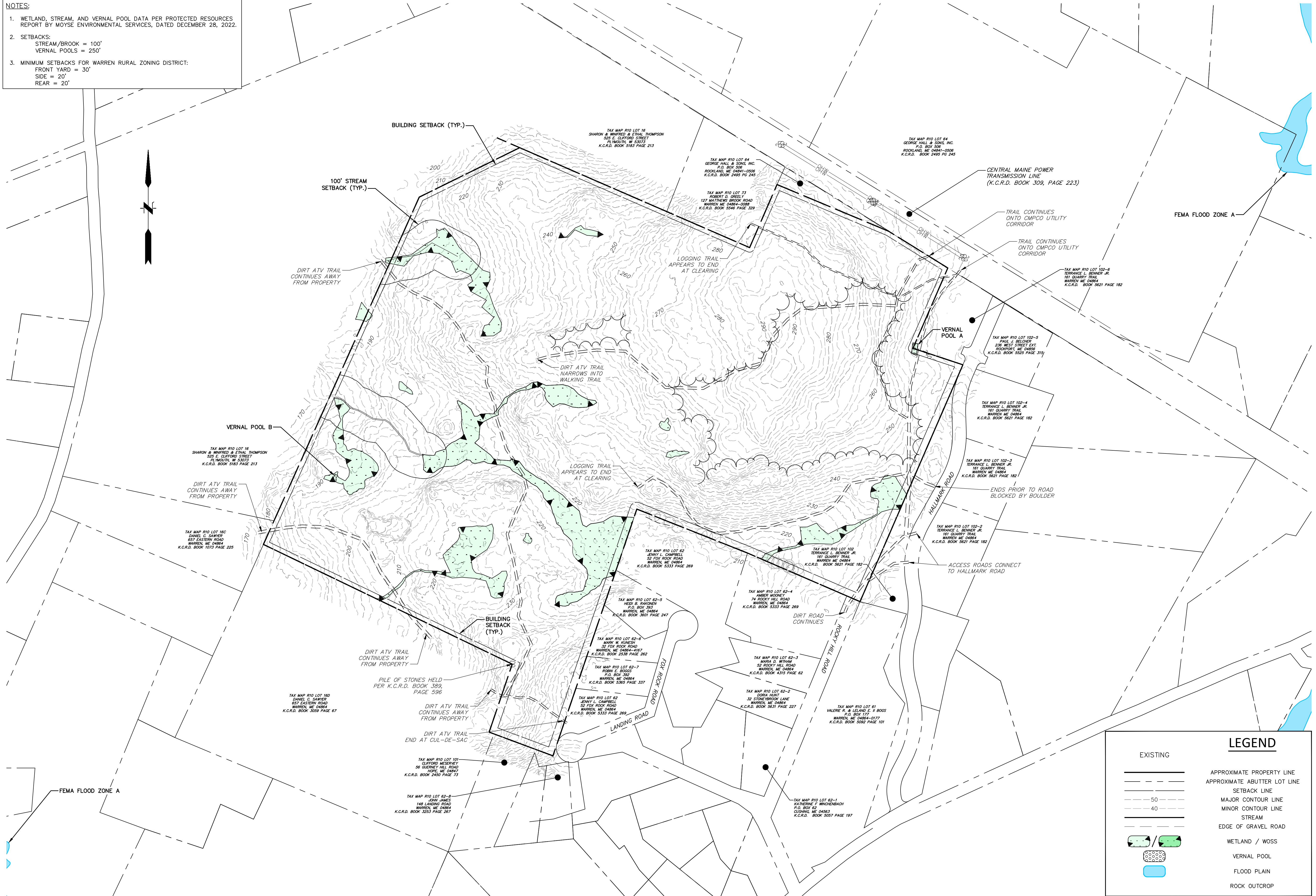
CONTACT DIG SAFE 72 HOURS PRIOR TO CONSTRUCTION
THE LOCATION OF ANY UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. OLD CONSULTING ENGINEERING MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN. 72 HOURS PRIOR TO ANY EXCAVATION ON SITE, THE CONTRACTOR SHALL CONTACT DIG-SAFE AT 1-888-DIG-SAFE.



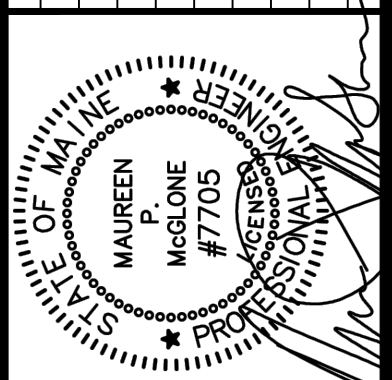
PROJ. No.: 20190588.C31
DATE: 08/08/2024

GI-001

1. WETLAND, STREAM, AND VERNAL POOL DATA PER PROTECTED RESOURCES REPORT BY MOYSE ENVIRONMENTAL SERVICES, DATED DECEMBER 28, 2022.
2. SETBACKS:
STREAM/BROOK = 100'
VERNAL POOLS = 250'
3. MINIMUM SETBACKS FOR WARREN RURAL ZONING DISTRICT:
FRONT YARD = 30'
SIDE = 20'
REAR = 20'



No.	DATE	DESCRIPTION	DESIGNER		REVIEWER	
			MRT / JVA	JL	MRT / JVA	JL
1.	8/25/2023	PRELIMINARY SKETCH PLAN	MRT / JVA	JL		
2.	10/19/2023	SUBMITTED FOR LOCAL REVIEW	MRT / JVA	JL		
3.	1/31/2024	MAINE DEP SLODA SUBMISSION	MRT / JVA	JL		
4.	5/31/2024	MAINE DEP SLODA SUBMISSION	MRT	JL		
5.	08/08/2024	MAINE DEP SLODA SUBMISSION	JVA	MPM / RRL		



KNOX SOLAR ENERGY CENTER
KNOX SOLAR ENERGY CENTER LLC
EXISTING CONDITIONS PLAN
ROCKY HILL ROAD
WARREN
MAINE

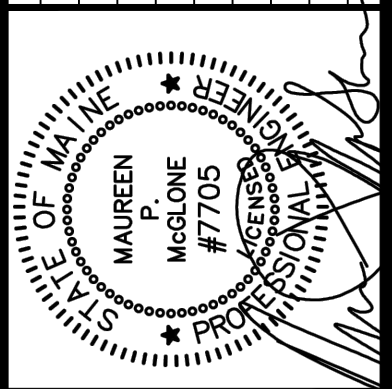
PROJ. No.: 20190588.C31
DATE: 08/08/2024

EX-101

SHEET 3 OF 28



NO.	DATE	DESCRIPTION	DESIGNER REVIEWER
5.	08/08/2024	MAINE DEP SLODA SUBMISSION	JVA / MFM / RRL
4.	5/31/2024	MAINE DEP SLODA SUBMISSION	JVA / JL
3.	1/31/2024	MAINE DEP SLODA SUBMISSION	MRT / JVA
2.	10/19/2023	SUBMITTED FOR LOCAL REVIEW	MRT / JVA
1.	8/25/2023	PRELIMINARY SKETCH PLAN	MRT / JVA



SCALE:	HORIZ.: 1" = 20'
	VERT.: N/A
DATUM:	HORIZ.: NAD83
	VERT.: NGVD29
	200 100 0 200
	GRAPHIC SCALE

FUSS & O'NEILL

5 FLETCHER STREET, SUITE 1
KENNEBUNK, MAINE 04031
207.363.0609
www.fussandoneill.com

KNOX SOLAR ENERGY CENTER
KNOX SOLAR ENERGY CENTER LLC

WETLAND IMPACT PLAN

ROCKY HILL ROAD

WARREN

MAINE

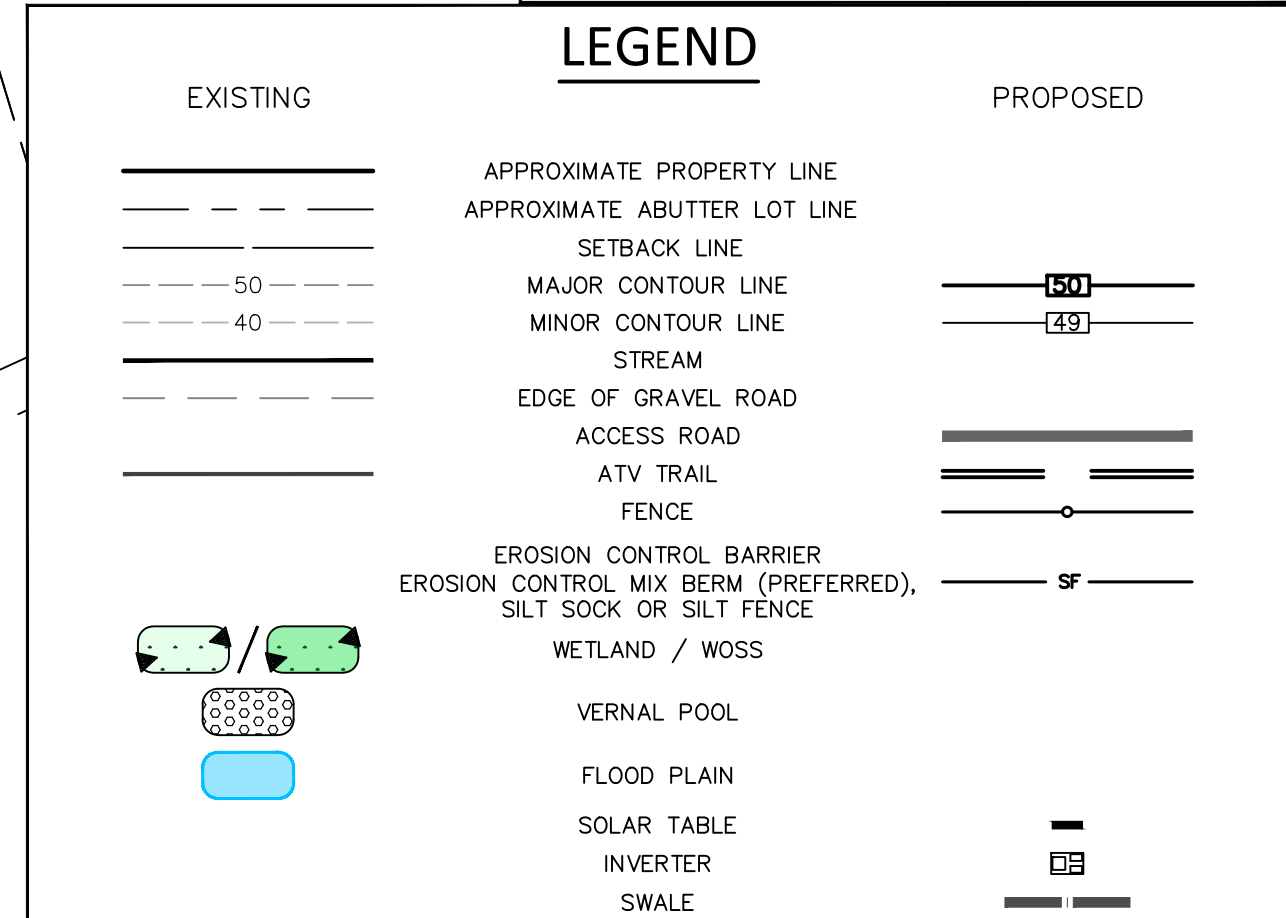
PROJ. No.: 20190588.C31
DATE: 08/08/2024


CS-110

SHEET 4 OF 28

[illegible]

MS VIEW:



SCALE:	
HORZ.:	1" = 200'
VERT.:	N/A
DATUM:	
HORZ.:	NAD83
VERT.:	NGVD29
	
GRAPHIC SCALE	



FUSS & O'NEILL
5 FLETCHER STREET, SUITE 1
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KNOX SOLAR ENERGY CENTER
KNOX SOLAR ENERGY CENTER LLC
STORMWATER BUFFER PLAN
ROCKY HILL ROAD
WARREN MAINE

PROJ. No.: 20190588.C31
DATE: 08/08/2024
CS-120
SHEET 5 OF 28



- NOTES:
1. SETBACKS:
STREAM/BROOK = 100'
VERNAL POOLS = 250'
 2. MINIMUM SETBACKS FOR WARREN RURAL ZONING DISTRICT:
FRONT YARD = 30'
SIDE = 20'
REAR = 20'

LEGEND	
EXISTING	PROPOSED
	APPROXIMATE PROPERTY LINE
	APPROXIMATE ABUTTER LOT LINE
	SETBACK LINE
	MAJOR CONTOUR LINE
	MINOR CONTOUR LINE
	STREAM
	EDGE OF GRAVEL ROAD
	ACCESS ROAD
	ATV TRAIL
	FENCE
	EROSION CONTROL BARRIER
	EROSION CONTROL MIX BERM (PREFERRED),
	SILT SOCK OR SILT FENCE
	WETLAND / WOSS
	VERNAL POOL
	FLOOD PLAIN
	SOLAR TABLE
	INVERTER
	SWALE

PROJ. No.: 20190588.C31
DATE: 08/08/2024

CS-200

SHEET 6 OF 28

WARREN
ROCKY HILL ROAD
OVERALL SITE PLAN
KNOX SOLAR ENERGY CENTER LLC
KNOX SOLAR ENERGY CENTER LLC

FUSS & O'NEILL
5 FLETCHER STREET, SUITE 1
KENNEBUNK, MAINE 04033
207.363.0609
www.fussandoneill.com

SCALE:
HORZ.: 1" = 200'
VERT.: N/A
DATUM: NAD83
VERT.: NGVD29
GRAPHIC SCALE
200 100 0 200

STATE OF MAINE
MAUREEN P. MCGLOTHLIN
#7705
REGISTERED PROFESSIONAL ENGINEER

NO.	DATE	DESCRIPTION	DESIGNER/REVIEWER
5.	08/08/2024	MAINE DEP. SLODA SUBMISSION	JVA / MFM / RRL
4.	5/31/2024	MAINE DEP. SLODA SUBMISSION	JVA / J.L.
3.	1/31/2024	MAINE DEP. SLODA SUBMISSION	MRT / JVA
2.	10/19/2023	SUBMITTED FOR LOCAL REVIEW	MRT / JVA
1.	8/25/2023	PRELIMINARY SKETCH PLAN	MRT / JVA