



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

696 Virginia Road  
Concord, MA 01742-2751

# Public Notice

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Levee Safety Program

Date: September 22, 2020

Comment Period Closes: October 7, 2020

## 15 DAY PUBLIC NOTICE

**ALTERATION OF A U.S. ARMY CORPS OF ENGINEERS CIVIL WORKS PROJECT PURSUANT TO 33 USC 408  
ALL-TERRAIN VEHICLE (ATV) ACCESS RAMP  
FORT KENT, ME**

Interested parties are hereby notified that the U.S. Army Corps of Engineers, New England District (USACE) is evaluating plans pursuant to 33 U.S.C. 408 (Section 408) to allow the town of Fort Kent to construct an ATV access ramp against the Saint John River Right Bank & Fish River Left Bank Flood Damage Reduction Levee System (levee system) in Fort Kent, ME. The levee system is operated and maintained by the town of Fort Kent, ME, and the Town is the requesting approval to construct the ramp. The levee system is approximately 3,300 feet long and is made up of earthen embankments and floodwalls. It also has a pump station located behind the system that pumps rainwater over the levee that sometimes collects in the leveed area. There are 46 acres of developed residential and commercial land behind the levee system. Also, behind the levee system is an international border patrol station, police station, the Department of Public Works, and Town offices.

This notice is being issued pursuant to 33 U.S.C. 408, USACE Engineering Circular (EC) 1165-2-220, Executive Order 11988 – Floodplain Management, and Council on Environmental Quality (CEQ) regulations (40 Code of Federal Regulations [CFR] 1500-1508) for implementing the procedural provisions of the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et. seq.) and the U.S. Army Corps of Engineers (USACE) Procedures for Implementing NEPA (33 CFR 230). Section 408 allows USACE to grant permission for the alteration, occupation, or use of USACE civil works projects if it is determined that the activity will not be injurious to the public interest and will not impair the usefulness of the Federal project. A decision on a Section 408 request is a Federal action, and therefore subject to NEPA and other environmental compliance requirements. The levee system was constructed by the U.S Army Corps of Engineers (USACE) and turned over to the town of Fort Kent in 1977 in response to flooding in 1973 and 1974. During the flood events in 1973 and 1974, the river elevation rose 4 feet within one hour causing severe flooding to businesses on Main Street and homes in the surrounding area. Since 1977, the levee system has provided significant flood risk benefits to the Town especially in the winter, with flood protection from ice jams. The action that affects the Federal project is limited to construction of an ATV access ramp on the landside of the levee adjacent to the America's First Mile monument on Main Street in Fort Kent. The existing access ramp would consist of a 14-foot-wide ramp, sloped at approximately 13 percent, connecting with the existing ground surface

approximately 65 feet from the landside edge of the levee's crest. There is an existing trail on the riverside of the levee which would not be modified as part of the proposed work. USACE has determined that the action is categorically excluded under NEPA, and therefore, an Environmental Assessment is not required for this action. The public is invited to provide comment. To request more information contact: Kevin DiRocco, Levee Safety Program Manager, New England District, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742, (978) 318-8396, [Kevin.J.DiRocco@usace.army.mil](mailto:Kevin.J.DiRocco@usace.army.mil). The comment period will end on October 7, 2020. Letters should be postmarked by this date.