



**US Army Corps
of Engineers®**
New England District
696 Virginia Road
Concord, MA 01742

PUBLIC NOTICE

Date of Notice: December 27, 2019

Comment Period Ends: January, 25, 2020

30-DAY PUBLIC NOTICE PLEASANT POINT REVETMENT PASSAMAQUODDY TRIBE PERRY, MAINE EMERGENCY SHORELINE PROTECTION PROJECT

Interested parties are hereby notified that the U.S. Army Corps of Engineers (USACE), New England District, plans to stabilize approximately 1,500 feet (ft.) of shoreline at the Pleasant Point Reservation near Perry, Maine. The work is being implemented under the Section 14 Emergency Shoreline Protection program. The Pleasant Point Reservation is home to members of the federally recognized Passamaquoddy Tribe. The draft Environmental Assessment (EA) was prepared in compliance with Council on Environmental Quality (40 Code of Federal Regulations [CFR] 1500 to 1508) and U.S. Army Corps of Engineers regulations for implementing the National Environmental Policy Act (NEPA) (33 CFR 230).

The USACE has submitted to the State its determination that the proposed Emergency Shoreline Protection program project will be conducted in a manner consistent with applicable enforceable policies of the Maine Coastal Program, including pertinent standards under the Natural Resources Protection Act (38 M.R.S. §§ 480-A through 480-Z) and state water quality laws ("consistency determination"). The Department of Environmental Protection's ("DEP") review of the USACE's submission will constitute the State's consistency review pursuant to Section 307 of the federal Coastal Zone Management Act, 16 U.S.C. §1456.

The USACE's submission will be filed for public inspection at DEP's office in Portland, Maine during normal working hours. A copy of the submission may also be seen at the municipal offices in Town of Wells, Maine. Written public comments regarding the USACE's consistency determination may be sent on or before (30 days from) submitted DATE to: Shannon Smith, Department of Environmental Protection, MDEP, Eastern Maine Regional Office, 106 Hogan Road, Bangor, Maine 04401.

Purpose and Need: The purpose of the proposed emergency shoreline protection project is to prevent ongoing shoreline erosion in front of tribal housing, a church, and a senior center at the Pleasant Point Reservation in Washington County, Maine by constructing a 1,500 ft. long

revetment (Figure 1). Tribal owned-facilities may be at risk from further erosion unless immediate action is taken to stabilize the shoreline.

Project Description: The 1,500 ft. long and 36 ft. wide stone revetment design consists of a geotextile fabric overlain by a 6 inch layer of gravel stone, a 12 inch thick double layer of underlayer stone, and a 27 inch thick double layer of 1.0 ton armor stone on a 1V: 2H slope (Figure 2). Construction is expected to take four to six months. Construction will be completed during the low portion of the tidal cycle. The proposed revetment will tie into the southern section of a newly constructed 300 ft. revetment in front of the tribal owned Waste Water Treatment Plant (WWTP).

The revetment will be located within the same footprint as a previous revetment constructed by the USACE in 1987 that failed due to deficiencies in armor stone shape, size and weight and lack of stone bedding. To assure the long-term stability of the current revetment design, fetch-limited wave modeling, and an evaluation of extreme water levels was conducted. Armor stone was sized in accordance with current standards in the Coastal Engineering Manual and was based on water levels and wave heights associated with a 75-year coastal storm event. A wave run-up analysis was also performed to assess the structure's susceptibility to wave overtopping and to design the splash apron landward of the crest.

Coordination: The proposed work is being coordinated with the following federal, state, and local agencies:

Federal

U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service
National Marine Fisheries Service

State of Maine

Maine Department of Inland Fisheries and Wildlife
Maine Office of Coastal Zone Management

Local

Passamaquoddy Tribe, Pleasant Point
Tribal Historic Preservation Officer

Environmental Consequences: Implementing the proposed action will not adversely affect the region nor local economic development, demographics, housing, quality of life, environmental justice, or protection of children. If the proposed project is not constructed, there will be negative effects to the tribal population due to the potential loss of tribal housing, such as the senior center, church and residential housing.

Endangered Species: USACE filed a Northern Long-Eared Bat (NLEB) 4(d) Rule Streamlined Consultation Form with U.S. Fish and Wildlife Service (USFWS) indicating that the project is not likely to adversely affect the NLEB. A "No Effect" determination was made that this project will have no impact on any endangered or threatened species under jurisdiction of the National Oceanic and Atmospheric Administration Fisheries Service (NOAA Fisheries).

Essential Fish Habitat: Preliminary conservation recommendations were provided by National Marine Fisheries Service (NMFS) in response to coordination efforts. During the plan development process, USACE will work, to the maximum extent practicable, to avoid placement of engineered rock in the intertidal zone to limit the amount of habitat conversion. Additional coordination with NMFS will occur once the project design plans are finalized. Formal conservation recommendations are expected to be provided at that time.

Historic and Archaeological Resources

The Passamaquoddy Tribe has occupied the area bordering on Passamaquoddy Bay as far back as 14,000 years ago. There are two federally recognized Passamaquoddy Tribes in Maine, the Pleasant Point and Indian Township Reservations. Each is a distinct sovereign unit with their own government and services. Located at the confluence of Passamaquoddy and Cobscook Bay, the Pleasant Point peninsula has always been a traditional seasonal fishing village to the Passamaquoddy. Consultation with the Tribal Historic Preservation Officer (THPO) was completed and this project was determined to have no impact on cultural and historical concerns of the Passamaquoddy Tribe.

Other Federal Permit Requirements: A Clean Water Act Section 404(b)(1) Evaluation is provided in the draft EA. A Clean Water Act Section 401 water quality certification and Federal Consistency pursuant to the Coastal Zone Management Act will be obtained from the State of Maine prior to project construction.

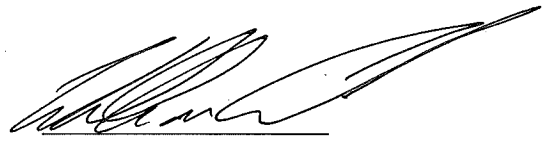
Compliance: This Public Notice is being issued in compliance with several environmental federal statutes and executive orders (Attachment A).

Availability of the Final Environmental Assessment: Copies of the Final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) are available at the following website: <http://www.nae.usace.army.mil/Missions/Projects-Topics/Pleasant-Point-Shoreline-Protection-Project/>

Additional Information: Additional information may be obtained from the Planning Division of the New England District, U.S. Army Corps of Engineers; Mr. Dorothy Lundberg, the Project Manager, and/or Mr. Kevin Foster of the Environmental Resources Section, at the return address shown below. These individuals may also be reached by phone or email, Ms. Lundberg at 978-318-8155 or Dot.J.Lundberg@usace.army.mil; Mr. Foster at 978-318-8621 or kevin.b.foster@usace.army.mil.

Public Comments: Comments are invited from all concerned parties and should be directed to the District Engineer at 696 Virginia Road, Concord, MA 01742, ATTN: Planning Division (Mr. Kevin Foster), within 30 days of this notice. Please bring this notice to the attention of anyone you know to be interested in the project.

20 DEC 2019
Date


William M. Conde
Colonel, Corps of Engineers
District Engineer

Attachments

ATTACHMENT A

ENVIRONMENTAL FEDERAL STATUTES AND EXECUTIVE ORDERS

American Indian Religious Freedom Act of 1978, 42 U.S.C. 1996.

Archaeological Resources Protection Act of 1979, as amended, 16 U.S.C. 470 et seq.

Clean Air Act, as amended (42 U.S.C. 7401 et. seq.)

Clean Water Act, as amended (33 U.S.C. 1251 et. seq.)

Coastal Zone Management Act of 1972, Sections 307 (c)(1) and (2)[16 U.S.C. 760c-760g]

Endangered Species Act of 1973 as amended (16 U.S.C. 1531 et seq.)

Federal Water Project Recreation Act, as amended (16 U.S.C. 460L-12 et. seq.)

Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.)

Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460L-4 et seq.)

Magnuson-Stevens Fishery Conservation and Management Act, (16 U.S.C. 1801 et seq.)

National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347)

National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.)

Preservation of Historic and Archaeological Data Act of 1974, as amended, 16 U.S.C. 469 et seq.

Watershed Protection and Flood Prevention Act, as amended, 16 U.S.C. 1001 et seq.

Executive Order 11988, Floodplain Management, 24 May 1977 amended by Executive Order 12148, 20 July 1979.

Executive Order 11990, Protection of Wetlands, 24 May 1977

Executive Order 11593, Protection and Enhancement of the Cultural Environment, 13 May 1971

Executive Order 13007, Accommodations of Sacred Sites, 24 May 1996.

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 11 February 1994.

Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks, 21 April 1997.

Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, 6 November 2000.

White House Memorandum, Government-to-Government Relations with Native American Tribal Governments, 29 April 1994.

Figure 1. Locus Map of Proposed Revetment at Pleasant Point – Perry, Maine

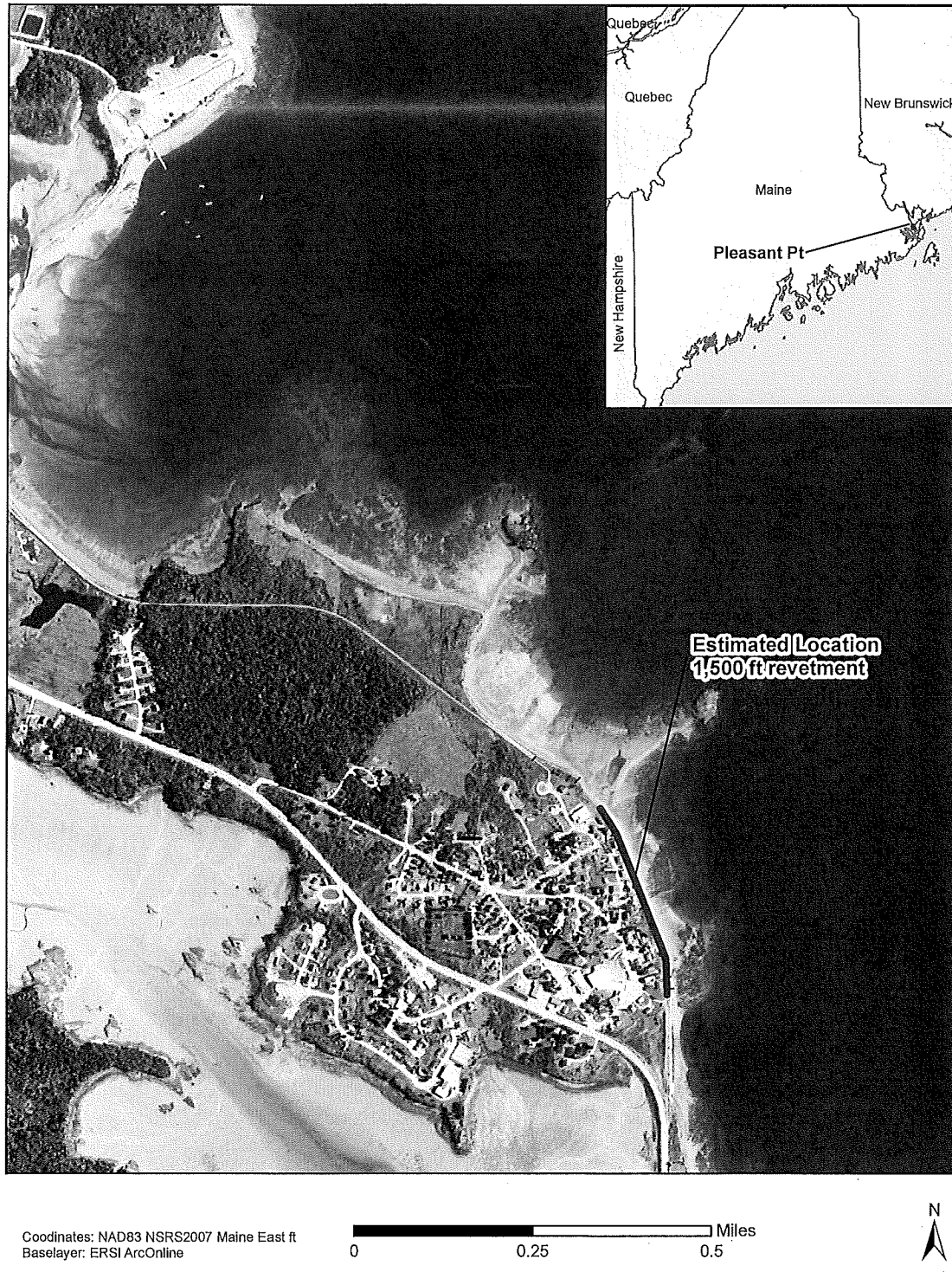
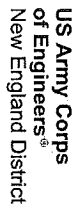
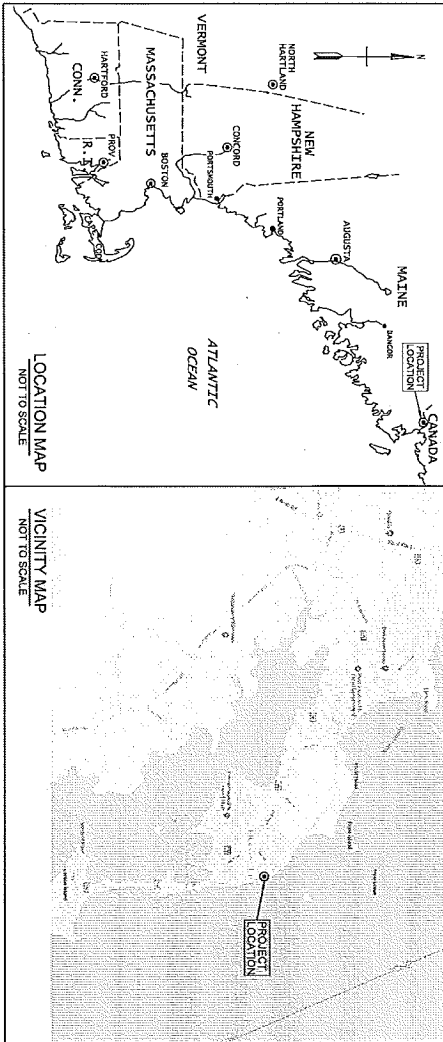


Figure 2. Draft Section Plan of Proposed Revetment at Pleasant Point – Perry, Maine

Attached



**EMERGENCY SHORELINE
PROTECTION PROJECT
PERRY, MAINE**



INDEX TO DRAWINGS		
SHEET NO.	DESIGN FILE	SHEET TITLE
1	G-001	COVER SHEET AND INDEX
2	PERRY-1_G-001.DGN	GENERAL SITE PLAN
3	PERRY-1_G-101.DGN	
4	C-102	STATION 0+00 TO STATION 5+00
5	PERRY-1_C-102.DGN	STATION 10+25 TO STATION 10+25
6	C-103	STATION 10+25 TO STATION 15+00
7	PERRY-1_C-103.DGN	SECTIONS AND DETAILS

APPROVAL FOR TECHNICAL ADOPTION BY:		DATE
TECHNICAL LEAD NUMBER		
REVIEWED BY:		
CHEF, OPERATIONAL WATER RESOURCES BRANCH		DATE
REVIEWED BY:		
CHEF, GEOGRAPHICAL INFORMATION SYSTEMS BRANCH		DATE
REVIEWED BY:		
CHEF, DATA MANAGEMENT AND ENGINEERING BRANCH		DATE
REVIEWED BY:		
CHEF, RESOURCES BRANCH		DATE
APPROVAL, RECOMMENDED BY:		
CHEF, TECHNICAL SUPPORT BRANCH/CHIEF, DATA BRANCH		DATE
APPROVED BY:		
CHEF, ENGINEERING DIVISION		DATE

The project was assigned by the U.S. Army Corps of Engineers. The title of the program is "Development of a Hydrologic Modeling System for the Pacific Northwest." The project was completed on 11/10/1982. The project was completed on 11/10/1982. The project was completed on 11/10/1982.

SHEET ID
G-001

COVER SHEET AND INDEX

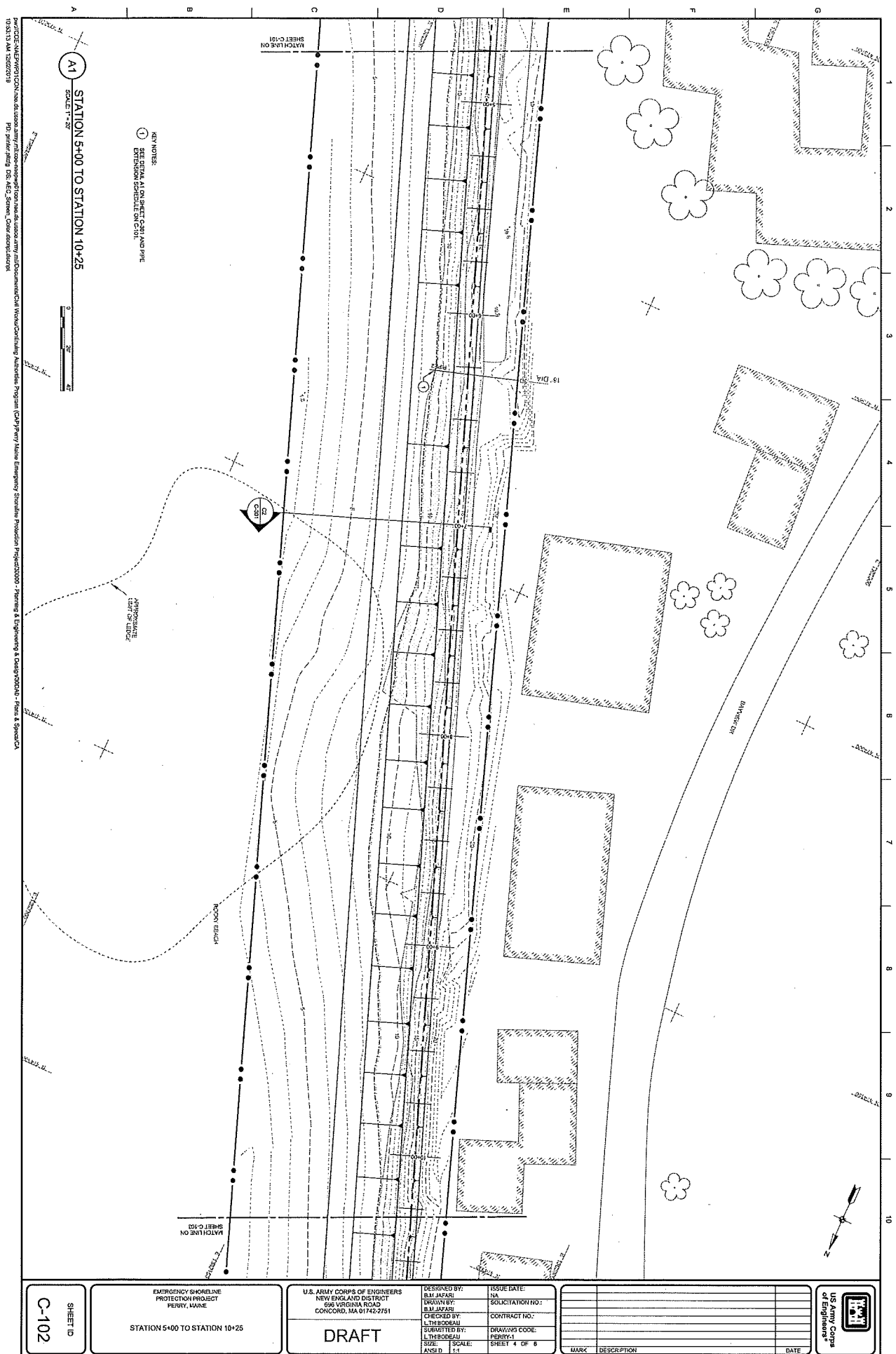
U.S. ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD, MA 01742-2751

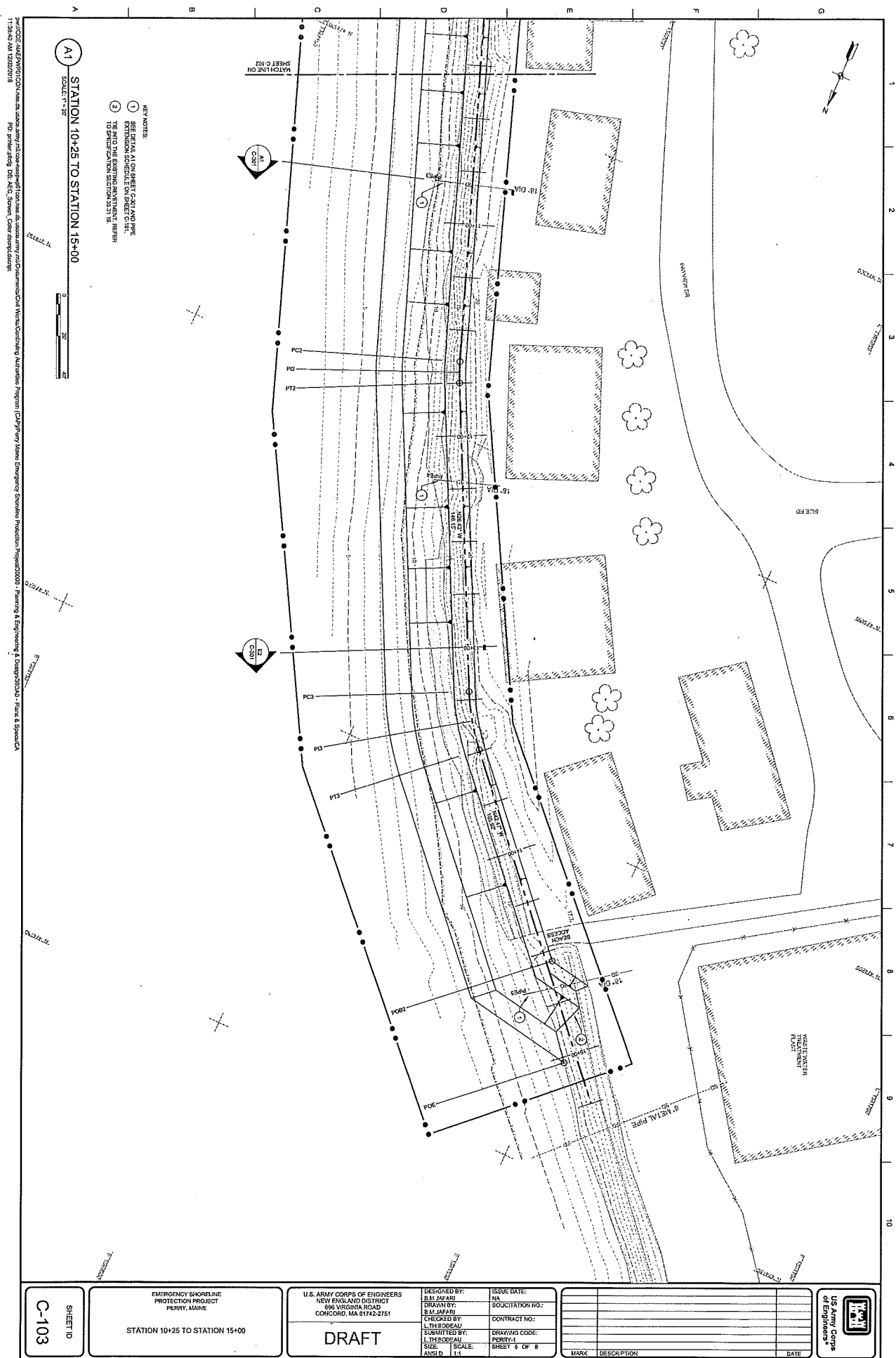
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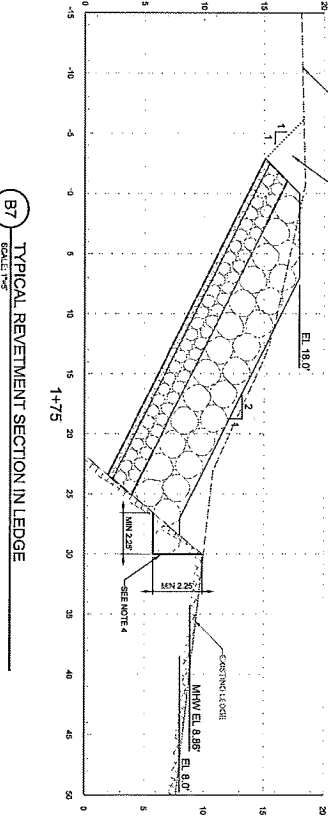
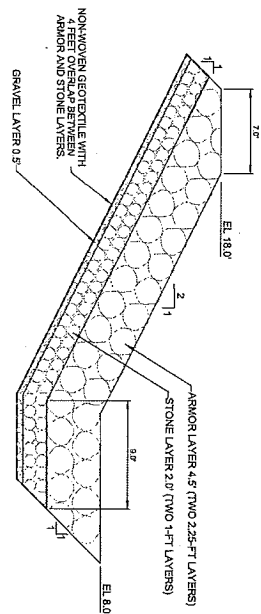
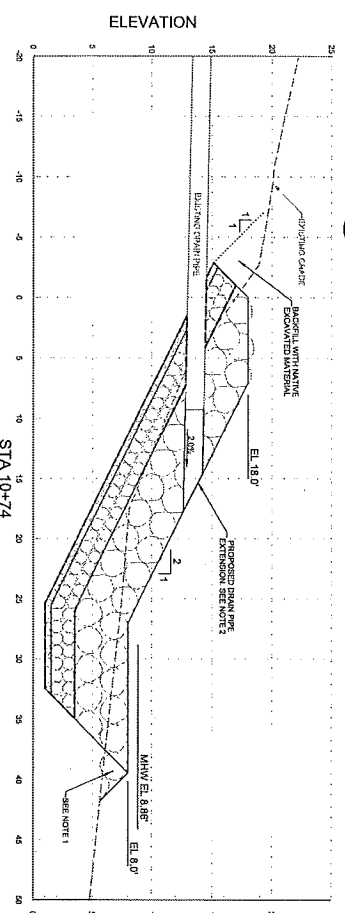
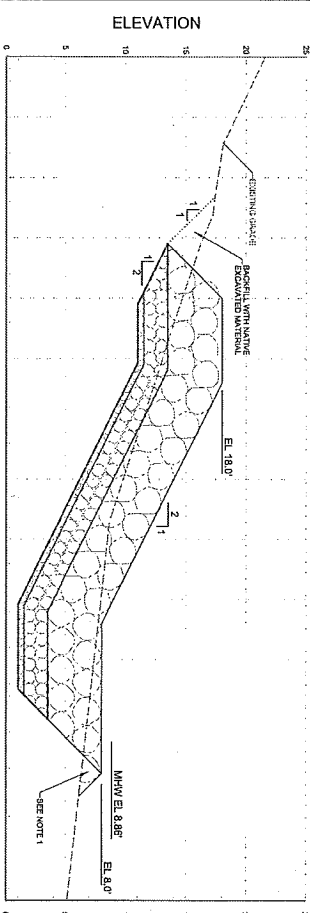
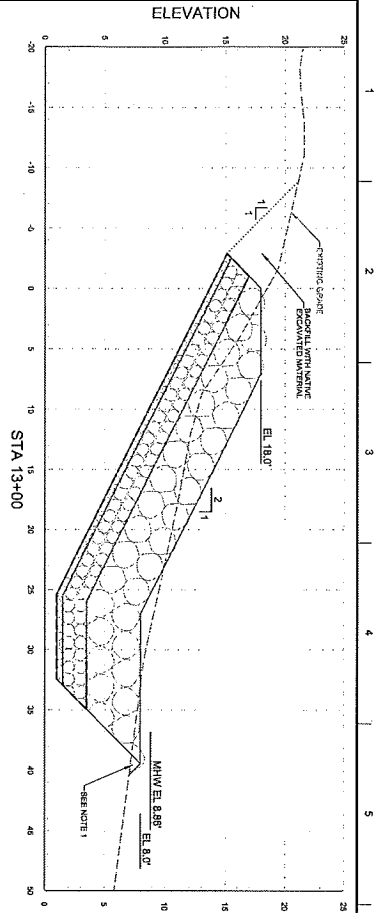
DESIGNED BY:	B.M. JAFARI
DRAWN BY:	B.M. JAFARI
CHECKED BY:	L. THIBODEAU
SUBMITTED BY:	L. THIBODEAU

ISSUE DATE:	NA
SOLICITATION NO.:	
CONTRACT NO.:	
DRAWING CODE:	CON-NH-478

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- NOTES:
1. IN CASE A WRECK IS FOUND, EXPOSED NO GREATER THAN 10 FEET ABOVE THE BERM GRADE.
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