



US Army Corps
of Engineers®
New England District

Public Notice

In Reply Refer to: Dr. Dot Lundberg
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Planning Division

Date: March 23, 2020

Comment Period Closes: April 23, 2020

696 Virginia Road
Concord, MA 01742-2751

30 DAY PUBLIC NOTICE

NAVIGATION IMPROVEMENT OF BLUE HILL HARBOR, MAINE

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps), New England District, is proposing channel improvements to increase the Blue Hill Harbor's ability to accommodate safe and efficient commercial fishing vessel operations from the Town Landing. The proposed project involves work in the navigable waters of this District, under the provisions of Section 404 of the Clean Water Act of 1977 (P.L. 95-217) and is being authorized in accordance with Title 33, Parts 335-338 of the Code of Federal Regulations. Attachment No. 1 lists pertinent laws, regulations, and directives.

Project Description: The proposed project will make improvements to the Blue Hill Harbor in Blue Hill Maine. A feasibility study developed and analyzed several alternatives for navigation channel improvements and the benefits that each alternative provides. The Recommended Plan, as shown in Figure 1, would establish a 6-foot mean lower low water (MLLW) by 80-foot wide Federal channel extending about 5,400 feet from deep water off Parker Point up-harbor to the Blue Hill town landing with a one-half acre turning basin at its head. Only the upper 2,600 feet of the channel would require dredging. Approximately 62,500 cubic yards (CY) of mixed gravel, sand, and silt will be removed from the proposed project area using a mechanical dredge. The 52,000 CY of dredged material deemed suitable for open water disposal will be loaded onto scows and towed about 11 miles to the Eastern Passage Disposal Site (EPDS), a previously used disposal site near Dodge Island, for placement. Approximately 10,500 CY of material from the upper two feet of the inner harbor, which was deemed unsuitable for open water placement due to the presence of polycyclic aromatic hydrocarbons (PAHs) and metals, will be placed in a confined aquatic disposal (CAD) cell within Blue Hill Harbor. The CAD cell will be constructed by removing approximately 19,500 CY of suitable of mixed gravel, sand,

and silt material from an area adjacent to the designated channel. Material generated from the CAD cell creation will be placed at the EPDS. Construction will occur between October 1 and April 1 and is expected to take three to four months to complete. Construction will occur in any given year in which funding becomes available. This improvement project is authorized under the continuing authority of Section 107 of the River and Harbor Act of 1960, as amended.

Purpose of Work: The principal navigation issue at Blue Hill Harbor is that the existing conditions do not accommodate safe and efficient operations of commercial fishermen and other vessel operators in the Blue Hill area. Regional demands on the commercial fishing fleet, navigation delays, and inefficiencies have become problematic for the fleet. Under present conditions, navigation is limited to the period of three hours before and three hours after high tide. At low tide, a boat drawing two feet or more cannot approach closer than 2,000 feet seaward of the wharf. The only other landings in Blue Hill Harbor that have adequate water access are the Kollegewidgwok Yacht Club and the privately owned old Steamboat Wharf on Peter's Point. The Blue Hill commercial fishing fleet has already maximized the available berthing and offloading space, so providing a new channel will alleviate the commercial fleet's navigation problems. The vessels utilizing Blue Hill as a base of operations must be better accommodated if the commercial operators at Blue Hill are to continue to be competitive in the New England region fish industry. The Corps has tentatively selected a plan that recommends dredging a new channel to enhance the navigation routes and allow vessels to safely reach berthing and offloading areas.

Alternatives Considered: Alternatives were developed based on project depth optimization and disposal options for unsuitable dredged material. Project depths of 5, 6, and 7 feet below mean lower low water (MLLW) were evaluated to aid in optimization of the Corps tentatively selected plan. Alternatives for disposal of unsuitable dredged material include placement in an in-harbor Confined Aquatic Disposal (CAD) Cell, or rehandling material ashore for dewatering and transport to an upland disposal facility. Two alternatives were evaluated for the proposed project: establish a channel with use of a CAD cell and establish a channel with upland disposal. The selected plan is based on consideration of economic efficiency, minimization of environmental impacts, navigational safety, and the needs of state government and local stakeholders. Establishing a channel with CAD disposal results in the greatest net benefits, and is the preferred National Economic Development (NED) plan.

Placement Area: Disposal of the unsuitable portion of the dredged material will be taken to a CAD cell constructed north of the channel. All suitable material, including

material dredged to create the CAD cell (Figure 1), would be placed at the previously used Eastern Passage Disposal Site. The haul route is found in Figure 2.

Additional Information: Additional information may be obtained from Dr. Dot Lundberg Planning Division, at the address shown above, telephone number (978) 318-8155 or email at Dot.J.Lundberg@usace.army.mil.

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

Federal

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

State

Maine Department of Environmental Protection
Maine Department of Marine Resources
Maine Coastal Program
State Historic Preservation Office

Federally Recognized Tribes

Passamaquoddy Tribe
Penobscot Indian Nation

Local

Town of Blue Hill

Environmental Impacts: A draft Environmental Assessment for this work has been prepared and is available for review upon request. The Corps has made a preliminary determination that an Environmental Impact Statement is not required under the provisions of the National Environmental Policy Act of 1969. This determination will be reviewed in light of facts submitted in response to this notice.

Federal Consistency with Maine's Coastal Zone Management Program: The Corps finds that the improvement dredging of the Blue Hill Harbor navigation project is consistent to the maximum extent practicable with Maine's approved coastal zone management plan established as a result of the Coastal Zone Management Act of 1972.

Other Information:

- a. Local Sponsor: The Town of Blue Hill, Maine, is the local sponsor for the proposed work.
- b. Previous Dredging: The areas proposed to be dredged for navigation improvement have never been dredged before.
- c. Alternate Placement Methods: Alternate placement options that have been considered were: open water placement, upland disposal, a confined disposal facility, and beneficial use. The preferred alternative for the placement of dredged material from the proposed project is open water placement for suitable dredged material and the use of a confined aquatic disposal (CAD) cell for unsuitable dredged material.
- d. Non-Federal Dredging: To date there are no non-Federal dredging projects proposed in connection with the proposed Federal improvement dredging. Facility owners within the harbor who may be interested in performing non-Federal dredging concurrently with this project should be aware that work will require a permit from the U.S. Army Corps of Engineers under Section 10 of the River and Harbor Act and, depending on the location of the non-Federal dredged material disposal, may also require a Corps permit under Section 404 of the Clean Water Act. In order to be disposed of in ocean waters, private dredged material must be determined to be suitable for such disposal.
- e. Endangered Species: The Corps made the preliminary determination that the proposed project is not likely to adversely impact any state or Federally-listed threatened or endangered species.
- f. Floodplain Management: The proposed project is not located within the floodplain, so it will not result in further development of the floodplain and will not result in any long or short-term adverse impacts associated with the occupancy and modification of the floodplains.
- g. Cultural Resources: The proposed work will not affect any cultural or archaeological features or resources in the area of dredging or disposal, and coordination was complete in accordance with Section 106 of the National Historic Preservation Act and implementing regulations (36 CFR 800).
- h. Essential Fish Habitat Assessment: The Corps has determined that dredging and placement activities may have a temporary adverse effect on Essential Fish

Habitat (EFH). The Corps has assessed the effects that the project is likely to have on EFH and has determined that they will be short-term and limited and that there will be no significant impacts on the designated fisheries resources.

- i. Additional Requirements: A 401 Water Quality Certificate will be requested from the State of Maine. The Clean Water Act of 1977 requires that the work comply with state or interstate requirements to control the discharge of dredged or fill material.

The decision whether to perform the proposed work 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 benefits that reasonably may be expected to accrue from the proposal will be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, and the welfare of the people.

Any person who has an interest that may be affected by the dredging and disposal of this dredged material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest that may be affected and the manner in which the interest may be affected by this activity.

Please bring this notice to the attention of anyone you know to be interested in this project. Comments are invited from all interested parties and should be directed to the U.S. Army Corps of Engineers, New England District, 696 Virginia Road, Concord, MA 01742-2751, ATTN: Dr. Dot Lundberg, or to email address Dot.J.Lundberg@usace.army.mil within 30 days of this notice.

William M Conde

William M. Conde
Colonel, Corps of Engineers
District Engineer

Attachments

Attachment 1:

PERTINENT LAWS, REGULATIONS, AND DIRECTIVES

Clean Air Act, as amended (42 U.S.C. 1221 et. seq.)

Clean Water Act, of 1977 as amended (33 U.S.C. 1251 et. seq.)

Coastal Zone Management Act of 1972 (16 U.S.C. 1456)

Code of Federal Regulation, Title 33, Parts 335 through 338

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

Estuary Protection Act (16 U.S.C. 1221 et. seq.)

Federal Water Project Recreation Act, as amended (16 U.S.C. 4601-12 et. seq.)

Fish and Wildlife Act of 1956 (16 U.S.C. 472a, et. seq.)

Fish and Wildlife Coordination Act (16 U.S.C. 661-666c)

Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 et. seq.)

Magnuson-Stevens Fishery Conservation and Management Act and amended by the Sustainable Fisheries Act of 1996

Migratory Marine Game-Fish Act (16 U.S.C. 760c-760g)

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

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

Executive Order 11988, Floodplain Management, 24 May 1977

Executive Order 11990, Protection of Wetlands, 24 May 1977

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 Health Risks and Safety Risks, 21 April 1997

River and Harbor Act of 1960

BLUE HILL HARBOR, MAINE
FIGURE 1
FEDERAL NAVIGATION PROJECT

Legend:
 - Proposed 6-Foot Channel (Blue line)
 - Proposed CAD Cell (Orange rectangle)

Map details: The map shows the harbor area with various points of interest including Culvert, Parker Pt., and Sculpin Pt. The proposed 6-foot channel is shown as a blue line, and the proposed CAD cell is shown as an orange rectangle. The map also includes contour lines and water depths.

Figure 2: Proposed Tug/Scow Haul Route

