



**US Army Corps
of Engineers[®]**
New England District
Maine Project Office
442 Civic Center Dr., Suite 350
Augusta, Maine 04330

PUBLIC NOTICE

Comment Period Begins: 28 April 2020
Comment Period Ends: 13 May 2020
File Number: NAE-2020-1178
In Reply Refer To: Shawn Mahaney
Phone: (978) 318-8492
E-mail: shawn.b.mahaney@usace.army.mil

15 Day Public Notice

The District Engineer has received a permit application to conduct work in waters of the United States from Project SHARE, 38 Rim Road, Machiasport, Maine 04655. This work is proposed in the Narraguagus River at Beddington, Maine. The site coordinates are: Latitude 44.838344°N, Longitude -68.068698°W.

The work involves the filling of approximately 819SF (0.019 acres) of the Narraguagus River off East Beddington Road at Beddington, Maine in conjunction with a stream habitat enhancement project. The project consist of the placement of six rock clusters and a vertical log to test these structures effectiveness for future river/stream habitat enhancement projects.

The work is shown on the enclosed plans entitled "ACOE Application Addendum" on three (3) sheets undated.

As this is a test project for stream habitat enhancement and has minimal fill, no mitigation is proposed.

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 U.S. Army Corps of Engineers, New England District (Corps), 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 Corps 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

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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 or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest 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, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972, as amended.

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). Essential Fish Habitat describes waters and substrate necessary for fish for spawning, breeding, feeding or growth to maturity.

This work may impact EFH for Atlantic salmon. This habitat consists of stream bottom composed of mixed sand, gravel, cobble and boulders. Long-term impact to this species is expected to be minimal with appropriate erosion control measures, in stream work windows, and other best management practices. Therefore, the District Engineer has made a preliminary determination that the site-specific adverse effect will be minimal. Further consultation with the federal resource agencies regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision. Similarly, consultation will be initiated regarding the presence of salmon as they are a federally listed endangered species.

NATIONAL HISTORIC PRESERVATION ACT

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s).

ENDANGERED SPECIES CONSULTATION

The Corps and U.S. Fish & Wildlife Service (USFWS) have made the determination that this project is likely to adversely affect Atlantic salmon and not likely to adversely affect its critical habitat. In fact, the project is expected to result in a long-term benefit to the species. The Corps and USFWS have also made a determination

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that the proposed project may affect the Northern long eared bat. Consultation with the Services is ongoing and will be concluded prior to the final decision. By this public notice, the District Engineer is also requesting that the appropriate federal agency provide comments regarding the presence of and potential impacts to other listed species or its critical habitat not already identified.

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

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions, please contact Shawn Mahaney at (978) 318-8492.

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 Corps 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. All comments will be considered a matter of public record. 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.

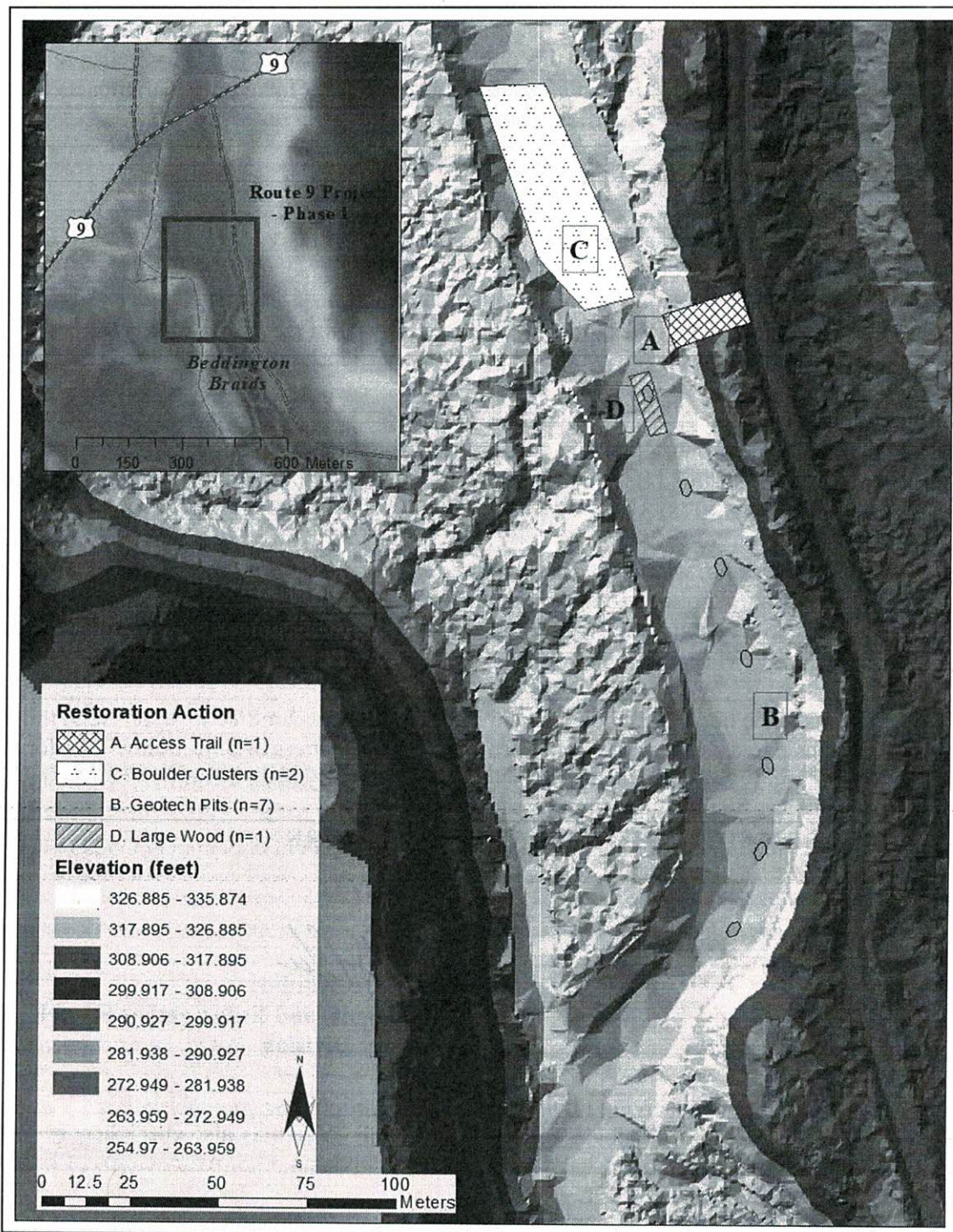
THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.


Frank J. Del Giudice
Chief, Permits and Enforcement Branch
Regulatory Division

If you would prefer not to continue receiving Public Notices by email, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____
PHONE: _____

Maps, Tables, & Figures



Map 1: Proposed restoration actions for Phase 1 of the Route 9 Project. Map produced by Project SHARE using data from Maine Office of GIS, Maine DMR, Project SHARE, and USFWS.



Restoration Action	Number of Actions	Amount of Excavation per Action (cu. yd)	Total amount of Excavation (cu. yd)
A. Exploratory Geotech Pits	7	5	35
B. Boulder Clusters	6	1.5	9
Estimated Maximum Total:			44

Table 1: Amount of bed/bank material that will be excavated during Phase 1, by restoration action.

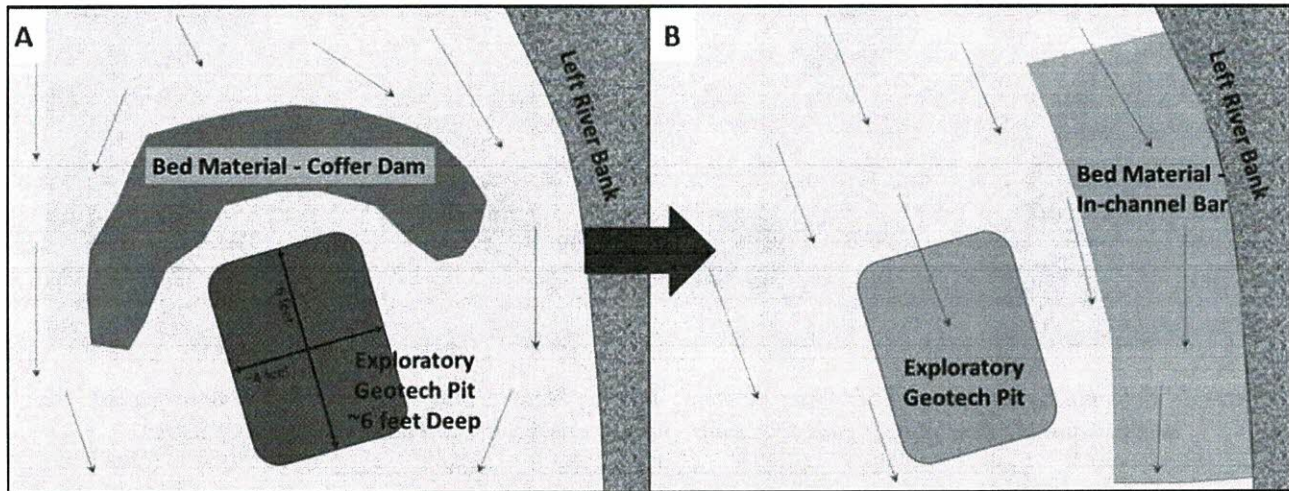


Figure 1: Schematic example of an exploratory geotechnical pit and makeshift coffer dam (A). When completed the makeshift coffer dam will be spread along the bank to make a gravel bar (B). The pit will be left open forming a pool. Red arrows indicate flow pattern. (Figure credit: Chris Federico, Project SHARE)



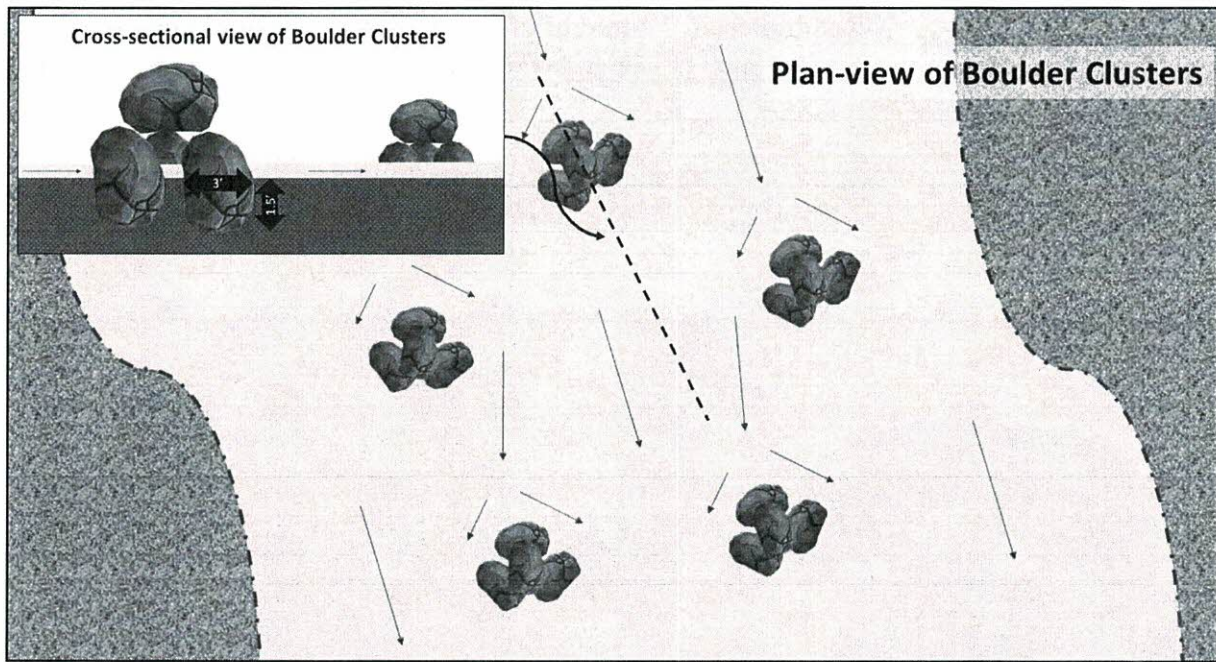


Figure 2: Schematic example of the boulder clusters. During Phase 1 only 2 of the 5 will be constructed. Red arrows indicate flow pattern and direction. (Figure credit: Chris Federico, Project SHARE)

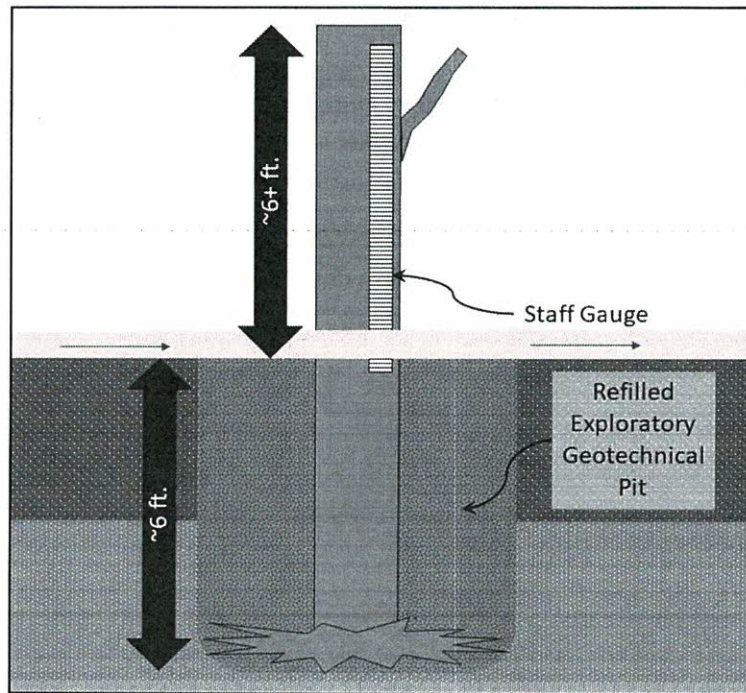


Figure 3: Cross-sectional view of placed large wood. Tree trunk (with root-ball) placed vertically in the upstream-most geotechnical pit and buried. A staff gauge will be installed on the trunk. Red arrows indicate flow direction. (Figure credit: Chris Federico, Project SHARE)

