



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant: Published: February 10, 2026
Mark Campbell Expires: March 10, 2026
Portland Commerce Center, LLC.

New England District
Permit Application No. NAE-2014-00550

TO WHOM IT MAY CONCERN: The New England District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: Mark Campbell
Portland Commerce Center, LLC.
200 US Route 1, Suite 200
Scarborough, ME 04074

AGENT: Stephen Bushey
Gorill Palmer
300 Scarborough Drive
South Portland, ME 04106

WATERWAY AND LOCATION: Delineated wetlands located at 421 Warren Avenue, in the City of Portland, Cumberland County, Maine (Latitude 43.687719, Longitude -70.3152756).

EXISTING CONDITIONS: The existing parcel is a 5.09 commercially zoned parcel with an existing 26,800 square foot (SF) commercial building and associated parking infrastructure with frontage along Warren Ave. Additional developments include an approximately 40-foot-wide two-lane paved drive, public utility connections and other associated developments. The previous developments were permitted by the Corps under the same permit application number; the previous developments resulted in the discharge of fill material into 14,323 square feet (SF). The undeveloped portion of the parcel is characterized as low-lying wet meadow emergent wetlands leading to undeveloped forests and a stream. Adjacent developments to the site include a mix of commercial and industrial

PROJECT PURPOSE:

Basic: Commercial facility expansion

Overall: Expansion of an existing commercial building located in Portland, Maine

DESCRIPTION OF DELINEATION OF WATER OF THE U.S., if applicable: On March 2025, Longview Partners, LLC. completed a wetland delineation of the site on behalf of the agent, Gorrill-Palmer. It was determined the site consists of a single large wetland classified as “wet meadow” and a stormwater treatment area that also functions as a wetland. According to Longview Partners, LLC. these features are jurisdictional under Corps authority. The regulated wetlands are a combination emergent and scrub-shrub. See Sheet 3 of 12.

PROPOSED WORK: The applicant requests authorization to permanently discharge fill material within 49,013 SF of freshwater wet meadow to expand the existing facility to include the addition of a 20,000 square foot commercial facility and adding associated parking (Sheet 3 of 12).

WATER DEPENDENCY DETERMINATION: The discharge of fill material into federal wetlands for the purpose of commercial development is not a water dependent activity because it does not require access or siting within a special aquatic site to fulfill its basic purpose. Therefore, practicable alternatives that do not involve special aquatic sites are presumed to be available, unless clearly demonstrated otherwise.

AVOIDANCE AND MINIMIZATION: The applicant has stated that impacts are unavoidable as the project's purpose is to expand the existing, tenant-occupied building. The applicant conducted an alternatives analysis, which concluded that a linear expansion of the current building and pavement onto the remaining portion of their existing lot would result in the least amount of adverse impact to the aquatic environment when compared with similar sized developments in offsite locations and various reconfigurations on the existing parcel. This layout minimizes wetland fill to the greatest extent possible while still meeting the project's purpose and the economic viability required to proceed. The Corps will assure compliance with the 404b1 before coming to a permit decision.

The applicant reviewed four conceptual onsite alternatives. The first alternative, a no-build option, does not meet the applicants stated purpose to expand their development. The second alternative looked at reconfigurations of the existing onsite facilities and assessed the feasibility of a second or third story in-lieu of a linear expansion. This alternative did not meet the intended purpose and need to expand industrial/commercial tenant space as the need for at-grade overhead door vehicular access to a high bay building would be cost prohibitive and logically challenging. The third alternative proposed a standalone structure elsewhere on the site. Though due to the extent of wetlands on the site, the development of a standalone structure would result in wetland fill quantities which greatly exceed the current proposal and would not provide any substantial benefit over the preferred alternative. The fourth alternative is the preferred alternative as described above.

The applicant also investigated several potential offsite alternatives in the City of Portland. Factors considered in investigating these alternative sites included location to I-95 and the City of Portland, utilities, the required zoning, costs, developable area and

impacts to aquatic resources. The site located at 421 Warren Ave, was chosen due to proper zoning size, location to I-95 and the City of Portland, least impact to aquatic resources, size of developable land and existing utilities compared to the other alternative sites that were investigated.

COMPENSATORY MITIGATION: To compensate for the permanent discharge of fill material into 49,013 SF of wetlands, the applicant is proposing to purchase 1.125 credits at the minimum 1:1 ratio from the Maine In-Lieu Fee Program for impacts within Cumberland County.

CULTURAL RESOURCES:

The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project will not affect any listed species or critical habitat.

The Federally endangered Northern Long-Eared Bat may be within the vicinity of the activity, the Corps has reviewed the project under the Northern Long-eared Bat and Tricolored Bat Determination Key and has preliminary received a No Effect Determination.

The proposed federally endangered Tricolor Bat may be within the vicinity of the activity, the Corps has preliminarily determined that the activity will not jeopardize the continued existence of the species.

The proposed threatened Monarch Butterfly may be within the vicinity of the activity, the Corps has preliminarily determined that the activity will not jeopardize the continued existence of the species.

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened

species or critical habitat may be present in the area which would be affected by the proposed activity.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: A Section 401 Water Quality Certification will need to be granted (or waiver thereof) from Maine Department of Environmental Protection.

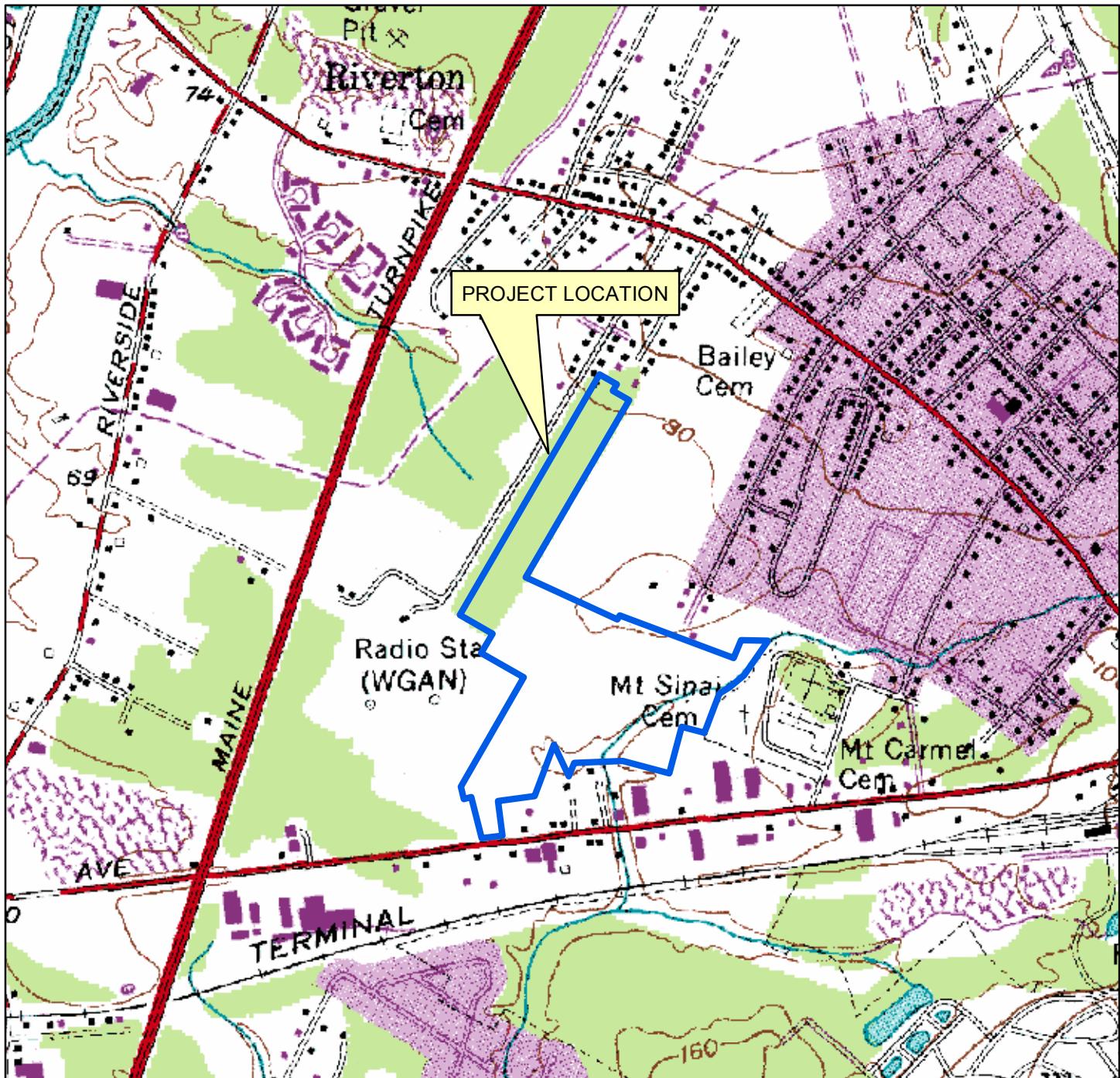
NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

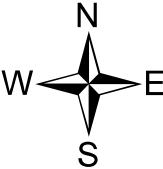
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to 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 cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The 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. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to 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 (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The New England District will receive written comments on the proposed work, as outlined above, until March 10, 2026. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to jeremy.s.lessard@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, New England District, Attention: cenae-r-me@usace.army.mil. Please refer to the permit application number in your comments.

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 public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.



 **USGS LOCATION MAP**
PETER HOLMES COMMERCIAL SITE - WARREN AVENUE
PORTLAND, MAINE
 SOURCE: MAINE OFFICE OF GIS - MAPS

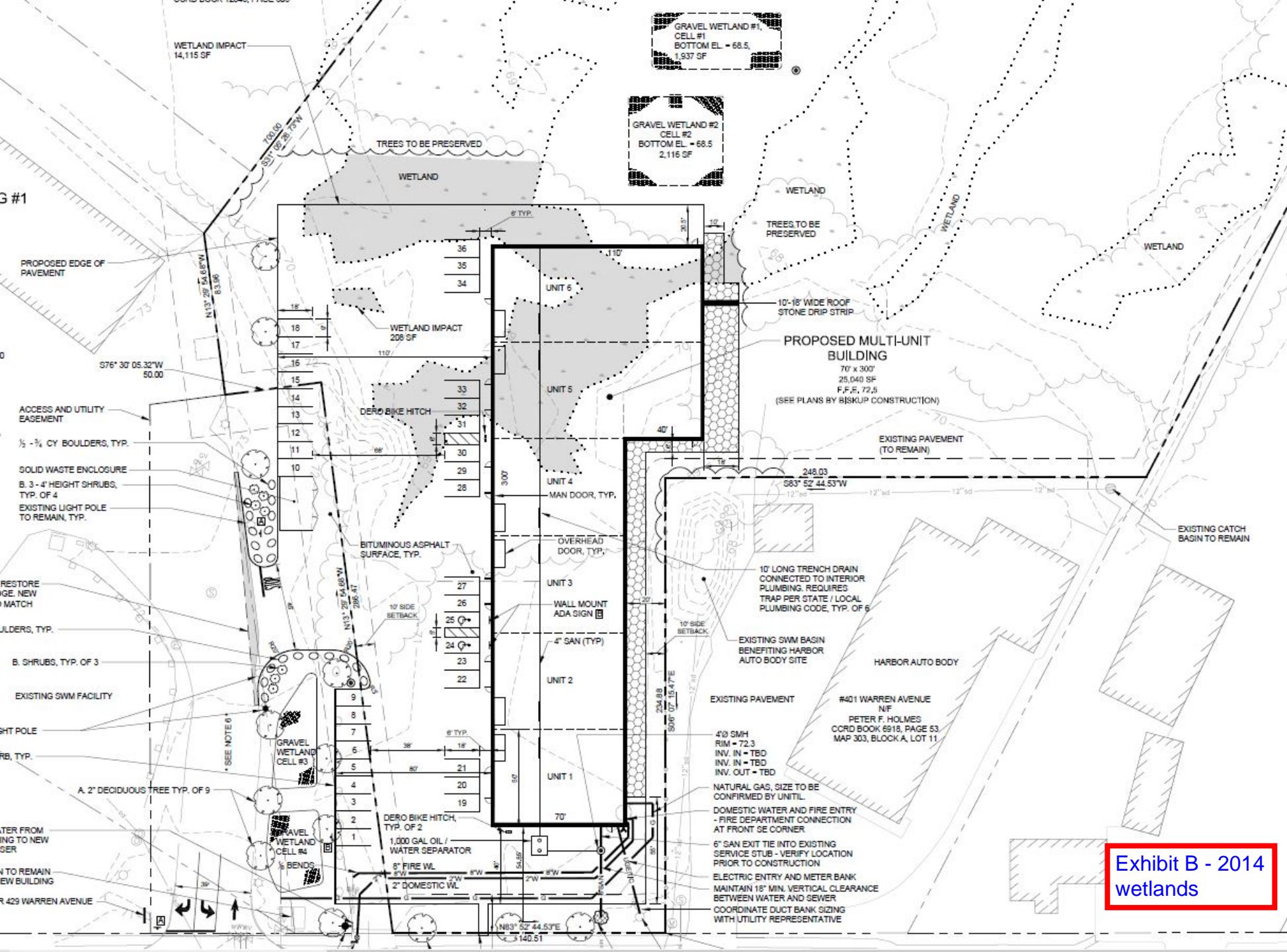


Exhibit B - 2014 wetlands

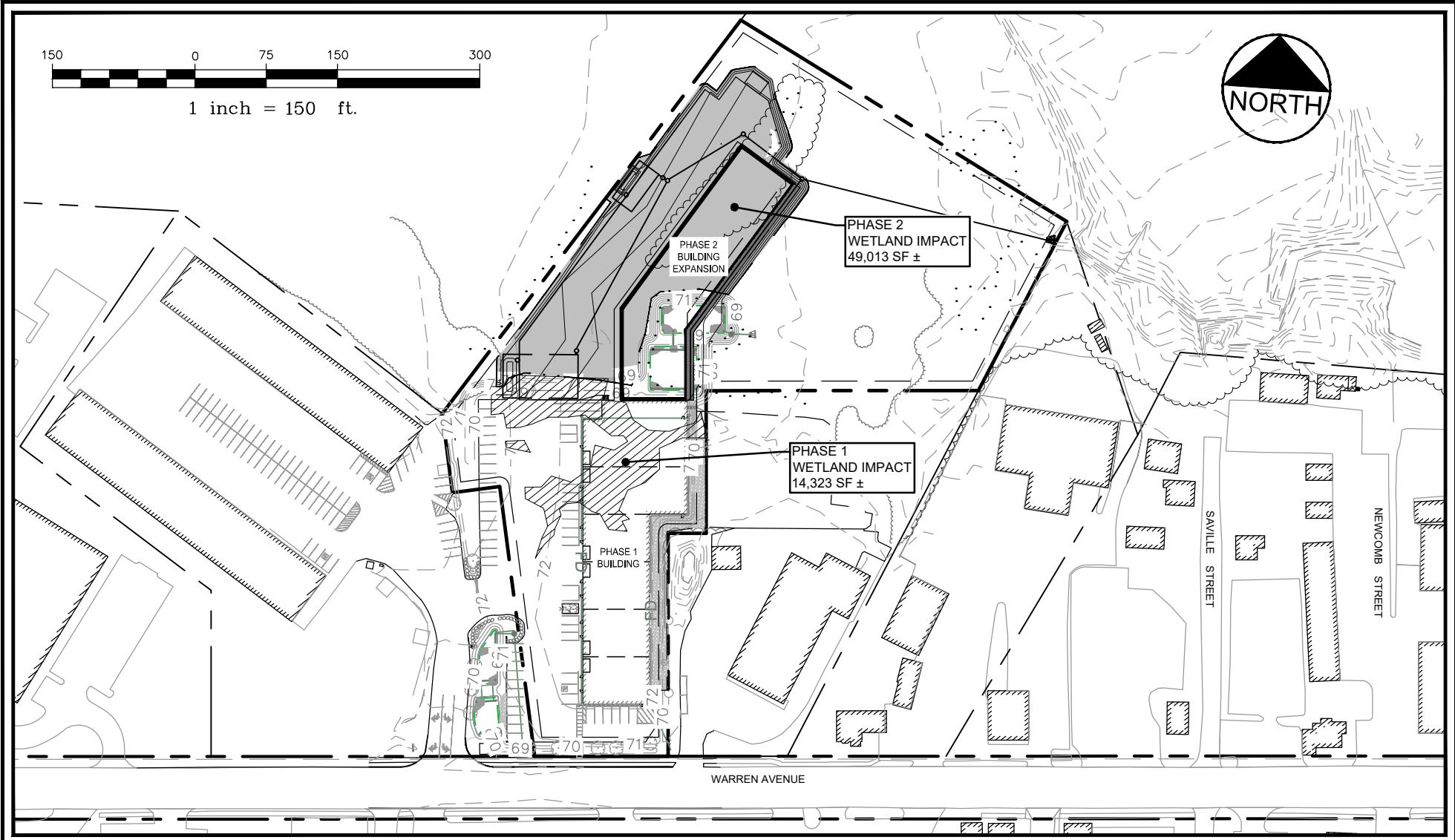


FIGURE:
1

BOOK: PAGE:
REFER TO PLANS IN
SLDA APPLICATION

LOCATION:
CITY OF PORTLAND
421 WARREN AVENUE

PROPOSED ACTIVITY:
FILL ASSOCIATED WITH
INDUSTRIAL BUILDING / PARKING
EXPANSION

PROJECT APPLICANT:
PORTLAND COMMERCE CENTER
LLC

LEGAL DESCRIPTION:
SEE DEED

WATER BODY:
UNNAMED WETLANDS

ABUTTERS:
SEE NRPA APPLICATION LIST

SCALE: 1" = 150'
DATUM: NGVD29
DATE: 08.11.25

GORRILL PALMER -
AN LJB
ENGINEERING CO.

See Sheet 2 of 3 for Plan References, General Notes,
Locus Deed Reference, Lane Avenue Abutters, and Location Map

See Sheet 3 of 3 for Current Metes and Bounds
Description & Proposed Metes and Bounds Description

Portland Commerce
Center LLC
5.09 acres

Approximate
wetland limits as
depicted on
Survey Inc plan
circa 2004

City of Portland
40.8 acres via transfer
from original site
CCRD Bk 32737 pg 245

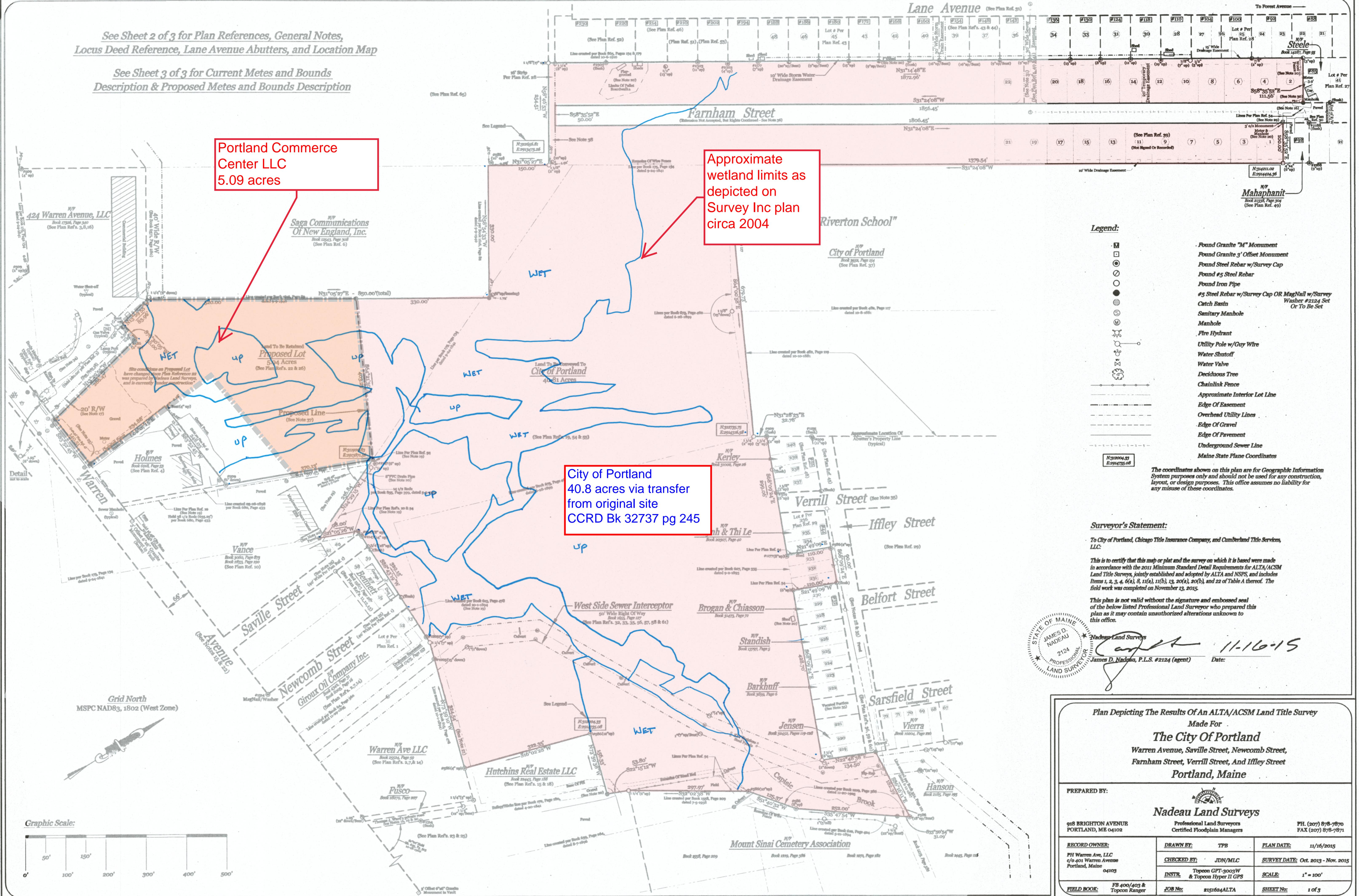


Exhibit A 2025

Legend:

- Found Granite "M" Monument
- Found Granite 3' Offset Monument
- Found Steel Rebar w/Survey Cap
- Found #5 Steel Rebar
- Found Iron Pipe
- #5 Steel Rebar w/Survey Cap OR MagNail w/Survey Washer #2124 Set Or To Be Set
- Catch Basin
- Sanitary Manhole
- Manhole
- Fire Hydrant
- Utility Pole w/Guy Wire
- Water Shutoff
- Water Valve
- Deciduous Tree
- Chainlink Fence
- Approximate Interior Lot Line
- Edge Of Easement
- Overhead Utility Lines
- Edge Of Gravel
- Edge Of Pavement
- Underground Sewer Line
- Maine State Plane Coordinates

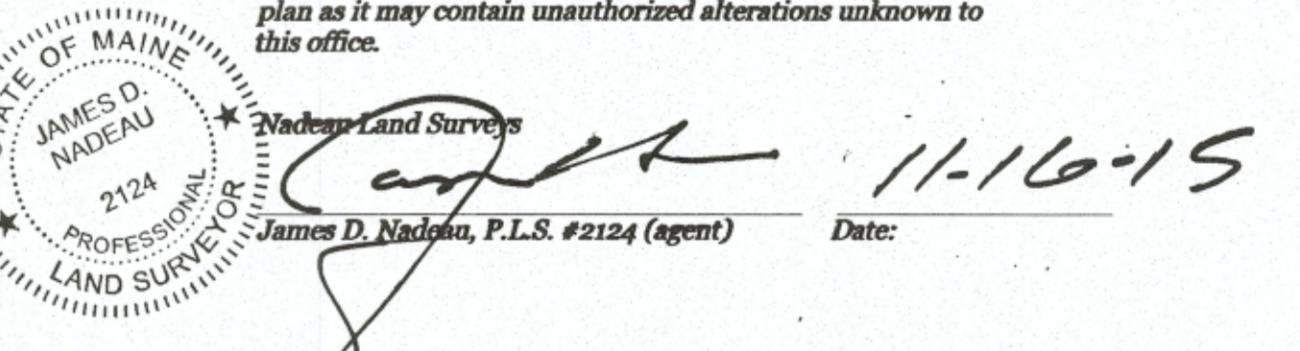
The coordinates shown on this plan are for Geographic Information System purposes only and should not be used for any construction, layout, or design purposes. This office assumes no liability for any misuse of these coordinates.

Surveyor's Statement:

To City of Portland, Chicago Title Insurance Company, and Cumberland Title Services, LLC:

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2011 Minimum Standard Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 8, 11(a), 11(b), 13, 20(a), 20(b), and 22 of Table A thereof. The field work was completed on November 13, 2015.

This plan is valid without the signature and embossed seal of the below listed Professional Land Surveyor who prepared this plan as it may contain unauthorized alterations unknown to this office.



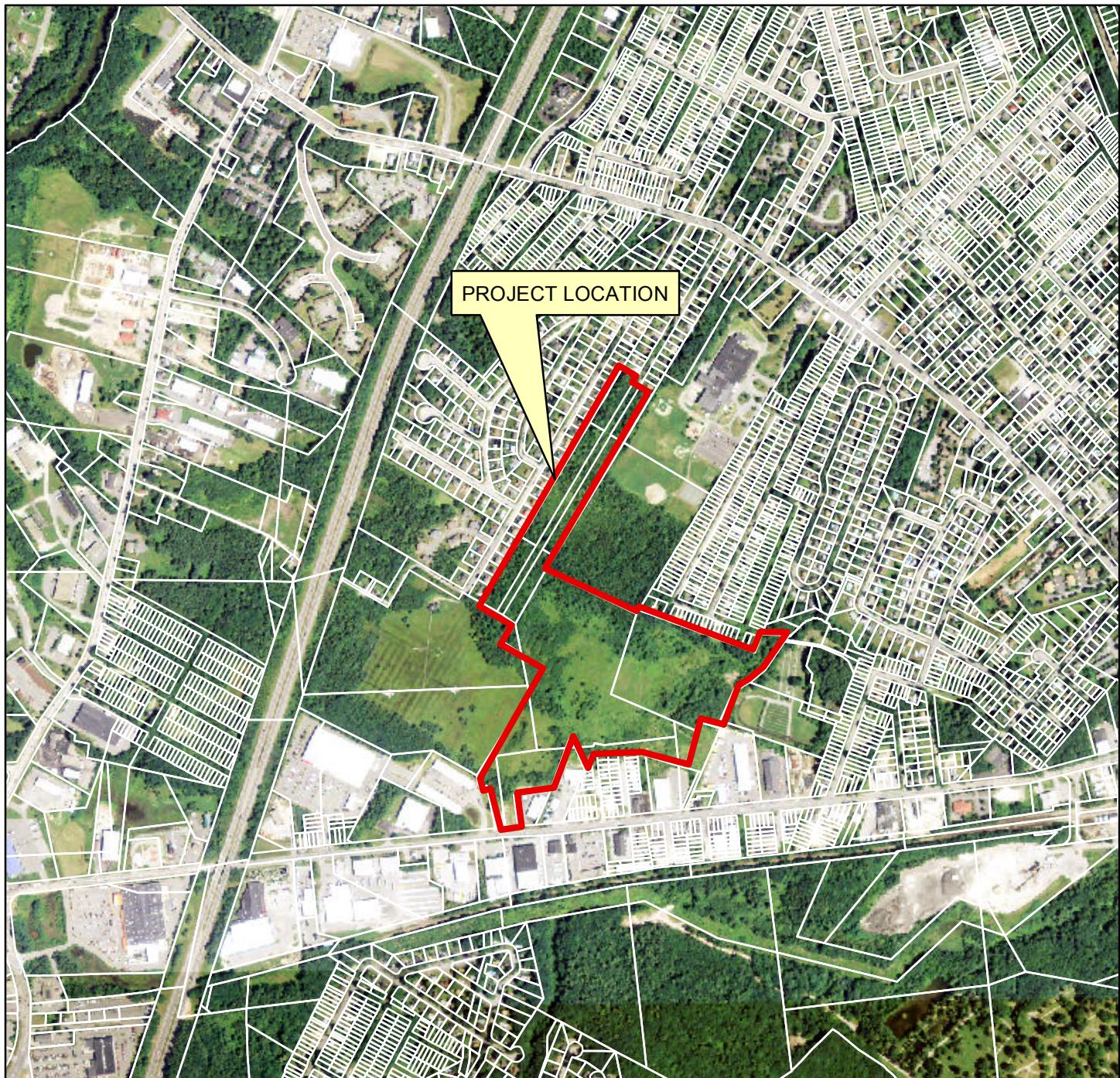
Plan Depicting The Results Of An ALTA/ACSM Land Title Survey
Made For

The City Of Portland
Warren Avenue, Saville Street, Newcomb Street,
Farnham Street, Verrill Street, And Iffley Street
Portland, Maine

PREPARED BY:

Nadeau Land Surveys
Professional Land Surveyors
Certified Floodplain Managers

RECORD OWNER:	DRAWN BY:	TPB	PLAN DATE:
PH Warren Ave, LLC 126-201 Warren Avenue Portland, Maine 04103			11/16/2015
INSTR:	CHECKED BY:	JDN/MLC	SURVEY DATE: Oct. 2013 - Nov. 2015
FB 400/403 & Topcon Ranger	Topcon GPT-3003W & Topcon Hyper II GPS		SCALE: 1" = 100'
FIELD BOOK:	JOB No:	TPB	SHEET No:
FB 151624 ALTA	151624 ALTA		1 of 3

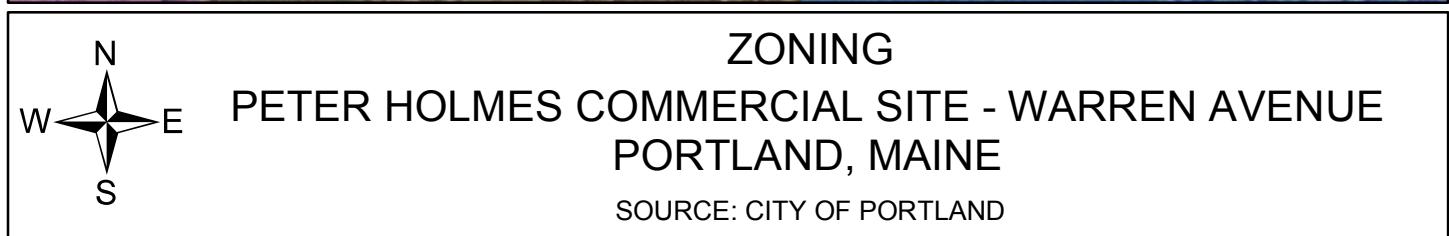
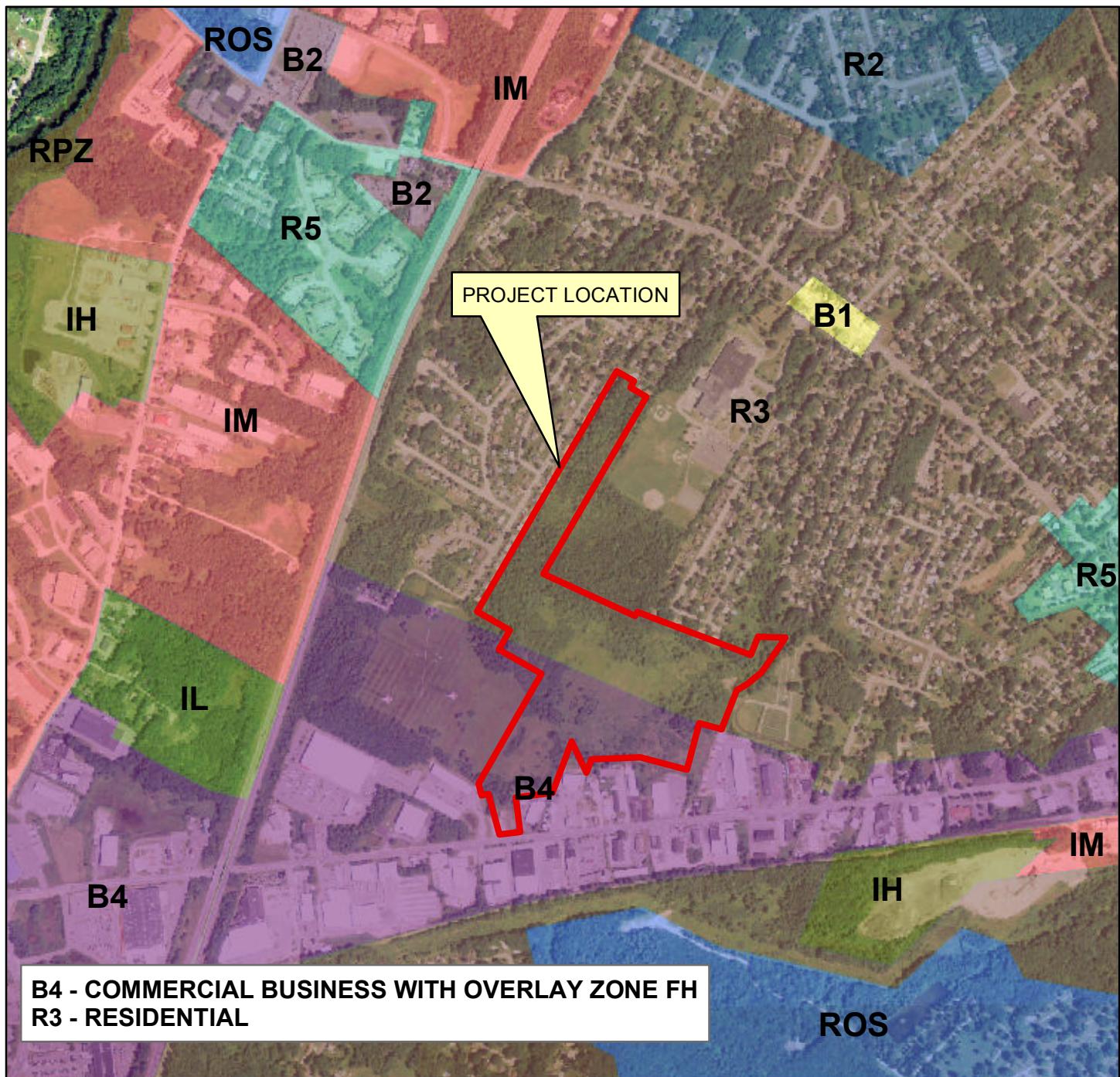


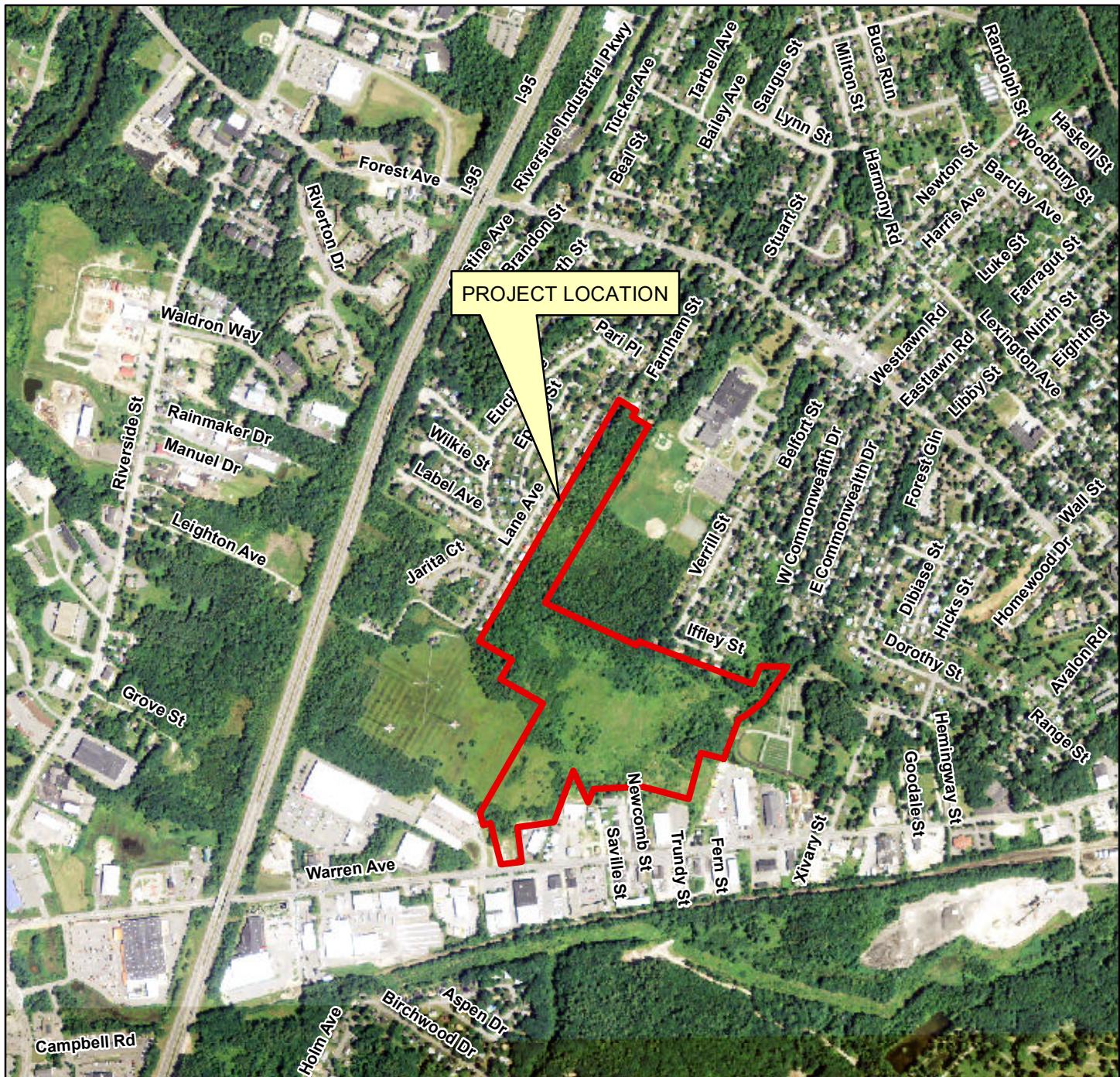
FAY, SPOFFORD & THORNDIKE, INC.
ENGINEERS • PLANNERS • SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN: DED
CHECKED: SRB
DATE: OCT 2013
FILENAME: SP-M104_TAX MAP
SCALE: 1 inch = 1,000 feet

FIGURE

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E
W
S

AERIAL PHOTOGRAPH
PETER HOLMES COMMERCIAL SITE - WARREN AVENUE
PORTLAND, MAINE

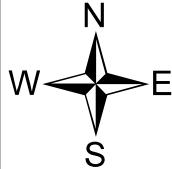
SOURCE: MAINE OFFICE OF GIS - MAPS

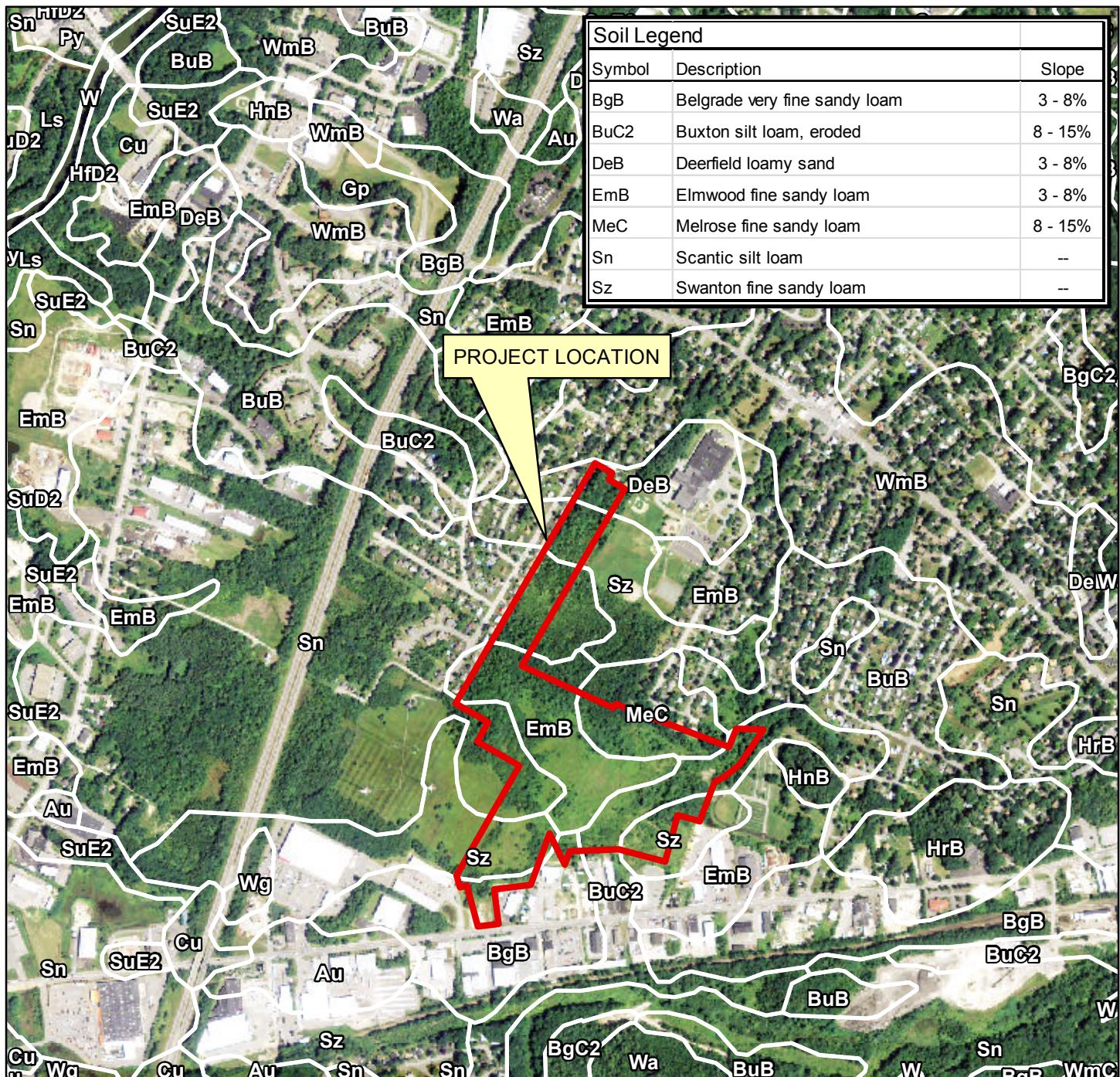
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FIGURE

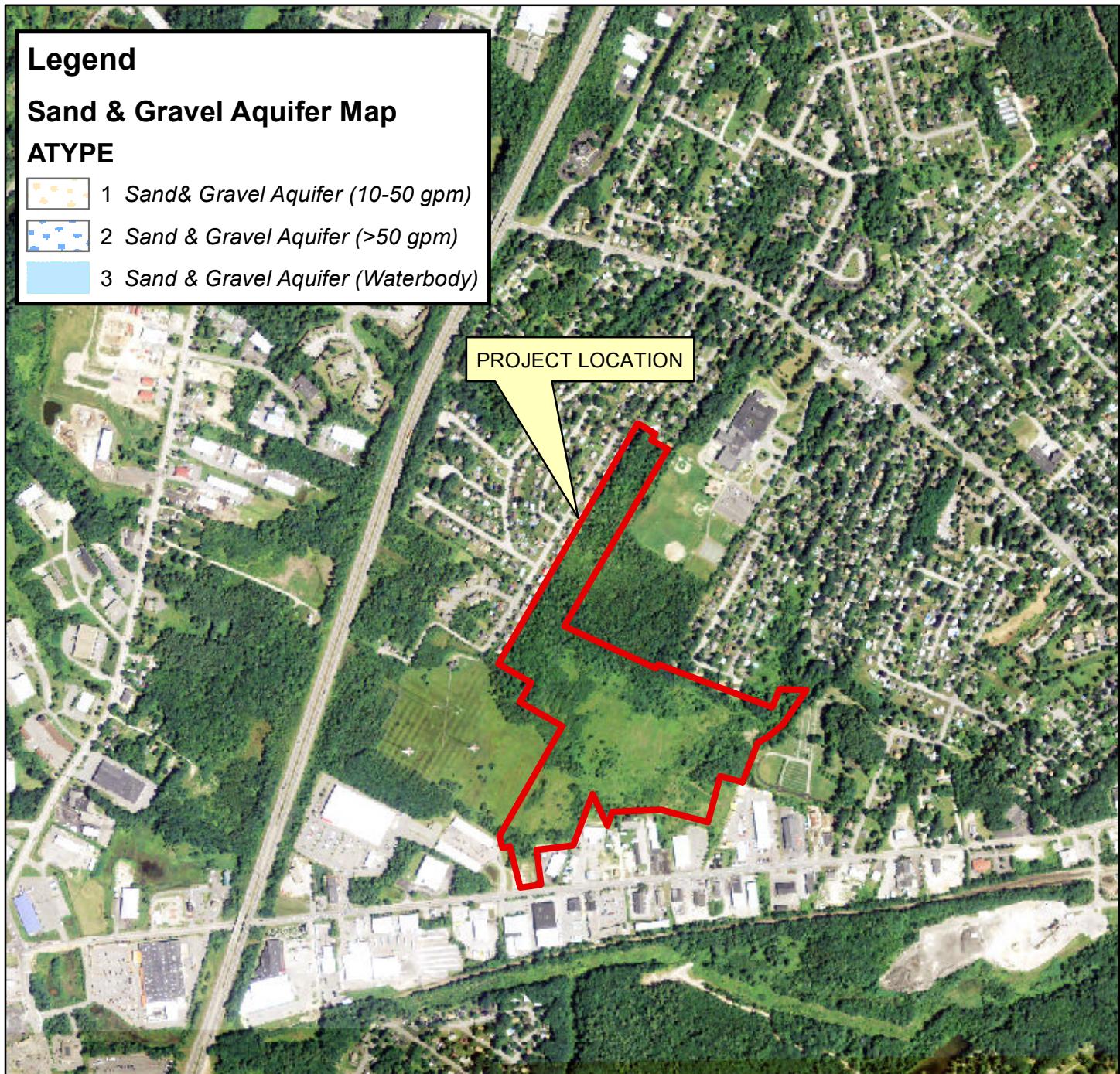
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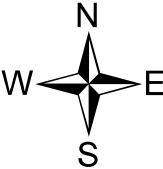



FLOOD MAP
PETER HOLMES COMMERCIAL SITE - WARREN AVENUE
PORTLAND, MAINE
 SOURCE: MAINE OFFICE OF GIS - MAPS

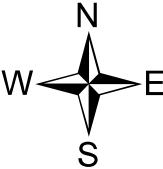


SOILS MAP
PETER HOLMES COMMERCIAL SITE - WARREN AVENUE
PORTLAND, MAINE
 SOURCE: MAINE OFFICE OF GIS - MAPS




SAND AND GRAVEL AQUIFER MAP
PETER HOLMES COMMERCIAL SITE - WARREN AVENUE
PORTLAND, MAINE
 SOURCE: MAINE OFFICE OF GIS - MAPS




SURFICIAL GEOLOGY MAP
PETER HOLMES COMMERCIAL SITE - WARREN AVENUE
PORTLAND, MAINE
 SOURCE: MAINE OFFICE OF GIS - MAPS

