



# PUBLIC NOTICE

**US Army Corps  
of Engineers**®  
New England District  
**Maine Project Office**  
675 Western Avenue #3  
Manchester, Maine 04351

**Date:** December 11, 2012  
**Comment Period Ends:** January 11, 2013  
**File Number:** NAE-2012-02579  
**In Reply Refer To:** Jay L. Clement  
**Or by e-mail:** jay.l.clement@usace.army.mil

The District Engineer has received a permit application from the applicant below to **conduct work in waters of the United States** as described below. The Corps is soliciting comments on both the project itself and the range of issues to be addressed in the environmental documentation.

**APPLICANT: MAINE DEPT. OF TRANSPORTATION, 16 STATE HOUSE STATION, AUGUSTA, MAINE 04333**

**ACTIVITY:** Place permanent and temporary fill below the ordinary high water line of Shagrock Brook and in adjacent freshwater wetlands at Orient, Maine in order to replace the existing deteriorated Route 11 bridge. The project will result in approximately 244 s.f. of temporary stream bed impact; 819 s.f. of permanent stream bed impact; and 906 s.f. of permanent wetland impact.

**WATERWAY AND LOCATION OF THE PROPOSED WORK:** Shagrock Brook and its adjacent freshwater wetlands; Orient, Maine. This project is located on the USGS ORIENT, ME quadrangle sheet at Latitude 45.8357608° N; Longitude -67.8489902° W

## **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 Corps of Engineers 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 of Engineers 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 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.

### **SECTION 106 COORDINATION**

The Federal Highway Administration (“FHWA”) has initiated consultation with the Maine Historic Preservation Commission and Maine’s Indian Tribes pursuant to Section 106 of the National Historic Preservation Act of 1966 as amended. This consultation is on-going. Although FHWA has taken the lead in this consultation, the District Engineer is hereby requesting that the appropriate state and Tribal agencies also provide comments to the Corps regarding the presence of and potential impacts to properties listed in, or eligible for listing in, the National Register of Historic Places. FHWA and the Corps will continue consultation as necessary to fulfil requirements under the Historic Preservation Act as part of the permit review process.

### **ESSENTIAL FISH HABITAT (“EFH”)**

This work may impact EFH for Atlantic salmon. This habitat consists of stream bottom composed of silt, sand, and gravel. 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.

### **ENDANGERED SPECIES ACT CONSULTATION**

FHWA has initiated formal consultation with the US Fish & Wildlife Service pursuant to Section 7 of the Endangered Species Act regarding the presence of Atlantic salmon and Atlantic salmon critical habitat. This consultation was completed on November 21, 2012. It is the opinion of FHWA and the Service that the proposed work may adversely affect but is not likely to jeopardize the continued existence of Atlantic salmon or result in the destruction or adverse modification of designated Atlantic salmon critical habitat. Although FHWA has taken the lead in this consultation, the District Engineer is hereby requesting that the appropriate federal agency also provide comments to the Corps regarding the presence of and potential impacts to listed species or critical habitat.

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.


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 Jay Clement at 207-623-8367 at our Manchester, Maine Project Office.

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.

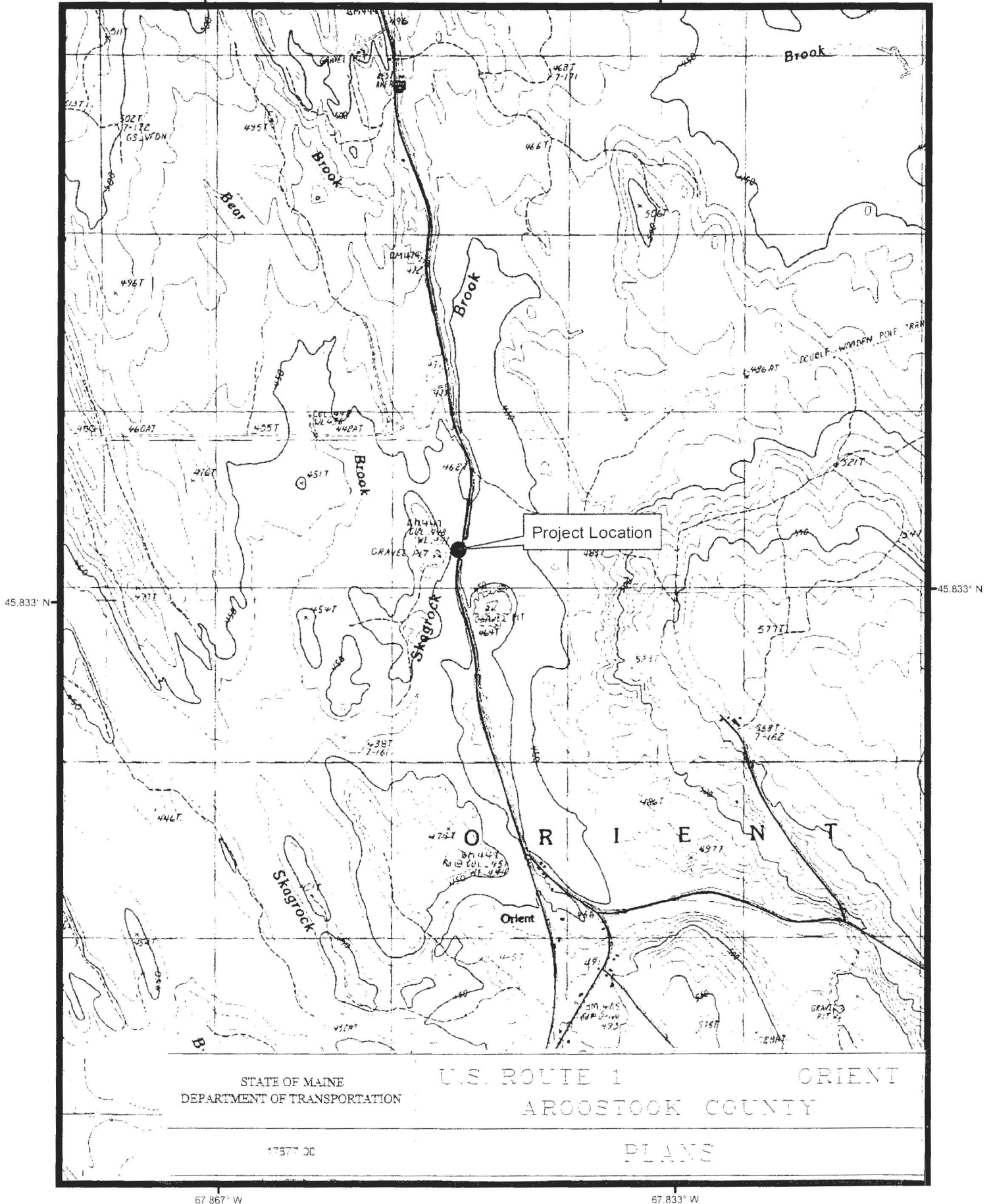
For more information on the New England District Corps of Engineers programs, visit our website at <http://www.nae.usace.army.mil>.

**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, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at [bettina.m.chaisson@usace.army.mil](mailto: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.

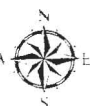
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ADDRESS: \_\_\_\_\_



**Orient 17877.00**

Route 1 - Skagrock Bridge Replacement

ORIENT  
45.8357608



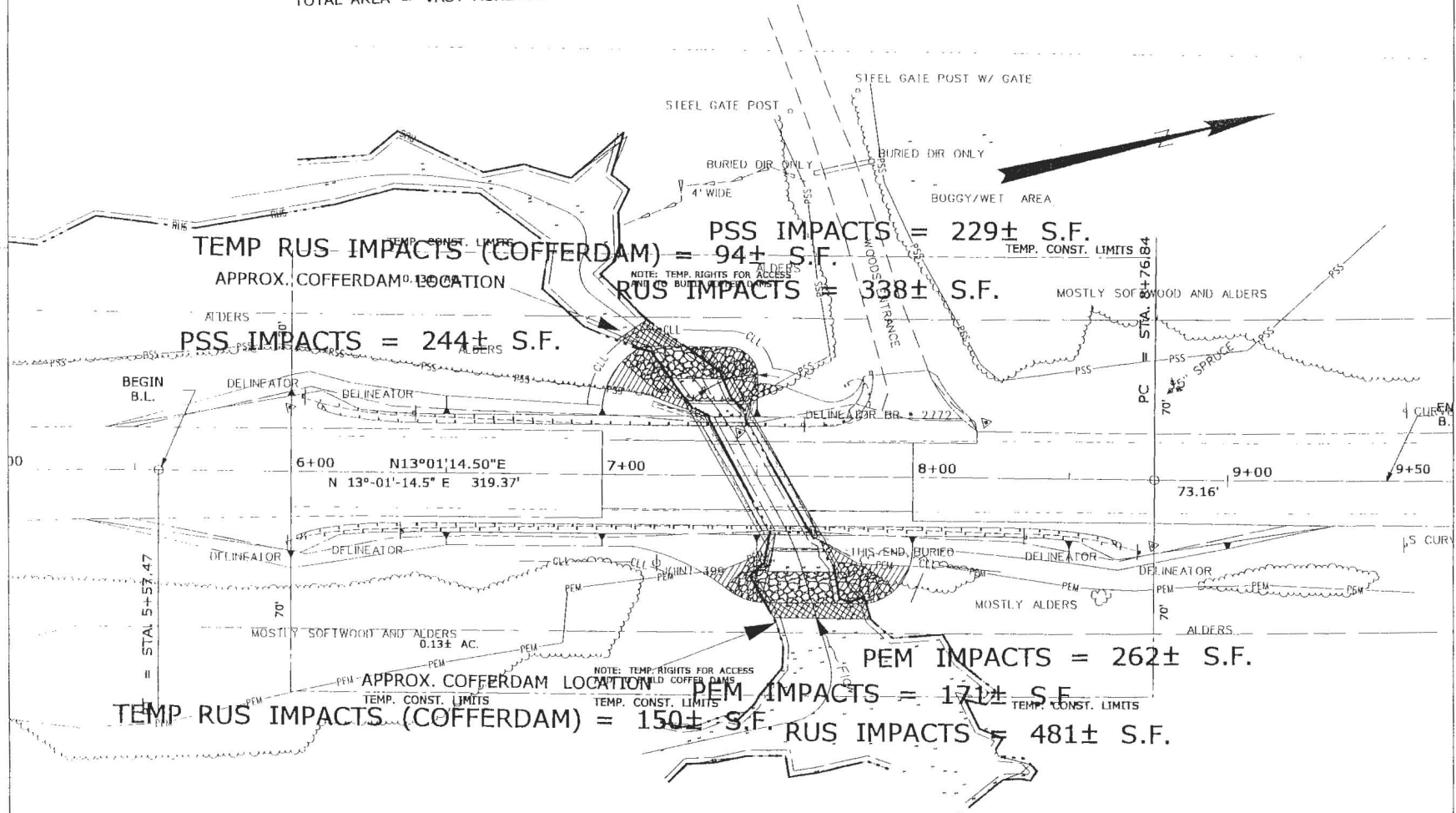
17877.00

STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION

U.S. ROUTE 1  
AROOSTOOK COUNTY

ORIENT  
SHEET NUMBER

TYPHOON LLC  
ITEM NO. (1)  
TEMP. CONST. RIGHTS = 0.13± AC. (1)  
TOTAL AREA = VAST ACREAGE



TOTAL RUS IMPACTS = 819 S.F.  
 TOTAL PEM IMPACTS = 433 S.F.  
 TOTAL PSS IMPACTS = 473 S.F.  
 TOTAL TEMP RUS IMPACTS = 244 S.F.

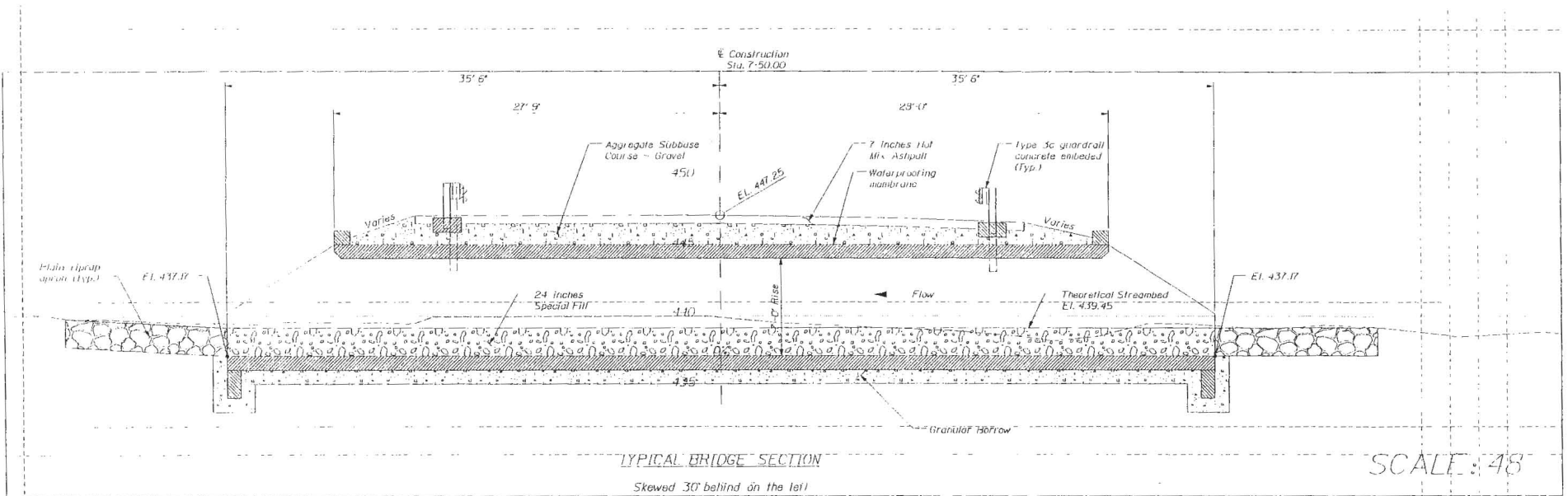
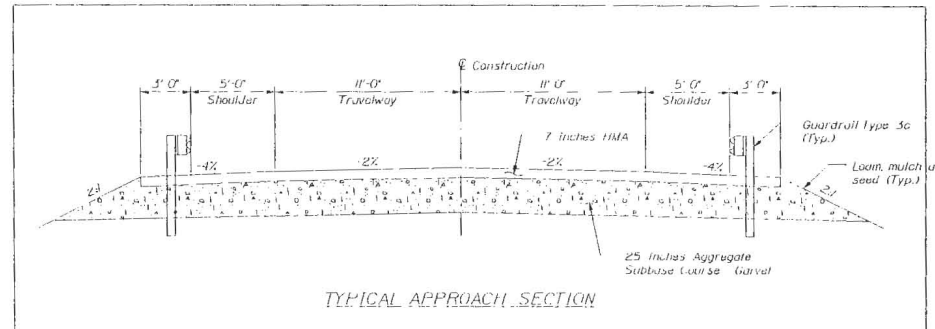
NEW FOREST FUND IV LLC  
 ITEM NO. (2)  
 TEMP. CONST. RIGHTS = 0.13± AC. (1)  
 TOTAL AREA = 6,066± AC. (EAST GRAND WATERSHED INITIATIVE)

1-C-1

Orient, Skagrock Brook

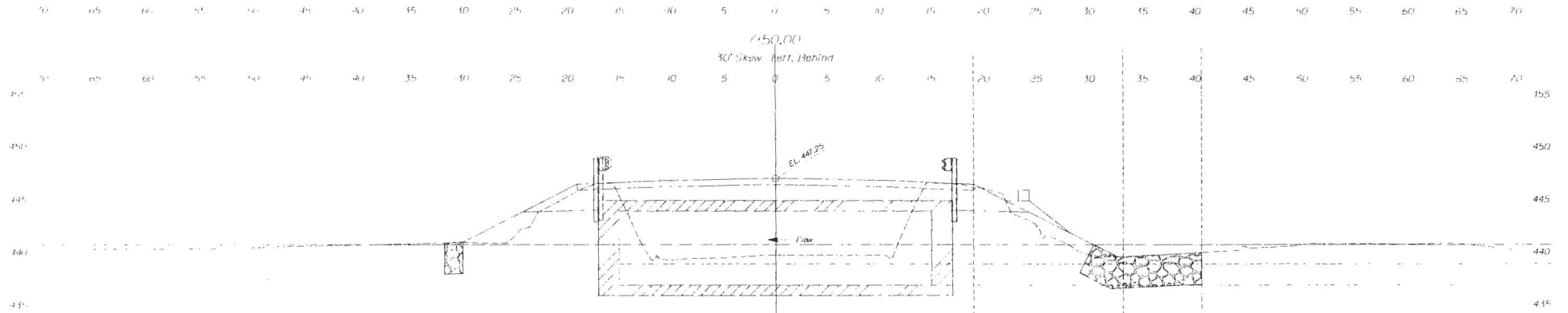
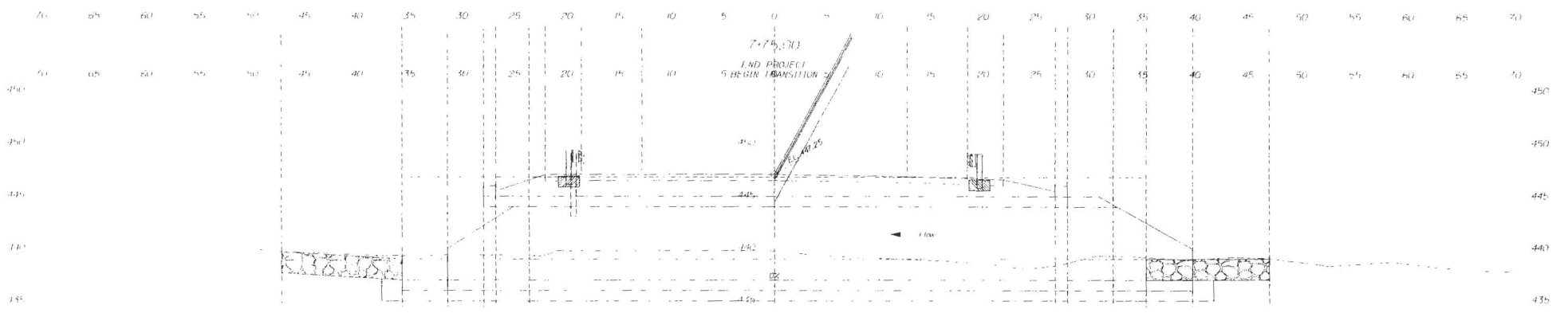
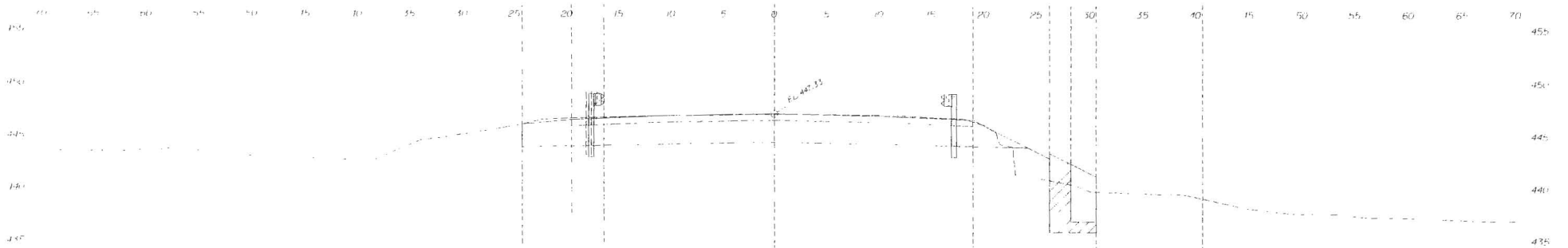
MaineDOT WIN 17877.00

7/19/12



U.S. ROUTE 1  
ORIENT  
ARROSTOCK COUNTY  
PLATE

# Orient, Skagrock Brook, Maine DOT WIN 17877.00

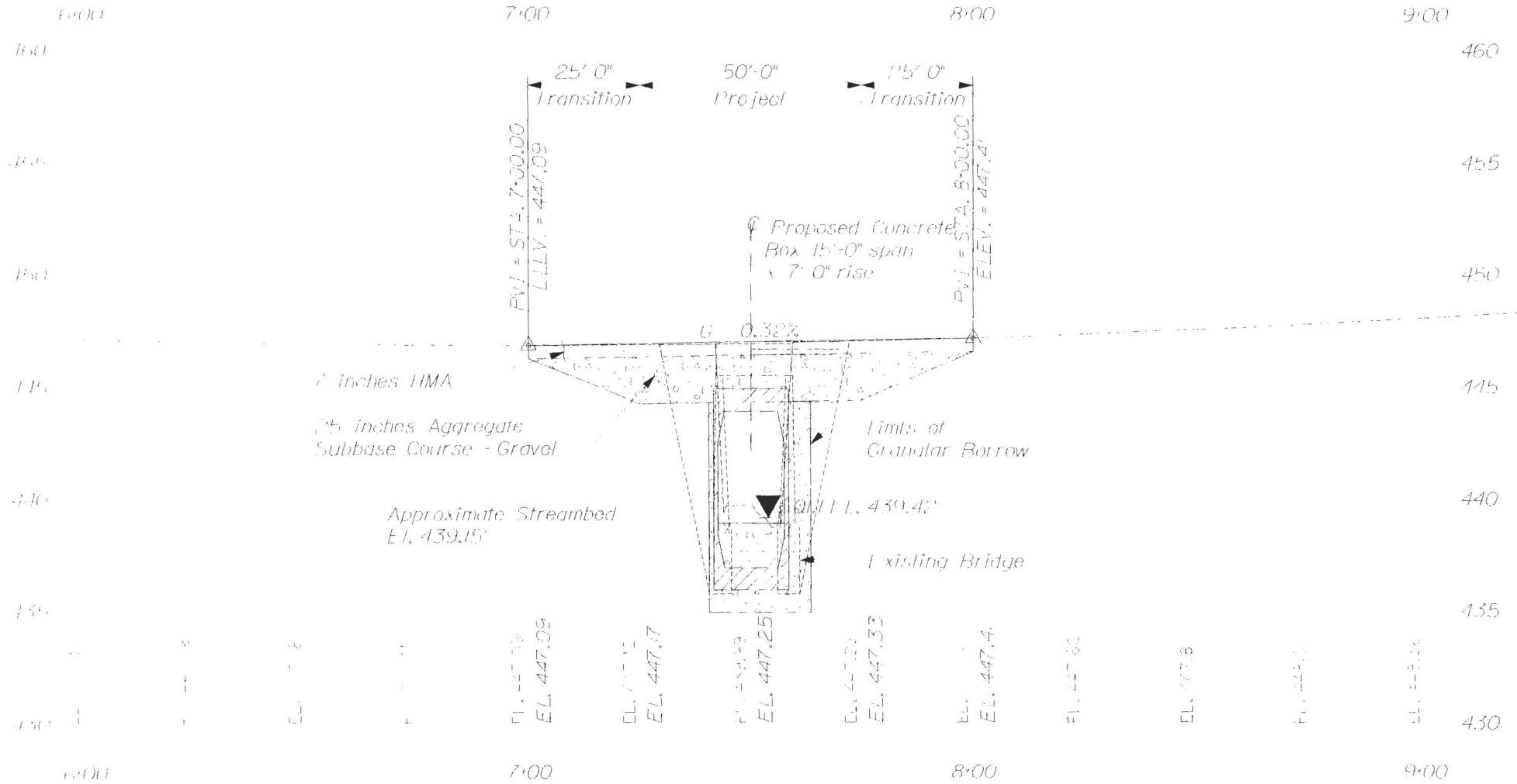


U.S. ROUTE 1 ORIENT  
ARROSTOCK COUNTY

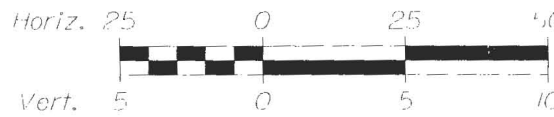
7-50.00  
BRIDGE

PLANS

7/19/12



PROFILE



Scale of Feet

U.S. ROUTE 1 ORIENT  
ARCOSTOOK COUNTY

PLANS