



**US Army Corps
of Engineers®**

New England District

Maine Project Office

442 Civic Center Drive, Suite 350

Augusta, Maine 04330

PUBLIC NOTICE

Date: DECEMBER 4, 2018

Comment Period Ends: JANUARY 4, 2019

File Number: NAE-2018-02856

In Reply Refer To: Jay L. Clement

Or by e-mail: jay.l.clement@usace.army.mil

30 DAY NOTICE

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 temporary and permanent fill below the ordinary high water of the Sandy River and several unnamed streams and in adjacent freshwater wetlands between Phillips and Madrid, Maine in order to reconstruct a 4.58 mile section of Route 4. Reconstruction begins at Toothaker Pond Road in Madrid and continues easterly into Phillips. The project proposes to maintain the existing alignment of the roadway with the exception of minor horizontal shifts and to provide safety improvements in the vicinity of the Smalls Falls Rest Area and Reeds Mill Road. These areas are considered High Crash Locations. The project includes two bridge replacements, the Weymouth Bridge in Madrid and the Wing Bridge in Phillips. Reconstruction will result in approximately 8,700 s.f. of permanent and 14,840 s.f. of temporary stream bed impact, and 52,899 s.f. of permanent and 37,810 s.f. of temporary wetland impact. This work is designed to maintain critical transportation infrastructure, insure public safety, and protect the economic vitality of Maine's transportation network.

In anticipation of unavoidable impacts to aquatic resources, the applicant is proposing compensatory mitigation. He has agreed to compensate for the project's unavoidable wetland impacts by funding \$152,878.11.00 toward Maine's Natural Resources Conservation Fund (In Lieu Fee Program). The applicant is proposing this compensation seeking to lessen the project's impacts. This notice solicits comments on this proposal from the interested or affected public as well as those agencies who speak to the public interest. After receipt of the comments, the Corps of Engineers will obtain any necessary additional information from the applicant and determine whether the proposed compensation is practicable and serves to adequately mitigate this project's unavoidable impacts.

WATERWAY AND LOCATION OF THE PROPOSED WORK: Unnamed streams and wetlands between Phillips and Madrid, Maine. The project begins at latitude 44.858404°N; and longitude -70.514564°W and ends at latitude 44.853215°N; and longitude -70.434967°W; on the USGS MADRID, ME quadrangle sheet.

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 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.

ESSENTIAL FISH HABITAT (EFH): 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").

In water construction at the site will impact Essential Fish Habitat ("EFH") for Atlantic salmon. This habitat consists of stream bed composed of cobbles and boulders interspersed with smaller stones, silt, sand, and gravel. The Federal Highway Administration ("FHWA") has initiated consultation with the National Marine Fisheries Service. Although FHWA has taken the lead in this consultation, the District Engineer has made the preliminary determination that the site-specific adverse effect will not be substantial. Any consultation with the National Marine Fisheries Service regarding EFH conservation recommendations will be concluded prior to the final decision.

SECTION 106 COORDINATION: 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. Although FHWA has taken the lead in this consultation, the District Engineer has determined that the proposed work is not likely to affect properties listed in, or eligible for listing in, the National Register of Historic Places. FHWA and the Corps will continue review and consultation to fulfil requirements under the Historic Preservation Act as part of the permit review process.

ENDANGERED SPECIES ACT CONSULTATION: FHWA has initiated consultation with the US Fish & Wildlife Service pursuant to Section 7 of the Endangered Species Act regarding the presence of Atlantic salmon, Atlantic salmon critical habitat, Canada lynx, and Northern Long-Eared Bats. 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.

OTHER APPROVALS: The applicant has supplied the Maine Department of Environmental Protection with a permit application for the work described in this public notice and is requesting that the Department either grant or waive Water Quality Certification in accordance with Section 401 of the Clean Water Act. Comments regarding the applicant's Permit/Water Quality Certification request may be submitted in writing to: Mark Bergeron, Director, Bureau of Land Resources, Department of Environmental Protection, 17 State House Station, Augusta, ME, 04333-0017 or by email to: mark.bergeron@maine.gov


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, ext. 1 at our Augusta, 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. 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.

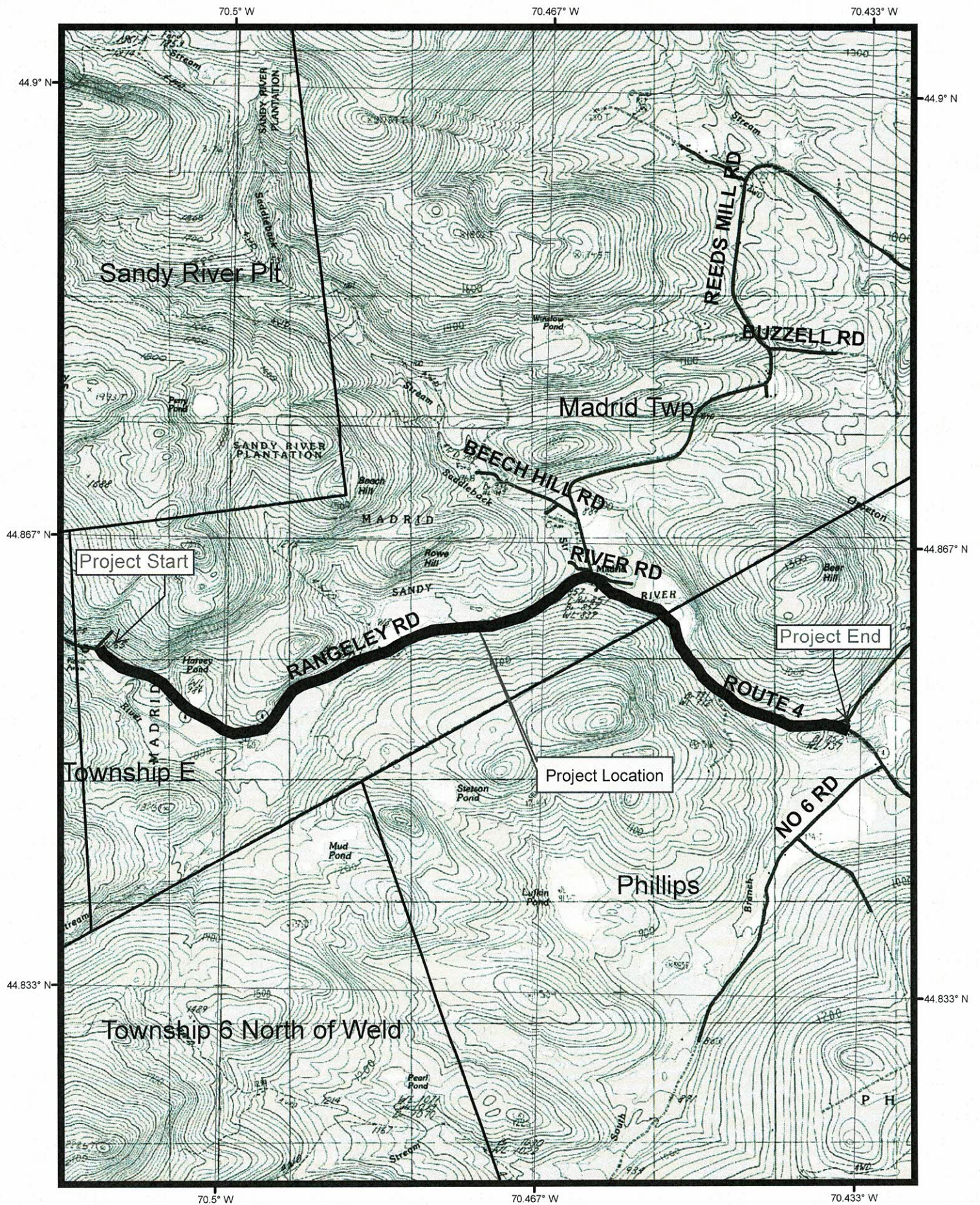
NAME: _____
ADDRESS: _____

MAINE PUBLIC NOTICE WORKSHEET		Deadline: X 30-day or 20-day	
Project Name: Maine Dept. of Transportation	File Number: NAE-2018-02856	Project Manager: Clement	
(If applicable) Date of 401 WQC:	Date CZM Consistency Determination:	(If applicable) Date Suitability Determination completed for open water disposal: NA	
Senator Angus King United States Senate 188 Russell Senate Office Building Washington, D.C. 20510-1904		Senator Susan Collins United States Senate 172 Russell Senate Office Building Washington, D.C. 20510-1904	
US Congress – For ME Congressional Districts (CD) see Maine.gov: Government: Local ** or Map- (Select one)			
Representative Bruce Poliquin The Honorable Bruce Poliquin United States House of Representatives 426 Cannon House Office Building Washington, D.C. 20515-1902			
Town of Phillips Municipal Offices Phillips, Maine 04966		Rangeley Lakes Heritage Trust P.O. Box 249 Oquossoc, Maine 04964	
Town of Madrid Municipal Offices Madrid, Maine 04983		Rangeley Conservation Commission P.O. Box 1070 Rangeley, Maine 04970	
Land Use Planning Commission 22 State House Station Augusta, Maine 04333			
Other Town Officials		POSTMASTER Town of Phillips Phillips, Maine 04966	
		Town of Madrid Madrid, Maine 04983	
Maine Historic Preservation Commission, 55 Capital Street, 65 State House Station, Augusta, Maine 04333 Aroostook Band of Micmacs, Tribal Historic Preservation Officer, 7 Northern Road, Presque Isle, Maine 04769 Passamaquoddy Tribe of Indians, Pleasant Point Reservation, P.O. Box 343, Perry, Maine 04667 Houlton Band of Maliseet Indians, Tribal Historic Preservation Officer, 88 Bell Road, Littleton, Maine 04730 Passamaquoddy Tribe of Indians, Indian Township Reservation, P.O. Box 301, Princeton, Maine 04668 Penobscot Indian Nation, 12 Webanaki Way, Indian Island, Maine 04468			
ABUTTERS ADDRESSES attached as: NA Mailing Labels NA Mailing List 15-0 ME Data File <input type="checkbox"/>			

**Footnote: Hyperlink to the State of Maine/links and services for the community – [Maine.gov: Living: Cities & Towns Online](#)

COPIES:

** [Maine.gov](#) offers a wealth of information, including: Legislators and the phone numbers to Town Offices where a call may help you obtain correct mailing addresses for the Mayor, the Conservation Commission and other useful links.

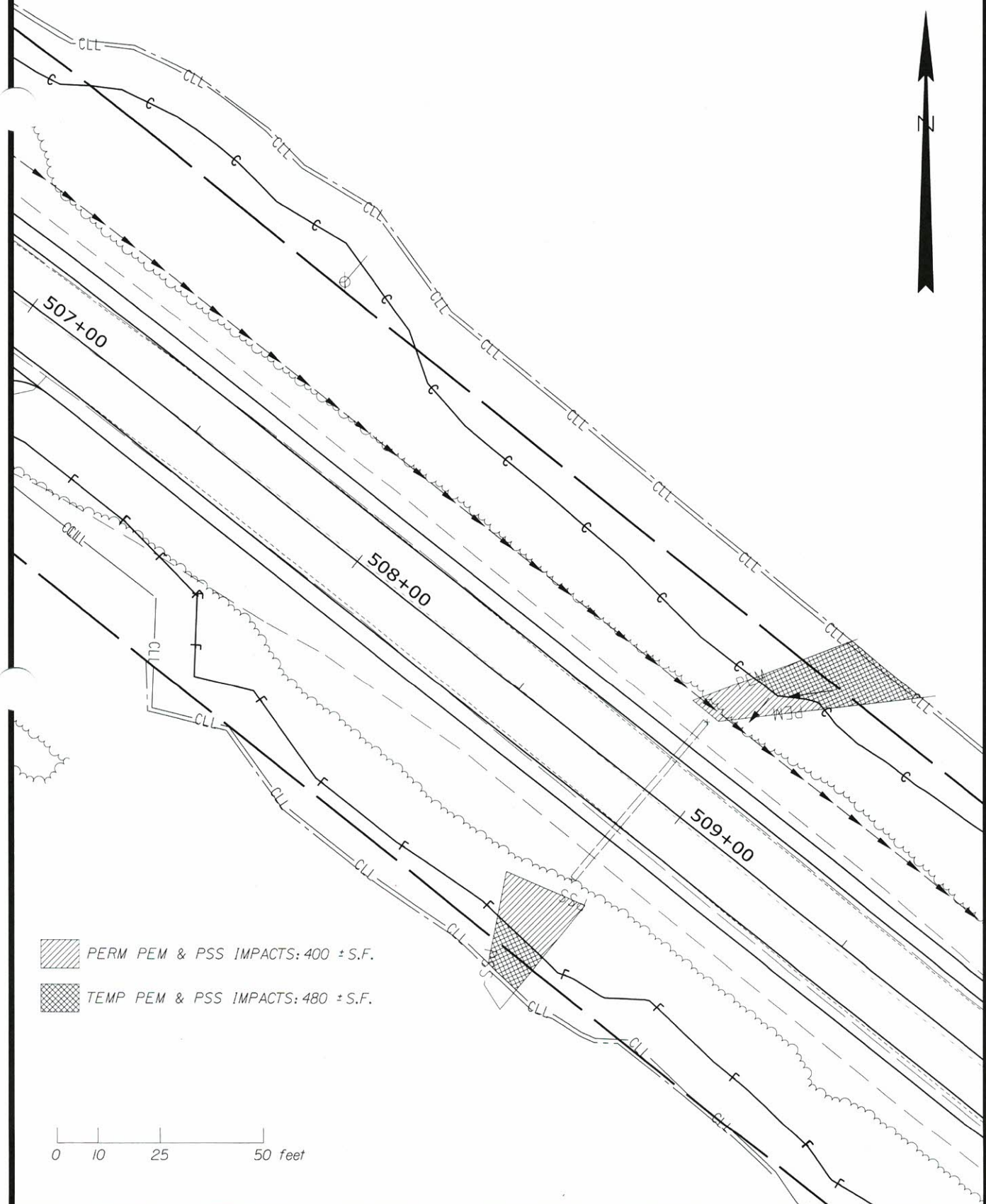


0 750 1,500 3,000 4,500 6,000
 Feet

Phillips-Madrid
MaineDOT WIN 18247.00

Route 4
 Project Start: 44.858404, -70.514564
 Project End: 44.853215, -70.434967





STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

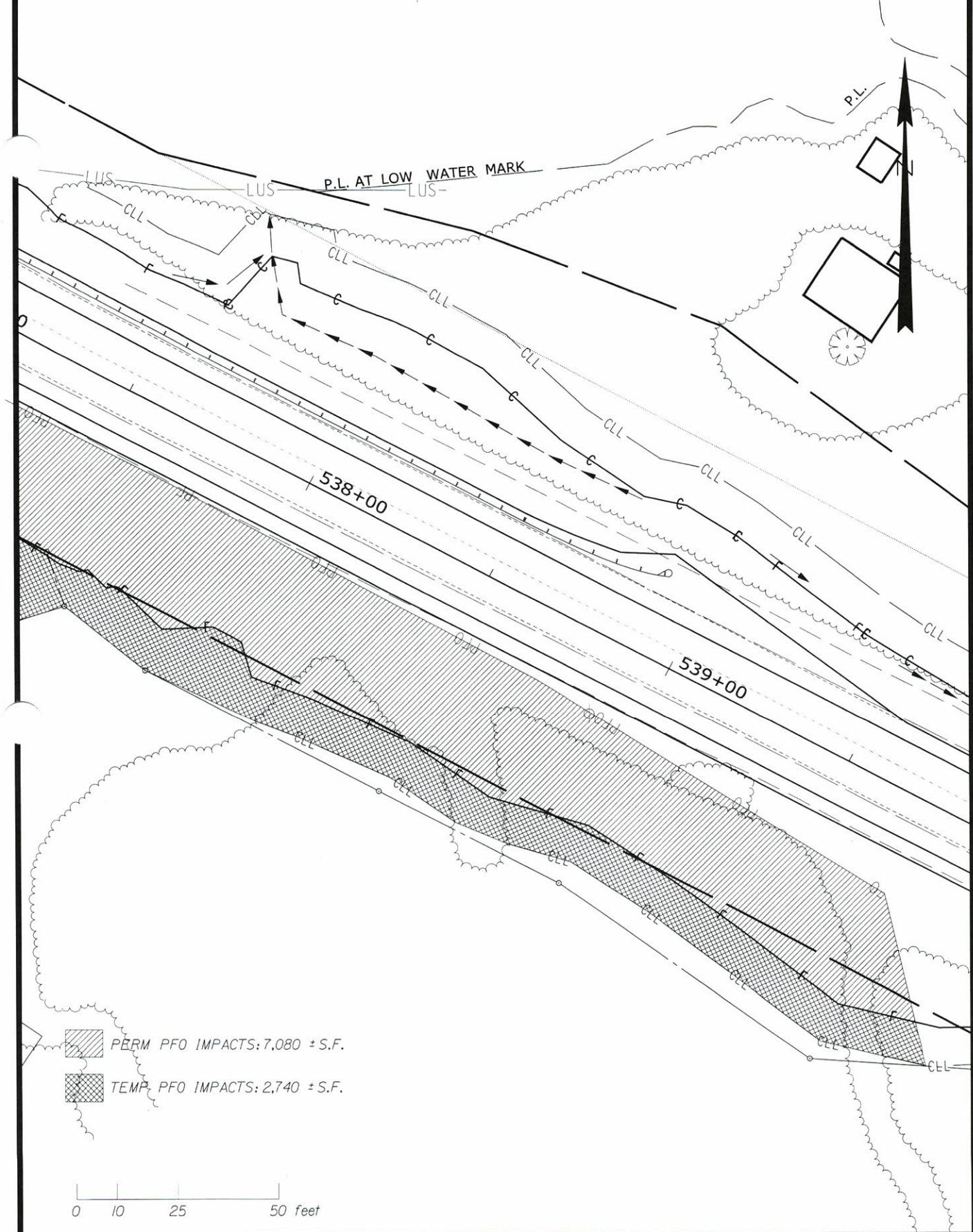
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PLANS

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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

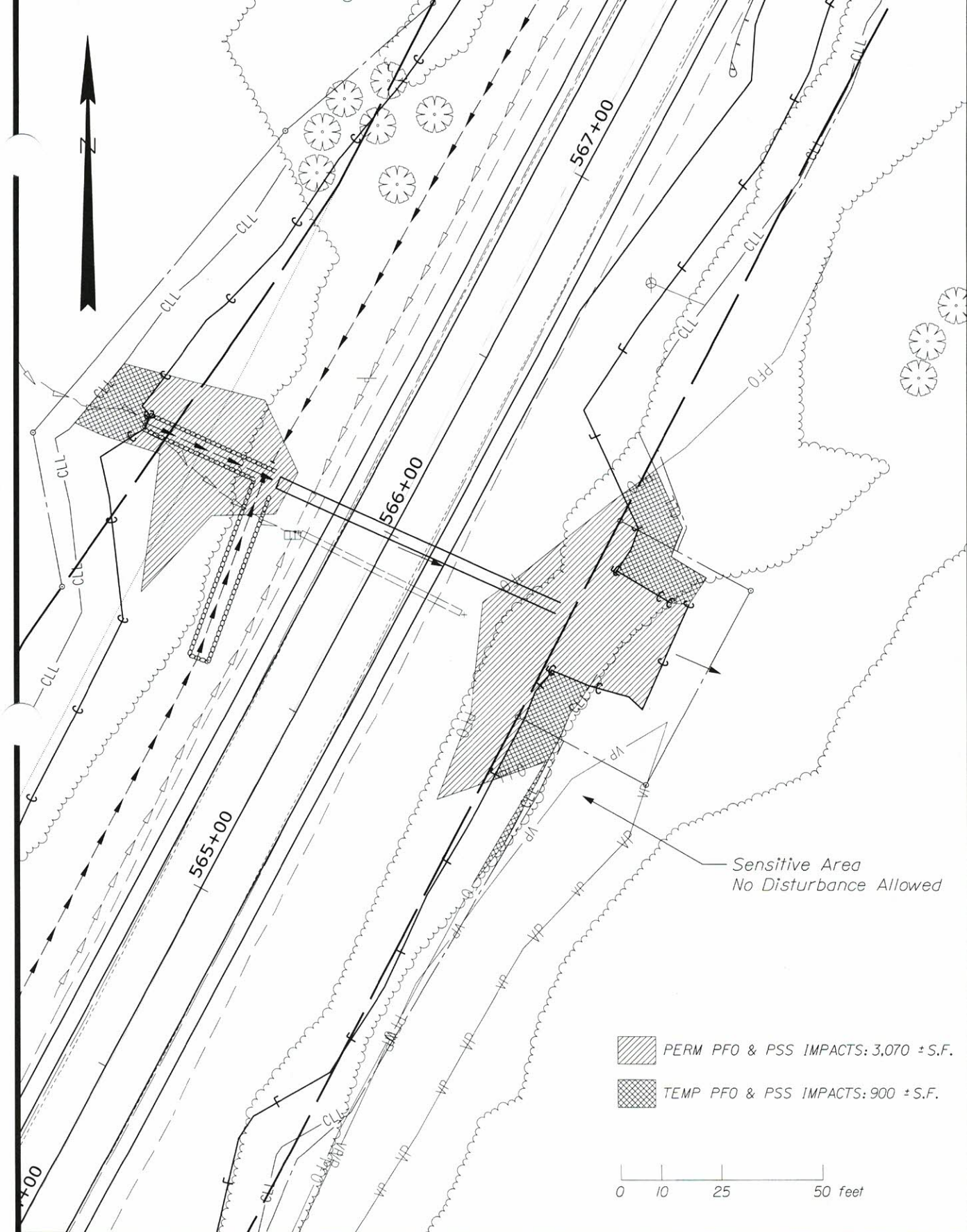
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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

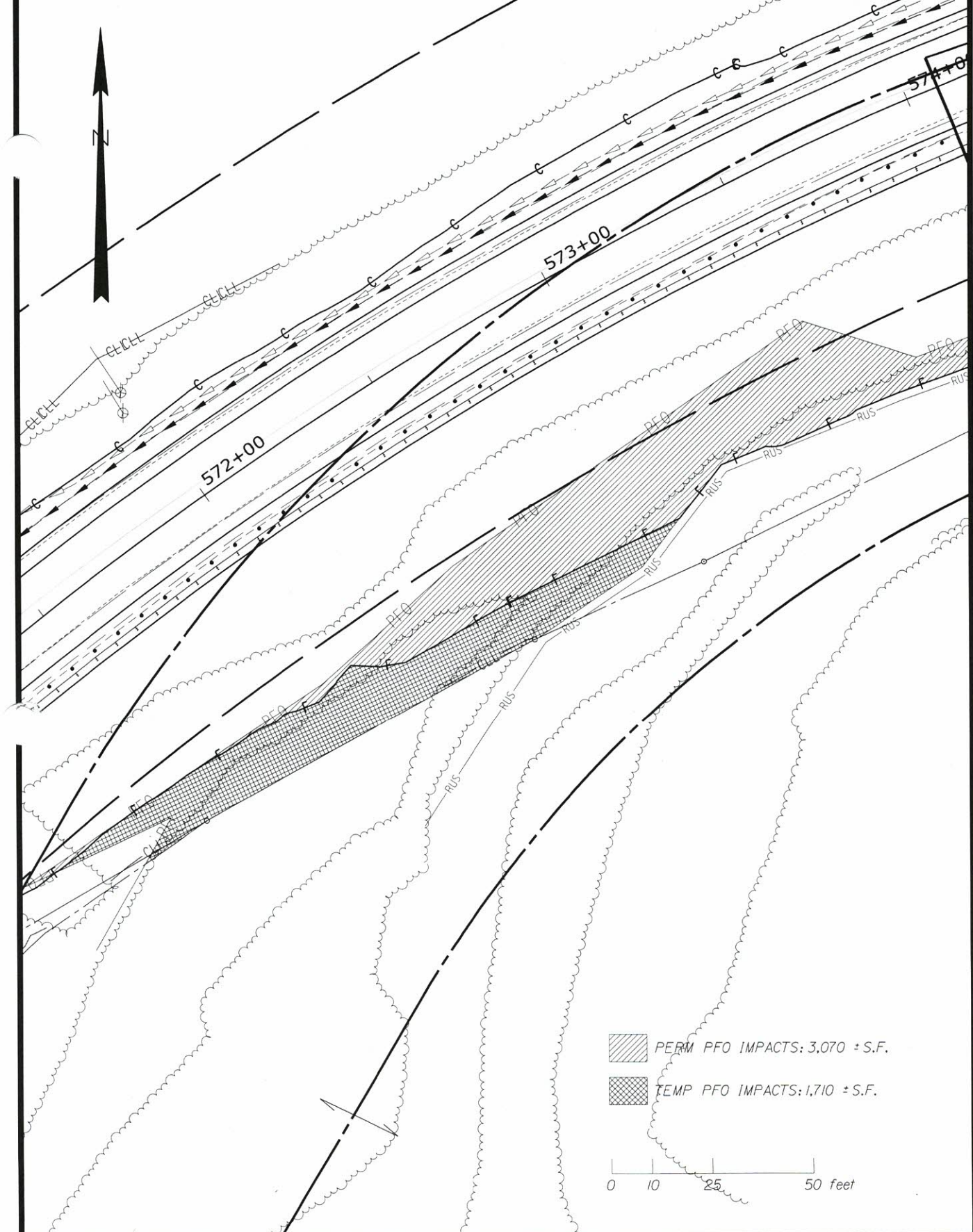
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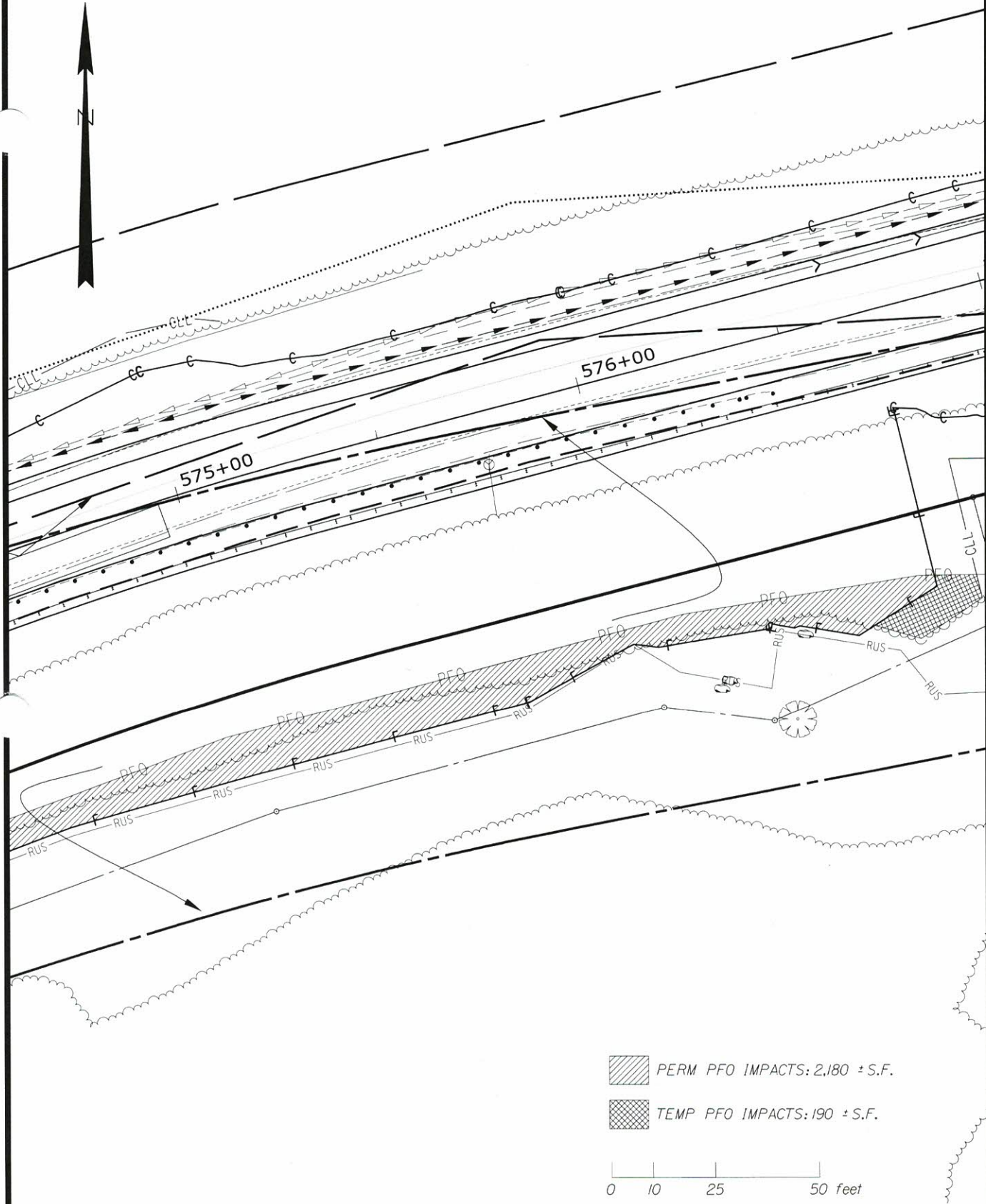
OF 33





 PERM PFO IMPACTS: 3,070 ± S.F.
 TEMP PFO IMPACTS: 1,710 ± S.F.

0 10 25 50 feet

STATE OF MAINE DEPARTMENT OF TRANSPORTATION	ROUTE 4 PHILLIPS-MADRID FRANKLIN COUNTY	SHEET NUMBER 5
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 PERM PFO IMPACTS: 2,180 \pm S.F.
 TEMP PFO IMPACTS: 190 \pm S.F.

0 10 25 50 feet

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

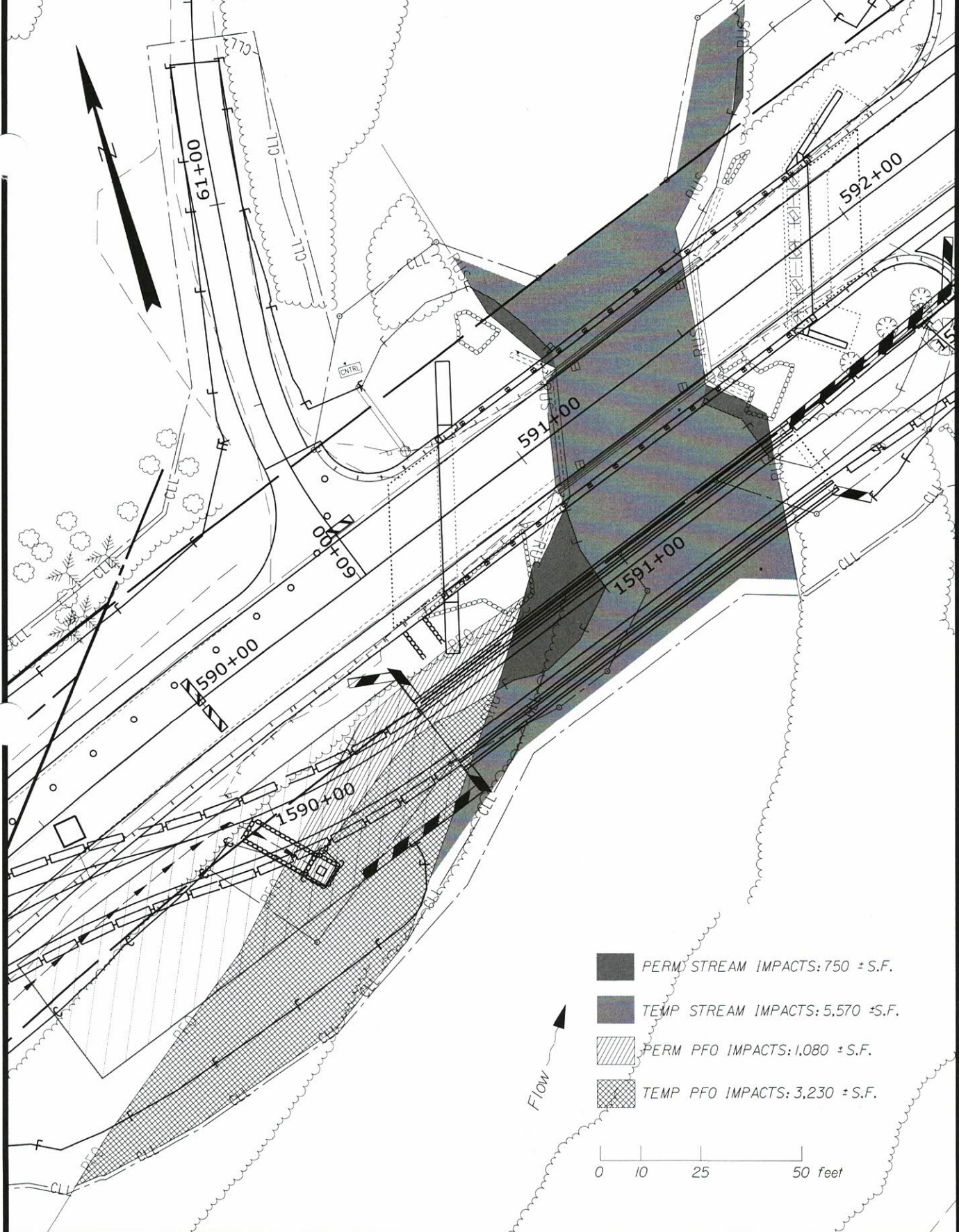
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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

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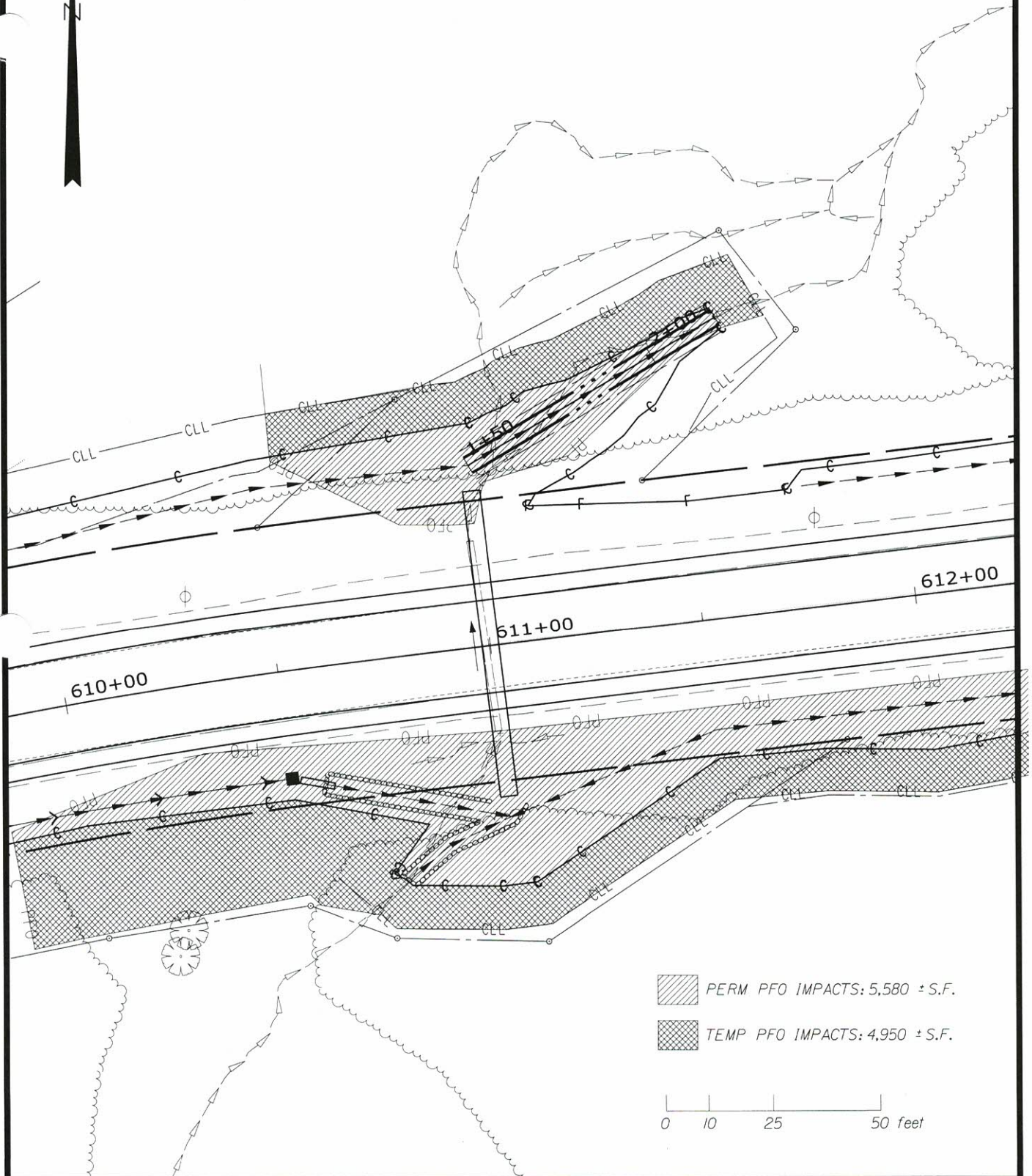
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18247.00

PLANS

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PERM PFO IMPACTS: 5,580 ± S.F.

TEMP PFO IMPACTS: 4,950 ± S.F.

0 10 25 50 feet

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

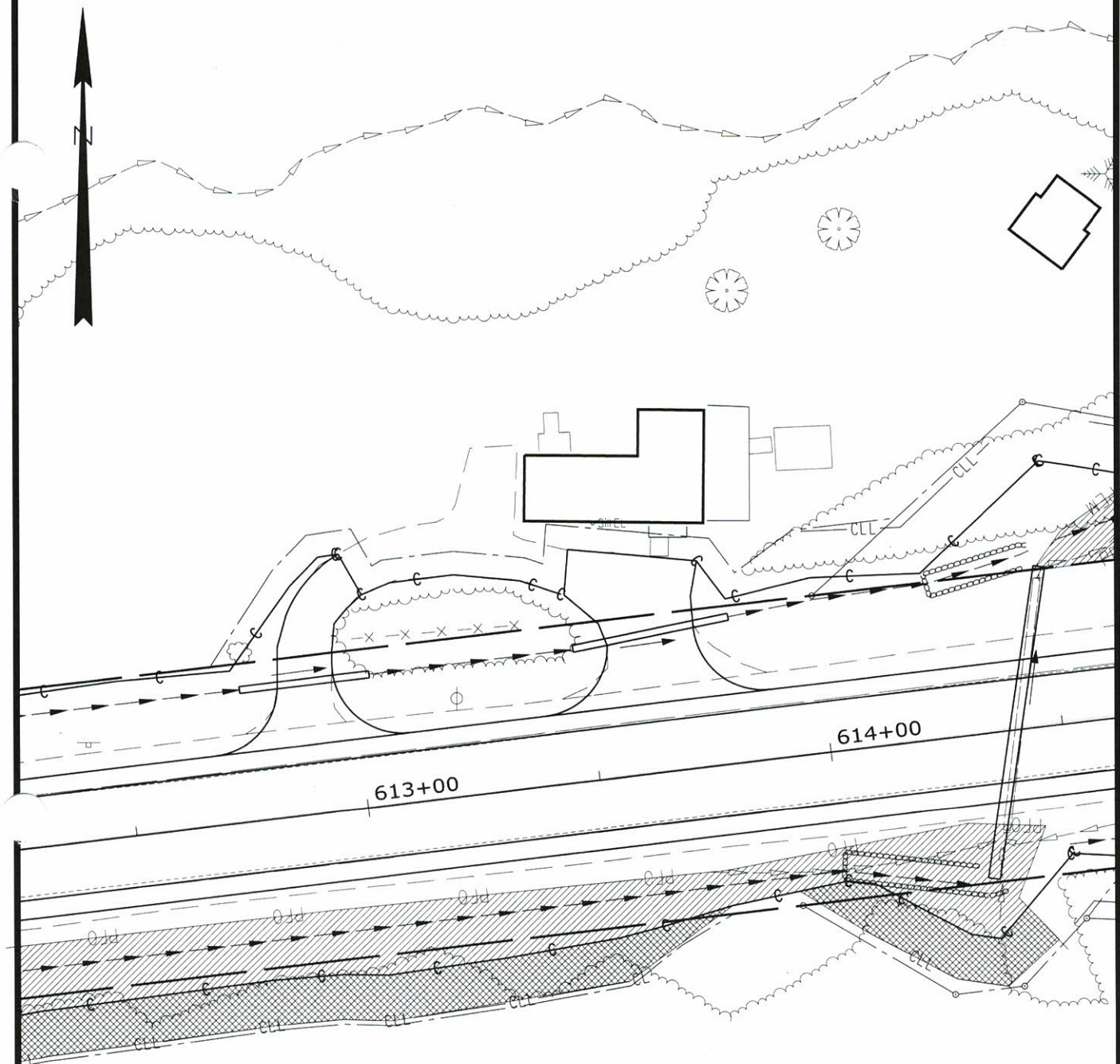
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 PERM PFO & PEM IMPACTS: 3,090 ± S.F.

 TEMP PFO IMPACTS: 1,900 ± S.F.

0 10 25 50 feet

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

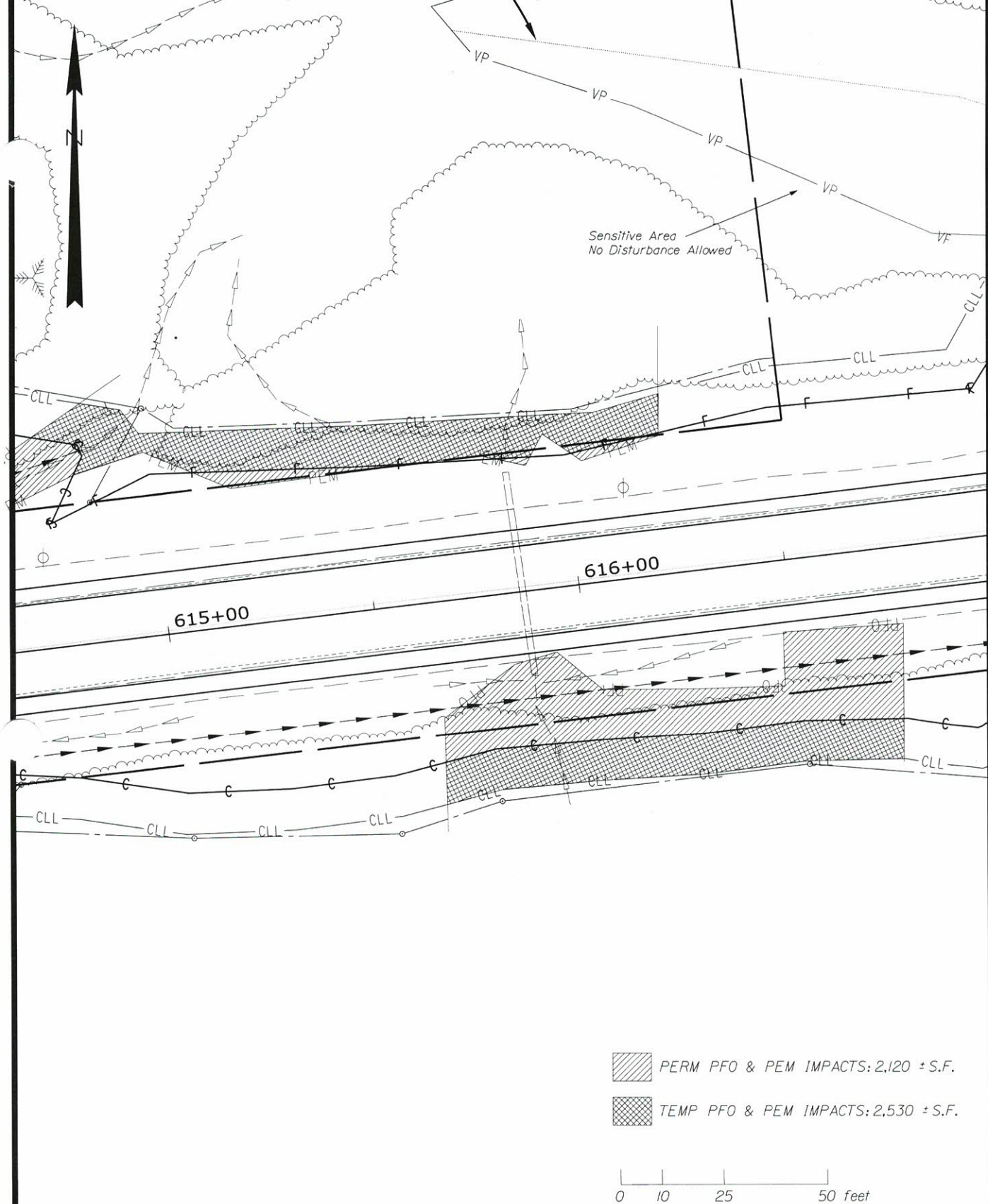
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DEPARTMENT OF TRANSPORTATION

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FRANKLIN COUNTY

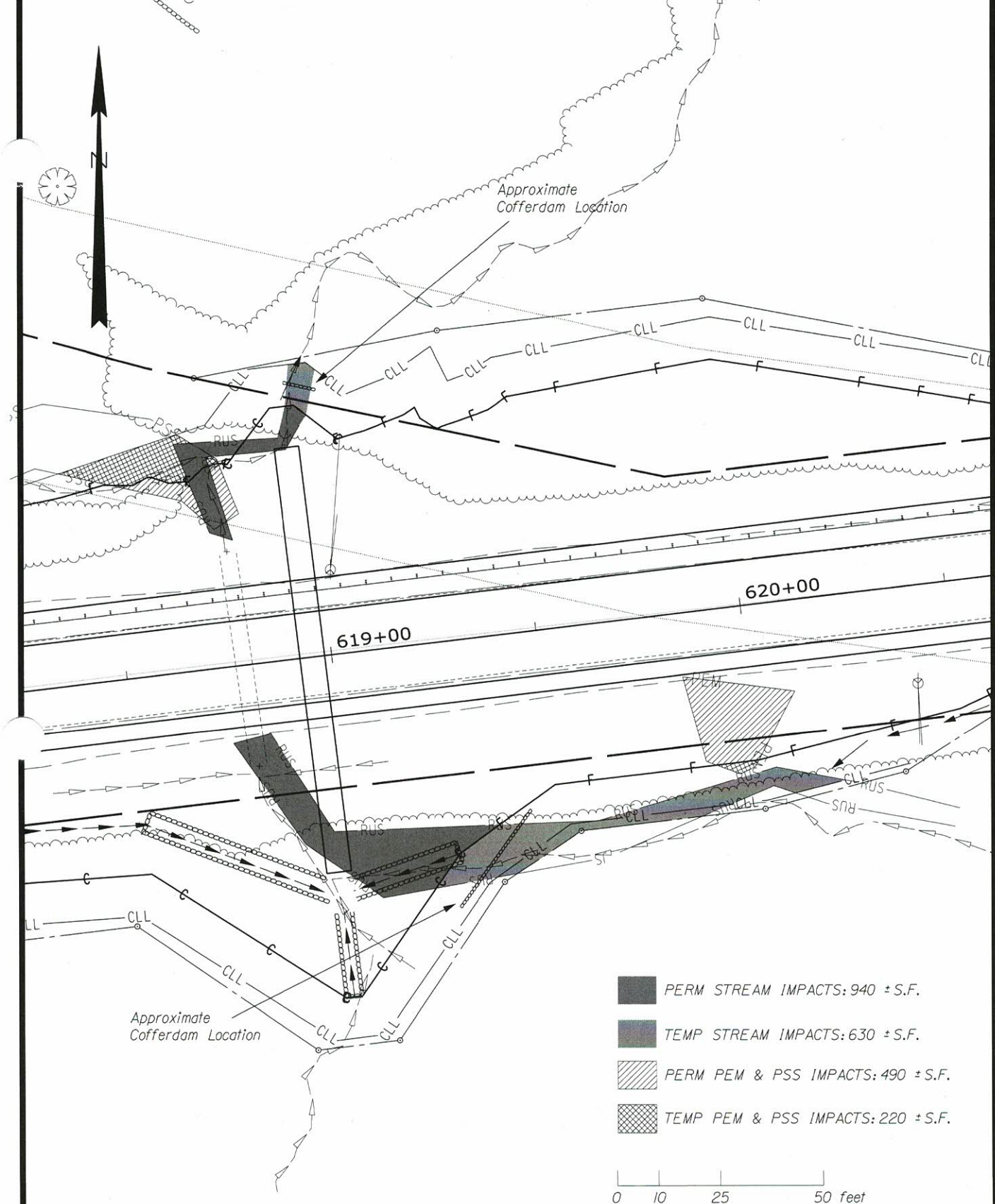
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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

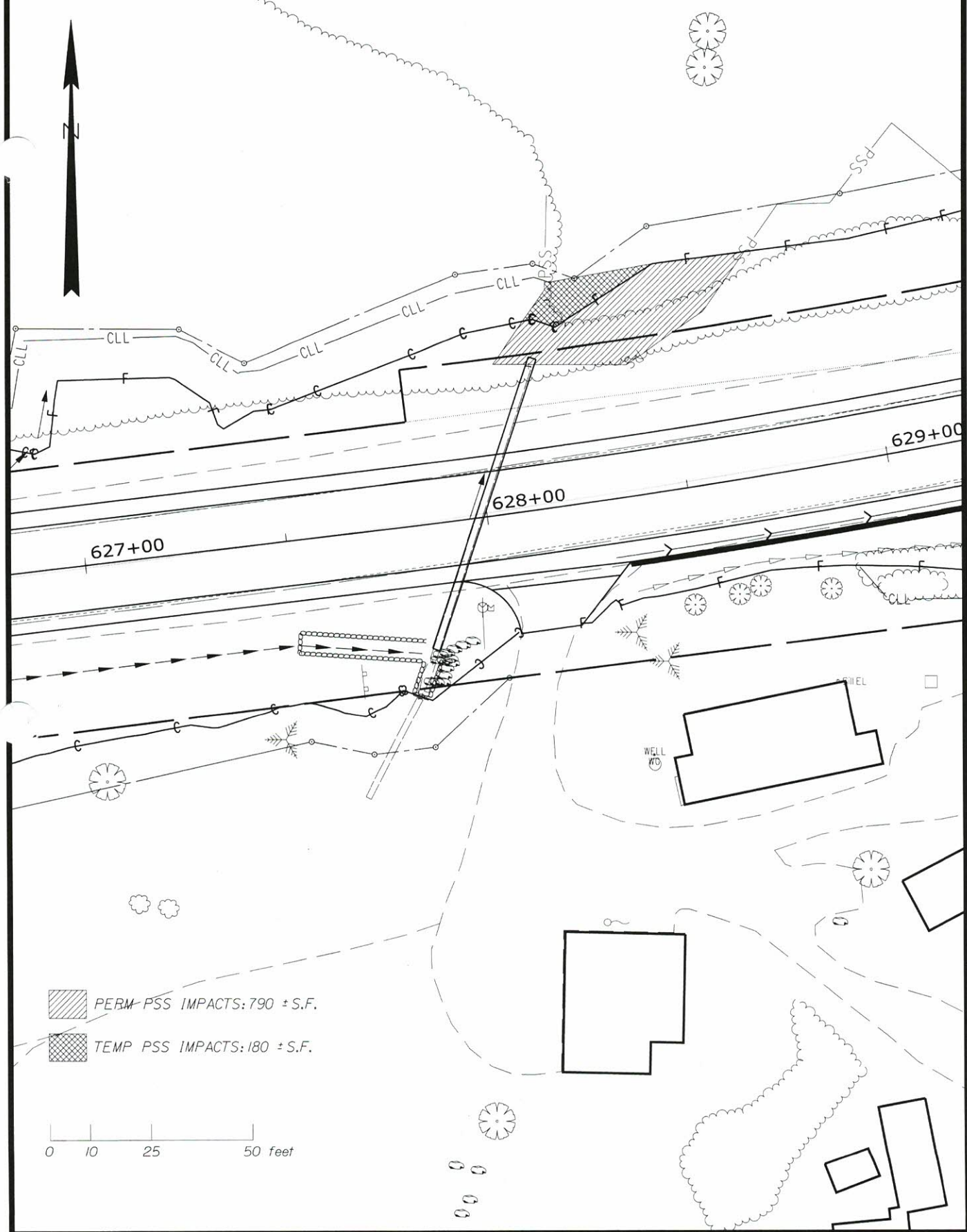
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DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

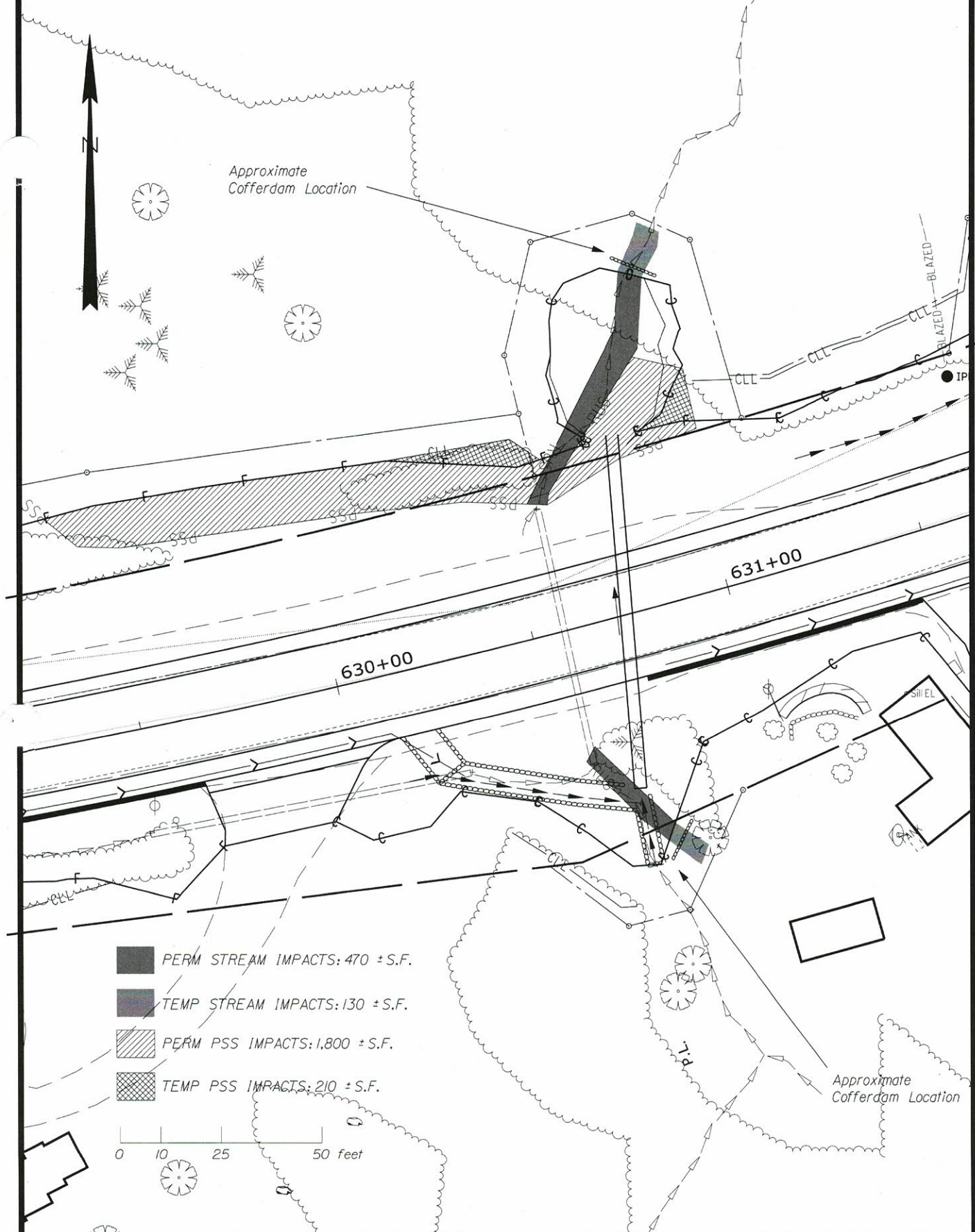
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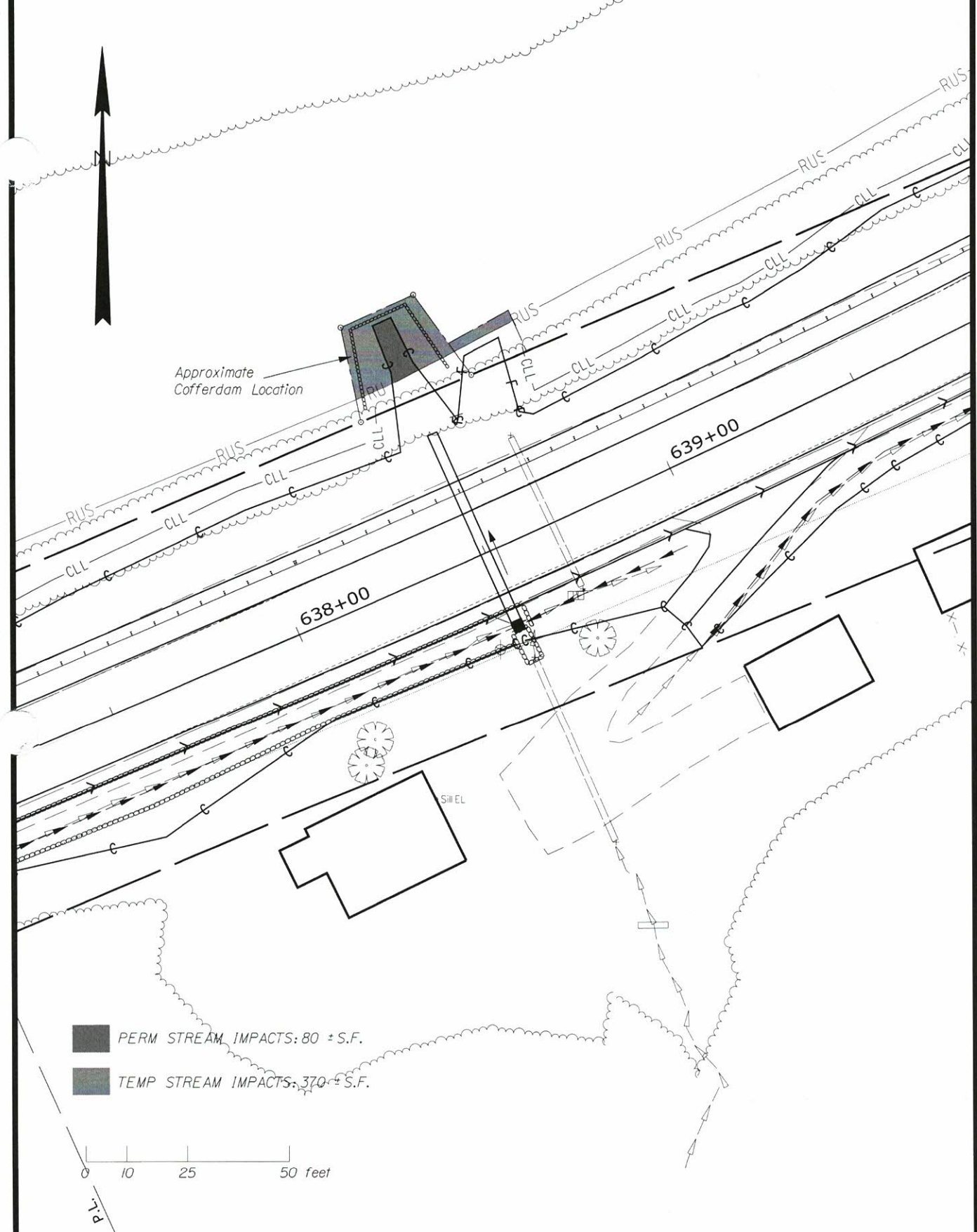
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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

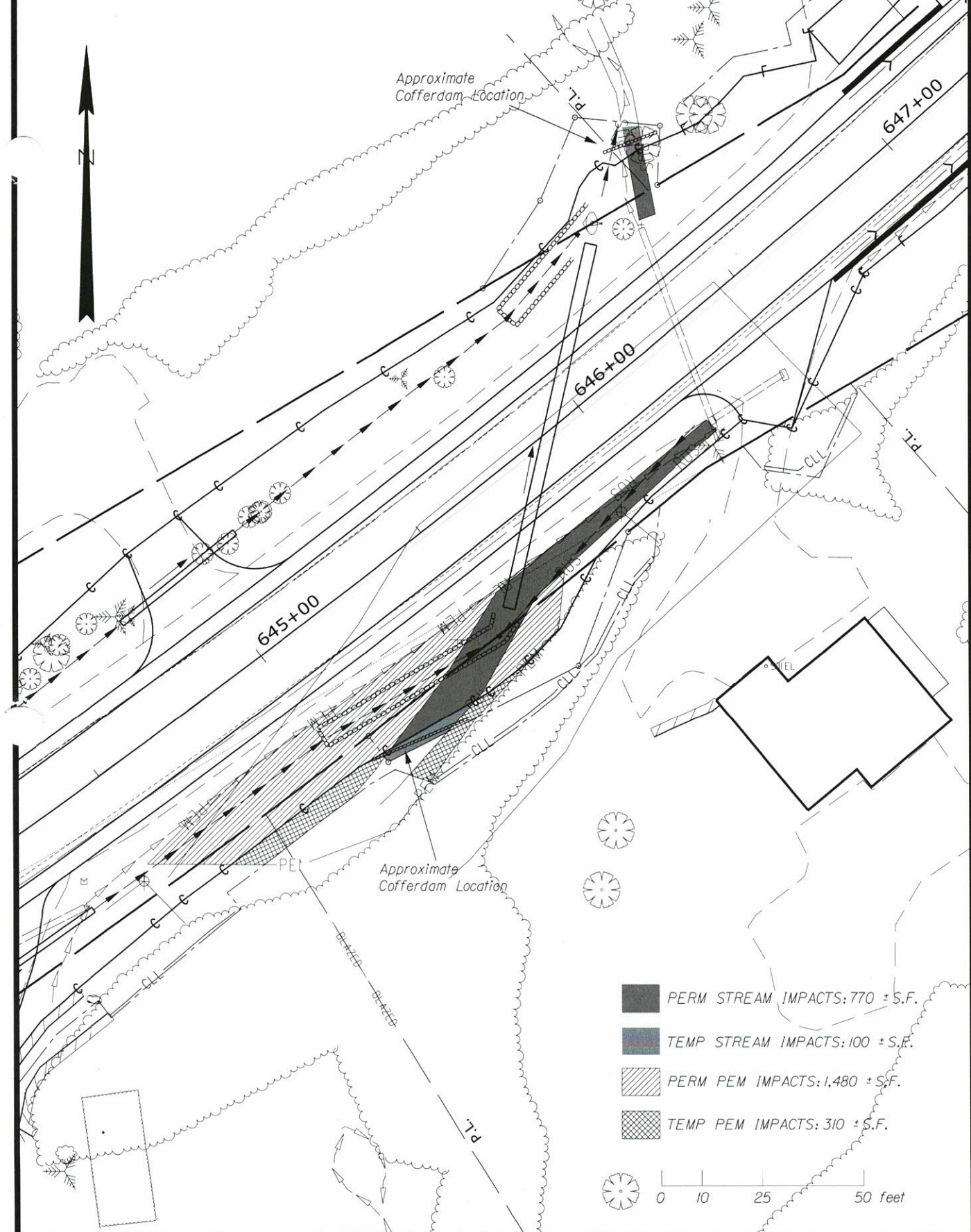
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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID FRANKLIN COUNTY

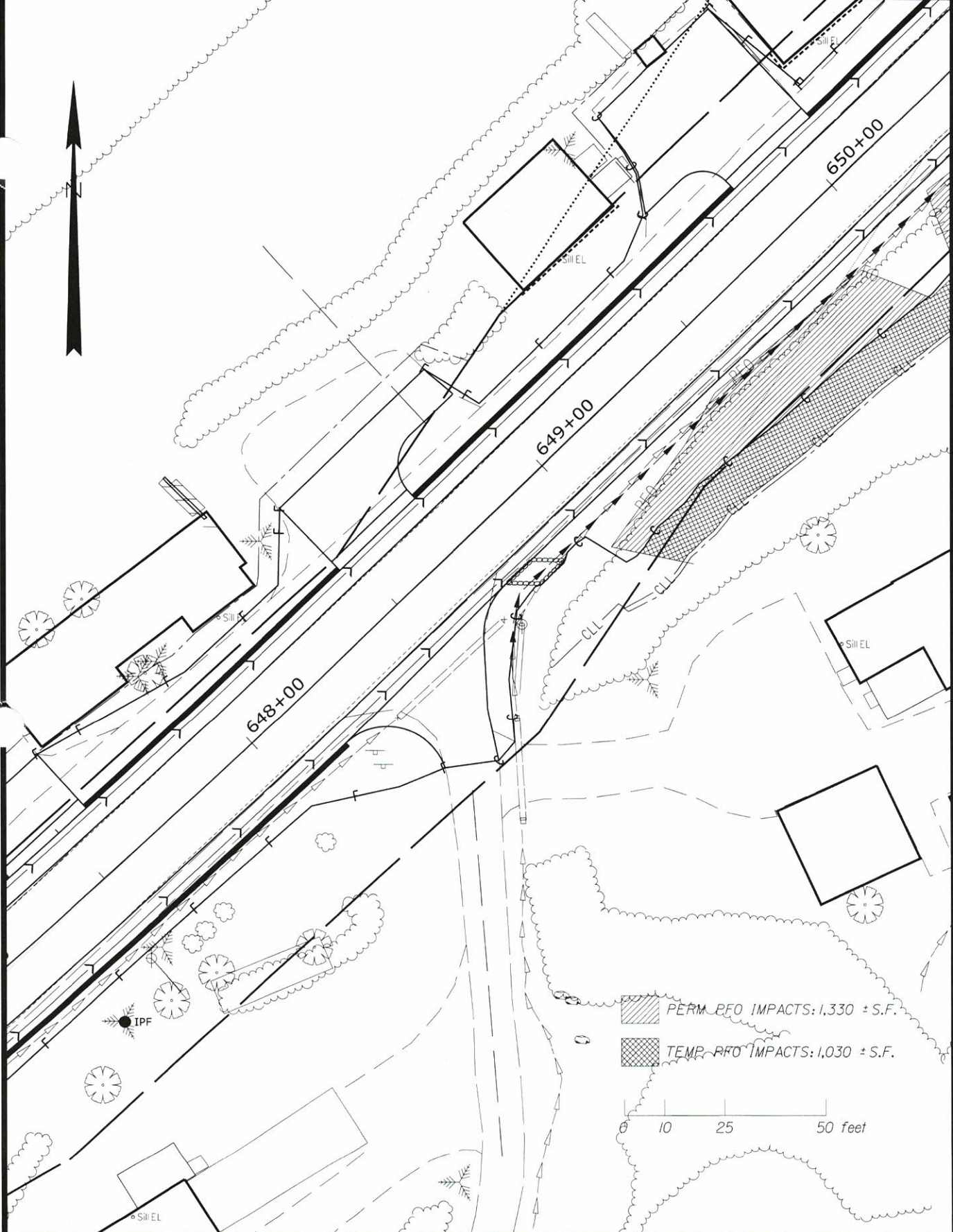
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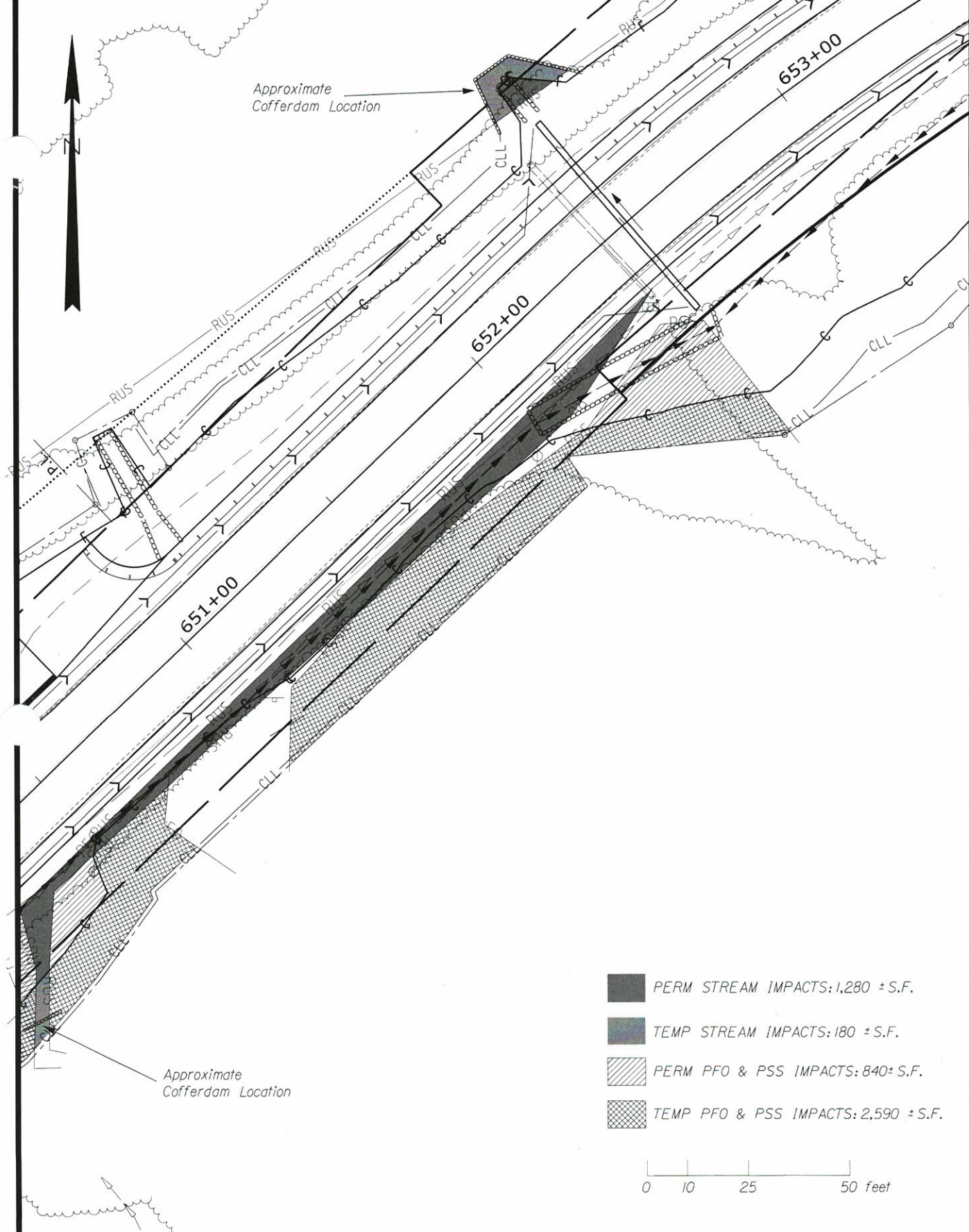
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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

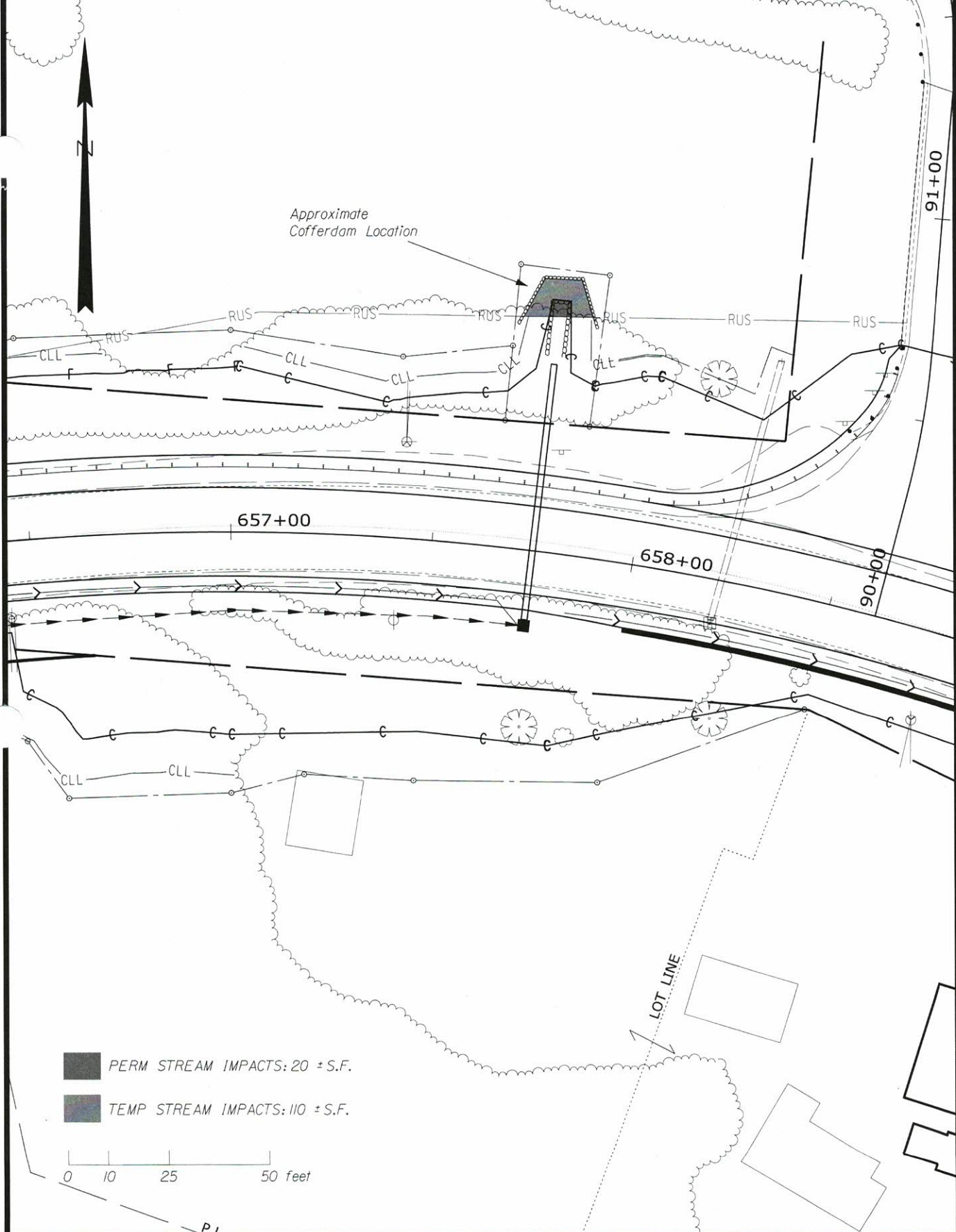
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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

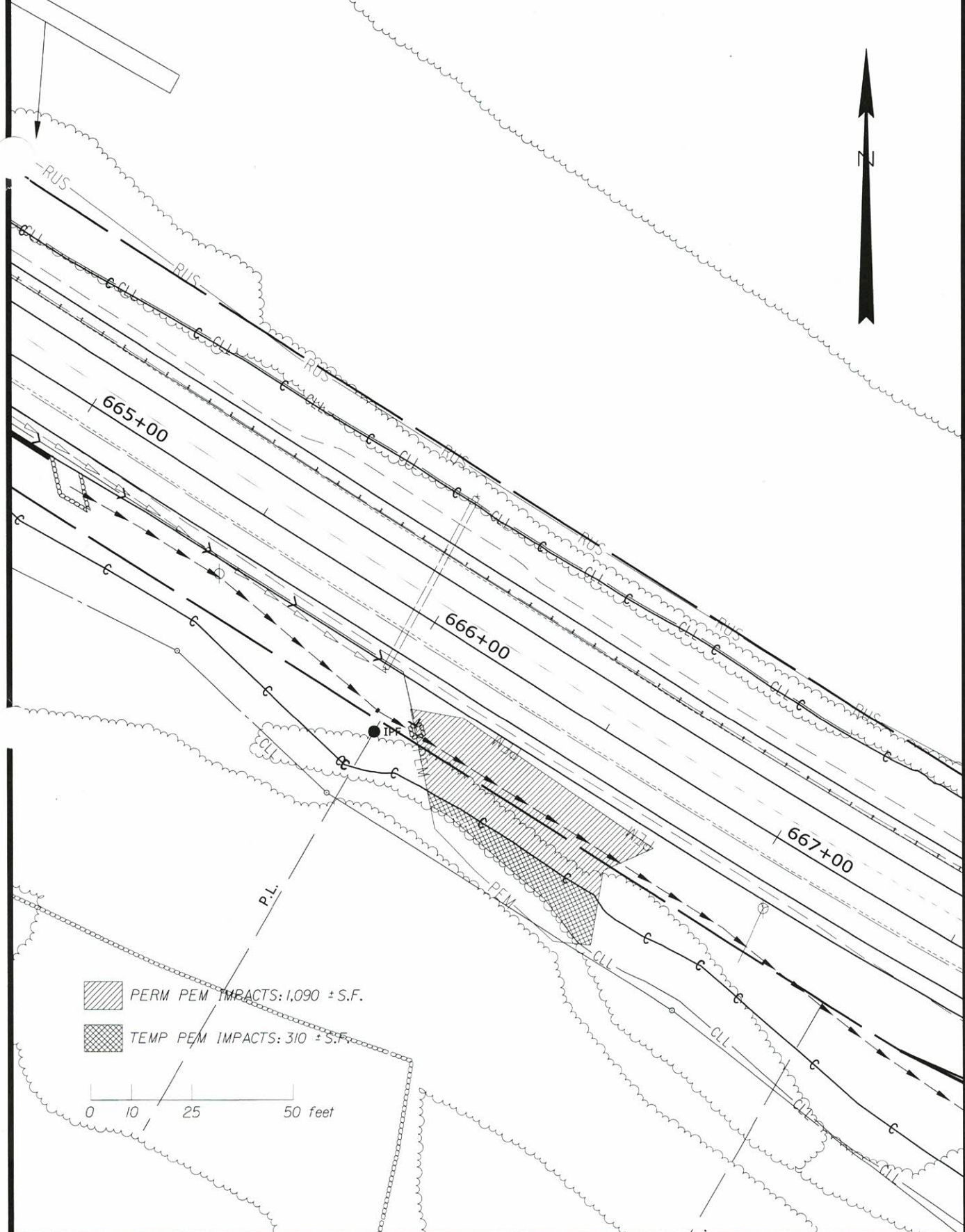
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PLANS

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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

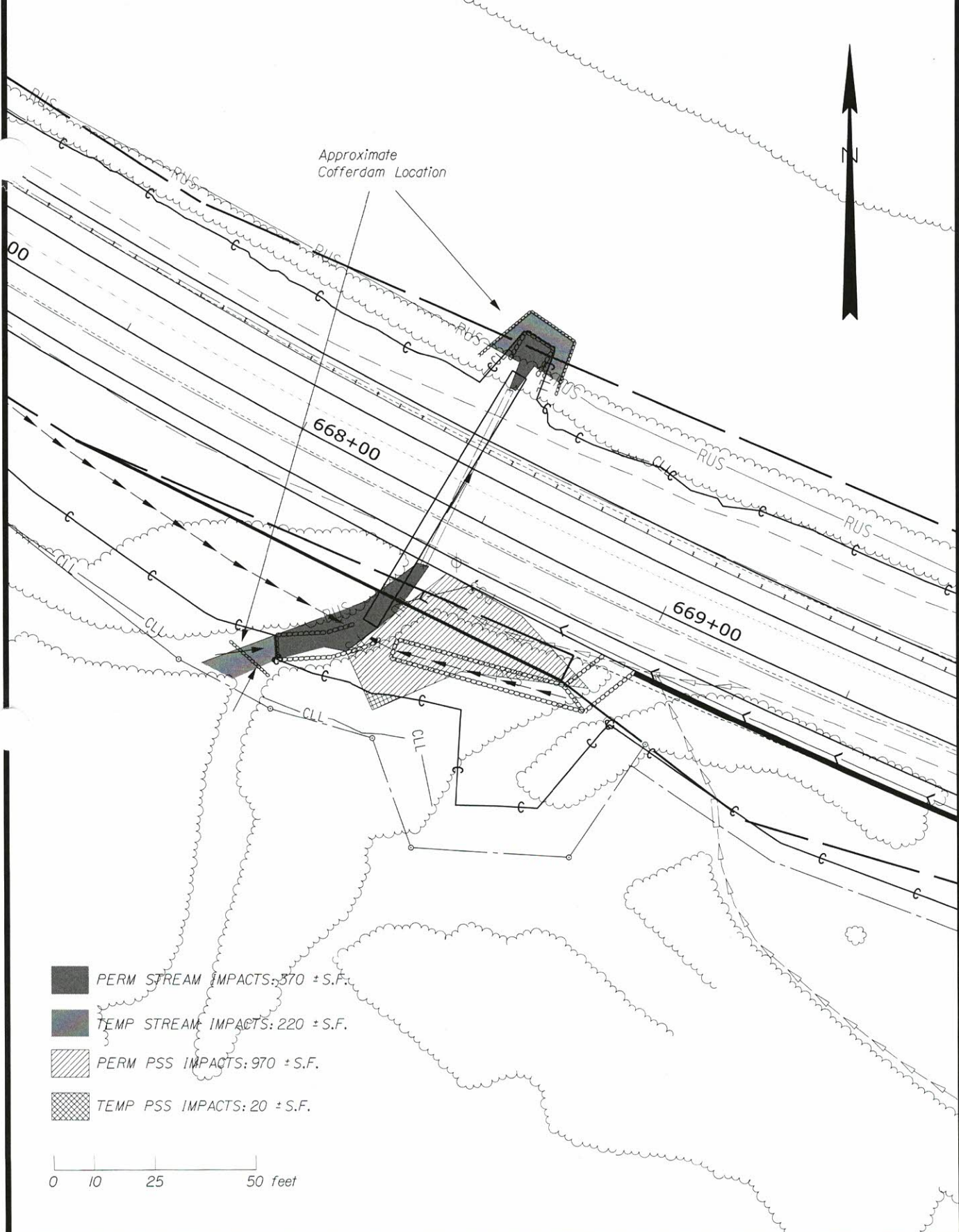
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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

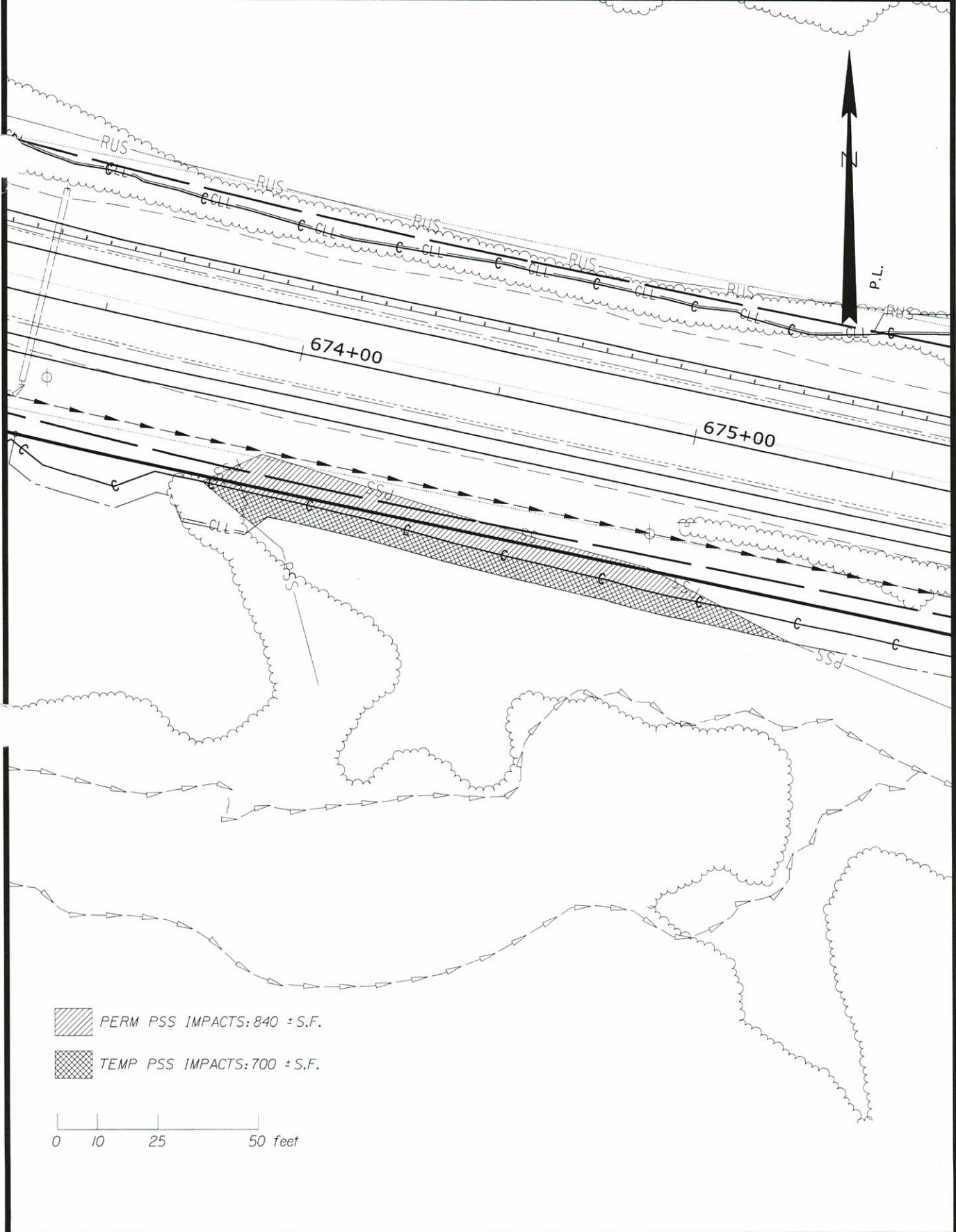
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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4
FRANKLIN COUNTY

PHILLIPS

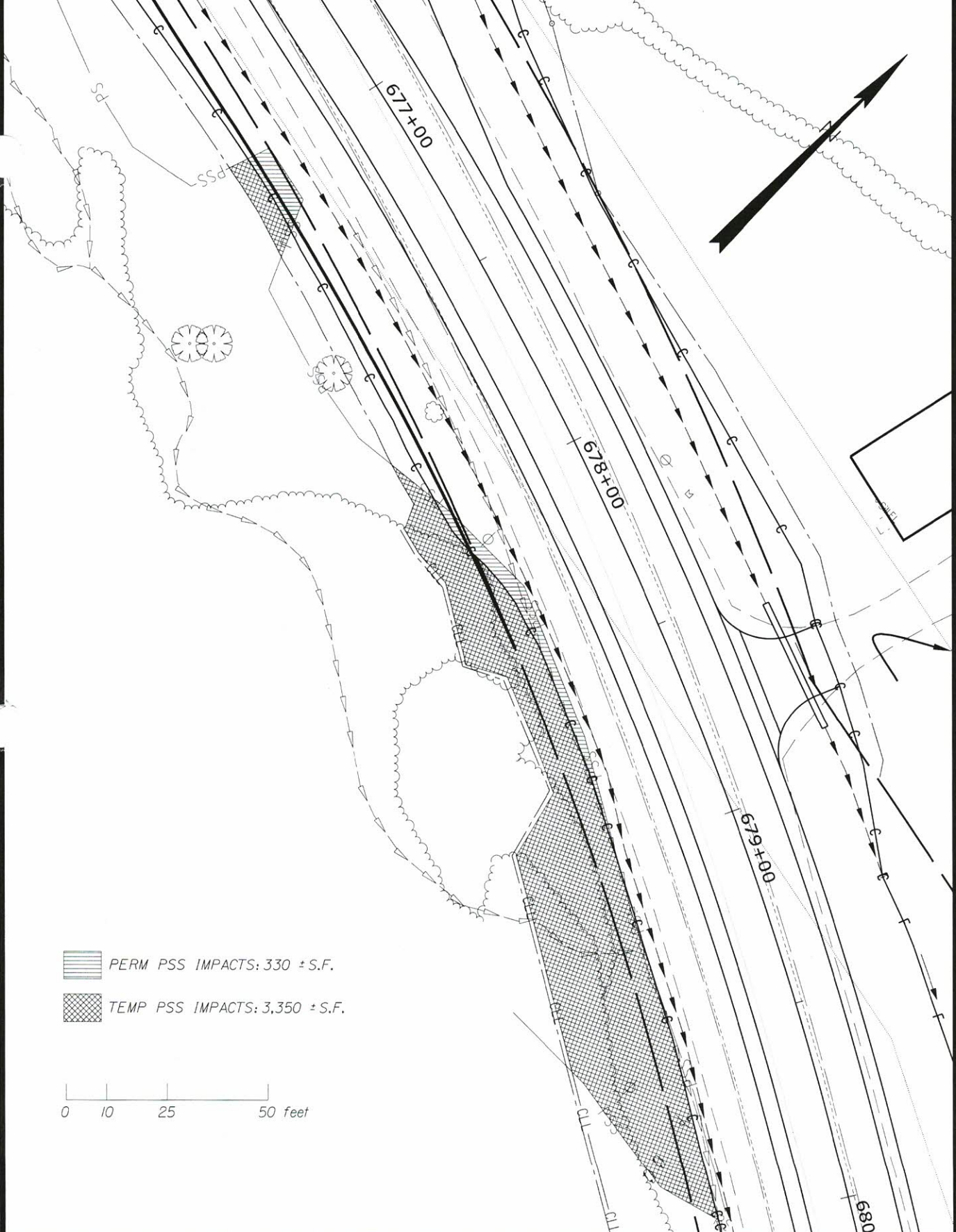
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PERM PSS IMPACTS: 330 ± S.F.
TEMP PSS IMPACTS: 3,350 ± S.F.

0 10 25 50 feet

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

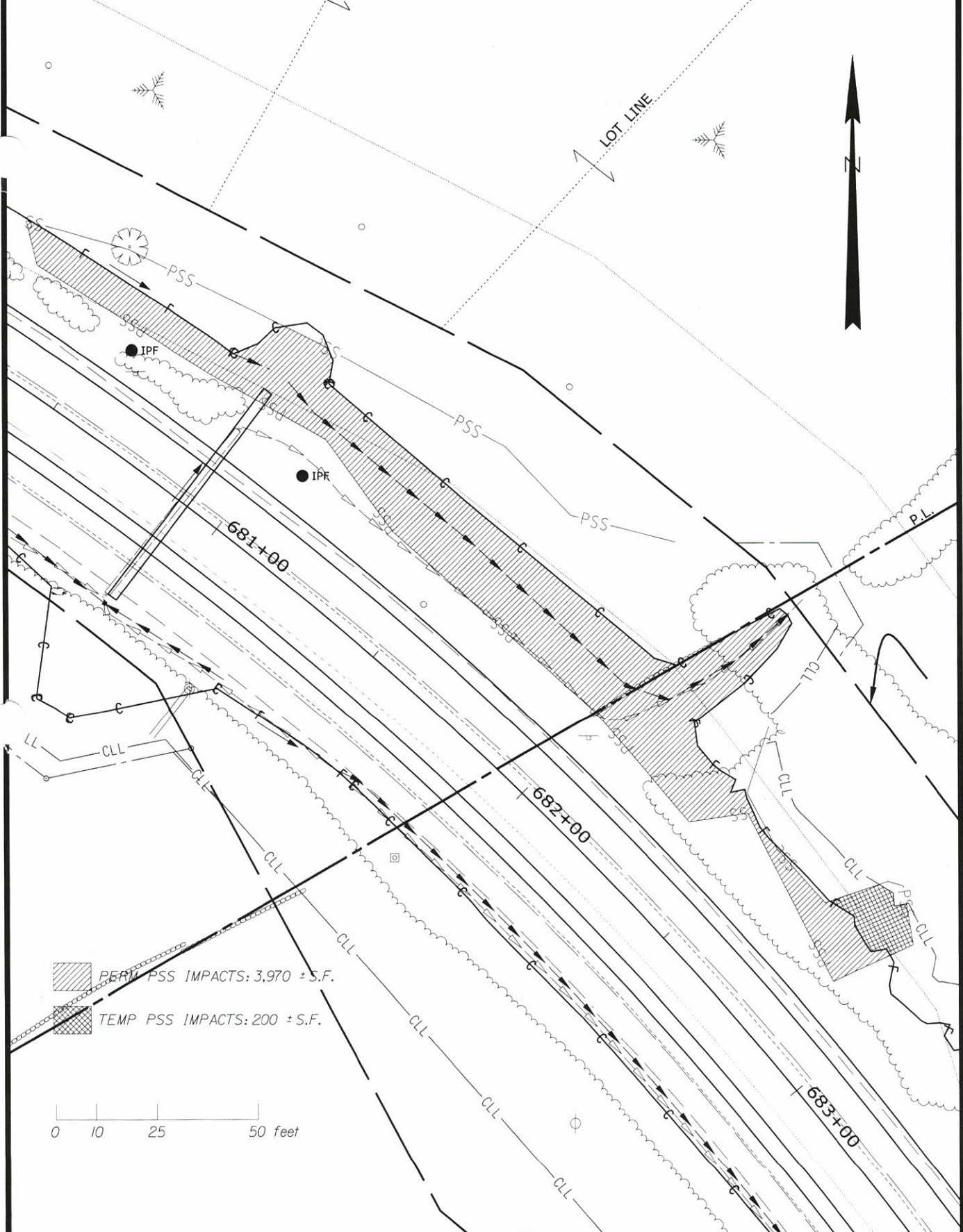
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STATE OF MAINE
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ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY



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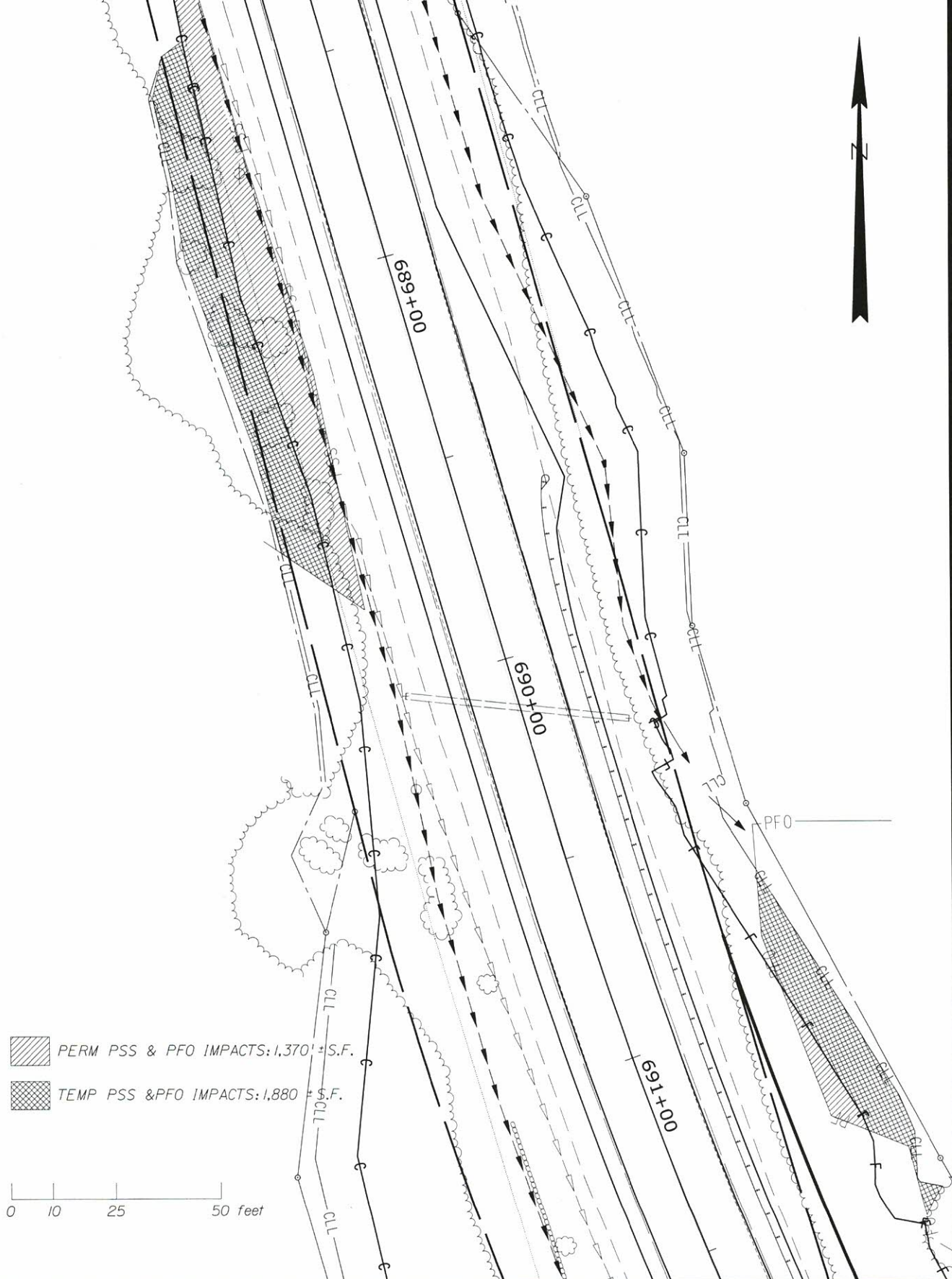
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 PERM PSS IMPACTS: 1,130 ± S.F.
 TEMP PSS IMPACTS: 3,360 ± S.F.

0 10 25 50 feet



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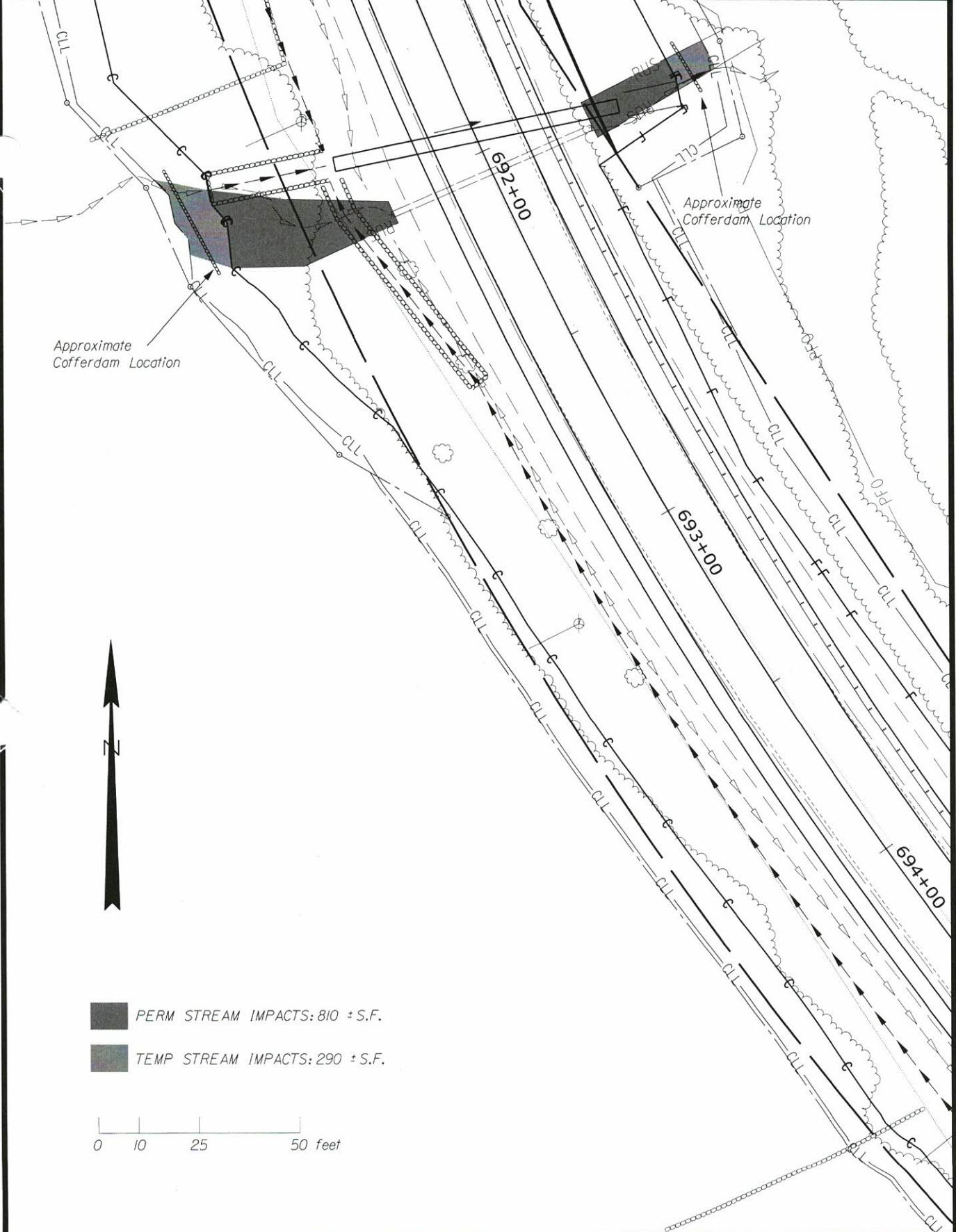
PERM PSS & PFO IMPACTS: 1,370 ± S.F.
TEMP PSS & PFO IMPACTS: 1,880 ± S.F.

0 10 25 50 feet

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
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ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY
PLANS

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DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

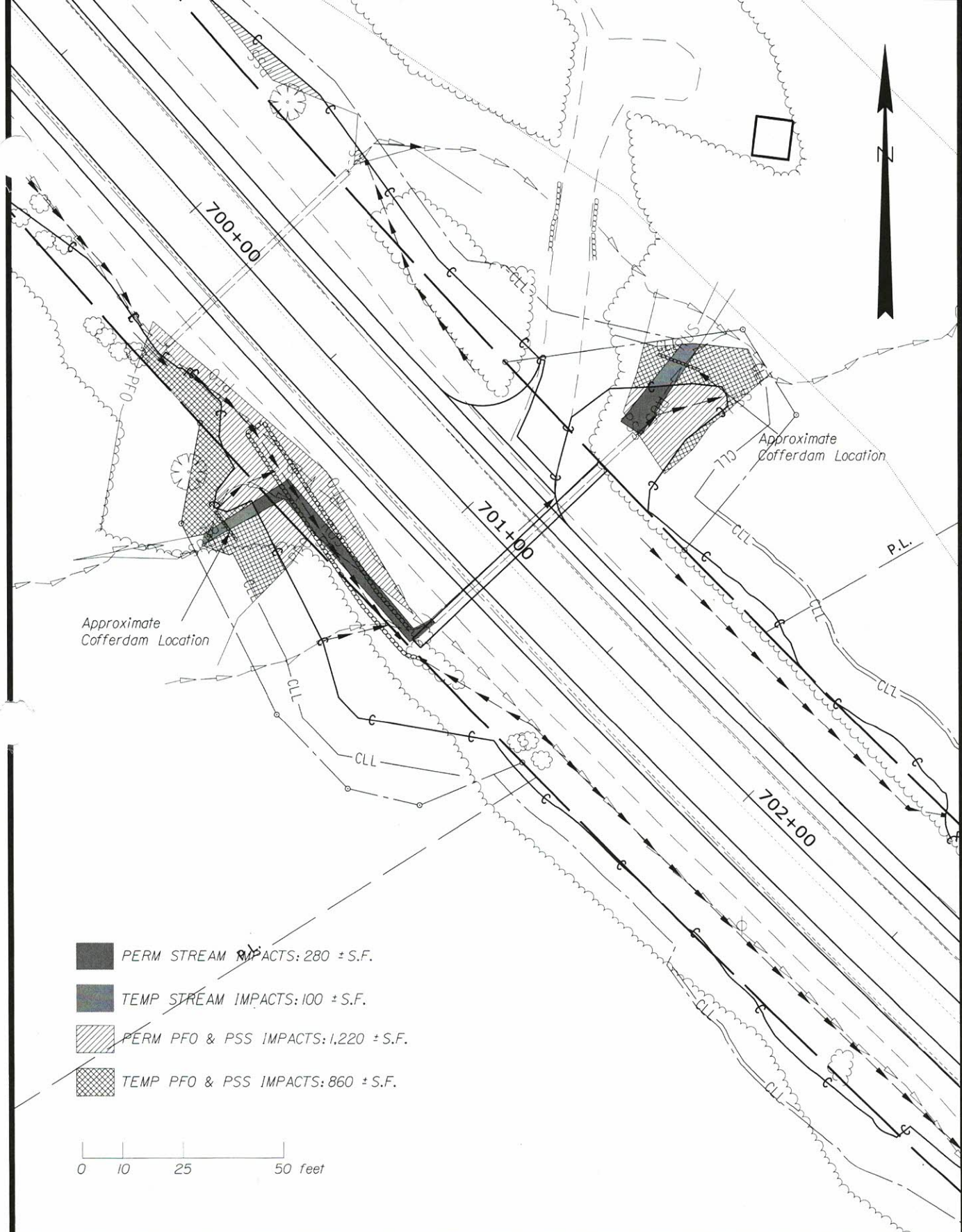
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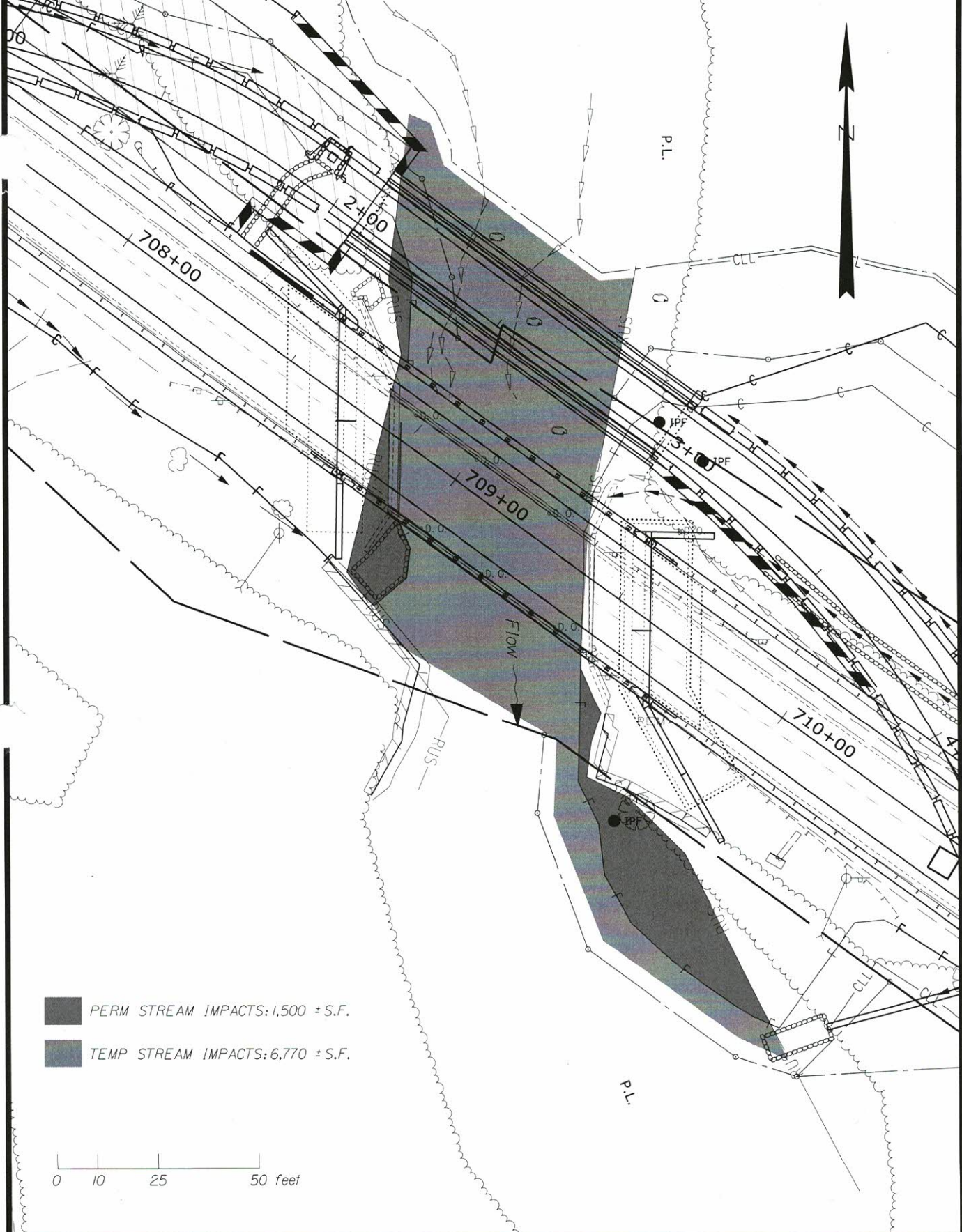
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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 4 PHILLIPS-MADRID
FRANKLIN COUNTY

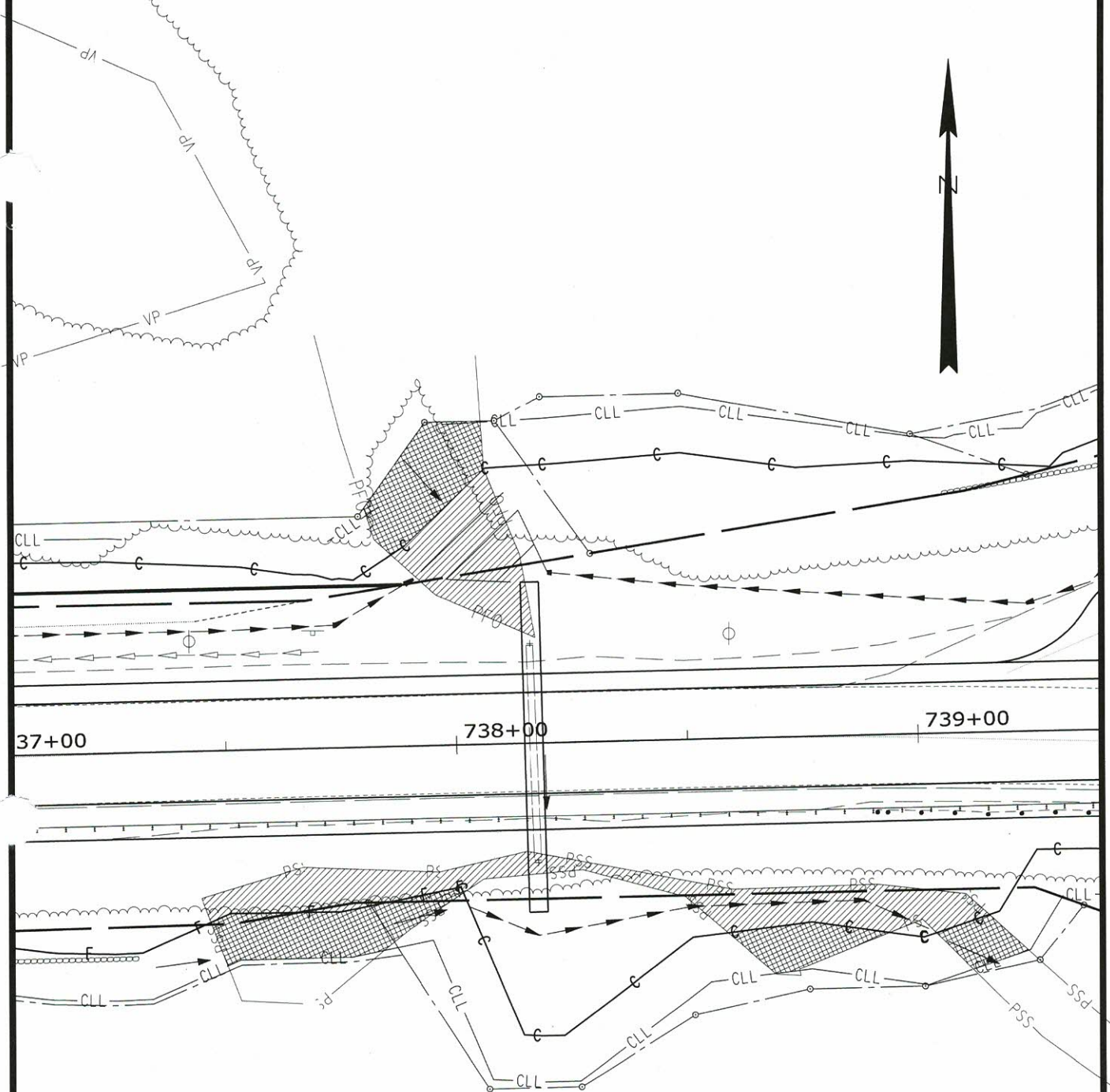
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 PERM PFO & PSS IMPACTS: 1,630 ± S.F.
 TEMP PFO & PSS IMPACTS: 1,210 ± S.F.

0 10 25 50 feet

STATE OF MAINE
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