



**US Army Corps
of Engineers®**
New England District
696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Comment Period Begins: March 14, 2017
Comment Period Ends: April 12, 2017
File Number: NAE-2016-01444
In Reply Refer To: LeeAnn B. Neal
Phone: (207) 623-8367 x2
E-mail: leeann.neal@usace.army.mil

30 DAY NOTICE

The District Engineer has received a permit application from the Town of Phillips to conduct work in waters of the United States. This work is proposed in an unnamed tributary to the Sandy River off Bridge Street at Phillips, Maine. The site coordinates are: Latitude 44.83092°N Longitude -70.33955°W.

The work involves the placement of permanent and temporary fill below the ordinary high water line of the unnamed tributary to the Sandy River off Bridge Street at Phillips, Maine in conjunction with the replacement of an existing undersized 6.5' diameter metal pipe with a new 18' wide x 36' long precast open bottom box culvert. The box footings will be embedded in the natural stream substrate, placed at the natural stream slope, and armored to minimize scour and erosion. Dewatering the work site will require the installation of temporary coffer dams. The project will result in approximately 300 square feet of permanent and 1,300 square feet of temporary stream bed impact.

The work is shown on the attached plans entitled "Town of Phillips, Bridge Street Culvert Replacement at Phillips, Maine" on 4 sheets, and dated "10/27/2016, sheet 4 revised 11/03/2016."

The placement of fill and instream work is limited to that which is necessary to conduct the work necessary for project completion. As such, impacts to the resources have been minimized to the maximum extent practicable while allowing for the intended purpose. All disturbed areas associated with the installation will be restored, post installation of the new culvert. No mitigation for resource impacts has been proposed or required.

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

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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.

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)

ESSENTIAL FISH HABITAT

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 Atlantic salmon as they are a federally listed endangered species.

ENDANGERED SPECIES CONSULTATION

On November 13, 2000, the National Marine Fisheries Service and the U.S. Fish and Wildlife Service (Services) listed a distinct population segment (DPS) of Atlantic salmon (*Salmo solar*) in the Gulf of Maine as an endangered species under the Endangered Species Act (ESA). More recently, the Services listed Atlantic salmon critical habitat and expanded the current Gulf of Maine DPS. This culvert replacement project falls within the listing area. The project site also falls within the review area for federally listed Canada lynx and the recently listed Northern Long-eared Bat.

The Corps has made the determination that this project is unlikely to adversely affect Atlantic salmon or result in the destruction or adverse modification of its critical habitat. In fact, the project is expected to result in a long-term benefit to the species. The Corps has also made a determination that the proposed project is not likely to adversely affect Canada Lynx, and will have no effect on the Northern long eared bat. Consultation with the Services is on-going. 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.

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 LeeAnn B. Neal at (978) 318-8498 or (207) 623-8367 extension 2.

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.

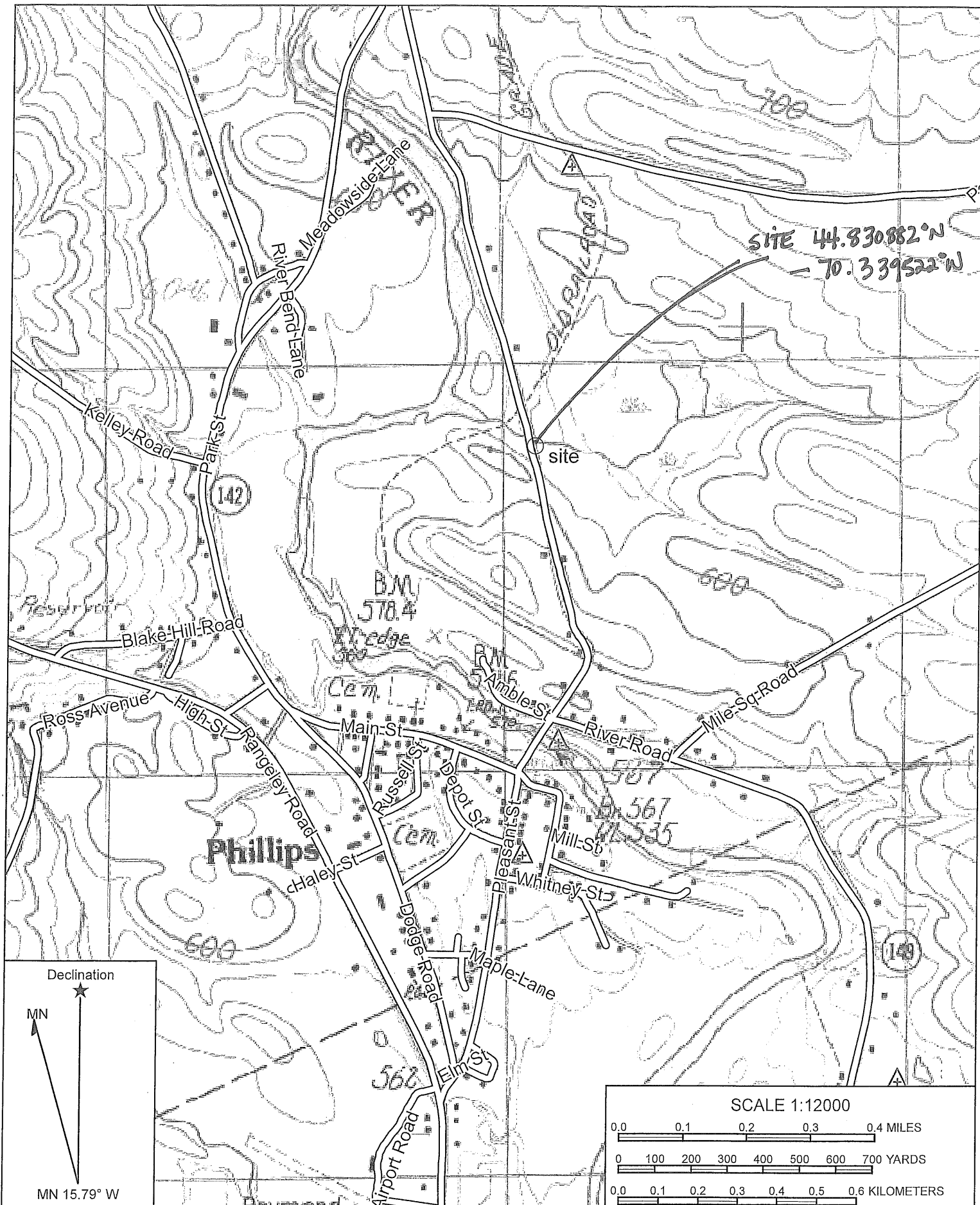
THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.


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

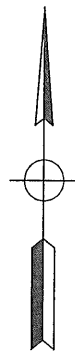
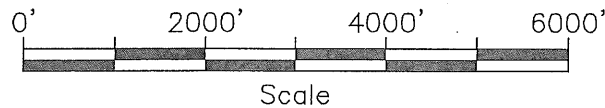
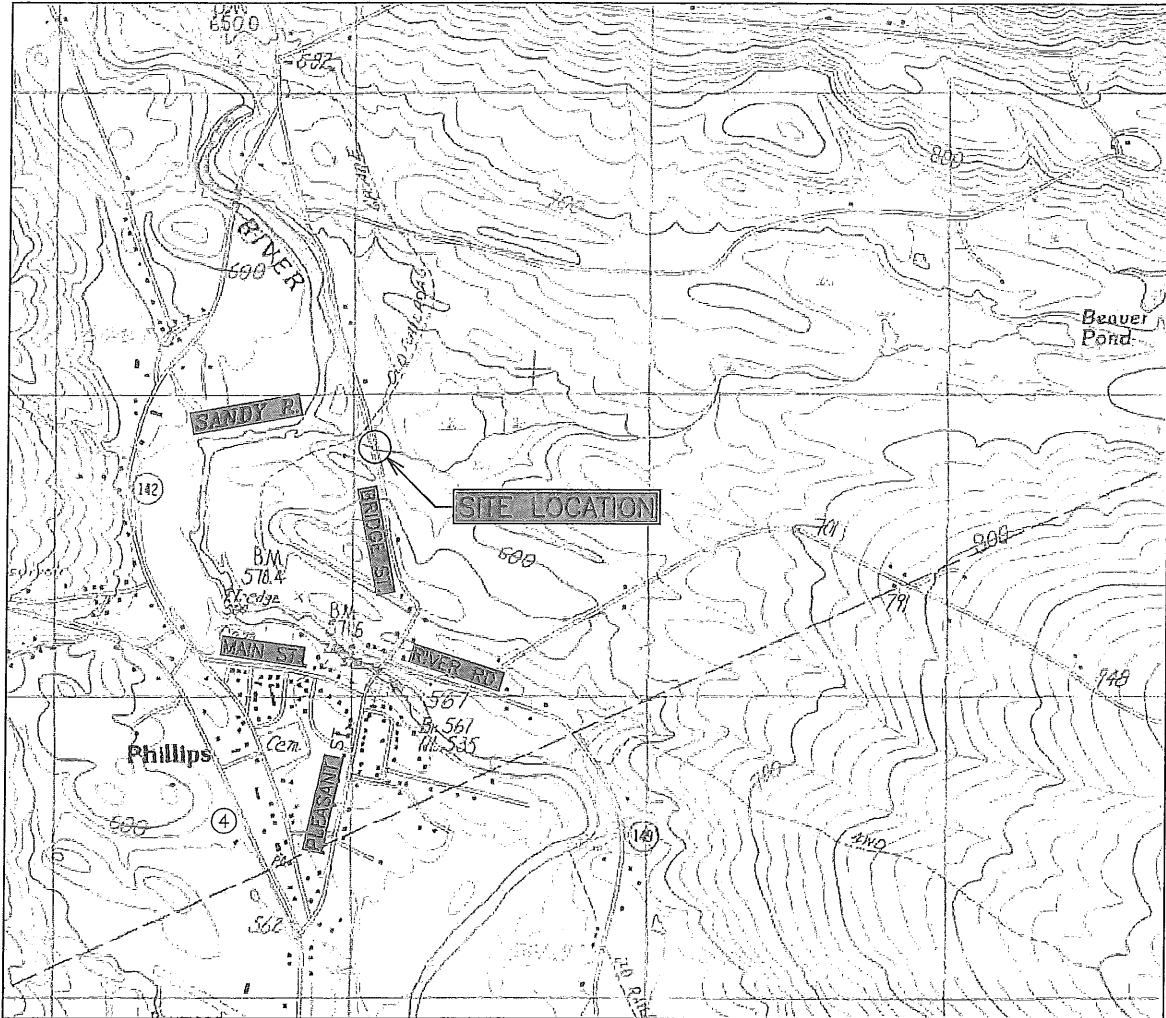
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If you would prefer not to continue receiving Public Notices by email, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: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

NAME: _____
ADDRESS: _____
PHONE: _____



Name: PHILLIPS
Date: 06/29/16
Scale: 1 inch = 1,000 ft.



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TOWN OF PHILLIPS, ME.
BRIDGE ST. CULVERT REPLACEMENT
SITE LOCATION MAP

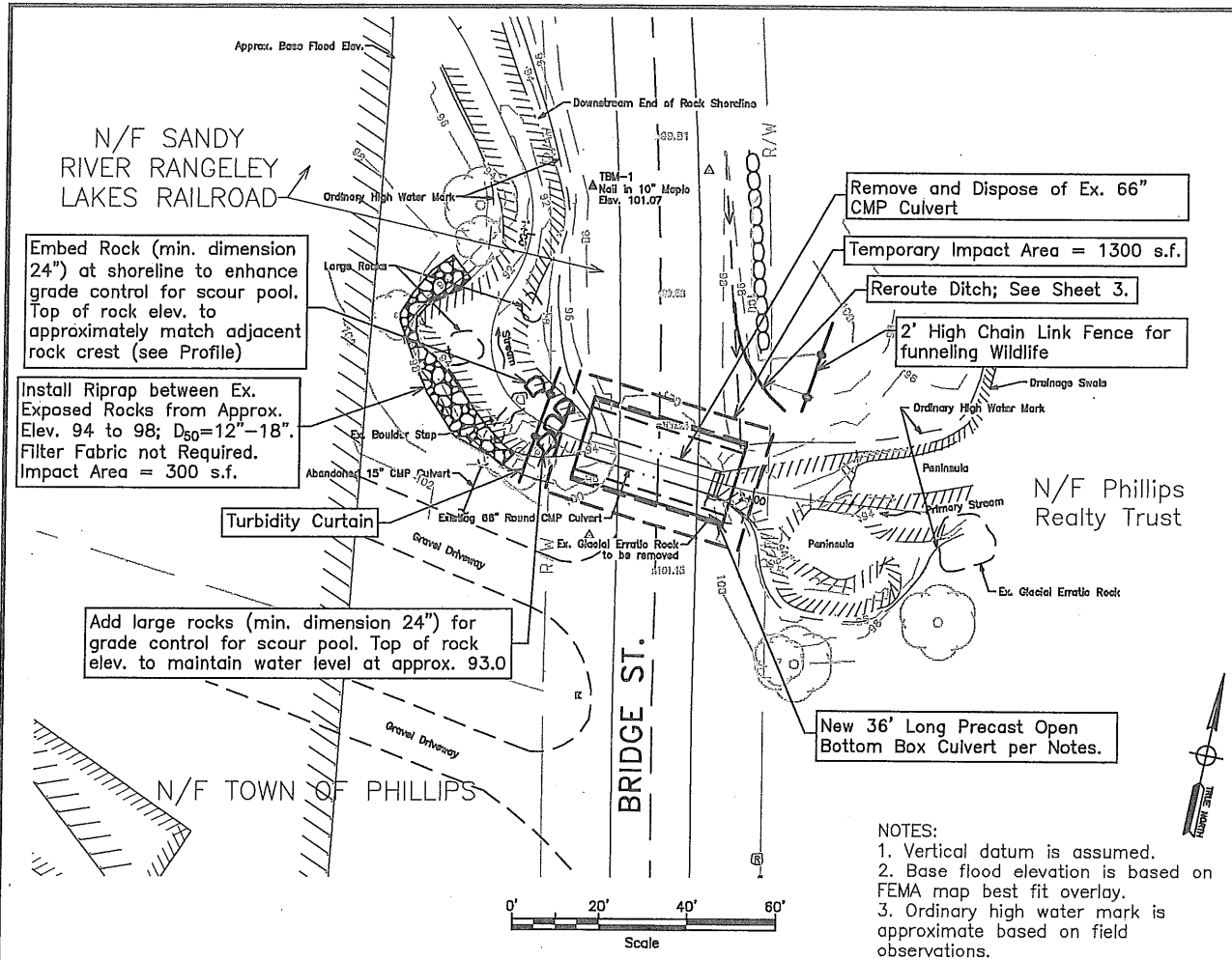
DIRIGO ENGINEERING

2 DIRIGO DRIVE FAIRFIELD, ME 04937
(207) 453-2401

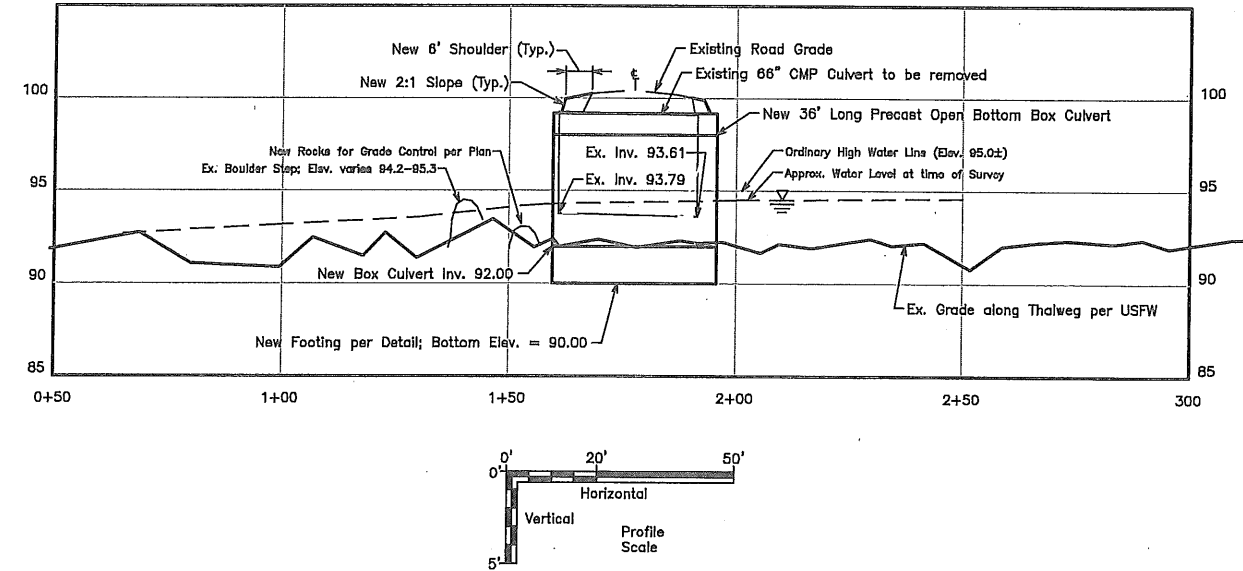
FILE: 01 Bridge St. Culvert

DATE: 10/27/16

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- NOTES:
1. Vertical datum is assumed.
 2. Base flood elevation is based on FEMA map best fit overlay.
 3. Ordinary high water mark is approximate based on field observations.



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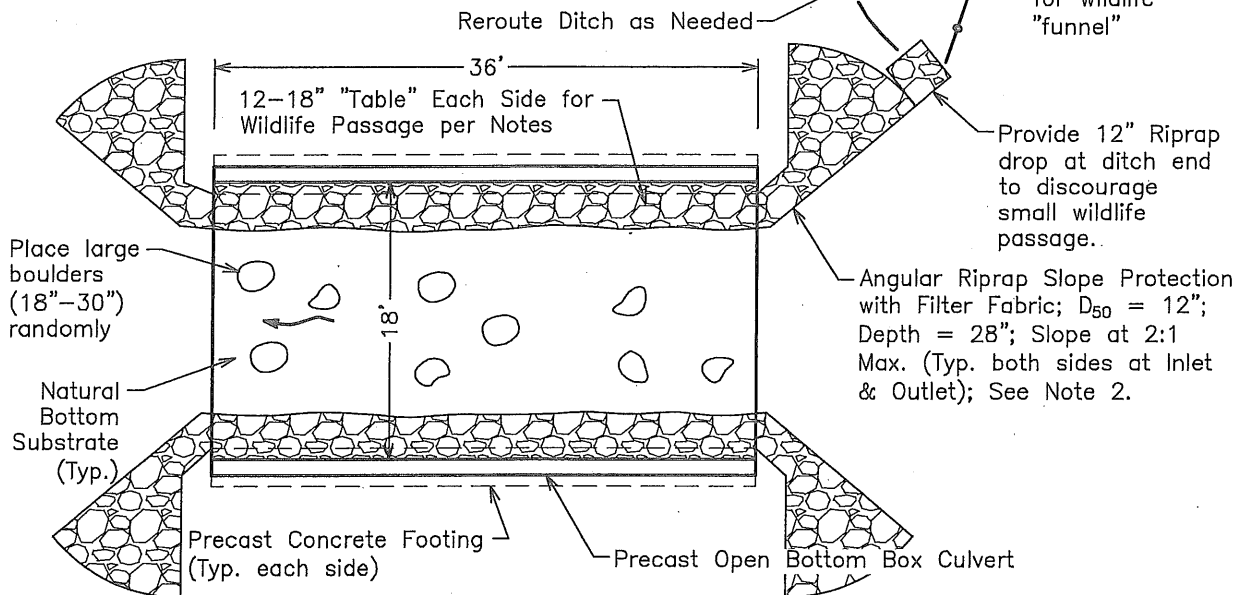
TOWN OF PHILLIPS, ME.
BRIDGE ST. CULVERT REPLACEMENT
SITE PLAN & PROFILE

DIRIGO ENGINEERING
2 DIRIGO DRIVE FAIRFIELD, ME 04937
(207) 453-2401

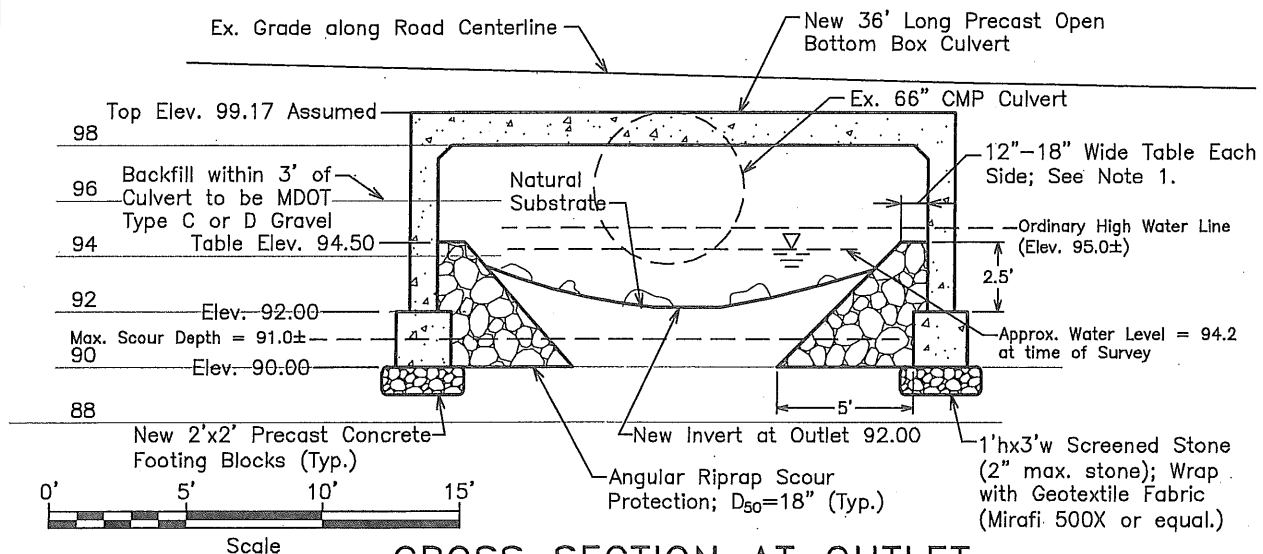
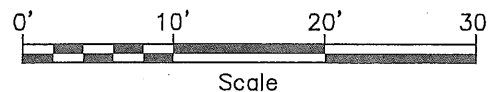
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Notes:

1. Table for wildlife passage shall be constructed of Riprap ($D_{50} = 18"$) mixed with fines to minimize water passage. At surface, chink between large stones with smaller stones and gravel such that top of table is relatively flat. Compact gravel surface.
2. Riprap Slope Protection shall have 12" wide "shelf" near the edge of the water continuous with above Table for wildlife passage. Construction shall be same as above Table.



CULVERT PLAN



CROSS SECTION AT OUTLET

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TOWN OF PHILLIPS, ME.
BRIDGE ST. CULVERT REPLACEMENT
CULVERT DETAILS

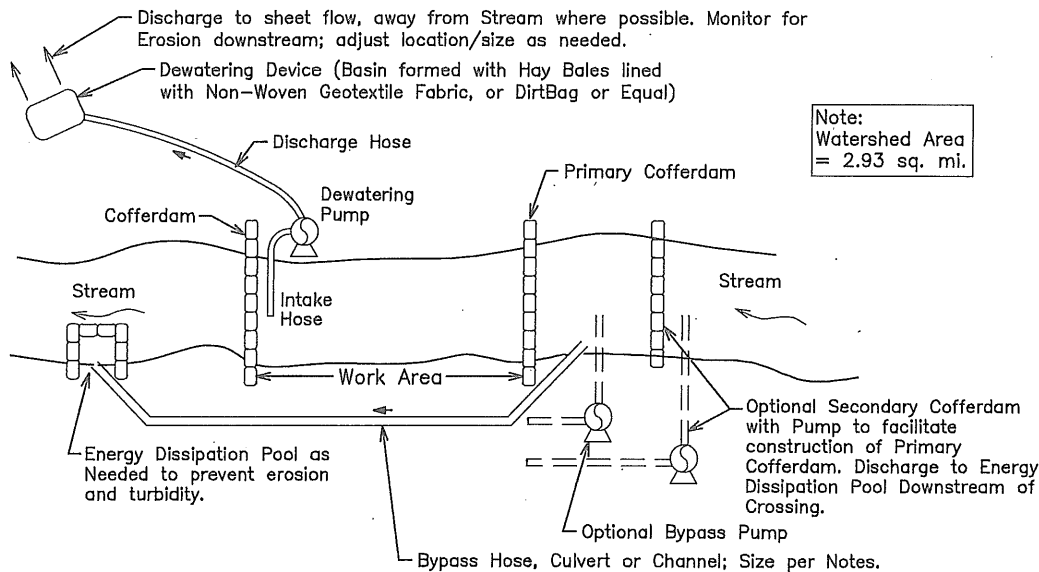
DIRIGO ENGINEERING

2 DIRIGO DRIVE FAIRFIELD, ME 04937
(207) 453-2401

FILE: 01 Bridge St. Culvert

DATE: 10/27/16

#45402



TEMPORARY STREAM DIVERSION PLAN

NOT TO SCALE

NOTES: (Excerpted from Maine DEP Erosion and Sedimentation Control BMPs, Manual for Designers and Engineers, May 2016)

ENGINEERING DESIGN

- Rules and regulations of the U.S. Army Corps of Engineers (404 permits), the Maine DEP, and the Land Use Planning Commission (LUPC) apply to any work within a stream. Also, consult with the Maine Department of Inland Fisheries and Wildlife for fish spawning or migration dates.
- The location of the stream diversion should cause the least disturbance to soils and stream bank vegetation.
- The water level between the upstream and downstream should not exceed 1% and should have a velocity similar to normal flow conditions. The base flow of the stream should be maintained.
- Washed coarse aggregate (3/4 inch to 4 inches or larger) should be the only aggregate used for a stream diversion.
- The height of a channel diversion structure should be at half the height of the bankfull width (streambed to top of stream bank) plus one foot.
- The dewatering water from the construction area should be pumped to a settling basin.
- Stockpiles of materials should be located outside the 100-year floodplain.
- The channel connections (downstream and upstream) should be constructed under dry conditions. The process of excavation and stabilization should be uninterrupted.
- All construction materials should be on-site prior to any stream disturbance.
- A sandbag-conduit diversion should only be used for very short time duration. The sandbags should be resistant to ultra-violet radiation, tearing and puncture, and woven tightly enough to contain the fill material (sand or fine gravel, no fines).
- A pipe conduit should have the hydraulic capacity for a flow rate of 30 cfs (cubic feet per second) per square mile of drainage area.
- A plastic or geotextile fabric lined channel should be limited to small streams (< 1 square mile watershed), and should be sized to convey the 24-hour, 2-year storm event.
- The fabric should be placed so that it sits tightly with the channel and should be continuous if possible (overlaps from upstream should cover the downstream portion by 2 feet or more).
- The fabric should be keyed into a 2 x 2-foot trench upstream and at 50 feet intervals (or at

the nearest overlap). The keyed-in trench should cross the whole channel (bank to bank).

- The fabric should be anchored with 18-inch pins and washers (1-inch diameter) or per the manufacturer for the anticipated stream flow velocity and type of geotextile fabric.
- The entire bottom of the channel should be riprapped for high flows. The fabric does not require pinning if the channel is riprapped (without dropping the rocks).
- An impervious plastic liner can be used in lieu of geotextile fabric if 6 mil or thicker and is resistant to ultraviolet light for a period of 60 days or more.

CONSTRUCTION SPECIFICATIONS

- The construction of a channel diversion should begin from downstream and work upstream.
- The diversion structure should be sized to contain all stream flows. A large project would benefit from a cofferdam as well as a diversion.
- The conduit and pump should have the hydraulic capacity to handle all anticipated flows. The diversion should be constructed under dry conditions and be fully stabilized (sandbags or riprap) before use.
- Water from within the excavation/construction area should be pumped to a dewatering basin before reaching the stream.
- A block net should be provided upstream of the intake to reduce entrainment of fish and amphibians to a pump.
- A temporary by-pass pipe or culvert that is protected from crushing may be placed across the road.
- Clean water should re-enter the stream without scouring. A created apron of geotextile fabric and riprap or equivalent should be provided unless the discharge location is stable (rocky stream bed).
- The discharge hose(s) should be securely anchored.
- A stream diversion should be regularly inspected to ensure that the structure is not obstructed, that sediment is not discharging to the stream, and fish passage is not blocked. All damages should be repaired.
- If a major storm is predicted, emergency measures may be needed to prevent damage.
- At the end of construction, all temporary stream diversions should be removed and all areas stabilized and restored.

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TOWN OF PHILLIPS, ME.
BRIDGE ST. CULVERT REPLACEMENT
TEMPORARY STREAM DIVERSION
PLAN & NOTES

DIRIGO ENGINEERING

2 DIRIGO DRIVE FAIRFIELD, ME 04937
(207) 453-2401

FILE: 01 Bridge St. Culvert

DATE: 11/3/16

#45402