PUBLIC NOTICE

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

Comment Period Begins: October 17, 2017
Comment Period Ends: November 16, 2017
File Number: NAE-2005-1143
In Reply Refer To: Ruth M. Ladd
Phone: (978) 318-8818
E-mail: ruth.m.ladd@usace.army.mil

30 DAY NOTICE

The District Engineer is soliciting comments on the 13 projects which have applied for 2017 funding through Maine's In Lieu Fee ("ILF") program, the Maine Natural Resources Conservation Program ("MNRCP"). The sponsor for the program is the Maine Department of Environmental Protection. The program serves as an alternative form of compensation for impacts to aquatic resources authorized by the New England District Army Corps of Engineers (Corps) and/or the State of Maine Department of Environmental Protection. These projects were submitted in response to a Request for Proposals ("RFP") issued in Jul7 2017.

The RFP includes the criteria used to evaluate projects, the information required for a proposal, and other related information. The RFP and additional information can be found at the MNRCP website: http://mnrcp.org/

Any of the projects which involve restoration, enhancement, and/or creation and will require Corps, state, or local permits will be applying individually, not through this public notice.

Attached are the following:

- Summary sheet of projects and the bioregion in which they are located;
- Funds available and the aquatic resource types which have been authorized to be impacted; and
- Project descriptions and locus maps for the projects.

The decision whether to approve funding for projects will be based on an evaluation of each proposed activity and how and where it will compensate for aquatic resources lost through authorizations issued under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act. The decision will reflect the national concern for no net loss of aquatic resources. The benefit which may reasonably accrue from each proposal must be balanced against its reasonably foreseeable detriments and/or its appropriateness considering the ecological needs of the bioregion in which it is located.

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 determine the most appropriate projects to receive funding from the MNRCP. Any comments received will be considered by the Interagency Review Committee, including the Corps of Engineers, and will be considered in the evaluation of the projects and the determination of which will receive funding. 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. 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.

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").

The District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

SECTION 106 COORDINATION

Based on his initial review, the District Engineer has determined that the proposed projects may affect properties in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfil requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the proposal review process.

ENDANGERED SPECIES CONSULTATION

The New England District, Army Corps of Engineers, has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur at the project sites. It is our preliminary determination that the proposed activity for which funding is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect any federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate federal Agency concur with our determination.

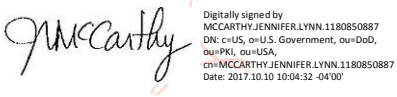
The State of Maine has an approved **Coastal Zone Management Program**. Although Coastal Zone Management consistency will be required for some of the individual proposals, by this public notice we are requesting the state provide any applicable comments at this time.

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 Ruth M. Ladd at (978) 318-8818, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts, or at the email address noted above.

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.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.



Jennifer L. McCarthy
Chief, 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: _____

MNRCPRegion	ProjTitle	Org_Name	Town	TotAcProj	CompMeth	Funds_Req	TotCost	CompType
Aroostook Hills & Lowlands	Meduxnekeag River Instream Restoration	Houlton Band of Maliseet Indians	Littleton	42.5	In-stream restoration	$213,486.00	$213,486.00	RE
Central & Western Mountains	Magalloway River - Howe	Rangeley Lakes Heritage Trust	Lincoln Plt	229.24	Fee	$175,000.00	$217,750.00	PR
Central Interior & Midcoast	Branch Lake Stream Dam Removal	Downeast Salmon Federation	Ellsworth	40	Dam removal	$47,978.00	$97,978.00	RE-EN
Central Interior & Midcoast	Cooper's Mills River Dam Removal	Atlantic Salmon Federation, Maine Council	Whitefield	1.72	Dam removal	$89,000.00	$414,500.00	RE
Central Interior & Midcoast	Penjajawoc Marsh - Walsh	Bangor Land Trust	Bangor	90	Fee	$242,500.00	$255,700.00	PR
Central Interior & Midcoast	Smelt Cove Wetlands	Maine Coast Heritage Trust	Vinalhaven	48	Fee	$150,000.00	$557,000.00	PR-RE-EN
Central Interior & Midcoast	Surry Forest Wetland Crossings Remediation	Blue Hill Heritage Trust	Surry	2114	Wetland crossing remediation	$100,000.00	$194,500.00	RE
Downeast Maine	Bell's Brook Conservation	Downeast Coastal Conservancy	Columbia	22	Fee	$26,000.00	$32,250.00	PR-RE
Downeast Maine	Smelt Brook Restoration	Downeast Salmon Federation	Sullivan	6.7	Fee/dam removal	$133,456.00	$167,908.00	PR-RE
Southern Maine	Garey Mill Road Wetlands	York Land Trust, Inc.	York	17	Fee	$140,500.00	$156,500.00	PR
Southern Maine	Hansen Pond 2	Three Rivers Land Trust	Acton	298	Fee	$416,000.00	$466,000.00	PR
Southern Maine	Walnut Hill IV - Roberts	Three Rivers Land Trust	Alfred	93	Fee	$129,375.00	$134,775.00	PR
Southern Maine	West Branch Restoration Project	Town of Falmouth	Falmouth	44.4	Steam bank stabilization/conservation easement	$273,375.00	$586,200.00	PR-RE

Maine Natural Resource Conservation Program
Funds Available

The table below lists the funds available for each MNRCP biophysical region as of October 4, 2017. Available funds may differ at the time of the awards. Also shown are the natural resources that have been prioritized for restoration, enhancement, preservation, and/or creation within each region.

MNRCP Region	Amount	Priority Resource Type
Aroostook Hills & Lowlands	$551,899	Freshwater wetland Emergent; Freshwater wetland Forested; Freshwater wetland Scrub-Shrub; Freshwater wetland Unconsolidated Bottom; Vernal pool critical terrestrial habitat
Central & Eastern Lowlands	$406,552	Freshwater wetland Emergent; Lake, Littoral; Vernal pool critical terrestrial habitat
Central & Western Mountains	$569,737	Freshwater wetland Emergent; Freshwater wetland Forested; Inland waterfowl & wading bird habitat; Vernal pool critical terrestrial habitat
Central Interior & Midcoast	$438,736	Coastal wetland Estuarine subtidal; Coastal wetland Marine intertidal; Coastal wetland Marine subtidal; Freshwater wetland Emergent; River/Stream Tidal
Downeast Maine	$369,345	Coastal wetland Marine intertidal; Coastal wetland Marine subtidal; Vernal pool critical terrestrial habitat
Northwest Maine	$0	
Southern Maine	$1,237,154	Coastal wetland Estuarine intertidal; Coastal wetland Marine intertidal; Freshwater wetland Emergent; Freshwater wetland Scrub-Shrub; Freshwater wetland Unconsolidated Bottom
Total Amount Available:	$3,573,423	

Maine Natural Resource Conservation Program
2017 Proposals

Aroostook Hills and Lowlands Region

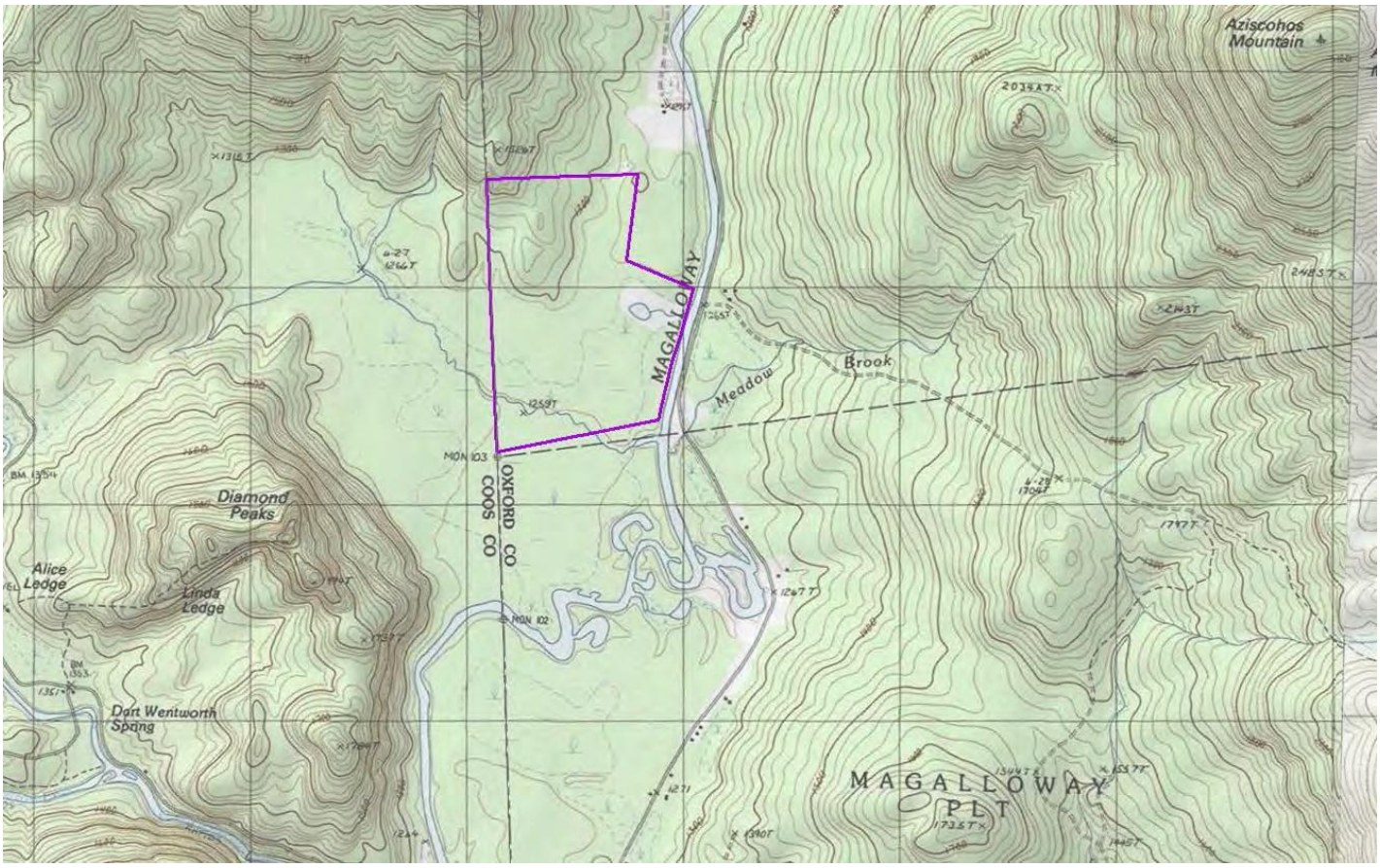
Meduxnekeag River Instream Restoration
Littleton

The main stem of the Meduxnekeag River between Framingham Road and the Canadian border has suffered historical impacts from logging and dams, resulting in shallow, wide channels essentially devoid of pools and other cover. To restore in-stream habitat complexity and long term stability along this 2.4 mile stretch, The Houlton Band of Maliseet Indians proposes to install wood and boulder structures in the channel. Boulder clusters, isolated logs, and boulder-supported log jams are structural design elements that reduce flow velocities, increase flow complexity, and encourage sediment deposition that all serve to narrow and deepen the channel. All three types of structures occur naturally in the watershed and are associated with excellent habitat features including deep pools for cover and clean gravels segregated from fines for spawning. These structures will also allow natural recruitment processes for woody material to sustain the created habitat.

Central & Western Mountains

Magalloway River - Howe
Lincoln Plt

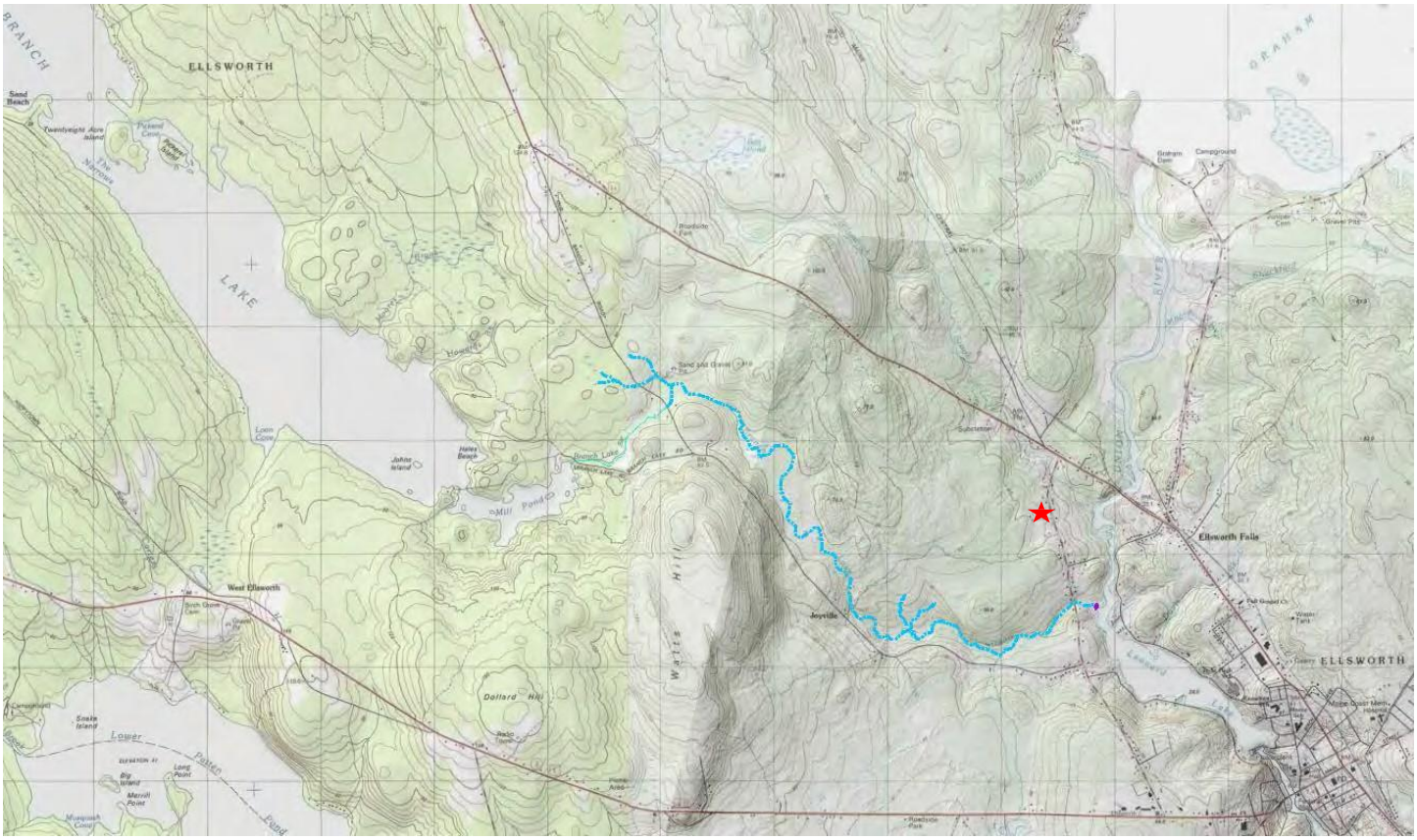
This project involves the fee purchase and preservation of a 230 + /- acre parcel in Lincoln Plantation, Maine with 2,035 feet of frontage on the Magalloway River. The combined conservation of the subject parcel and adjacent conserved lands would result in over 28,000 acres of functionally contiguous land, dominating the headwaters and shorelands of the Magalloway, Dead Diamond and Swift Diamond Rivers. Conserved and protected, this area is characterized by forested, scrub shrub and emergent wetlands, vernal pools, an open water pond and adjacent uplands. The wetland areas are part of a large exemplary un-patterned Fen Ecosystem that extends to the south and west. The intention of the acquisition is to conserve these important natural resource attributes, through responsible and sustainable land management practices while providing public access for recreation in perpetuity.



Central Interior & Midcoast

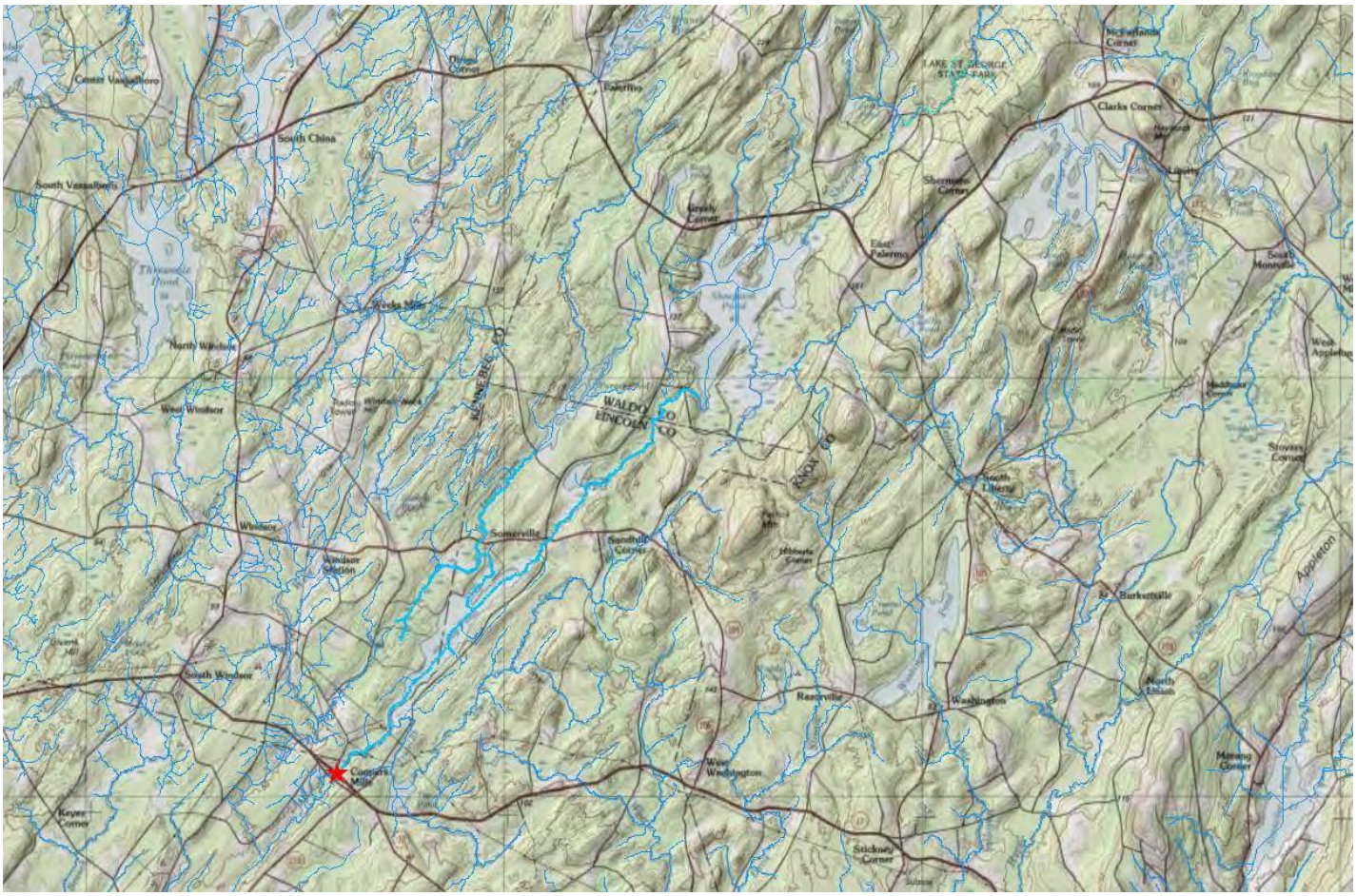
Branch Lake Stream Dam Removal
Ellsworth

Downeast Salmon Federation proposes to remove the Branch Lake Stream Dam and the restoration of the stream to restore natural funcion. Branch Lake Stream flows into the west side of Leonard Lake, above the Ellsworth Dam on the Union River, and is the river's first major tributary above tidewater. Branch Lake Stream Dam is sited just above the confluence of the stream and the river. The dam has been abandoned for years and effectively blocks all fish passage. Most of the stream above the dam flows through undeveloped lands, thus ensuring the quality of its water. The stream is designated as critical habitat for Atlantic Salmon by NOAA and the dam is identified as a Tier 1 High Priority Barrier (also by NOAA).



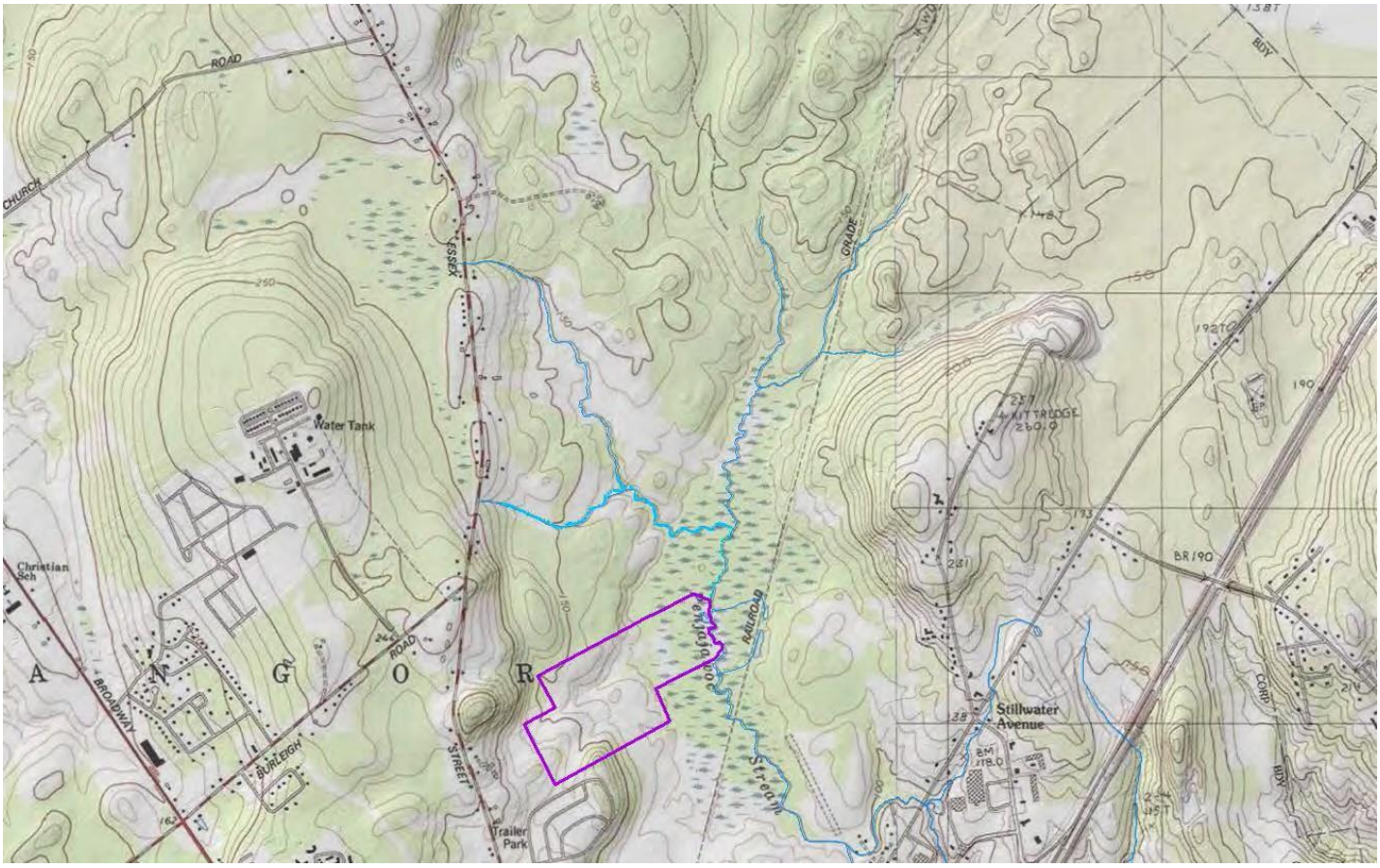
Cooper's Mills River Dam Removal
Whitefield

This project will remove the 213-year-old Coopers Mills Dam in the Sheepscot River to allow for the free upstream and downstream movement of sea-run fish and other aquatic life. The Coopers Mills site has had a dam since 1804. The present structure is a run of river dam constructed of stone masonry and is attached to an abandoned mill foundation located to the east of the dam. The dam is 15.1 feet high and 150 feet wide. The impoundment extends 900 feet upstream from the dam. The current conditions are a free-flowing river below the dam and a two- acre seasonal impoundment above the dam. Due to leaks in the dam, the impoundment is dewatered in summer for an average of three months. The impoundment does not act like a pond or a stream due to the unnatural fluctuations in water level. Each summer, the leaks in the dam also cause the fishway and an adjacent fire hydrant intake to become inoperable. This project is part of a larger watershed scale effort to improve sea-run fisheries and river health that includes multiple fish passage projects, restoration of stream buffers in agricultural fields and the strategic placement of large wood in the river to improve habitat. This is the only watershed scale river restoration project this advanced in the state of Maine and will be highlighted as a model for approaching river restoration elsewhere in Maine and New England.



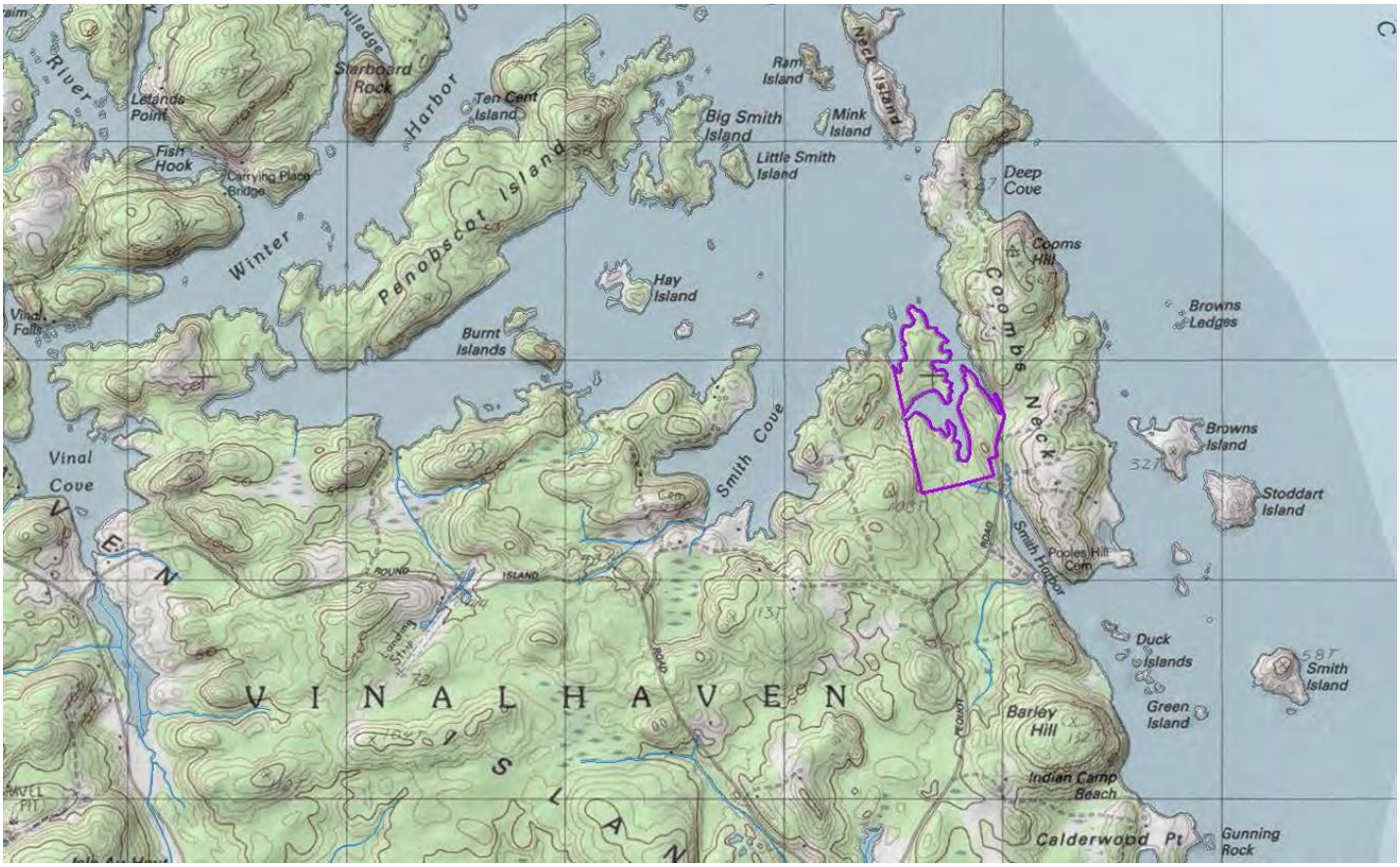
Penjajawoc Marsh - Walsh
Bangor

In 2001, the Maine Department of Inland Fisheries and Wildlife surveyed Penjajawoc Marsh and reported that Penjajawoc "could be the single-most significant emergent marsh for wading birds and waterfowl in Maine." In 2017 Maine Audubon nominated Penjajawoc Marsh to be an Important Bird Area. It is at high risk for development. An earlier City plan put a road across the marsh. Bangor Land Trust has been working to protect this marsh for 16 years and has already succeeded in acquiring ~303 acres of marsh and associated upland. The current proposal is to purchase ~89 acres that includes about 27 acres of Penjajawoc Marsh; this parcel is the "back land" of a larger 119-acre parcel (see map). This ~89-acre parcel is about 30% Penjajawoc Marsh wetland, about 35% core upland habitat (up to 1,000 feet from the Marsh) and about 35% additional buffer (1,000 to 2,000 feet from Marsh). It contains a large field that is growing in, and some small wooded areas. The upland portion of the property also probably contains several small areas of unmapped wetlands – both wet meadow and wooded wetland. It adjoins the Central Penjajawoc Preserve, a 181-acre Bangor Land Trust preserve to the north. To the south are a trailer park and privately owned farmland. If Bangor Land Trust does not purchase the parcel, it will almost certainly be developed. It is at high risk for development.
This is a gem of a parcel, as yet unspoiled. It is in a Beginning with Habitat focus area, and part of a Whole Place conservation effort. Bangor Land Trust's goal is to preserve it in its natural state to protect Penjajawoc Marsh and enable its ecosystem to survive at a healthy level. The City of Bangor's Marsh/Mall Commission has identified Grassland areas within 1000 feet of Penjajawoc Marsh as first rank priority conservation areas, and Grassland areas from 1000 to 2000 feet from Penjajawoc Marsh as second priority conservation areas.



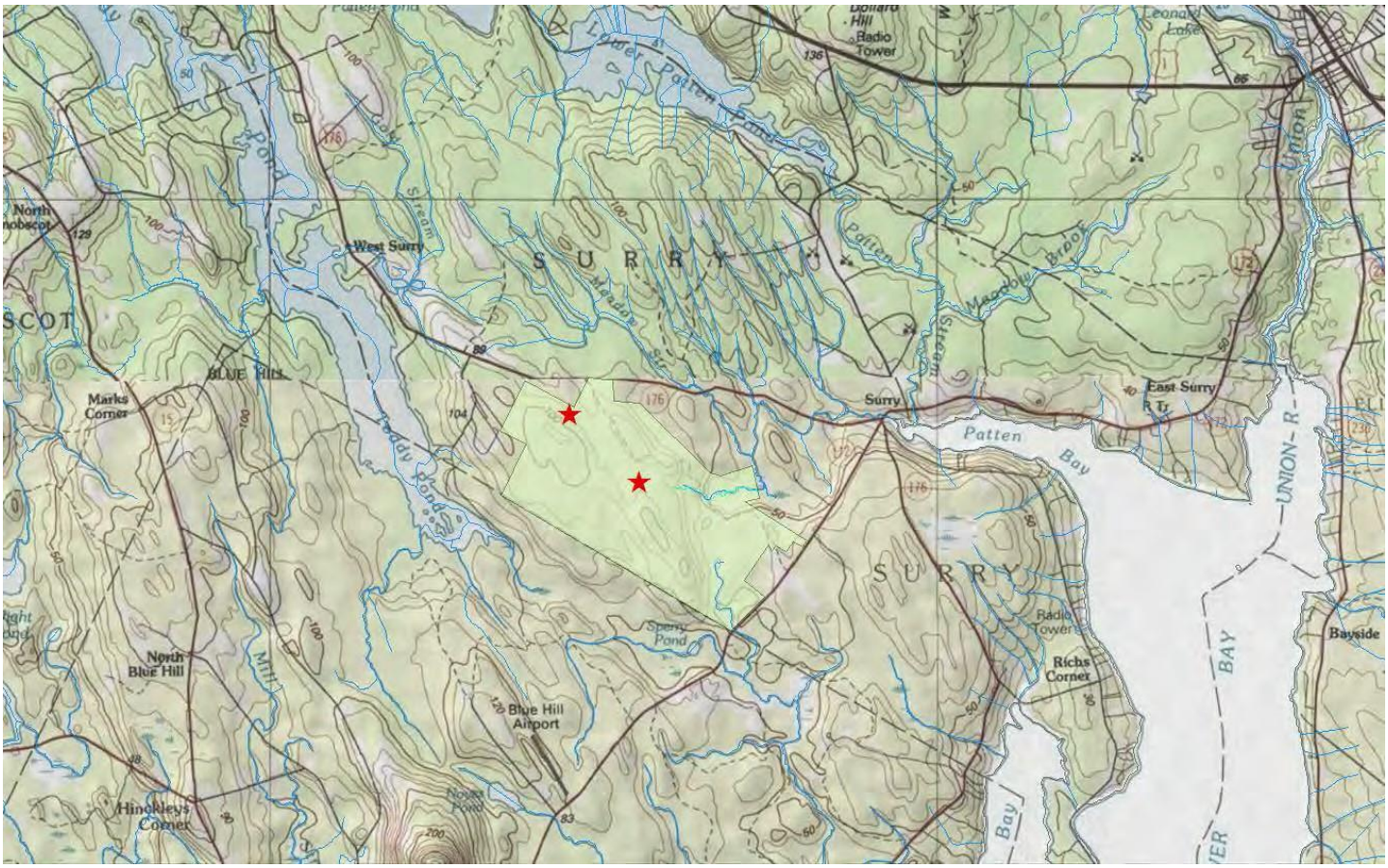
Smelt Cove Wetlands
Vinalhaven

The Smelt Cove property is one of the last remaining undeveloped parcels of its size (48 acres above high tide line, almost 70 acres including intertidal areas) with significant frontage (8,000-feet) on Seal Bay and Smelt Cove. While this project was originally envisioned as a conservation easement that would allow multiple residential structures, the landowner now wishes to sell the land in fee for the creation of a MCHT preserve. The property has previously been used for forestry purposes. Maine Coast Heritage Trust and Vinalhaven Land Trust have been working to conserve lands on Seal Bay in the town of Vinalhaven for several decades. To date, nearly 20 projects have been completed resulting in the conservation of approximately 1,200 acres.



Surry Forest Wetland Crossing Remediation
Surry

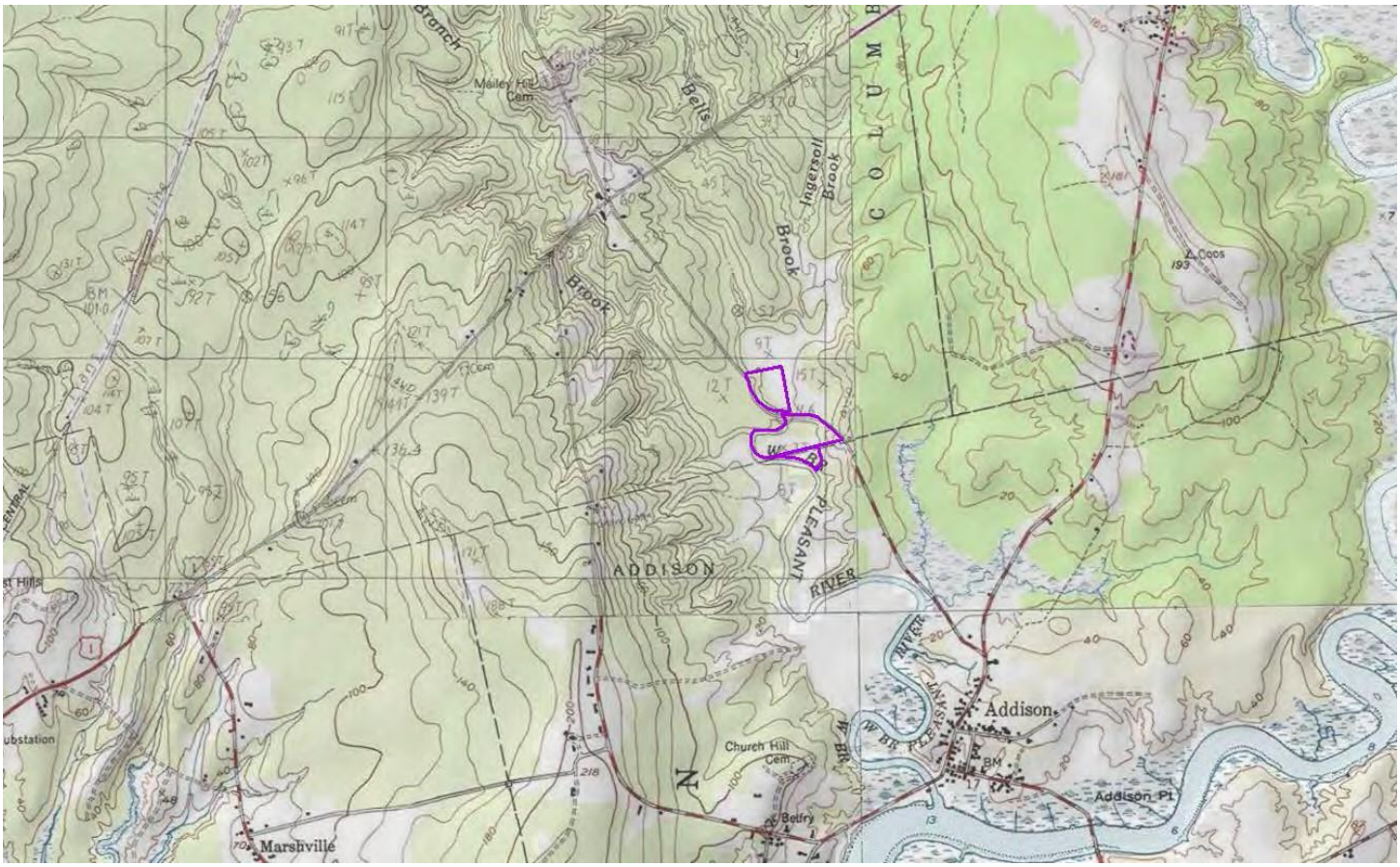
Blue Hill Heritage Trust's Surry Forest is 2100 of recently logged acres, with 701.3 acres of ecologically valuable wetlands, including 699 acres of nationally decreasing wetland types. 1400 acres are associated uplands that buffer the wetlands. The property has been identified by the Beginning with Habitat program as being part of a 5,360 acre un-fragmented habitat block in the area. The forest was purchased by BHHT, in March 2017, and will be conserved in perpetuity for the benefit of wildlife and our local communities. Prior to BHHT ownership, marketable forest stands on the property were heavily harvested in 2015. During harvesting, insufficient wetland buffers were maintained in many areas, and there are three wetland road crossings which are greatly impacting wetland communities on the property. All three sites involve logging roads crossing wetland habitat without properly sized culverts (or no culvert in one instance), failing road shoulders causing erosion, increased sedimentation, and threatening conversion of vegetation and wetland types. This project will restore wetland habitat function across the property by rebuilding two of the poorly designed road crossings identified as restoration opportunities by Maine Natural Areas Program staff, during a 2016 site visit. The third crossing will be removed in 2016 under an existing MNRCP grant.



Downeast Maine

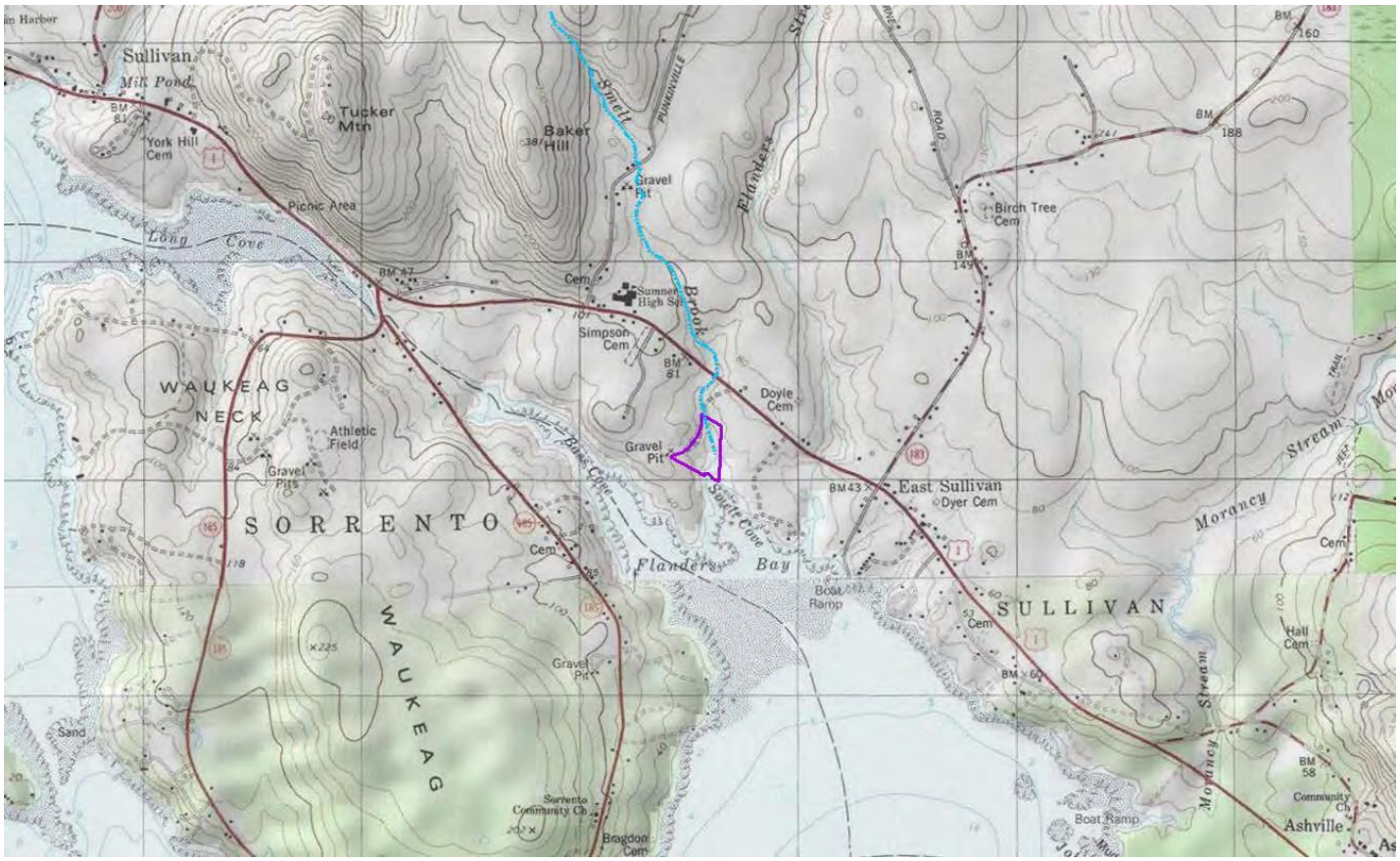
Bell's Brook Conservation
Columbia & Addison

The Bell's Brook, West Branch Pleasant River project (aka Bell's Brook) takes place at the confluence of Bells' Brook and the West Branch Pleasant River near a culvert beneath Abittoir Road approximately one mile southeast of Route #1 in Columbia, Maine. The goal of this phase of the project is to conserve three parcels owned by the same individual adjacent to the culvert through purchase at full value for the purpose of having majority landowner input for future planned restoration projects. Future phases of the project include tidal restoration to the West Branch through removal of the tide-gates in Addison, restoring a natural hydrologic regime to Bells Brook through replacement of the undersized culverts and altering the dikes along the water course and on the marsh, and raising the level of Abittoir Road to accommodate higher water levels associated with a fully functioning intertidal zone with room for sea level rise (SLR) and salt marsh migration.



Smelt Brook Restoration
Sullivan

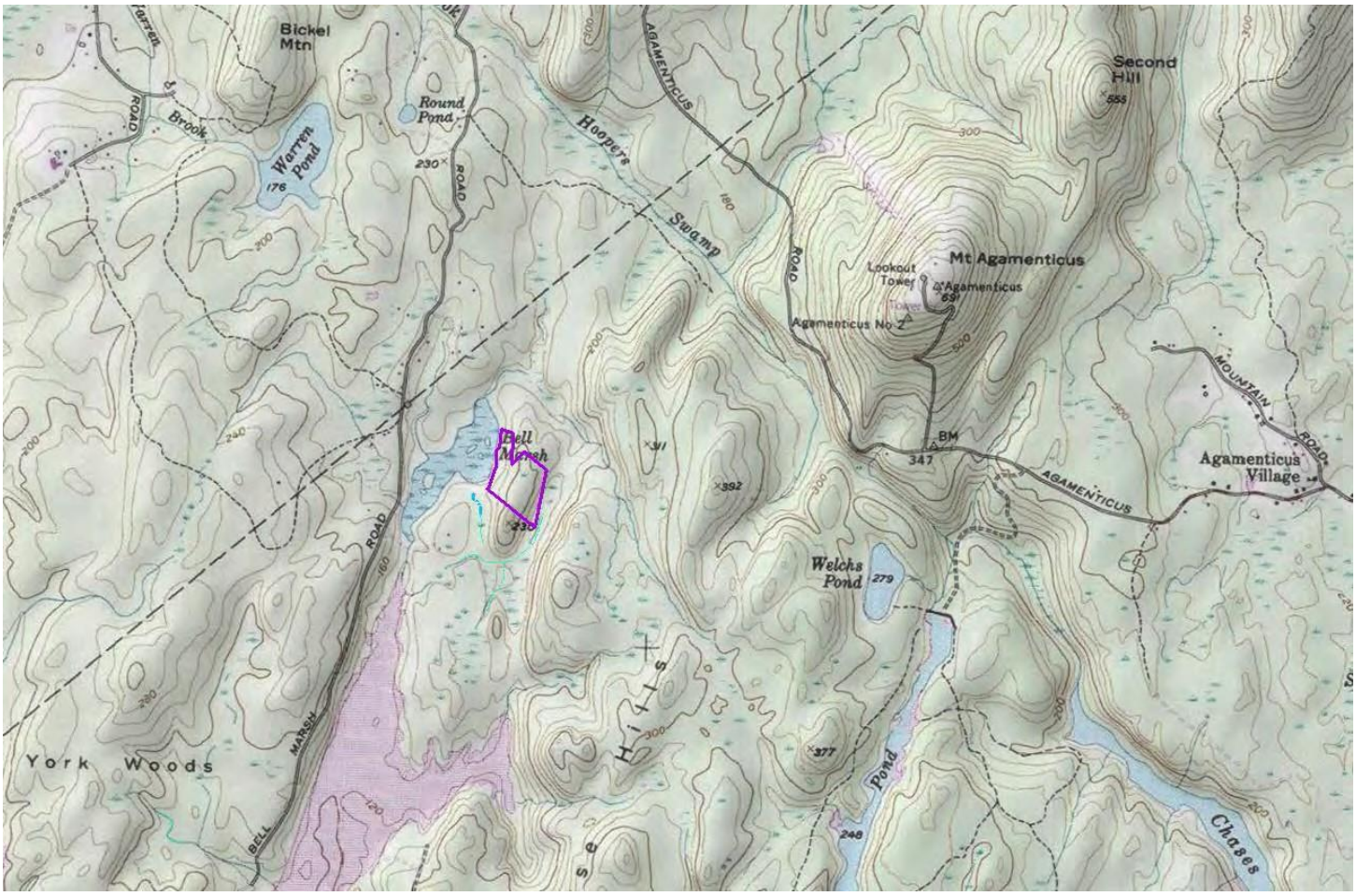
This project involves fee purchase of a property, removal of a dam, reconstruction of the lower stream channel to restore natural functioning, Fee acquisition of a 93-acre parcel adjacent to the Sousa Preserve (owned by Three Rivers and purchased with 2013 MNRCP grant). The parcel contains a small red pine plantation, but is dominated by mixed forest and wetland. It has been historically managed for forestry, with some informal public use taking place (mainly hunting; ATVs and snowmobiles use the tote road along the southern boundary only). A 2015 harvest removed several stands of white pine but left most hardwood untouched. The owners are now anxious to sell; although the parcel lacks development potential, it would likely sell as a wood lot, and could be seriously damaged by overly-aggressive forestry. The recent harvest came close to some vernal pools and may have impacted them. In the opinion of Kristen Puryear of MNAP, there is not an opportunity for restoration or enhancement as the impact was minor, but any future cuts should take special effort to avoid those areas - such caution is unlikely if the property sells on the open market. If preserved, this property's fragile habitat and wetlands could be permanently protected. A 2015 study found Endangered Blanding's turtles both on this parcel and on the Sousa Preserve, but only along Sousa's western side (the boundary adjacent to this parcel). This project will protect more Blanding's habitat and also increase the buffer for those turtle pools that are already protected. removal of invasive vegetation, and permanent protection of the riparian corridor. Smelt Cove is at the very top of Frenchman Bay. Historically, Smelt Brook had a robust run of smelt, but since the construction of a dam, the run has essentially been extirpated. The stream still hosts a significant population of wild brook trout. DSF proposes to purchase the property and remove a granite dam located within the intertidal zone that blocks migratory smelt, tom cod, and brook trout access to Smelt Brook.



Southern Maine

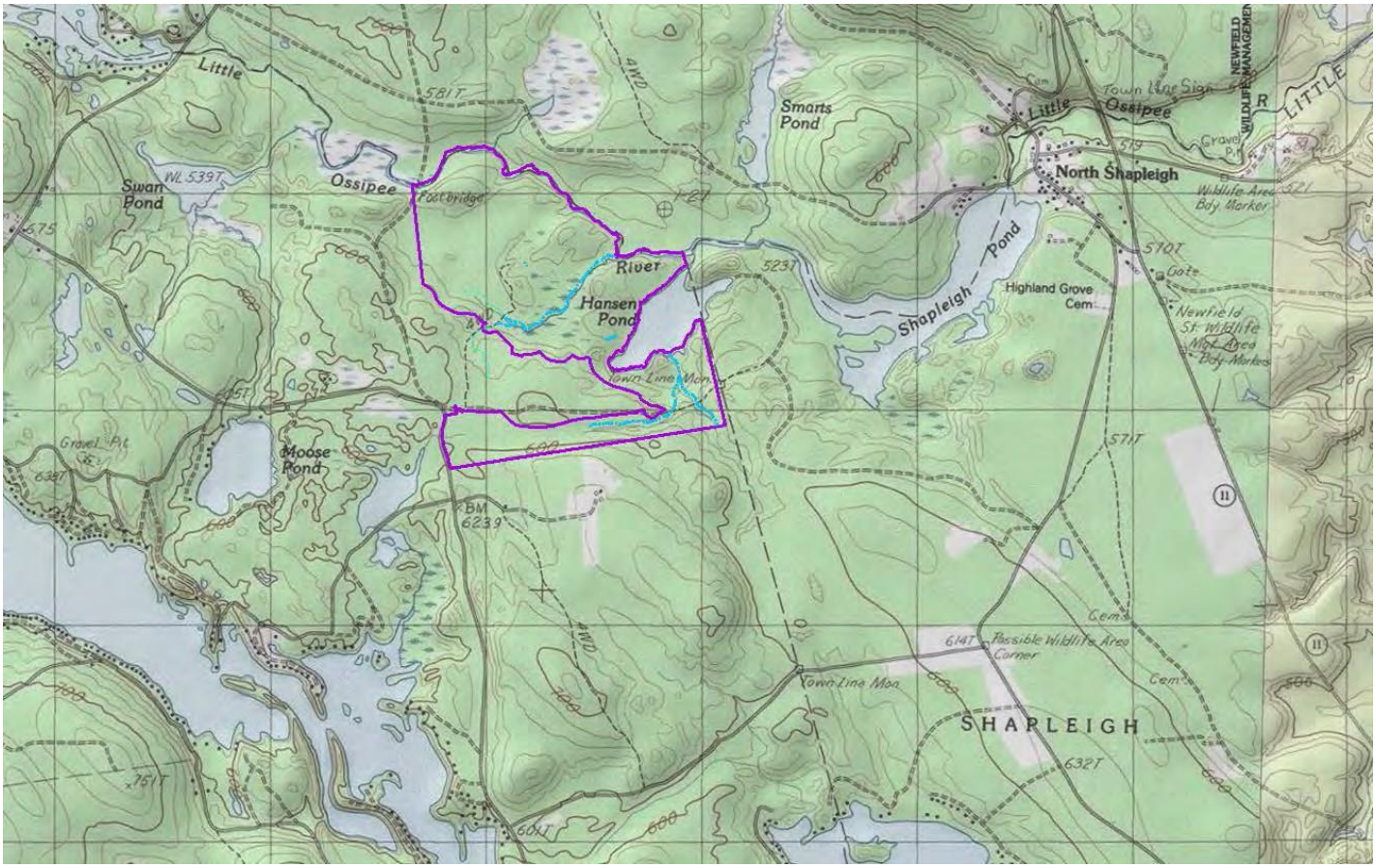
Garey Mill Road Wetlands
York

This project involves fee purchase of an approximately 17-acre parcel located along the east side of Bell Marsh Reservoir, adjacent to conservation land owned by York Land Trust to the south and east that was purchased with MNRCP funds in 2012 and land owned by Maine Dept. of Inland Fisheries and Wildlife to the north. It is within a 6,500-acre unfragmented forest block, within the Mt. Agamenticus Beginning with Habitat Focus Area and MDIF&W's Mt. Agamenticus Wildlife Management Area. The parcel was selectively timber harvested in some areas within the past 15 years. By purchasing the property, York Land Trust will eliminate the threat of development and further timber harvesting. Before York Land Trust acquired a purchase option contract on the property in March of 2017, it was being actively marketed by a local real estate company for residential development and had been shown to several potential buyers. An appraisal completed in May of 2017 determined the value of the property to be $127,500 and established the purchase price. YLT has until January 15th of 2018 to exercise the option and must close by March 1st of 2018. A parcel boundary survey can be generated easily from existing surveys of abutting properties. Should YLT not buy the property, it will be sold for development. York Land Trust will own and manage the property for habitat and low-impact recreation.



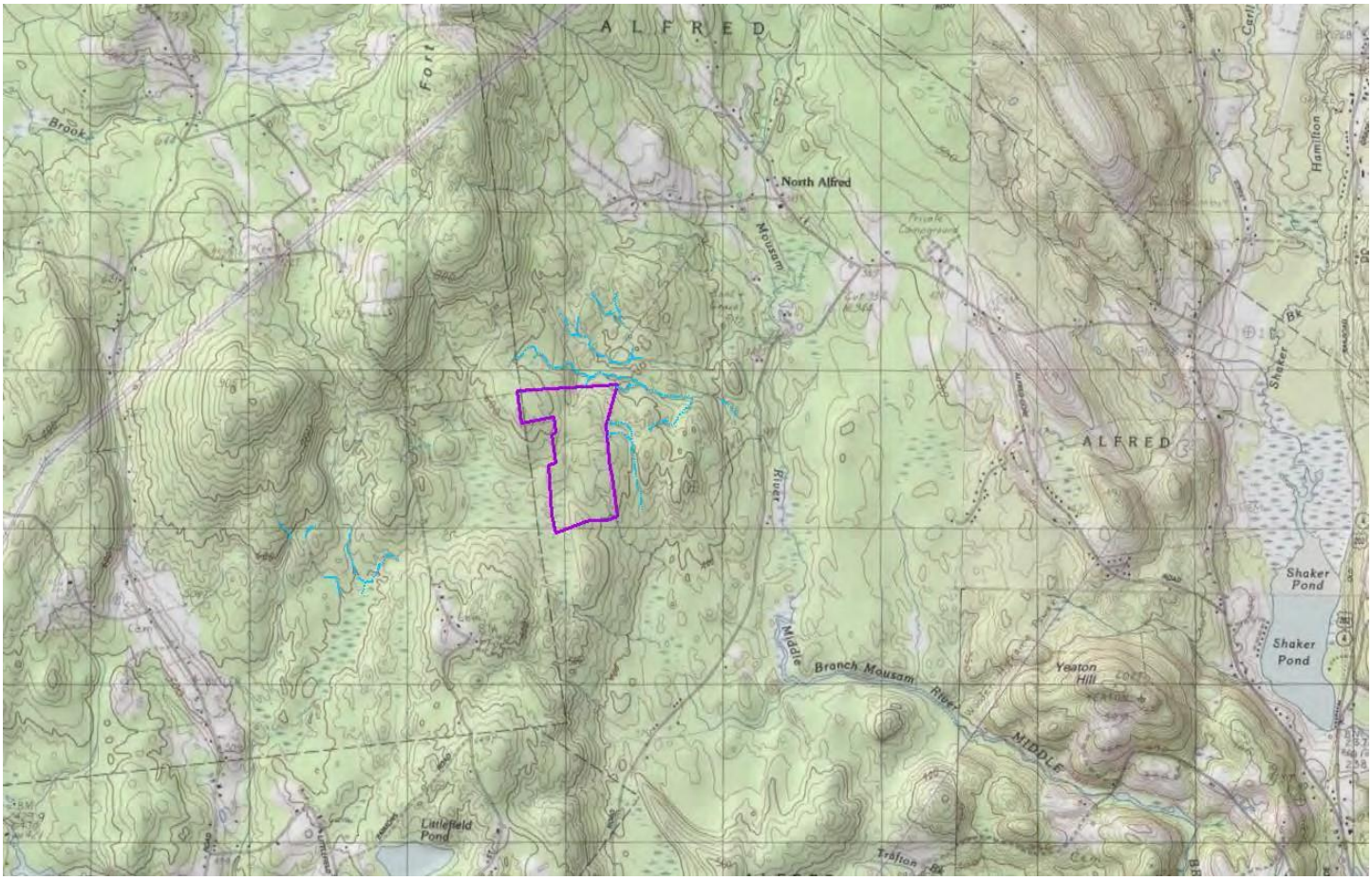
Hansen Pond
Acton

This project involves fee acquisition and conservation of an approximately 298-acre property in the Town of Acton that encompasses almost the entirety of Hansen Pond, more than one mile of frontage on the Little Ossipee River and extensive open wetlands. The parcel is part of a larger property owned by R. Pepin & Sons, which purchased the property because of its gravel resource to support its Sanford aggregate and concrete business. After years of discussions, the land trust and owner have just reached agreement to have Three Rivers Land Trust purchase a portion of the property at a discounted price. The property includes approximately 364,000 cubic yards of gravel, some already permitted for extraction. The owner, recognizing the important environmental values of this tract, has agreed to focus its gravel operations on its retained ownership, and help bring the Hansen Pond parcel into conservation ownership. If not protected, the property will most certainly be mined for gravel in the coming decades. 3RLT plans to own and manage the property for habitat conservation, public recreation and sustainable forestry in limited upland areas. An existing snowmobile trail will be relocated and designed to avoid impacts to wetlands and other sensitive resources. The property offers extensive opportunities for wildlife observation, outdoor education and sustainable forestry on upland areas. Access to the property is from the H Road along with water access by canoe and kayak from the Little Ossipee River.



Walnut Hill IV-Roberts
Alfred

This project involves fee acquisition and conservation of a 93-acre parcel adjacent to the Sousa Preserve (owned by Three Rivers and purchased with 2013 MNRCP grant). The parcel contains a small red pine plantation, but is dominated by mixed forest and wetland. It has been historically managed for forestry, with some informal public use taking place (mainly hunting; ATVs and snowmobiles use the tote road along the southern boundary only). A 2015 harvest removed several stands of white pine but left most hardwood untouched. The owners are now anxious to sell; although the parcel lacks development potential, it would likely sell as a wood lot, and could be seriously damaged by overly-aggressive forestry. The recent harvest came close to some vernal pools and may have impacted them. In the opinion of the Maine Natural Areas Program, there is not an opportunity for restoration or enhancement as the impact was minor, but any future cuts should take special effort to avoid those areas - such caution is unlikely if the property sells on the open market. If preserved, this property's fragile habitat and wetlands could be permanently protected. A 2015 study found endangered species both on this parcel and on the Sousa Preserve, but only along Sousa's western side (the boundary adjacent to this parcel). This project will protect more endangered species habitat and also increase the buffer for areas already protected.



West Branch Piscataqua Restoration
Falmouth

Both the East and West Branches of the Piscataqua River flow through Falmouth's 41-acre River Point Conservation Area, joining the Presumpscot River on its southern boundary. River Point is home to over 275 different plant species (including two S1 plants) and numerous animal species, including rare and endangered New England cottontail rabbits and wood turtles. It is also one of the few known nesting areas in Maine for blue-wing warblers.
A ±300 section the West Branch of the Piscataqua River is experiencing severe erosion in through stream bank failure. Numerous trees and another ±600 feet of riverbank is threatened with similar damage if stabilization action is not taken. Tons of silt have already been deposited in both the East and West Branch river channels, severely degrading the aquatic habitat those rivers provide to numerous organisms, including the endangered wood turtles found there. Valuable terrestrial habitat is being lost as well as the river consumes more of the surrounding land. The town is working with the Cumberland County Soil & Water Conservation District, the Department of Inland Fisheries and Wildlife, the Department of Environmental Protection, and a local contractor to develop a plan for restoring the eroded area to a more natural condition and to prevent further damage to the river. The requested MNRCP funding will pay for developing a detailed restoration plan and the work necessary to implement that plan (est. cost $275,000). As match, the town will donate the value of a conservation easement on 34 of the 39 acres in the River Point Conservation Area that area currently unprotected (estimated value $300,000).