



**US Army Corps
of Engineers®**

New England District

Maine Project Office

675 Western Avenue #3

Manchester, Maine 04351

PUBLIC NOTICE

Date: August 8, 2017

Comment Period Ends: September 7, 2017

File Number: NAE-2017-01791

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 line of Fox Brook at Dover-Foxcroft, Maine in order to replace an existing deteriorated culvert beneath Route 15. The project will result in approximately 100 s.f. of permanent and 800 s.f. of temporary stream bed impact. The new culvert will be a 20'x 75' 3-sided concrete box with a natural substrate. This work is designed to maintain critical transportation infrastructure, insure public safety, and protect the economic vitality of Maine's transportation network.

WATERWAY AND LOCATION OF THE PROPOSED WORK: Fox Brook; Dover-Foxcroft, Maine. The project site is located on the USGS DOVER FOXCROFT, ME quadrangle sheet at latitude 45.179366°N; and longitude -69.217108°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 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 smaller stones, silt, sand, and gravel interspersed with larger cobbles and boulders. 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 has been initiated regarding the presence of salmon as they are a federally listed endangered species.

SECTION 106 COORDINATION: 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)

ENDANGERED SPECIES ACT CONSULTATION: The Corps 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, and Northern Long-Eared Bats. The Corps has made the determination that this project is likely to adversely affect Atlantic salmon but is unlikely to jeopardize the continued existence of the species and may affect and is likely to modify its critical habitat. The Corps has also determined that the project may affect, is not likely to adversely affect the Northern long eared bat. Consultation with the Service 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.

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 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.

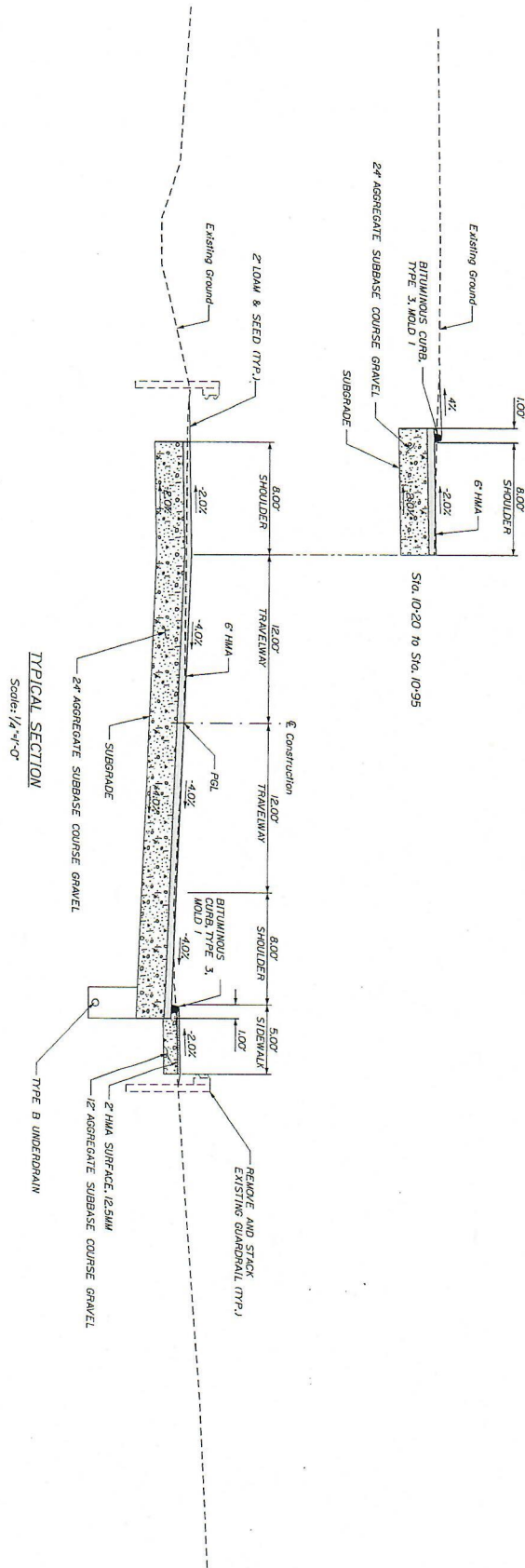
For more information on the New England District Corps of Engineers programs, visit our website at <http://www.nae.usace.army.mil>.

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. 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.

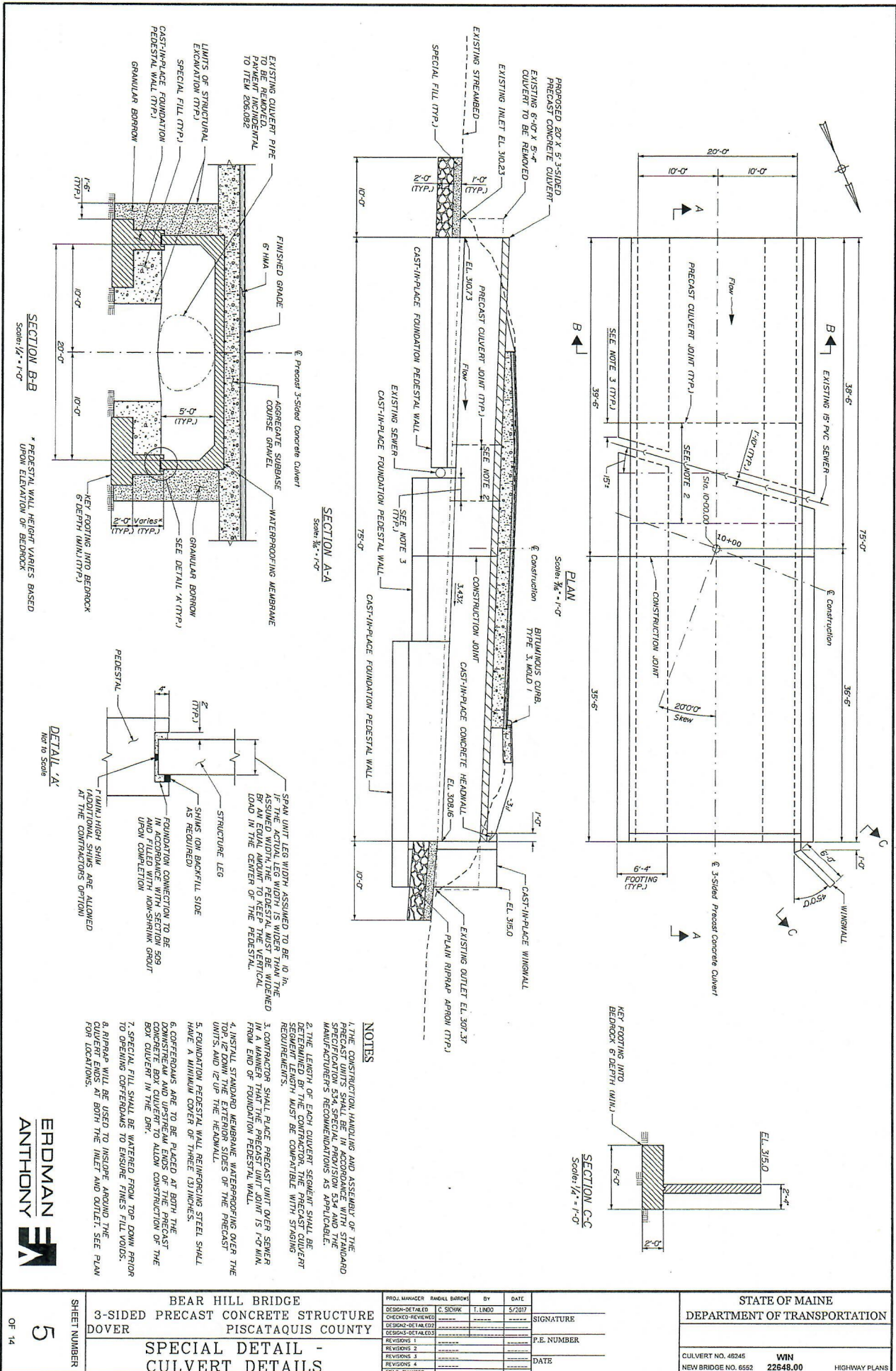
NAME: _____
ADDRESS: _____



- NOTES**
1. THE PAVERMENT BASE AND SUBBASE DEPTHS AS SHOWN ON THE PLANS ARE INTENDED TO BE NOMINAL.
 2. WHEN SUPERELEVATION EXCEEDS THE SLOPE OF THE LOW SIDE SHOULDER, THE SIDE SHOULDER SHALL HAVE THE SAME SLOPE AS THE TRAVELWAY.
 3. CROWNS FOR BOTH NORMAL AND SUPERELEVATION SECTIONS FOR ALL COUNTRIES OF SUBBASE AND PAVEMENT SHALL BE STRAIGHT.
 4. THE GRAVEL QUANTITY CALCULATION IS BASED ON A 2' LOAM OR DIRT BORROW DEPTH. THE ACTUAL DEPTH MAY VARY. SEE GENERAL NOTES.
 5. THE ALGEBRAIC DIFFERENCE SHOULDER AND TRAVEL LANE CROSS SLOPES SHOULD NOT EXCEED 8%.

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ANTHONY

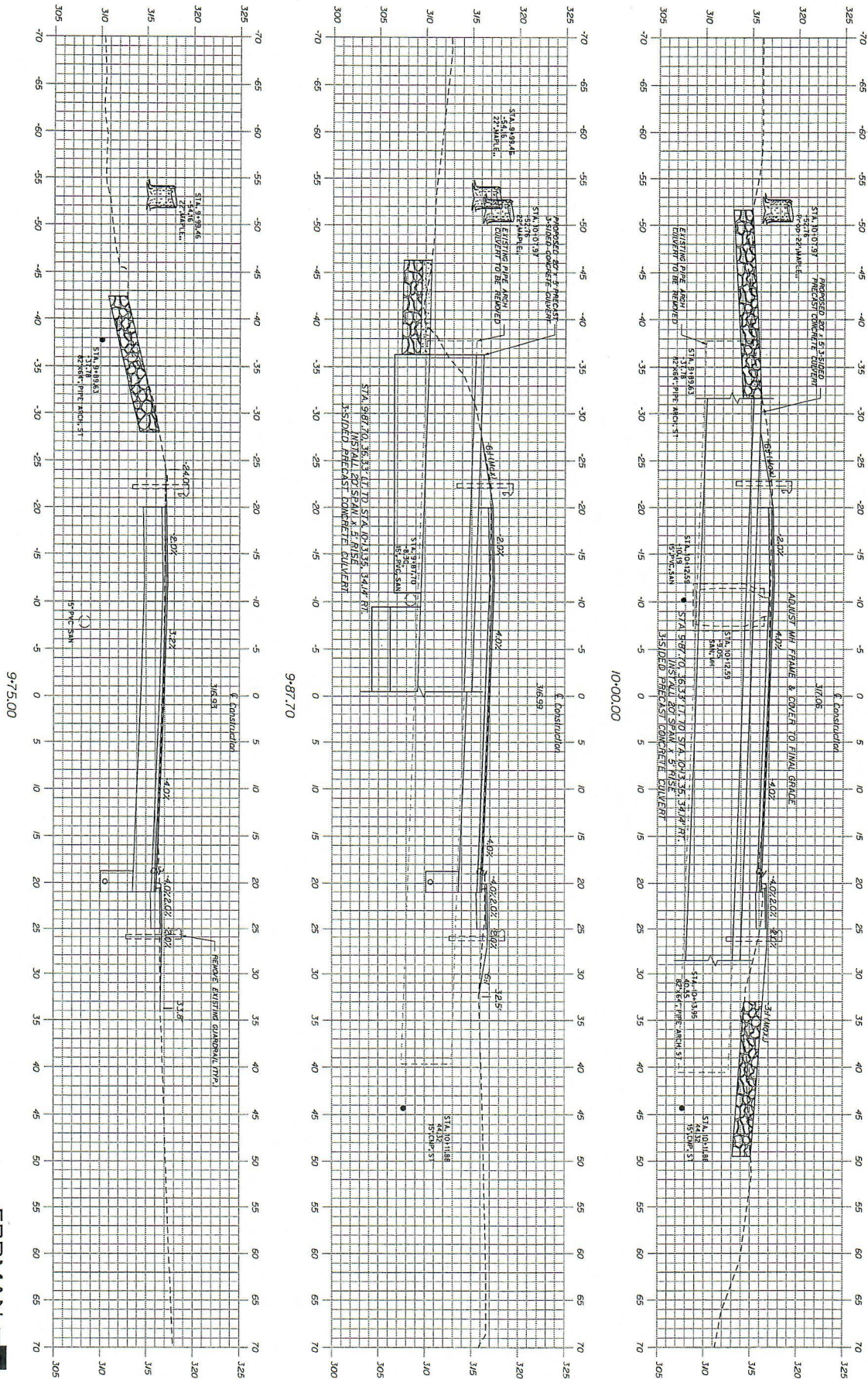
SHEET NUMBER 2 OF 14	BEAR HILL BRIDGE 3-SIDED PRECAST CONCRETE STRUCTURE DOVER PISCATAQUIS COUNTY TYPICAL SECTIONS	PROJECT MANAGER: ERIN BARRON BY: C. SCHWAB DATE: 5/2/2017 CHECKED-REVIEWED DESIGN-DETAILED DESIGN-DETAILED REVISIONS 1 REVISIONS 2 REVISIONS 3 REVISIONS 4	SIGNATURE P.E. NUMBER DATE	STATE OF MAINE DEPARTMENT OF TRANSPORTATION CULVERT NO. 48245 NEW BRIDGE NO. 6952 WIN 22548.00 HIGHWAY PLANS
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OF 14	SHEET NUMBER 5	BEAR HILL BRIDGE 3-SIDED PRECAST CONCRETE STRUCTURE DOVER PISCATAQUIS COUNTY	PROJ. MANAGER	RANDY BARRON	BY	DATE	STATE OF MAINE DEPARTMENT OF TRANSPORTATION
			DESIGN-DETAILED	C. SCHWAB	1.1800	5/28/17	
			CHECKED-REVIEWED				
			DESIGN-DETAILED				
			REVISIONS 1				
		SPECIAL DETAIL - CULVERT DETAILS	REVISIONS 2				
			REVISIONS 3				
			REVISIONS 4				
			FIELD CHANGES				



CULVERT NO. 46245	WIN	
NEW BRIDGE NO. 6552	22648.00	HIGHWAY PLANS



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11
OF 14

BEAR HILL BRIDGE
3-SIDED PRECAST CONCRETE STRUCTURE
DOVER
PISCATAQUIS COUNTY

9+75.00 CROSS SECTIONS 10+00.00

PROJ. MANAGER	RANDALL BARROWS	BY	DATE
DESIGN-REVIEWED	C. SCHAE	T. LINDO	5/2/07
CHECKED-REVIEWED			
DESIGN-REVIEWED			
REVISIONS			
REVISIONS 2			
REVISIONS 3			
REVISIONS 4			
FIELD CHANGES			

SIGNATURE	P.E. NUMBER	DATE

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

CULVERT NO. 46245 WIN
NEW BRIDGE NO. 6552 22648.00
HIGHWAY PLANS

