



US Army Corps
of Engineers
New England District

Update Report for Maine



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Mission

The missions of the New England District, U.S. Army Corps of Engineers include flood damage reduction, emergency preparedness and response to natural disasters and national emergencies, environmental remediation and restoration, natural resource management, streambank and shoreline protection, navigation maintenance and improvement, support to military facilities and installations, and engineering and construction support to other government agencies. The six New England states cover 66,000 square miles, with 6,100 miles of coastline, 11 deep water commercial ports, 102 recreational and small commercial harbors, 13 major river basins, and thousands of miles of navigable rivers and streams. The district operates and maintains 31 dams, two hurricane barriers and the Cape Cod Canal. Through its Regulatory program, the district processes about 5,000 applications per year for work in waters and wetlands of the six-state region. We employ about 510 professional civilian employees, with about 300 stationed at our headquarters in Concord, Mass. Other Corps of Engineers employees serve at Corps projects and offices throughout the region.

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Navigation

BASS HARBOR, TREMONT (2nd CD) – The New England District, in partnership with the town of Tremont, has completed a feasibility study recommending channel and anchorage improvements at Bass Harbor to aid the commercial fishing fleet. The study was prepared under a feasibility cost sharing agreement (FCSA) executed with the town in December 2004. Concerns over town-funded mitigation required by the Maine Department of Environmental Protection were resolved and all Federal and State regulatory approvals for the project have been received. Public Review of the feasibility report closed on March 23, 2006, and no significant comments were received. The Corps' North Atlantic Division approved the feasibility report on Oct. 11, 2006. The next steps in the process are to prepare final design plans and specifications and construct the project. The District is awaiting receipt of design/construction funds and approval to execute a Project Cooperation Agreement with the town of Tremont. The town of Tremont has secured their share of the design and construction costs.

BUCKS HARBOR, MACHIASPORT (2nd CD) –The town of Machiasport requested maintenance dredging of the existing federal project in Bucks Harbor and a study to examine expanding the anchorage and channel to accommodate the larger fleet and growing aquaculture industry. A feasibility study was initiated in 2003, and a Feasibility Cost Share Agreement (FCSA) between the town of Machiasport and the Corps was executed in February 2004 to share the study cost. A field exploration program, surveys and resource studies were completed

in late 2004. Engineering and economic analyses were underway in early 2005, when a lack of Federal funding forced us to defer completion of the feasibility effort. *Efforts were restarted in 2007. A 30-day public notice announcing the completion of the draft report and Environmental Assessment was issued at the end of October 2008. Once the final report is approved, a Project Partnership Agreement will need to be signed with the town of Machiasport in order to complete the final design and construction phases of the project.*

KENNEBEC RIVER, BATH (1st CD) – Shoaling typically occurs in two reaches of the Federal project; one just south of the Bath Iron Works (BIW), at Doubling Point and the other near Popham Beach, at the mouth of the river. The work typically involves the removal of about 30,000 cubic yards (cy) of sand and disposal of the dredged material at the two previously used disposal areas. Because of the presence of the endangered Shortnose Sturgeon in the river there is a very narrow environmental window in which the work needs to be performed. In addition, the nature of the shoaling in these reaches is somewhat unpredictable and shoals have been flushed out by heavy runoff events in the past making it difficult to predict when work will be required. We checked with the pilots and BIW and determined there was no need for the work in early FY 2007. Funds in the amount of \$630,000 that were added to the FY 2006 budget have been set-aside in anticipation of needing to address future shoaling in the project. In anticipation of future dredging we are updating our environmental assessment and

working with National Marine Fisheries Service on some Endangered Species Issues.

NARRAGUAGUS RIVER, MILBRIDGE (2nd CD) - The federal project serves the commercial fishing and lobstering fleet, aquaculture operations, a fish packing facility and a small recreational fleet. A maintenance dredging contract was completed in January 2007. This was for the maintenance dredging of the 9-foot channel; 6-foot channel, turning basin, and northwest anchorage; 9-foot east anchorage; and 9-foot west anchorage. Remaining work consists of the maintenance dredging of about 60,000 cubic yards of material from the 11-foot west anchorage and the 6-foot southwest anchorage, plus about 50 cubic yards of debris and heavy boulders. Disposal will be in Narraguagus Bay, about six miles away. Congress has added \$935,000 for FY08. With mobilization/demobilization costs expected to be around \$350,000, this is not enough to complete the project. We plan to carry over the FY 08 funding and work will be conducted once full funding becomes available. There are no funds in the proposed FY2009 President's Budget to complete this remaining work. The dredge window is Nov. 1 to April 15.

NEW HAMPSHIRE AND SOUTHERN MAINE OCEAN DISPOSAL SITE DESIGNATION STUDY, NEW HAMPSHIRE (1st CD) AND MAINE (1st CD) - The states of Maine and New Hampshire have requested that the Corps undertake a study to examine designation of a long-term ocean disposal site off the coast of southern Maine or New Hampshire to address both states' need for cost-effective disposal options for clean dredged material not otherwise lending itself to beneficial use. The existing Cape Arundel Disposal Site located off Kennebunk, Maine is the only ocean site for this area of the New England coast. The Cape Arundel site was selected for use by the Corps, with EPA's concurrence, for temporary use, and this authority will expire in January 2010, unless the site is formally designated under the Marine Protection Research and Sanctuaries Act of 1972, or some other site is identified and designated. Loss of the site would significantly increase the cost of harbor maintenance for the Federal government, states and private dredging projects. The first step in the process, scoping of a site designation study, is estimated to require about \$100,000 and the study/EIS itself would likely cost about \$5 million. Scoping would take about six months and could begin once funds are made available.

PORTSMOUTH HARBOR AND PISCATAQUA RIVER, NEW HAMPSHIRE (1st CD) AND MAINE (1st CD) - This study of Portsmouth Harbor and the Piscataqua River, New Hampshire and Maine was directed by Section 437 of WRDA 2000. The non-federal sponsor is the state of New Hampshire, Pease Development Authority, Division of Ports and Harbors (PDA). The study's purpose is to determine the navigation related needs of the area and is focusing on the upper turning basin in the river near Newington, N.H. The current 800-foot width of the turning basin causes major safety concerns for shippers and

limits the efficiency of shipping operations, particularly for large LPG tankers. The §905(B) reconnaissance report was completed and approved by North Atlantic Division in September 2004. A feasibility cost-sharing agreement for the PDA and Corps to share the cost of the \$750,000 feasibility study was executed June 21, 2006. The feasibility study was initiated in 2006 using funds provided by the PDA and the FY06 E&WDA Act. Using those funds the Corps conducted sonar, sub-bottom and magnetometer surveys of the upper turning basin area in the fall of 2006. The results of these surveys are being used to focus further subsurface explorations of bedrock elevations and cultural resource investigations. With receipt of matching FY07 State funds, collection of field data continued with subsurface explorations, benthic sampling and testing, and a bathymetric survey. FY08 funds were provided and *matching* cost sharing funds were received from the PDA in March 2008. These funds were used to continue detailed studies of the project area. *FY09 funds would be used to prepare drafts of the feasibility report and environmental assessment.*

ROUND POND HARBOR, BRISTOL (2nd CD) - In a letter dated June 18, 2003, Bristol Board of Selectmen requested the New England District to initiate a study under Section 107 of the River and Harbor Act of 1960 to determine the feasibility of implementing a navigation improvement project for Round Pond Harbor. The existing piers are inaccessible to commercial fishing and lobstering vessels at lower stages of the tide due to shoaling. The town requested improvements are for an access channel and mooring basin in front of the public piers, to be dredged to a depth of 8 feet at mean low water. This improvement would provide better anchorage facilities for the commercial fishing and lobster vessels, provide access to the harbor's public wharves at low water, encourage growth of the lobster and fishing industries, encourage transient recreational vessels and promote its natural advantages as a harbor of refuge.

On June 1, 2005, a Feasibility Cost Sharing Agreement was executed with the town of Bristol. Funds were made available in the Corps FY07 workplan to continue the feasibility study. Further efforts to complete the study would require matching Federal and town funds. Completion of the project would then require review and approval of the feasibility report, receipt of Federal and state regulatory approvals, Corps project approval and funding of design and construction, execution of a PCA with the town to share the cost of design and construction, preparation of detailed plans and specifications, and construction of the project.

The Sponsor is unable to forward the local cost share until spring of 2009. The Feasibility Study will resume upon receipt of the sponsor's funds.

SACO RIVER AND CAMP ELLIS BEACH, SACO (1st CD) - The New England District, in response to a request from the city of Saco and state of Maine, is undertaking a study under the authority of Section 111 of the River and Harbor

Act of 1968 to find a remedy to the ongoing erosion of Camp Ellis Beach. The Corps meets periodically with state and city officials and local interests to discuss ongoing computer modeling efforts being conducted by the Woods Hole Group (WHG) under contract to the Corps. The models are examining effects of coastal structures on wave climate, currents and erosion. Initial modeling and evaluation of alternatives determined that a spur jetty, an offshore breakwater, a combination of the spur jetty and breakwater, or T-head groins offered the best protection. However, with identification of soft clay under a large portion of the study area, the offshore breakwater was not feasible and additional breakwater alignments situated closer to shore were evaluated. Additional subsurface investigations were completed in 2005, and the results were used to develop and model additional alternatives. The results of these efforts were provided to the sponsor, state and public in January 2006. These efforts indicated that a plan involving a 750-foot long spur jetty and periodic beachfill was the optimal Federal plan. Local interests prefer a plan for a 500-foot spur jetty and two or more nearshore breakwaters that requires less frequent periodic beachfill. Modeling of this locally preferred plan has been completed and has been reviewed by the city and the state. As this project will exceed the \$5 million statutory cap under Section 111 authority, Congress provided specific authority in the Water Resources Development Act of 2007 to exceed this limitation. This Act authorized a maximum Federal expenditure of \$26,900,000 for work under Section 111 at Camp Ellis. Fiscal year 2009 activities will include completion of design efforts, and preparation of a decision document and environmental assessment (EA). The decision document will require review and approval by the Corps' North Atlantic Division before release for public review. The Corps and City anticipate beginning the Federal and state regulatory approval process for the project during the *spring of 2009*. Once environmental approvals are secured for the final proposal, and Congressional funding for the project is received, then preparation of plans and specifications would be completed. A construction contract would then be sought

in the subsequent two to three fiscal years. The last effort under this project will include beach nourishment of Camp Ellis Beach.

SEARSPORT HARBOR (2nd CD) - A Congressional Resolution passed in July 2000 at the request of the Maine Department of Transportation (MEDOT) called for a study of Searsport Harbor with a view towards deepening the existing 35-foot deep channel in support of port activities at the state and private terminal facilities at Mack Point. The Reconnaissance Study was completed in September 2004. A feasibility cost-sharing agreement was executed with the Maine DOT in December 2005. The feasibility study costs are estimated at about \$800,000 and are cost-shared 50 percent federal and 50 percent nonfederal. Work on the study began in June 2006 and the Corps held a coordination meeting on the project with state and Federal agencies in August 2006. Initial study efforts in 2006 included site surveys for cultural resources and geotechnical conditions. During 2007 additional subsurface testing was conducted and a sediment sampling plan developed. In spring 2008 sediment sampling in the channel area was performed and analytical results will be used for the disposal suitability determination. Economic analysis of project benefits was initiated in December 2007 and will be completed in 2008. Preparation of the draft feasibility report including the economic benefits and environmental assessment will begin in 2009. Public review of the draft feasibility study and environmental assessment is planned for *the end of 2009*.

OTHER NAVIGATION ACTIVITIES – The District has received requests from the **Town of Gouldsboro (2nd CD)** to investigate improvements to Corea Harbor, and from the **Town of Camden (1st CD)** to investigate improvements to Camden Harbor. No funds were available for new study starts under Section 107 in FY07. These studies could begin once funds are made available.

Shoreline/Streambank Protection

HOLMES BAY, WHITING - SECTION 14 (2nd CD) - The New England District, in cooperation with the Maine Department of Transportation (MEDOT) is extending a streambank/shoreline project to prevent erosion along Cutler Road (State Highway Route 191). This project would extend the existing Section 14 Local Protection Project (LPP) by approximately 500 linear feet. The Corps completed the Environmental Assessment and finding of no significant impact in April 2005. A construction contract was awarded in September 2008 and construction was *begun* in the fall. *Project*

completion is scheduled for April 2009.

QUODDY HEAD ROAD, LUBEC (2nd CD) — This Section 14 shoreline stabilization project is located adjacent to Quoddy Head Road (Rte No. C309J / State Aid No. 3) on the Quoddy Head Peninsula in Lubec. Over the past 40 years approximately 300 feet of shoreline have been lost to severe tidal erosion. The plans and specifications will be completed in 2008. Construction will not take place until later in 2009, *contingent upon funding and all necessary approvals.*

Ecological Restoration

HALF MOON COVE ESTUARY RESTORATION (2nd CD) – The New England District completed a preliminary

restoration plan (PRP) under the Section 1135, Program for Project Modifications to Improve the Environment in

March 2004. The PRP identified a plan to restore up to 900 acres of estuarine habitat in Half Moon Cove by creating openings in a causeway that restricts tidal flushing in the cove. The Passamaquoddy Tribe is the nonfederal sponsor. *At this time, federal funds are not available to begin the feasibility study because of the national demand for funds.* The Corps also completed a Section 905(b) Reconnaissance Report in December of 2005 under the Section 203, Tribal Partnership Program for this restoration project; however, funding is not available under that program to move into the feasibility phase.

PLEASANT RIVER SALT MARSH RESTORATION (2nd CD) – The New England District completed a preliminary restoration plan (PRP) under the Section 206, Aquatic Ecosystem Restoration Program in July 2004. The PRP identified a plan to restore up to 500 acres of salt marsh to the Pleasant River by modifying openings in the bridge that restricts tidal exchange to this former estuarine habitat. The town of Addison, Maine is the nonfederal sponsor. At this time, federal funds are not available to begin the feasibility study because of the national demand for funds.

Special Studies

COASTAL AMERICA - The Coastal America Northeast Regional Implementation Team has facilitated several new project requests for consideration in Corps aquatic habitat restoration programs. Projects restoring salt marshes and removing dams that block anadromous fisheries migration are a high priority of the team. Maine

has a very active Corporate Wetlands Restoration Partnership that allocates funding for projects that are cost sharing in federal aquatic restoration programs. The restoration of the Penobscot River Watershed in Maine is a team priority.

Planning Assistance

ALLAGASH RIVER RESTORATION STUDY (2nd CD) - The Maine Department of Inland Fisheries and Wildlife (MEDIFW) requested that the Corps provide technical assistance with regards to the options and costs associated with blocking the passage of muskellunge and small mouth bass into the Allagash River Watershed. The cost sharing letter agreement was executed on April 1, 2005. A reconnaissance site visit and topo/bathymetric survey efforts have been conducted. The hydraulic modeling and analysis are being performed by the

University of Iowa in coordination with ERDC.

PENOBSCOT RIVER RESTORATION STUDY (2nd CD) - The Corps of Engineers signed a cost sharing agreement with the Maine Department of Marine Resources (DMR) to provide technical services in support of the Penobscot River Restoration Project in August of 2007. Under the agreement, the Corps will assist the DMR and Penobscot River Restoration Trust in developing study plans for the restoration project.

Superfund Assistance

The New England District provides support to EPA Region I's (New England) Superfund program. This includes responsibility for site investigations, design work, construction execution, and some operation and maintenance at Federal lead sites when our support is requested. In addition, the District provides other technical assistance (5 year reviews, real estate support, etc.) at removal and national priority list sites being addressed by EPA Region I. During the past few years, we have provided support to EPA on projects in **Acton (1st CD)**, **Lewiston (2nd CD)**, **Saco (1st CD)**, **Meddybemps (2nd CD)**, and **South Hope (1st CD)**. Current activities are focused on the:

process). The site was included on the National Priorities List by the Environmental Protection Agency in July 1999.

New England District started work on this site in November 1998. The District has completed field investigations of soil, sediment, and groundwater as part of a remedial investigation/feasibility study (RI/FS), which was completed in August 2004, at a total cost of about \$6 million.

In addition, 75,000 cy of contaminated soil were excavated, a mile reach of the river was relocated and restored, a one-half mile stretch of state Route 7 was relocated, and several residential and commercial structures were removed to facilitate remediation. Over 80 percent of the site has been turned over to the town for redevelopment. Ground was broken this winter on an assisted living facility. Remaining work includes in-situ chemical oxidation of residual contamination in deep soil and bedrock to restore site groundwater to drinking standards. Treatment was completed in the fall of 2007. Requirements for any final bedrock injections to facilitate

EASTLAND WOOLEN MILL SITE, CORINNA (2nd CD) - This site in the center of Corinna Village is a 25-acre abandoned wool manufacturing facility that operated from 1912 to 1996. The East Branch Sebasticook River flows directly under a portion of the 175,000-square-foot mill complex. Soil, river sediments, and groundwater in the area are contaminated with chlorobenzenes (a class of compounds historically used in the wool dyeing

natural biological degradation of residual contaminants and for long-term monitoring of the groundwater have been developed for implementation by EPA in the future.

Total cost of the removal action was about \$50 million and restoration of the groundwater cost another \$7.5 million.

Regulatory Program

Department of the Army permits are required from the Corps under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. The Corps reviews permit applications for work affecting navigable waters under its Section 10 authority and the discharge of fill material into all waters, including inland wetlands, under Section 404. *For the period July 1, 2008 to Dec. 31, 2008, the following final actions were taken: 4 resolved compliance actions, 3 resolved enforcement actions, 17 no permit required, 37 permit modifications and 4 Individual Permits. For Programmatic General Permits (PGPs), 35 Category 1 activities were reported. For Category 2 PGPs activities, 1 was denied without prejudice, 0 exempted, 1 grandfathered, and 212 issued.*

PROGRAMMATIC GENERAL PERMIT - The New England District has comprehensive Programmatic General Permits (PGPs) in place in each of the six New England states covering work with minimal impact on the aquatic environment. Up to 98 percent of all permits issued in New England are PGPs. The PGPs are based on the state thresholds for most categories of environmental impacts, and applicants generally need only file with the state. The federal screening is virtually transparent to applicants, and the PGP approval is either included in the state approval letter or mailed directly. Applications appropriately covered under the PGPs are often approved in less than 30 days. Applicants have commented favorably about the simplicity, predictability and efficiency of the PGPs. The PGP for Maine was reissued Oct. 11, 2005 and remains in effect until 2010.

AQUACULTURE (1st & 2nd CDs) - Aquaculture has been present within the coastal waters of Maine since the 1800s. The first official aquaculture lease was issued by the Maine Department of Marine Resources in 1973. That farm was established for the purpose of cultivating salmonids and blue mussels. Although finfish culture was unsuccessful, warm water temperatures and high productivity made the Damariscotta River an ideal site for growing shellfish. In the 1980s mussel and oyster aquaculture underwent a period of tremendous growth and expansion. While its roots remain in the Damariscotta River, mussel farming now spans the coast from Casco Bay east to the Jonesport area. Although cultured in estuarine waters along the coast, the Damariscotta River continues to be the premier location for oyster farming in Maine. Clams, scallops and urchins are also cultivated, on a smaller scale, in various locations throughout the state.

The development of finfish aquaculture lagged behind shellfish by 10 years or more. In the early 1970s coho salmon and rainbow trout were being raised in floating pens within the Wiscasset River and on Vinalhaven

Island. In 1984, Ocean Products, Inc. established farms in the cold waters of Cobscook Bay at Eastport. Since then, Atlantic salmon farming has spread west to the Blue Hill Bay region. Salmon aquaculture in Maine is second only to Maine's lobster industry in terms of economic return. The industry has undergone major restructuring for a variety of reasons. There is currently only one company controlling four hatcheries and 29 finfish leases totaling 580.33 acres. Only 6 of these farm sites were active in 2006, reporting an overall harvest of 10.3 million pounds at an estimated value in excess of \$25 million. This is down from 28 sites reporting a harvest of over 36 million pounds in 2000. Indirect spending (supply chain) and the high number of jobs created within the industry and its suppliers contribute greatly to the tax revenues of the state. The bulk of this economic activity occurs in an economically depressed region of the state.

The Corps has been actively involved with this dynamic industry since at least the mid-1980s. Working with state and Federal partners and the industry, we developed a joint application and siting guidelines and continue to work cooperatively with those partners on issues such as endangered species consultation, regulatory streamlining, containment, finfish marking and genetics, seabird interaction, bay management, minimizing navigational impacts and improving public awareness. The majority of permit applications for aquaculture projects in Maine become eligible for the Maine PGP, thereby reducing regulatory burdens on the industry.

CIANBRO CORPORATION, BREWER (2nd CD) – CIANBRO Corporation is developing the 41-acre former Eastern Fine Paper Mill on the banks of the Penobscot River at Brewer, Maine into a manufacturing facility for modular steel building frames, each weighing 1,000 tons and used by industrial plants. Upland work includes the demolition of many of the former mill buildings and remediation of this EPA Brownfield site. Work along the river includes maintenance and improvement dredging, shoreline stabilization, and the reconstruction of a deteriorated solid fill pier. The pier will accommodate barges that will transport the modular units downstream to Penobscot Bay and on to industrial clients elsewhere. Upon completion, the facility is projected to provide approximately 500 manufacturing jobs. The project is strongly supported by community leaders, the Governor, and Maine's Congressional Delegation. The project underwent extensive pre-application and interagency coordination in order to resolve potential dredging and disposal issues and to complete Historic Preservation and Endangered Species consultation. A permit was issued Oct. 31, 2007. Construction has commenced and is being monitored for compliance by Maine Project Office staff. A ribbon cutting opening ceremony was conducted

on Aug. 15, 2008.

HARBOR MANAGEMENT (1st & 2nd CDs) - Maine Project Office staff continue to work closely with the state's harbor masters in the area of harbor management. The Corps is an annual presenter at the Maine Harbor Masters' Association annual training at Castine. We are actively working with a number of communities which sponsor federal navigation projects to bring them into compliance, thereby facilitating continued federal maintenance. We also routinely provide advice on harbor ordinances, mooring issues, and user conflicts and assist the U.S. Coast Guard in related outreach efforts. The Maine Project Office staff is currently working closely with the communities of Bucks Harbor, Harrington, Freeport, Thomaston, Harpswell, Chebeague Island, and Mount Desert Island on a number of harbor management related issues. The 2008 Harbor Master Training was held March 19-21, 2008.

INTERNATIONAL BORDER CROSSING, CALAIS (2nd CD) - Working in conjunction with the General Services Administration and the Department of Homeland Security, the Maine Department of Transportation (MEDOT) and the Federal Highway Administration are developing a new International Border Crossing between Calais, Maine and St. Stephen, New Brunswick (Canada). The new crossing will complement existing crossings in downtown Calais and at Milltown and is designed to relieve traffic issues as well as border security and U.S. Customs concerns that exist at the existing facilities. The Corps and an interagency review team worked with MEDOT in advance planning and siting for the project since 2000. U.S. and Canadian officials collaborated on project design and siting also. Upon completing the application process, conducting a public interest review, and identifying appropriate mitigation, the Corps issued a permit on Sept. 21, 2006. Preconstruction meetings were held on Jan. 25th and Feb. 13th and a partnering meeting was held on April 4, 2007. Bridge and road construction is underway and will continue into late 2008. Shortly after the permit decision, a local interest group sued the Corps in Maine District Court and filed for an injunction, claiming that the Corps' Environmental Assessment was insufficient to satisfy the requirements of the National Environmental Policy Act. On Aug. 17, 2007 the group filed for a voluntary dismissal after District Court Judge Woodcock determined on July 17, 2007, that they had little likelihood of success on the merits of the case and denied the plaintiffs' motion for preliminary injunction. Construction was not delayed during this process. The bridge over the St. Croix River and the primary connector to Route 1 have been under construction since April 2007. GSA is well into construction on the associated border station but will not complete construction until late 2009.

LEWISTON AREA COMMUNITY PLANNING (2nd CD) - An interagency team consisting of the Corps, the Maine Department of Environmental Protection (MEDEP), and federal and state resource agency staff are working with

the cities of Lewiston and Auburn as they plan for long-term industrial and commercial growth in their community. The Lewiston/Auburn area is reportedly one of the fastest growing communities in the state at present. Mitigation banking, long-term natural resource management, and special area management plans (SAMP) are key elements in the on-going coordination. An initial planning meeting and interagency site visit was conducted on April 4, 2005 followed by regular conference calls, meetings and site visits in 2005 and 2006. Regular coordination will continue throughout 2008 and 2009. *To date, the Corps is aware of two projects that may benefit from advance mitigation planning in the community: improvements to the Auburn Airport and a Lewiston Business Park.*

LIQUEFIED NATURAL GAS (LNG) FACILITIES (2nd CD) - There are *three* proposals to develop LNG terminal facilities in eastern Maine, one in Eastport, *one* in Robbinston, and a recent proposal in Calais, all in the pre-application planning stages. All proponents have submitted pre-filing notices to Federal Energy Regulatory Commission (FERC), the lead Federal agency under the National Environmental Policy Act (NEPA). The Corps is a cooperating agency to the FERC Environmental Impact Statement (EIS) processes. All proponents anticipate 1-2 years worth of permitting, up to 3 years of construction, and start up *after* 2010. It is possible that each will go through the regulatory processes. Issues are wide ranging and include environmental, navigational, and public safety factors. The Canadian government is focusing on these same issues in light of the fact that LNG vessel transit routes to Maine pass through Canadian waters. The Eastport project has been withdrawn from FERC while the applicant reassesses; the *Robbinston project* has temporarily suspended the State application process but will continue application planning and interagency coordination; and the Calais project is only in the early stages of FERC and interagency coordination.

PLUM CREEK DEVELOPMENT (2nd CD) - A proposal before Maine's Land Use Regulation Commission (LURC) is to rezone approximately 436,000 acres of timberland in the Moosehead Lake region. A portion of this land would ultimately be developed commercially/recreationally. Although the Corps has no particular interest or authority in the rezoning process, it is likely that future development could trigger the need for a permit from the Corps. The Corps has offered to work with the developer and his team in early project development and planning. An initial meeting with Maine's Land Use Regulation Commission was held on June 28, 2006. The Corps has provided written comments to LURC staff and continues to meet with Federal and state resource agencies. Plum Creek has submitted a modified and scaled down proposal to LURC that has been reviewed by interagency staff. State public hearings were held in December 2007 and January 2008 and were attended by Corps of Engineers representatives. A Corps permit application is not expected until *mid-2009 at the earliest.*

PUBLIC OUTREACH (1st & 2nd CD) - In addition to

ongoing coordination with Maine's harbor masters described previously, the Maine Project Office (MPO) staff participates in numerous public outreach sessions. These include but are not limited to University career days, the Maine Fishermen's Forum, the Rockland Lobster Festival, Nation-to-Nation Tribal Outreach, the New England Enviro-Expo, the New England Fish Expo, regional/state dredging committee meetings, numerous public meetings and hearings, and local/regional transportation planning committee meetings. A number of these are in support of other divisions or branches within New England District. On Feb. 7, 2008 Regulatory staff discussed Corps jurisdiction and the Rapanos decision before the Maine Association of Wetland Scientists. The 2008 Maine Fisherman's Forum was held Feb. 28 – March 1, 2008. Staff discussed jurisdiction and mitigation with the Maine Association of Professional Soil Scientists on Sept. 3, 2008.

MAINE IN-LIEU FEE PROGRAM (1st & 2nd CD) – The Regulatory Division worked with the Maine Department of Environmental Protection and the Maine Office of The

Nature Conservancy to develop an agreement for use of a program to provide an alternative to *permittee-responsible* mitigation when the Corps requires mitigation. The In-Lieu Fee (ILF) Agreement utilizes Maine's "Natural Resource Mitigation Fund" to provide this. Site-specific mitigation for many of these projects has had limited ecological value due to their size, location, and/or permittee's ability to provide appropriate stewardship. The ILF program provides applicants an efficient and workable alternative of paying a fee, if the District, in consultation with the federal resource agencies, agrees it is the best alternative, *taking into account the new Mitigation Rule issued by the Corps and EPA in April 2008. This new Rule provides a 'soft' preference for mitigation banking and ILF programs over permittee-responsible mitigation.* The fees collected through the ILF program will be aggregated by biophysical region within the State of Maine and must be used within a specified time period to restore, create, and enhance aquatic resources and/or preserve aquatic resources and their associated uplands. The Maine In-Lieu Fee Agreement was signed Jan. 31, 2008.

Conservation and Environmental Enhancement

DEFENSE ENVIRONMENTAL RESTORATION PROGRAM (DERP) - This Congressionally directed program (PL 98-212) provides for an expanded effort in environmental restoration. It emphasizes the identification, investigation and cleanup of hazardous and toxic waste; unexploded ordnance; and unsafe buildings, structures and debris at current and former military facilities. One hundred and eighty-one formerly used defense sites have been identified in Maine. Site and project eligibility investigations at 180 sites are now complete, including 92 where no work was found to be necessary. The remaining site, which will be scheduled for investigation in the future when funds become available, is Area Mike Bombing Range, **North Berwick (1st CD)**. Of the 88 sites where work was needed, the following efforts are underway:

A meeting with the MEDEP regarding the former **Dow Military Airfield (2nd CD)** (located at the Bangor International Airport) concluded that the project should focus on investigating the two former underground storage tank site nos. 1 and 2 (UST 1 & 2). The projects involve both petroleum and trichloroethene contamination that remains following the removal of the tanks in the early 1990s. This contamination does not appear to pose a significant human health risk. The site was beneficially used by the airport, consequently, they are a potential responsible party (PRP). Discussions will occur during late 2008 with the Airport and the regulators to determine remediation at the site and responsibility.

During a 2007 site visit, a drum dumping area containing drums of the timeframe that the DoD was active on the site was identified. In June 2008 a site visit was performed

during which all site refuse was inventoried. The results of this effort will direct an invasive debris removal, soil removal and/or drum removal to be performed later in late 2008. The magnitude of the removal will be determined by what is found and at what depth.

Groundwater sampling continued at the **NIKE LO-13 (Launch and Control sites), Caswell; Loring AFB Com Annex #2, Perham; and Loring AFB Laundry Annex, Presque Isle (all 2nd CD)** sites from 1996 through April 2004. Biannual sampling continues at particular wells at NIKE LO-13 Control and the Communications Annex. Investigation of the newly located existing drinking water well at the Communications Annex, and a structural survey of the integrity of the building were completed in 2007. A draft report of the findings, as well as a Site Historical Report (for all of the sites), was submitted in November 2007 and will be submitted to MEDEP in late 2008. A Borehole Hydrogeophysics Report and Conceptual Site Model will be submitted in FY09.

The Corps finalized a Proposed Plan during the spring of 2008 and presented it at a Public Meeting on June 9, 2008. It was determined that removing contaminated soil, applying Institutional Controls to the affected areas and continuing to monitor wells in the local areas was the most feasible alternative remediating the trichloroethylene (TCE) in the bedrock aquifer. The project includes investigation at three separate sites. These sites are the **Howard Mountain, the Miller Mountain and the Transmitter sites**. This separation of sites is based on the different geology, groundwater chemistry and TCE sources at each location. This effort will facilitate the

selection and design of a long-term solution for the **Air Force Radar Tracking Station in Bucks Harbor (2nd CD)**. The on-going groundwater-monitoring program includes sampling and testing of water samples from residential drinking water wells and monitoring wells.

The Corps is performing a remedial investigation to evaluate trichloroethylene (TCE) contamination at the former **Air Force Ground/Air Transmitter Station in Glenburn (2nd CD)**. TCE concentrations have been detected in the groundwater in the general area surrounding the site. The results of a soil investigation performed in the spring of 2008 were used to locate monitoring wells constructed in August of 2008. The information from both of these efforts will support the preparation of the Remedial Investigation report scheduled to be drafted by the end of December 2008. Public informational meetings are held to present the current status of the completed tasks and the plans for any further investigation at the site.

Biannual sampling of monitoring wells and two drinking water supplies on site confirmed the existence of trichloroethylene (TCE) at **Nike 58 Site in Caribou (2nd CD)**. The wells have been sampled since 2000. One drinking water well is not contaminated. The drinking water well which services an Adult Learning Center has levels of TCE just above the MCL. The water is currently safe to drink, as the MEDEP supplies filters on the drinking water source to the Adult Learning Center. Based on recommendations from the MEDEP the Corps performed down-hole hydrogeophysics on the two existing drinking water wells, and geophysics on the 5 bedrock wells, to better define the site conditions. Field work was completed in spring/summer 2008. A Site Historical Report (for all of the sites), was submitted in November 2007 and will be submitted to MEDEP in late 2008. A Borehole Hydrogeophysics Report and Conceptual Site Model will be submitted in FY09.

CONSTRUCTION – Work at the former **Naval Fuel Depot, Long Island (1st CD)** is complete. A site closure letter has been received from the Maine Department of Environmental Protection (MEDEP).

Construction contracts, totaling nearly \$2.7 million, have been completed at:

First District

Great Diamond Island, **Portland**
Thompson's Point, **Thompson**

Peak's Island, **Portland**
Forts McClary and Foster, **Kittery**
Jewell and Peaks Islands, **Portland**
Fort Baldwin Military Reservation, **Phippsburg**
Gerrish Island Fire Control Station, **Kittery**
Merriam Point Fire Control Station, **Portland**
Fort Preble, **South Portland**
Former Fuel Depot, **Long Island (Portland)**
Cape Elizabeth Fire Control Station
Fort Levett on **Cushing Island**
Fort Preble in **South Portland**
Former Fuel Depot, **Long Island**

Second District

Dow Military Air Field, **Bangor**
Charleston Air Force Station
Bangor Ammunition Storage Annex
Former **Presque Isle** Air Force Base
Former **Caswell** Air Force Base
Loring Air Force Base Outer Marker Annex, **Fort Fairfield**
Laundry Annex, **Presque Isle**
Communications Annex, **Perham**
Nike Site LO-31, **Limestone**
Nike Site LO-58, **Caribou**
Nike Site LO-85, **Connor**
Nike Site LO-13, **Caswell**
Presque Isle Air Force Base, **Presque Isle**
Air Force Radar Tracking Station, **Bucks Harbor**

FUDS Investigations — The Corps is conducting Site Inspections of FUDS to determine if any munitions and explosives of concern (MEC) or munitions constituents (MCs) are present on property formerly owned or leased by the Department of Defense. Many of the sites visited during this project may not have been used since the World War II timeframe, or their use changed when the property was transferred to another branch of the military or other private or public landowners. Alion Science & Technology, Inc. is assisting the Corps' Baltimore District in performing this evaluation at FUDS in the Northeast region. Alion and the District will review historical records and maps, meet with site regulators and key stakeholders, and conduct field inspection activities in the area(s) of interest. The outcome from these Site Inspection activities will be to determine if the project site poses any threat to human health or the environment, and if further work needs to be done either through an RI/FS or some type of removal action. Presently funded site inspections in Maine are at: Seal and Duck Islands.

Interagency and International Support

BORDER PATROL STATIONS - CALAIS, JACKMAN AND VAN BUREN (2nd CD) – The Department of Homeland Security (DHS), formerly the Immigration and Naturalization Service (INS), through the DHS Architect - Engineer Resource Center located at the Corps' Fort Worth District, has tasked the New England District to

provide three new turnkey 25-agent Border Patrol Stations to replace existing stations in Calais, Jackman and Van Buren. Each border patrol station will be situated on a minimum 10-acre lot and will encompass a minimum 10,800 square foot building. The work encompasses site selections, real estate acquisitions, environmental,

design, contracting and construction management activities at the three locations at a total estimated cost in excess of \$30 million.

Final site selections are as follows: Calais area – this site is located in the town of Baileyville in the Baileyville Industrial Park located on Route 1 at its intersection with Route 9; Jackman area – this site is located on Route 6/15 approximately 2.5 miles east of its intersection with Route 201; Van Buren area – this site is located on Route 1A at the former Van Buren Drive-In theater location. New England District has completed construction at the Calais and Jackman BPS and *recently completed* construction on the Van Buren Border Patrol Station.

A combined construction contract for the Calais and Jackman Border Patrol Stations was awarded in the amount of \$12,696,000 to JCN Construction Company of Manchester, N.H. on Feb. 25, 2005. The award was to construct the base building only at each location, without bid options – garage, vehicle maintenance bay, sallyport, marine bay (Calais), and heliport (Jackman).

A modification to construct the garage and vehicle maintenance bays at both locations was funded by DHS late into the contract. Construction of the main buildings began in May 2005 at both sites. The main buildings were completed and turned over to the Border Patrol in early November 2006 at both Calais and Jackman at which time the Border Patrol began to occupy them. The garages and vehicle maintenance bays at both sites were

completed in February 2007. Total construction contract costs for the two Border Patrol Stations amounted to \$17,500,000.

A separate construction contract for the Van Buren Border Patrol Station was awarded in the amount of \$6,432,890 to CJP Associates of Caribou, ME on April 27, 2006 to construct the main building only. Construction began in June 2006 and construction was completed on schedule on Nov. 6, 2007. DHS has since funded four additions to the main building to include – garage, vehicle maintenance bay, sallyport and Intelligence Unit. A separate construction contract in the amount of \$2,368,569 was awarded to Cyr Construction, Caribou, ME on April 2, 2007. Construction began on this second contract in May 2007 and was scheduled for completion by July 1, 2008. The sallyport and IU were completed by May 1 and the garage and vehicle maintenance bay were completed in July 2008.

The contract for CJP Associates was modified to allow them to construct some interior systems work (extensions of certain systems in the main building) in the four additions and to delay completion of all site work until early summer 2008 following completion of the second contract. Additional funding was received from DHS on Jan. 30, 2008. This work was completed in July 2008 at which time the entire project was completed. A project completion ceremony for Van Buren Border Patrol Station was held on Sept. 25, 2008.

