



**US Army Corps
of Engineers**®
New England District

Maine Project Office
675 Western Avenue #3
Manchester, Maine 04351

PUBLIC NOTICE

Date: January 23, 2007
Comment Period Ends: February 12, 2007
File Number: NAE-2006-2936
In Reply Refer To: Jay L. Clement
Or by e-mail: jay.l.clement@usace.army.mil

20 Day Comment Period

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: WELLS GOLF HOLDINGS, LLC, 387 WISKEAG ROAD, BATH, MAINE 04530

ACTIVITY: Fill approximately 12.94 acres of freshwater wetlands in order to build out and complete a previously authorized 18-hole golf course and an associated 105 unit residential subdivision. This development was previously authorized under Corps Permit No. 199602532 to a different owner, but the only work completed before the permit expired was the primary access road into the site and the clearing of the golf course layout. Although the present owner/applicant is not appreciably altering the original golf course design, wetland impacts have increased due to the identification of additional wetlands within the cleared fairway areas.

To compensate for this project's projected unavoidable impacts to waterways and wetlands, the applicant is currently proposing on and off-site compensation. This work, shown on the attached plans, includes the on site preservation through deed restriction of approximately 205 acres of upland and wetland; and the off-site preservation of approximately 31 acres of mixed upland and wetland on two parcels off Route 109, adjacent to town owned conservation land called "Fenderson Commons" at Wells, Maine; and the preservation of an 89 acre portion of a property identified as the "Fenderson Brothers Parcel". The off site areas will be protected in perpetuity by conservation easement. The preservation is designed to complement local and municipal conservation goals. The applicant is proposing these measures seeking to lessen the project's impact on aquatic resources. This notice solicits comments on these proposed measures from the interested or affected public as well as those agencies who speak to the public interest. It also solicits recommendations for alternative sites or measures not yet identified by the applicant. After receipt of the comments, the Corps of Engineers will obtain any necessary additional information from the applicant and determine whether the proposed measures are practicable and serve to help mitigate this project's unavoidable impacts.

WATERWAY AND LOCATION OF THE PROPOSED WORK: This work is proposed in freshwater wetlands adjacent to the Webhanet River at Wells, Maine. The project site is located on the USGS WELLS, ME quadrangle sheet at latitude 43.3025121°N; and longitude 70.6255728°W.

AUTHORITY

Permits are required pursuant to:

 Section 10 of the Rivers and Harbors Act of 1899

 X 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 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.

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)

Pursuant to the **Endangered Species Act**, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved **Coastal Zone Management Programs**. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management

Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

The following authorizations have been applied for, or have been, or will be obtained:

- (X) Permit, License or Assent from State.
- (X) 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 Jay Clement at 207-623-8367 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

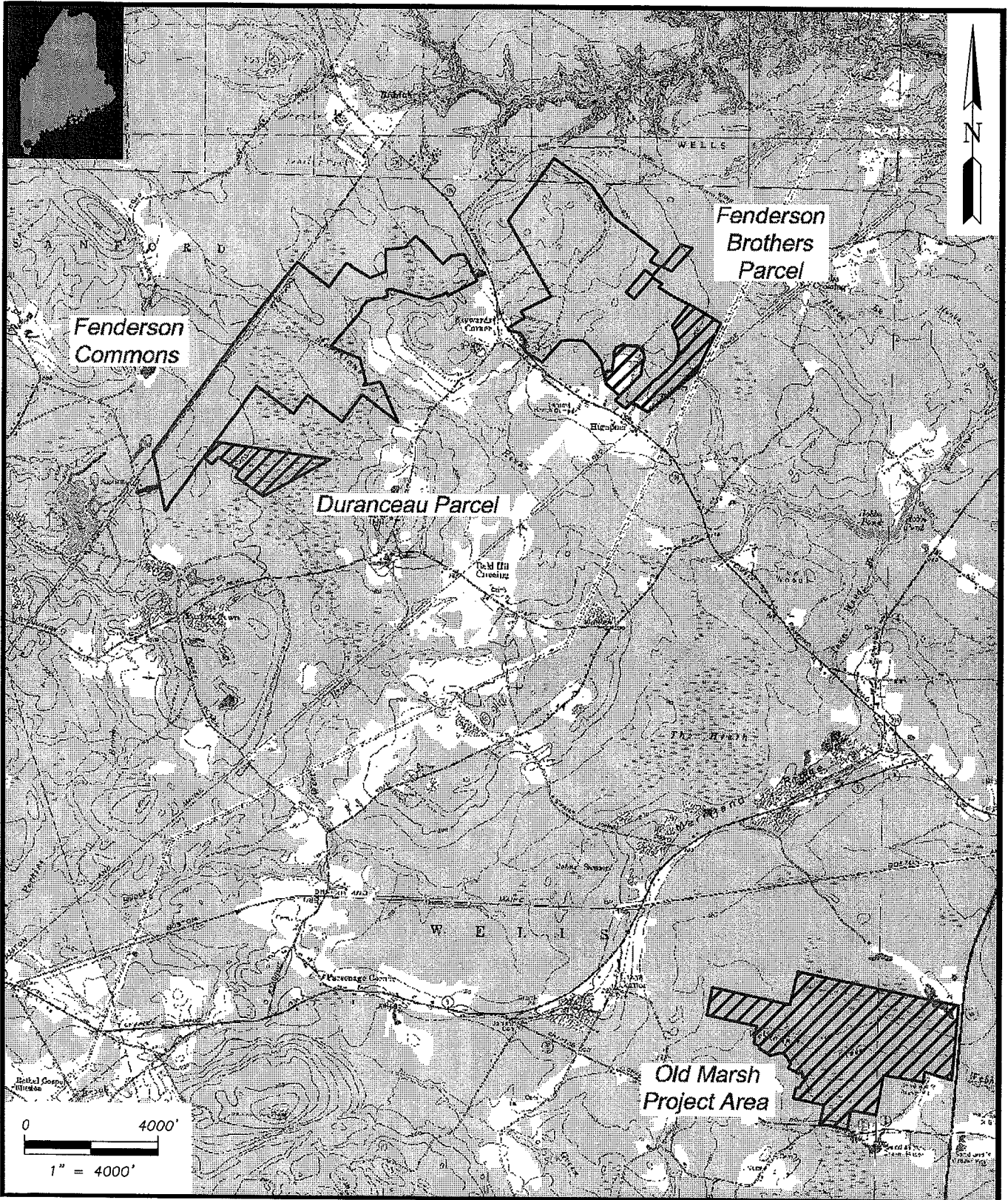
If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers,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

NAME: _____
ADDRESS: _____


PROPOSED WORK AND PURPOSE

Fill approximately 12.94 acres of freshwater wetlands in order to build out and complete a previously authorized 18-hole golf course and an associated 131 unit residential subdivision. This development was previously authorized under Corps Permit No. 199602532 to a different owner, but the only work completed before the permit expired was the primary access road into the site and the clearing of the golf course layout. Although the present owner/applicant is not appreciably altering the original golf course design, wetland impacts have increased due to the identification of additional wetlands within the cleared fairway areas.

The work is described on the enclosed plans entitled "OLD MARSH GOLF CLUB" in eight sheets dated "4/6/06" and "OLD MARSH WETLAND MITIGATION" in three sheets dated "December 2005".



PREPARED BY:



WOODLOT
ALTERNATIVES, INC.
ENVIRONMENTAL CONSULTANTS

106232-F001-Local.fen.dwg

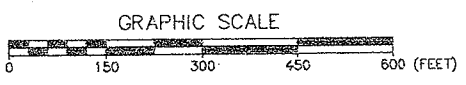
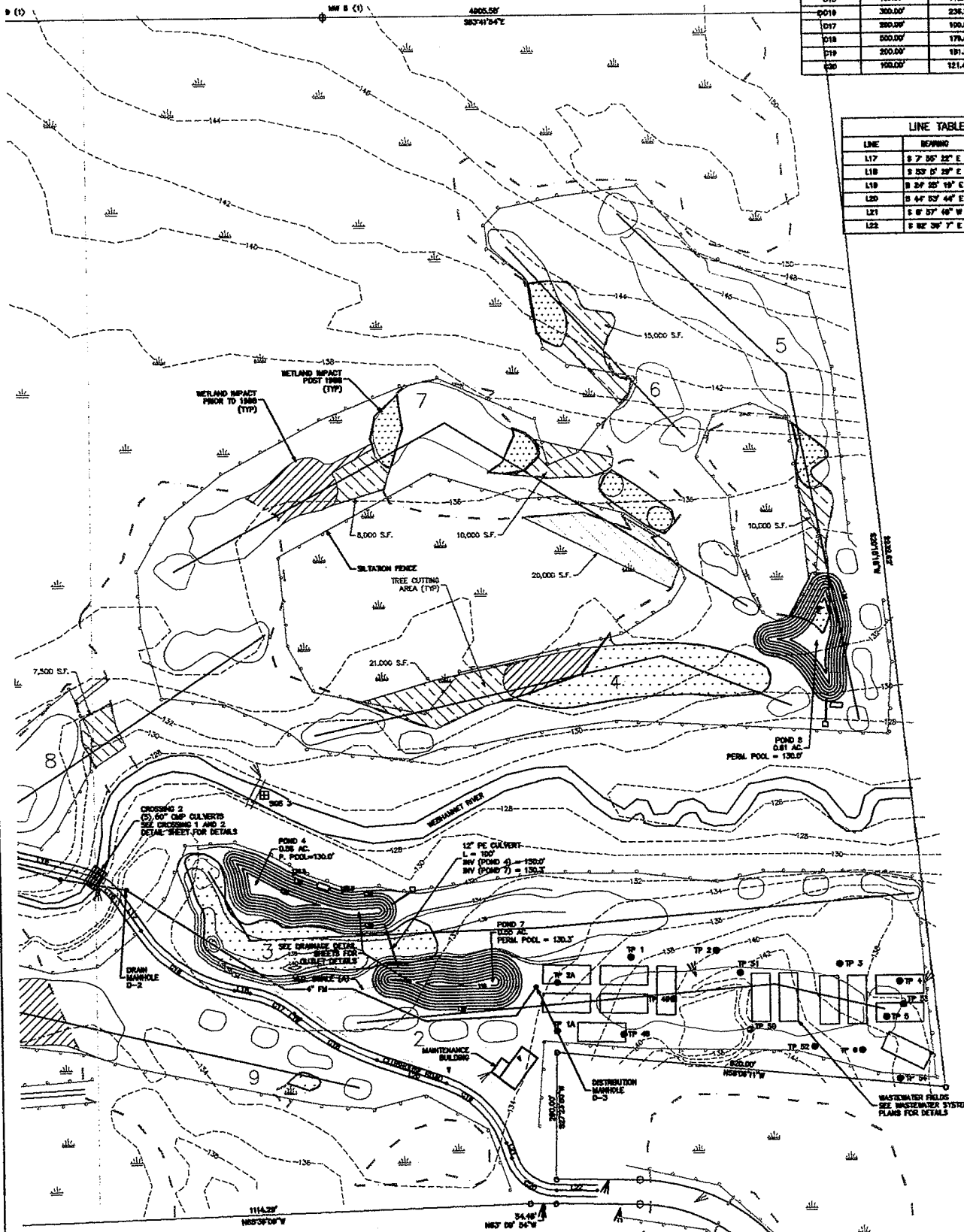
SHEET TITLE:
Locations of the Old Marsh Project Area
and the Proposed Mitigation Parcels

PROJECT:
Wells, Maine

DATE: January 2007
SCALE: 1"=4000'
PROJ. NO: 106232
FIGURE:
1

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C15	100.00'	110.18'	42° 4' 48"
C16	300.00'	236.80'	47° 10' 0"
C17	300.00'	100.07'	39° 40' 0"
C18	500.00'	178.87'	37° 28' 24"
C19	300.00'	181.02'	51° 51' 34"
C20	100.00'	121.414'	69° 33' 57"

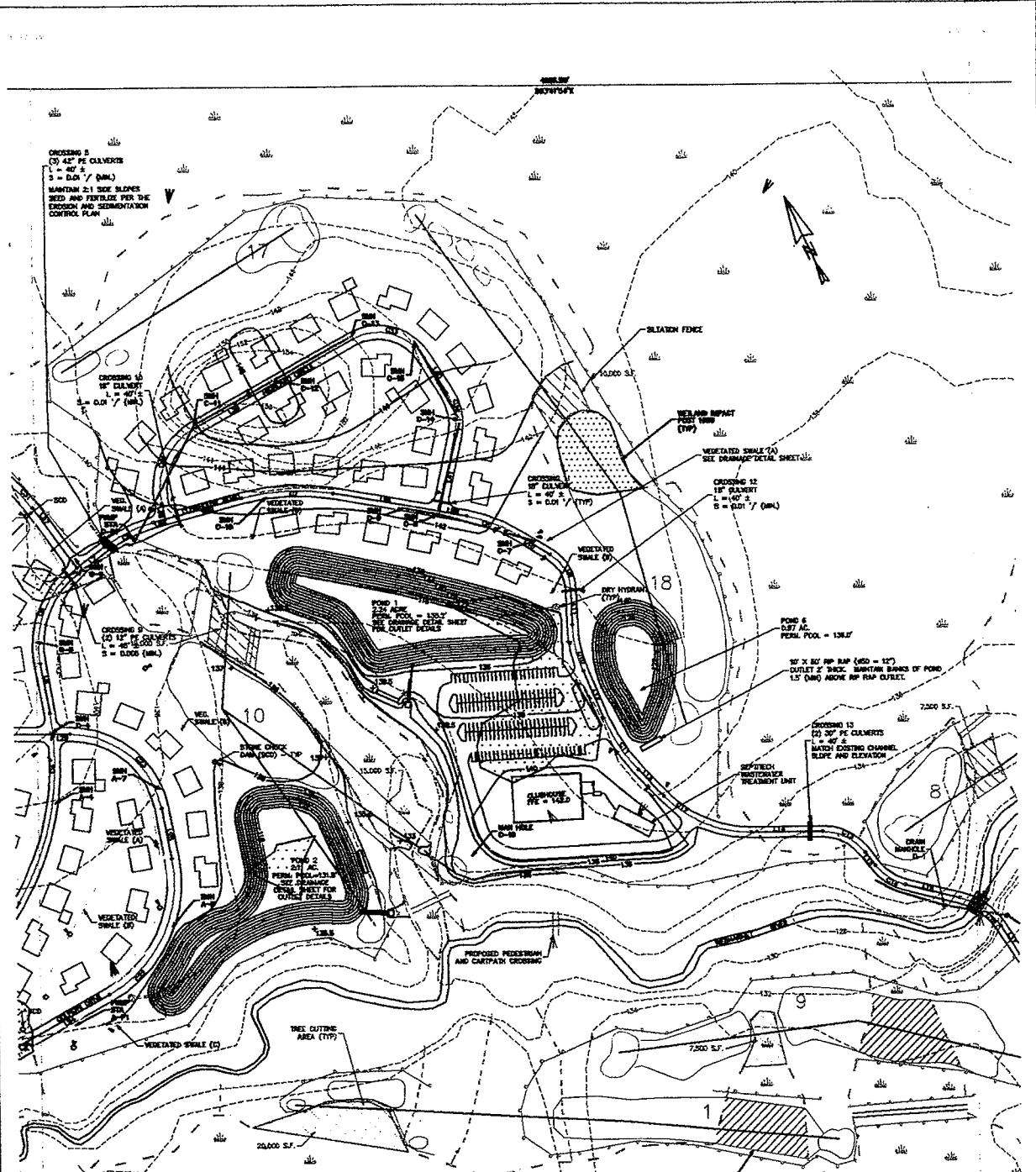
LINE TABLE		
LINE	BEARING	LENGTH
L17	S 7° 55' 22" E	76.90'
L18	S 83° 5' 28" E	32.28'
L19	S 24° 25' 19" E	18.55'
L20	S 44° 53' 44" E	102.21'
L21	S 8° 57' 48" W	33.22'
L22	S 82° 39' 7" E	84.84'



NO.	DESCRIPTION	DATE

GRADING AND UTILITY PLAN
OLD MARSH GOLF CLUB
WELLS, MAINE
 FOR: **WELLS GOLF HOLDINGS, LLC**
 387 WHISKEAG ROAD
 BATH, MAINE 04530-4130

ATTAR ENGINEERING, INC. <small>CIVIL • STRUCTURAL • MARINE</small> 1224 STATE ROAD - EXBET, MAINE 03003 PHONE: (207) 439-8023 FAX: (207) 439-2128			
SCALE: 1" = 100' DATE: 02/10/06	APPROVED BY: _____ TITLE: _____	DRAWN BY: BFW	REVISION / DATE: _____
JOB NO: C143-08		GND FILE: MGR2	SHEET 1 OF 4

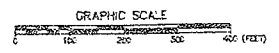


SEWER STRUCTURE SCHEDULE

ITEM	MAN. NO.	INVERT	OUTLET
MAN A-7	120.00	120.00	
MAN A-8	120.00	120.00	
PE A-P1	120.00	120.00	
MAN C-4	120.00	120.00	
MAN C-5	120.00	120.00	
MAN C-6	120.00	120.00	
MAN C-7	120.00	120.00	
MAN C-8	120.00	120.00	
MAN C-9	120.00	120.00	
MAN C-10	120.00	120.00	
MAN C-11	120.00	120.00	
MAN C-12	120.00	120.00	
MAN C-13	120.00	120.00	
MAN C-14	120.00	120.00	
PE C-P1	120.00	120.00	
MAN C-15	120.00	120.00	
MAN C-16	120.00	120.00	

CURVE TABLE

CURVE	PIVOT	LENGTH	CHORD
C01	120.00	120.00	120.00
C02	120.00	120.00	120.00
C03	120.00	120.00	120.00
C04	120.00	120.00	120.00
C05	120.00	120.00	120.00
C06	120.00	120.00	120.00
C07	120.00	120.00	120.00
C08	120.00	120.00	120.00
C09	120.00	120.00	120.00
C10	120.00	120.00	120.00
C11	120.00	120.00	120.00
C12	120.00	120.00	120.00
C13	120.00	120.00	120.00
C14	120.00	120.00	120.00
C15	120.00	120.00	120.00
C16	120.00	120.00	120.00
C17	120.00	120.00	120.00
C18	120.00	120.00	120.00
C19	120.00	120.00	120.00
C20	120.00	120.00	120.00
C21	120.00	120.00	120.00
C22	120.00	120.00	120.00
C23	120.00	120.00	120.00
C24	120.00	120.00	120.00



LINE TABLE

LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L01	S 10° 45' 00" E	100.00	L02	S 11° 35' 30" E	20.00
L03	S 79° 45' 00" E	70.00	L04	S 80° 00' 00" E	100.00
L05	S 79° 45' 00" E	70.00	L06	S 80° 15' 00" E	20.00
L07	S 79° 45' 00" E	70.00	L08	S 80° 30' 00" E	111.00
L09	S 79° 45' 00" E	70.00	L10	S 80° 45' 00" E	20.00
L11	S 79° 45' 00" E	70.00	L12	S 81° 00' 00" E	100.00
L13	S 79° 45' 00" E	70.00	L14	S 81° 15' 00" E	111.00
L15	S 79° 45' 00" E	70.00	L16	S 81° 30' 00" E	20.00
L17	S 79° 45' 00" E	70.00	L18	S 81° 45' 00" E	100.00
L19	S 79° 45' 00" E	70.00	L20	S 82° 00' 00" E	111.00
L21	S 79° 45' 00" E	70.00	L22	S 82° 15' 00" E	20.00
L23	S 79° 45' 00" E	70.00	L24	S 82° 30' 00" E	100.00
L25	S 79° 45' 00" E	70.00	L26	S 82° 45' 00" E	111.00
L27	S 79° 45' 00" E	70.00	L28	S 83° 00' 00" E	20.00
L29	S 79° 45' 00" E	70.00	L30	S 83° 15' 00" E	100.00
L31	S 79° 45' 00" E	70.00	L32	S 83° 30' 00" E	111.00
L33	S 79° 45' 00" E	70.00	L34	S 83° 45' 00" E	20.00
L35	S 79° 45' 00" E	70.00	L36	S 84° 00' 00" E	100.00
L37	S 79° 45' 00" E	70.00	L38	S 84° 15' 00" E	111.00
L39	S 79° 45' 00" E	70.00	L40	S 84° 30' 00" E	20.00
L41	S 79° 45' 00" E	70.00	L42	S 84° 45' 00" E	100.00
L43	S 79° 45' 00" E	70.00	L44	S 85° 00' 00" E	111.00
L45	S 79° 45' 00" E	70.00	L46	S 85° 15' 00" E	20.00
L47	S 79° 45' 00" E	70.00	L48	S 85° 30' 00" E	100.00
L49	S 79° 45' 00" E	70.00	L50	S 85° 45' 00" E	111.00
L51	S 79° 45' 00" E	70.00	L52	S 86° 00' 00" E	20.00
L53	S 79° 45' 00" E	70.00	L54	S 86° 15' 00" E	100.00
L55	S 79° 45' 00" E	70.00	L56	S 86° 30' 00" E	111.00
L57	S 79° 45' 00" E	70.00	L58	S 86° 45' 00" E	20.00
L59	S 79° 45' 00" E	70.00	L60	S 87° 00' 00" E	100.00
L61	S 79° 45' 00" E	70.00	L62	S 87° 15' 00" E	111.00
L63	S 79° 45' 00" E	70.00	L64	S 87° 30' 00" E	20.00
L65	S 79° 45' 00" E	70.00	L66	S 87° 45' 00" E	100.00
L67	S 79° 45' 00" E	70.00	L68	S 88° 00' 00" E	111.00
L69	S 79° 45' 00" E	70.00	L70	S 88° 15' 00" E	20.00
L71	S 79° 45' 00" E	70.00	L72	S 88° 30' 00" E	100.00
L73	S 79° 45' 00" E	70.00	L74	S 88° 45' 00" E	111.00
L75	S 79° 45' 00" E	70.00	L76	S 89° 00' 00" E	20.00
L77	S 79° 45' 00" E	70.00	L78	S 89° 15' 00" E	100.00
L79	S 79° 45' 00" E	70.00	L80	S 89° 30' 00" E	111.00
L81	S 79° 45' 00" E	70.00	L82	S 89° 45' 00" E	20.00
L83	S 79° 45' 00" E	70.00	L84	S 90° 00' 00" E	100.00
L85	S 79° 45' 00" E	70.00	L86	S 90° 15' 00" E	111.00
L87	S 79° 45' 00" E	70.00	L88	S 90° 30' 00" E	20.00
L89	S 79° 45' 00" E	70.00	L90	S 90° 45' 00" E	100.00
L91	S 79° 45' 00" E	70.00	L92	S 91° 00' 00" E	111.00
L93	S 79° 45' 00" E	70.00	L94	S 91° 15' 00" E	20.00
L95	S 79° 45' 00" E	70.00	L96	S 91° 30' 00" E	100.00
L97	S 79° 45' 00" E	70.00	L98	S 91° 45' 00" E	111.00
L99	S 79° 45' 00" E	70.00	L100	S 92° 00' 00" E	20.00

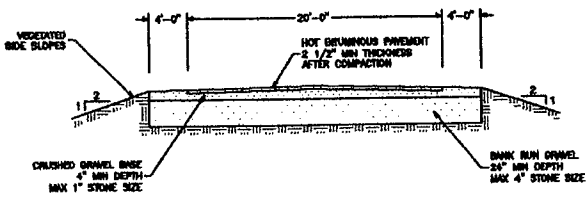
GRADING AND UTILITY PLAN
OLD MARSH GOLF CLUB
WELLS, MAINE

FOR: **WELLS GOLF HOLDINGS, LLC**
 387 WHISKEY ROAD
 BATH, MAINE 04530-4130

ATTAR ENGINEERING, INC.
 1284 STATE ST. - 2ND FLOOR - BATH, MAINE 04530
 PHONE: (207) 852-9200 FAX: (207) 852-2100

SCALE: 1" = 30'
 DATE: 02/20/08
 JOB NO: 0143-06

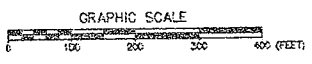
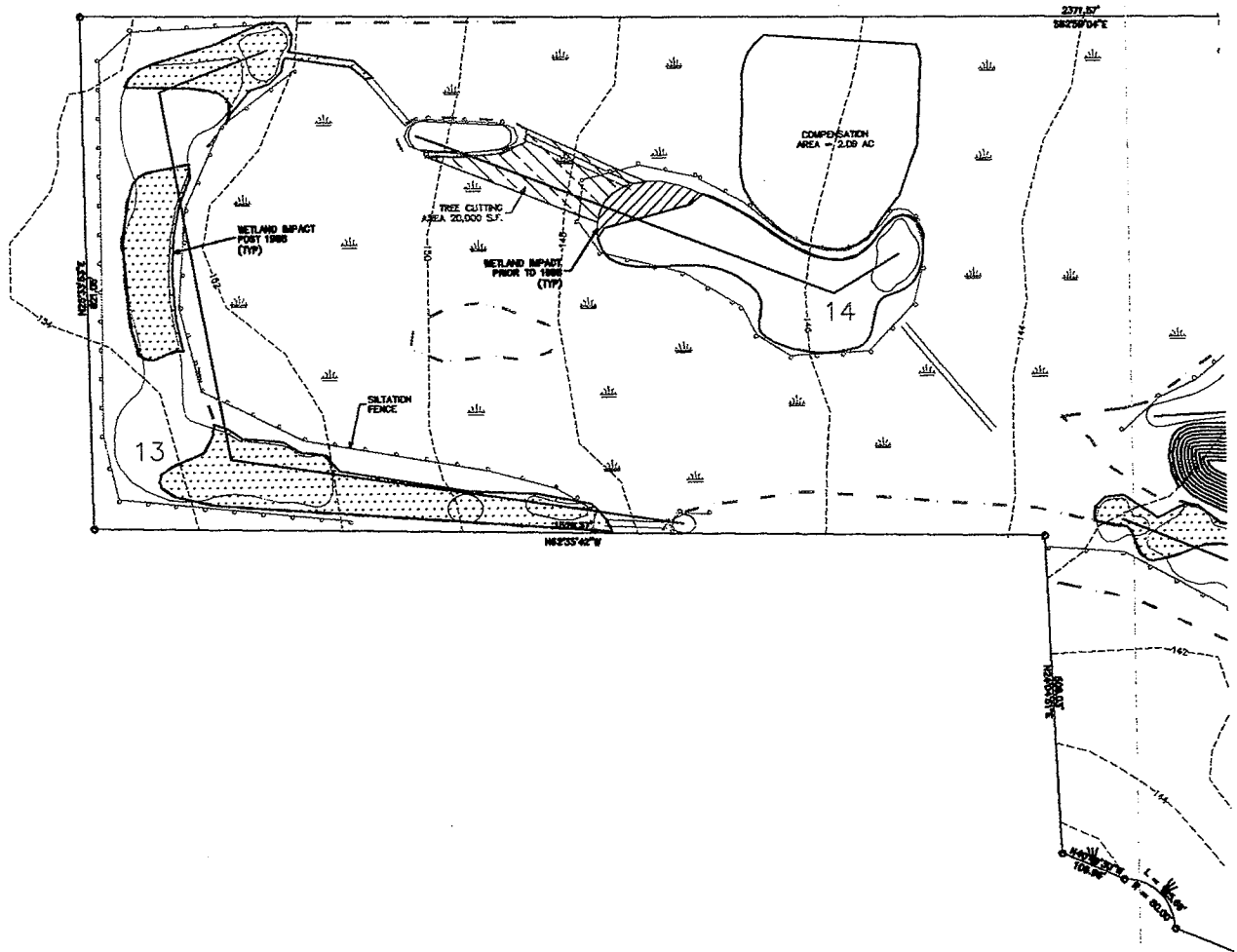
APPROVED BY: [Signature]
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 SHEET 2 OF 4



TYPICAL ROAD CROSS SECTION
(1/4")

ROAD CONSTRUCTION NOTES

1. GRANUL FILL TO BE COMPACTED TO 95% MODIFIED PROCTOR IN ACCORDANCE WITH ASTM D 1557.
2. ROADWAY CROWN TO BE A MINIMUM OF 1/4" PER FOOT
3. ALL STUMPS, ORGANIC MATERIAL, ROCKS AND BouldERS TO BE REMOVED TO A MINIMUM DEPTH OF 24" BELOW SURFACE.
4. ALL STUMPS, LEDGE AND LARGE BouldERS TO BE REMOVED FROM ROW. ROW TO BE CLEARED AND ROUGH GRADED.
5. SIDE SLOPES TO BE COVERED WITH 18" OF COMPACTED LOAM AND SEDED IN ACCORDANCE WITH THE EROSION AND SEDIMENTATION CONTROL PLAN.



NO.	DESCRIPTION	DATE

GRADING AND UTILITY PLAN
OLD MARSH GOLF CLUB
WELLS, MAINE

FOR: WELLS GOLF HOLDINGS, LLC
387 WHISKEAG ROAD
BATH, MAINE 04530-4130

ATTAR ENGINEERING, INC.
CIVIL • STRUCTURAL • MARINE
1284 STATE ROAD - ELDT, MAINE 03843
PHONE: (207) 338-5003 FAX: (207) 338-2128

SCALE: 1" = 300'	APPROVED BY:	DRAWN BY:
DATE: 02/10/08		REVISION: DATE
JOB NO: C143-08	CAD FILE: MRP08	SHEET 4 OF 4