



# PUBLIC NOTICE

**US Army Corps  
of Engineers®**  
New England District  
Maine Project Office  
675 Western Avenue, #3  
Manchester, Maine 04351

**Date:** OCTOBER 30, 2007  
**Comment Period Ends:** NOVEMBER 30, 2007  
**File Number:** NAE-2006-02799  
**In Reply Refer To:** LeeAnn B. Neal  
**Or by e-mail:** leeann.neal@usace.army.mil

## 30 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: Maine Department of Transportation, 16 State House Station, Augusta, Maine 04333.**

### ACTIVITY

A detailed description and plans of the applicant's activity are attached.

### WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in multiple unnamed wetland areas located within the Route 161 corridor at T17 R5 WELS, Cross Lake Township, Maine. The project grid coordinates begin at ME DOT Station #10-620, latitude 47.1263997°N, longitude 68.3118204°W and end at Station #19-020, latitude 47.1740454°N, longitude 68.3993524°W on the USGS ST. AGATHA quadrangle sheet.

### 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 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)

**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 proposed project site during the construction and subsequent operation/use period sought by the applicant. The U.S. Fish & Wildlife Service has completed a Biological Assessment for the potential for interactions and adverse impacts to the Canada lynx. Consultation has been completed and a Biological Opinion has been issued by the US Fish & Wildlife Service pursuant to Section 7 of the Endangered Species Act since Canada lynx in this location are part of a distinct population segment listed by the Services as endangered.

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 LeeAnn B. Neal at (207)-623-8367 ext 2. or (978) 318-8498 at our Manchester, Maine Project Office.

**CENAE-R**  
**FILE NO. NAE-2007-02799**


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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](mailto: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: \_\_\_\_\_

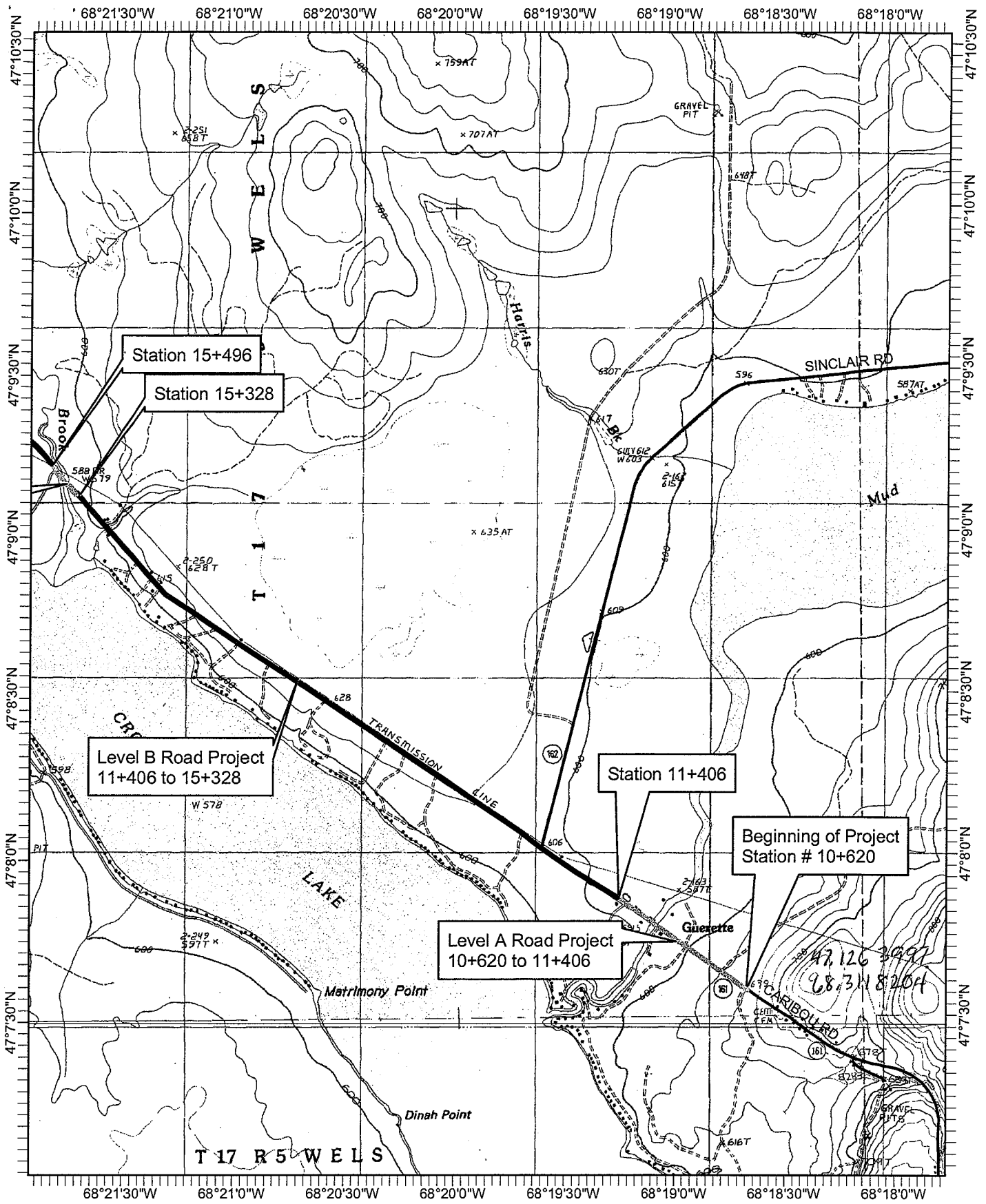
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**PROPOSED WORK AND PURPOSE**

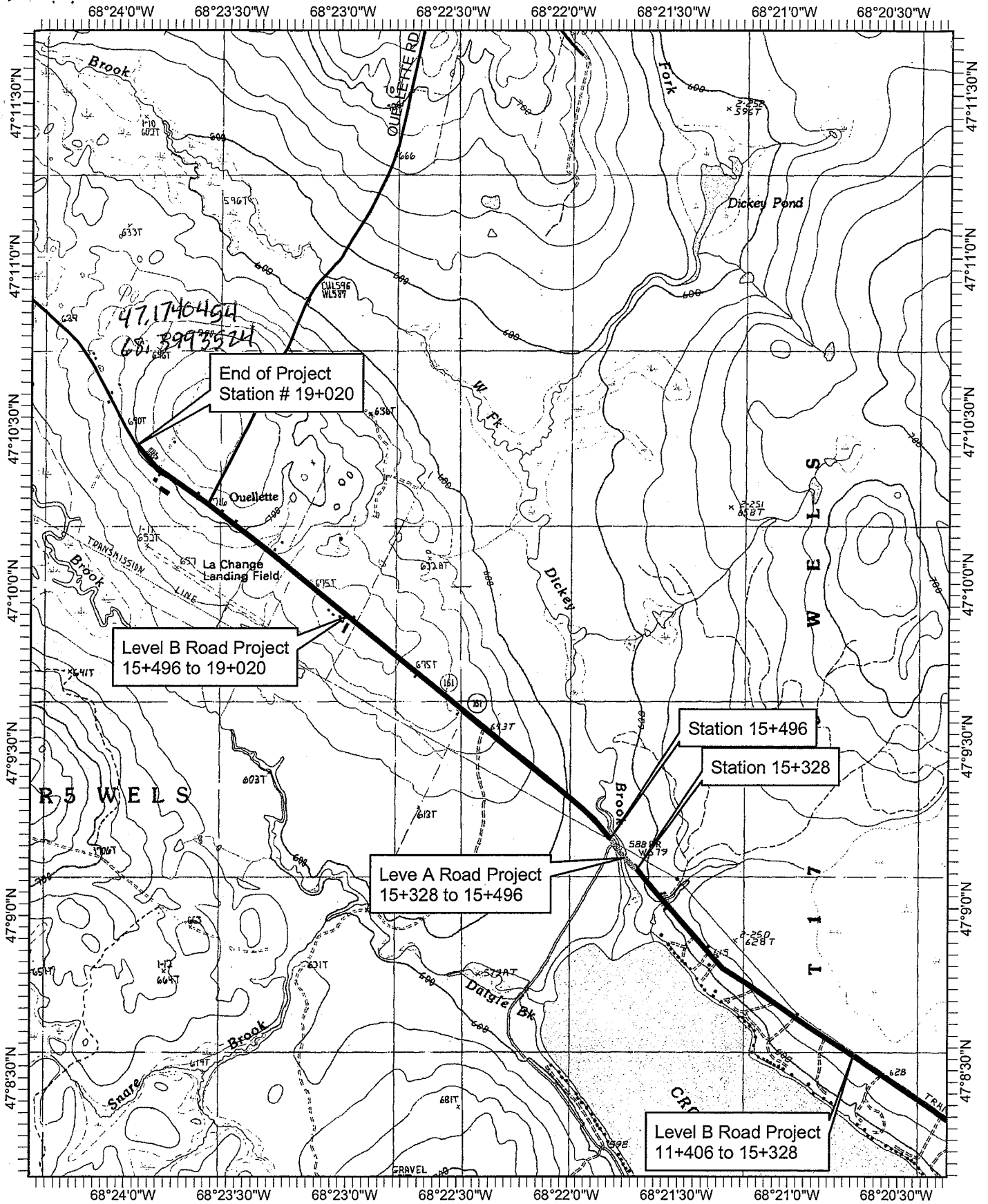
Place approximately 25,936SF (0.595acres) of fill in unnamed freshwater wetland and stream bottom associated with the reconstruction of a portion of Route 161 (Caribou Road) beginning at ME DOT Station #10-620 and ending at ME DOT station #19-020 at T17 R5 WELS, Cross Lake Twp., Maine. The purpose of this project is to reconstruct the existing roadway to provide improvements to roadway structure, safety, and drainage. The highway reconstruction will include removal of existing pavement, installation of new subgrade and pavement to design elevations, and installation of new guardrail and drainage. The reconstruction of the road will consist of two (2) eleven foot (11') travel lanes with 4' paved shoulders.

The work is described on the enclosed plans entitled "STATE OF MAINE DEPT. OF TRANSPORTATION ROUTE 161, CROSS LAKE," on 2 sheets, and dated "09/11/2007." A complete set of plans is available upon request.



Date: 9/11/07	Location: 043 36'13"N 070 35'0"W
Road Names: ST RTE 161	Project ID: 10005.00
Town(s): Cross Lake Twp	Project Manager: N/A
1 inch equals 2,387 feet	Page 1 of 2

Square Lake East



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