

PUBLIC NOTICE

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

Date: February 19, 2008

Comment Period Ends: March 5, 2008

File Number: NAE-2007-83

In Reply Refer To: Shawn B. Mahaney

Or by e-mail: shawn.b.mahaney@usace.army.mil

15 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 School Union 96-Peninsula CSD, 165 U.S. Route 1, Suite 1, Gouldsboro, Maine 04607.

ACTIVITY

Construct a new elementary school off Main Street at Prospect Harbor (Gouldsboro), Maine. The project would impact natural freshwater wetlands and wetlands and vernal pools that have formed in abandoned gravel pits.

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

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in freshwater wetlands off Main Street/Route 186 at Gouldsboro, Maine. The proposed location on the USGS WINTER HARBOR quadrangle sheet is at UTM coordinates 4917376 N and 577289 E.

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.

CENAE-R FILE NO. NAE-2007-83

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

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 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 Shawn Mahaney at (207)-623-8367 ext 4. or (978) 318-8492 at our Manchester, Maine Project Office.

CENAE-R FILE NO. NAE-2007-83

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:	

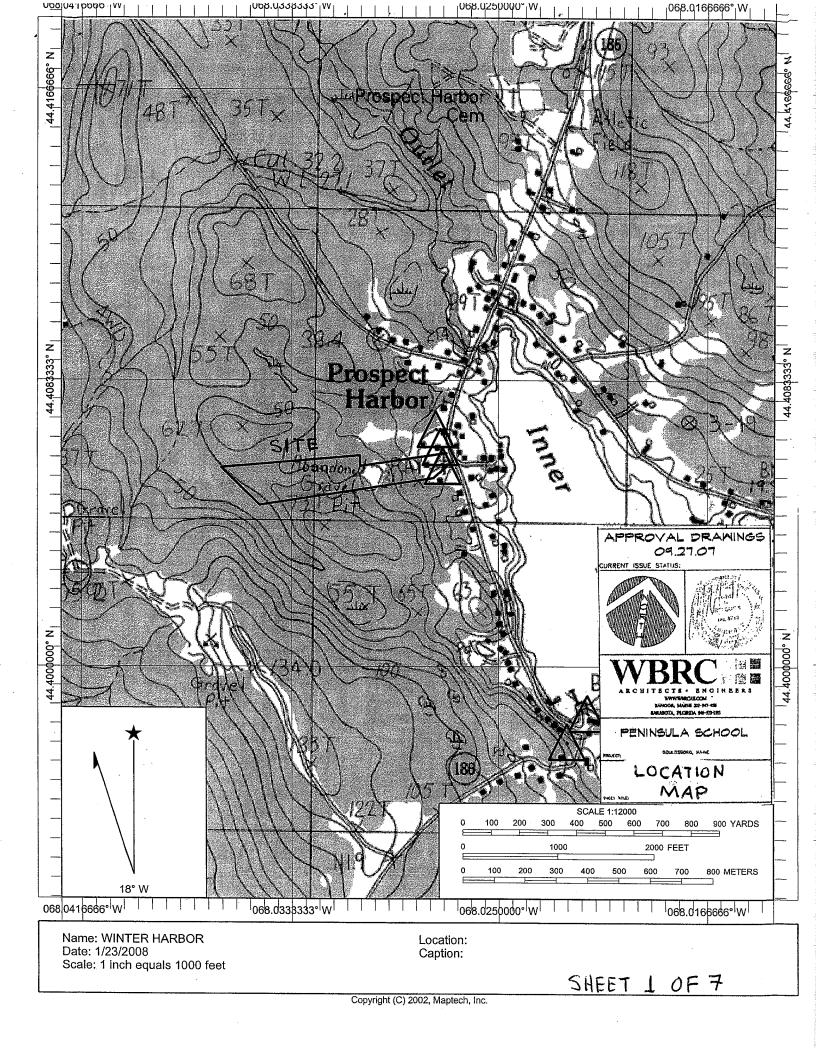
CENAE-R FILE NO. NAE-2007-83

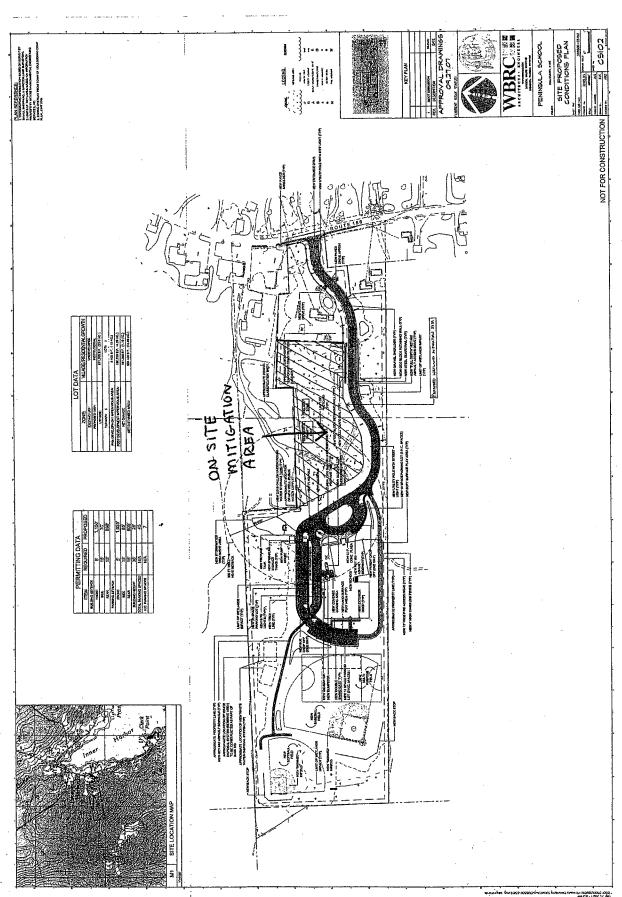
PROPOSED WORK AND PURPOSE

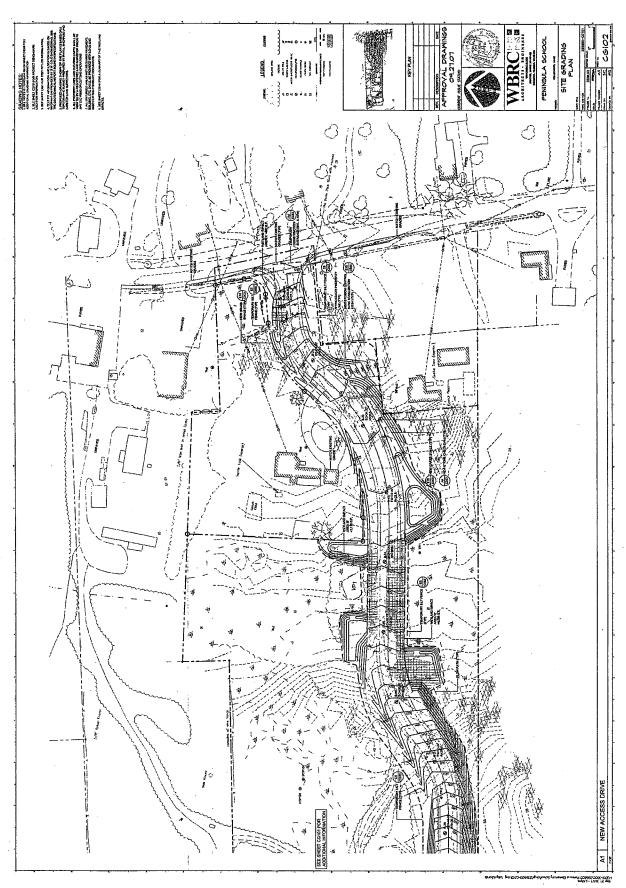
- 1. Fill approximately 28,064 square feet (0.6442 acres) of freshwater wetlands off Main Street at Prospect Harbor (Gouldsboro), Maine in conjunction with the construction of a new Peninsula Elementary School.
- 2. To compensate for the project's unavoidable impacts to wetlands and vernal pools, the applicant proposes on and off site mitigation. In summary the applicant proposes to preserve approximately 3.2 acres of both upland and wetland on site with some enhancement of the existing wetlands and vernal pools. A 20 acre parcel containing potential vernal pools will be preserved off site.

The work is described on the enclosed plans entitled:

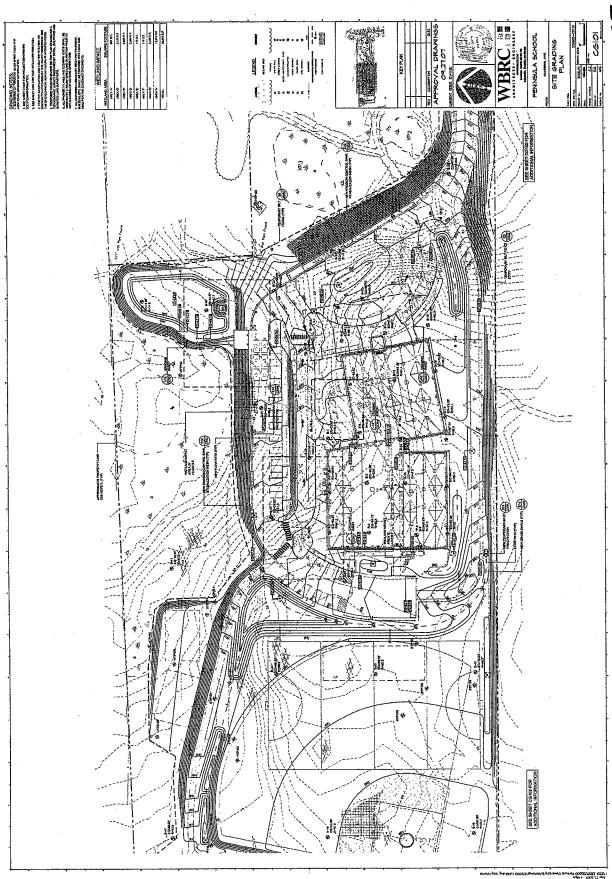
- 1. "Peninsula School" on five (5) sheets dated "9.27.07."
- 2. "Peninsula School" on two (2) sheets dated "12.19.07"







٠.



:

:

