



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

Update Report for Maine



**Current as of
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Mission

The missions of the New England District, U.S. Army Corps of Engineers include flood risk management protection, 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, three hurricane barriers and the Cape Cod Canal. Through its Regulatory program, the District processes about 4,000 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. For information on the New England District check the website at: www.nae.usace.army.mil/; or on Facebook: <http://facebook.com/CorpsNewEngland/>; or on Twitter: <http://twitter.com/corpsnewengland/>; or on Flickr: <http://www.flickr.com/photos/corpsnewengland/>.

Index	
Conservation & Environmental Enhancement	7
Ecological Restoration	4
Interagency and International Support	7
Mission	1
Navigation	1
Regulatory Program	5
Special Studies	4
Superfund	4
Support to EPA	4

Navigation

BASS HARBOR, TREMONT (2nd CD) – This project was partially funded by the American Recovery and Reinvestment Act of 2009. A contract was awarded in May 2010 to Prock Marine, of Rockland, Maine, for construction of the project. Prock started work on Oct. 1, 2010, and completed dredging and disposal in April 2011. About 74,000 cubic yards of sediment was mechanically dredged. Disposal was in open water at the Eastern Passage disposal site in Blue Hill Bay, about 5 miles away. This contract consisted of both new/improvement dredging and maintenance dredging, and also underwater ledge removal – for the 6-, 8-, and 10-foot anchorages and 10-foot channel.

BLUE HILL HARBOR, BLUE HILL (2nd CD) – The Blue Hill Board of Selectmen requested the New England District 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 Blue Hill Harbor. Currently the Blue Hill Municipal Wharf is accessible only at high tide. The town requested creating within the harbor an anchorage to accommodate the fishing fleet along with a navigation channel. This improvement would provide full utilization of the harbor's existing facilities for commercial fishing vessels by encouraging growth of the lobster and fishing industries. During the initial phases of this investigation economic data will be gathered from the commercial fishing fleet along with completing a harbor and

channel depth survey.

BUCKS HARBOR, MACHIASPORT (2nd CD) – This project was partially funded by the American Recovery and Reinvestment Act of 2009. A contract was awarded in 2010 to Prock Marine, of Rockland, Maine, for construction of the project. Prock started work on Jan. 2, 2011, and completed dredging and disposal in March 2011. About 73,000 cy of material was mechanically dredged. Disposal was in open water in Machias Bay, about 2 miles away. This contract consisted of both new/improvement dredging and maintenance dredging – for the 6- and 8-foot anchorages, 8-foot channel, and 8-foot turning basin.

CAMDEN HARBOR, CAMDEN (1st CD) – The Camden Board of Selectmen requested the New England District 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 Camden Harbor. Currently the Camden Harbor contains a Federal navigation project consisting of an inner and outer anchorage. The town requested construction of breakwaters across the outer harbor to further protect the harbor from wave action and storms. This improvement potentially would provide further protection of harbor anchorages and shore facilities and allow for expansion of commercial activities. During the initial phases of this investigation, *a depth survey in the*

vicinity of proposed breakwater locations was completed in 2012. In 2013, economic data will be gathered from the commercial fishing fleet and compared with potential project costs to estimate and evaluate project cost-effectiveness.

COREA HARBOR, GOULDSBORO (2nd CD) – The Gouldsboro Board of Selectmen requested the New England District 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 Corea Harbor. The town requested enlarging the harbor's existing anchorages to accommodate expansion of the fishing fleet. This improvement would provide better anchorage facilities for larger commercial fishing vessels by encouraging growth of the lobster and fishing industries. The draft Initial Appraisal Report was reviewed by the town of Gouldsboro. At this time, due to local funding constraints, the town is unable to execute a Feasibility Cost Sharing Agreement to commence the Detailed Feasibility Study of the harbor. The Reconnaissance Report will be submitted to the Corps' North Atlantic Division.

PORTLAND HARBOR (1st CD) – Sampling and testing have been done. The material has been determined to be suitable for open water disposal at the Portland Disposal Site (PDS), about 10 miles away. Coordination is underway. About 700,000 cy of sediment will be dredged from the 35-foot channel. In addition about five rock pinnacles – totaling about 1,500 cubic yards – just above the -35 foot plane will be removed. We had received WQC and CZM consistency concurrence from the state on Jan. 29, 2009 and subsequently requested that we be able to start Nov. 1 instead of Nov. 15, and complete dredging by April 30 (but must reapply because the approvals expired). The dredge season ends April 15. The Water Quality Certificate requires removal of lobsters in the dredging areas prior to dredging. As with previous work in the Harbor this activity is a requirement of the local sponsor. The sponsor is developing a plan but is expressing difficulty identifying the approximately \$100,000 needed to undertake this activity. The sponsor is presently considering the excavation/dredging of a 250,000-cy CAD cell, estimated at \$9,000,000, somewhere in the harbor in the corner of the anchorage in order to contain contaminated sediment from several private berths; however, more recently this plan has been dropped due to a lack of sufficient funding. Preliminary cost estimate for the Federal maintenance dredging project is \$13,000,000. The 35-foot channel was last maintained in 1998-99 when 409,700 cy of sediment were dredged and disposed of at the PDS. Funds were included in the President's FY13 proposed budget. Plans and specifications will be prepared and a contract for the work advertised in the spring of 2013. Work would take place when the dredging window opens in the fall.

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 on 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. FY07 and FY08 Federal and state funds were used to conduct additional field investigations (subsurface explorations, benthic sampling and testing, a bathymetric survey and collection of tide and current data), and to conduct engineering, economic and environmental analysis of alternatives. FY09 funds were provided and matching cost-sharing funds were received from the PDA in July 2009. These funds are being used to continue detailed studies of the project area, and to prepare drafts of the feasibility report and environmental assessment.

PORTSMOUTH HARBOR AND PISCATAQUA RIVER, NEW HAMPSHIRE (1st CD) AND MAINE (1st CD) – Maintenance dredging of the "Simplex Reach": The Piscataqua River forms the partial boundary between the states of Maine and New Hampshire. Since the project was improved to 35-feet deep in 1964-65, the Federal project has primarily been self-maintaining with the exception of a small area in the channel adjacent to the former Simplex Wire and Cable Company Dock in Newington. This area has required maintenance dredging every 7-9 years and was last maintained in 2000. The proposed project involves periodic maintenance dredging of up to 50,000 cubic yards of clean sand and gravel from a 500 - 1,000-foot-long section of the channel located about 1.5 miles upstream of the Interstate 95 Highway Bridge. The dredged material will be placed at a previously-used riverine disposal site located about 3,000 feet seaward of the dredging area. Because the Simplex Reach straddles the border between the two states, regulatory approvals are being sought from both states. Funds in the amount of \$450,000 were added to the FY 2006 budget; a Congressional appropriation of \$500,000 was also included in the FY 2010 budget and funds in the amount of \$500,000 were included in the FY 2012 President's Budget. A portion of the appropriated funds are being used to perform investigations in anticipation of future maintenance dredging in the project. Approval for advance maintenance dredging in the Simplex Reach was requested and obtained from the USACE North Atlantic Division. Advance maintenance has been performed in the past in this project and is intended to extend the time-period between maintenance dredging intervals. Contingent on the availability of the necessary funds and state and federal regulatory approvals, this authorization will allow NAE to dredge this small portion of the federal project

to - 40 feet below Mean Lower Low Water during the next maintenance dredging event. A hydrographic survey was performed in March 2011. This survey indicates that a minor amount of shoaling has occurred in the channel adjacent to the former Simplex Wire and Cable Company Dock. Hydrographic surveys have been completed and indicate sufficient shoaling in the area to warrant dredging. We are currently preparing plans and specifications for the work and, assuming the solicitation process moves along smoothly, expect to start work when the dredging window opens this winter.

ROUND POND HARBOR, BRISTOL (2nd CD) – In a letter dated June 18, 2003, the Bristol Board of Selectmen requested the New England District 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 Feasibility Study will resume upon receipt of the sponsor's funds.

ROYAL RIVER (1st CD) – Significant shoaling in the Royal River Federal Navigation Project (FNP) is making navigation into and out of the harbor hazardous at lower stages of the tide. Dredging is required to alleviate this condition and restore the Federal channel and anchorage to authorized dimensions. The dredged sediments have been sampled and tested, and a suitable disposal option has been identified. Development of a project Environmental Assessment and coordination with Federal, state and local resource agencies is underway. Dredging will be accomplished during the years that funds are appropriated.

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 require 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. Ongoing activities will include completion of design efforts, and preparation of a decision document and environmental assessment (EA). The decision document and EA are under review and must be approved before release for public review. The Corps and City anticipate beginning the Federal and state regulatory approval process for the project in 2012. 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.

SCARBOROUGH RIVER (1st CD) – Shoaling in the Scarborough River Federal Navigation Project (FNP) is impacting navigation into and out of the harbor, making navigation hazardous at lower stages of the tide. Dredging is required to alleviate this condition and restore the Federal channel and anchorage to authorized dimensions. Current efforts are underway to evaluate dredged sediments and to obtain approvals for the proposed dredging. Dredging will be accomplished during the years that funds are appropriated.

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 the spring of 2008 sediment sampling in the channel area was performed and analytical results will be used for the disposal suitability determination. Preparation of the draft feasibility report including project costs, economic benefits and environmental assessment was completed in 2012 *and are under review*. Public review of the draft feasibility study and environmental assessment are planned *for 2013*.

WELLS HARBOR (1st CD) – The town of Wells requested dredging of Wells Harbor due to severe shoaling of the channel and anchorage. We obtained funding to be able to remove about 10,000 cy of shoals from the 8-foot entrance channel and work was completed by the Currituck in May 2012. Nearshore disposal was off Wells Beach, approximately 1 mile southward. About 110,000 cy of material (sand) would need to be dredged in order to restore the entire Federal project to authorized dimensions. The larger project awaits funding.

OTHER NAVIGATION ACTIVITIES – The District has received a request from the **town of Chebeague Island (1st CD)** to investigate improvements to the town's harbor. Funds to initiate this study have not yet been made available.

Ecological Restoration

PLEASANT RIVER SALT MARSH RESTORATION (2nd CD) – The New England District is working with the Maine Department of Transportation (MEDOT) to restore up to 250 acres of salt marsh on the West Branch of the Pleasant River under the Section 206, Aquatic Ecosystem Restoration Program. The existing culverts under Ridge Road restrict

tidal exchange to this former estuarine habitat. New England District received funds in 2010 to begin the feasibility study. The Corps and the MEDOT executed a Feasibility Cost Sharing Agreement in August 2011. Work on the feasibility study is ongoing.

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.

Partnership Program or under another Corps program. The findings of the reconnaissance study are summarized in a report and the report was provided to the Tribe in May 2012. Three potential projects were identified in the reconnaissance study. The Tribe submitted a letter of intent to partner on the proposed feasibility study for the projects in July 2012. *The Reconnaissance report was approved by the Corps Division Office in October 2012.* Feasibility studies are cost-shared 50% Federal and 50% non-Federal. *The Project Management Plan including the scope and cost for the feasibility study will be completed in the 2013 and provided to the Tribe in 2013 for review.*

MEDUXNEKEAG RIVER (2nd CD) – The Houlton Band of Maliseet Indians (HBMI) requested that the Corps of Engineers assist the Tribe with aquatic ecosystem restoration or large scale watershed management planning. The Corps prepared a reconnaissance (Section 905(b)) report describing opportunities to assist the Tribe. The report was approved by the North Atlantic Division. The Tribe is seeking funding for a watershed management plan.

MAINE HYDRAULIC STRUCTURES FAILURE ANALYSIS (1st and 2nd CDs) – The Maine State Planning Office has asked the New England District, working with the Maine Stream Crossing Working Group, to conduct an analysis that provides communities with information needed to identify road culverts that will be threatened in extreme weather events. By increasing public awareness at the local level and encouraging preemptive mitigation efforts this project will reduce flood risk caused by undersized structures. Maine applied for and was awarded pilot project funds from the Silver Jackets Program in September 2011 to conduct this study. Over 600 stream crossings in 5 coastal counties (Sagadahoc, Knox, Lincoln, Waldo and Kennebec) were analyzed. The results of the study were provided to Maine in August 2012.

PENOBSCOT RIVER, INDIAN ISLAND STUDY (2nd CD) – The Penobscots have requested that the Corps of Engineers assist the Tribe with potential projects including shoreline erosion, flood risk management and ecosystem restoration efforts at Indian Island, Maine. The Corps reviewed the problems and opportunities identified by the Tribe to determine whether there is a project that might be considered for a feasibility study under the Corps Tribal

Support to the Environmental Protection Agency

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)**, **South Hope (1st CD)** and **Corinna (2nd CD)**.

Regulatory Program

STATUS OF PROGRAM – Department of the Army permits are required from the Corps of Engineers 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. A list of Monthly General and Individual Permit Authorizations is provided at <http://www.nae.usace.army.mil/Regulatory/Permits/issued.htm>. Relevant environmental documents are available upon written request.

For more information about Corps jurisdiction of wetlands and whether a permit is required for your work that is planned or being considered contact the Corps' New England District Regulatory Division at 978-318-8338 or 978-318-8335 or go to the website at: <http://www.nae.usace.army.mil/Regulatory/>.

GENERAL PERMIT – The New England District has comprehensive General Permits (GPs) 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 GPs. The GPs 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 GP approval is either included in the state approval letter or mailed directly. Applications appropriately covered under the GPs are often approved in less than 60 days. Applicants have commented favorably about the simplicity, predictability and efficiency of the GPs. The current Maine General Permit (GP) was issued on Oct. 12, 2010 and will remain in effect until Oct. 12, 2015. The Maine GP can be viewed at http://www.nae.usace.army.mil/Regulatory/SGP/ME_GP.pdf. The GP was recently amended to address the listing of Atlantic sturgeon as threatened under the Endangered Species Act. The amendment became effective June 1, 2012.

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 2009, reporting an overall harvest of 13.3 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.

HARBOR MANAGEMENT (1st & 2nd CDs) – The 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 2013 training is scheduled for March 20-22, 2013 in Castine, Maine.*

LIQUEFIED NATURAL GAS (LNG) FACILITIES (2nd CD) – There is one active proposal to develop an LNG terminal facility in eastern Maine, at Robbinston. Two other

proposals, one in Calais and one in Eastport are no longer active. The Federal Energy Regulatory Commission (FERC) is 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. The proponent anticipates 1-2 years worth of permitting, up to 3 years of construction, and start up after 2015 at the earliest, assuming the project proceeds. 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 Robbinston project proponents have temporarily suspended their state and FERC application processes but plan to resubmit and have continued application planning and interagency coordination. On June 16, 2009, FERC held a public hearing for the Robbinston project which the Corps joined in. The proponent has offered no definitive timetable for future submissions.

MAINE IN-LIEU FEE PROGRAM (1st & 2nd CDs) – The Regulatory Division worked with the Maine Department of Environmental Protection (MEDEP) and the Maine office of The Nature Conservancy (TNC) 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 permitted 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 are aggregated by bioregion 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 original Maine In-Lieu Fee Agreement was signed Jan. 31, 2008. MEDEP, with the assistance of their program administrator, TNC, developed a revised ILF instrument that complies with the Mitigation Rule. It was signed by MEDEP and the Corps and became effective on Sept. 21, 2011.

The program has now gone through three granting cycles. In 2010, \$1.2 million was granted to 15 projects. In 2011, \$2.4 million was granted to 17 projects. The 2012 funding round began on June 15 with a Request for Letters of Intent (LOI). Thirty-six LOIs were received, *of which 22 submitted proposals. On Dec. 13, 2012, 14 projects in five service areas were awarded grants totaling over \$2.2 million.*

MAINE DOT UMBRELLA MITIGATION BANK (1st & 2nd

CDs) – The Maine Department of Transportation (Maine DOT) submitted a prospectus for an Umbrella Mitigation Bank with a site on Sears Island as the first proposed deposit into the bank. The Corps issued a Public Notice of the prospectus on Feb. 3, 2009. A public meeting was held on March 26, 2009 at Union Hall in Searsport. On Oct. 6, 2009, Maine DOT submitted a draft Maine Umbrella Mitigation Banking Agreement (MUMBI) for review by an Interagency Review Team (IRT) composed of federal and state agencies and chaired by the Corps. After a 30-day review period by the IRT, the Corps notified Maine DOT that the MUMBI was not complete and provided details on the areas of concern. There were several draft MUMBI documents submitted and commented upon by the IRT.

On March 4, 2011, the Corps sent a letter to Maine DOT authorizing them to proceed to prepare a final MUMBI. This document, submitted on May 20, was distributed to the IRT for review. The MUMBI has now been signed by both Maine DOT and the Corps with the final signature on Aug. 24, 2011, so it is now in effect. On July 13, 2012, Maine DOT submitted a draft prospectus for a second site: Sherman Marsh in Newcastle. This draft is currently under review by the Interagency Review Team.

PUBLIC OUTREACH (1st & 2nd CDs) – In addition to ongoing coordination with Maine's harbormasters 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. To date in 2012 MPO staff have participated in the following outreach: Maine Audubon Society's Stream Smart Road Crossing Workshops; Gravel Mining on the Sandy River – A Panel Discussion; the Maine Fisherman's Forum; the Maine Harbormaster Association Training; the Maine Association of Wetland Scientists Annual Meeting; the Maine Association of Professional Soil Scientists Annual Field Workshop; *and a panel discussion on interagency collaboration with the university and municipalities on vernal pool management.*

TRANSPORTATION PROJECTS (1st & 2nd CDs) – In response to federal and state economic stimulus efforts *in 2009*, the Maine Department of Transportation identified 58 bridge or culverts throughout the state that require immediate replacement, repair or rehabilitation. The Corps worked with DOT staff to streamline the permit process and fast track interagency consultation processes to the maximum extent possible. The projects were reviewed as one batch under a single individual permit. Based on the success of this approach, DOT submitted similar batch applications in 2010 and 2011 and has several batches *in the queue* for 2012. Batching projects in this manner helps streamline the permit process as well as required consultation with federal and state resource agencies.

Interagency and International Support

DHS LAND PORT OF ENTRY – The Department of Homeland Security (DHS), Customs and Border Protection (CBP), through the Engineering and Construction Support Center (ECSO) located at the Corps' Fort Worth District, in Fort Worth, Texas, has tasked the New England District to provide a Land Port of Entry in Forest City, Maine. The Corps

design-build contractor, Overland Corporation, substantially completed design in May of 2011 and was issued the notice to proceed (NTP) for construction in June of 2011. The total cost for the design and the construction of this facility is approximately \$5.6 million. The project is currently underway with CBP occupancy scheduled for 2012.

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) and at a drum dump within the previously identified Fire Training site. 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). Internal USACE legal and programmatic discussion is on-going regarding DoD liability and USACE position on future work at the two UST sites. A contract was awarded to Avatar Environmental in June 2011 to conduct a Remedial Investigation (RI) at the Dow Former UST Sites 1 & 2. *The RI Workplans were finalized in October 2012. However, during the process of developing the workplans, the city of Bangor sold a portion of the site property to Bangor Gas. Obtaining the necessary Right of Entry (ROE) approval from Bangor Gas has proved to be problematic thus delaying the field work to spring 2013 at the earliest.*

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. In the fall of 2008, a site investigation at this area included soil, groundwater, surface water and stream sediment sampling/testing. A Draft Site Investigation Summary Report (SISR)

has been prepared. TCE was not identified in any sample media. The SISR recommends performing a limited removal action for drum carcasses and aviation fuel filters and some additional investigations for polynuclear aromatic hydrocarbons (PAHs) to better determine the distribution of PAHs in the vicinity of the project area.

Various levels of groundwater sampling have continued at the **NIKE LO-13 (Launch and Control sites), Caswell; Loring AFB Com Annex #2, Perham; Loring AFB Laundry Annex, Presque Isle, and the Nike LO-58, Caribou (all 2nd CD)** sites since 1996. Semi-annual sampling continues at particular wells at the NIKE LO-13 Control and Launch sites, the Communications Annex, and LO-58. 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. Semi-annual sampling of monitoring wells and two drinking water supply wells at LO-58 confirmed the existence of trichloroethylene (TCE).

The wells have been sampled since 2000. One drinking water well is not contaminated. The drinking water well which services the Adult Multiple Alternative Center has levels of TCE just above the MCL. The water is currently safe to drink, as a point of entry treatment system was installed and the Corps monitors the carbon filters on the drinking water source. 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 monitoring wells to better define the site conditions. Field work was completed in spring/summer 2008. The Final Borehole Hydrogeophysics Report and Conceptual Site Model were submitted in the 2011. A contract was awarded to Avatar Environmental in June 2011 to conduct a Remedial Investigation/ Feasibility Study (RI/FS) at the LO-58 Former Nike Missile Site. *The MEDEP agreed to allow the proposed field work to progress as defined in the Draft RI Workplan while the plan is being finalized. The field work was conducted in October 2012. The analytical results are currently being reviewed and the Remedial Investigation/ Feasibility Report is anticipated in 2013.*

For the **Bucks Harbor Former Air Force Radar Tracking Station and Former Ground/Air Transmitter/Receiver (GATR) Site (2nd CD)** in Machiasport, Maine, the Corps has

finalized the draft Decision Document in which the remedial action of removing contaminated soil, applying Institutional Controls (ICs) 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. This Decision Document included a Technical Impracticability Waiver (waiving the 5 ug/L TCE level in groundwater ARAR). The Corps met with the MEDEP to discuss this option as well as the option of providing an alternate water supply for the four (4) affected residents. The reason for re-visiting the alternate water supply option is that the affected residents have recently voiced openness to having the ICs applied to their property, whereas in the past, they have not. The Corps is in the process of re-evaluating the alternate water supply option (possible connection to the Downeast Correctional Facility (DCF) water supply) prior to sending the final draft Decision Document to the MEDEP. 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**. The ongoing groundwater-monitoring program includes sampling and testing of water samples from residential drinking water wells and monitoring wells. Additionally, the USACE will perform vapor intrusion investigations at occupied DCF and Federal Aviation Administration (FAA) buildings at the site.

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 and November of 2008. The groundwater in these wells was tested as part of this investigation and the results were included in a combined Remedial Investigation/Feasibility Study (RI/FS) report which was submitted to the MEDEP in December 2009. Based on discussions and recommendations from MEDEP during 2010, additional soil investigations have been performed at the site. A revised RI/FS report, with additional soil investigation data and an enhanced biodegradation evaluation have been incorporated into the report. The revised report was approved by MEDEP in 2011. USACE contractor (The Johnson Company) is currently working on a Proposed Plan and Decision Document for the site.

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 Formerly Used Defense Sites (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 a Remedial Investigation/Feasibility Study (RI/FS) or some type of removal action. Presently funded site inspections in Maine are at: Former U.S. Naval Air Facility (Sanford), Former Dow Precision Bombing Range (Bangor), Former Presque Isle AFB (Presque Isle), Fort McKinley (Portland), Naval Air Station Rockland (Rockland), and Maine Bombing Area (Georgetown).

