



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

696 Virginia Road
Concord, MA 01742-2751

Public Notice

In Reply Refer to: Mr. Craig Martin
nae-pn-nav@usace.army.mil
Programs & Project
Management Division
Date: **March 30, 2016**

30 DAY PUBLIC NOTICE

MAINTENANCE DREDGING OF THE SACO RIVER FEDERAL NAVIGATION PROJECT, SACO AND BIDDEFORD, MAINE

Interested parties are hereby notified under provisions of the National Environmental Policy Act of 1969 (NEPA) (implementing regulations in 40 CFR 1500-1508 and 33 CFR 230) and Section 404 of the Clean Water Act of 1977 (implementing regulations in 33 CFR 335-338), that the U.S. Army Corps of Engineers, New England District, plans to perform maintenance dredging of the Saco River Federal Navigation Project (FNP), involving work in the navigable waters of the United States. Attachment No. 1 lists pertinent laws, regulations, and directives.

Authorized Federal Project Description: The Congressionally authorized Federal Navigation Project (FNP) provides for a channel (-8 feet MLLW) extending approximately six miles from Saco Bay to a 10 acre maneuvering basin (-6 feet MLLW) at Factory Island in the vicinity of downtown Saco and Biddeford, ME. Channel width varies from 100 to 200 feet along the length of the river. Three anchorage areas (-6 feet MLLW) in the southern portion of the river provide a total of 13.5 acres of anchorage (Attachment No. 2). There is a 6,600 foot riprap jetty on the north side of the river mouth and a 4,800 foot riprap jetty on the south side of the river mouth. The Saco River Federal Navigation Project was originally authorized by the Rivers and Harbors Act of March 2, 1927, supplemented by enactments of 30 August 1935, and modified by the Acts of 14 November 1967, March 8, 1982.

Character and Purpose of Work: The cities of Saco and Biddeford, Maine have requested maintenance dredging of the FNP to remove shoals from the channel and anchorage areas (Attachments 2 & 3). The proposed work involves dredging approximately 150,000 cubic yards (cy) of sand (100,000 cy in the lower reaches and 50,000 cy in the upper reaches of the FNP) from an area of roughly 77 acres to restore the FNP to authorized dimensions.

A pipeline cutterhead dredge or a mechanical dredge will be used to remove all shoals from the lower reach of the Saco River FNP. If the cutterhead pipeline dredge is used, the material will be beneficially placed on Camp Ellis Beach in Saco, ME for direct beach nourishment (Attachment

2). If a mechanical dredge is used, the material will be placed in the nearshore environment off of Camp Ellis Beach that will serve as a potential sand source for the erosional areas of the beach (Attachment 2). This work will take approximately 2.5 to 3.5 months to complete during the fall and winter months (November 15 through March 31). The upper reach of the Saco River will be dredged with either a government-owned special purpose hopper dredge or a mechanical bucket dredge. The dredged material will be placed in either the previously-used naturally deep in-river placement site between Hills Point and Thunder Island in the Saco River channel (Attachment 3), or a previously used nearshore site off of Camp Ellis as a potential sand source for the erosional areas of the beach. The work for this area will take approximately 2 months to complete during the fall and winter months (November 15 through March 31).

The Contractor will be allowed to dredge 24 hours per day, 7 days per week.

Placement Areas: Beach Placement: Camp Ellis Beach is in need of clean sand to alleviate ongoing erosion of the beach area. Due to this need, placement of the material directly on the beach, when practicable, is the preferred alternative for material dredged from the lower reach of the river. Direct beach nourishment is accomplished using a hydraulic pipeline dredge which pumps the material directly onto the beach. This method of placement is limited by practical pumping distances from the dredge site to the placement site. Direct beach nourishment is not a viable alternative for material from the upper reach due to the distance from the placement site and the presence of wood chips in the material.

In River Placement: Material from the upstream portion of the project has previously been placed in deeper portions of the existing federal channel between Hills Point and Thunder Island. The in-river placement site is in close proximity (≤ 1.25 miles) to the dredge areas of the upstream portion of the proposed project. This alternative is our preferred alternative for material from the upper reach areas as it keeps material within the river system while maintaining the channel and anchorage areas for safe navigation and use.

Nearshore Disposal: The nearshore placement site adjacent to Camp Ellis Beach was previously used for material from maintenance dredging of the Scarborough River in 1995. Nearshore placement is an alternative which keeps sand within the littoral system and provides indirect nourishment to the adjacent beach system as natural wave energy moves the material towards the beach. This is the next best alternative if the material from the lower reach cannot be placed directly on the beach, or if the material from the upper reach areas cannot be placed at the in-river placement site. Utilizing the nearshore placement site for the material from the upper reach areas is not preferred as it has the potential to substantially increase the time and cost to complete the dredging project due to the distance from the dredge area. This type of placement is compatible with the use of either mechanical bucket dredges with scows or hopper dredges.

Additional Information: Additional information may be obtained from Mr. Craig Martin, Civil Works/IIS Project Management Branch, Programs and Project Management Division, at the return address shown, by email at nae-pn-nav@usace.army.mil or telephone number (978) 318-8638.

Coordination: The proposed work has, or will be coordinated with the following agencies:

Federal:

U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service
National Marine Fisheries Service

State of Maine:

Maine Department of Environmental Protection
Maine Department of Agriculture, Conservation, and Forestry; Maine Coastal Program
Maine Department of Marine Resources
Maine Historical Preservation Office

Tribal Nations:

The Penobscot Nation

Local Communities

City of Saco, Maine
City of Biddeford, Maine

Environmental Impacts: An Environmental Assessment (EA) for the maintenance dredging of the Saco River Federal Navigation Project in Saco and Biddeford, ME with placement of the dredged material on Camp Ellis Beach, in-river, and/or nearshore off Camp Ellis Beach has been prepared and is available for review upon request. The U.S. Environmental Protection Agency and the Maine Department of Environmental Protection have concurred with our Suitability Determination, thereby deeming all of the material from the Saco River FNP suitable for disposal as proposed. I have made a preliminary determination that an Environmental Impact Statement for the proposed maintenance dredging is not required under the provisions of the National Environmental Policy Act of 1969. This determination will be reviewed in light of facts submitted in response to this notice.

Federal Consistency with the Maine's Coastal Zone Management Program: I find that maintenance dredging of the authorized navigation project in Saco River is consistent, to the maximum extent practicable, with the applicable management programs established as a result of the Coastal Zone Management Act of 1972. The dredging and placement operations will be conducted in a manner that is consistent with the approved management program.

Other Information:

- a. Local Sponsors: City of Saco, City of Biddeford, and State of Maine.
- b. Non-Federal Dredging: No private dredging is being proposed in conjunction with this project.
- c. Previous Dredging: The upper reaches of the Saco River FNP were last maintained in 1992 when approximately 16,000 cy of material were dredged and placed in-river. The

lower section of the FNP was maintained between 1992 and 1993. Approximately 46,000 cy of sand was placed on Camp Ellis Beach for that dredging event.

d. Alternative Placement Areas: Alternative placement areas considered included beach nourishment, nearshore, in-river, open water, and upland placement. Sediments in the lower reach of the FNP are fine to medium grained sands that are suitable for beach nourishment. Beach placement is the preferred option for the material that is suitable and within a reasonable pumping distance. However, if real estate issues prohibit beach placement, then nearshore placement serves as a reasonable alternative. In-river placement is the preferred option for the material from the upper reach of the FNP as it is environmentally sound, cost effective, and keeps the sediments within the estuary system. Alternatively the material from the upper reaches of the FNP may be placed at the nearshore site off of Camp Ellis; however, this will require additional time and cost to the project due to the distance from the dredge site.

e. Endangered Species: It is our determination that no threatened or endangered species will be impacted by the proposed project. USACE will consult with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service to ensure that the proposed activity will not significantly, adversely affect any species or critical habitat designated as endangered or threatened pursuant to the Endangered Species Act of 1973 (87 Stat. 844).

f. Floodplain Management: In accordance with Executive Order 11988, the Corps of Engineers has determined that the proposed work will not contribute to negative impacts or damages caused by floods.

g. Cultural Resources: The proposed work consists of maintenance dredging of the FNP in previously dredged areas and placing the dredged material on a beach or within in previously-used placement sites. This proposal, including the use of the alternative placement sites is being coordinated with the Maine Historic Preservation Office. In the past they have determined that the work will not adversely affect any cultural or archaeological features or resources.

h. Essential Fish Habitat Assessment: The USACE determined that the project may have a temporary adverse effect on Essential Fish Habitat (EFH). The project site is contained within areas designated as EFH as defined by the Magnuson-Stevens Fishery Conservation and Management Act and amended by the Sustainable Fisheries Act of 1996 for Federally-managed fish species. The USACE has assessed the effects that the project is likely to have on EFH and has determined that they will be short-term and localized, and that there will be no significant impacts on the designated fisheries resources or their habitats. USACE will consult with the National Marine Fisheries Service and the Maine Department of Marine Resources to ensure that any potential impacts will be minimized.

Additional Requirements: A request will be sent to the Maine Coastal Program office of the Maine Department of Agriculture, Conservation and Forestry for the State's concurrence with our determination of Federal consistency with the State's approved Coastal Zone Management Program. A request will also be sent to the Maine Department of Environmental Protection for a

Water Quality Certification in accordance with Section 401 of the Clean Water Act of 1977, which requires that the work comply with the applicable water quality standards of Maine.


This Public Notice is intended to provide information and seek comments about our proposal to accomplish maintenance dredging of the Federal navigation project in the Saco River. Maintenance dredging will be performed in the year(s) that funding becomes available. Additional notices will be issued if the scope of work for future projects varies from that described herein. The decision whether to perform the work 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 benefits, which reasonably may be expected to accrue from the proposal, will be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal, will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, and the welfare of the people.

Any person who has an interest, which may be affected by the dredging and placement of this dredged material, may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest, which may be affected and the manner in which the interest may be affected by this activity.

Please bring this notice to the attention of anyone you know to be interested in this project. Comments are invited from all interested parties and should be directed to the U.S. Army Corps of Engineers, New England District, 696 Virginia Road, Concord, MA 01742-2751, ATTN: Craig Martin; or emailed to nae-pn-nav@usace.army.mil within 30 days of this notice.

30 MAR 16

Date



Christopher J. Barron
Colonel, Corps of Engineers
District Engineer

Attachments

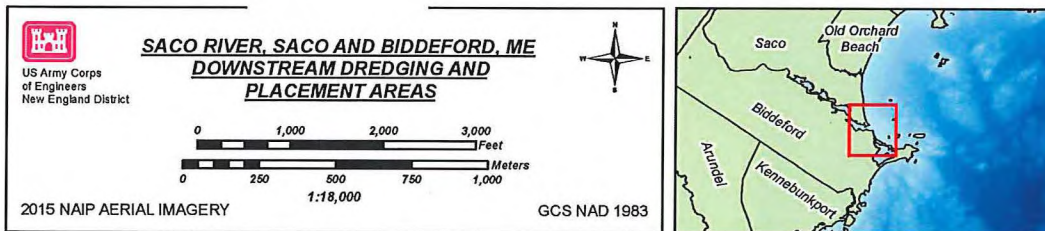
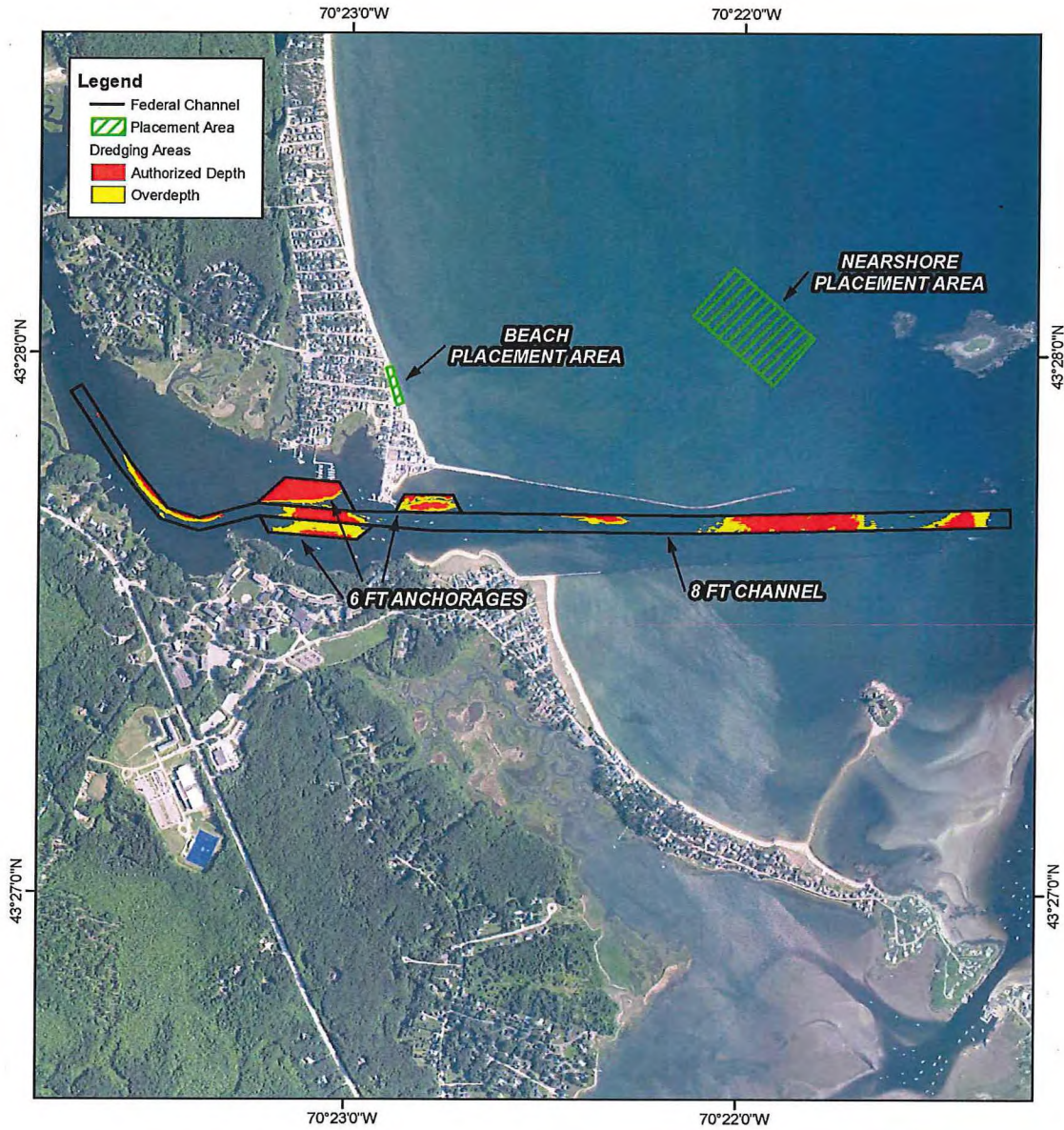
Attachment 1

PERTINENT LAWS, REGULATIONS, AND DIRECTIVES

- Clean Air Act, as amended (42 U.S.C. 7401 et. seq.)
- Clean Water Act, as amended (33 U.S.C. 1251 et. seq.)
- Coastal Barrier Resources Act, as amended (16 U.S.C. 3501 et seq.)
- Coastal Zone Management Act of 1972 (16 U.S.C. 1456)
- Code of Federal Regulation, Title 33, Parts 335 through 338
- Endangered Species Act of 1973 as amended (16 U.S.C. 1531 et seq.)
- Estuary Protection Act (16 U.S.C. 1221 et. seq.)
- Federal Water Project Recreation Act, as amended (16 U.S.C. 460L-12 et. seq.)
- Fish and Wildlife Coordination Act (16 U.S.C. 661-667e)
- Fish and Wildlife Act of 1956 (16 U.S.C. 742a, et. seq.)
- Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460L et. seq.)
- Magnuson-Stevens Fishery Conservation and Management Act as amended by the Sustainable Fisheries Act of 1996 (16 U.S.C. 1801 et seq.)
- Migratory Marine Game-Fish Act (16 U.S.C. 760c-760g)
- National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347)
- National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.)
- Executive Order 11988, Floodplain Management, 24 May 1977
- Executive Order 11990, Protection of Wetlands, 24 May 1977
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, 11 February 1994
- Executive Order 13045, Protection of Children from Health Risks and Safety Risks, 21 April 1997

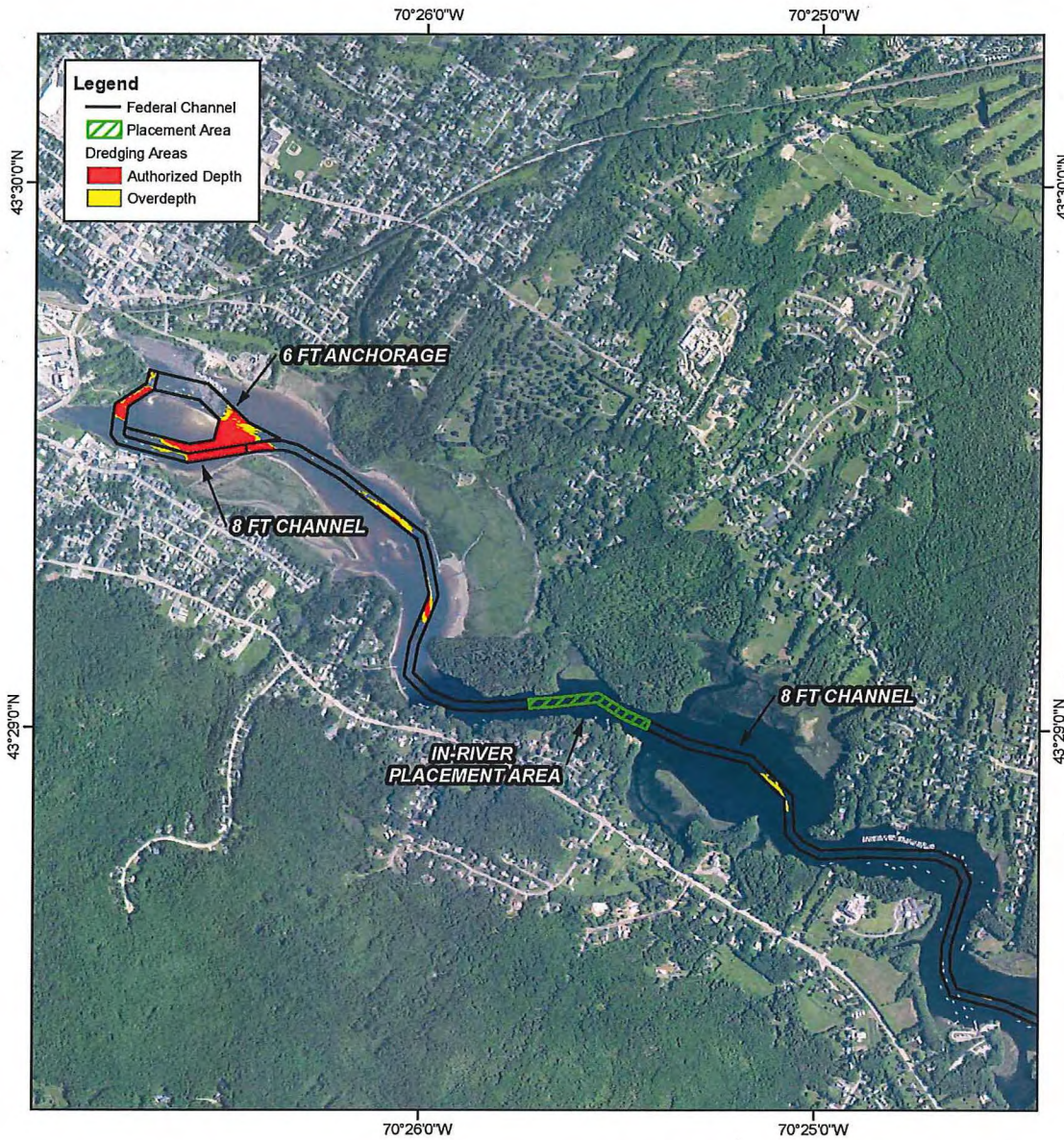
Attachment 2


Map of the Lower Saco River Federal Navigation Project with Proposed Beach and Nearshore Placement Areas




Attachment 3

Map of the Upper Saco FNP and Proposed In-River Placement Area



 **SACO RIVER, SACO AND BIDDEFORD, ME**
UPSTREAM DREDGING AND
PLACEMENT AREAS

US Army Corps
of Engineers
New England District



0 1,000 2,000 3,000 Feet
0 250 500 750 1,000 Meters

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