



Public Notice

**U.S. Army Corps
of Engineers
New England District**

**696 Virginia Road
Concord, MA 01742-2751**

In Reply Refer to: Engineering and Planning Division

Email: cenae-ep@usace.army.mil

Date: April 5, 2013

Comment Period Closes: May 6, 2013

30-DAY PUBLIC NOTICE

IMPROVEMENT DREDGING OF THE FEDERAL NAVIGATION PROJECT SEARSPORT HARBOR SEARSPORT, MAINE

Interested parties are hereby notified that the U.S. Army Corps of Engineers, New England District has prepared a Draft Feasibility Study/Environmental Assessment (FS/EA) to examine improvements to the navigation channel for Searsport Harbor, Searsport, Maine. The Draft FS/EA is available at:
<http://www.nae.usace.army.mil/Missions/ProjectsTopics/Searsport.aspx>

This FS/EA was prepared in partnership with the Maine Department of Transportation. Disposal of dredged material would be performed in the navigable waters of this District in accordance with the provisions of Sections 401 and 404 of the Clean Water Act (33 U.S.C. §§ 1341, 1344).

Background: The existing Federal navigation project at Searsport Harbor, Maine was authorized in River & Harbor Act of October 1962 and construction completed in 1964. The Army Corps of Engineers was authorized to conduct a navigation improvement study of Searsport Harbor by the House Committee on Transportation and Infrastructure by Resolution adopted 26 July 2000.

Civil works navigation improvement projects are formulated and evaluated in accordance with procedures as detailed in Department of the Army, U.S. Army Corps of Engineers, Engineering Regulation 1105-2-100, Planning Guidance Notebook, 22 Apr 2000, as amended and all other applicable regulations, guidelines, and laws. The Draft FS/EA provide the findings of the study.

Purpose of the Work: The purpose of the proposed project is to improve the existing Federal navigation project for Searsport Harbor at Mack Point, Searsport, Maine to accommodate the deep draft vessels that use the existing terminals at the port. This improvement will reduce the transportation costs incurred by shippers due to tidal delays and light loading of vessels. Searsport Harbor at Mack Point is the largest deep draft commercial port north of Portland, Maine. The State Pier handles aggregates, forest products and other bulk cargos. The Sprague Energy terminal, located to the west of the State Pier, receives shipments for both Sprague Energy and Irving Oil. Since completion of the State Pier and upgrades to the petroleum terminal, the size of ships calling on Mack Point/Searsport Harbor has increased. As a consequence, the existing controlling depths in the Searsport Harbor navigation channel are inadequate for the existing and future vessel traffic.

Recommended Project Description: The preferred navigation improvement alternative for Searsport Harbor would deepen both the existing entrance channel and turning basin from their authorized depth of 35 feet to a depth of 40 feet mean lower low water (MLLW). In addition, the entrance channel would be

widened from its current 500 feet at the narrowest point to 650 feet, and a maneuvering area would be created in Long Cove adjacent to the east berth along the State Pier. The rectangular maneuvering area would have a length between about 875 feet on the west side and 1,066 feet on the east side and a width of 400 feet. This area would also be deepened to 40 feet MLLW. Approximately 892,000 cubic yards (cy) of material would be dredged for the improvement project. See the attached figure 1 for the existing and proposed navigation improvement project.

Concurrent with the improvement dredging, some maintenance dredging would be required to bring the existing project to its authorized depth (35-feet plus two feet allowable overdepth). Approximately 37,000 cy of material would be removed for maintenance dredging. Total quantity of material to be removed from the proposed project is approximately 929,000 cy. A waterborne mechanical dredging plant would be used to construct the project, which would take approximately five months to complete. Dredging and disposal would occur between November 8 and April 9 to protect migrating Atlantic salmon and other natural resources in Penobscot Bay.

Disposal Area: The material to be dredged for improvement of the harbor is parent glacial material consisting of clay and till. Based on similar physical and chemical characteristics at the dredge and disposal sites, it was determined that the material from Searsport Harbor would be suitable for disposal in Penobscot Bay at the Penobscot Bay disposal site, approximately six miles from the project area, or at the alternative Rockland disposal site in the lower bay. See the attached figure 2.

Coordination: The proposed work is coordinated with the following Federal, State, and local agencies:

Federal

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

State of Maine

Maine State Planning Office
Department of Conservation
Department of Environmental Protection
Department of Transportation and its Maine Port Authority
Division of Marine Resources
Department of Inland Fisheries and Wildlife
State Historic Preservation Office

City of Searsport

Town of Searsport – Town Manager
Town of Searsport – Harbormaster
City of Belfast – Harbormaster

Environmental Impacts: A Draft FS/EA has been prepared for this navigation improvement project. Temporary impacts to Essential Fish Habitat will occur by removing the benthic habitat in the navigation channels from dredging and disposal at the disposal site. The project is expected to be consistent with Maine water quality standards.

Endangered Species: Dredging and disposal would occur between November 8 and April 9 to protect the endangered migrating Atlantic salmon. This environmental window is also expected to protect the endangered shortnose sturgeon and the threatened Atlantic sturgeon. No other species designated as endangered or threatened pursuant to the Endangered Species Act of 1973 (16 U.S.C. §1531 et seq.) or designated critical habitat of such designated species are expected to be affected by the proposed project.

Cultural Resources: Most of the proposed work is located in previously disturbed areas. No archaeological or historic resources impacts are expected to occur in the project areas that have not been previously disturbed.

Clean Water Act: A draft Clean Water Act Section 404 (b)(1) Evaluation has been prepared as part of the Draft FS/EA. Construction will not begin until a Water Quality Certification has been obtained from the State of Maine.

Coastal Zone Management Act: A determination that the proposed project is consistent to the maximum extent practicable with the State's approved coastal management policies will be submitted to the State of Maine.

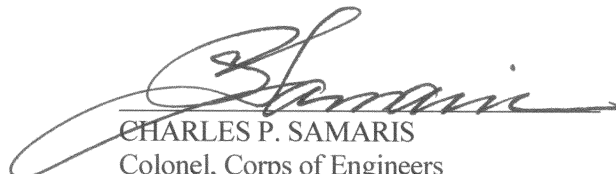
Compliance: This Public Notice is being issued in compliance with the environmental laws, regulations, and directives in the Attachment.

Additional Information: In addition to the Federal navigation improvement project, two berths located at Mack Point are also proposed to be dredged to accommodate the deeper draft vessels. They are the berth on the east side of the State Pier and the berth on the east side of the Sprague Pier. The State Pier (dry cargo) is owned by the Maine Port Authority and the liquid cargo pier by Sprague Energy. Approximately 31,000 cy of material would be dredged from both berths to a depth of 43 feet (plus up to two feet of allowable overdepth). The berth owners would be responsible for all costs, required sediment testing and associated permits.

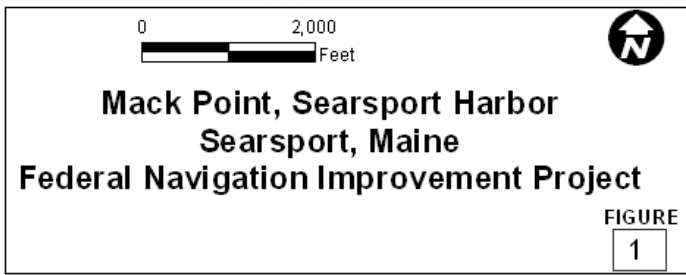
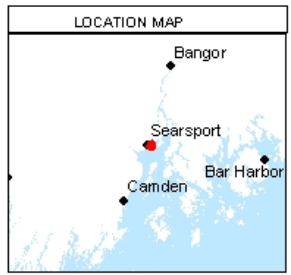
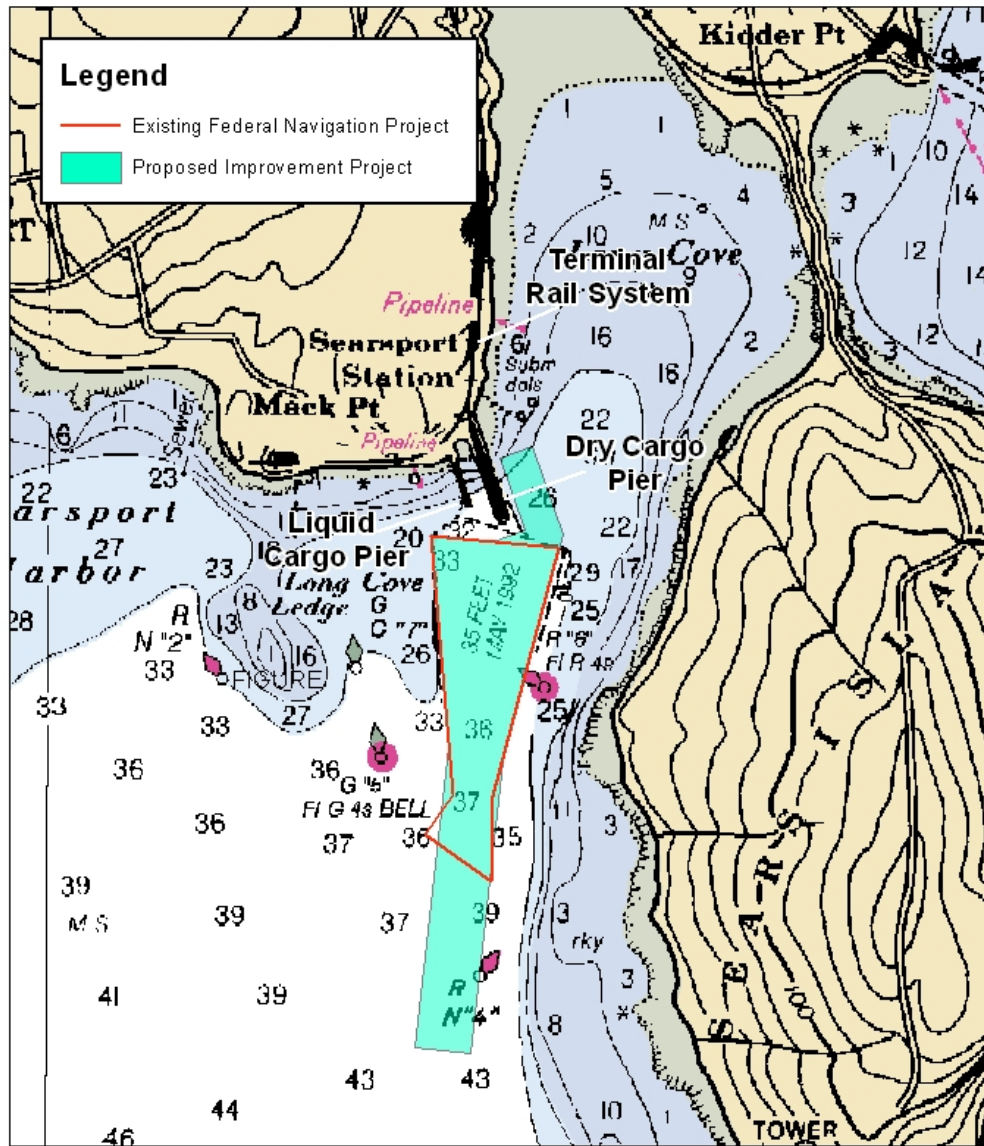
Any person who has an interest which may be affected by the dredging and disposal of this dredged material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest which may be affected 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 the project. Comments are invited from all concerned parties relating to this project and should be directed to the District Engineer at 696 Virginia Road, Concord, MA 01742-2751, ATTN: Engineering and Planning Division (Ms. Barbara Blumeris, 978-318-8737) within 30 days of this notice.

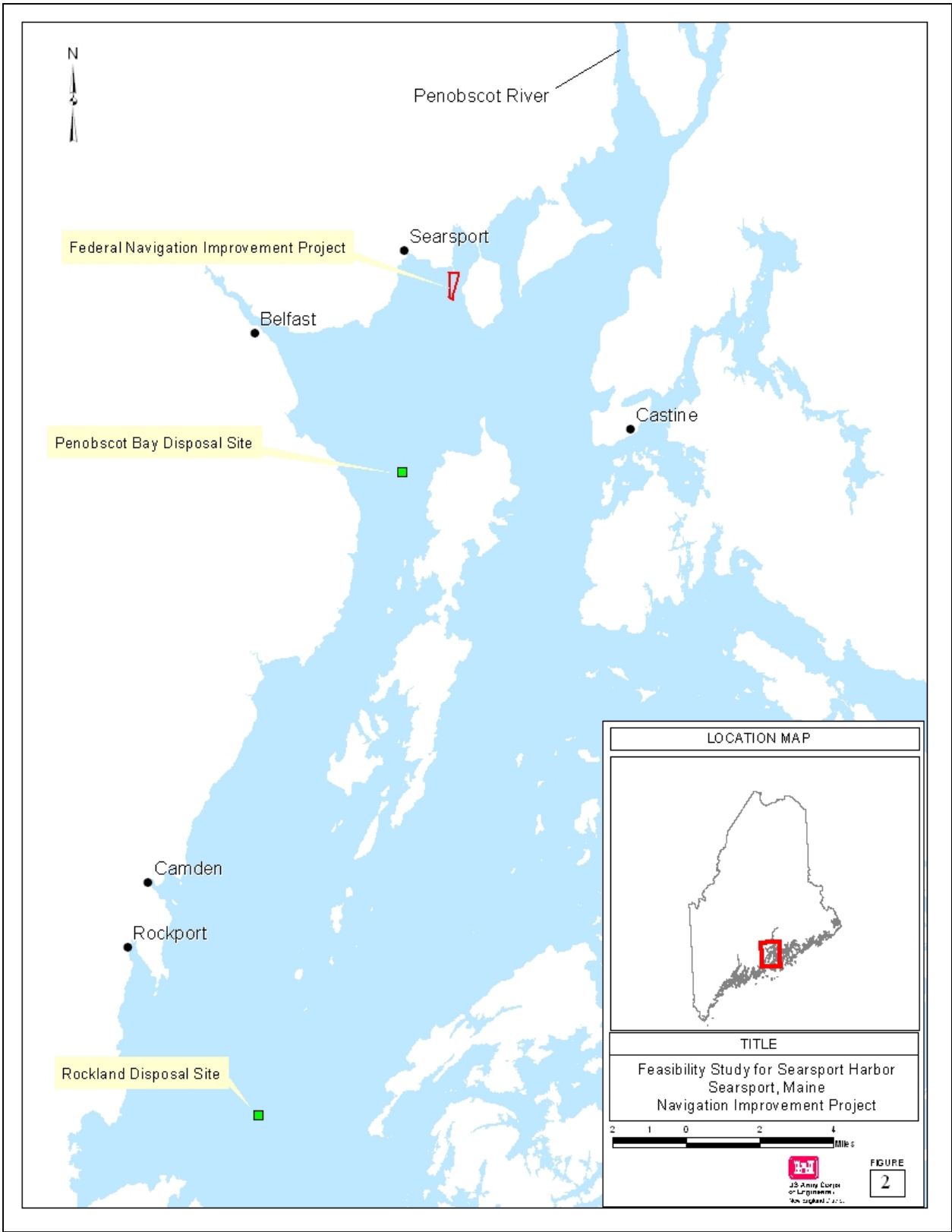
April 5, 2013

Date



CHARLES P. SAMARIS
Colonel, Corps of Engineers
District Engineer





Attachment

Pertinent Laws, Regulations and Directives

American Indian Religious Freedom Act of 1978, 42 U.S.C. 1996.

Archaeological Resources Protection Act of 1979, as amended, 16 U.S.C. 470 et seq.

Clean Air Act, as amended, 42 U.S.C. 7401 et seq.

Clean Water Act of 1977 (Federal Water Pollution Control Act Amendments of 1972) 33 U.S.C. 1251 et seq.

Coastal Zone Management Act of 1982, as amended, 16 U.S.C. 1451 et seq.

Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 et seq.

Estuarine Areas Act, 16 U.S.C. 1221 et seq.

Federal Water Project Recreation Act, as amended, 16 U.S.C. 4601-12 et seq.

Fish and Wildlife Coordination Act, as amended, 16 U.S.C. 661 et seq.

Land and Water Conservation Fund Act of 1965, as amended, 16 U.S.C. 4601-1

Magnuson-Stevens Act, as amended, 16 U.S.C. 1801 et seq.

National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321 et seq.

National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470 et seq.

Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3000-3013,
18 U.S.C. 1170

Preservation of Historic and Archaeological Data Act of 1974, as amended, 16 U.S.C. 469 et seq.
This amends the Reservoir Salvage Act of 1960 (16 U.S.C. 469).

River and Harbor Act of 1899, as amended, 33 U.S.C. 401 et seq.

Watershed Protection and Flood Prevention Act, as amended, 16 U.S.C. 1001 et seq.

Wild and Scenic Rivers Act, as amended, 16 U.S.C. 1271 et seq.

Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971.

Executive Order 11988, Floodplain Management, May 24, 1977 amended by Executive Order 12148,
July 20, 1979.

Executive Order 11990, Protection of Wetlands, May 24, 1977.

Executive Order 12114, Environmental Effects Abroad of Major Federal Actions, January 4, 1979.

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, February 11, 1994.

Executive Order 13007, Accommodations of Sacred Sites, May 24, 1996.

Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks,
April 21, 1997.

Executive Order 13061, and Amendments – Federal Support of Community Efforts Along American
Heritage Rivers.

Executive Order 13175, Consultation and Coordination with Tribal Governments, November 2000.

White House Memorandum, Government-to-Government Relations with Indian Tribes, April 29, 1994.