



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

Update Report for Maine



696 Virginia Road, Concord, Massachusetts 01742-2751
Public Affairs Office, 978-318-8264

Current as of
September 30, 2010

Home Page: <http://www.nae.usace.army.mil/>

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 5,000 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.

Index

Conservation & Environmental Enhancement	7
Ecological Restoration	4
Mission	1
Navigation	1
Planning Assistance	5
Regulatory Program	5
Shoreline/Streambank Protection	4
Special Studies	4
Superfund	5
Support to EPA	5

Navigation

BASS HARBOR, TREMONT (2nd CD) – The New England District, in partnership with the town of Tremont, has completed a feasibility study recommending channel and anchorage improvements at Bass Harbor to aid the commercial fishing fleet. The study was prepared under a feasibility cost sharing agreement (FCSA) executed with the town in December 2004. Concerns over town-funded mitigation required by the Maine Department of Environmental Protection were resolved and all Federal and State regulatory approvals for the project have been received. Public Review of the feasibility report closed on March 23, 2006, and no significant comments were received. The Corps' North Atlantic Division approved the feasibility report on Oct. 11, 2006.

The Project Partnership Agreement has been executed. This project is partially being 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. Work will begin in October 2010 and be completed before April 2011. About 73,000 cubic yards of maintenance and improvement dredging will be done, with open water disposal at the Eastern Passage disposal site.

BUCKS HARBOR, MACHIASPORT (2nd CD) –The town of Machiasport requested maintenance dredging of the existing federal project in Bucks Harbor and a study to examine expanding the anchorage and channel to accommodate the larger fleet and growing aquaculture industry. A feasibility study was initiated in 2003, and a

Feasibility Cost Share Agreement (FCSA) between the town of Machiasport and the Corps was executed in February 2004 to share the study cost. A field exploration program, surveys and resource studies were completed in late 2004. Engineering and economic analyses were underway in early 2005, when a lack of Federal funding forced us to defer completion of the feasibility effort. Efforts were restarted in 2007, and approval of the Decision Document was granted by North Atlantic Division on April 23, 2009. The Project Partnership Agreement was approved for execution and provided to the town in October 2009. The town has not yet returned the executed agreement, and so no further work has been done to complete the design and contract solicitation documents. This project is partially being funded by the American Recovery and Reinvestment Act of 2009. Should the town execute the agreement by June 2010, and then provide its share of the cost of design and construction, then the project solicitation could be issued for work to begin in the fall/winter of 2010. The seasonal dredge window for construction is Nov. 8 to April 9.

COREA HARBOR, GOULDSBORO (2nd CD) - *In a letter dated March 9, 2006, Gouldsboro Board of Selectmen requested the New England District to 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.

KENNEBEC RIVER, BATH (1st CD) – Shoaling typically occurs in two reaches of the Federal project; one just south of the Bath Iron Works at Doubling Point and the other in the vicinity of Popham Beach, at the mouth of the river. The work typically involves the removal of about 30,000 cubic yards (cy) of sand and disposal of the dredged material at the two previously used disposal areas. Because of the presence of the endangered Shortnose Sturgeon and the recently listed, Atlantic Salmon a formal Section 7 consultation will need to be initiated with the National Marine Fisheries Service. Historically, this project has had a very narrow environmental window in which the work needs to be performed. In addition, the nature of the shoaling in these reaches is somewhat unpredictable and shoals have been flushed out by heavy runoff events in the past making it difficult to predict when work will be required. Funds in the amount of \$630,000 that were added to the FY 2006 budget have been set-aside in anticipation of needing to address future shoaling in the project. In anticipation of future dredging we are updating our environmental assessment and reinitiating consultation with the National Marine Fisheries Service concerning the Shortnose Sturgeon and Atlantic Salmon.

PORTLAND HARBOR (1st CD) – Sampling and testing has been done. The material has been determined to be suitable for open water disposal at the Portland Disposal Site, 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 have received WQC and CZM consistency concurrence from the State but have requested that we be able to start Nov. 1 instead of Nov. 15, and complete dredging April 30. Dredge season ends April 15. 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. Preliminary cost estimate for the Federal maintenance dredging project is \$13,000,000. (We currently have approximately \$245,000). The 35-foot channel was last maintained in 1998-99 when 409,700 cy of sediment were dredged, and disposed of at the PDS.

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 Shoal": 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 one of the two previously used riverine disposal sites located about 3,000 feet and 6,000 feet seaward of the dredging area. Because the previously used disposal sites straddle the border between the two states regulatory approvals will be 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. A portion of these funds will be 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 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.*

ROUND POND HARBOR, BRISTOL (2nd CD) - In a letter dated June 18, 2003, Bristol Board of Selectmen requested the New England District to 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 Sponsor is unable to forward the local cost share for continuing the feasibility study until later in 2010. The Feasibility Study will resume upon receipt of the sponsor's funds.

ROYAL RIVER (1st CD) – *Shoaling in the Royal River Federal navigation project is making navigation into and out of the harbor hazardous at lower stages of the tide. The New England District is proposing to dredge approximately 40,000 cubic yards of material from the 8-foot-deep channel and the 6-foot-deep anchorage. Sediment sampling and testing is nearing completion. As funds become available a project Environmental Assessment (EA) will be developed and coordination with Federal, State, and Local resource agencies will commence. After the EA and all coordination efforts are completed, then dredging can be performed in the years in which funds become available.*

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 FY10 activities will include completion of design efforts, and preparation of a decision document and environmental assessment (EA). The decision document will require review and approval by the Corps' North Atlantic Division before release for public review. The Corps and City anticipate beginning the Federal and state regulatory approval process for the project during the winter of 2010. 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 is making navigation into and out of the harbor hazardous at lower stages of the tide. The New England District is proposing to dredge approximately 125,000 cubic yards of clean sand from the federal project and dispose of the sand as a beneficial use on Western Beach. Coordination with Federal, State, and Local resource agencies is underway. As funds become available, contract plans and specifications will be developed in anticipation of issuing a dredging contract. Dredging can be performed in the years in which funds become available.

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 spring 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 will be completed in 2010. Public review of the draft feasibility study and environmental assessment is planned for winter 2010/2011.

OTHER NAVIGATION ACTIVITIES – The District has received requests from the **Town of Camden (1st CD)**, **Town of Blue Hill (2nd CD)**, and **Town of Chebeague Island (1st CD)** to investigate improvements to those Towns' harbors.

Funds to initiate these studies have not yet been made available.

Shoreline/Streambank Protection

QUODDY HEAD ROAD, LUBEC (2nd CD) — This Section 14 shoreline stabilization project is located adjacent to Quoddy Head Road (Rte No. C309J / State Aid No. 3) on the Quoddy Head Peninsula in Lubec. Over the past 40 years approximately 300 feet of shoreline have been lost to severe tidal erosion. The plans and specifications were completed in the spring of 2009. The

non-Federal sponsor (Maine Department of Transportation) recently indicated that cost-share funding from their agency would not be eligible since the roadway is considered a local road and not a state highway. The Corps will be contacting other eligible non-Federal partners to assess project interest.

Ecological Restoration

HALF MOON COVE ESTUARY RESTORATION (2nd CD) – The New England District completed a preliminary restoration plan (PRP) and Section 905(b) Reconnaissance Report for Half Moon Cove. The PRP identifies a plan to restore up to 900 acres of estuarine habitat in Half Moon Cove by creating openings in a causeway that restricts tidal flushing. The Corps received partial funding for a feasibility study in 2009 and prepared a project management plan (PMP) with updated study costs. We were unable to identify a sponsor to cost share the restoration feasibility study and will therefore will not proceed with the study at this time.

CD) – The New England District completed a preliminary restoration plan (PRP) under the Section 206, Aquatic Ecosystem Restoration Program in July 2004. The PRP identified a plan to restore up to 500 acres of salt marsh on the West Branch of the Pleasant River. The existing culverts under Addison Road restrict tidal exchange to this former estuarine habitat. New England District received funds in 2010 to begin the feasibility study and the Maine Department of Transportation has agreed to serve as the non-federal sponsor. We have begun coordination with Maine Department of Transportation, the communities of Addison and Columbia, and other State and Federal agencies to move forward with the project.

PLEASANT RIVER SALT MARSH RESTORATION (2nd

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.

planning. The Corps *is preparing* a 905(b) report describing opportunities to assist the tribe and the federal interest. Completion of the report is expected in 2010.

MEDUXNEKEAG RIVER (2nd CD) – The Houlton Band of Maliseets (HBM) requested that the Corps of Engineers assist the tribe with aquatic ecosystem restoration or large scale watershed management

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. In 2010 the Corps will review 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 Partnership Program or under another Corps program. The findings of the reconnaissance will be presented in a 905(b) report with a draft provided to the tribe in 2010.

Planning Assistance

ALLAGASH RIVER RESTORATION STUDY (2nd CD) - The Maine Department of Inland Fisheries and Wildlife (MEDIFW) requested that the Corps provide technical assistance with regards to the options and costs associated with blocking the passage of muskellunge and small mouth bass into the Allagash River Watershed. The cost sharing letter agreement was executed on April 1, 2005. A reconnaissance site visit and topo/bathymetric

survey efforts have been conducted. The hydraulic modeling and analysis has been performed by the University of Iowa in coordination with U.S. Army Engineer Research and Development Center (ERDC), in Vicksburg, Miss. The Report was finalized and submitted to MEDIFW in August 2009. A follow-up visit to the site to verify conditions at the falls during low water will take place in 2010.

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 www.nae.usace.army.mil/reg under the heading "General Permit Authorizations and Individual Permits." Relevant environmental documents are available upon written request.

PROGRAMMATIC GENERAL PERMIT - The New England District has comprehensive Programmatic General Permits (PGPs) 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 PGPs. The PGPs 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 PGP approval is either included in the state approval letter or mailed directly. Applications appropriately covered under the PGPs are often approved in less than 30 days. Applicants have commented favorably about the simplicity, predictability and efficiency of the PGPs. The PGP for Maine was reissued Oct. 11, 2005 and remains in effect until Oct. 11, 2010. Renewal procedures are underway and will be concluded prior to October 2010.

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 2006, reporting an overall harvest of 10.3 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) - 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 2010 Harbor Master Training was conducted March 17-19, 2010.

LIQUEFIED NATURAL GAS (LNG) FACILITIES (2nd CD) – There are *two active* proposals to develop LNG terminal facilities in eastern Maine, one in Robbinston, and *one* in Calais, both in the pre-application planning stages. *A third proposal for a facility in Eastport is no longer active.* All proponents have submitted pre-filing notices to Federal Energy Regulatory Commission (FERC), 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. All proponents anticipate 1-2 years worth of permitting, up to 3 years of construction, and start up after 2012. It is possible that each will go through the regulatory processes. 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 temporarily suspended their state application process but plan to resubmit and have continued application planning and interagency coordination; and the Calais project is in the early stages of FERC and interagency coordination. On June 16, 2009, FERC held a public hearing for the Robbinston project which the Corps joined in. The same day FERC held an interagency update meeting for the Calais project. *Recently the Calais applicant announced that it had lost its principle investor. They are approaching other investors before determining whether or not to proceed with project planning.*

MAINE IN-LIEU FEE PROGRAM (1st & 2nd CD) – 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 biophysical region 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 Maine In-Lieu Fee Agreement was signed Jan. 31, 2008. After a six month process involving a request for proposals followed by analysis and recommendations by a Review Committee, on Jan. 4, 2010 the first projects were approved by an Approval Committee to receive funding from the program. Thirteen projects in five biophysical regions were authorized to receive funds – assuming they comply with requirements for preservation documents and mitigation plans; \$1,109,959 in aquatic resource compensation funds was allocated. The Corps has representatives on both the Review and Approval Committees. *MEDEP and TNC are in the early stages of developing a revised ILF instrument that complies with the Mitigation Rule.*

MAINE DOT UMBRELLA MITIGATION BANK (1st & 2nd CD) – The Maine Department of Transportation (MaineDOT) 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, MaineDOT 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 MaineDOT that the MUMBI was not complete and provided details on the areas of concern. *A revised draft MUMBI was received on July 15, 2010. The Interagency Review Team provided numerous comments on this second draft to MaineDOT which plans to address the issues and resubmit the document.*

PUBLIC OUTREACH (1st & 2nd CD) – In addition to ongoing coordination with Maine's harbor masters 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 2010 MPO staff have participated in the following outreach:* Federal regulation of vernal pools - Maine Association of Wetland Scientists ("MAWS") workshop; the Maine Fisherman's Forum March 4-6, 2010; the Maine Harbormaster Association training March 17-19, 2010; and the Maine Association of Professional Soil Scientists ("MAPSS") Sept. 1, 2010.

TRANSPORTATION PROJECTS (1st & 2nd CD) – In

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 sites 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.

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. Preliminary results indicate that no further investigation will be required at this site, however,

response to federal and state economic stimulus efforts, 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. A public notice was issued March 24, 2009. Federal endangered species consultation was completed and a permit was issued July 15, 2009. Construction has commenced and will continue through 2010. DOT submitted a similar batch application this spring. A public notice was issued and expired Sept. 2, 2010. The Corps is currently reviewing public comment.

future discussion with the MEDEP will solidify future work at this site.

Groundwater sampling continued at the **NIKE LO-13 (Launch and Control sites), Caswell; Loring AFB Com Annex #2, Perham; and Loring AFB Laundry Annex, Presque Isle (all 2nd CD)** sites from 1996 through April 2004. Biannual sampling continues at particular wells at NIKE LO-13 Control and the Communications Annex. 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. A draft report of the findings, as well as a Site Historical Report (for all of the sites), was submitted in November 2007 and will be submitted to MEDEP in September 2010. A Draft Borehole Hydrogeophysics Report and Conceptual Site Model were submitted in the spring of 2009. Final reports will be submitted in 2010.

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 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 (2nd CD)**. The on-going groundwater-monitoring program includes sampling and testing of water samples from residential drinking water wells and monitoring wells.

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 report which was submitted to the MEDEP in December 2009.

Biannual sampling of monitoring wells and two drinking water supply wells on site confirmed the existence of trichloroethylene (TCE) at **Nike 58 Site in Caribou (2nd CD)**. The wells have been sampled since 2000. One drinking water well is not contaminated. The drinking water well which services the Adult Learning Center has levels of TCE just above the MCL. The water is currently safe to drink, as 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 wells, to better define the site conditions. Field work was completed in spring/summer 2008. A Site Historical Report (for all of the sites), was submitted in November 2007 and will be submitted to MEDEP in *September* 2010. A Borehole Hydrogeophysics Report and Conceptual Site Model were submitted in the spring of 2009. Final Reports will be submitted in 2010.

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).

