

**SANITARY SEWER COLLECTION SYSTEM  
IMPROVEMENTS  
ENVIRONMENTAL REVIEW REPORT  
for the  
BOOTHBAY HARBOR SEWER DISTRICT,  
BOOTHBAY HARBOR, MAINE**



**APRIL 2019**



**BOOTHBAY HARBOR SEWER DISTRICT**

**SANITARY SEWER COLLECTION SYSTEM IMPROVEMENTS**

**ENVIRONMENTAL REVIEW**

**APRIL 2019**

**Prepared by:**

**Wright-Pierce**  
**11 Bowdoin Mill Island, Suite 140**  
**Topsham, ME 04086**





**BOOTHBAY HARBOR SEWER DISTRICT – SANITARY SEWER  
COLLECTION SYSTEM IMPROVEMENTS  
ENVIRONMENTAL REVIEW**

**TABLE OF CONTENTS**

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
<hr/>		
SECTION 1	PURPOSE AND NEED FOR THE PROJECT .....	1-1
1.1	General .....	1-1
1.2	Project Description (Proposed Action) .....	1-1
1.3	Purpose and Need for the Project .....	1-4
1.3.1	Health, Sanitation, and Security.....	1-4
1.3.2	Aging Infrastructure .....	1-4
1.3.3	Reasonable Growth .....	1-5
SECTION 2	LAND OWNERSHIP AND USE.....	2-1
2.1	Classified Lands .....	2-1
2.1.1	Affected Environment .....	2-1
2.1.2	Environmental Consequences .....	2-1
2.1.3	Mitigation .....	2-1
2.2	Socio-Economic Issues / Environmental Justice .....	2-1
2.2.1	Affected Environment .....	2-1
2.2.2	Environmental Consequences .....	2-2
2.2.3	Mitigation .....	2-2
2.3	Intergovernmental Review .....	2-2
2.3.1	Agency Consultations.....	2-2
2.3.2	Attachments .....	2-3
2.4	Phase I Environmental Site Assessment .....	2-3
2.4.1	Affected Environment .....	2-3
2.4.2	Environmental Consequences .....	2-3
2.4.3	Mitigation .....	2-3

## SECTION 3 AFFECTED ENVIRONMENT / ENVIRONMENTAL

	CONSEQUENCES .....	3-1
3.1	Historic Preservation.....	3-1
3.1.1	Affected Environment .....	3-1
3.1.2	Environmental Consequences.....	3-1
3.1.3	Mitigation .....	3-1
3.2	Threatened and Endangered Species / Biological Resources.....	3-2
3.2.1	Affected Environment .....	3-2
3.2.2	Environmental Consequences.....	3-2
3.2.3	Mitigation .....	3-3
3.3	Wetlands.....	3-3
3.3.1	Affected Environment .....	3-3
3.3.2	Environmental Consequences.....	3-4
3.3.3	Mitigation .....	3-4
3.4	Floodplains .....	3-4
3.4.1	Affected Environment .....	3-4
3.4.2	Environmental Consequences.....	3-4
3.4.3	Mitigation .....	3-5
3.5	Coastal Areas.....	3-5
3.5.1	Affected Environment .....	3-5
3.5.2	Environmental Consequences.....	3-5
3.5.3	Mitigation .....	3-6
3.6	Important Farmland .....	3-6
3.6.1	Affected Environment .....	3-6
3.6.2	Environmental Consequences.....	3-6
3.6.3	Mitigation .....	3-6
3.7	Water Quality Issues .....	3-6
3.7.1	Affected Environment .....	3-6
3.7.2	Environmental Consequences.....	3-7
3.7.3	Mitigation .....	3-7

3.8	Other Resources.....	3-7
3.8.1	Affected Environment .....	3-7
3.8.2	Environmental Consequences .....	3-8
	Mitigation.....	3-8

## LIST OF ATTACHMENTS

### ATTACHMENT

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Appendix A Figures

Appendix B Agency Correspondence

# **SECTION 1**

## **PURPOSE AND NEED FOR THE PROJECT**

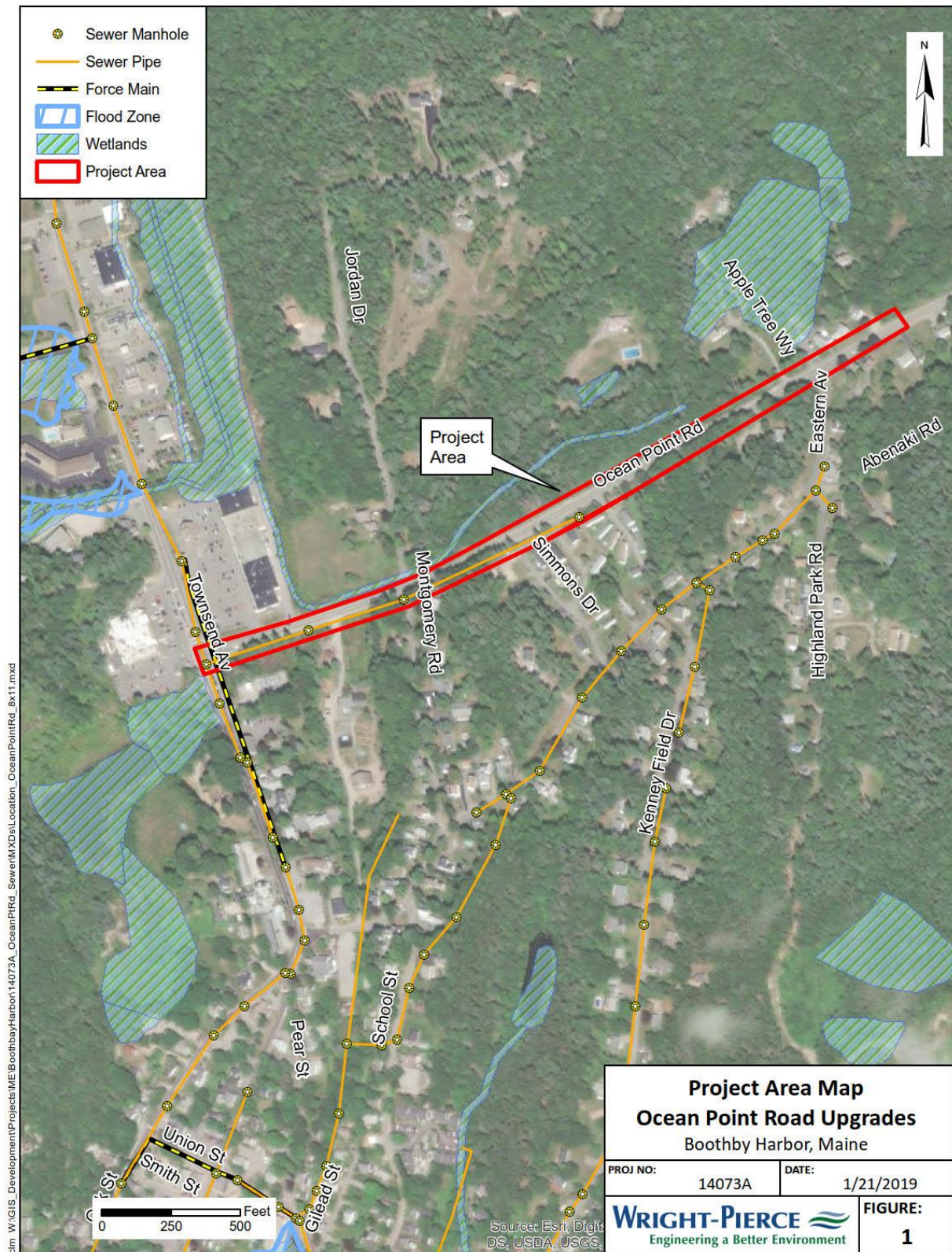
### **1.1 GENERAL**

This report was written in conjunction with a Preliminary Engineering Report (PER). Many sections in both documents are similar. The PER is referenced throughout this document to reduce redundancy and minimize repetition between the reports.

### **1.2 PROJECT DESCRIPTION (PROPOSED ACTION)**

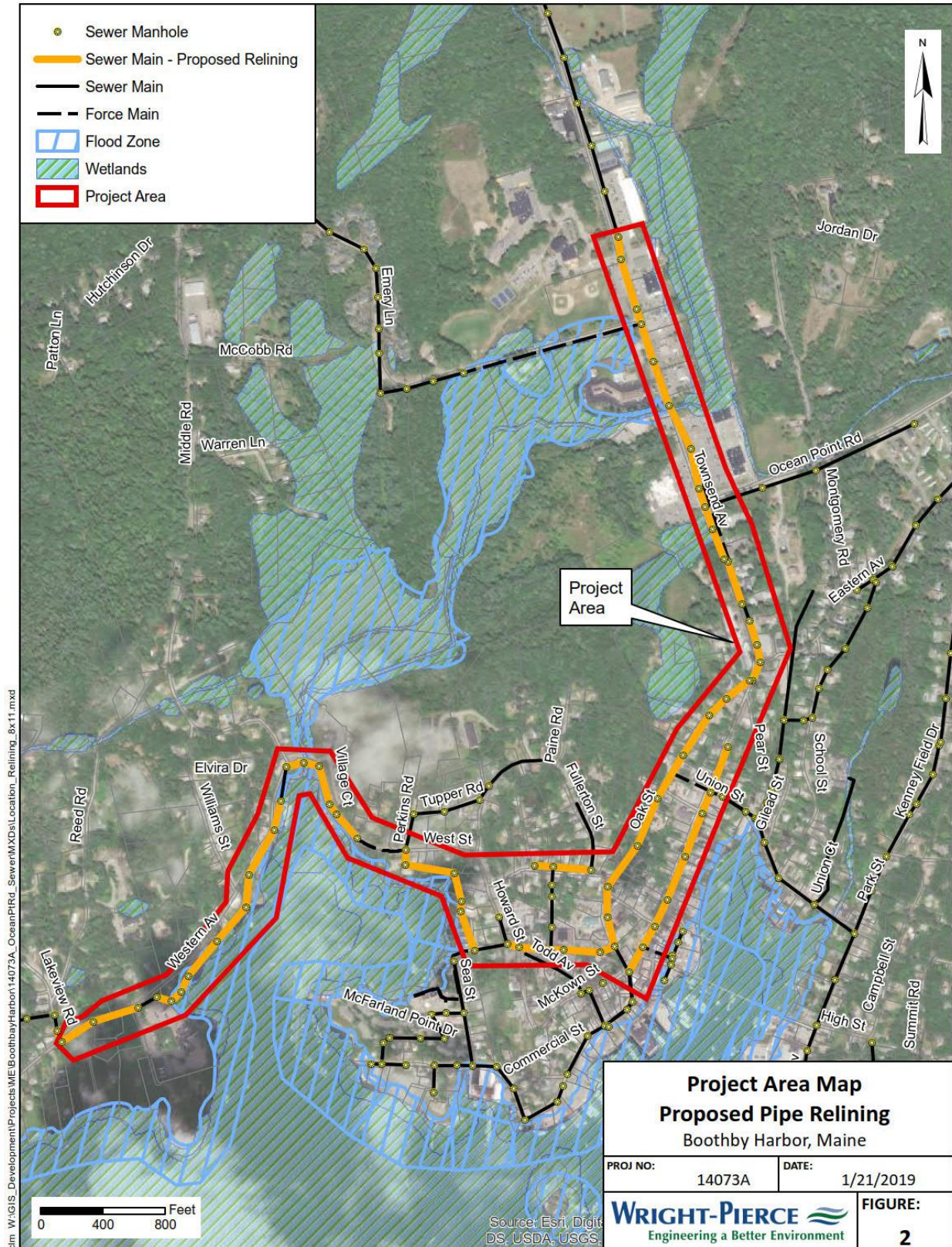
The proposed Sanitary Sewer Collection System Improvements project will replace and extend the existing sewer on Ocean Point Road and rehabilitate existing sewer along several streets in the Town of Boothbay Harbor, Maine. The primary purpose of the project is to address aging infrastructure, extraneous water entering the sewer system, sewer pipe capacity issues, and potential future growth within in the project area. Figure 1-1 and Figure 1-2 outlines the proposed project areas.

**FIGURE 1-1  
OCEAN POINT ROAD PROJECT LOCATION**





**FIGURE 1-2  
SEWER RELINING PROJECT LOCATION**



## **1.3 PURPOSE AND NEED FOR THE PROJECT**

### **1.3.1 Health, Sanitation, and Security**

The existing sewer pipes serve a crucial role in conveying wastewater throughout the collection system and to the wastewater treatment facility. Should any pipe fail, the gravity sewer mains could backup and become overloaded, potentially resulting in sanitary sewer overflows (SSOs). SSOs are a health and sanitation concern and may be grounds for legal action by the Maine Department of Environmental Protection (Maine DEP). The proposed projects will improve reliability and increase capacity of the sewer, thus reducing the risk of failure.

### **1.3.2 Aging Infrastructure**

The existing sewer collection system was initially built in the late 1960s and early 1970s. Based on the age and the existing condition of the sewer infrastructure, sections of the collection system require relining or replacement. Upsizing the section of the sewer located on Ocean Point Road shown in Figure 1-1 would bring the existing sewer up to a standard minimum size and provide more flow capacity. Extending this sewer to the high point on Ocean Point Road will allow for additional users to connect and would facilitate additional lot development in the immediate area.

There is extraneous water entering the sewer system through leaking and/or cracked pipes, joints, and manholes. This additional water reduces the sewer pipe capacity and results in extra pumping and treatment costs once the wastewater enters a pump station or the treatment facility. Alternatively, wastewater can leave the sewer system through leaks and cracks in the pipe and contaminate the surrounding groundwater. Relining of pipes and manholes with cracks will reduce the amount of infiltration into the collection system, as well as reduce any wastewater that may be leaking into the groundwater table. With portions of the collection system being installed about 50 years ago, the District has concerns about the age, water infiltration and remaining useful life of the sewer system specifically in the area outlined in Figure 1-2.



### **1.3.3 Reasonable Growth**

The proposed sewer system improvements include an increasing the size of the sewer main on Ocean Point Road to bring it up to minimum design standards, which would also increase the capacity of the gravity sewer to better handle population growth on Ocean Point Road. The sewer extension would accommodate existing homeowners as well as projected future build-out of the area. Though census data indicates that the population is expected to decline over the planning period for the Town of Boothbay Harbor as a whole, there are select areas that may see development. Population trends and projections are presented in further detail in Section 1.3 of the PER.



## **SECTION 2**

### **LAND OWNERSHIP AND USE**

#### **2.1 CLASSIFIED LANDS**

##### **2.1.1 Affected Environment**

The section of sewer main proposed to be replaced on Ocean Point Road is outlined in Figure 1-1. The proposed relining shown in Figure 1-2 contains gravity sewer pipes that are showing signs of deterioration and excessive groundwater infiltration through cracks and leaking pipe joints. Pipe segments that were suspected to be in poor condition were videoed using the District's CCTV camera equipment and inspected to assess their condition. The results of the District's inspections concluded that some segments are showing signs of deterioration and excess groundwater infiltration, which is to be expected of pipes this age.

##### **2.1.2 Environmental Consequences**

The projects will not cause any adverse impact to any important classified lands.

##### **2.1.3 Mitigation**

No mitigation activities are proposed.

#### **2.2 SOCIO-ECONOMIC ISSUES / ENVIRONMENTAL JUSTICE**

##### **2.2.1 Affected Environment**

There will be no disproportionately high or adverse effects to low income or minority populations or customers. No new facilities will be in low income or minority population areas. In fact, increasing access to public sewer, and decreasing the likelihood of combined-sewer overflows (due to excessive infiltration and inflow) would provide a benefit to the entire Town, including low income and minority populations.

### **2.2.2 Environmental Consequences**

The proposed projects will not create any environmental justice issues or adverse consequences.

### **2.2.3 Mitigation**

No mitigation measures related to environmental justice or socio-economic issues are proposed.

## **2.3 INTERGOVERNMENTAL REVIEW**

### **2.3.1 Agency Consultations**

The following State and local agencies and Tribal governments have been solicited for consultation and comment on the potential impacts of the proposed project:

- Maine Department Agriculture, Conservation & Forestry
- U.S. Fish and Wildlife Service
- Maine Department Inland Fisheries & Wildlife
- Maine Department of Environmental Protection
- U.S. Army Corps of Engineers
- Town of Boothbay Harbor
- Maine Coastal Program
- National Resources Conservation Service (NRCS)
- USDA Rural Development – Northern Long-Eared Bat Consultation
- Houlton Band of Maliseets
- Aroostook Band of Micmacs
- Passamaquoddy Tribe
- Penobscot Indian Nation
- State Historic Preservation Commission

The proposed projects will be constructed on land/easements and road right-of-ways owned by the Boothbay Harbor Sewer District. The District has confirmed that since the project is a municipal project, no Town of Boothbay Harbor permits will be required from the Code Office.

However, Maine DOT road opening permits will be required for work on State roads. The proposed project was reviewed by the Town Manager of Boothbay Harbor, and no comments or concerns were expressed. Correspondence with the Town Manager is shown in Appendix B as part of the intergovernmental review.

### **2.3.2 Attachments**

Copies of the correspondences with the agencies and tribal governments contacted for consultation and comment are included in Appendix B of this report.

## **2.4 PHASE I ENVIRONMENTAL SITE ASSESSMENT**

### **2.4.1 Affected Environment**

A Phase I Environmental Assessment has not been completed for this project. It is anticipated that neither a Phase I Environmental Assessment or a Transaction Screen Questionnaire will be required for the proposed project.

### **2.4.2 Environmental Consequences**

Not applicable.

### **2.4.3 Mitigation**

Not applicable.



## **SECTION 3**

### **AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES**

#### **3.1 HISTORIC PRESERVATION**

##### **3.1.1 Affected Environment**

The Maine Historic Preservation Commission (SHPO) was consulted for this project. SHPO concluded that there are no historic properties that will be affected by the proposed projects, per the National Historic Preservation Act.

Four of Maine's federally recognized Native American Tribes were also consulted, and responses are included in Appendix B. Generally, no comments or concerns were brought up by the Native American Tribes. The Aroostook Band of Micmacs and Houlton Band of Maliseets recommended that if during the course of excavation activities any human remains, artifacts, or other items of historical importance are unearthed, then the project should immediately cease, and findings be reported to the appropriate authorities, including the Native American Tribes.

##### **3.1.2 Environmental Consequences**

The projects are not expected to cause any adverse environmental impact to historical resources.

##### **3.1.3 Mitigation**

The construction documents will include provisions to halt construction activities if any artifacts are discovered during the construction period. In addition to halting construction activities, USDA Rural Development and the SHPO would be notified immediately if any artifacts or cultural resources are discovered.

## **3.2 THREATENED AND ENDANGERED SPECIES / BIOLOGICAL RESOURCES**

### **3.2.1 Affected Environment**

The Maine Department of Inland Fisheries and Wildlife (MIF&W) was consulted for this project. See Appendix B for the review request letter sent to MIF&W. Two species were identified using the U.S. Fish & Wildlife Service's Information for Planning and Consultation (IPaC) tool: the Northern Long-Eared Bat and the Atlantic Salmon. This information (IPaC official species list and species summary table) was provided MIF&W for their review and can be found in Appendix B.

MIF&W stated that there is no indication of locations of endangered, threatened, or special concern species within the project area that would be affected by the project. Additionally, the Department has not mapped any essential or significant wildlife habitats or fisheries that would be directly affected by the project.

The proposed project site is outside of all known Bald or Golden Eagle nesting boundary zones identified by USFWS, therefore no impact to eagles is expected as a result of the proposed projects. A map of the known Bald and Golden Eagle nesting boundary zones is included with USFWS correspondences located in Appendix B.

The project is not expected to affect any known critical Atlantic Salmon habitat based on a review of the USFWS database of known critical habitat. USFWS correspondences are included in Appendix B.

### **3.2.2 Environmental Consequences**

It is not expected that any tree cutting will occur as part of the proposed project, but if any trees located in the road right-of-way interfere with the work, they may be cut. Potential tree cutting would be limited to an area less than 0.1 acre in size. It is very unlikely that trees within the road right-of-way of urbanized portions of Boothbay Harbor would be suitable hibernaculum for



Northern Long-Eared Bat, therefore the expected impact to Northern Long-Eared Bat habitat is considered minimal.

### **3.2.3 Mitigation**

No mitigation of any adverse environmental effects on biological resources in the project area is expected to be required. The two species identified as part of the consultation process (Northern Long-Eared Bat and the Atlantic Salmon) will not be affected, as there is no tree cutting or work within waters expected.

If any unexpected tree cutting is required as part of the work, no cutting would be allowed between June 1<sup>st</sup> and July 31<sup>st</sup> during Northern Long-Eared Bat maternity roosting season.

## **3.3 WETLANDS**

### **3.3.1 Affected Environment**

There is a coastal wetland located adjacent to the existing collection system where West Street turns to Western Ave. However, the proposed action is to reline the sewer at that location and will not require excavation or installation of new pipe. Furthermore, any minimal excavation work would occur within the road right-of-way. Therefore, there is no impact to wetlands expected.

The U.S. Army Corps of Engineers (ACOE) was contacted to determine any impacts to federally-recognized wetlands in the area. ACOE responded with the determination that a Department of the Army permit is not required for this work since it will not entail placing any fill in wetlands or open water. Maine DEP Bureau of Land Resource Regulation was also contacted for their review of the proposed project. Maine DEP noted in their response (see Appendix B) that due to the nature of the project and the fact that the work will occur within the road and road shoulder, it appears that a permit from the Department per 38 M.R.S. 480-Q(9) is not required.

Maine DEP also noted that protected natural resources including coastal wetland, inland waterfowl wader habitat, and intermittent and perennial streams are located near the project area.

### **3.3.2 Environmental Consequences**

The proposed sewer work along West Street and Western Ave is not expected to have any significant impact on the wetlands because sewer relining activities are not likely to alter the existing terrain and any minor excavation would occur within the road or shoulder that have previously been disturbed.

### **3.3.3 Mitigation**

Sedimentation and erosion control measures would be employed to mitigate any potential impacts to nearby coastal wetlands, inland waterfowl wader habitat, and intermittent and perennial streams. Any NRPA permitting requirements and/or construction area set-backs requested Maine DEP would be followed during the course of relining activities.

## **3.4 FLOODPLAINS**

### **3.4.1 Affected Environment**

Figure 1-1 and Figure 1-2 show the 100-floodplain elevation in relation to the proposed project areas. A portion of the sewer system on Western Avenue in Figure 1-2 are within the 100-year flood zone; therefore, a small portion of sewer relining would take place within the 100-year floodplain.

### **3.4.2 Environmental Consequences**

Sewer relining is expected to have no significant impact on the floodplains. No long-term impacts to the floodplain are expected. Sewer collection system pipes are not considered critical

assets for the purposes of requiring additional floodproofing and/or relocating the assets out of the flood hazard zones.

### **3.4.3 Mitigation**

Sewer relining activities would be limited to periods of low precipitation during the summer months to decrease the likelihood of flooding. Sedimentation and erosion controls and best management practices will be implemented to mitigate any impacts. Construction activities in this area will also be limited in physical size and activity time to further mitigate potential impacts. The construction materials and equipment will be stored outside of the 100-year floodplain.

## **3.5 COASTAL AREAS**

### **3.5.1 Affected Environment**

The Town of Boothbay Harbor is located within the Coastal Zone as defined by the Maine Department of Agriculture, Conservation and Forestry (DACF)'s Maine Coastal Program (MCP). The relining portion of the project intercepts a coastal wetland at West Street and Western Ave; therefore, the Maine Coastal Program was contacted to provide comments on the proposed project. In their response, the MCP noted that because USDA funding assistance for the proposed project is not considered a federal assistance activity that is subject to CZMA consistency review, it does not trigger a review from the MCP. The full correspondence is included in Appendix B.

### **3.5.2 Environmental Consequences**

The proposed projects are not anticipated to have any significant impact on the coastal zone.

### **3.5.3 Mitigation**

Erosion and sedimentation control measures will be utilized, and Best Management Practices will be followed to minimize impacts on the coastal zone.

## **3.6 IMPORTANT FARMLAND**

### **3.6.1 Affected Environment**

There is no prime farmland, important farmland, or prime forest lands in the project area. The Maine Natural Resources Conservation Service (NRCS) was contacted for comments on the proposed project. NRCS responded with no concerns as long as construction operations utilize proper Erosion & Sedimentation techniques that will prevent damage to the adjacent wetlands. The response is included in Appendix B.

### **3.6.2 Environmental Consequences**

The proposed projects are not anticipated to have any significant impact on the wetlands.

### **3.6.3 Mitigation**

Best Management Practices will be followed to help ensure there are minimal impacts to the surrounding environment.

## **3.7 WATER QUALITY ISSUES**

### **3.7.1 Affected Environment**

The Maine Department of Environmental Protection (MEDEP) Bureau of Land Resource Regulation (formerly administered by the Bureau of Water Quality) was consulted for this project. See Appendix B for the review request letter sent to MEDEP Bureau of Land Resource Regulation.

The Maine DEP noted that there are protected natural resources near the project area including, coastal wetlands, inland waterfowl wader habitat, and intermittent and perennial streams.

### **3.7.2 Environmental Consequences**

No adverse environmental impacts to water quality are anticipated because of this project. The proposed projects will have a positive impact on water quality through the improved condition of the collection system.

Since replacement and relining of sewer pipe is to occur where the existing pipeline runs, it is not anticipated that coastal wetlands, inland waterfowl wader habitat, and intermittent and perennial streams will be affected.

### **3.7.3 Mitigation**

Erosion and sedimentation control measures will be utilized as defined by the MEDEP's "Maine Erosion and Sedimentation Control Handbook" (2003). The locations of appropriate mitigation measures, including silt fences, hay bales, etc. will be determined prior to construction.

## **3.8 OTHER RESOURCES**

### **3.8.1 Affected Environment**

#### Sole Source Aquifers

None of the proposed work is expected to impact any known sole source aquifers.

#### Wellhead Protection Areas

None of the proposed work is expected to impact any known wellhead protection areas.

#### Coral Reef Systems

Not applicable.

### Air Quality

No long-term impacts to air quality are expected because of this project. The construction documents will include provisions requiring the Contractor to provide dust control during construction.

### Transportation Impacts

No long-term transportation impacts are anticipated with this project. The Contractor may need to disrupt traffic for short periods to complete the sewer work and to move equipment and materials to and from the project sites.

### Noise Impacts

No long-term noise impacts are anticipated with this project, though minor construction-related noise is expected during the work. If ledge removal is required, the contractor will monitor for structural damage, acquire all necessary permits, and obey all local ordinances.

## **3.8.2 Environmental Consequences**

This project will not cause any adverse impacts to known sole source aquifers, wellhead protection areas and coral reefs and no long-term impacts relating to air quality, traffic control, or noise.

### **Mitigation**

#### Sole Source Aquifers

Not applicable.

#### Wellhead Protection Areas

Not applicable.

#### Coral Reef Systems

Not applicable.

### Air Quality

The construction documents will include provisions for dust control during construction.

### Transportation Impacts

The Contractor will be required to submit a traffic plan and adhere to all standards outlined in the Manual on Uniform Traffic Control Devices.

### Noise Impacts

Construction will be limited to daytime hours, in accordance with Town noise ordinances and standard construction practices.



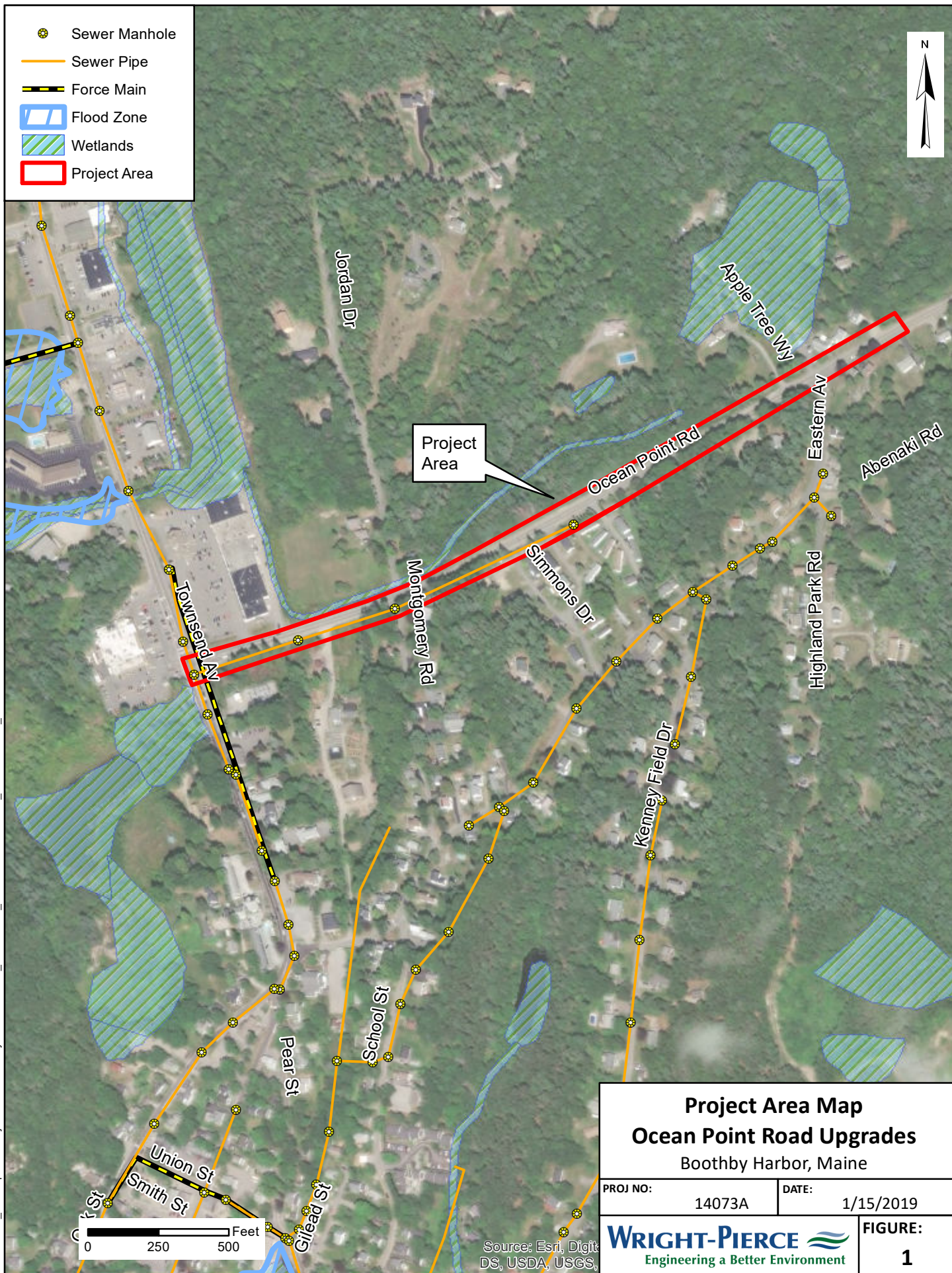


## **APPENDIX A**

### **Figures**

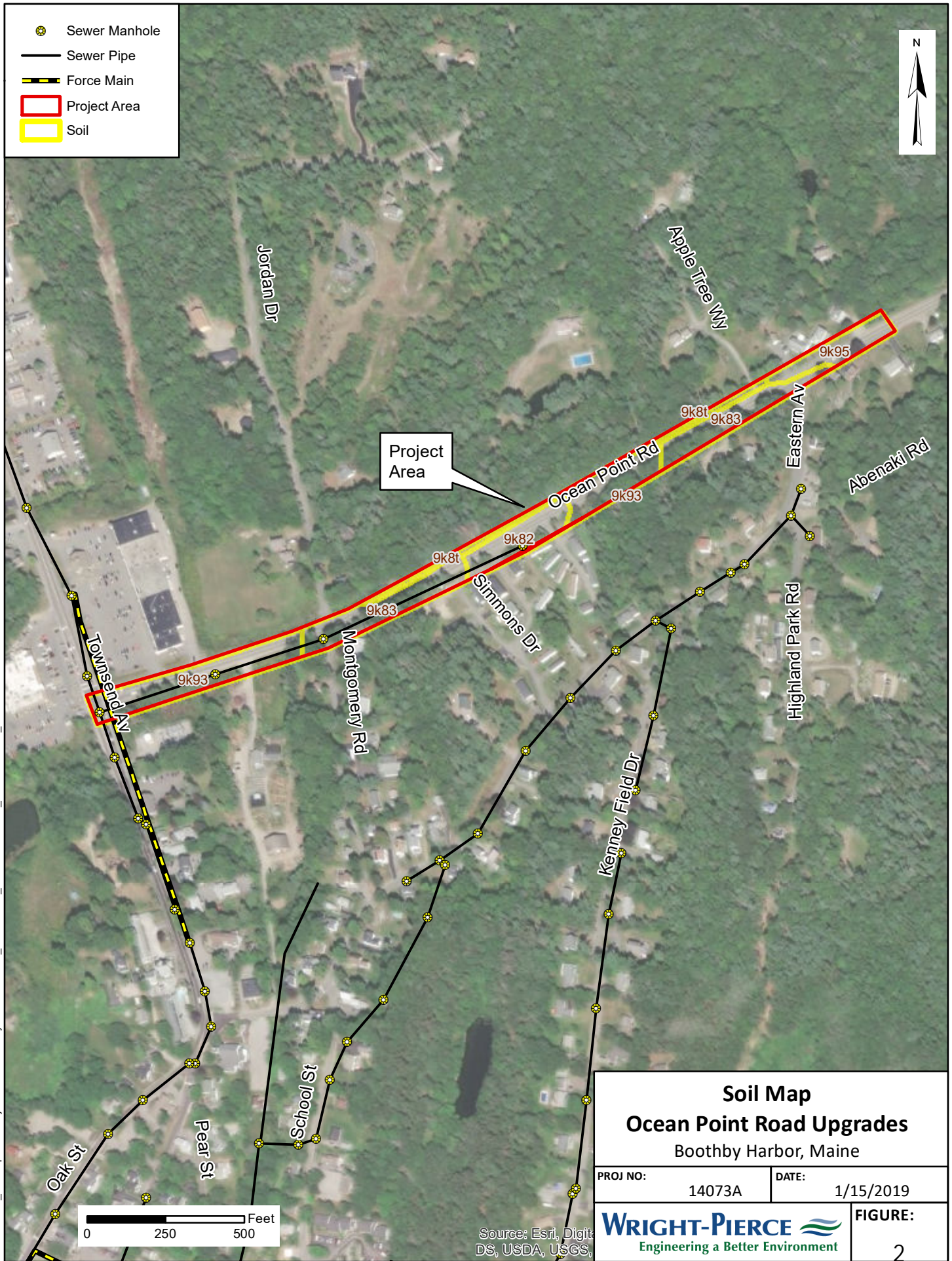


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## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
LrB	Lyman-Rock outcrop-Tunbridge complex, 0 to 8 percent slopes	0.8	13.7%
LrC	Lyman-Rock outcrop-Tunbridge complex, 8 to 15 percent slopes	2.1	33.7%
PbC	Peru fine sandy loam, 8 to 15 percent slopes, very stony	0.3	5.4%
Sw	Swanville silt loam, 0 to 3 percent slopes	2.2	36.6%
TrC	Tunbridge-Lyman complex, 8 to 15 percent slopes, rocky	0.6	10.6%
<b>Totals for Area of Interest</b>		<b>6.1</b>	<b>100.0%</b>

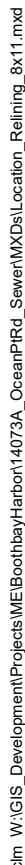
## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it









## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Bg	Biddeford mucky peat, 0 to 3 percent slopes	0.0	0.0%
BoB	Boothbay silt loam, 3 to 8 percent slopes	1.9	2.2%
Bp	Borosapristis, ponded	1.0	1.1%
LrB	Lyman-Rock outcrop-Tunbridge complex, 0 to 8 percent slopes	8.9	9.9%
LrC	Lyman-Rock outcrop-Tunbridge complex, 8 to 15 percent slopes	25.8	28.7%
LrE	Lyman-Rock outcrop-Tunbridge complex, 15 to 45 percent slopes	13.1	14.5%
My	Medomak silt loam	2.1	2.4%
Sw	Swanville silt loam, 0 to 3 percent slopes	2.7	3.0%
TrB	Tunbridge-Lyman complex, 3 to 8 percent slopes, rocky	0.1	0.1%
TrC	Tunbridge-Lyman complex, 8 to 15 percent slopes, rocky	14.6	16.2%
Ud	Udorthents-Urban land complex	15.3	17.0%
W	Water bodies	4.6	5.1%
<b>Totals for Area of Interest</b>		<b>90.1</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.



**APPENDIX B**

**Agency Correspondence**



Kendra Fox

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From: Kendra Fox  
Sent: Monday, January 21, 2019 10:57 AM  
To: 'sue.baker@maine.gov'  
Cc: Corey Lewis  
Subject: Boothbay Harbor, ME - Environmental Review Request  
Attachments: Agency Contact Letter\_Dept Agriculture.pdf

Dear Ms. Baker,

The Boothbay Harbor Sewer District is conducting an environmental review to assess the environmental impacts of upgrades to their sewer collection system, as required for their application for funding assistance from USDA Rural Development. Please see the attached letter requesting your agency's review of the project. If you could confirm the receipt of this letter via email, it would be greatly appreciated.

Thank you,  
Kendra

**Kendra Fox, EI**  
**Wright-Pierce** | Project Engineer  
**Direct** 207.523.1409



Visit our website for industry insights: [www.wright-pierce.com](http://www.wright-pierce.com)

January 21, 2019  
W-P Project No. 14073A

Sue Baker  
Department of Agriculture, Conservation & Forestry  
93 SHS, 17 Elkins Lane  
Augusta, Maine 04333

Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Dear Sue Baker:

The Boothbay Harbor Sewer District, Maine is applying for Federal funding assistance for upgrades to their sewer collection system in the Town of Boothbay Harbor, in Lincoln County, Maine. Federal funding program requirements include an inter-governmental Environmental Review pursuant to the National Environmental Policy Act (NEPA) in order to assess the environmental impacts of the proposed projects as part of the application process.

This project consists of the replacement and extension of gravity sewer main, sewer manhole structures, and sewer service laterals to the public right-of-way. The sewer system will be extended on Ocean Point Road to the intersection of Eastern Avenue. Please see the attached Project Area Map (Figure 1) for an outline of the Ocean Point Road Project Area.

In addition to the gravity sewer replacement and extension project on Ocean Point Road, various segments of the gravity sewer collection system will be also be relined. Sewer relining is proposed on Townsend Avenue, Oak Street, Western Ave, and surrounding roads. Please see the attached Relining Project Area Map (Figure 2) for an outline of the proposed relining project area.

The enclosed Figures 1 and 2 include known wetlands and a delineation of the 100-year floodplain in relation to the project areas. Figures 3 and 4 are Soil Resource Maps that identify the soil types within both project areas.

It should be noted that there are wetlands located adjacent to the collection system project area (as shown on Figures 1 and 2). None of the proposed work is expected to affect these wetlands; however, mitigation measures will be carried out to limit any potential impact. No construction materials or equipment will be stored within the 100-year floodplain. Erosion control measures and best management practices will be used in all proposed project areas, and all relevant permits will be obtained.

We are requesting your agency's review and comment for the proposed project. We would appreciate your response within 30 calendar days. Should you require further information, or wish to discuss the project in more detail, please do not hesitate to contact me at (207) 523-1409 or [kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com).



To: Sue Baker  
Date: 1/21/19  
Page 2 of 2

Sincerely,

WRIGHT-PIERCE

A handwritten signature in black ink that reads "Kendra Fox". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Kendra Fox  
Project Engineer

Enclosures

Kendra Fox

---

From: Kendra Fox  
Sent: Wednesday, January 30, 2019 9:44 AM  
To: 'shay\_white@fws.gov'  
Cc: Corey Lewis  
Subject: Boothbay Harbor, ME - Environmental Review Request  
Attachments: Agency Contact Letter\_USF&W.pdf

Dear Ms. White,

The Boothbay Harbor Sewer District is conducting an environmental review to assess the environmental impacts of upgrades to their sewer collection system, as required for their application for funding assistance from USDA Rural Development. Please see the attached letter requesting your agency's review of the project. At the end of the letter you will find the endangered species review package from U.S. Fish and Wildlife Service's website. If you could confirm the receipt of this letter via email, it would be greatly appreciated.

Thank you,  
Kendra

**Kendra Fox, EI**  
**Wright-Pierce** | Project Engineer  
**Direct** 207.523.1409



Visit our website for industry insights: [www.wright-pierce.com](http://www.wright-pierce.com)

January 30, 2019  
W-P Project No. 14073A

Shay White  
U.S. Fish and Wildlife Service  
306 Hatchery Way  
East Orland, Maine 04431

Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Dear Shay White:

The Boothbay Harbor Sewer District, Maine is applying for Federal funding assistance for upgrades to their sewer collection system in the Town of Boothbay Harbor, in Lincoln County, Maine. Federal funding program requirements include an inter-governmental Environmental Review pursuant to the National Environmental Policy Act (NEPA) in order to assess the environmental impacts of the proposed projects as part of the application process.

This project consists of the replacement and extension of gravity sewer main, sewer manhole structures, and sewer service laterals to the public right-of-way. The sewer system will be extended on Ocean Point Road to the intersection of Eastern Avenue. Please see the attached Project Area Map (Figure 1) for an outline of the Ocean Point Road Project Area.

In addition to the gravity sewer replacement and extension project on Ocean Point Road, various segments of the gravity sewer collection system will be also be relined. Sewer relining is proposed on Townsend Avenue, Oak Street, Western Ave, and surrounding roads. Please see the attached Relining Project Area Map (Figure 2) for an outline of the proposed relining project area.

The enclosed Figures 1 and 2 include known wetlands and a delineation of the 100-year floodplain in relation to the project areas. Figures 3 and 4 are Soil Resource Maps that identify the soil types within both project areas.

It should be noted that there are wetlands located adjacent to the collection system project area (as shown on Figures 1 and 2). None of the proposed work is expected to affect these wetlands; however, mitigation measures will be carried out to limit any potential impact. No construction materials or equipment will be stored within the 100-year floodplain. Erosion control measures and best management practices will be used in all proposed project areas, and all relevant permits will be obtained.

We are requesting your agency's review and comment for the proposed project. We would appreciate your response within 30 calendar days. Should you require further information, or wish to discuss the project in more detail, please do not hesitate to contact me at (207) 523-1409 or [kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com).

To: Shay White  
Date: 1/30/19  
Page 2 of 2



Sincerely,

WRIGHT-PIERCE

A handwritten signature in cursive script that reads "Kendra Fox". The ink is a light grey or blue color.

Kendra Fox  
Project Engineer

Enclosures





## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Maine Ecological Services Field Office

P. O. Box A

East Orland, ME 04431

Phone: (207) 469-7300 Fax: (207) 902-1588

<http://www.fws.gov/mainefieldoffice/index.html>



In Reply Refer To:

January 30, 2019

Consultation Code: 05E1ME00-2019-SLI-0323

Event Code: 05E1ME00-2019-E-00612

Project Name: Boothbay Harbor Pipe Relining and Replacement

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

#### To Whom It May Concern:

The enclosed species list identifies the threatened, endangered, candidate, and proposed species and designated or proposed critical habitat that may occur within the boundary of your proposed project or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC Web site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the Endangered Species Consultation Handbook at: <http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

This species list also identifies candidate species under review for listing and those species that the Service considers species of concern. Candidate species have no protection under the Act but are included for consideration because they could be listed prior to completion of your project. Species of concern are those taxa whose conservation status is of concern to the Service (i.e., species previously known as Category 2 candidates), but for which further information is needed.

If a proposed project may affect only candidate species or species of concern, you are not required to prepare a Biological Assessment or biological evaluation or to consult with the Service. However, the Service recommends minimizing effects to these species to prevent future conflicts. Therefore, if early evaluation indicates that a project will affect a candidate species or species of concern, you may wish to request technical assistance from this office to identify appropriate minimization measures.

Please be aware that bald and golden eagles are not protected under the Endangered Species Act but are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.). Projects affecting these species may require development of an eagle conservation plan: [http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html) Information on the location of bald eagle nests in Maine can be found on the Maine Field Office Web site: <http://www.fws.gov/mainefieldoffice/Project%20review4.html>

Additionally, wind energy projects should follow the wind energy guidelines: <http://www.fws.gov/windenergy/> for minimizing impacts to migratory birds and bats. Projects may require development of an avian and bat protection plan.

Migratory birds are also a Service trust resource. Under the Migratory Bird Treaty Act, construction activities in grassland, wetland, stream, woodland, and other habitats that would result in the take of migratory birds, eggs, young, or active nests should be avoided. Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g.,

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cellular, digital television, radio, and emergency broadcast) can be found at:  
<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm> and at:  
<http://www.towerkill.com>; and at:  
<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Maine Ecological Services Field Office**

P. O. Box A

East Orland, ME 04431

(207) 469-7300

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## Project Summary

Consultation Code: 05E1ME00-2019-SLI-0323

Event Code: 05E1ME00-2019-E-00612

Project Name: Boothbay Harbor Pipe Relining and Replacement

Project Type: **WASTEWATER PIPELINE**

Project Description: Replacement of sewer pipe on Ocean Point Road and relining of sewer throughout collection system contained within the outlined project area.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/43.85703744104649N69.62475264176922W>



Counties: Lincoln, ME

## Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

## Fishes

NAME	STATUS
Atlantic Salmon <i>Salmo salar</i> Population: Gulf of Maine DPS There is <b>final</b> critical habitat for this species. Your location overlaps the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/2097">https://ecos.fws.gov/ecp/species/2097</a>	Endangered

## Critical habitats

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Atlantic Salmon <i>Salmo salar</i> <a href="https://ecos.fws.gov/ecp/species/2097#crithab">https://ecos.fws.gov/ecp/species/2097#crithab</a>	Final

---

## Species Summary Table

Your name: Kendra Fox; Table updated by Bryanna Denis on 4/16/19

Project name used in IPaC: Boothbay Harbor Pipe Relining and Replacement

Date: January 30, 2019

### Notes:

Step 1 Listed or candidate species that are likely present according to the Official Species List from IPaC?  “No Species” or IPaC species list  Bald eagle nests from Step 4.	Step 2 Is your action area in critical habitat (only for Canada lynx or Atlantic salmon)?  Yes or No	Step 3A Is suitable habitat for listed or candidate species present in your action area?  “suitable habitat present” “suitable habitat not present” “Don’t know”	Step 3B Does the species occur in your action area?  “Species present” “Species not present” “Don’t know”	Step 4 Is your project likely to take or disturb eagles and require an Eagle Act permit?  “Will not disturb” “May disturb” “Don’t know”	Step 5 Determinations for the Endangered Species Act – <b>only Federal agencies complete this column</b>  “No effect” “May effect”	Notes and Documentation (provide additional information if needed)
Atlantic Salmon	Yes	Suitable habitat present	Don’t know	Will not disturb		Project is limited to existing site, no impact to the nearby waters is expected. Work adjacent to water bodies will use best management practices to minimize erosion/sedimentation.
Northern Long-Eared Bat	-	Don’t know	Don’t know	-		No trees >3” DBH will be cut during June and July.
Bald Eagle	-	Don’t know	Species not present	Will not disturb		The closest bald eagle nest is greater than 2.1 miles away and located in the Town of Southport ME.







Find address or place

Q

Legend



Legend

Maine\_Bald\_Eagle\_2014 - Bald Eagle Nest (2013 Survey)

Maine\_Bald\_Eagle\_2014 - Buffer\_330\_660ft

330 Feet

660 Feet

Maine Counties





Kendra Fox

---

From: Settele, Rebecca <Rebecca.Settele@maine.gov>  
Sent: Thursday, February 21, 2019 8:55 AM  
To: Kendra Fox  
Cc: Perry, John  
Subject: RE: [EXTERNAL SENDER] Boothbay Harbor, ME - Environmental Review Request  
Attachments: TopoMap\_ERid3204\_ERVerID3566.pdf; MDIFWResponse\_ERid3204\_ERVerID3566-FINAL.pdf

Follow Up Flag: Follow up  
Flag Status: Completed

Hi Kendra,

I'm working with John Perry on Environmental Review with MDIFW. Attached is our response to Sewer System Improvements in Boothbay Harbor. Please let me know if you have any questions.

Becca Settele  
Wildlife Biologist  
Maine Dept of Inland Fisheries & Wildlife  
Wildlife Division  
650 State St  
Bangor ME 04401  
(207)941-4438  
[mefishwildlife.com](http://mefishwildlife.com) | [facebook](https://www.facebook.com/mefishwildlife) | [twitter](https://twitter.com/mefishwildlife)

Correspondence to and from this office is considered a public record and may be subject to a request under the Maine Freedom of Access Act. Information that you wish to keep confidential should not be included in email correspondence.

---

From: Kendra Fox [mailto:kendra.fox@wright-pierce.com]  
Sent: Wednesday, January 30, 2019 9:42 AM  
To: IFWEnvironmentalreview <IFWEnvironmentalreview@maine.gov>  
Subject: [EXTERNAL SENDER] Boothbay Harbor, ME - Environmental Review Request

Dear Mr. Perry,

The Boothbay Harbor Sewer District is conducting an environmental review to assess the environmental impacts of upgrades to their sewer collection system, as required for their application for funding assistance from USDA Rural Development. Please see the attached letter requesting your agency's review of the project. At the end of the letter you will find the endangered species review package from U.S. Fish and Wildlife Service's website. If you could confirm the receipt of this letter via email, it would be greatly appreciated.

Thank you,  
Kendra

**Kendra Fox, EI**  
**Wright-Pierce** | Project Engineer  
**Direct** 207.523.1409



January 30, 2019  
W-P Project No. 14073A

John Perry  
Environmental Review Coordinator  
Maine Department of Inland Fisheries and Wildlife  
284 State Street, 41 SHS  
Augusta, Maine 04333-0041

Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Dear Mr. Perry:

The Boothbay Harbor Sewer District, Maine is applying for Federal funding assistance for upgrades to their sewer collection system in the Town of Boothbay Harbor, in Lincoln County, Maine. Federal funding program requirements include an inter-governmental Environmental Review pursuant to the National Environmental Policy Act (NEPA) in order to assess the environmental impacts of the proposed projects as part of the application process.

This project consists of the replacement and extension of gravity sewer main, sewer manhole structures, and sewer service laterals to the public right-of-way. The sewer system will be extended on Ocean Point Road to the intersection of Eastern Avenue. Please see the attached Project Area Map (Figure 1) for an outline of the Ocean Point Road Project Area.

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The enclosed Figures 1 and 2 include known wetlands and a delineation of the 100-year floodplain in relation to the project areas. Figures 3 and 4 are Soil Resource Maps that identify the soil types within both project areas.

It should be noted that there are wetlands located adjacent to the collection system project area (as shown on Figures 1 and 2). None of the proposed work is expected to affect these wetlands; however, mitigation measures will be carried out to limit any potential impact. No construction materials or equipment will be stored within the 100-year floodplain. Erosion control measures and best management practices will be used in all proposed project areas, and all relevant permits will be obtained.

We are requesting your agency's review and comment for the proposed project. We would appreciate your response within 30 calendar days. Should you require further information, or wish to discuss the project in more detail, please do not hesitate to contact me at (207) 523-1409 or [kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com).

To: John Perry  
Date: 1/30/19  
Page 2 of 2



Sincerely,

WRIGHT-PIERCE

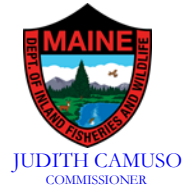
A handwritten signature in black ink that reads "Kendra Fox". The script is cursive and fluid.

Kendra Fox  
Project Engineer

Enclosures



STATE OF MAINE  
DEPARTMENT OF  
INLAND FISHERIES & WILDLIFE  
284 STATE STREET  
41 STATE HOUSE STATION  
AUGUSTA ME 04333-0041



February 20, 2019

Kendra Fox  
Wright-Pierce  
11 Bowdoin Mill Island Suite 140  
Topsham, ME 04086

**RE: Information Request - Boothbay Harbor Sewer District upgrades, Boothbay Harbor**

Dear Kendra:

Per your request received January 30, 2019, we have reviewed current Maine Department of Inland Fisheries and Wildlife (MDIFW) information for known locations of Endangered, Threatened, and Special Concern species; designated Essential and Significant Wildlife Habitats; and fisheries habitat concerns within the vicinity of the *Boothbay Harbor Sewer District upgrades Project* in Boothbay Harbor.

Our information indicates no locations of Endangered, Threatened, or Special Concern species within the project area that would be affected by your project. Additionally, our Department has not mapped any Essential or Significant Wildlife Habitats or inland fisheries habitats that would be directly affected by your project.

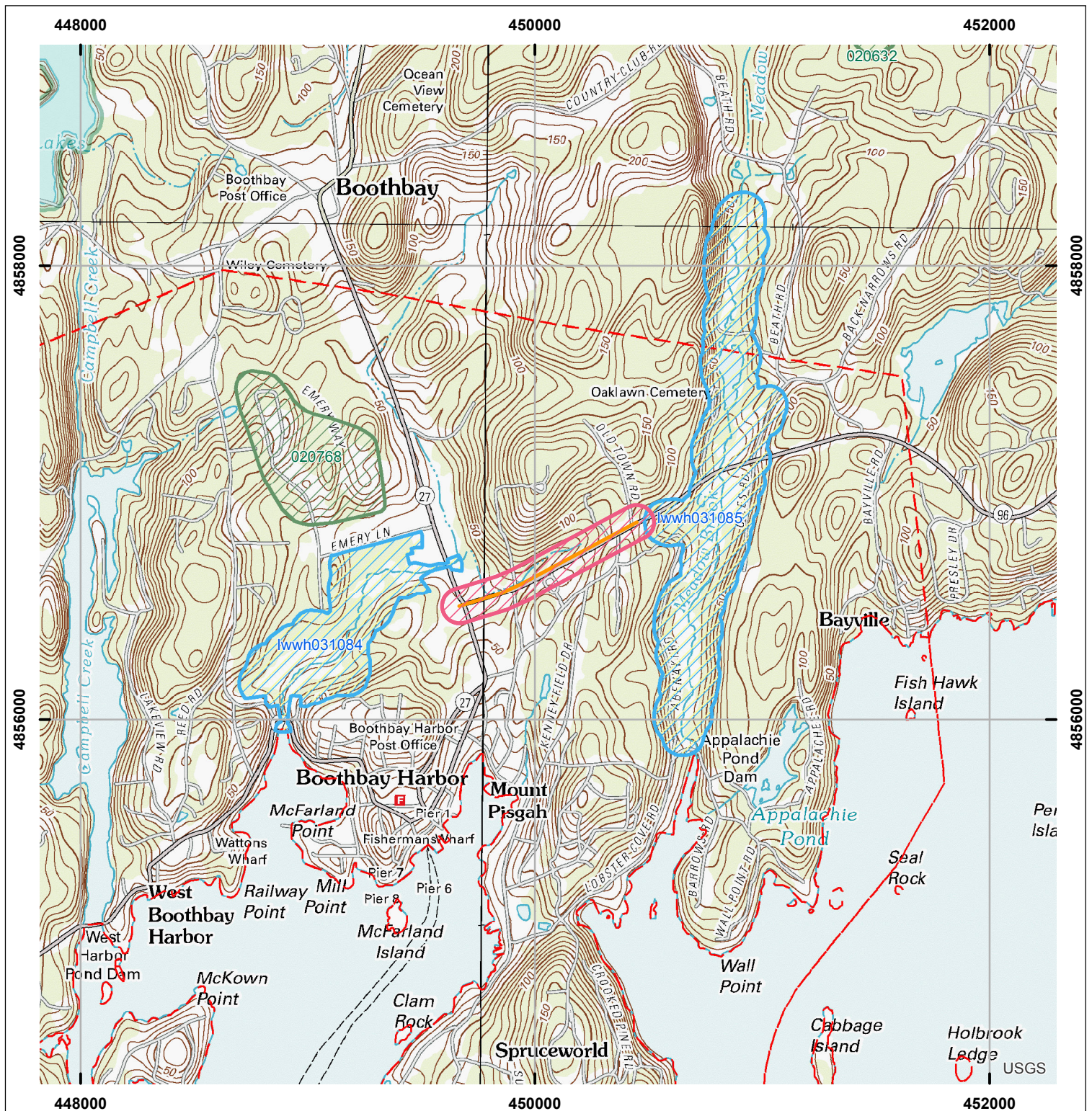
This consultation review has been conducted specifically for known MDIFW jurisdictional features and should not be interpreted as a comprehensive review for the presence of other regulated features that may occur in this area. Prior to the start of any future site disturbance we recommend additional consultation with the municipality, and other state resource agencies including the Maine Natural Areas Program and Maine Department of Environmental Protection in order to avoid unintended protected resource disturbance.

Please feel free to contact my office if you have any questions regarding this information, or if I can be of any further assistance.

Best regards,

Becca Settele  
Wildlife Biologist



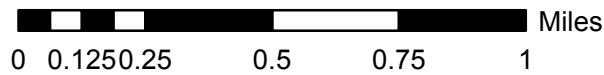


## Environmental Review of Fish and Wildlife Observations and Priority Habitats

Project Name: Boothbay Harbor, Boothbay Harbor Sewer District upgrade (Version 1)



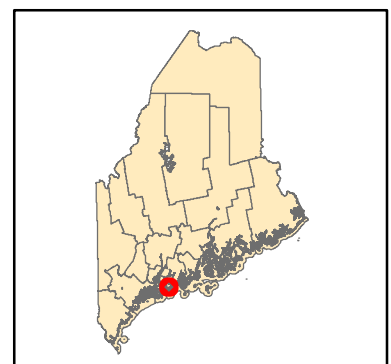
Maine Department of  
Inland Fisheries and Wildlife



Projection: UTM, NAD83, Zone 19N

Date: 2/1/2019

- ProjectLines
- ProjectSearchAreas
- Deer Winter Area
- Inland Waterfowl/Wading Bird
- Special Concern-occupied habitats(100ft buffer)





Kendra Fox

---

From: Kendra Fox  
Sent: Monday, January 21, 2019 11:01 AM  
To: 'Jim.R.Beyer@maine.gov'  
Cc: Corey Lewis  
Subject: Boothbay Harbor, ME - Environmental Review Request  
Attachments: Agency Contact Letter\_DEP.pdf

Dear Mr. Beyer,

The Boothbay Harbor Sewer District is conducting an environmental review to assess the environmental impacts of upgrades to their sewer collection system, as required for their application for funding assistance from USDA Rural Development. Please see the attached letter requesting your agency's review of the project. If you could confirm the receipt of this letter via email, it would be greatly appreciated.

Thank you,  
Kendra

**Kendra Fox, EI**  
**Wright-Pierce** | Project Engineer  
**Direct** 207.523.1409



Visit our website for industry insights: [www.wright-pierce.com](http://www.wright-pierce.com)



January 21, 2019  
W-P Project No. 14073A

James R. Beyer  
Regional Licensing Compliance Manager  
Bureau of Land Resources – Eastern Maine Regional Office  
Maine Department of Environmental Protection

Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Dear Mr. Beyer:

The Boothbay Harbor Sewer District, Maine is applying for Federal funding assistance for upgrades to their sewer collection system in the Town of Boothbay Harbor, in Lincoln County, Maine. Federal funding program requirements include an inter-governmental Environmental Review pursuant to the National Environmental Policy Act (NEPA) in order to assess the environmental impacts of the proposed projects as part of the application process.

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The enclosed Figures 1 and 2 include known wetlands and a delineation of the 100-year floodplain in relation to the project areas. Figures 3 and 4 are Soil Resource Maps that identify the soil types within both project areas.

It should be noted that there are wetlands located adjacent to the collection system project area (as shown on Figures 1 and 2). None of the proposed work is expected to affect these wetlands; however, mitigation measures will be carried out to limit any potential impact. No construction materials or equipment will be stored within the 100-year floodplain. Erosion control measures and best management practices will be used in all proposed project areas, and all relevant permits will be obtained.

We are requesting your agency's review and comment for the proposed project. We would appreciate your response within 30 calendar days. Should you require further information, or wish to discuss the project in more detail, please do not hesitate to contact me at (207) 523-1409 or [kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com).



To: Jim Beyer  
Date: 1/21/19  
Page 2 of 2

Sincerely,

WRIGHT-PIERCE

Kendra Fox  
Project Engineer

Enclosures

Kendra Fox

---

From: Reily, Chris <Chris.Reily@maine.gov>  
Sent: Tuesday, January 29, 2019 8:02 AM  
To: Kendra Fox  
Subject: Boothbay Harbor Sewer District Environmental Review Map  
Attachments: BBHSewer.jpg; BBH Sewer.docx

Ms. Fox,

Attached are the cover letter and map document detailing the protected resources in proximity to the proposed project. Please let me know if you have any further questions.

Chris Reily  
207-446-6578  
Environmental Specialist II  
Maine Department of Environmental Protection  
[www.maine.gov/dep/](http://www.maine.gov/dep/)



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM  
ACTING COMMISSIONER

October 10, 2018

Wright-Pierce  
Attn: Kendra Fox  
11 Bowdoin Mill Island  
Suite 140  
Topsham, ME 04086

Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Ms. Fox;

Enclosed please find a map in response to your request for information regarding licenses, permits, and areas of concern in proximity to the proposed Boothbay Harbor Sewer District project. The map shows your approximate project area and was generated from Maine Geographic Information System (GIS) data layers maintained by the Maine Department of Environmental Protection and the Maine Department of Inland Fisheries and Wildlife. Based on this information, there appear to be protected natural resources near the project area including:

- Coastal Wetland
- Inland Waterfowl Wader Habitat
- Intermittent and perennial streams

Due to the nature of the project and the fact that the work will occur within the road and/or road shoulder, this project does not appear to require a permit from the Department per 38 M.R.S. 480-Q(9) – “Activities that do not require a permit”.

If you have any questions, please feel free to contact me at [chris.reily@maine.gov](mailto:chris.reily@maine.gov) or 207-446-6578.

Sincerely,

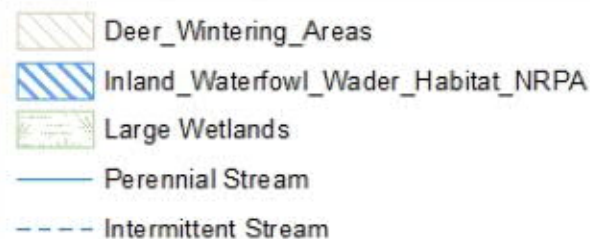
Chris Reily, Environmental Specialist  
Bureau of Land Resources

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-7688 FAX: (207) 287-7826

BANGOR  
106 HOGAN ROAD, SUITE 6  
BANGOR, MAINE 04401  
(207) 941-4570 FAX: (207) 941-4584

PORTLAND  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769  
(207) 764-0477 FAX: (207) 760-3143



- Background hydrologic, topographic and political features are from MEGIS data layers with an accuracy of +/- 40 meters
- All spatial data is projected to NAD 1983 UTM Zone 19
- The map is to be used for reference purposes only and does not represent authoritative locations displayed features.

Kendra Fox

---

From: Kendra Fox  
Sent: Monday, January 21, 2019 11:04 AM  
To: 'jay.l.clement@usace.army.mil'  
Cc: Corey Lewis  
Subject: Boothbay Harbor, ME - Environmental Review Request  
Attachments: Agency Contact Letter\_USACE.pdf

Dear Mr. Clement,

The Boothbay Harbor Sewer District is conducting an environmental review to assess the environmental impacts of upgrades to their sewer collection system, as required for their application for funding assistance from USDA Rural Development. Please see the attached letter requesting your agency's review of the project. If you could confirm the receipt of this letter via email, it would be greatly appreciated.

Thank you,  
Kendra

**Kendra Fox, EI**  
**Wright-Pierce** | Project Engineer  
**Direct** 207.523.1409



Visit our website for industry insights: [www.wright-pierce.com](http://www.wright-pierce.com)



January 21, 2019  
W-P Project No. 14073A

Jay Clement  
U.S. Army Corps of Engineers  
Maine Project Office  
442 Civic Center Drive, Suite 350  
Augusta, ME 04330

Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Dear Mr. Clement:

The Boothbay Harbor Sewer District, Maine is applying for Federal funding assistance for upgrades to their sewer collection system in the Town of Boothbay Harbor, in Lincoln County, Maine. Federal funding program requirements include an inter-governmental Environmental Review pursuant to the National Environmental Policy Act (NEPA) in order to assess the environmental impacts of the proposed projects as part of the application process.

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It should be noted that there are wetlands located adjacent to the collection system project area (as shown on Figures 1 and 2). None of the proposed work is expected to affect these wetlands; however, mitigation measures will be carried out to limit any potential impact. No construction materials or equipment will be stored within the 100-year floodplain. Erosion control measures and best management practices will be used in all proposed project areas, and all relevant permits will be obtained.

We are requesting your agency's review and comment for the proposed project. We would appreciate your response within 30 calendar days. Should you require further information, or wish to discuss the project in more detail, please do not hesitate to contact me at (207) 523-1409 or [kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com).

To: Jay Clement  
Date: 1/21/19  
Page 2 of 2



Sincerely,

WRIGHT-PIERCE

A handwritten signature in cursive script that reads "Kendra Fox". The ink is dark and the signature is fluid.

Kendra Fox  
Project Engineer

Enclosures





DEPARTMENT OF THE ARMY  
US ARMY CORPS OF ENGINEERS  
NEW ENGLAND DISTRICT  
696 VIRGINIA ROAD  
CONCORD MA 01742-2751

Regulatory Division  
CENAE-R54

January 24, 2019

Boothbay Harbor Sewer District  
c/o Christopher Higgins  
27 Sea Street  
Boothbay Harbor, Maine 04538

Dear Mr. Higgins:

I have recently reviewed a project description and plans prepared by your agent, Wright-Pierce. The project entails the district relining an existing sewer line throughout downtown Boothbay Harbor and extending the collection system on Ocean Point Road. After review of the documentation, we have determined that a Department of the Army permit is **not** required for this work since it will not entail placing any fill (temporary or permanent) in wetlands or open water for purposes of doing these sewer system improvements.

Our regulatory jurisdiction encompasses all work in or affecting navigable waters of the United States under Section 10 of the Rivers and Harbors Act of 1899 and the discharge of dredged or fill material into all waters of the United States, including adjacent wetlands, as well as the excavation and grading within those waters, under Section 404 of the Clean Water Act. Since your proposal does not include any of the aforementioned activities, a Department of the Army permit is not required.

Please note that performing work within our jurisdiction as outlined above without a Corps of Engineers permit can result in prosecution by the U.S. Government. Violations of Section 10 can result in criminal prosecution with fines ranging from \$500 to \$2,500 per day of violation and/or imprisonment for up to one year. Violations of Section 404 are punishable by civil fines of up to \$25,000 per day and/or imprisonment for up to one year.

Finally, our Corps permit process does not supersede any other agency's jurisdiction. Therefore, if other Federal, State, and/or local agencies have jurisdiction over your proposed activity, you must receive all other applicable permits before you can begin work. If you have any questions regarding this letter please contact me Peter Tischbein at (207) 623-8367.

Sincerely,

*Peter Tischbein*  
for Frank J. Del Giudice  
Chief, Permits & Enforcement Branch  
Regulatory Division

CF: Kendra Fox, Wright-Pierce

Kendra Fox

---

From: Thomas Woodin <[twoodin@boothbayharbor.org](mailto:twoodin@boothbayharbor.org)>  
Sent: Monday, February 11, 2019 5:33 PM  
To: Kendra Fox  
Cc: Corey Lewis  
Subject: Re: Boothbay Harbor, ME - Environmental Review Request

I replied to Chris Higgins. There were no comments.

Thanks,  
Tom

On Feb 11, 2019, at 3:31 PM, Kendra Fox <[kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com)> wrote:

Hi Mr. Woodin,

As we're coming to the end of the 30 calendar day period for responses, I wanted to check in and see if you've had a chance to review and would like to provide comments on the Boothbay Harbor Sewer District Sewer Collection System Upgrade Project. If you could confirm receipt of this email, that would be greatly appreciated.

Thank you,  
Kendra

**Kendra Fox, EI**  
**Wright-Pierce** | Project Engineer  
**Direct** 207.523.1409



Visit our website for industry insights: [www.wright-pierce.com](http://www.wright-pierce.com)

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From: Kendra Fox  
Sent: Monday, January 21, 2019 10:47 AM  
To: 'twoodin@boothbayharbor.org' <[twoodin@boothbayharbor.org](mailto:twoodin@boothbayharbor.org)>  
Cc: Corey Lewis <[corey.lewis@wright-pierce.com](mailto:corey.lewis@wright-pierce.com)>  
Subject: Boothbay Harbor, ME - Environmental Review Request

Dear Mr. Woodin,

The Boothbay Harbor Sewer District is conducting an environmental review to assess the environmental impacts of upgrades to their sewer collection system, as required for their application for funding assistance from USDA Rural Development. Please see the attached letter requesting the Town's review of the project. If you could confirm the receipt of this letter via email, it would be greatly appreciated.

Thank you,  
Kendra

**Kendra Fox, EI**  
**Wright-Pierce** | Project Engineer  
**Direct** 207.523.1409

January 21, 2019

Thomas Woodin, Boothbay Harbor Town Manager  
11 Howard Street  
Boothbay Harbor, ME 04538

Dear Mr. Woodin:

This letter is to initiate the Executive Order 12372, "Intergovernmental Review of Federal Programs" process. USDA Rural Development is being asked to consider providing financial assistance for the proposal described below and your comments are invited on this proposal regarding:

1. Consistency with State and local government planning goals;
2. Extent to which the proposal duplicates, runs counter to, or needs to be coordinated with other activities, or might be revised to increase its effectiveness;
3. Contribution to achieving State or local government goals relating to natural and human resources, or economic and community development;
4. Extent of environmental impacts and alternatives that should be considered in the Agency's environmental review;
5. Influence on area growth or delivery of services, including any disproportionate effects on minority groups;
6. Impacts on energy resource supply and demand;
7. Possible displacement of people or businesses; and
8. Location in a Coastal Zone or Coastal Barrier Resource Area and consistency with any State coastal management plan.

The proposed project involves rehabilitation and/or replacement of various segments of the sewer collection system pipes and rehabilitation of sewer manhole structures. See full project description attached.

Please send your comments to me at [kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com). If you have no comments regarding the proposed project, please sign below and return to the above email address. If you choose not to respond within 30 days of this correspondence, USDA Rural Development will assume that you have chosen not to respond and may proceed with their decision. If you have any questions concerning this proposal, please contact me at (207) 523-1409 or [kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com).

Sincerely,



Kendra Fox  
Project Engineer

I have read the project description and have no comments regarding the proposed project.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

January 21, 2019  
W-P Project No. 14073A

Thomas Woodin  
Boothbay Harbor Town Manager  
11 Howard Street  
Boothbay Harbor, Maine 04538

Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Dear Mr. Woodin:

The Boothbay Harbor Sewer District, Maine is applying for Federal funding assistance for upgrades to their sewer collection system in the Town of Boothbay Harbor, in Lincoln County, Maine. Federal funding program requirements include an inter-governmental Environmental Review pursuant to the National Environmental Policy Act (NEPA) in order to assess the environmental impacts of the proposed projects as part of the application process.

This project consists of the replacement and extension of gravity sewer main, sewer manhole structures, and sewer service laterals to the public right-of-way. The sewer system will be extended on Ocean Point Road to the intersection of Eastern Avenue. Please see the attached Project Area Map (Figure 1) for an outline of the Ocean Point Road Project Area.

In addition to the gravity sewer replacement and extension project on Ocean Point Road, various segments of the gravity sewer collection system will be also be relined. Sewer relining is proposed on Townsend Avenue, Oak Street, Western Ave, and surrounding roads. Please see the attached Relining Project Area Map (Figure 2) for an outline of the proposed relining project area.

The enclosed Figures 1 and 2 include known wetlands and a delineation of the 100-year floodplain in relation to the project areas. Figures 3 and 4 are Soil Resource Maps that identify the soil types within both project areas.

It should be noted that there are wetlands located adjacent to the collection system project area (as shown on Figures 1 and 2). None of the proposed work is expected to affect these wetlands; however, mitigation measures will be carried out to limit any potential impact. No construction materials or equipment will be stored within the 100-year floodplain. Erosion control measures and best management practices will be used in all proposed project areas, and all relevant permits will be obtained.

We are requesting your agency's review and comment for the proposed project. We would appreciate your response within 30 calendar days. Should you require further information, or wish to discuss the project in more detail, please do not hesitate to contact me at (207) 523-1409 or [kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com).

To: Thomas Woodin

Date: 1/21/19

Page 2 of 2



Sincerely,

WRIGHT-PIERCE

A handwritten signature in cursive script that reads "Kendra Fox". The ink is dark and the signature is fluid.

Kendra Fox  
Project Engineer

Enclosures

Kendra Fox

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From: Burrowes, Todd <Todd.Burrowes@maine.gov>  
Sent: Thursday, January 24, 2019 11:34 AM  
To: Kendra Fox  
Cc: Bergeron, Mark  
Subject: RE: [EXTERNAL SENDER] Boothbay Harbor, ME - Environmental Review Request

Hi, Kendra. The proposed federal action in this case, USDA's provision of federal funding assistance, which is not listed in the Maine Coastal Program (MCP) as a federal assistance activity subject to CZMA consistency review, does not in and of itself trigger review under an enforceable policy of the MCP. Accordingly, CZMA consistency review of this federal action is not required. I encourage you to contact Maine DEP, if you have not already done so, to discuss land use and environmental license and permit requirements, if any, required to build and operate the project to be funded.

- Todd

---

From: Kendra Fox [mailto:kendra.fox@wright-pierce.com]  
Sent: Monday, January 21, 2019 10:59 AM  
To: Burrowes, Todd <Todd.Burrowes@maine.gov>  
Cc: Corey Lewis <corey.lewis@wright-pierce.com>  
Subject: [EXTERNAL SENDER] Boothbay Harbor, ME - Environmental Review Request

Dear Mr. Burrowes,

The Boothbay Harbor Sewer District is conducting an environmental review to assess the environmental impacts of upgrades to their sewer collection system, as required for their application for funding assistance from USDA Rural Development. Please see the attached letter requesting your agency's review of the project. If you could confirm the receipt of this letter via email, it would be greatly appreciated.

Thank you,  
Kendra

**Kendra Fox, EI**  
**Wright-Pierce** | Project Engineer  
**Direct** 207.523.1409



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January 21, 2019  
W-P Project No. 14073A

Todd Burrowes  
State Coastal Program  
93 SHS, 17 Elkins Lane  
Augusta, Maine 04333

Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Dear Mr. Burrowes:

The Boothbay Harbor Sewer District, Maine is applying for Federal funding assistance for upgrades to their sewer collection system in the Town of Boothbay Harbor, in Lincoln County, Maine. Federal funding program requirements include an inter-governmental Environmental Review pursuant to the National Environmental Policy Act (NEPA) in order to assess the environmental impacts of the proposed projects as part of the application process.

This project consists of the replacement and extension of gravity sewer main, sewer manhole structures, and sewer service laterals to the public right-of-way. The sewer system will be extended on Ocean Point Road to the intersection of Eastern Avenue. Please see the attached Project Area Map (Figure 1) for an outline of the Ocean Point Road Project Area.

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We are requesting your agency's review and comment for the proposed project. We would appreciate your response within 30 calendar days. Should you require further information, or wish to discuss the project in more detail, please do not hesitate to contact me at (207) 523-1409 or [kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com).

To: Todd Burrowes

Date: 1/21/19

Page 2 of 2



Sincerely,

WRIGHT-PIERCE

A handwritten signature in black ink that reads "Kendra Fox". The script is cursive and fluid.

Kendra Fox  
Project Engineer

Enclosures



Kendra Fox

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From: Baumert, Dan - NRCS, Bangor, ME <dan.baumert@me.usda.gov>  
Sent: Tuesday, January 29, 2019 3:43 PM  
To: Kendra Fox  
Subject: RE: [CAUTION: Suspicious Link]Boothbay Harbor, ME - Environmental Review Request

Kendra,

I have reviewed the proposed sewer upgrades and do not have any concerns for the proposed work as long as construction operations utilize proper E&S techniques that will prevent any damage to the adjacent wetlands during construction.

Dan Baumert  
State Conservation Engineer  
NRCS, Bangor, ME  
Ph. 207-990-9555 office  
Ph. 207-249-9238 cell

---

From: Kendra Fox <kendra.fox@wright-pierce.com>  
Sent: Monday, January 21, 2019 11:02 AM  
To: Baumert, Dan - NRCS, Bangor, ME <dan.baumert@me.usda.gov>  
Cc: Corey Lewis <corey.lewis@wright-pierce.com>  
Subject: [CAUTION: Suspicious Link]Boothbay Harbor, ME - Environmental Review Request

PROCEED WITH CAUTION: This message triggered warnings of potentially malicious web content. Evaluate this email by considering whether you are expecting the message, along with inspection for suspicious links.

Questions: [Spam.Abuse@wdc.usda.gov](mailto:Spam.Abuse@wdc.usda.gov)

Dear Mr. Baumert,

The Boothbay Harbor Sewer District is conducting an environmental review to assess the environmental impacts of upgrades to their sewer collection system, as required for their application for funding assistance from USDA Rural Development. Please see the attached letter requesting your agency's review of the project. If you could confirm the receipt of this letter via email, it would be greatly appreciated.

Thank you,  
Kendra

**Kendra Fox, EI**  
**Wright-Pierce** | Project Engineer  
**Direct** 207.523.1409



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January 21, 2019  
W-P Project No. 14073A

Dan Baumert  
USDA Natural Resources Conservation Service  
Bangor Field Office  
1423 Broadway, Suite #2  
Bangor, Maine 04401

Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Dear Mr. Baumert:

The Boothbay Harbor Sewer District, Maine is applying for Federal funding assistance for upgrades to their sewer collection system in the Town of Boothbay Harbor, in Lincoln County, Maine. Federal funding program requirements include an inter-governmental Environmental Review pursuant to the National Environmental Policy Act (NEPA) in order to assess the environmental impacts of the proposed projects as part of the application process.

This project consists of the replacement and extension of gravity sewer main, sewer manhole structures, and sewer service laterals to the public right-of-way. The sewer system will be extended on Ocean Point Road to the intersection of Eastern Avenue. Please see the attached Project Area Map (Figure 1) for an outline of the Ocean Point Road Project Area.

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We are requesting your agency's review and comment for the proposed project. We would appreciate your response within 30 calendar days. Should you require further information, or wish to discuss the project in more detail, please do not hesitate to contact me at (207) 523-1409 or [kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com).

To: Dan Baumert  
Date: 1/21/19  
Page 2 of 2



Sincerely,

WRIGHT-PIERCE

A handwritten signature in black ink that reads "Kendra Fox". The script is cursive and fluid.

Kendra Fox  
Project Engineer

Enclosures

Kendra Fox

---

From: Emery, Scott - RD, Bangor, ME <[scott.emery@me.usda.gov](mailto:scott.emery@me.usda.gov)>  
Sent: Thursday, February 14, 2019 1:44 PM  
To: Corey Lewis; Kendra Fox  
Subject: FW: [EXTERNAL] Boothbay Harbor Sewer District - Sewer System Improvements - NLEB Streamlined Consultation

From: White, Shay <[shay\\_white@fws.gov](mailto:shay_white@fws.gov)>  
Sent: Thursday, February 14, 2019 1:28 PM  
To: Emery, Scott - RD, Bangor, ME <[scott.emery@me.usda.gov](mailto:scott.emery@me.usda.gov)>  
Subject: Re: [EXTERNAL] Boothbay Harbor Sewer District - Sewer System Improvements - NLEB Streamlined Consultation

Your correspondence has been received by the U.S. Fish and Wildlife Service Maine Field Office. If you do not receive additional comment from this office within 30 days of submittal, the programmatic biological opinion for the 4(d) rule (dated January 5, 2016) satisfies your responsibilities under section 7(a)(2) of the Endangered Species Act of 1973 (as amended) relative to the northern long-eared bat for this project. Please keep in mind that you must report any departures from the plans submitted; results of any surveys conducted; or any dead, injured, or sick northern long-eared bats that are found to this office. **If this project is not completed within one year of this letter, you must update your determination and resubmit the required information.**

For questions please contact Wende Mahaney by email at [Wende.Mahaney@fws.gov](mailto:Wende.Mahaney@fws.gov) or by telephone at 207-902-1569.

On Tue, Feb 12, 2019 at 3:10 PM Emery, Scott - RD, Bangor, ME <[scott.emery@me.usda.gov](mailto:scott.emery@me.usda.gov)> wrote:

Shay,

We are providing notification to the U.S. Fish and Wildlife Service in accordance with the Optional Framework to Streamline Section 7 Consultation for the Northern Long-Eared Bat (NLEB) that the Boothbay Harbor Sewer District's proposed sewer system improvements project is not likely to adversely affect the NLEB. The proposed project is located in Boothbay Harbor, Maine. USDA Rural Development is considering providing Federal financial assistance for the project.

Attached you will find the Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form that describes the project and a project location map. Please provide any comments that the Service may have within 30 days of this email. Feel free to contact me with any questions.

Thanks,

Scott

Scott Emery, P.E. | State Engineer

Rural Development

US Department of Agriculture

967 Illinois Avenue Suite 4 | Bangor, ME 04401-2767

Phone: 207.990.9126 | Fax: 855.589.1098 | Cell: 207.557.9813

[www.rd.usda.gov/me](http://www.rd.usda.gov/me)

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--

Shay White  
US Fish and Wildlife Service  
Maine Fish and Wildlife Service Complex  
306 Hatchery Road  
P.O. Box A

East Orland, Maine 04431  
Complex Telephone: (207) 469-7300  
Direct dial: (207) 902-1568  
Fax: (207) 902-1588

February 12, 2019  
W-P Project No. 14073A

Scott Emery  
Rural Development – Maine  
Northern Long-Eared Bat (NLEB) Streamlined Consultation Process – Project Description

Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Dear Mr. Emery:

The Boothbay Harbor Sewer District, Maine is applying for Federal funding assistance for upgrades to their sewer collection system in the Town of Boothbay Harbor, in Lincoln County, Maine. Federal funding program requirements include an inter-governmental Environmental Review pursuant to the National Environmental Policy Act (NEPA) in order to assess the environmental impacts of the proposed projects as part of the application process.

This project consists of the replacement and extension of gravity sewer main, sewer manhole structures, and sewer service laterals to the public right-of-way. The sewer system will be extended on Ocean Point Road to the intersection of Eastern Avenue. Please see the attached Project Area Map (Figure 1) for an outline of the Ocean Point Road Project Area.

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We are requesting your agency's review and comment for the proposed project. We would appreciate your response within 30 calendar days. Should you require further information, or wish to discuss the project in more detail, please do not hesitate to contact me at (207) 523-1409 or [kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com).

Sincerely,

To: Scott Emery  
Date: 2/12/19  
Page 2 of 2



WRIGHT-PIERCE

*Kendra Fox*

Kendra Fox  
Project Engineer

Enclosures



From: Sue Young <ogs1@maliseets.com>  
Sent: Tuesday, January 22, 2019 8:47 AM  
To: Kendra Fox  
Subject: RE: Boothbay Harbor, ME - Environmental Review Request

We do not have an immediate concern with your project or project site, and do not currently have the resources to fully investigate same. Should any human remains, archaeological properties or other items of historical importance be unearthed while working on this project, we recommend that you stop your project and report your findings to the appropriate authorities including the Houlton Band of Maliseet Indians.

Tribal Historic Preservation Officer  
Natural Resources Director  
Houlton Band of Maliseet Indians  
88 Bell Road  
Littleton, ME 04730  
207-532-4273 ext. 202  
fax 207-532-6883

www.maliseets.com

## Kendra Fox, EI

**Wright-Pierce | Project Engineer**  
**Direct 207.523.1409**



Visit our website for industry insights: [www.wright-pierce.com](http://www.wright-pierce.com)

## **Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form**

Federal agencies should use this form for the optional streamlined consultation framework for the northern long-eared bat (NLEB). This framework allows federal agencies to rely upon the U.S. Fish and Wildlife Service's (USFWS) January 5, 2016, intra-Service Programmatic Biological Opinion (BO) on the final 4(d) rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiation of consultation is required per 50 CFR 402.16.

This form is not necessary if an agency determines that a proposed action will have no effect to the NLEB or if the USFWS has concurred in writing with an agency's determination that a proposed action may affect, but is not likely to adversely affect the NLEB (i.e., the standard informal consultation process). Actions that may cause prohibited incidental take require separate formal consultation. Providing this information does not address section 7(a)(2) compliance for any other listed species.

<b>Information to Determine 4(d) Rule Compliance:</b>	<b>YES</b>	<b>NO</b>
1. Does the project occur wholly outside of the WNS Zone <sup>1</sup> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Have you contacted the appropriate agency <sup>2</sup> to determine if your project is near known hibernacula or maternity roost trees?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Could the project disturb hibernating NLEBs in a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Could the project alter the entrance or interior environment of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Does the project remove any trees within 0.25 miles of a known hibernaculum at any time of year?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Would the project cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree from June 1 through July 31.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

You are eligible to use this form if you have answered yes to question #1 **or** yes to question #2 **and** no to questions 3, 4, 5 and 6. The remainder of the form will be used by the USFWS to track our assumptions in the BO.

**Agency and Applicant**<sup>3</sup> (Name, Email, Phone No.):

Scott Emery, [scott.emery@me.usda.gov](mailto:scott.emery@me.usda.gov), 207-990-9126

Chris Higgins, [crhiggins@zwi.net](mailto:crhiggins@zwi.net), (207) 633-4663

**Project Name:** Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements

**Project Location** (include coordinates if known): Boothbay Harbor, Maine (see attached Project Area Map)

<sup>1</sup> <http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/WNSZone.pdf>

<sup>2</sup> See <http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html>

<sup>3</sup> If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.

**Basic Project Description** (provide narrative below or attach additional information): This project includes rehabilitation and/or replacement of various segments of the sewer collection system pipes and rehabilitation of sewer manhole structures.

General Project Information	YES	NO
Does the project occur within 0.25 miles of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project occur within 150 feet of a known maternity roost tree?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project include forest conversion <sup>4</sup> ? (if yes, report acreage below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Estimated total acres of forest conversion	0.1 acres	
If known, estimated acres <sup>5</sup> of forest conversion from April 1 to October 31	0.1 acres	
If known, estimated acres of forest conversion from June 1 to July 31 <sup>6</sup>	0 acres	
Does the project include timber harvest? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of timber harvest		
If known, estimated acres of timber harvest from April 1 to October 31		
If known, estimated acres of timber harvest from June 1 to July 31		
Does the project include prescribed fire? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of prescribed fire		
If known, estimated acres of prescribed fire from April 1 to October 31		
If known, estimated acres of prescribed fire from June 1 to July 31		
Does the project install new wind turbines? (if yes, report capacity in MW below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated wind capacity (MW)		

Agency Determination:

By signing this form, the action agency determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule.

If the USFWS does not respond within 30 days from submittal of this form, the action agency may presume that its determination is informed by the best available information and that its project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO. The action agency will update this determination annually for multi-year activities.

The action agency understands that the USFWS presumes that all activities are implemented as described herein. The action agency will promptly report any departures from the described activities to the appropriate USFWS Field Office. The action agency will provide the appropriate USFWS Field Office with the results of any surveys conducted for the NLEB. Involved parties will promptly notify the appropriate USFWS Field Office upon finding a dead, injured, or sick NLEB.

Signature: **SCOTT EMERY** Digitally signed by SCOTT EMERY  
Date: 2019.02.12 14:53:00 -05'00'

Date Submitted: 2/12/19

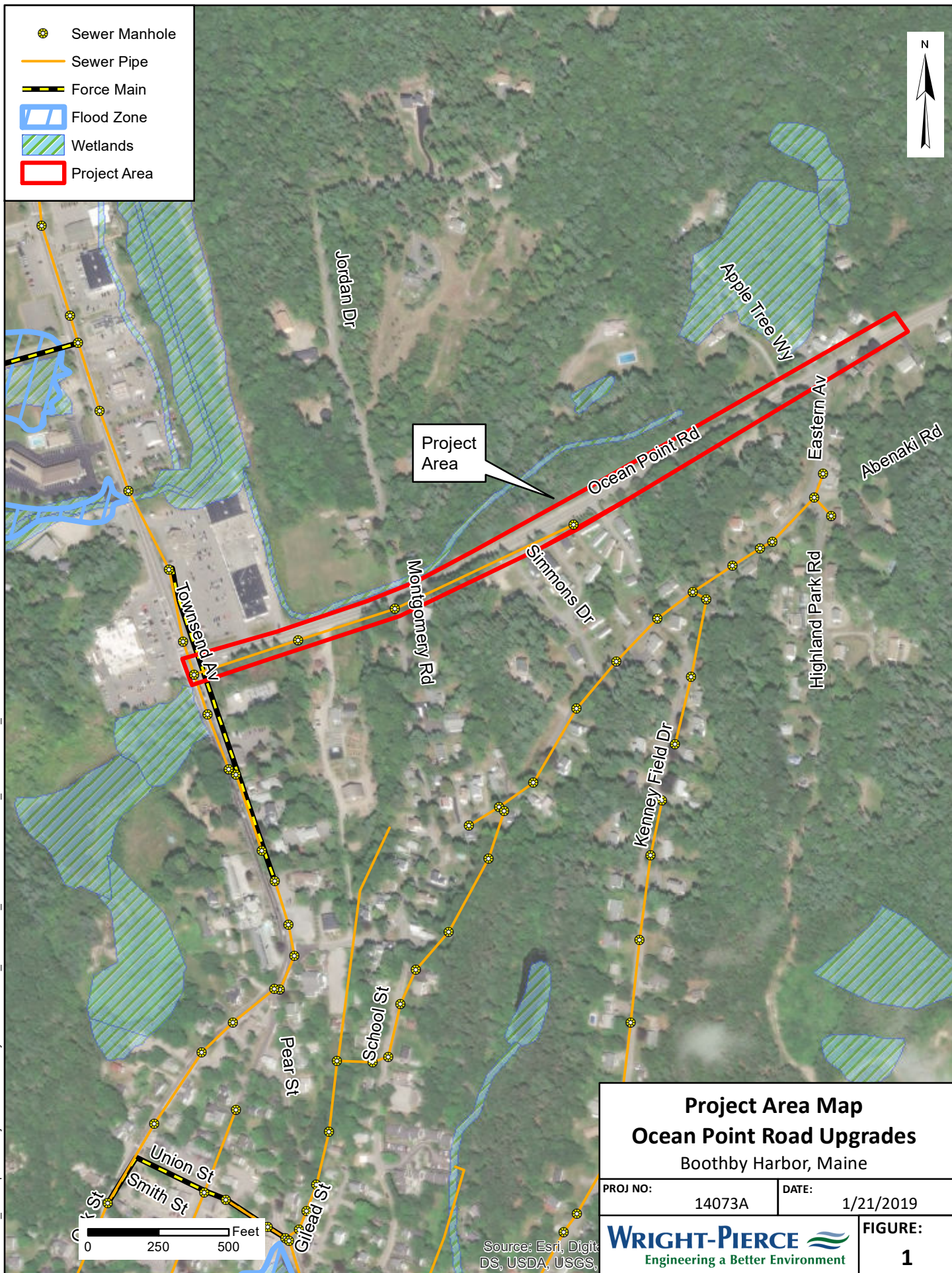
<sup>4</sup> Any activity that temporarily or permanently removes suitable forested habitat, including, but not limited to, tree removal from development, energy production and transmission, mining, agriculture, etc. (see page 48 of the BO).

<sup>5</sup> If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

<sup>6</sup> If the activity includes tree clearing in June and July, also include those acreage in April to October.

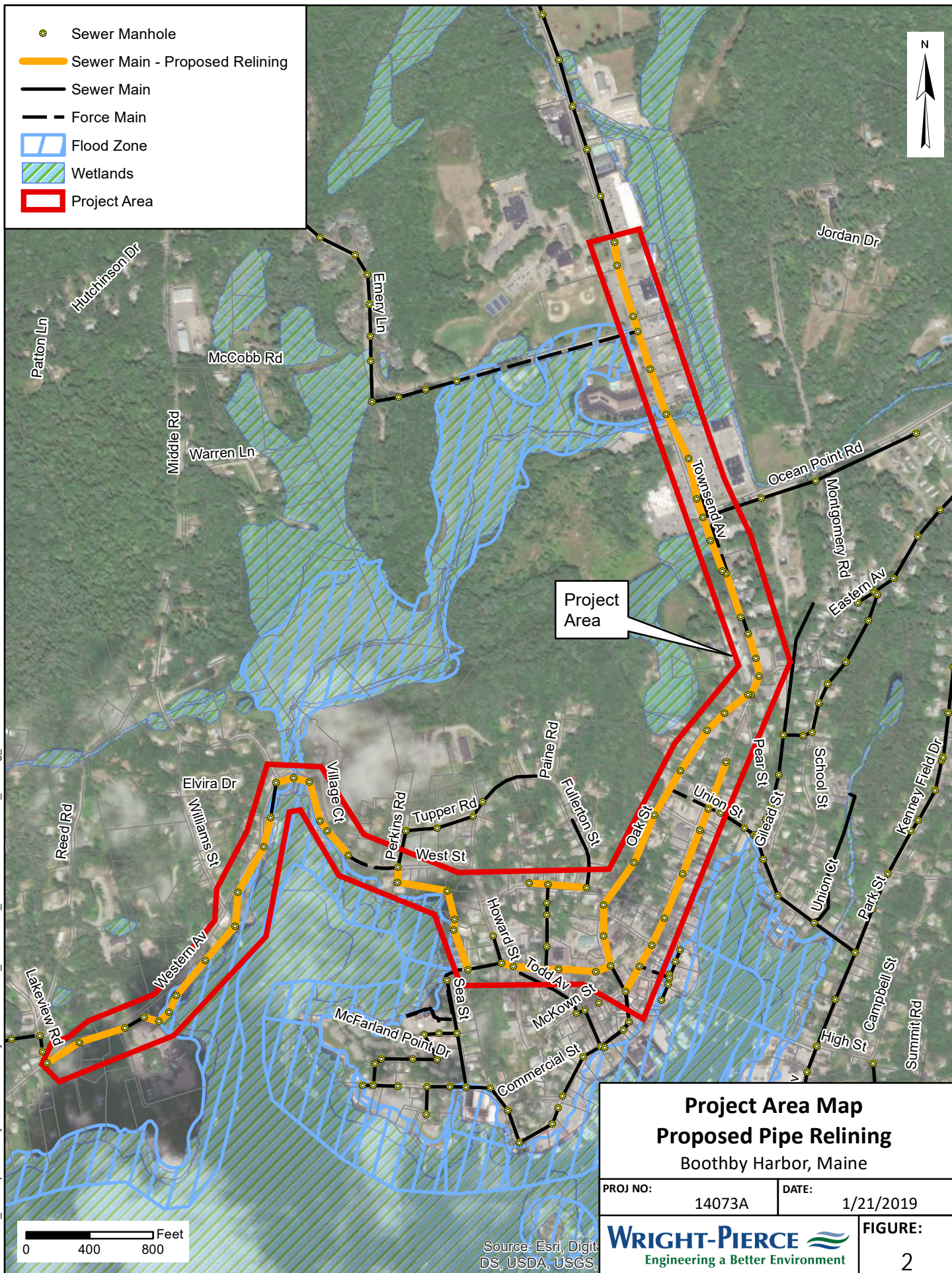


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January 21, 2019  
W-P Project No. 14073A

Sue Young  
Houlton Band of Maliseets  
88 Bell Road  
Littleton, Maine 04730

Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Dear Sue Young:

The Boothbay Harbor Sewer District, Maine is applying for Federal funding assistance for upgrades to their sewer collection system in the Town of Boothbay Harbor, in Lincoln County, Maine. Federal funding program requirements include an inter-governmental Environmental Review pursuant to the National Environmental Policy Act (NEPA) in order to assess the environmental impacts of the proposed projects as part of the application process.

This project consists of the replacement and extension of gravity sewer main, sewer manhole structures, and sewer service laterals to the public right-of-way. The sewer system will be extended on Ocean Point Road to the intersection of Eastern Avenue. Please see the attached Project Area Map (Figure 1) for an outline of the Ocean Point Road Project Area.

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It should be noted that there are wetlands located adjacent to the collection system project area (as shown on Figures 1 and 2). None of the proposed work is expected to affect these wetlands; however, mitigation measures will be carried out to limit any potential impact. No construction materials or equipment will be stored within the 100-year floodplain. Erosion control measures and best management practices will be used in all proposed project areas, and all relevant permits will be obtained.

We are requesting your agency's review and comment for the proposed project. We would appreciate your response within 30 calendar days. Should you require further information, or wish to discuss the project in more detail, please do not hesitate to contact me at (207) 523-1409 or [kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com).





To: Sue Young  
Date: 1/21/19  
Page 2 of 2

Sincerely,

WRIGHT-PIERCE

A handwritten signature in black ink that reads "Kendra Fox". The script is cursive and fluid.

Kendra Fox  
Project Engineer

Enclosures

Kendra Fox

---

From: Jennifer Pictou <jpictou@micmac-nsn.gov>  
Sent: Monday, January 28, 2019 11:18 AM  
To: Kendra Fox  
Subject: Re: Boothbay Harbor, ME - Environmental Review Request

RE: Sewer System Improvements, W-P Project No. 14073A  
Applicant: Boothbay Sewer District  
Municipality: Boothbay, ME

Dear Ms. Fox:

Thank you for the opportunity to review the above-referenced project for compliance with National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA) requirements.

Based on the project description, we do not have knowledge of any specific sites or cultural features that exist at the proposed project location. However, this geographic area does constitute traditional areas that were historically utilized by members of the Aroostook Band of Micmacs and other northeastern tribes. Therefore, we respectfully request that if during the course of excavation/construction activities any human remains, artifacts, or any other evidence of Native American presence is discovered, site activities in the vicinity of the discovery immediately cease, pending notification to us.

If this project results in wetland disturbances requiring mitigation, we request that you utilize the black ash (Fraxinus nigra) as the principle wetland species for wetland restoration activities. The black ash tree has special significance in the cultures of northeastern tribes and is used extensively for weaving baskets and other Native American crafts. The black ash tree also provides valuable food and habitat for migratory waterfowl and other wildlife. Unfortunately, this species has been selected against by foresters and landowners who favor other tree species. As a result of this and other environmental factors, the black ash tree is in serious decline in Maine. The Aroostook band of Micmacs has completed several black ash wetland restoration projects and we have a dependable source for high-quality seedlings as well as the experience and expertise to assist you with black ash wetland restoration projects.

On the subject of human remains, artifacts, or any other evidence of Native American presence being discovered, the human remains will be reburied with the appropriate respect that is required at a distinctive and respectable site. Any artifacts and other evidence of Native American discovery will be documented with appropriate detail. The items will be analyzed for the precise period of the items distinctive period and will be documented by the Tribal Historic Preservation Officer from the Aroostook Band of Micmacs.

Welalin,

Jennifer Pictou  
Tribal Historic Preservation Officer  
Aroostook Band of Micmacs  
7 Northern Road  
Presque Isle, ME 04769  
[jpictou@micmac-nsn.gov](mailto:jpictou@micmac-nsn.gov)  
207-404-4113

"If you are not directly helping a customer, help someone who is." from The Good Guide

On Mon, Jan 21, 2019 at 10:51 AM Kendra Fox <[kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com)> wrote:

Dear Ms. Pictou,

The Boothbay Harbor Sewer District is conducting an environmental review to assess the environmental impacts of upgrades to their sewer collection system, as required for their application for funding assistance from USDA Rural Development. Please see the attached letter requesting your agency's review of the project. If you could confirm the receipt of this letter via email, it would be greatly appreciated.

Thank you,

Kendra

**Kendra Fox, EI**

**Wright-Pierce | Project Engineer**  
**Direct 207.523.1409**



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January 21, 2019  
W-P Project No. 14073A

Jennifer Pictou  
Aroostook Band of Micmacs  
P.O. Box 772, 521-D Mani St.  
Presque Isle, Maine 04769

Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Dear Ms. Pictou:

The Boothbay Harbor Sewer District, Maine is applying for Federal funding assistance for upgrades to their sewer collection system in the Town of Boothbay Harbor, in Lincoln County, Maine. Federal funding program requirements include an inter-governmental Environmental Review pursuant to the National Environmental Policy Act (NEPA) in order to assess the environmental impacts of the proposed projects as part of the application process.

This project consists of the replacement and extension of gravity sewer main, sewer manhole structures, and sewer service laterals to the public right-of-way. The sewer system will be extended on Ocean Point Road to the intersection of Eastern Avenue. Please see the attached Project Area Map (Figure 1) for an outline of the Ocean Point Road Project Area.

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The enclosed Figures 1 and 2 include known wetlands and a delineation of the 100-year floodplain in relation to the project areas. Figures 3 and 4 are Soil Resource Maps that identify the soil types within both project areas.

It should be noted that there are wetlands located adjacent to the collection system project area (as shown on Figures 1 and 2). None of the proposed work is expected to affect these wetlands; however, mitigation measures will be carried out to limit any potential impact. No construction materials or equipment will be stored within the 100-year floodplain. Erosion control measures and best management practices will be used in all proposed project areas, and all relevant permits will be obtained.

We are requesting your agency's review and comment for the proposed project. We would appreciate your response within 30 calendar days. Should you require further information, or wish to discuss the project in more detail, please do not hesitate to contact me at (207) 523-1409 or [kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com).



To: Jennifer Pictou  
Date: 1/21/19  
Page 2 of 2

Sincerely,

WRIGHT-PIERCE

Kendra Fox  
Project Engineer

Enclosures

## Kendra Fox

---

From: Donald Soctomah <soctomah@gmail.com>  
Sent: Monday, February 4, 2019 10:26 AM  
To: Kendra Fox  
Subject: Re: Boothbay Harbor, ME - Environmental Review Request  
Attachments: wright 2-4-19.docx

Hi Kendra;

attached is the section 106

Donald

On Mon, Jan 21, 2019 at 10:53 AM Kendra Fox <[kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com)> wrote:

Dear Mr. Soctomah,

The Boothbay Harbor Sewer District is conducting an environmental review to assess the environmental impacts of upgrades to their sewer collection system, as required for their application for funding assistance from USDA Rural Development. Please see the attached letter requesting your agency's review of the project. If you could confirm the receipt of this letter via email, it would be greatly appreciated.

Thank you,

Kendra

**Kendra Fox, EI**

**Wright-Pierce | Project Engineer**  
**Direct 207.523.1409**



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January 21, 2019  
W-P Project No. 14073A

Donald Soctomah  
Passamaquoddy Tribe  
P.O. Box 159  
Princeton, Maine 04668

Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Dear Mr. Soctomah:

The Boothbay Harbor Sewer District, Maine is applying for Federal funding assistance for upgrades to their sewer collection system in the Town of Boothbay Harbor, in Lincoln County, Maine. Federal funding program requirements include an inter-governmental Environmental Review pursuant to the National Environmental Policy Act (NEPA) in order to assess the environmental impacts of the proposed projects as part of the application process.

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We are requesting your agency's review and comment for the proposed project. We would appreciate your response within 30 calendar days. Should you require further information, or wish to discuss the project in more detail, please do not hesitate to contact me at (207) 523-1409 or [kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com).



To: Donald Soctomah

Date: 1/21/19

Page 2 of 2



Sincerely,

WRIGHT-PIERCE

A handwritten signature in black ink that reads "Kendra Fox". The script is cursive and fluid.

Kendra Fox  
Project Engineer

Enclosures

# Tribal Historic Preservation Office

Passamaquoddy Tribe  
PO Box 159 Princeton, Me. 04668  
207-214-4051

Wright-Pierce  
11 Bowdoin Mill island  
Topsham, Maine

February 4, 2019

Re: Boothbay harbor – Sewage Project

Dear Kendra;

The Passamaquoddy THPO has reviewed the following applications regarding the historic properties and significant religious and cultural properties in accordance with NHPA, NEPA, AIRFA, NAGPRA, ARPA, Executive Order 13007 Indian Sacred Sites, Executive Order 13175 Consultation and Coordination with Indian Tribal Governments, and Executive Order 12898 Environmental Justice.

The above listed proposed projects will not have any impact on cultural and historical concerns of the Passamaquoddy Tribe.

Sincerely;

Donald Soctomah  
Soctomah@gmail.com  
THPO  
Passamaquoddy Tribe

Kendra Fox

---

From: John Banks <John.Banks@penobscotnation.org>  
Sent: Tuesday, February 12, 2019 8:07 AM  
To: Kendra Fox  
Subject: RE: Boothbay Harbor, ME - Environmental Review Request

Hi Kendra,

Thank you for providing the opportunity to review and comment on the Boothbay Harbor Sewer District Sewer Collection System Upgrade Project.

Since this project is not near any Penobscot Nation lands or resources, I have no comments or concerns.

Sincerely,

John S. Banks  
Director of Natural Resources  
Penobscot Nation  
12 Wabanaki Way  
Indian Island, ME 04468  
207-817-7330  
207-356-5022 (cell)  
john.banks@penobscotnation.org

---

From: Kendra Fox [mailto:kendra.fox@wright-pierce.com]  
Sent: Monday, February 11, 2019 3:33 PM  
To: John Banks <John.Banks@penobscotnation.org>  
Cc: Corey Lewis <corey.lewis@wright-pierce.com>  
Subject: RE: Boothbay Harbor, ME - Environmental Review Request

**WARNING: The email came from an external source! Please verify sender before opening attachments, clicking links, or answering requests for information or money.**

Hi Mr. Banks,

As we're coming to the end of the 30 calendar day period for responses, I wanted to check in and see if you've had a chance to review and would like to provide comments on the Boothbay Harbor Sewer District Sewer Collection System Upgrade Project. If you could confirm receipt of this email, that would be greatly appreciated.

Thank you,  
Kendra

**Kendra Fox, EI**  
**Wright-Pierce** | Project Engineer  
**Direct** 207.523.1409



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---

From: Kendra Fox  
Sent: Monday, January 21, 2019 10:55 AM  
To: John Banks <[John.Banks@penobscotnation.org](mailto:John.Banks@penobscotnation.org)>  
Cc: Corey Lewis <[corey.lewis@wright-pierce.com](mailto:corey.lewis@wright-pierce.com)>  
Subject: Boothbay Harbor, ME - Environmental Review Request

Dear Mr. Banks,

The Boothbay Harbor Sewer District is conducting an environmental review to assess the environmental impacts of upgrades to their sewer collection system, as required for their application for funding assistance from USDA Rural Development. Please see the attached letter requesting your agency's review of the project. If you could confirm the receipt of this letter via email, it would be greatly appreciated.

Thank you,  
Kendra

**Kendra Fox, EI**  
**Wright-Pierce** | Project Engineer  
**Direct** 207.523.1409



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January 21, 2019  
W-P Project No. 14073A

John Banks  
Penobscot Indian Nation  
12 Wabanaki Way  
Indian Island, Maine 04468

Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Dear Mr. Banks:

The Boothbay Harbor Sewer District, Maine is applying for Federal funding assistance for upgrades to their sewer collection system in the Town of Boothbay Harbor, in Lincoln County, Maine. Federal funding program requirements include an inter-governmental Environmental Review pursuant to the National Environmental Policy Act (NEPA) in order to assess the environmental impacts of the proposed projects as part of the application process.

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We are requesting your agency's review and comment for the proposed project. We would appreciate your response within 30 calendar days. Should you require further information, or wish to discuss the project in more detail, please do not hesitate to contact me at (207) 523-1409 or [kendra.fox@wright-pierce.com](mailto:kendra.fox@wright-pierce.com).

To: John Banks

Date: 1/21/19

Page 2 of 2



Sincerely,

WRIGHT-PIERCE

A handwritten signature in black ink that reads "Kendra Fox". The script is cursive and fluid.

Kendra Fox  
Project Engineer

Enclosures

January 21, 2019  
W-P Project No. 14073A

Kirk Mohny  
State Historic Preservation Commission  
55 Capitol Street  
Augusta, Maine 04333

Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Dear Mr. Mohny:

The Boothbay Harbor Sewer District, Maine is applying for Federal funding assistance for upgrades to their sewer collection system in the Town of Boothbay Harbor, in Lincoln County, Maine. Federal funding program requirements include an inter-governmental Environmental Review pursuant to the National Environmental Policy Act (NEPA) in order to assess the environmental impacts of the proposed projects as part of the application process.

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To: Kirk Mohney  
Date: 1/21/19  
Page 2 of 2



Sincerely,

WRIGHT-PIERCE

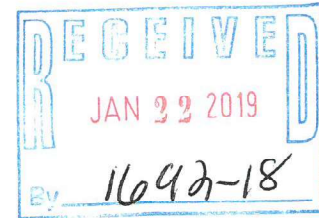
A handwritten signature in cursive script that reads "Kendra Fox". The ink is dark and the signature is fluid.

Kendra Fox  
Project Engineer

Enclosures

January 21, 2019  
W-P Project No. 14073A

Kirk Mohny  
State Historic Preservation Commission  
55 Capitol Street  
Augusta, Maine 04333



Re: Boothbay Harbor Sewer District, Boothbay Harbor, Maine – Sewer System Improvements  
Environmental Review

Dear Mr. Mohny:

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To: Kirk Mohny

Date: 1/21/19

Page 2 of 2



Sincerely,

WRIGHT-PIERCE

*Kendra Fox*

Kendra Fox  
Project Engineer

Enclosures

Based on the information submitted, I have concluded that there will be no historic properties affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act. Consequently pursuant to 36 CFR 800.4(d)(1), no further Section 106 consultation is required unless additional resources are discovered during project implementation pursuant to 36 CFR 800.13.

*Kirk F. Mohny*

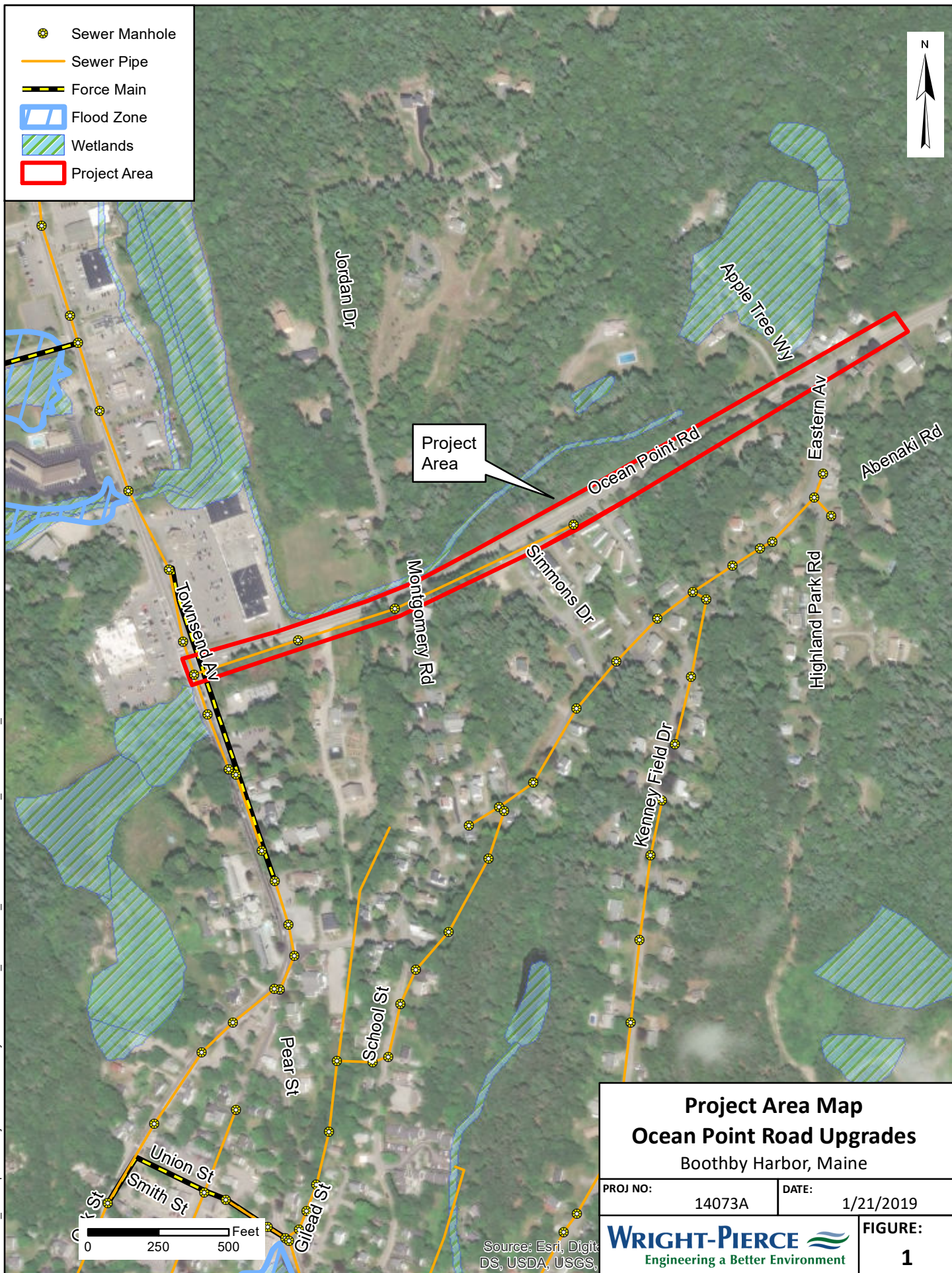
Kirk F. Mohny,  
State Historic Preservation Officer  
Maine Historic Preservation Commission

*1/28/19*  
Date

MAPC # 1692-18



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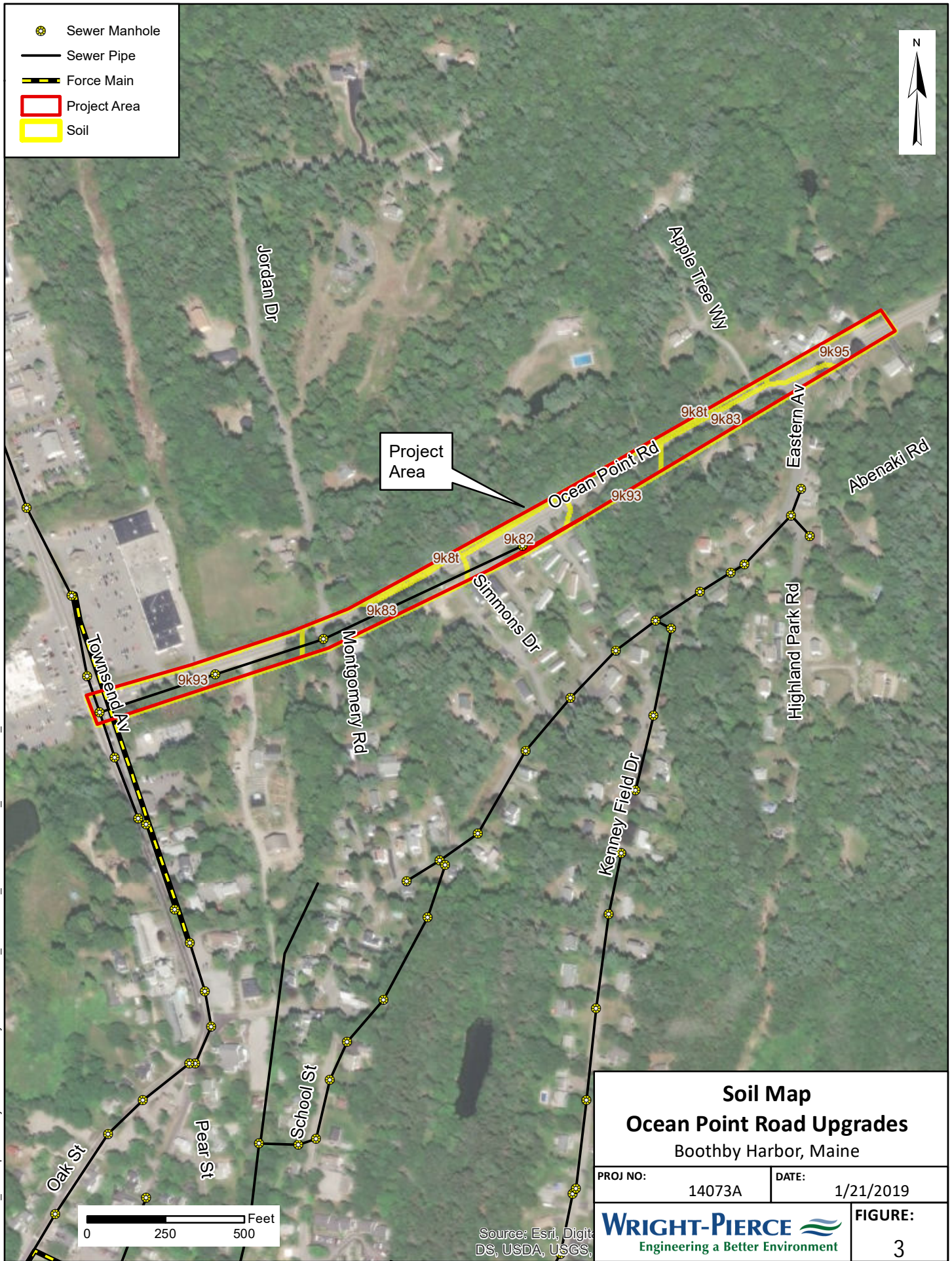








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## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
LrB	Lyman-Rock outcrop-Tunbridge complex, 0 to 8 percent slopes	0.8	13.7%
LrC	Lyman-Rock outcrop-Tunbridge complex, 8 to 15 percent slopes	2.1	33.7%
PbC	Peru fine sandy loam, 8 to 15 percent slopes, very stony	0.3	5.4%
Sw	Swanville silt loam, 0 to 3 percent slopes	2.2	36.6%
TrC	Tunbridge-Lyman complex, 8 to 15 percent slopes, rocky	0.6	10.6%
<b>Totals for Area of Interest</b>		<b>6.1</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it



## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Bg	Biddeford mucky peat, 0 to 3 percent slopes	0.0	0.0%
BoB	Boothbay silt loam, 3 to 8 percent slopes	1.9	2.2%
Bp	Borosaprists, ponded	1.0	1.1%
LrB	Lyman-Rock outcrop-Tunbridge complex, 0 to 8 percent slopes	8.9	9.9%
LrC	Lyman-Rock outcrop-Tunbridge complex, 8 to 15 percent slopes	25.8	28.7%
LrE	Lyman-Rock outcrop-Tunbridge complex, 15 to 45 percent slopes	13.1	14.5%
My	Medomak silt loam	2.1	2.4%
Sw	Swanville silt loam, 0 to 3 percent slopes	2.7	3.0%
TrB	Tunbridge-Lyman complex, 3 to 8 percent slopes, rocky	0.1	0.1%
TrC	Tunbridge-Lyman complex, 8 to 15 percent slopes, rocky	14.6	16.2%
Ud	Udorthents-Urban land complex	15.3	17.0%
W	Water bodies	4.6	5.1%
<b>Totals for Area of Interest</b>		<b>90.1</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

