



135 River Road • Woolwich, ME 04579
207-837-2199 • tim@atlanticenviromaine.com
www.atlanticenviromaine.com

May 6, 2020

Mr. Darren Carey, Code Enforcement Officer
Town of Bowdoinham
13 School Street
Bowdoinham, Maine 04008

RE: Shoreland Zoning Permit Application for a Seasonal Dock for Daniel Steele, 1217 River Road, Bowdoinham, Maine.

Dear Mr. Carey,

On behalf of Daniel Steele (Applicant), Atlantic Environmental (AE) is pleased to submit a Shoreland Zoning Permit Application for a seasonal dock consisting of a pier, ramp, and a float located at 1217 River Road, in Bowdoinham. The dock will provide all-tide to access to the Kennebec River and adjacent coastal waters.

The Applicant proposes to construct a seasonal dock that will begin in the upland and consist of a three and a half (3.5) foot wide by thirty-five (35) foot long pier that will connect to a three (3) foot wide by thirty-five (35) foot long ramp, and a ten (10) foot wide by sixteen (16) foot long float. All components of the dock will be in place on a temporary basis (i.e. less than seven months of the calendar year) and will be stored in the upland during the off-season.

The Applicant's property is located in Limited Residential Zone, the Shoreland Zone, and Resource Protection District Zone. AE has reviewed the Town of Bowdoinham's Zoning Ordinance and believes the project is in compliance with the standards of those zones. Please review the attached information demonstrating compliance with these Articles.

The Applicant has submitted an application to the Army Corps of Engineers (ACOE) and additional information including the Project Narrative, Photographs, Maps, and Design Drawings are available within the attached application materials. The Applicant received approval from the ACOE and a copy of that approval is included.

Thank you in advance for your consideration of this Application. If you require any additional information or clarifications, please feel free to contact me at 207 - 837 - 2199 or by email at tim@atlanticenviromaine.com.

Sincerely,
Atlantic Environmental LLC.

A handwritten signature in black ink that reads 'Timothy A. Forrester'.

Timothy A. Forrester, Owner



Town of Bowdoinham

13 School St • Bowdoinham, ME 04008

Phone 666-5531 • Fax 666-5532

www.bowdoinham.com

Permit File #

For Office Use Only

APPLICATION FOR CODE ENFORCEMENT OFFICER PERMIT

Type of Application: Shoreland Zoning Site Plan Review – Tier I
 Building Permit Land Use Floodplain Management

Applicant Information:

Name: Daniel Steel
Mailing Address: P.O. Box 15148 Portland, ME 04112
Telephone: (207) 671 - 8584
Right, Title, Interest in Property: Owner Other
(appropriate documentation must be provided)

Contractor/Agent Information:

Name: Atlantic Environmental, LLC c/o Tim Forrester
Mailing Address: 135 River Road Woolwich, ME 04579
Telephone: (207) 837 - 2199
Contractor Agent – Certification:

Property Information:

Map/Lot Number: Tax Map #R12, Lot #2A
Property Address: 1217 River Road
Lot Size: 7.75 acres Lot Frontage: 35.38'
Lot Coverage – Existing <20 % Proposed <20 %
Number of Bedrooms – Existing Proposed N/A
Building Height – Existing Proposed N/A
Water Service: Public Private Road Ownership: State Town Private N/A
Property Entrance/Driveway: Existing New
Floodplain: No Yes Shoreland Zoning: No Yes: District- LR/RP
Land Use District: Residential/Agricultural Village I Village II
Enrolled in Tax Program: No Agriculture Open Space Tree Growth

Project Description:

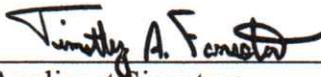
The Applicant proposes to construct a seasonal dock consisting of a pier, ramp, and float. The pier will begin in the upland and will measure 3.5 feet wide by 35 feet long and will connect to a 3 foot wide by 35 foot long ramp and a 10 foot wide by 16 foot long float. The pier will be supported with a seasonal timber bent. All structures will be stored in the upland during the off-season.

Attachments (the following items are required):

- Site Plan
- Photographs of Site
- Application Fee
- Subsurface Wastewater Disposal System Design (proposed and/or existing)
- Internal Plumbing Permit
- Supporting Documents as required per Land Use Ordinance

By signing this application, as the foresaid applicant:

- I certify that I have read and completely understand the application;
- I certify that the information contained in this application and its attachments are true and correct;
- I understand that all information provided on this form and all other documents submitted as part of my proposal is a matter of public record;
- I understand that copies of this information may be supplied upon request to an interested party;
- I understand that additional funds may be required through the course of review for special studies, legal review costs, and/or engineering review;
- I understand that it is my responsibility to know and pay for any tax penalty that may result from said project;
- I understand that the information contained in this application is background information and some applications may require additional tests, maps, documentation or submissions as required by the Planning Board.



Applicant Signature

5/6/2020

Date

Timothy Forrester, Agent

Print Name

FOR OFFICE USE ONLY

Received On:

5-14-2020

Fee Paid:

50⁻

Signed

Date

Town of Bowdoinham Land Use Ordinance

Article 7: Shoreland Zoning, Section C - Approval Criteria

1. Will maintain safe and healthful conditions.

The proposed dock will provide a safe access point to the water for recreational uses.

2. Will not result in water pollution.

The proposed dock will not result in sources of water pollution. It will be in place on a seasonal basis and all CCA-treated wood will be cured for 21 days prior to installation.

3. Will provide adequate provisions for the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other impervious surfaces.

The proposed dock will not result in additional stormwater.

4. Will take adequate measures to prevent soil erosion and the sedimentation of watercourses and waterbodies.

The proposed dock will consist of six (6) inch by six (6) inch timber bents that will be seasonally chained in place over mixed coarse and fines substrates. No large machinery is necessary to construct the dock and no equipment will operate within the coastal wetland. As a result of the construction of the dock, it is not anticipated that measurable soil disturbance will occur; therefore, no formal erosion controls are proposed.

5. Will take adequate measures to avoid and to minimize having an adverse effect on wetlands and/or waterbodies.

All components will be stored in the upland during the off-season as shown on the attached plans. In addition, the Applicant has proposed minimal dimensions in order to meet their project purpose.

6. Will provide for the disposal of all wastewater in accordance with the State of Maine Subsurface Wastewater Disposal Rules.

N/A

7. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other riparian wildlife habitat.

The project was reviewed and approved by the US Fish and Wildlife Service (USFWS) and no concerns regarding these resources were identified. The dock was designed to

only be in place on a seasonal basis and will not result in adverse impacts to spawning grounds, fish, aquatic life, bird, and other riparian wildlife habitat.

- 8) Will conserve natural, native vegetation along the shoreline.

No trees will need to be cut for the construction of the dock.

- 9) Will conserve visual corridors.

The proposed dock will be similar in size and design to an existing structure located to the south and within the vicinity of the project site. The dock will not result in contrast in scale or result in spatial dominance within the viewshed of the resource.

- 10) Will conserve access to inland and coastal waters.

The dock will not interfere with existing access to coastal waters. There are no points of public access at the project site.

- 11) Will not have an adverse effect on historic and/or archaeological sites.

The proposed dock has been reviewed by the Maine Historic Preservation Commission and Tribal Historic Preservation Officers. No concerns have been identified by these agencies.

- 12) Will not adversely affect existing commercial fishing or maritime activities in a Commercial Fisheries/Maritime Activities district.

The proposed project is not located in these districts and will not adversely affect commercial fishing or maritime activities.

- 13) Will be in compliance with the Town's Floodplain Management provisions.

The proposed dock has been designed to comply with the Town's Floodplain Management provisions.

- 14) Will be in conformance with the provisions of Article 7, Section D, Performance Standards.

The proposed dock has been designed to meet the provisions of Article 7, Section D as outlined below.

Article 7: Shoreland Zoning, Section D.3 – Performance Standards for Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Below the Normal High-Water Line of a Water Body or Within a Wetland and Shoreland Stabilization.

- a) Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion.

The dock will begin in the upland and will be located over marsh vegetation and mixed coarse and fines. The pier will be elevated 1:1 for height and width over the marsh vegetation to minimize the potential for shading impacts. The timber bent will be located over mixed coarse and fines and will only be in place on a seasonal basis. No large equipment will operate within the coastal wetland to construct the dock.

- b) The location shall not interfere with existing developed or natural beach areas.

The dock will not interfere with developed or natural beach areas as neither of these are located in the proposed location.

- c) The facility shall be located so as to minimize adverse effects on fisheries.

The dock has been located on the property to minimize the necessary length to reach navigable waters on an all-tide basis. The float will be elevated during all tides resulting in minimal adverse effects on fisheries. As previously stated, the proposed dock was reviewed by the USFWS and no fishery concerns were identified.

- d) The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with the surrounding character and uses of the area. A temporary pier, dock or wharf in non-tidal waters shall not be wider than six feet for non-commercial uses.

The pier portion of the dock has been limited to 3.5 feet and the proposed length of the overall structure allows the float to remain elevated at all tides. There is a dock of similar proportions, albeit longer, located to the south of the project site. The project is not located on non-tidal waters.

- e) No new structure shall be built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a freshwater or coastal wetland unless the structure requires direct access to the water body or wetland as an operational necessity.

The Applicant does not propose a new structure on, over, or abutting the dock.

- f) New permanent piers and docks on non-tidal waters shall not be permitted unless it is clearly demonstrated to the Planning Board that a temporary pier or dock is not feasible, and a permit has been obtained from the Department of Environmental Protection, pursuant to the Natural Resources Protection Act.

The dock is located on tidal waters.

- g) No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high-water line of a water body or within a freshwater or coastal wetland shall be converted to residential dwelling units in any district.

There are no existing structures on, over, or abutting the dock.

- h) Except in the General Development Districts and Commercial Fisheries/Maritime Activities District, structures built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a coastal or freshwater wetland shall not exceed twenty (20) feet in height above the pier, wharf, dock or other structure.

The Applicant does not propose structures on, over, or abutting the dock.

- i) The structure should be placed to minimize the shading on existing vegetation.

The beginning of the pier consists of marsh vegetation and the pier will be elevated as described in (a) to minimize shading impacts on this vegetation. No vegetation needs to be cut to construct the proposed dock.

- j) The applicant must demonstrate that a community or shared dock is not possible.

Given the potential for liability issues with a shared dock, it is not possible to construct a community or shared dock.

- k) The applicant must minimize the use of wood preservatives, stains and paints on said structure.

The dock will be constructed with CCA-treated lumber. As recommended by the Maine Department of Environmental Protection (DEP), the lumber will be cured on dry land for 21 days prior to installation. The Applicant does not propose to use stains or paints for the dock.

- l) The storage of floats and boats must occur on the upland.

All seasonal components of the dock will be stored in the upland as shown the attached plans.

- m) No more than one pier, dock, wharf or similar structure extending or located below the normal high-water line of a water body or within a wetland is allowed on a single lot; except that when a single lot contains at least twice the minimum shore frontage as specified in Article 7.D.1, a second structure may be allowed and may remain as long as the lot is not further divided.

The Applicant does not propose more than one dock.

- n) A structure constructed on a float or floats is prohibited unless it is designed to function as, and is registered with the Maine Department of Inland Fisheries and Wildlife as a watercraft.

The Applicant does not propose to construct a structure on the float.

- o) Vegetation may be removed in excess of the standards in Article 7.D.17 of this ordinance in order to conduct shoreline stabilization of an eroding shoreline, provided that a permit is obtained from the Planning Board. Construction equipment must access the shoreline by barge when feasible as determined by the Planning Board. **N/A**

- (i) When necessary, the removal of trees and other vegetation to allow for construction equipment access to the stabilization site via land must be limited to no more than 12 feet in width. When the stabilization project is complete the construction equipment accessway must be restored.

- (ii) Revegetation must occur in accordance with Article 7.D.20.

- p) A permit pursuant to the Natural Resources Protection Act is required for the Department of Environmental Protection for Shoreland Stabilization activities.

The project does not include shoreline stabilization.

PROJECT PURPOSE AND DESCRIPTION

The Applicant owns a parcel of land that is approximately 7.75 acres in size and located adjacent to the Kennebec River in the Town of Bowdoinham, Maine. The Applicant would like seasonal access to the river and adjacent waters for recreational purposes. In order to meet this project purpose, the Applicant proposes to construct a seasonal dock on their property. The proposed seasonal dock consists of a pier, ramp, and float. The pier will begin in the upland, extend in an easterly direction and will measure 3.5 foot wide by thirty-five (35) foot long. The pier section will be supported with a timber bent that will be seasonally chained in place. The pier will connect to a three (3) foot wide by thirty-five (35) foot long ramp and a ten (10) foot wide by sixteen (16) foot long float. During the off-season, all structures will be removed and stored in an upland location as shown on the plans included with the application.

In accordance with the Army Corps of Engineers guidelines for "*Structures, Floats, and Lifts*," the following design standards are proposed:

- 1) The floats will be supported a minimum of 18" above the substrate during all tides.
- 2) The float will be one hundred and sixty (160) square feet in size.
- 3) The structures and floats will not be located within 25' of any eelgrass.
- 4) The structure does not extend across >25% of the waterway width at mean low water.
- 5) The project is not located within the buffer zone of the horizontal limits of a Corps Federal Navigation Project.

The Applicant has included an official species list from the U.S. Fish and Wildlife Service; however, the construction of the dock does not require any trees greater than 3" dbh to be cut. In summary, the purpose of the proposed dock is to provide reasonable tidal access to the Kennebec River for recreational pursuits and has been designed to minimize impacts to coastal waters.



DIRECTIONS: From I-295, take exit 37 and follow ramp right for Route 125/Route 138. Travel for approximately 1.2 miles and keep straight to Route 24/River Road. Travel for approximately 5.8 miles. #1217 is located on the right.

 <p>ATLANTIC ENVIRONMENTAL LLC. Environmental Consultants 135 River Road, Woolwich, ME 04579 (207) 837-2199 tim@atlanticenviromaine.com</p>	<p>Date: 3/26/2020 Revised: Project: Steele, Bowdoinham Drafted By: —</p>	<p>PROJECT LOCATION 1217 River Road Bowdoinham, Maine Maine Atlas & Gazetteer Map 6 (Section A-5) 44.053574, - 69.810619</p>	<p>Sheet 1 of 1</p>
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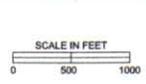
PROPERTY MAP
BOWDOINHAM
MAINE

2016
(As of April 1st)



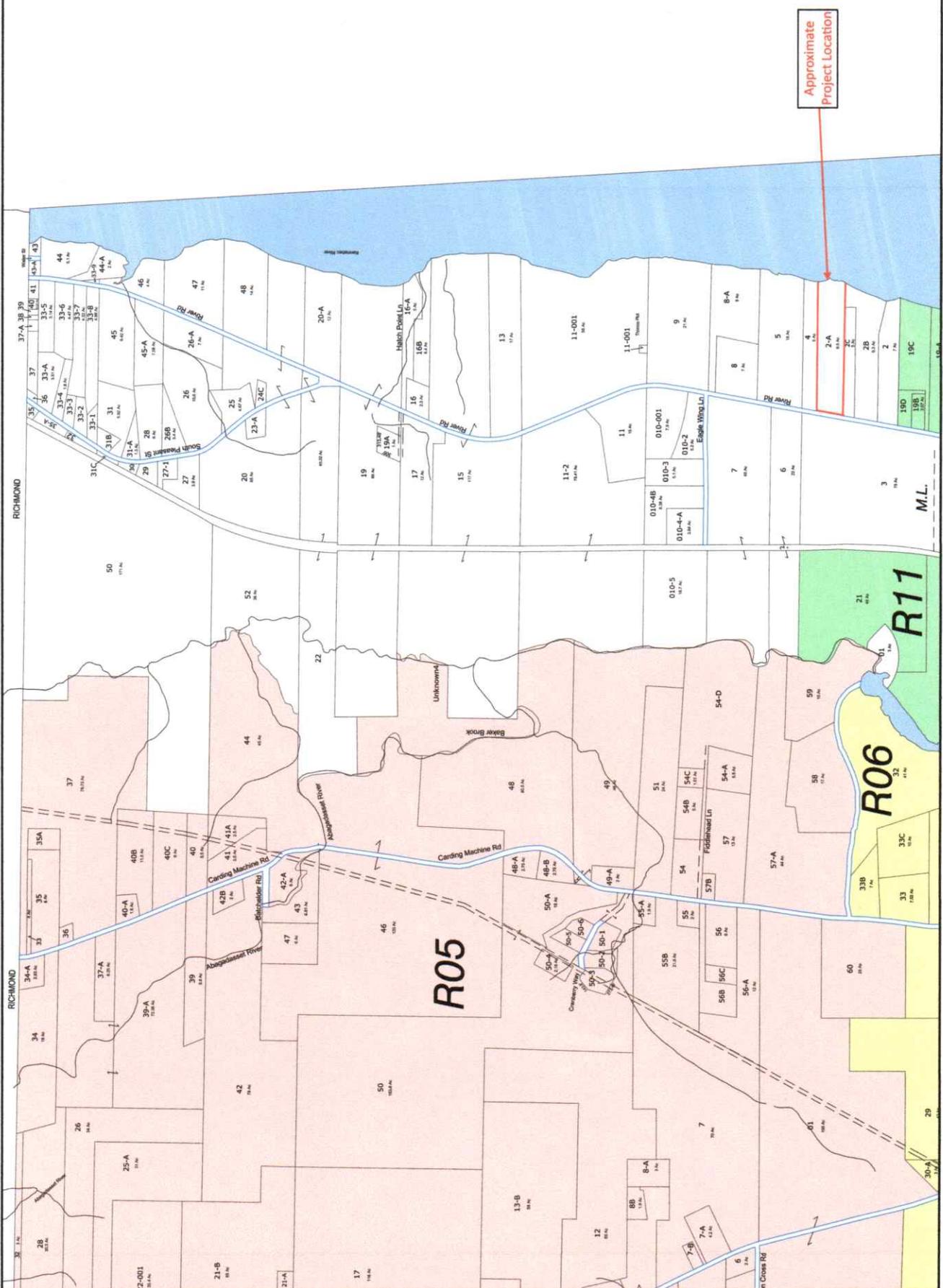
LEGEND

ABUTTING MAP NO.	U01	LOT DIMENSION	156'
PARCEL NUMBER	22	PROPERTY BLOCK	
SUBDIVISION LOT NO.	4	RIGHT OF WAY	
		EASEMENT	



James H. Thomas
gisSolutions of Maine
Cumberland, Maine 04021
jht@maine.rr.com

R12



PHOTOGRAPHS

The following photographs are taken from the site of the project and represent the proposed location of the seasonal dock located at 1217 River Road in the Town of Bowdoinham ME.



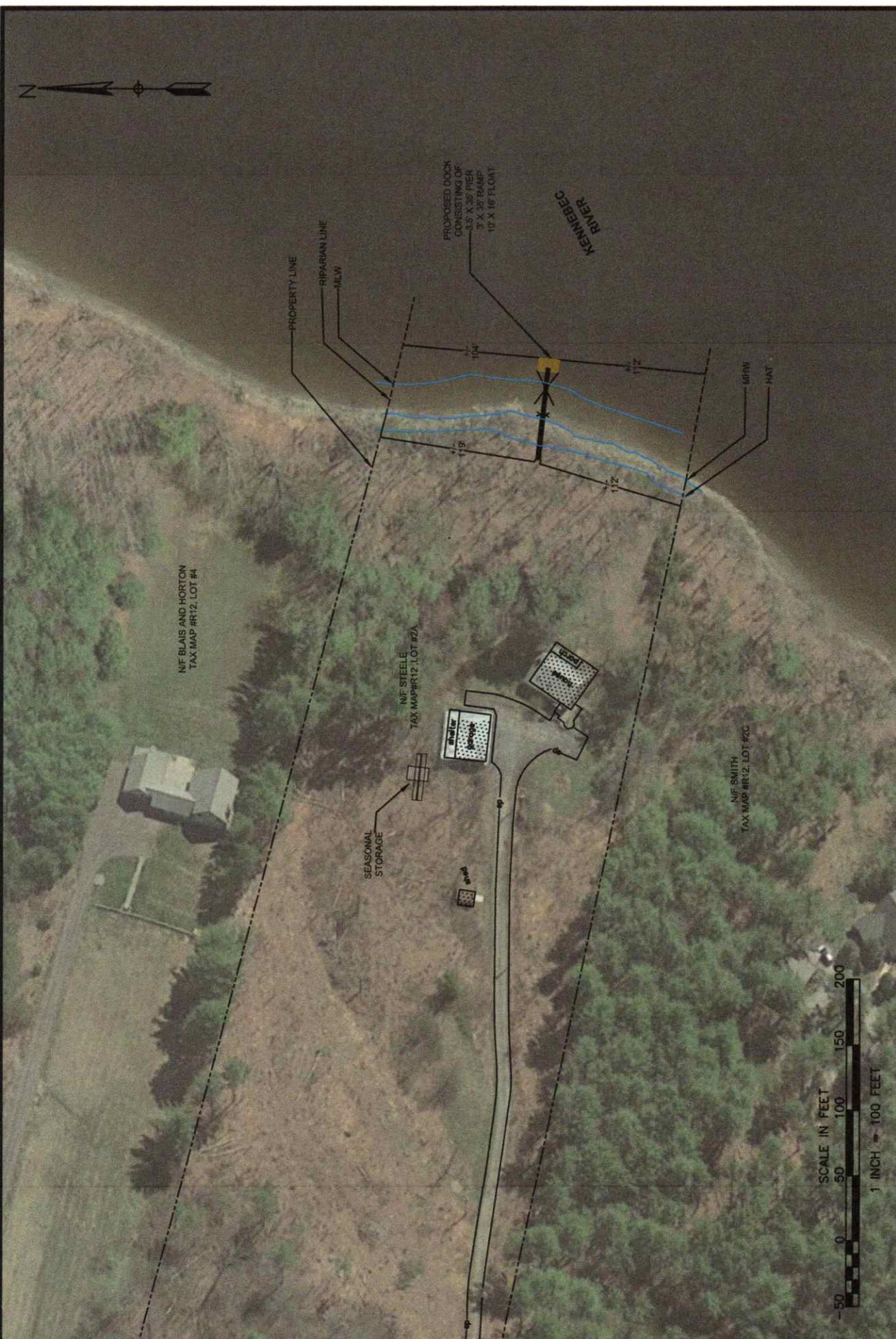
Photograph One. Aerial View of Project Site. Red arrow indicates approximate location of dock. Source: Bing. Date: Unknown.



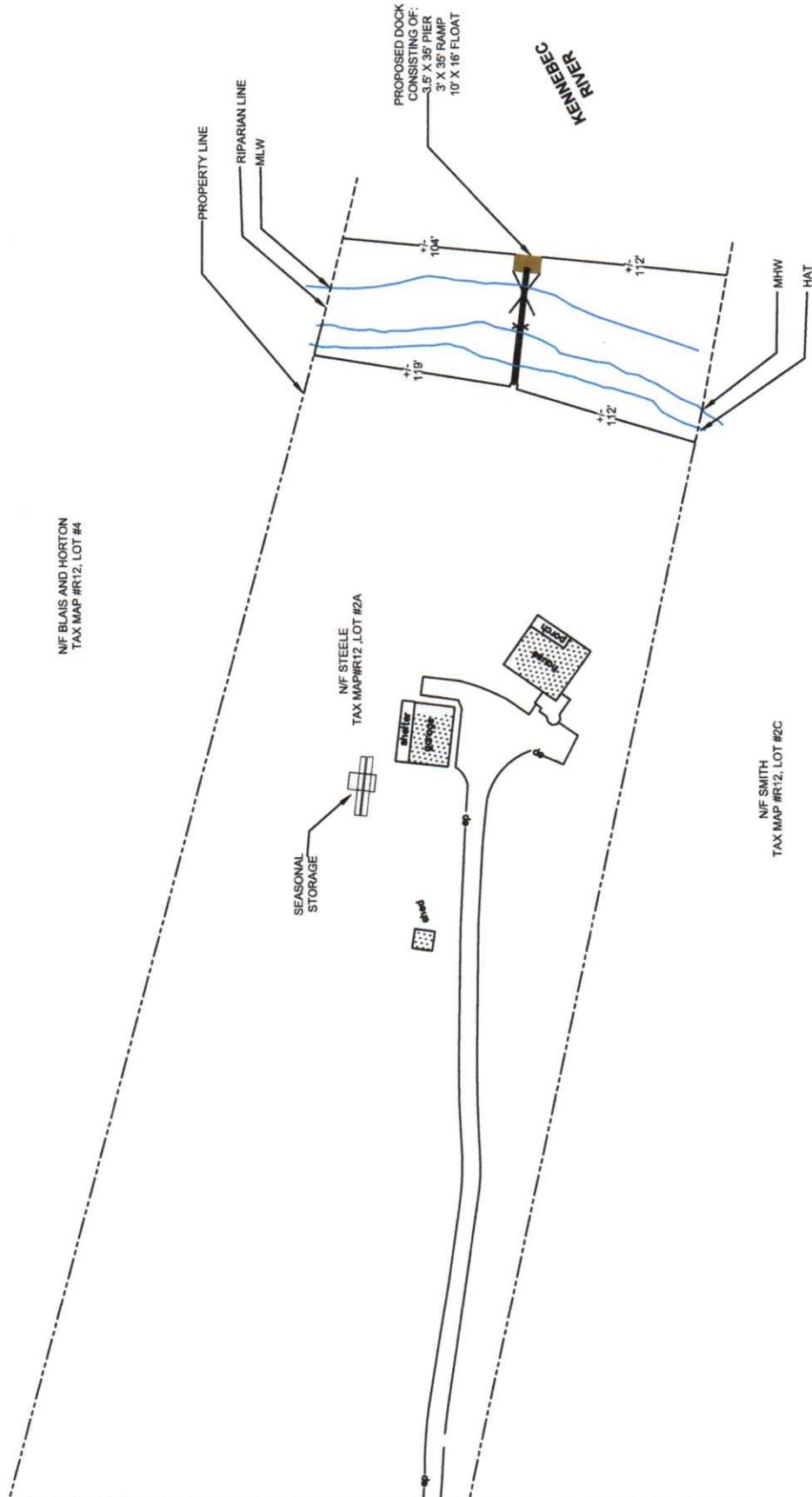
Photograph Two. Facing northerly - view of upper intertidal in location of proposed dock. Photographer: Dan Steele. Date: October 13, 2019.



**Photograph Three. Facing southerly – additional view of intertidal in location of proposed dock.
Photographer: Dan Steele. Date: October 13, 2019.**



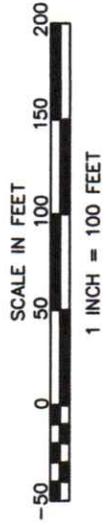
<p>Sheet 1 of 3</p>	<p>Plan View and Cross Section View of the Proposed Dock for Daniel Steele located at 1217 River Road in Bowdoinham, Maine.</p>	<p>Date: 3/26/2020 Revised: Project: Steele, Bowdoinham Drafted By: TAF/LCV</p>	<p>ATLANTIC ENVIRONMENTAL LLC. Environmental Consultants 135 River Road, Woolwich, ME 04579 (207) 837-2199 tim@atlanticeviromaine.com</p>
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NIF BLAIS AND HORTON
TAX MAP #R12, LOT #4

SEASONAL STORAGE
NIF STEELE
TAX MAP #R12, LOT #2A

NIF SMITH
TAX MAP #R12, LOT #2C



Plan View and Cross Section View of the Proposed Dock for Daniel Steele located
at 1217 River Road in Bowdoinham, Maine.

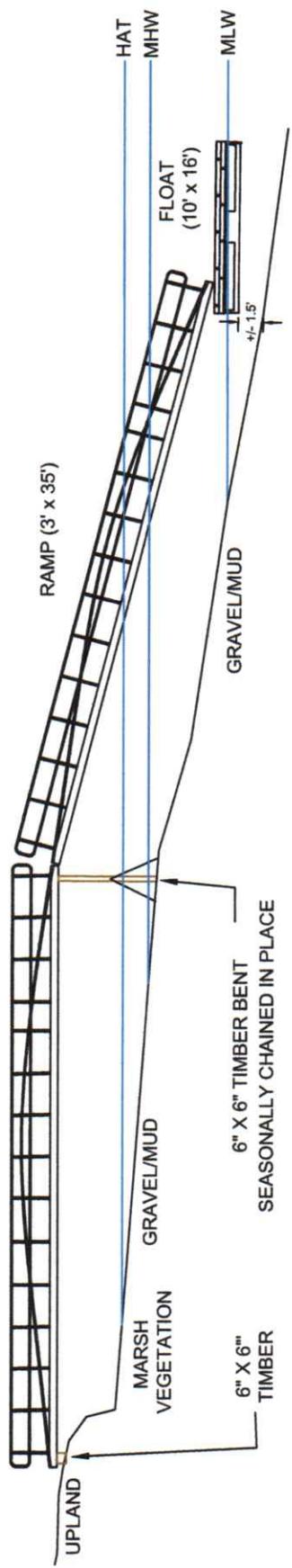
Date: 3/26/2020
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Project: Steele, Bowdoinham
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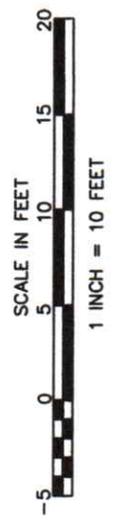
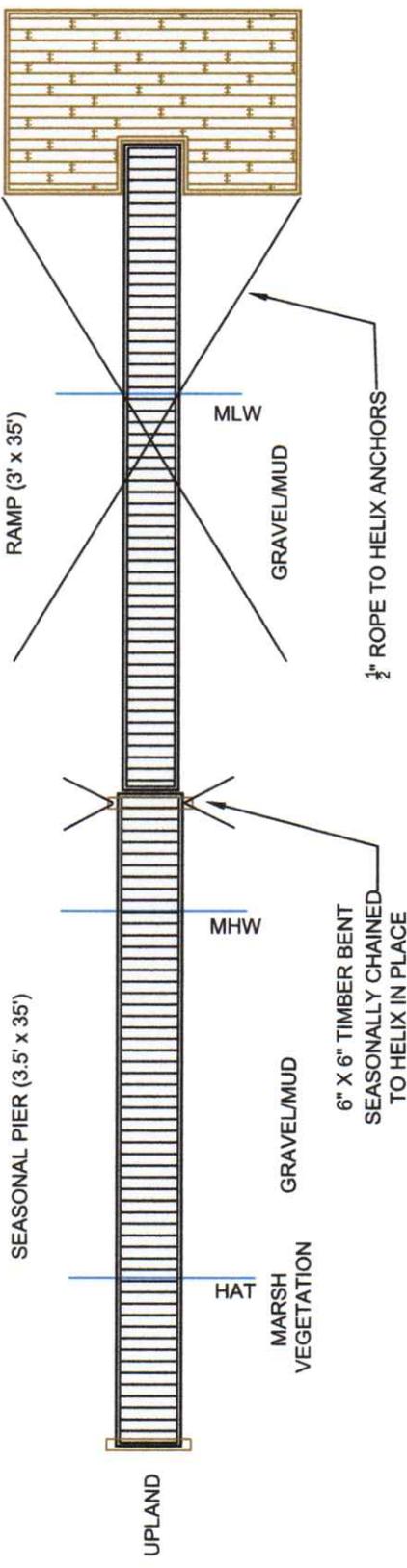


- NOTES:
- 1) ALL PT LUMBER WILL BE CURED IN THE UPLAND FOR 21 DAYS PRIOR TO INSTALL.
 - 2) ALL STRUCTURES WILL BE IN PLACE SEASONALLY AND STORED IN THE UPLAND DURING THE OFF-SEASON.
 - 3) FLOAT WILL BE SECURED IN PLACE WITH CHAINS AND HELIX ANCHORS.

SEASONAL PIER (3.5' x 35')



SEASONAL PIER (3.5' x 35')



ATLANTIC ENVIRONMENTAL LLC.
 Environmental Consultants
 135 River Road, Woolwich, ME 04579
 (207) 837-2199
 tim@atlanticevirmaine.com

Date: 3/26/2020
 Revised:
 Project: Steele, Bowdoinham
 Drafted By: TAF/LCV

Plan View and Cross Section View of the Proposed Dock for Daniel Steele located at 1217 River Road in Bowdoinham, Maine.

EXHIBIT A

A certain lot or parcel of land situated on the southeasterly side of River Road in the Town of Bowdoinham, County of Sagadahoc, State of Maine and being bounded and described more particularly as follows:

Beginning at a 5/8" rebar with aluminum surveyor's cap #1175 found on the southeasterly sideline of River Road at the most westerly corner of land now or formerly of Jeffrey A. Blais as described in a deed recorded in Book 2016R, Page 8586 at said Registry of Deeds;

Thence S 59° 32' 00" E along land of said Blais a distance of 831.13 feet to a 5/8" rebar with aluminum surveyor's cap #1175 found; thence continuing S 59° 32' 00" E along land of said Blais a distance of 419.70 feet to a 5/8" rebar with aluminum surveyor's cap #1175 found; thence continuing S 59° 32' 00" E along land of said Blais a distance of 183.49 feet to a 5/8" rebar found; thence continuing S 59° 32' 00" E along land of said Blais a distance of 71 feet, more or less, to the high water line of the Kennebec River;

Thence in a general south-southwesterly direction along the high water line of the Kennebec River a distance of 245 feet, more or less, to the most easterly corner of land now or formerly of Meagan N. Smith as described in a deed recorded in Book 3512, Page 84 at said Registry of Deeds;

Thence N 62° 29' 50" W along land of said Smith a distance of 20 feet, more or less, to a 5/8" rebar found bent and being located S 16° 52' 30" W a distance of 243.81 feet from the last mentioned 5/8" rebar found on the southwesterly boundary of land of said Blais; thence continuing N 62° 29' 50" W along land of said Smith a distance of 274.03 feet to a 5/8" rebar found bent over; thence continuing N 62° 29' 50" W along land of said Smith a distance of 527.34 feet to a 5/8" rebar found; thence continuing N 62° 29' 50" W along land of said Smith a distance of 411.13 feet to a 5/8" rebar with surveyor's cap #1333 set;

Thence N 38° 54' 32" E a distance of 246.37 feet to a 5/8" rebar with surveyor's cap #1333 set;

Thence N 52° 09' 34" W a distance of 163.47 feet to an angle point;

Thence N 59° 32' 00" W a distance of 159.99 feet to a 5/8" rebar with surveyor's cap #1333 set on the southeasterly sideline of River Road;

Thence N 38° 54' 32" E along the southeasterly sideline of River Road a distance of 35.38 feet to the **Point of Beginning**.

Meaning and intending to describe a parcel of land containing 7.75 acres and being a portion of the premises devised to these grantors as Heirs of Ruth K. Stevens by Abstract of Will dated October 27, 2017 recorded in Book 2017R, Page 8017 at the Sagadahoc County Registry of Deeds.

Subject, however, to a right of way 35 feet in width encompassing the gravel drive leading to the house on the above described premises for benefit of the property at 1219 River Road being bounded and described more particularly as follows:

Beginning on the southeasterly sideline of River Road at the aforesaid 5/8" rebar with surveyor's cap #1333 set at the most westerly corner of the above described premises;

Thence N 38° 54' 32" E along the southeasterly sideline of River Road a distance of 35.38 feet to the aforesaid 5/8" rebar with surveyor's cap #1175 found at the most westerly corner of land now or formerly of Jeffrey A. Blais as described in a deed recorded in Book 2016R, Page 8586 at said Registry of Deeds;

Thence S 59° 32' 00" E along land of said Blais a distance of 57.06 feet to an angle point;

Thence S 52° 09' 34" E a distance of 166.37 feet;

Thence S 38° 54' 32" W a distance of 35.01 feet to the aforesaid 5/8" rebar with surveyor's cap #1333 set;

Thence N 52° 09' 34" W a distance of 163.47 feet to an angle point;

Thence N 59° 32' 00" W a distance of 159.99 feet to the Point of Beginning.

Further reference can be made to a plan of land entitled "Standard Boundary Survey of Division of Property at 1217 & 1219 River Road for Estate of Ruth K. Stevens" by MidCoast Survey Co. dated November 30, 2017.

*** NOT A TRUE COPY ***

*** NOT A TRUE COPY ***



REPLY TO ATTENTION OF

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

MAINE GENERAL PERMIT (GP)
AUTHORIZATION LETTER AND SCREENING SUMMARY

DAN STEELE
PO BOX 15148
PORTLAND, ME 04112

CORPS PERMIT # NAE-2020-01069
CORPS GP ID# 20-240
STATE ID# NRPA/IND

DESCRIPTION OF WORK:

To install and maintain a seasonal 3.5' x 35' pile-supported pier with a 3' x 35' ramp leading to a 10' x 16' float with associated mooring tackle below the mean high water (MHW) line of Kennebec River at 1217 River Road, Bowdoinham, Maine. This work is described on the attached plans entitled "Plan View and Cross Section View" on 3 sheets dated "03/26/2020". See Conditions

LAT/LONG COORDINATES: 44.053574 N -69.810619 W USGS QUAD: RICHMOND, MAINE

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. Your work is therefore authorized by the U.S. Army Corps of Engineers under the Federal Permit, the Maine General Permit which can be found at: https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/

You must perform the activity authorized herein in compliance with all the terms and conditions of the GP [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the GP carefully, including the GP conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the GP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 38 of the GP (page 16) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the GP on October 13, 2020. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 13, 2021.

This authorization presumes the work shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to the undersigned.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.

II. STATE ACTIONS: PENDING [X], ISSUED [], DENIED [] DATE

APPLICATION TYPE: PBR: TIER 1: TIER 2: TIER 3: INDIV X LURC: DMR LEASE: NA:

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: April 23, 2020 LEVEL OF REVIEW: CATEGORY 1: CATEGORY 2: X

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10 X, 404, 10/404, 103

EXCLUSIONS: The exclusionary criteria identified in the general permit do not apply to this project.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA NO, USF&WS NO, NMFS NO

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Augusta, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at http://per2.nwp.usace.army.mil/survey.html

HEATHER S. STUKAS
PROJECT MANAGER
MAINE PROJECT OFFICE

DELGIUDICE.FRANK.J. 1228916567
FRANK J. DEL GIUDICE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION



US Army Corps
of Engineers®
New England District

PLEASE NOTE THE FOLLOWING
GENERAL & SPECIAL CONDITIONS FOR
DEPARTMENT OF THE ARMY
GENERAL PERMIT
NO. NAE-2020-01069

GENERAL CONDITIONS

1. Other Permits: Permittees must obtain other federal, state, or local authorizations required by law. Applicants are responsible for applying for and obtaining all required state or local approvals. This includes, but is not limited to, the project proponent obtaining a flood Hazard Development Permit issued by the town, if necessary.

10. Navigation:

10(b). There shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein, and no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized herein.

10(c). The permittee understands and agrees that if future U.S. operations require the removal, relocation, or other alteration of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the U.S. No claim shall be made against the U.S. on account of any such removal or alteration.

21. Storage of Seasonal Structures: Seasonal or recreational structures such as pier sections, floats, aquaculture structures, etc. that are removed from the waterway for a portion of the year (often referred to as seasonal structures) shall be stored in an upland location landward of mean high water (MHW) or ordinary high water (OHW) and not in wetlands, tidal wetlands, their substrate or on mudflats. These seasonal structures may be stored on the fixed, pile-supported portion of the structure that is waterward of MHW or OHW. Seasonal storage of structures in navigable waters, e.g., in a protected cove on a mooring, requires Corps approval and local harbormaster approval.

26. Permit On Site: The permittee shall ensure that a copy of this GP and any accompanying authorization letter with attached plans are at the site of the work authorized by this GP whenever work is being performed and that all construction personnel performing work which may affect waters of the U.S. are aware of its terms and conditions. The entire permit authorization shall be made a part of any and all contracts and subcontracts for work that affects areas of Corps jurisdiction at the site of the work authorized by this GP. This shall be achieved by including the entire permit authorization in the specifications for work. The term "entire permit authorization" means this entire GP and the authorization letter (including its drawings, plans, appendices and other attachments) and also includes permit modifications. If the authorization letter is issued after the construction specifications, but before receipt of bids or quotes, the entire permit authorization shall be included as an addendum to the specifications. If the authorization letter is issued after receipt of bids or quotes, the entire permit authorization shall be included in the contract or subcontract. Although the permittee may assign various aspects of the work to different contractors or subcontractors, all contractors and subcontractors shall be obligated by contract to comply with all environmental protection provisions contained within the entire GP authorization, and no contract or subcontract shall require or allow unauthorized work in areas of Corps jurisdiction.

28. Inspections: The permittee shall allow the Corps to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of this GP and any written verification. To facilitate these inspections, the permittee shall complete and return to the Corps the following forms: a) Work-Start Notification Form and b) Compliance Certification Form, when either is provided with the authorization letter. These forms are attached.

SPECIAL CONDITIONS

1. The pier and pilings shall be installed in-the-dry in order to minimize potential effects to endangered species and essential fish habitat.
2. The pier shall maintain a 1:1 (height:width) ratio over marsh vegetation.
3. The lowermost part of the float shall be elevated a minimum of 18" above the substrate at all times.