Island Road Construction  
South Thomaston, ME  
Natural Resources Protection Act Application  
Activity Adjacent to a Protected Natural Resource  

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July 9, 2021

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- Alternatives Analysis/Avoidance & Minimization  
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- Construction Plan and Schedule  
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- Notice of Intent to File/Abutter List  
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- Miscellaneous Documents  
- Site Plan

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<th>Attachment</th>
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**APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT**

- **PLEASE TYPE OR PRINT IN BLACK INK ONLY**

1. **Name of Applicant:** Town of South Thomaston
2. **Applicant's Mailing Address:** 125 Spruce Head Rd. South Thomaston, ME
3. **Applicant's Daytime Phone #:** (207) 596-6584
4. **Applicant's Email Address:** terri@souththomaston.me
5. **Name of Agent:** Gartley & Dorsky Engineering & Surveying
6. **Agent's Mailing Address:** P.O. Box 1031 Camden, ME 04843
7. **Agent's Daytime Phone #:** (207) 236-4365
8. **Agent's E-mail Address:** apulver@gartleydorsky.com
9. **Location of Activity:** Island Road
10. **Town:** South Thomaston
11. **County:** Knox
12. **Type of Resource:** (Check all that apply)
   - River, stream or brook
   - Great Pond
   - Coastal Wetland
   - Freshwater Wetland
   - Wetland Special Significance
   - Significant Wildlife Habitat
   - Fragile Mountain
13. **Name of Resource:** Seal Harbor
14. **Amount of Impact:** (Sq.Ft.)
   - Fill: 888 sf
   - Other: 0 sf
15. **Type of Wetland:** (Check all that apply)
   - Forested
   - Scrub Shrub
   - Emergent
   - Wet Meadow
   - Peatland
   - Open Water
   - Other
   - **FOR FRESHWATER WETLANDS**
   - Tier 1
     - 0 - 4,999 sq ft.
   - Tier 2
     - 5,000-9,999 sq ft
   - Tier 3
     - 10,000-14,999 sq ft
     - 15,000 - 43,560 sq ft.
     - > 43,560 sq ft or
     - smaller than 43,560 sq ft, not eligible for Tier 1
16. **Brief Activity Description:** The applicant seeks permission to raise and reconstruct two sections of Island Road. For additional information, please refer to Attachment 1.
17. **Size of Lot or Parcel & UTM Locations:** 
   - ______ square feet, or ______ acres
   - UTM Northing: 4872403mN UTM Easting: 490071mE
18. **Title, Right or Interest:**
   - own
   - lease
   - purchase option
   - written agreement
19. **Deed Reference Numbers:**
   - Book: N/A
   - Page: N/A
   - **20. Map and Lot Numbers:**
   - Map #: 2
   - Lot #: N/A
20. **DEP Staff Previously Contacted:**
21. **Resubmission of Application?**
   - Yes
   - No
22. **If yes, previous application #:**
23. **Resubmission of Application?**
   - Yes
   - No
24. **Written Notice of Violation?**
   - Yes
   - No
25. **If yes, name of DEP enforcement staff involved:**
26. **Previous Wetland Alteration:**
27. **Detailed Directions to the Project Site:** From Augusta, take ME-17 E towards Rockland. Take Route 131 to Thomaston. Turn left onto US 1 N/Main St. Turn right onto ME-131 S/High St. Left on Westbrook St., Right on ME-73 S, Left on Island Rd.
28. **FEES Amount Enclosed:** Code 2F $342.00

**CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2**
IMPORTANT: IF THE SIGNATURE BELOW IS NOT THE APPLICANT'S SIGNATURE, ATTACH LETTER OF AGENT AUTHORIZATION SIGNED BY THE APPLICANT.

By signing below the applicant (or authorized agent), certifies that he or she has read and understood the following:

**DEP SIGNATORY REQUIREMENT**

**PRIVACY ACT STATEMENT**

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor a permit be issued.

**CORPS SIGNATORY REQUIREMENT**

USC Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry shall be fined not more than $10,000 or imprisoned not more than five years or both. I authorize the Corps to enter the property that is subject to this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein.

**DEP SIGNATORY REQUIREMENT**

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Further, I hereby authorize the DEP to send me an electronically signed decision on the license I am applying for with this application by emailing the decision to the address located on the front page of this application (see #4 for the applicant and #8 for the agent)."

\[Signature\]  Date: 6-25-21

SIGNATURE OF AGENT/APPLICANT

**NOTE:** Any changes in activity plans must be submitted to the DEP and the Corps in writing and must be approved by both agencies prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.
ATTACHMENT 1

ACTIVITY DESCRIPTION

The applicant, Town of South Thomaston, seeks permission to raise and repave two sections of roadway along Island Road, in South Thomaston, Maine. The Town has serious concerns regarding the safety of the access to Spruce Head Island for emergency events as well as maintaining access for residents during high tides. Island Road is the only land-accessible access route for those who use Spruce Head Island either for residency or for the Town’s primary working waterfront. Any future significant storm event may result in road closure if the road is not raised. The road contains sections that are at elevation 9’, which is less than 3’ above the highest annual tide (HAT) line and well below the flood elevation of 14’.

The Town of South Thomaston proposes to raise and repave two portions (total of +/- 1,000’) of Island Road to make it more resilient to natural events.

The western section of roadway is located directly adjacent to the intersection of Island Road and Village Road. The Town proposes to repave ±450’ of roadway and raise the road ±2’ at the lowest point. Additionally, the Town proposes to construct a 3’ wide gravel shoulder, remove and replace the existing guardrail along the west side of the road, install new drainage features and stabilize the southwest side of Island Road with riprap.

The eastern section of roadway is located adjacent to the intersection of Island Road and Seal Cove Road. The Town proposes to repave ±625’ of roadway and raise the road ±2’ at the lowest point. Additionally, the Town proposes to install a new guardrail along the east side of the road and stabilize the east side of Island Road with riprap.

The applicants propose to stabilize the slope with 18” angular stones. The stabilization design for the shoreline will include placed stone riprap no steeper than 1.25H:1V. The riprap armor will be underlain by an 18” thick layer of coarse blasted ledge (D50=6”) over geotextile filter fabric in order to promote drainage at the base of the slope. Armor stone material will be chosen that matches the existing native stones and ledge as closely as possible in color and shape.

Both sections of these road improvements will impact a small amount of freshwater wetlands, 888 square-feet.

See the attached plan by Gartley & Dorsky for the location of the proposed activity.
There is no practical alternative to the proposed Island Road reconstruction and stabilization.

The following alternatives have been considered:

1. **Utilizing, managing or expanding one or more other sites that would avoid the resource impact:** Not applicable.

2. **Reducing the size, scope, configuration or density of the activity as proposed:** The use of stone riprap has been limited to the selected portion of the bank only required.

3. **Developing alternative activity designs that avoid or lessen the resource impact:** The following alternatives have been considered:
   - **No action:** Not applicable; erosion will continue at this site unless the eroded shoreline is repaired.
   - **Plantings:** Not applicable; the use of plantings along to stabilize the shoreline is not a practical alternative to the proposed design. Wave action would continue to cause erosion and the plantings would not survive.

**Avoidance & Minimization:**

As detailed in the Activity Description and above alternatives analysis, the proposed design avoids impact to the resource to the greatest extent possible. The impact has been minimized as follows:

1. The riprap is designed to stabilize the existing eroded slope.
2. Work will be performed in sections small enough that they can be permanently stabilized in one work session.
3. Permanent stabilization will occur in each work section, reducing the chance for erosion due to construction.
ATTACHMENT 3

SITE LOCATION MAP

Attached is a site location map created by Gartley & Dorsky Engineering & Surveying.

1.) Site Location Map
ATTACHMENT 4

PHOTOGRAPHS

The attached color photographs show the areas of proposed impacts due to the shoreline stabilization.
PICTURE 1 – WEST END OF ROAD RECONSTRUCTION
DATE: 2/21/20

PICTURE 2 – WEST END OF ROAD RECONSTRUCTION
DATE: 2/21/20
PICTURE 3 – STABILIZATION ALONG WEST END OF ROAD SEGMENT
DATE: 2/21/20

PICTURE 2 – STABILIZATION ALONG WEST END OF ROAD SEGMENT
DATE: 2/21/20
PICTURE 5 – EAST END OF ROAD RECONSTRUCTION  
DATE: 3/2/20

PICTURE 6 – EAST END OF ROAD RECONSTRUCTION  
DATE: 3/2/20
PICTURE 7 – STABILIZATION ALONG EAST END OF ROAD SEGMENT
DATE: 3/2/20
ATTACHMENT 5

SUPPLEMENTAL MATERIAL

- Appendix A: MDEP Visual Evaluation Field Survey Checklist
- Appendix B: MDEP Coastal Wetland Characterization
APPENDIX A: MDEP VISUAL EVALUATION
FIELD SURVEY CHECKLIST

(Natural Resources Protection Act, 38 M.R.S.A. §§ 480 A - Z)

Name of applicant: Town of South Thomaston  Phone: (207) 596-6584

Application Type: Individual NRPA, AIS Code 2F

Activity Type: (brief activity description) Activity Adjacent to a Protected Natural Resource

Activity Location: Town: South Thomaston  County: Knox

GIS Coordinates, if known: UTM Easting 490071 mE, UTM Northing 4872403 mN

Date of Survey: 02/21/2020  Observer: Gartley & Dorsky  Phone: (207) 236-4365

Distance Between the Proposed Visibility Activity and Resource (in Miles)

1. Would the activity be visible from:

   A. A National Natural Landmark or other outstanding natural feature? No

   B. A State or National Wildlife Refuge, Sanctuary, or Preserve or a State Game Refuge? No

   C. A state or federal trail? No

   D. A public site or structure listed on the National Register of Historic Places? No

   E. A National or State Park? No

   F. 1) A municipal park or public open space? No

   2) A publicly owned land visited, in part, for the use, observation, enjoyment and appreciation of natural or man-made visual qualities? No

   3) A public resource, such as the Atlantic Ocean, a great pond or a navigable river? Atlantic Ocean

2. What is the closest estimated distance to a similar activity?  

3. What is the closest distance to a public facility intended for a similar use? N/A
<table>
<thead>
<tr>
<th>ISLAND ROAD CONSTRUCTION</th>
<th>NRPA 2F APPLICATION</th>
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<tbody>
<tr>
<td>4. Is the visibility of the activity seasonal?</td>
<td>□ Yes</td>
</tr>
<tr>
<td>(i.e., screened by summer foliage, but visible during other seasons)</td>
<td></td>
</tr>
<tr>
<td>5. Are any of the resources checked in question 1 used by the public during the time of year during which the activity will be visible?</td>
<td>☒ Yes</td>
</tr>
</tbody>
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APPENDIX B: MDEP COASTAL WETLAND CHARACTERIZATION:
INTERTIDAL & SHALLOW SUBTIDAL FIELD SURVEY CHECKLIST

Name of applicant: **Town of South Thomaston**

**APPLICATION TYPE:** Individual NRPA, AIS Code 2F

**ACTIVITY LOCATION:**
- **TOWN:** South Thomaston
- **COUNTY:** Knox

**ACTIVITY DESCRIPTION:**
- fill
- pier
- lobster pound
- shore
- dredge
- other

**DATE OF SURVEY:** 01/03/2020

**OBSERVER:** Gartley & Dorsky

**TIME OF SURVEY:** 16:51 PM

**TIDE AT SURVEY:** +/- 2 hours after low tide

**SIZE OF DIRECT IMPACT OR FOOTPRINT (square feet):**
- Intertidal area: None
- Subtidal area: None

**SIZE OF INDIRECT IMPACT, if known (square feet):**
- Intertidal area: None
- Subtidal area: None

**HABITAT TYPES PRESENT (check all that apply):**
- sand beach
- boulder/cobble beach
- sand flat
- mixed coarse & fines
- salt marsh
- ledge
- rocky shore
- mudflat (sediment depth, if known):

**ENERGY:**
- protected
- semi-protected
- partially exposed
- exposed

**DRAINAGE:**
- drains completely
- standing water
- pools
- stream or channel

**SLOPE:**
- >20%
- 10-20%
- 5-10%
- 0-5%
- variable

**SHORELINE CHARACTER:**
- bluff/bank (height from spring high tide: +/- 6’)
- beach
- rocky
- vegetated

**FRESHWATER SOURCES:**
- stream
- river
- wetland
- stormwater

**MARINE ORGANISMS PRESENT:**

<table>
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<tr>
<th>marine organisms</th>
<th>absent</th>
<th>occasional</th>
<th>common</th>
<th>abundant</th>
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<tr>
<td>mussels</td>
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<td></td>
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<td>clams</td>
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<td>marine worms</td>
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<td>lobsters</td>
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<tr>
<td>other</td>
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**SIGNS OF SHORELINE OR INTERTIDAL EROSION?**
- ✔ yes
- ☐ no

**PREVIOUS ALTERATIONS?**
- ☐ yes
- ✔ no
CURRENT USE OF SITE AND ADJACENT UPLAND:

☐ undeveloped  ☐ residential  ☒ commercial  ☐ degraded  ☐ recreational

PLEASE SUBMIT THE FOLLOWING:

☒ Photographs  ☒ Overhead drawing  *(Included elsewhere in application package)*
ATTACHMENT 6

CONSTRUCTION PLAN AND SCHEDULE

Construction is anticipated during the fall/winter of 2021 or spring of 2022 and will be completed in approximately 12 weeks.

Access to the site will be along Island Road. During stabilization, construction equipment will work from the top of the bank, with a temporary access way built along the slope.

Work will be done along the toe of the slope in sections small enough that they can be permanently stabilized in one session between high tide cycles. Permanent stabilization will be from the toe of slope upward.

Material stockpiles associate with the project will be placed greater than 25’ from the resource.

Upon completion of the proposed improvements, any remaining disturbed areas will be restored by reseeding and hay mulching grassed areas and new plantings.
ATTACHMENT 7

EROSION CONTROL PLAN

Erosion and sedimentation control measures are required for construction activity as outlined in the basic stabilization standards of Maine’s Erosion and Sedimentation Control Law 38 MRSA §420-C. Erosion and sedimentation control practices during construction shall be performed as outlined in the Maine Erosion and Sediment Control Best Management Practices (BMP’s).

The proposed project is intended to stabilize the road side slopes and will not cause any unreasonable erosion during construction. In an effort to limit erosion during construction, all work shall be completed in small sections, with stabilization starting at the bottom of the slope and working toward the top.

Work will be done in sections small enough that they can be permanently stabilized in one session between high tide cycles.

Material stockpiles associated with the project will be placed greater than 25’ from the resource.
ATTACHMENT 8

NOTICE OF INTENT TO FILE

Attached is the notice of intent to file that was forwarded to the abutters, municipal office, and local newspaper.

1.) Public Notice of Intent to File
2.) Copy of sample letter to abutters
3.) Copy of letter of transmittal to municipality
4.) Copy of letter of transmittal to ACOE
5.) Public Notice Filing and Certification

Following is a list of abutting property owners:

TARGET PROPERTY:
Map 2, Lot N/A
Town of South Thomaston
Island Road
South Thomaston, ME

ABUTTERS:

<table>
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<tr>
<th>Map 2, Lot 39</th>
<th>Map 2, Lot 45</th>
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<tr>
<td>Carl M. Ivonen Estate</td>
<td>Adrian &amp; Pamela Hooydonk</td>
</tr>
<tr>
<td>c/o Marie A. Ivonen</td>
<td>P.O. Box 93</td>
</tr>
<tr>
<td>221 Waterman Beach Rd</td>
<td>Spruce Head, ME 04859</td>
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<td>South Thomaston, ME 04858</td>
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<th>Map 2, Lot 75</th>
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<td>Adrian &amp; Pamela Hooydonk</td>
<td>Spruce Head Lobster Co.</td>
</tr>
<tr>
<td>P.O. Box 93</td>
<td>299 Salem Street</td>
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<tr>
<td>Spruce Head, ME 04859</td>
<td>Swampscott, MA 01907</td>
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<th>Map 2, Lot 79</th>
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<td>Spruce Head Lobster Co.</td>
<td>Longfellow Spruce Head, LLC</td>
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<tr>
<td>299 Salem Street</td>
<td>P.O. Box 81505</td>
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<tr>
<td>Swampscott, MA 01907</td>
<td>Wellesley Hills, MA 02481</td>
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<td>Van Wert Cottage, LLC</td>
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<tr>
<td>4030 Tates Creek Rd</td>
<td></td>
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<tr>
<td>Apt. 3938</td>
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<tr>
<td>Lexington, KY 40517</td>
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PUBLIC NOTICE:
NOTICE OF INTENT TO FILE

Please take notice that:

Gartley & Dorsky Engineering & Surveying
59 Union St. Unit #1
Camden, ME 04843
(207) 236-4365

On behalf of:

Town of South Thomaston, 125 Spruce Head Rd., South Thomaston, ME

is intending to file a Natural Resource Protection Act Application with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. §§ 480-A thru 480-BB on or about July 9, 2021.

The application is for activity adjacent to a protected natural resource at the following location:

Island Road, South Thomaston, ME

A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over this application must be received by the Department, in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. A public hearing may or may not be held at the discretion of the Commissioner or Board of Environmental Protection. Public comment on the application will be accepted throughout the processing of the application.

The application will be filed for public inspection at the Department of Environmental Protection’s office in Augusta during normal working hours. A copy of the application may also be seen at the municipal offices in South Thomaston, Maine.

Written public comments may be sent to the regional office in Augusta where the application is filed for public inspection: MDEP, Central Maine Regional Office, 17 State House Station, Augusta, Maine 04333.
MEMORANDUM

To: Abutting Property Owners to Tax Map 2, Lot N/A
Island Road, South Thomaston, Maine

From: Andrew Hedrich, PE

Date: July 9, 2021

Subject: Town of South Thomaston
Natural Resources Protection Act Permit Application

The purpose of this memo is to provide notice to the abutting property owners of the parcel identified as Tax Map 2, Lot N/A owned by the Town of South Thomaston regarding a Natural Resources Protection Act Permit Application to be filed with the Maine Department of Environmental Protection on or about July 9, 2021. The project involves activity adjacent to a protected natural resource. A copy of the permit application will be available for review at both the South Thomaston Municipal Office and at the MDEP Augusta Office.

Please see the attached Public Notice: Notice of Intent to File for additional information.
LETTER OF TRANSMITTAL

PROJECT NO. # 2019-041

DATE: July 9, 2021

TO: Town of South Thomaston
125 Spruce Head Rd.
South Thomaston, ME
Attn: Town Clerk

RE: NRPA Application
Island Road Construction
Activity Adjacent to a Protected Natural Resource
South Thomaston, ME

WE ARE SENDING YOU ☒ enclosed ☐ under separate cover

☒ Prints ☐ Mylar ☐ Deed description ☐ Proposal ☐ Billing
☐ Letter ☐ Report ☐ Copy of letter ☐ HHE 200 ☒ Application

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<th>DESCRIPTION</th>
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<td>July 9, 2021</td>
<td>NRPA Application</td>
</tr>
</tbody>
</table>

THESE ARE TRANSMITTED AS CHECKED BELOW:

☒ As requested ☐ For your use ☒ For approval
☐ For Review and Comment ☐ Return with Corrections ☐ Other

REMARKS:

This application was submitted to MaineDEP. If you have any questions, please call us at 236-4365. Thank you.

Sincerely,

Gartley & Dorsky, Engineering & Surveying Inc.

Alyssa Gartley Pulver, E.I.
Design Engineer
LETTER OF TRANSMITTAL

PROJECT NO. # 2019-041

DATE: July 9, 2021

TO: Army Corp of Engineers
    Maine Project Office
    442 Civic Center Drive, Suite 350
    Augusta, ME 04330

RE: NRPA Application
    Island Road Construction
    Activity Adjacent to a Protected Natural Resource
    South Thomaston, ME

WE ARE SENDING YOU enclosed

☒ Prints ☐ Mylar ☐ Deed description ☐ Proposal ☐ Billing
☐ Letter ☐ Report ☐ Copy of letter ☐ HHE 200 ☒ Application

COPIES DATE DESCRIPTION
1 July 9, 2021 NRPA Application

THESE ARE TRANSMITTED AS CHECKED BELOW:

☒ As requested ☒ For your use ☒ For approval
☐ For Review and Comment ☐ Return with Corrections ☐ Other

REMARKS:

If you have any questions, please call us at 236-4365. Thank you for your attention to this matter.

Sincerely,
Gartley & Dorsky, Engineering & Surveying Inc.

Alyssa Gartley Pulver, E.I.
Design Engineer
PUBLIC NOTICE FILING AND CERTIFICATION

Department Rules, Chapter 2, require an applicant to provide public notice for all Tier 2, Tier 3 and individual Natural Resources Protect Act projects. In the notice, the applicant must describe the proposed activity and where it is located. “Abutter” for the purposes of the notice provision means any person who owns property that is BOTH (1) adjoining and (2) within one mile of the delineated project boundary, including owners of property directly across a public or private right of way.

1. **Newspaper:** You must publish the Notice of Intent to File in a newspaper circulated in the area where the activity is located. The notice must appear in the newspaper within 30 days prior to the filing of the application with the Department. You may use the attached Notice of Intent to File form, or one containing identical information, for newspaper publication and certified mailing.

2. **Abutting Property Owners:** You must send a copy of the Notice of Intent to File by certified mail to the owners of the property abutting the activity. Their names and addresses can be obtained from the town tax maps or local officials. They must receive notice within 30 days prior to the filing of the application with the Department.

3. **Municipal Office:** You must send a copy of the Notice of Intent to File and a duplicate of the entire application to the Municipal Office.

**ATTACH a list of the names and addresses of the owners of abutting property.**

**CERTIFICATION**

By signing below, the applicant or authorized agent certifies that:

9. A Notice of Intent to File was published in a newspaper circulated in the area where the project site is located within 30 days prior to filing the application;

10. A certified mailing of the Notice of Intent to File was sent to all abutters within 30 days of the filing of the application;

11. A certified mailing of the Notice of Intent to File, and a duplicate copy of the application was sent to the town office of the municipality in which the project is located; and

12. Provided notice of and held a public informational meeting, if required, in accordance with Chapter 2, Rules Concerning the Processing of Applications, Section 13, prior to filing the application. Notice of the meeting was sent by certified mail to abutters and to the town office of the municipality in which the project is located at least ten days prior to the meeting. Notice of the meeting was also published once in a newspaper circulated in the area where the project site is located at least seven days prior to the meeting.

The Public Informational Meeting was held on 6/1/21.

Date

Approximately 20 members of the public attended the Public Informational Meeting.

Signature of Applicant or authorized agent 6/25/21 Date

(goldenrod)
ATTACHMENT 9

APPLICATION DISTRIBUTION LIST
For US Army Corps Review

Attached is a copy of the letter forwarded to the Maine Historic Preservation Commission and applicable Native American Tribes.
July 9, 2021

Kirk Mohney  
Maine Historic Preservation Commission  
65 State House Station  
Augusta, Maine 04333-0065

Subject: Island Road, South Thomaston, ME

Dear Mr. Mohney:

Enclosed for your review is a copy of the MDEP Natural Resources Protection Act application for a road reconstruction/shoreline stabilization project on Island Road in South Thomaston, Maine. The MDEP requires the applicant to submit a copy of this application and plans to your office for review. In addition, we are sending a copy of this letter to the Tribal Historic Preservation Officer for each of the five Maine Indian Tribes.

If you have questions regarding this application, please feel free to contact me directly at (207) 236-4365.

Sincerely,

Gartley & Dorsky Engineering & Surveying Inc.

Alyssa Gartley Pulver, E.I.  
Design Engineer

CC: John Dennis, THPO, Aroostook Band of Micmacs  
Donald Soctomah, THPO, Passamaquoddy Tribe of Indians, Pleasant Point Reservation  
Isaac St. John, THPO, Houlton Band of Maliseet Indians  
Donald Soctomah, THPO, Passamaquoddy Tribe of Indians, Indian Township Reservation  
Chris Sockalexis, THPO, Cultural & Historic Preservation Program, Penobscot Nation
ATTACHMENT 10

MISCELLANEOUS DOCUMENTS

FEMA Map

IPaC Species List

South Thomaston Tax Map 02
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The base map shown complies with FEMA's base map accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/27/2021 at 1:40 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.
In Reply Refer To: Consultation Code: 05E1ME00-2021-SLI-1415
Event Code: 05E1ME00-2021-E-04330
Project Name: Island Road, Thomaston, ME

Subject: List of threatened and endangered species that may occur in your proposed project location 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 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., 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:

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
**Project Summary**

Consultation Code: 05E1ME00-2021-SLI-1415
Event Code: 05E1ME00-2021-E-04330
Project Name: Island Road, Thomaston, ME
Project Type: **OTHER**
Project Description: Road Reconstruction.
Project Location:
   Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@44.008257349999994,-69.12513890700822,14z

Counties: Knox County, Maine
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\(^1\), 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.

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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.

<table>
<thead>
<tr>
<th>Mammals</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME</td>
</tr>
<tr>
<td>Northern Long-eared Bat <em>Myotis septentrionalis</em></td>
</tr>
<tr>
<td>No critical habitat has been designated for this species.</td>
</tr>
<tr>
<td>Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fishes</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME</td>
</tr>
<tr>
<td>Atlantic Salmon <em>Salmo salar</em></td>
</tr>
<tr>
<td>Population: Gulf of Maine DPS</td>
</tr>
<tr>
<td>There is final critical habitat for this species. The location of the critical habitat is not available.</td>
</tr>
<tr>
<td>Species profile: <a href="https://ecos.fws.gov/ecp/species/2097">https://ecos.fws.gov/ecp/species/2097</a></td>
</tr>
</tbody>
</table>

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.
ATTACHMENT 11

SITE PLANS

Attached are site plans prepared by Gartley & Dorsky Engineering & Surveying.

C1 Island Road (West) Plan & Profile
C2 Island Road (East) Plan & Profile
TOWN OF SOUTH THOMASTON
ISLAND ROAD (WEST)
PLAN & PROFILE

ROAD NOTES:
1. VILLAGE ROAD AND ISLAND ROAD INTERSECTION SKEWED BY REQUEST OF THE TOWN.

LEGEND
- EXISTING CONTOUR
- PROPOSED CONTOUR
- SPOT ELEVATION
- 7.7'
- EXISTING VEGETATION
- APPROXIMATE EXISTING WETLANDS
- APPOXIMATE PROPERTY LINE
- IRON PIPE FOUND
- PROPOSED STORMWATER PIPE
- PROPOSED DOUBLE SEDIMENT BARRIER
- PROPOSED SEDIMENT BARRIER
- ROAD NOTES:
- 1. VILLAGE ROAD AND ISLAND ROAD INTERSECTION SKEWED BY REQUEST OF THE TOWN.