



**US Army Corps  
of Engineers®**  
New England District  
696 Virginia Road  
Concord, MA 01742-2751

# PUBLIC NOTICE

**Comment Period Begins:** March 21, 2023  
**Comment Period Ends:** April 4, 2023  
**File Number:** NAE-2022-01563  
**In Reply Refer To:** Richard Kristoff  
**Phone:** (978) 318-8171  
**E-mail:** Richard.C.Kristoff@usace.army.mil

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The District Engineer has received a permit application to conduct work in waters of the United States from the Maine Department of Transportation 16 State House Station, Augusta, Maine 04333. This work is proposed in an unnamed tributary to the Cathance River where it crosses under Interstate 295 in Topsham, Maine. The site coordinates are: Latitude 43.95782°N Longitude -69.960806°W.

The work involves slip lining an existing 72" diameter culvert under the northbound lanes of Interstate 295 with a 63" diameter high-density plastic pipe. The void between the pipes will be grouted in. A riprap scour pad measuring 10 feet by 10 feet will be placed in the upstream channel at the inlet. A cofferdam will be installed at the outlet and inlet side of the culvert to complete the work in the dry. Work will take place between June 1 and October 31. Impacts will be 750 square feet of permeant stream impacts for the slip lining, 950 square feet of temporary stream impacts for cofferdams, and 700 square feet of temporary impacts to wetlands for cofferdams and construction access.

The work is shown on the enclosed plans entitled "Project Location Map" on 1 sheet and not dated, "LG Culvert Rehabilitation (LC 927086)" on 1 sheet and dated "2/25/23", and "TOPSHAM INTERSTATE-295" on 6 sheets and dated "2/25/23".

Compensatory Mitigation is not proposed, based on the minor impacts of the project on resource functions and values. Impacts to the stream will be limited to the temporary impacts required to install the slipline, and the footprint of the slipline itself within the existing culvert. Temporary wetland impacts will be required for access to the inlet and outlet, but permanent wetland impacts are not proposed. The project will be completed during an in-water work window to minimize impacts to fisheries and water quality.

## AUTHORITY

Permits are required pursuant to:

- ☐ Section 10 of the Rivers and Harbors Act of 1899
- ☒ Section 404 of the Clean Water Act
- ☐ Section 103 of the Marine Protection, Research and Sanctuaries Act.
- ☐ Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408)

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general

environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers, New England District (USACE), is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. The USACE will consider all comments received to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972, as amended.

## **NATIONAL HISTORIC PRESERVATION ACT**

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s).

## **ENDANGERED SPECIES CONSULTATION**

The USACE has reviewed the application for the potential impact on Federally-listed threatened or endangered species and their designated critical habitat pursuant to section 7 of the Endangered Species Act as amended. It is our preliminary determination that the proposed activity for which authorization is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect listed species but likely to adversely affect their critical habitat. We are coordinating with the National Marine Fisheries Service and/or U.S. Fish and Wildlife Service on listed species under their jurisdiction and the ESA consultation will be concluded prior to the final decision.

## **OTHER GOVERNMENT AUTHORIZATIONS**

The following authorizations have been applied for, or have been, or will be obtained:

- ( X ) Permit, license or assent from State.
- ( X ) Permit from local wetland agency or conservation commission.
- ( X ) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

## **COMMENTS**

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions, please contact Richard Kristoff at (978) 318-8171, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The USACE holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

**THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.**

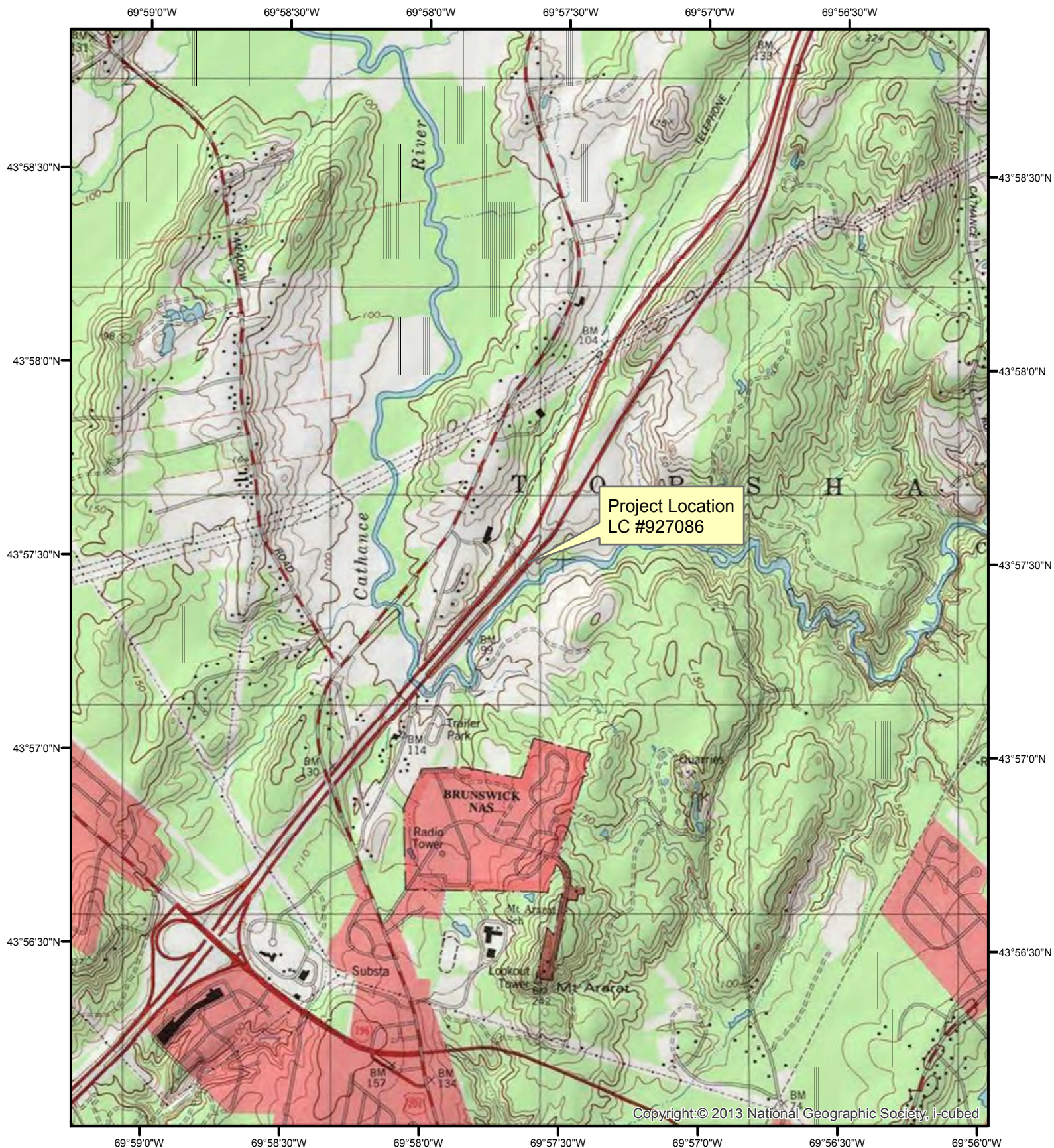
**Frank J. Del Giudice**  
**Chief, Permits and Enforcement Branch**  
**Regulatory Division**

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If you would prefer not to continue receiving Public Notices by email, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at [bettina.m.chaisson@usace.army.mil](mailto:bettina.m.chaisson@usace.army.mil).



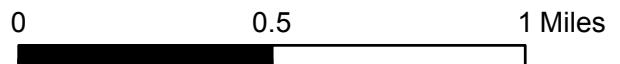
# Project Location Map



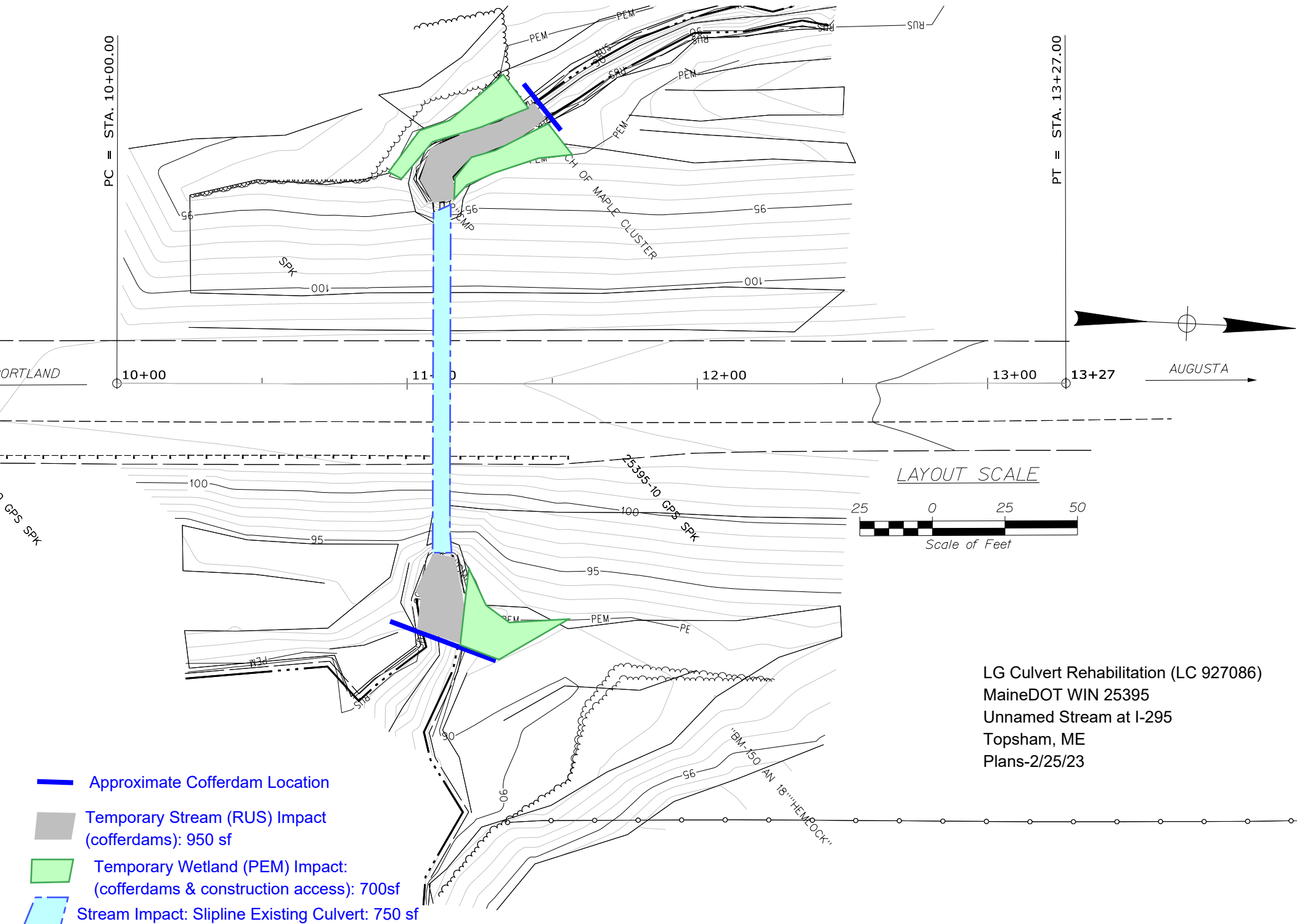
Large Culvert Rehabilitation  
MaineDOT WIN25395.00  
Topsham, ME (Sagadahoc County)



Project Coordinates  
43.95782°N, -69.960806°W







STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION



TOPSHAM  
SAGadahoc County  
INTERSTATE-295 NORTHBOUND  
STATE PROJECT NO. 25395.00  
PROJECT LENGTH: 0.01 MILES

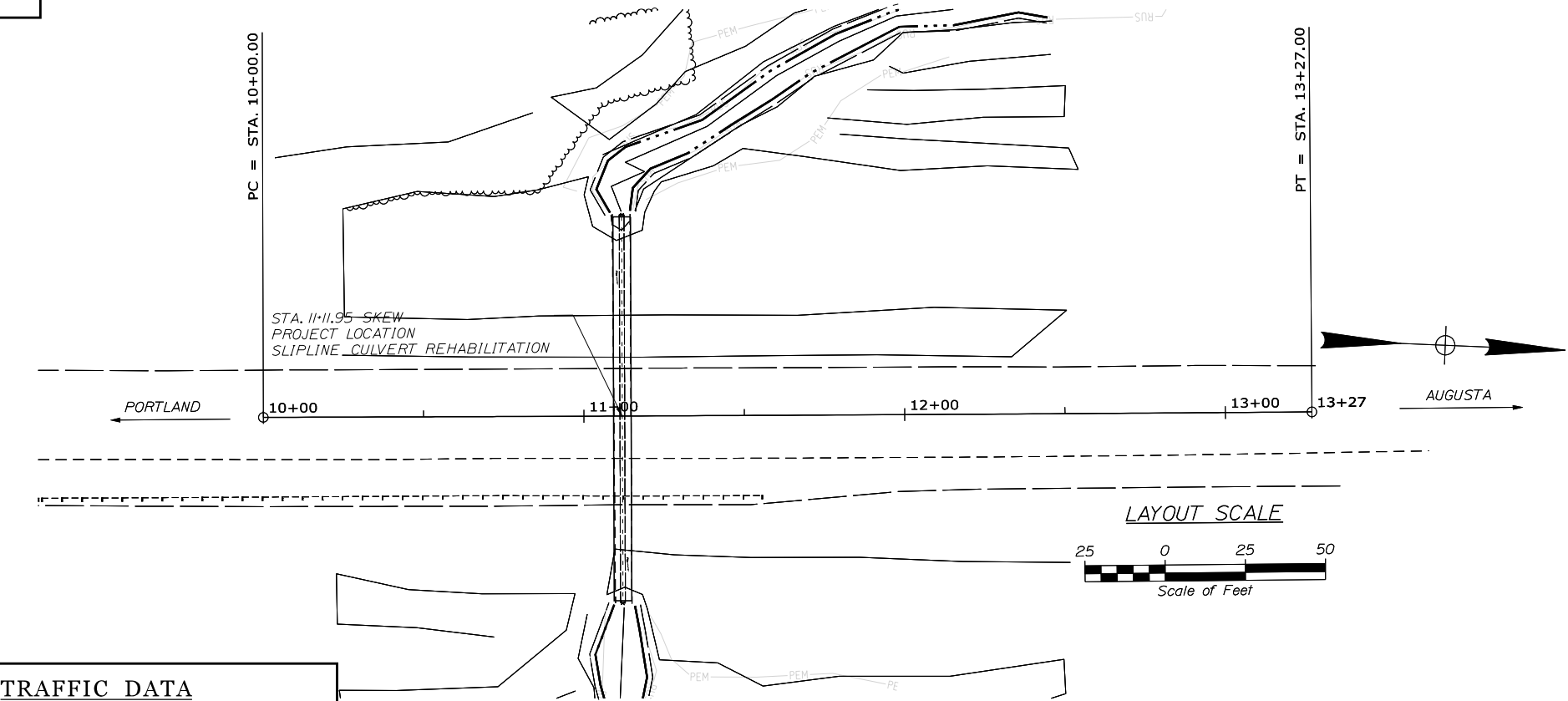
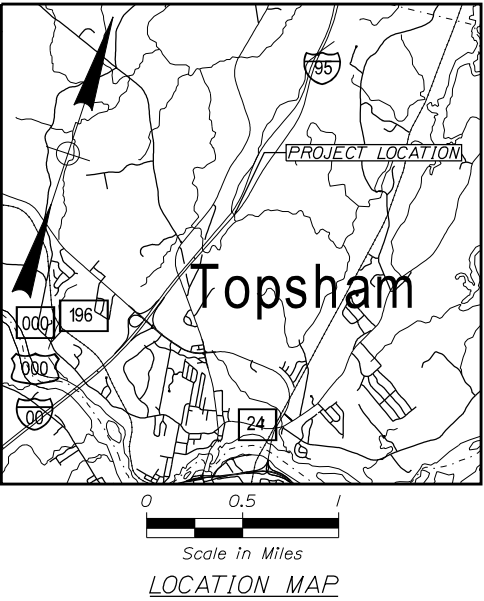
PLAN LEGEND

Town, County, State	_____	Catch Basins	Existing	Proposed
Property Lines	-----	Manholes	Existing	Proposed
R/W Lines-Existing	-----	Proposed Underdrain	-----	
R/W Lines-Proposed	-----	Proposed Ditch	-----	
Culvert-Existing	-----	Existing Ditch	-----	
Culvert Proposed	-----	Utility Poles	Existing	Proposed
Curbing	Existing    Proposed	Fire Hydrants	Existing	Proposed
Type 1	-----	Existing Water Line	-----	
Type 3	-----	Existing San. Sewer	-----	
Type 5	-----	Existing San. Sewer Manhole	-----	
Outline of Bodies of Water	-----	Guardrail-Existing	-----	
Exposed Bedrock	-----	Guardrail-Proposed	-----	
Buildings	-----	Guardrail-Cable, Other	-----	
Trees	Conifer    Deciduous	Centerline-Existing	-----	
Tree Line	-----	Centerline-Proposed	-----	
Clearing Limit Line	-----	Travelway-Existing	-----	
Railroad	-----	Travelway-Proposed	-----	
Boring	HB-XXX-###	Probe	P-##-X	
Pavement Core	PC-#	## = Depth		
Test Pit	TP-XXX-###	X = W (Weathered Rock)		
		R (Refusal)		
		NR (No Refusal)		

INDEX OF SHEETS

Description	Sheet No.
Title Sheet	1
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LG Culvert Rehabilitation (LC 927086)  
MaineDOT WIN 25395  
Unnamed Stream at I-295  
Topsham, ME  
Plans-2/25/23



TRAFFIC DATA

Current (2022) AADT	14780
Future (2034) AADT	15670
DHV - % of AADT	13
Design Hour Volume	2037
% Heavy Trucks (AADT)	12
% Heavy Trucks (DHV)	7
Directional Distribution (DHV)	100
18-kip Equivalent P 2.0	2052
18-kip Equivalent P 2.5	1955
Design Speed (mph)	70
Corridor Priority	1

PROJECT LOCATION:	LARGE CULVERT (#927086) LOCATED 1.26 MILES NORTH OF INTERSTATE 295 EXIT 31 ON-RAMP .
PROGRAM AREA:	HIGHWAY PROGRAM
SCOPE OF WORK:	LARGE CULVERT REHABILITATION

WIN 25395.00 STATE PROJECT NO. 25395.00

TOPSHAM INTERSTATE-295	TITLE SHEET
SHEET NUMBER 1 OF 7	

STATE OF MAINE DEPARTMENT OF TRANSPORTATION	APPROVED	DATE
PROJECT INFORMATION	COMMISSIONER:	CHIEF ENGINEER:
PROGRAM HIGHWAY	SIGNATURE L. HAMILTON Y. SULTAN	P.E. NUMBER DATE
PROJECT MANAGER DESIGNER	CONSULTANT PROJECT RESIDENT CONTRACTOR	PROJECT COMPLETION DATE

GENERAL NOTES

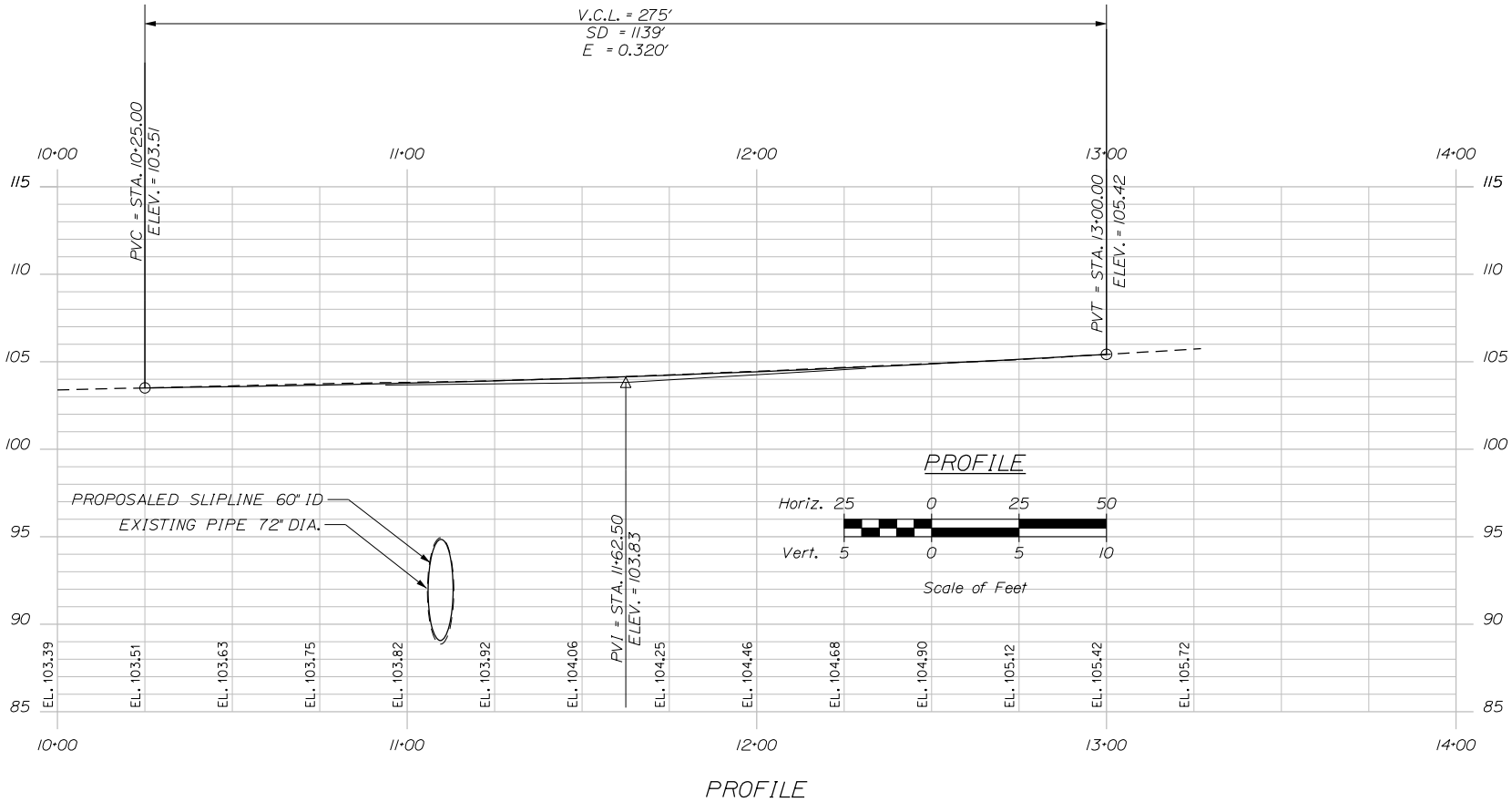
- CLEARING LIMITS SHALL BE 10 FEET BEYOND AND PARALLEL TO THE CONSTRUCTION SLOPE LINES OR AS SHOWN ON THE PLANS UNLESS OTHERWISE AUTHORIZED BY THE RESIDENT. ALL CLEARING SHALL BE CONSIDERED INCIDENTAL TO THE CONTRACT AND NO SEPARATE PAYMENT WILL BE MADE. THE CLEARING LIMIT SHALL BE APPROVED BY THE RESIDENT.
- INLETS AND OUTLETS OF ALL CULVERTS SHALL BE RIPRAPPED UNLESS OTHERWISE NOTED ON THE PLANS OR DIRECTED BY THE RESIDENT.
- ALL WASTE MATERIAL NOT USED ON THE PROJECT SHALL BE DISPOSED OF OFF THE PROJECT IN ACCEPTABLE WASTE AREAS REVIEWED BY THE RESIDENT. GRADING, SEEDING, AND MULCHING OF WASTE AREAS SHALL BE CONSIDERED INCIDENTAL.
- REQUIRED DITCH PROTECTION SHOWN ON THE PLANS OR IN THE CONSTRUCTION NOTES IS FOR ESTIMATING PURPOSES ONLY. THE ACTUAL TYPE AND LOCATION OF DITCH PROTECTION MAYBE ALTERED BY THE RESIDENT.
- THE CONTRACTOR SHALL PLAN AND CONDUCT WORK SO THAT UPON COMPLETION OF THE PROJECT THERE IS NO DROP-OFF FROM THE EDGE OF THE SHOULDER PAVEMENT.
- ANY DAMAGE TO THE SLOPES CAUSED BY THE CONTRACTOR'S EQUIPMENT, PERSONNEL OR OPERATION SHALL BE REPAIRED TO THE SATISFACTION OF THE RESIDENT. ALL WORK, EQUIPMENT, AND MATERIALS REQUIRED TO MAKE REPAIRS SHALL BE AT THE CONTRACTOR'S EXPENSE.
- GEOTECHNICAL INFORMATION FURNISHED OR REFERRED TO IN THE BID DOCUMENTS IS FOR THE USE OF THE BIDDERS. NO ASSURANCE IS GIVEN THAT THE INFORMATION OR INTERPRETATIONS WILL BE REPRESENTATIVE OF THE ACTUAL SUBSURFACE CONDITIONS THROUGHOUT THE CONSTRUCTION SITE. MAINEDOT WILL NOT BE RESPONSIBLE FOR ANY INTERPRETATIONS OR CONCLUSION DRAWN FROM THE GEOTECHNICAL INFORMATION. THE BORING LOGS PROVIDED IN THE BID DOCUMENTS (IF ANY) PRESENT FACTUAL AND INTERPRETIVE SUBSURFACE INFORMATION COLLECTED AT DISCRETE LOCATIONS. DATA PROVIDED MAY NOT BE REPRESENTATIVE OF THE SUBSURFACE CONDITIONS BETWEEN BORING LOCATIONS.
- NO SEPARATE PAYMENT FOR SUPERINTENDENT OR FOREMAN WILL BE MADE FOR THE SUPERVISION OF EQUIPMENT AND LAYOUT OF WORK BEING PAID FOR UNDER THE EQUIPMENT RENTAL ITEMS.

LG Culvert Rehabilitation (LC 927086)  
 MaineDOT WIN 25395  
 Unnamed Stream at I-295  
 Topsham, ME  
 Plans-2/25/23

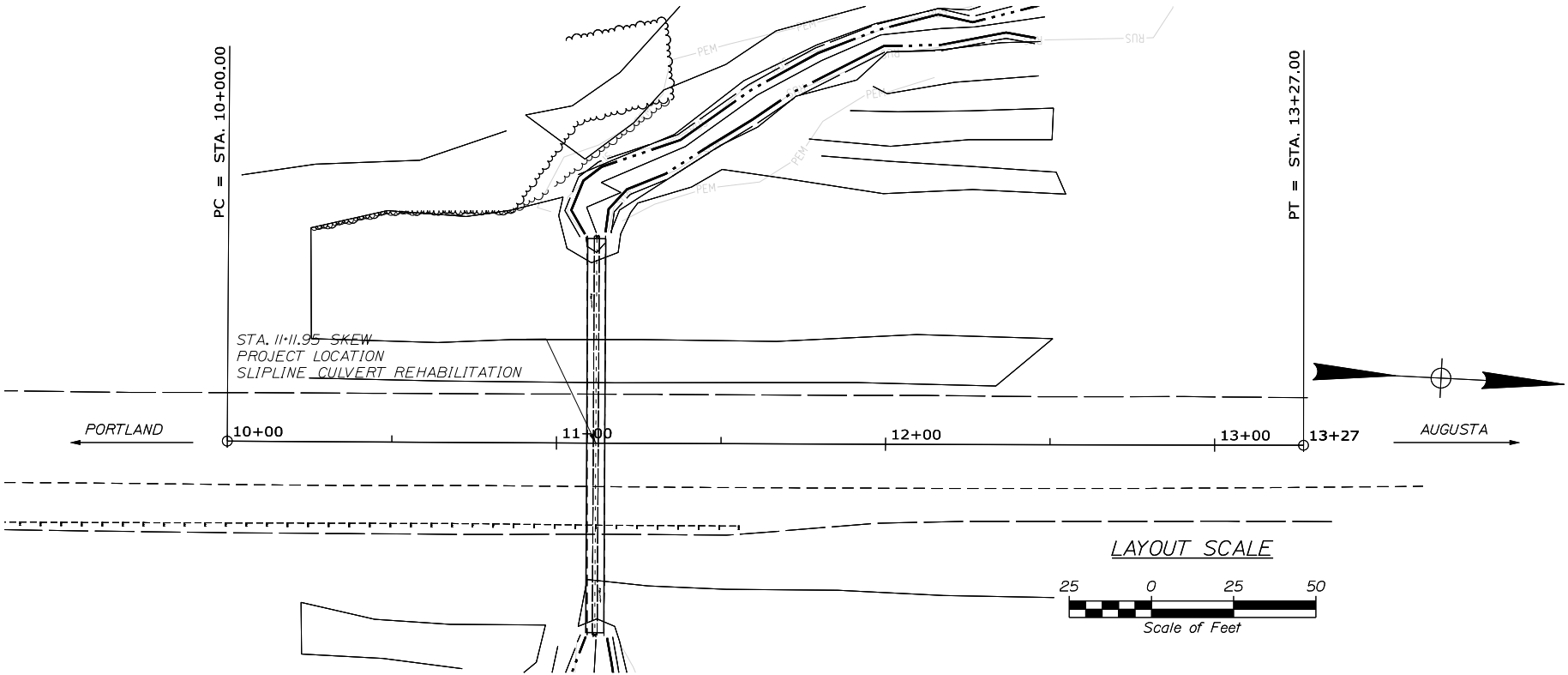
STATE OF MAINE		DEPARTMENT OF TRANSPORTATION	
STATE PROJECT NO. 25395.00		WIN 025395.00	
HIGHWAY PLANS			
TOPSHAM I-295		<div> <div>PROJ. MANAGER</div> <div>DESIGN-DETAILED</div> <div>DESIGN-REVIEWED</div> <div>DESIGN-DETAILED2</div> <div>DESIGN-DETAILED3</div> <div>REVISIONS 1</div> <div>REVISIONS 2</div> <div>REVISIONS 3</div> <div>REVISIONS 4</div> <div>FIELD CHANGES</div> </div> <div> <div>LARAY</div> <div>YUSUF SULTAN</div> <div>DESIGNER2</div> <div>DESIGNER3</div> <div>-----</div> <div>-----</div> <div>REVISION3</div> <div>REVISION4</div> <div>-----</div> </div> <div> <div>HAMILTON</div> <div>YUSUF SULTAN</div> <div>DESIGNER2</div> <div>DESIGNER3</div> <div>-----</div> <div>-----</div> <div>REVISION3</div> <div>REVISION4</div> <div>-----</div> </div> <div> <div>BY</div> <div>DESIGNER1</div> <div>DESIGNER2</div> <div>DESIGNER3</div> <div>-----</div> <div>-----</div> <div>REVISION3</div> <div>REVISION4</div> <div>-----</div> </div> <div> <div>DATE</div> <div>PROJECT1</div> <div>PROJECT2</div> <div>PROJECT3</div> <div>PROJECT4</div> <div>-----</div> <div>-----</div> <div>REVISION2</div> <div>REVISION3</div> <div>REVISION4</div> <div>-----</div> </div>	
GENERAL NOTES		<div>SIGNATURE</div> <div>P.E. NUMBER</div> <div>DATE</div>	
SHEET NUMBER		3	
OF 7			



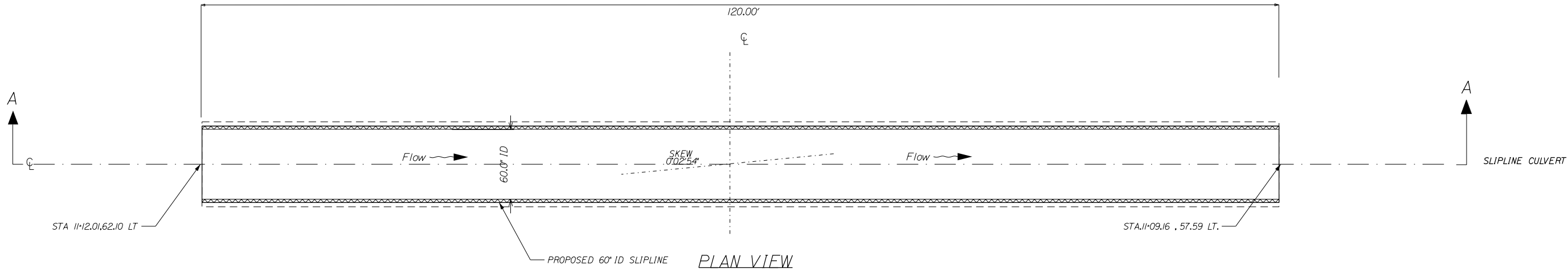




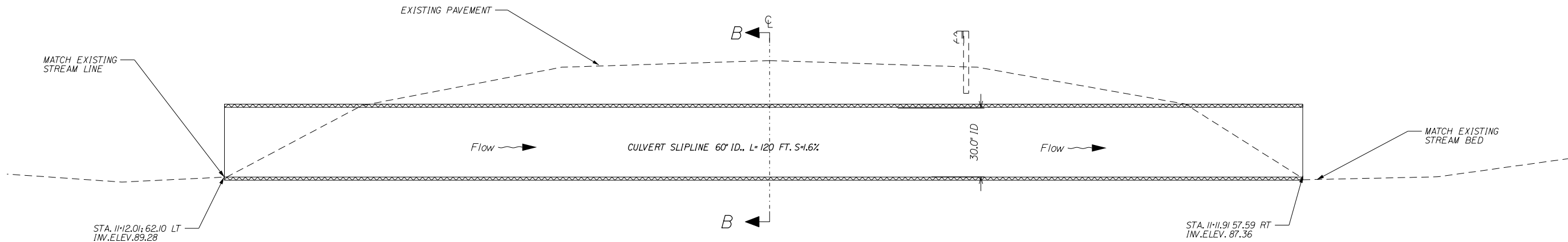
LG Culvert Rehabilitation (LC 927086)  
 MaineDOT WIN 25395  
 Unnamed Stream at I-295  
 Topsham, ME  
 Plans-2/25/23



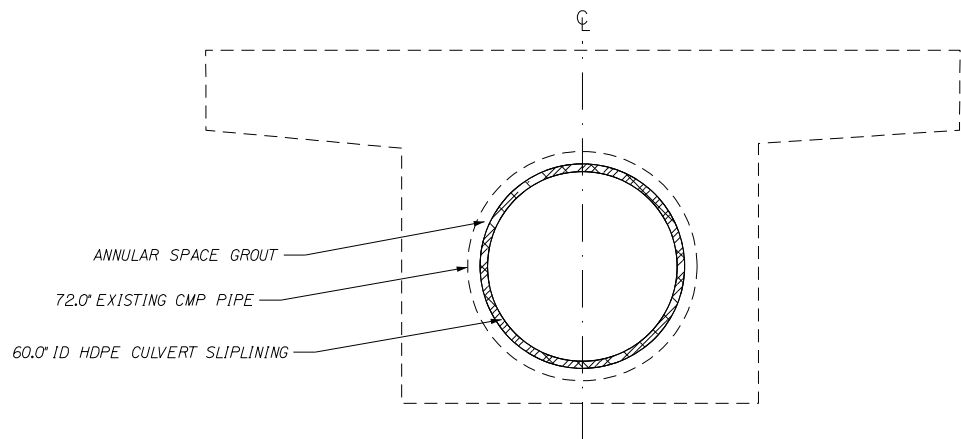
STATE OF MAINE		DEPARTMENT OF TRANSPORTATION	
NO. 25395.00		SIGNATURE	
WIN 25395.00		P.E. NUMBER	
HIGHWAY PLANS		DATE	
PROJ. MANAGER	L. HAMILTON	BY	DATE
CHECKED-REVIEWED	Y. SULTAN		
DESIGN-DETAILED			
DESIGN-REVIEWED			
REVISIONS 1			
REVISIONS 2			
REVISIONS 3			
REVISIONS 4			
FIELD CHANGES			
TOPSHAM INTERSTATE I-295		PLANS/PROFILE	
SHEET NUMBER		5	
OF 7			



PLAN VIEW



TRANSVERSE SECTION A-A



CULVERT SLIPLINING SECTION B-B

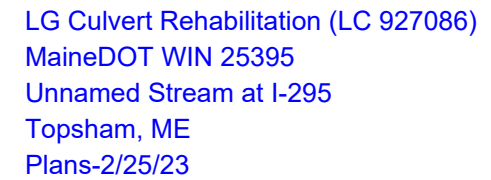
NOTES

1. COFFERDAMS ARE TO BE PLACED AT BOTH THE DOWNSTREAM AND UPSTREAM ENDS OF THE EXISTING CULVERT TO ALLOW CONSTRUCTION OF THE CULVERT DLIPLINE IN THE DRY.
2. GROUT SHALL BE USED TO FILL THE ANNULAR SPACE AND BACKFILL VOIDS WILL BE PAID FOR UNDER SECTION 502, ANNULAR SPACE GROUTING.

LG Culvert Rehabilitation (LC 927086)  
MaineDOT WIN 25395  
Unnamed Stream at I-295  
Topsham, ME  
Plans-2/25/23

NOT TO SCALE

TOPSHAM I-295				PROJ. MANAGER LARAY HAMILTON		BY	DATE	STATE OF MAINE DEPARTMENT OF TRANSPORTATION	
SPECIAL DETAIL CULVERT SLIPELINE				DESIGN-DETAILED		Y SULTAN	XXXX	SIGNATURE	2539500
				CHECKED-REVIEWED		XXXXXXXXXX			
				DESIGN2-DETAILED2		XXXXXXXXXX			
				DESIGN3-DETAILED3		XXXXXXXXXX			
				REVISIONS 1		XXXXXXXXXX	P.E. NUMBER		
				REVISIONS 2		XXXXXXXXXX	DATE	WIN 025395.00	
				REVISIONS 3		XXXXXXXXXX			
				REVISIONS 4		XXXXXXXXXX			
				FIELD CHANGES		XXXXXXXXXX			
SHEET NUMBER									
4									
OF 7									



6 OF 7		SHEET NUMBER	TOPSHAM I-295		CROSS SECTIONS		PROJ. MANAGER	L. HAMILTON	BY	DATE	STATE OF MAINE DEPARTMENT OF TRANSPORTATION	
							DESIGN-DETAILED	Y. SULLIVAN	\$projectdate1\$			
						CHECKED-REVIEWED						2539500
						DESIGN2-DETAILED2	\$designer2\$	\$projectdate2\$		SIGNATURE		
						DESIGN3-DETAILED3	\$designer3\$	\$projectdate3\$				2539500
						REVISIONS 1		\$revision1\$		P.E. NUMBER		
						REVISIONS 2		\$revision2\$				WIN 25395.00
						REVISIONS 3		\$revision3\$				
						REVISIONS 4		\$revision4\$		DATE		BRIDGE NO. 25395.00 HIGHWAY PLANS
						FIELD CHANGES	\$fieldchange\$	\$fielddate\$				