



STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
BUREAU OF PARKS & LANDS  
22 STATE HOUSE STATION  
AUGUSTA, MAINE 04333

JANET T. MILLS  
GOVERNOR

AMANDA E. BEAL  
COMMISSIONER

March 13, 2020

City of Portland  
Corporate Counsel Office  
389 Congress Street  
Portland, ME 04101

City of South Portland  
P.O. Box 9422  
South Portland, ME 04116-9422

RE: Portland Harbor Dredging Proposal

Dear Municipal Officials:

The Bureau of Parks and Lands (Bureau), within the Maine Department of Agriculture, Conservation and Forestry, has received an application from the Portland Harbor Commission to dredge an area on submerged lands at forty-seven properties located in Portland and South Portland.

Under the Bureau's standard review procedure, this correspondence is to provide the municipality with an opportunity to comment on any impacts the project may have as described in the enclosed NOTICE. Although this letter is addressed to the municipal officials, any interested party or anyone who is knowledgeable about the area is welcome to comment. If the municipality has a harbor committee, port authority, or other organization that has responsibility for reviewing coastal activities, please provide them with a copy of this NOTICE.

**Please post the enclosed NOTICE in the municipal office. Comments must be received by the Bureau on or before April 12, 2020. Thank you.**

Sincerely,

Karen Foust  
Submerged Lands Coordinator

Enc: Notice  
cc: Harbormaster w/ enclosure

ANDREW R. CUTKO, DIRECTOR  
BUREAU OF PARKS & LANDS  
18 ELKINS LANE, HARLOW BUILDING



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## NOTICE – March 13, 2020

**Applicant:** Portland Harbor Commission

**Proposal:** To dredge material on and around forty-seven separate locations to remove 244,678 cubic yards of material. The dredged material would be deposited in a Contained Aquatic Disposal (CAD) Cell to be constructed within Portland Harbor. For more details on the CAD Cell Project refer to the City of Portland's CAD Cell Application. Portions of the application with location sites may be viewed at [www.maine.gov/dacf/parks/about/submerged\\_lands.shtml](http://www.maine.gov/dacf/parks/about/submerged_lands.shtml) under Major Projects, Portland Harbor Dredging and City of Portland CAD Cell.

**Location:** Portland Harbor, multiple locations, Cities of Portland and South Portland

The Bureau of Parks and Lands (Bureau) has received an application to occupy submerged lands for the project described above. Pursuant to Title 12 M.R.S.A., Section 1801 & 1862, the Bureau serves as trustee of submerged lands for the State of Maine. Submerged lands include all land from the mean **low-water** mark seaward to the 3-mile territorial limit including all land below the mean **low-water** mark of tidal rivers upstream to the farthest natural reaches of the tides.

Before the proposal may take place, the applicant must obtain a lease or easement from the Bureau. A lease or easement may be granted for the project if it will not:

- unreasonably interfere with customary or traditional public access ways to, or public trust rights (fishing, fowling, recreation, and navigation) in, on or over the submerged lands;
- unreasonably interfere with fishing or other existing marine uses of the area;
- unreasonably diminish the availability of services and facilities necessary for commercial marine activities; and
- unreasonably interfere with ingress and egress of riparian owners.

A copy of the site plan is attached for information. Any interested party or anyone who is knowledgeable about the area is welcome to comment on possible impacts to the activities listed above. **Comments must be received on or before April 12, 2020.**

For more information, please contact Karen Foust, Bureau of Parks and Lands.  
Phone: (207) 287-6128 Fax: (207) 287-6170  
Email: [Karen.L.Foust@maine.gov](mailto:Karen.L.Foust@maine.gov)  
[www.maine.gov/dacf/submergedlands](http://www.maine.gov/dacf/submergedlands)  
cc: Department of Marine Resources

**Please note that all comments received are part of the public record and subject to the State of Maine Freedom of Access laws.**