



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Janet T. Mills
GOVERNOR

Bruce A. Van Note
COMMISSIONER

July 25, 2025
Subject: Bridge Replacement
WIN: 026226.00
Location: **Kennebunk-Arundel**
Amendment No. 2

Dear Sir/Ms.:

REMOVE pages 48 and 49 titled Special Provision 105, General Scope of Work (Environmental Requirements) and **REPLACE** with the attached Special Provision 105, General Scope of Work (Environmental Requirements) dated 7/24/25 (2 pages).

REMOVE the Army Corps of Engineers permit, pages 230 to 237, and **REPLACE** with the attached updated Army Corps of Engineers permit dated 7/23/25 (8 pages).

Consider these changes and information prior to submitting your bid on **July 30, 2025**.

Sincerely,

George M. A. Macdougall P.E.
Contracts & Specifications Engineer

Town: Kennebunk-Arundel

WIN #: 26226.00

Date: July 24, 2025

SPECIAL PROVISION

SECTION 105

General Scope of Work

(Environmental Requirements)

Work within stream ("In Stream Work," see MaineDOT Standard Specifications 101.2 Definitions) requires special conditions to minimize impacts. The following special conditions shall apply to this project

I. In-Water Work shall not be allowed between the dates of December 2 and May 31.

(In-Water Work is allowed from June 1 to December 1)

II. In-Water work window applies to the following water bodies at the following station #'s:

1. Kennebunk River at project location

III. Special Conditions:

1. Special Conditions of Army Corps of Engineers (ACOE) General Permit apply (see permit and conditions in contract documents).
2. If the Contractor witnesses a bat (dead or alive), any activities that may injure any live bats must cease immediately, and the Contractor shall contact Eric Ham of MaineDOT Environmental Office (207-215-7356) for further coordination. MaineDOT shall coordinate the collection of dead or injured bats.
3. If the Contractor observes an active bird nest within the project limits, any activities that may disturb the nest or injure birds (nesting adults, chicks, eggs) must cease immediately, and the Contractor shall contact Eric Ham of MaineDOT Environmental Office (207-215-7356) for further coordination.
4. The contractor shall contact Eric Ham of MaineDOT Environmental Office ((207-215-7356); Eric.Ham@maine.gov) at least 2 weeks prior to installation of any cofferdams to coordinate fish evacuation.
5. All in-water excavation shall be conducted within a cofferdam
6. All areas of temporary stream or wetland fill must be within the specified limits on the plans and shall be restored to their original contour and character upon completion of the project. Temporary fill includes fill that received authorization and fill that mistakenly enters a resource (i.e., from slope failures, accidental broken sandbag cofferdams, miscellaneous construction materials, etc.).
7. Grubbing (removal) of roots and stumps in wetlands shall only occur in those areas subject to permanent impacts.
8. The contractor shall fully remove all cofferdams from the stream immediately following completion of in-stream work using techniques to minimize turbidity releases. The contractor shall restore all areas of temporary stream bottom disturbance to their original contour and character upon completion of the project.
9. All off-road equipment shall be cleaned to remove all soil, seeds, vegetation, or other debris that could contain seeds or reproductive portions of plants prior to entering the area to minimize the spread of noxious weeds. All equipment shall be inspected prior to offloading to ensure they are clean.

IV. Approvals:

1. Temporary Soil Erosion and Water Pollution Control Plan
2. Permitted Resource Impacts (square feet), see ACOE permit for locations:

Stream:

Permanent: RUS/OHWM – 180 sf

Temporary: RUS/OHWM – 2,480 sf

Wetland:

Permanent: 50 sf

Temporary: 240 sf

V. All activities are prohibited (including placement and removal of cofferdams unless otherwise permitted by Regulatory Agencies) below the normal high water mark if outside the prescribed in-water work window, except for the following:

1. Work within a cofferdam constructed according to MaineDOT's Standard Specifications and in adherence with the contractor's approved "Soil Erosion and Water Pollution Control Plan".

Town: Kennebunk-Arundel

WIN #: 26226.00

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VI. No work is allowed that completely blocks a river, stream, or brook without providing downstream flow.

NOTE: Regulatory Review and Approval is required to modify the existing In-Water work window. Requests for work window extensions must be submitted to the MaineDOT Environmental Office. Approval of requests for work window extensions is not guaranteed and may result in delays in construction schedule that are the sole responsibility of the contractor.



**DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT OFFICE
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751**

July 23, 2025

Regulatory Division
Transportation & Utility Section
File Number: NAE-2024-02378
ME DOT WIN: 26226.00

Andrea Brady
Maine Department of Transportation
16 State House Station
Augusta, Maine 04333
Via Email: Andrea.F.Brady@maine.gov

Dear Andrea Brady:

This letter is in response to the request you submitted on July 11, 2025, to the U.S. Army Corps of Engineers (USACE), New England District, to modify a project that was previously authorized under the federal permits known as the Maine General Permits (GPs) to accommodate a revised in-water work window. This letter supersedes the previous verification letter for NAE-2024-02378, dated December 3, 2024.

The project involves the replacement of a structurally deficient bridge over a non-tidal river. The existing structure is a 26-foot-span by 25-foot-wide bridge with stacked granite abutments with a concrete facing. It will be replaced with a 58-foot-span by 32.2-foot-wide bridge, with semi-integral abutments with flared wings and with footings cast on bedrock. Heavy riprap will be placed at the toe of the new abutments. The project includes approximately 520 linear feet of approach roadway work. The work will result in the placement of 180 square feet of permanent fill below the ordinary high water mark (OHWM) of the river and 50 feet of permanent fill in an adjacent forested wetland due to riprap. The work will result in 2,480 square feet of temporary impacts below the OHWM of the river and 240 square feet of temporary impacts within the wetland due to cofferdams used to dewater the work area. The project is located where Route 35/Alewife Road crosses the Kennebunk River in the towns of Kennebunk and Arundel, York County, Maine (Latitude 43.45755° and Longitude -70.60557°). The work is shown on the enclosed plans titled "Kennebunk, Rt 35 WIN 26226.00," on three sheets dated October 3, 2024.

Based on the information you have provided, we verify that the activity is authorized under General Permit 22, Stream and Wetland Work and Crossings, of the October 14, 2020, federal permits known as the Maine General Permits (GPs). You can find a copy of these permits at: <https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/>.

Please review the enclosed GPs carefully, in particular the general conditions beginning on page 5, and ensure that you and all personnel performing work authorized by the GPs are fully aware of and comply with its terms and conditions. Any deviation from the terms and conditions of the permit, or your submitted plans, may subject the permittee to the enforcement provisions of our regulations. You must perform this work in compliance with the terms and conditions of the GPs listed above and the following special conditions:

Project Specific Special Conditions:

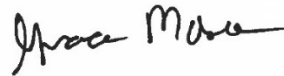
1. The permittee shall complete and return the enclosed Completion Certification Form to this office within one month following the completion of the authorized work.
2. All construction shall be completed in accordance with the limits of construction and construction sequences detailed on the enclosed plan set titled "Kennebunk, Rt 35 WIN 26226.00," in three sheets dated October 3, 2024. If there are changes to the plans or construction methods for work within or adjacent to the Kennebunk River, the permittee shall contact USACE to discuss modification of this authorization. USACE must approve any changes before they are undertaken.
3. This project shall be performed in accordance with erosion control measures conforming with the latest versions of the *State of Maine Department of Transportation Standard Specifications for Highways and Bridges* and the *Department of Transportation's Best Management Practices for Erosion and Sediment Control*.
4. In-water work shall occur between June 1 through December 1, of any year(s).
5. If the removal of the existing bridge or tree removal for the authorized work is not complete before the tricolored bat (*Perimyotis subflavus*) is listed under the Endangered Species Act (ESA), the permittee shall contact the Federal Highway Administration to initiate ESA Section 7 consultation with the U.S. Fish and Wildlife Service. The permittee shall also notify USACE to determine if the consultation will result in a need to reverify the project under the GPs.
6. The permittee shall complete and return the enclosed Work-Start Notification Form to this office at least two weeks prior to the anticipated construction start date.

This verification is valid until October 14, 2025. You must commence or be under contract to commence the work authorized herein by October 14, 2025 and complete the work by October 14, 2026. If not, you must contact this office to determine the need for further authorization before beginning or continuing the activity. It is recommended that you contact this office before this authorization expires to discuss if permit reissuance is a possibility.

This GP verification and any associated authorizations does not preclude the necessity to obtain any other federal, state, or local permits, licenses, and/or certifications, which may be required.

If you have any questions related to this verification or have issues accessing documents referenced in this letter, please contact Rachel Antieau, Project Manager, at 978-580-3512 or by email at rachel.h.antieau@usace.army.mil. This agency continually strives to improve our customer service. To better serve you, please complete the Customer Service Survey located at: <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,



Grace Moses
Chief, Technical Support Branch
Regulatory Division

Enclosures

cc (w/enclosures):

Kristen Chamberlain, Maine DOT; Kristen.Chamberlain@maine.gov

Eric Ham, Maine DOT; Eric.Ham@maine.gov

Joshua Nichols, Maine DOT; Joshua.Nichols@maine.gov

Patrick Dockens, U.S. FWS; Patrick_dockens@fws.gov

John Perry, MDIFW; john.perry@maine.gov

James Pellerin, MDIFW; james.pellerin@maine.gov

U.S. EPA, Region 1; R1_CWA404_REG@epa.gov

Maine DEP; Landoncall@maine.gov

Work-Start Notification Form

File Number: NAE-2024-02378

State: Maine

County: York

Permittee: Maine Department of Transportation

Date Verification Issued: 7/23/2025

Project Manager: Rachel Antieau

At least two weeks prior to commencing the activity authorized by this permit, sign this certification and return it to the following address:

**US ARMY CORPS OF ENGINEERS
New England District
Attn: Rachel Antieau
442 Civic Center Drive Suite 350
Augusta, Maine 04330
or
rachel.h.antieau@usace.army.mil
978-580-3512**

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers (USACE) representative. Failure to comply with any terms or conditions of this authorization may result in the USACE suspending, modifying or revoking the authorization and/or issuing a Class I administrative penalty, or initiating other appropriate legal action.

The people (e.g. contractor) listed below will do the work, and they understand the permit's conditions and limitations.

Contractor Name/Contractor Firm: _____

Business Address: _____

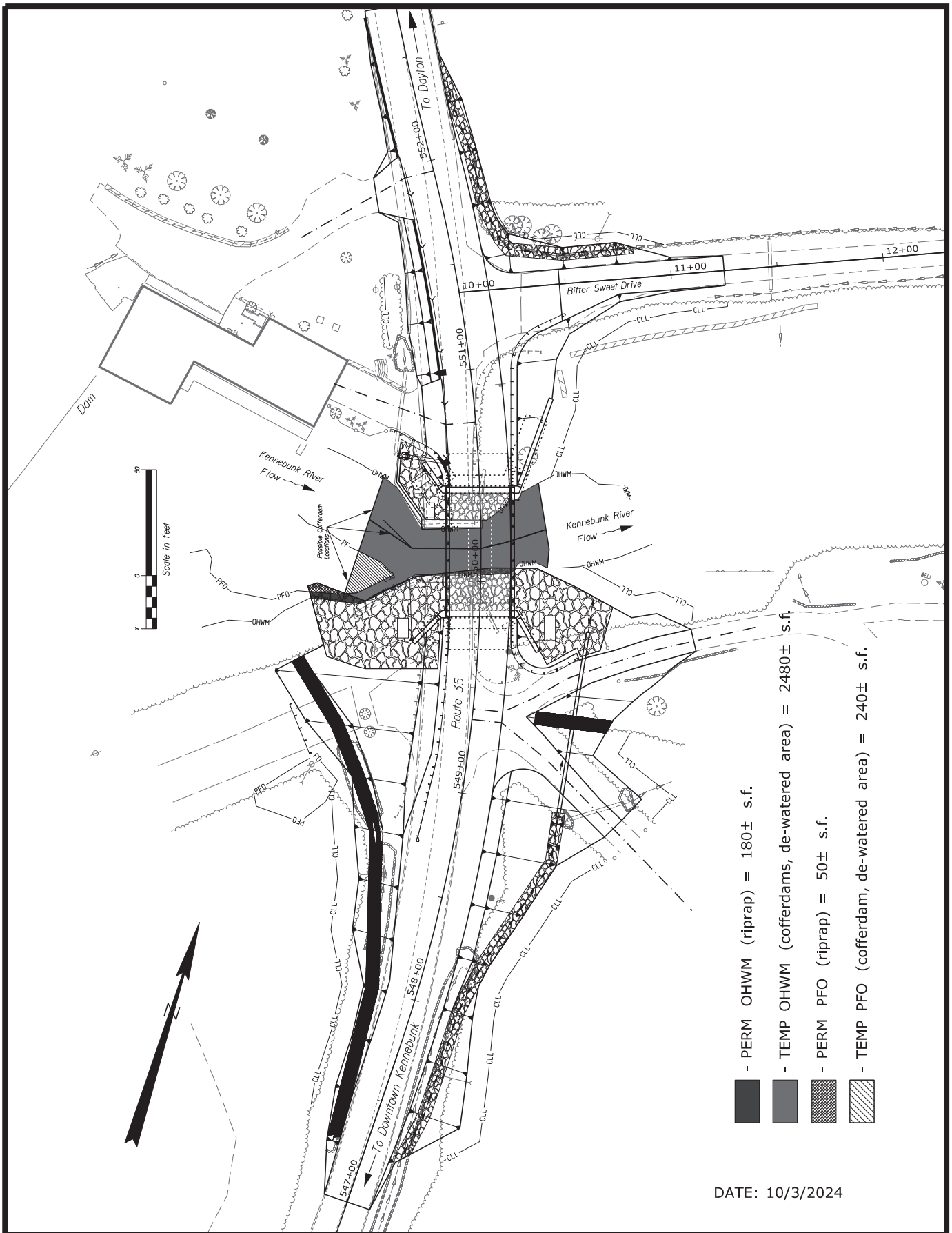
Contractor Phone and Email: _____

Proposed Construction Dates: Start: _____ **Finish:** _____

Signature of Permittee

Date

U.S. Army Corps of Engineers (USACE)		Form Approved -
CERTIFICATION OF COMPLIANCE WITH DEPARTMENT OF THE ARMY PERMIT		OMB No. 0710-0003
For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act; the proponent agency is CECW-COR.		Expires 2027-10-31
The Agency Disclosure Notice (ADN)		
The Public reporting burden for this collection of information, 0710-0003, is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.		
PURPOSE: This form is used by recipients of U.S. Army Corps of Engineer Regulatory permits to certify compliance with the permit terms and conditions. Your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.		
Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the U.S. Army Corps of Engineers, New England District, Regulatory Office. The certification can be submitted by email at <u>cenae-r-tu</u> @usace.army.mil or by mail at the below address: U.S. Army Corps of Engineers New England District Office 696 Virginia Road Concord, MA 01742		
COMPLETED BY THE CORPS		
Corps Action Number:	NAE-2024-02378	
Permit Type:	General Permit	
General Permit Number and Name (if applicable):	22. Stream and Wetland Work and Crossings	
Name of Permittee:	Andrea Brady, Maine DOT	
Project Name:	ME DOT Kennebunk-Arundel WIN 26226.00	
Project Location (physical address):	State Route 35 in Kennebunk and Arundel, Maine Latitude 43.45755° and Longitude -70.60557°	
PERMITTEE'S CERTIFICATION		
Date Work Started:		
Date Work Completed:		
Enclose photographs showing the completed project (if available).		
I _____ hereby certify that the work authorized by the above referenced permit has been completed in accordance with all of the permit terms and conditions, and that any required compensatory mitigation has been completed in accordance with the permit conditions.		
Name	Date	Signature



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

ROUTE 35 KENNEBUNK
YORK COUNTY

SHEET NUMBER

1

26226.00

PLANS

OF1

Date:9/6/2024

Username:

Division:

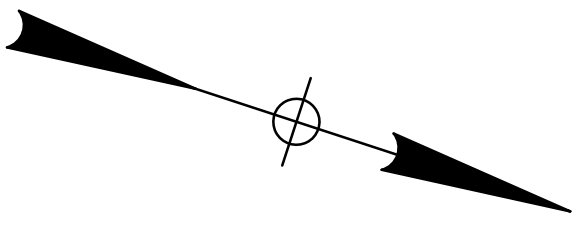
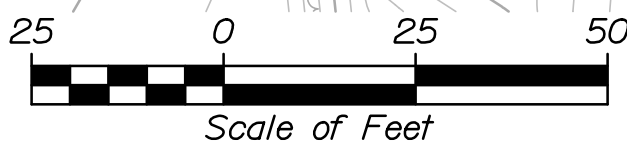
Filename: 003_General Plan.dgn

CURVE DATA #1
PI = 544+76.20
D = 5°43'46.5"
Δ = 25°42'58.8" Lt.
R = 1000.00'
L = 448.83'
T = 228.26'
E = 25.72'

CURVE DATA #2
PI = 549+92.20
D = 7°50'55.5"
Δ = 33°13'10.6" Lt.
R = 730.00'
L = 423.25'
T = 217.76'
E = 31.79'

CURVE DATA #3
PI = 554+14.85
D = 4°07'19.2"
Δ = 17°45'32.9" Rt.
R = 1390.00'
L = 430.84'
T = 217.16'
E = 16.86'

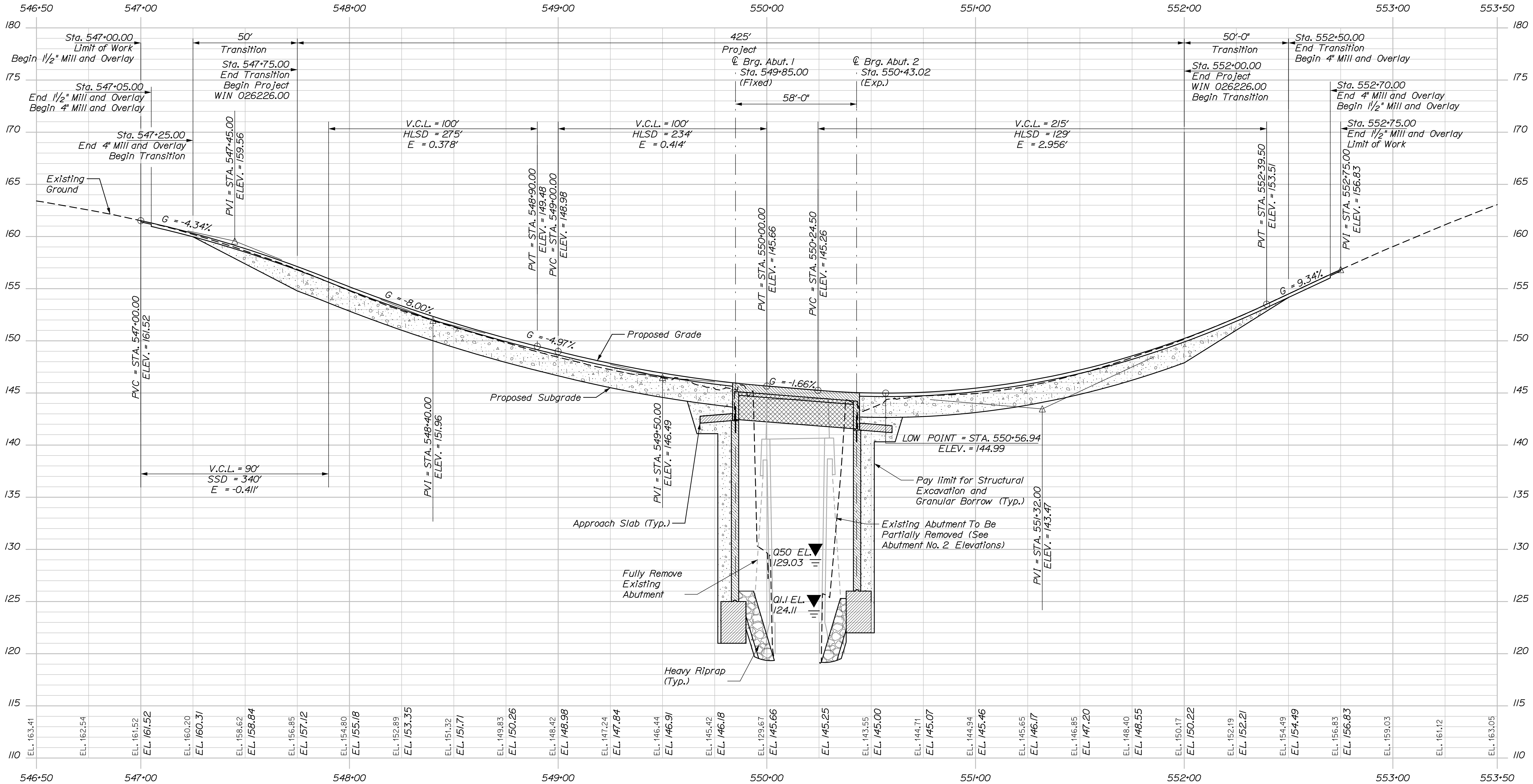
PLAN



PROJ. MANAGER	D. Eaton	BY	DATE	SIGNATURE	P.E. NUMBER	DATE
CHECKED-DETAILED	E. Davidson	A. Sweet	08/24			
DESIGN-REVIEWED	L. Driscoll	A. Stephens	08/24			
DESIGNS-DETAILED						
REVISIONS 1						
REVISIONS 2						
REVISIONS 3						
REVISIONS 4						
FIELD CHANGES						

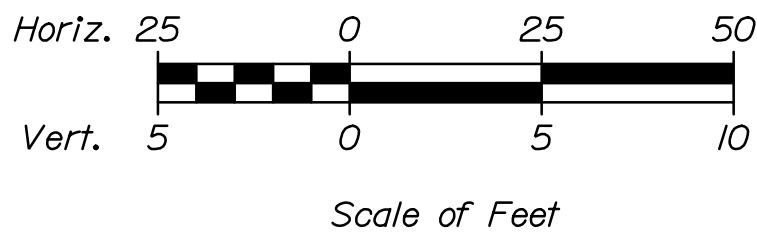
HNTB

98% Plans
September 6, 2024



PROFILE - ROUTE 35

PROFILE



98% Plans
September 6, 2024



SHEET NUMBER										DAYS MILLS BRIDGE										STATE OF MAINE									
4										KENNEBUNK RIVER										DEPARTMENT OF TRANSPORTATION									
										KENNEBUNK-ARUNDEL																			
PROFILE 1										DESIGN-DETAILED					D. Eaton					DATE									
										CHECKED-REVIEWED					E. Davidson					08/24									
															L. Driscoll					A. Stephens									
										DESIGN2-DETAILED2																			
										DESIGN3-DETAILED3																			
										REVISIONS 1										P.E. NUMBER									
										REVISIONS 2																			
										REVISIONS 3																			
										REVISIONS 4										DATE									
										FIELD CHANGES																			
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