
**DEPARTMENT OF ENVIRONMENTAL PROTECTION
NATURAL RESOURCES PROTECTION ACT
38 M.R.S.A. §§ 480-A to 480-Z
APPLICATION**

Maine Department of Transportation
Trenton – Acadia Gateway Center
Route 3
PIN 16123.00

January 2009



APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

1. Name of Applicant:	Maine Department of Transportation		4. Name of Agent: (if applicable)	Josh Nichols Team Leader	
2. Applicant's Mailing Address:	16 State House Station Augusta, Maine 04333-0016		5. Agent's Mailing Address:	Environmental Office 16 State House Station Augusta, Maine 04333-0016	
3. Applicant's Daytime Phone #:	207-624-3100		6. Agent's Daytime Phone #:	207-624-3100	
7. Location of Project: (Nearest Road, Street, Rt.#)	Route 3		8. Town:	Trenton	9. County: Hancock
10. Type of Resource: (Check all that apply)	<input checked="" type="checkbox"/> River, stream or brook <input type="checkbox"/> Great Pond <input type="checkbox"/> Coastal Wetland <input checked="" type="checkbox"/> Freshwater Wetland <input checked="" type="checkbox"/> Wetland Special Significance <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Fragile Mountain		11. Name of Resource:	Crippens Brook, unnamed wetlands	
			12. Amount of Impact (Sq.Ft.): 159,255 s.f. (3.66 ac.)	Fill: Dredging/Veg Removal/Other:	
13. Type of Freshwater Wetland: (Check all that apply)	<input type="checkbox"/> Forested <input type="checkbox"/> Scrub Shrub <input type="checkbox"/> Emergent <input type="checkbox"/> Wet Meadow <input type="checkbox"/> Peatland <input type="checkbox"/> Open Water <input type="checkbox"/> Other _____		FOR FRESHWATER WETLANDS: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Tier 1 <input type="checkbox"/> 0 - 4,999 sq. ft. <input type="checkbox"/> 5,000 - 9,999 sq. ft. <input type="checkbox"/> 10,000 - 14,999 sq. ft. </div> <div style="width: 45%;"> Tier 2/3 <input type="checkbox"/> 15,000 - 19,999 sq. ft. <input type="checkbox"/> 20,000 - 43,560 sq. ft. <input checked="" type="checkbox"/> > 43,560 sq. ft. </div> </div>		
14. Brief Project Description:	Construction of an intermodal transportation facility/welcome center/bus maintenance facility.				
15. Size of Lot or Parcel:	<input type="checkbox"/> square feet, or 152 <input checked="" type="checkbox"/> acres				
16. Title, Right or Interest:	<input checked="" type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement				
17. Deed Reference Numbers:	Book#:4913	Page: 232-234	18. Map and Lot Numbers:	Map #: 24	Lot #: 8
19. DEP Staff Previously Contacted:	Jessica Damon		20. Part of a larger project:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	After-the-Fact: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
21. Resubmission of Application?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, previous application # N/A	Previous project manager: N/A		
22. Written Notice of Violation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, name of DEP enforcement staff involved: N/A	23. Previous Wetland Alteration: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
24. Detailed Directions to the Project Site:	This project is located on Route 3 in Trenton approximately 2 miles north of the Hancock County - Bar Harbor airport.				
25. TIER 1		TIER 2/3 AND INDIVIDUAL PERMITS			
<input type="checkbox"/> Fee <input type="checkbox"/> Topographic Map <input type="checkbox"/> Documentation of Title, Right or Interest <input type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input type="checkbox"/> Photos of Area <input type="checkbox"/> Statement of Avoidance & Minimization <input type="checkbox"/> Statement/Copy of cover letter to Maine Historic Preservation Commission <input type="checkbox"/> Copy to municipality		<input type="checkbox"/> Fee <input checked="" type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Documentation of Title, Right, Interest <input checked="" type="checkbox"/> Photos of Area <input checked="" type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input checked="" type="checkbox"/> Copy of Public Notice <input checked="" type="checkbox"/> Professional Certification/Delineation <input checked="" type="checkbox"/> Erosion Control Plan <input checked="" type="checkbox"/> Alternatives Analysis, if required <input checked="" type="checkbox"/> Description of Avoidance & Minimization <input checked="" type="checkbox"/> Compensation Plan (if required) <input type="checkbox"/> Description of Previously Mined Peatland (if required) <input checked="" type="checkbox"/> Statement/Copy of cover letter to Maine Historic Preservation Commission <input checked="" type="checkbox"/> Construction Plan, if required <input checked="" type="checkbox"/> Copy to municipality			
26. FEES, Amount Enclosed:		To Be Paid By Internal Billing			

SIGNATURE PAGE: *This page MUST be submitted along with the form on the previous page.*

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

☒ Completed all of the public notice requirements.

☒ Read and understood the following:

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. Routine Uses: Information provided on this form will be used in evaluating the application for a permit. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can a permit be issued.

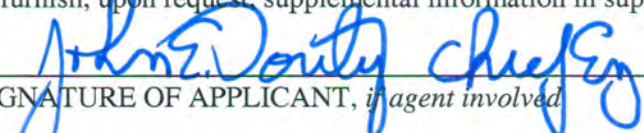
CORPS SIGNATORY REQUIREMENT

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 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.

DEP SIGNATORY REQUIREMENT

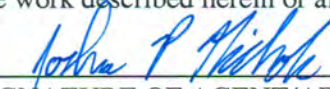
"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I 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."

"I hereby authorize the person named below to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application."


SIGNATURE OF APPLICANT, *if agent involved*

1-28-09
DATE

"Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in the application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant."


SIGNATURE OF AGENT/APPLICANT

1-28-09
DATE

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.*

EXHIBITS

- ☒ **Exhibit 01, Project Description.....**
- ☒ **Exhibit 02, Project Need.....**
- ☒ **Exhibit 03, Location Map.....**
- ☒ **Exhibit 04, Color Photographs.....**
- ☒ **Exhibit 05, Plans**
- ☒ **Exhibit 06, Cross Sections.....**
- ☒ **Exhibit 07, Construction Schedule**
- ☒ **Exhibit 08, Erosion Control Plan.....**
- ☒ **Exhibit 09, Notice of Intent to File.....**
- ☒ **Exhibit 10, Alternatives Analysis.....**
- ☒ **Exhibit 11, Avoidance and Minimization.....**
- ☒ **Exhibit 12, Stream Information.....**
- ☒ **Exhibit 13, Wetland Description and Functional Assessment.**
- ☒ **Exhibit 14, Wetland Impacts.....**
- ☒ **Exhibit 15, Property Abutters.....**
- ☒ **Exhibit 16, Fishery Agency Comments.....**
- ☒ **Exhibit 17, Section 106 Information.....**
- ☒ **Exhibit 18, Compensation.....**
- ☐ **Appendix A, MDEP Coastal Wetland Characterization (Not Applicable)**
- ☒ **Appendix B, MDEP Visual Evaluation**
- ☒ **Appendix C, DREDGING ACTIVITIES IN A COASTAL WETLAND, GREAT POND, RIVER, STREAM OR BROOK**

PROJECT DESCRIPTION

Project Overview and Background

The proposed Acadia Gateway Center (AGC) is the final piece of a three-phase transportation strategy that was developed in 1999 with the assistance of an interagency team of transportation and Acadia National Park (ANP) managers in an effort to reduce traffic on local roads, primarily Route 3, the primary access route to Mount Desert Island (MDI) and ANP. It was developed within the context of the Maine Strategic Transportation Plan (Explore Maine), which seeks to provide alternative transportation systems that reduce dependency on the private automobile to support Maine's growing tourist industry.

The first phase of the transportation strategy established the Island Explorer bus system operated by Downeast Transportation Inc. (DTI), and developed a transit hub at the Village Green in Bar Harbor, Maine. The Island Explorer initially operated six routes with eight propane-fueled buses during the summer season. Phase II expanded the fleet to 17 buses, extended the season and routes, increased service frequency, and implemented Intelligent Transportation Systems (ITS) technology to provide fleet management and real time traveler information. Since its inception in 1999, the Island Explorer has carried over two million passengers.

The AGC is proposed as Phase III of the strategy, which calls for developing a transportation and welcome center with the goal of orienting visitors to the Acadia region and reducing traffic congestion on Route 3 and in ANP by attracting day visitors and commuters to the Island Explorer transit system and other transportation alternatives. The AGC would also support transit operations by providing a bus maintenance and storage facility. All project goals would be accomplished in a manner that protects and promotes as much as possible the resources associated with the site.

The proposed site is located on privately-owned land located along Route 3, in the town of Trenton, Maine outside of ANP boundaries, approximately two miles north of the Bar Harbor-Hancock County Airport. This site is strategically located to intercept traffic on Route 3 before it gets to MDI.

Proposed Action

The Federal Transit Administration in cooperation with the National Park Service, Maine Department of Transportation, Friends of Acadia, Downeast Transportation Inc., and other partners proposes to construct the AGC in the Town of Trenton, Maine. The proposed Acadia Gateway Center will serve as a welcome Center, public transportation center, and bus maintenance facility. The purpose of the project is to reduce traffic congestion on the Route 3 corridor and in the ANP by attracting visitors and commuters to the Island Explorer Transit System and other transportation alternatives. The project will: 1) provide connections to the Island Explorer and other bus services; 2) provide parking for visitors and commuters; 3) provide administrative, light maintenance, and storage facilities for Downeast Transportation Inc. in support of the Island Explorer Bus System; 4) provide an area to sell National Park Service passes to support the Island Explorer Bus System; 5) orient visitors to the Acadia region. The project facilities will be phased according to most critical need; Phase 1 – Bus Maintenance Facility, Phase 2 – Inter-Modal Facility and NPS Welcome Center, and Phase 3 – NPS Expanded Welcome Center, Theater and ancillary facilities.

Purpose and Need

The basic purpose and need for the AGC project is to add capacity and increase the efficiency of the existing Island Explorer and Hancock County transit service, in order to reduce congestion on Route 3 and ANP by serving day-use visitors and commuters to MDI. The purpose and need for the proposed action were developed through the coordination of multiple agencies and organizations each committed to improving the quality of life for area residents and visitors. The concept of the transit and welcome center facility has been advanced by the MaineDOT, in cooperation with the NPS, Friends, and DTI, as a way to efficiently consolidate transit operations and provide transit access to MDI and ANP. The proposed AGC facility is intended to meet the goals of Maine's Sensible Transportation Policy Act by providing connections between transportation modes and promoting energy efficient forms of transportation. The overall purpose and need are further defined below.

The purpose of the proposed project is to:

- Provide a place with parking and a bus boarding facility to allow day-use visitors, commuters, and local residents to leave their cars and ride the Island Explorer transit system, commuter shuttles, and other transit options;
- Offer visitor information about Acadia National Park and the surrounding region;
- Provide visitor amenities, such as restrooms and possibly complementary commercial services, to attract travelers to the facility;
- Provide DTI with administrative offices, a light bus maintenance area, secure fleet storage, and a fueling location to support existing Island Explorer operations and future expansion;
- Protect and promote the natural and aesthetic resources of the Crippens Brook property; and
- Improve safety and traffic congestion on Route 3.

The project is located in Trenton, Maine, situated near ANP, which encompasses over 47,000 acres. The park receives over two million visits per year, with peak visitation during the months of July, August, and September. The 1992 General Management Plan for ANP indicated that the capacity, configuration, and location of the existing Hulls Cove Visitor Center did not address all visitors' needs. The General Management Plan also states that parking within ANP will be limited to the capacity of existing lots.

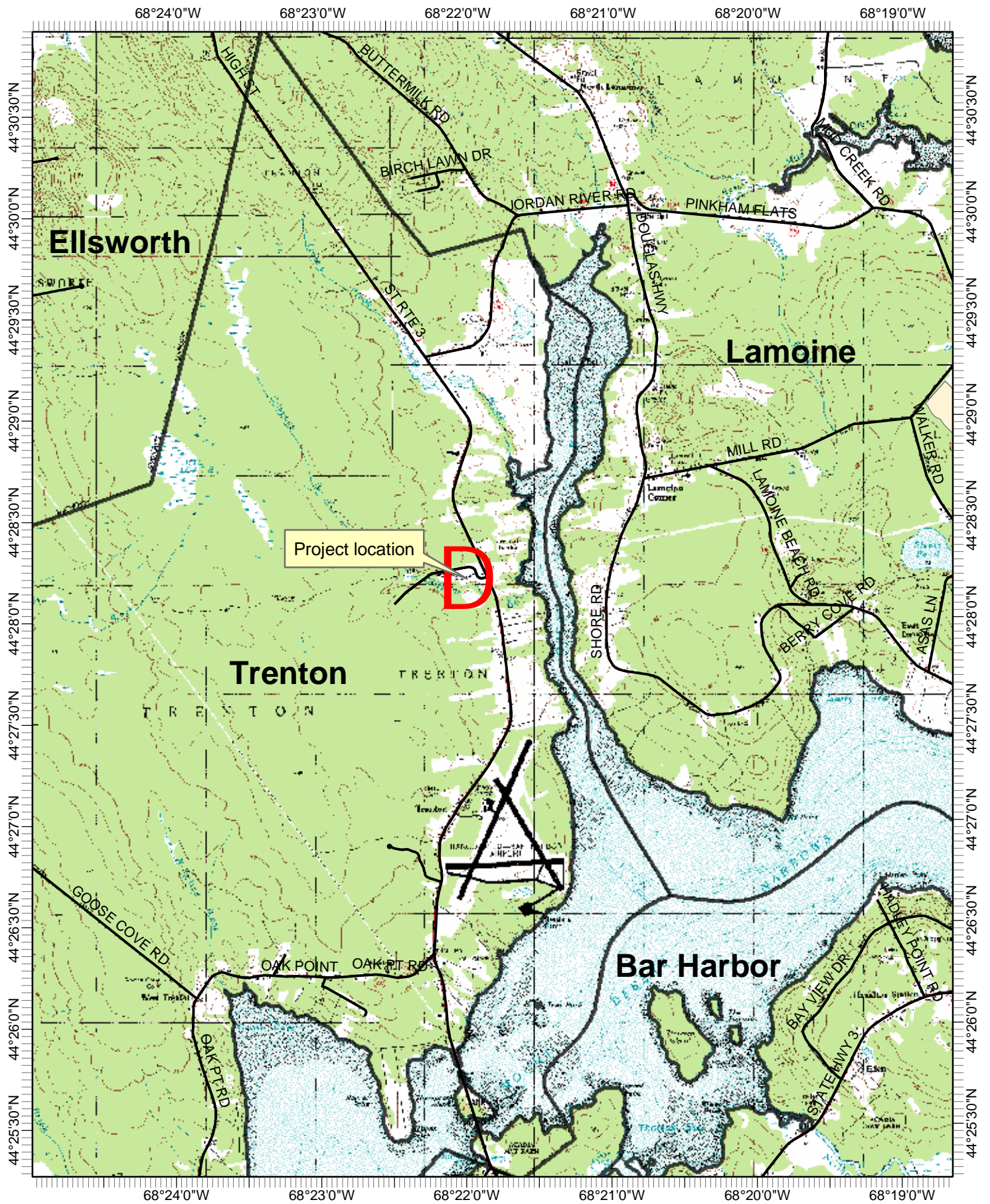
In addition to tourist-related employment associated with ANP, MDI is also the location of a number of large regional year-round employers. The Jackson Laboratory is the largest employer in Hancock County with 1,200 employees, approximately half of which commute from off-island locations. The size of their workforce has doubled over the past four years, and Jackson Lab plans to add 200 new jobs in the near future. Other major employers include College of the Atlantic and MDI Hospital in Bar Harbor, and the Southwest Harbor boatyards. Route 3 provides the only vehicular access to MDI, via the Thompson Island Bridge. All traffic to ANP and Bar Harbor must pass through Trenton. The roadway capacity of Route 3 is limited, with one lane in each direction in Trenton.

Traffic volumes and congestion on Route 3 have been increasing steadily, with Average Annual Daily Traffic (AADT) increasing from 10,600 in 1991 to 14,370 in 2004, an increase of 36 percent. Severe congestion is common especially during the busy summer months when park visitation and residents on the island increase in numbers. For example, average daily traffic (ADT) in August 2002, was 23,100, compared to an ADT in January that year of 9,100. This seasonal congestion has led the American Automobile Association (AAA) to list Route 3 as one of the nation's worst bottlenecks. In addition, parking is in limited supply in Bar Harbor.

The Island Explorer transit system has been successful, and many routes operate at capacity during much of the peak season. Average daily summer ridership has increased from 1,904 in 1999 (its initial year of operation) to 4,904 in 2005, with a peak day ridership of 5,904 in August, 2005. Buses are parked overnight and fueled during the summer season at a leased lot at Trenton Marketplace, located on Route 3 in Trenton. Other than a restroom, there are no facilities for use by DTI drivers, maintenance workers, or supervisory personnel. DTI occupies a two-room office in Ellsworth, and has no garage or equipment storage facilities. Repair and maintenance work is currently performed at a private garage in Ellsworth. Buses are also stored at this facility during the off-season, on an unpaved outdoor lot. This lack of an existing storage and maintenance facility affects current operational efficiency and limits the potential for expansion of the Island Explorers fleet and routes.

An important goal of Phase II of the ANP and MDI transportation strategy is to capture visitors and day-trippers to ANP in Trenton and transfer them to transit prior to crossing the bridge onto MDI. Approximately 28 percent of peak season visitors are making day trips, and do not stay overnight on MDI; thereby contributing to the peak hour traffic heading north through Trenton on Route 3 in the late afternoon. Only one of the existing Island Explorer routes (the Campground route) originates passenger service at Trenton Marketplace in Trenton (The other routes except Schoodic operate passenger service from the bus hub facility at the Village Green in Bar Harbor). This route cannot currently serve the needs of day visitors due to lack of room in the Trenton Marketplace lot for day-use parking, and the fact that buses on the Campground route are full much of the day. In addition, parking is in limited supply in all MDI communities, as well as in ANP.

If the AGC is not built, the operation and maintenance functions for DTI services would continue to be performed at a number of different facilities, limiting operational efficiency and the sustainability of the Island Explorer transit system. The ability of the transit system to expand is constrained without the parking and intermodal facilities that the AGC would provide. As a result, the Island Explorer would not be able to provide transit service to ANP day visitors and commuters working on MDI, a key objective that must be met in order to reduce traffic congestion on Route 3 during the peak summer months.



Acadia Gateway Center

EXHIBIT 4

Acadia Gateway Center
Trenton -16123.00



View from project site looking southeast towards Acadia National Park



View looking northwest



View from project site looking south



View looking west



Looking upstream from Route 3 (Crippens Brook)



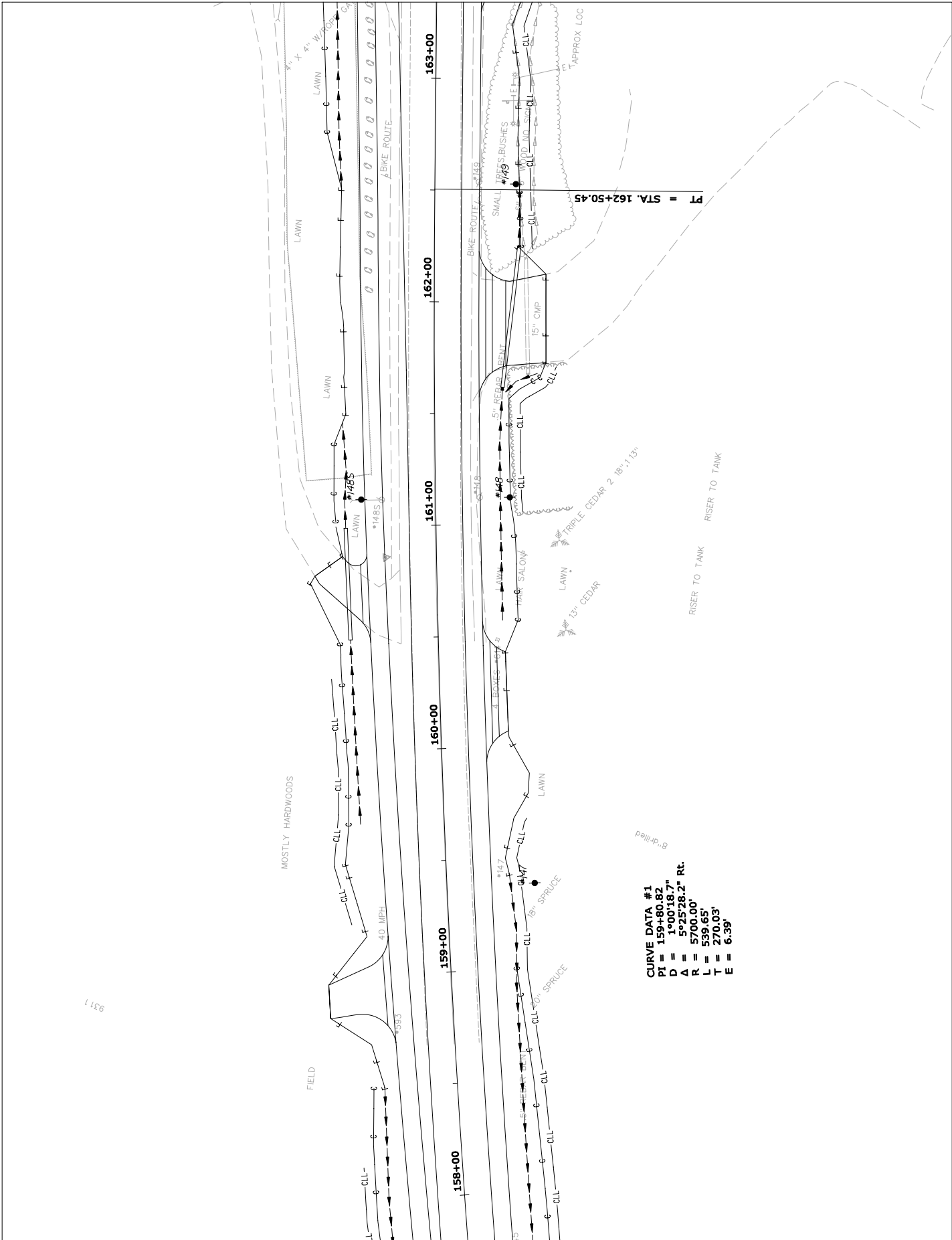
Looking downstream from Route 3 (Crippens Brook)



From proposed access road centerline (at proposed crossing) looking downstream

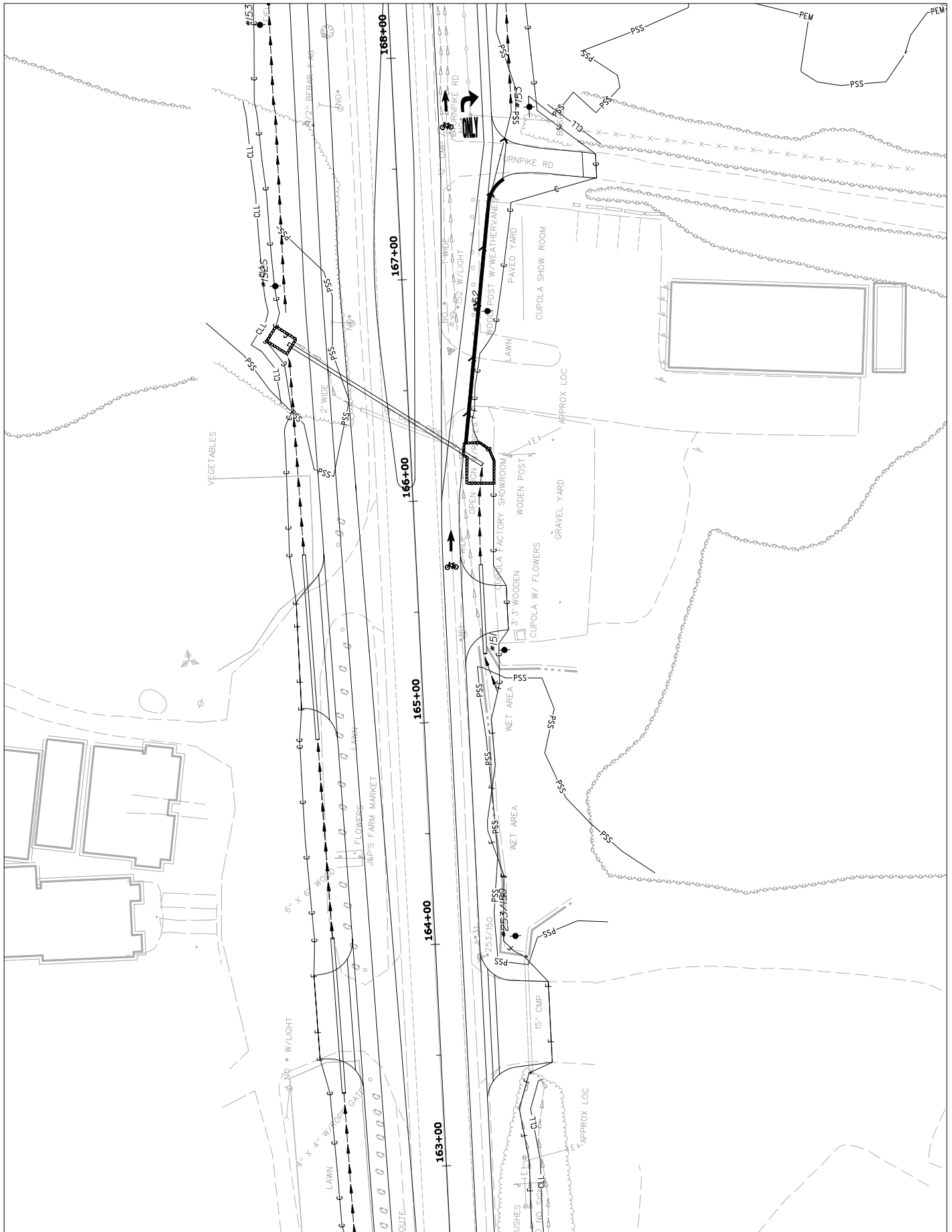


From proposed access road centerline (at proposed crossing) looking upstream

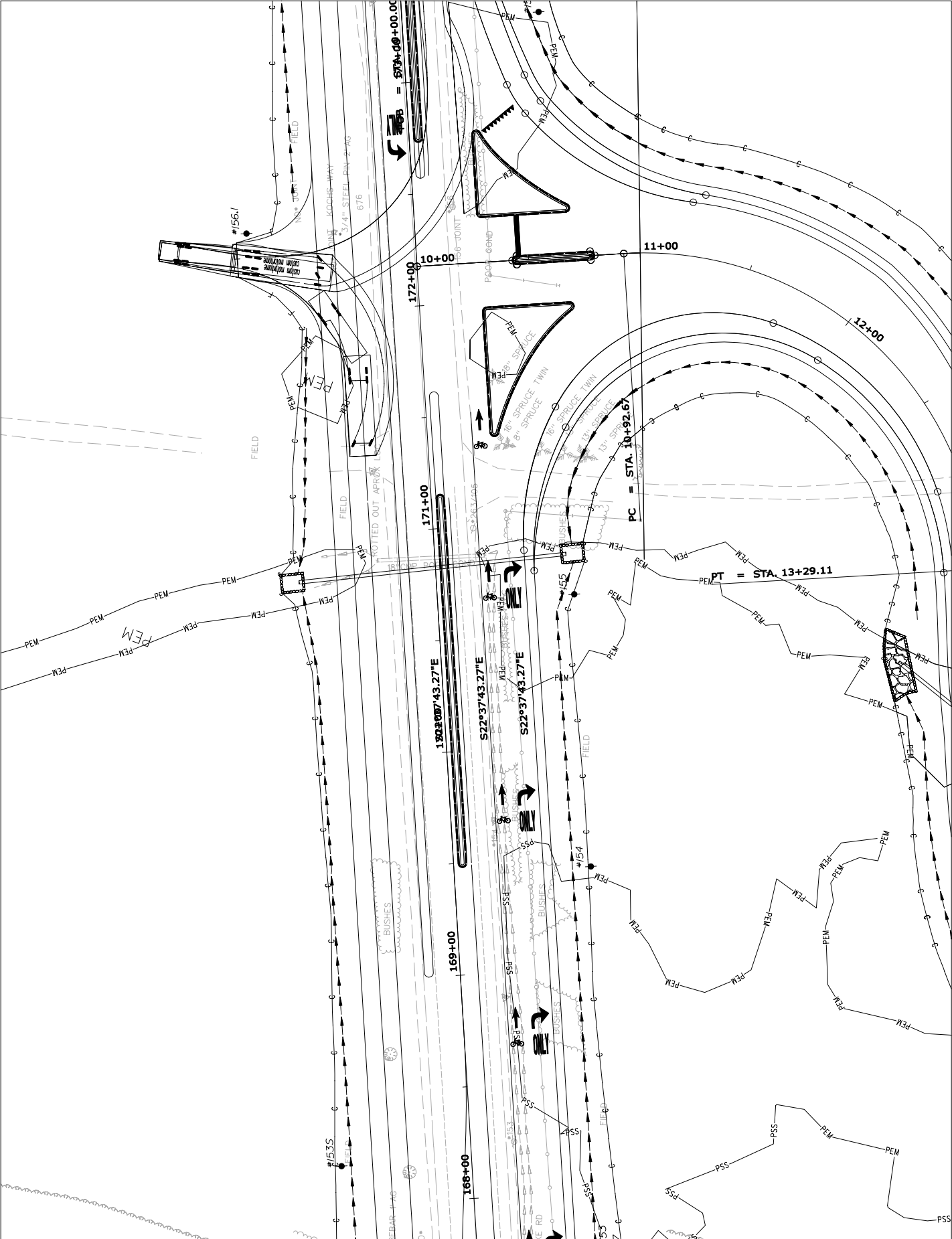


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<p>STATE OF MAINE DEPARTMENT OF TRANSPORTATION</p>	<p>Acadia Gateway Center Trenton</p>	<p>SHEET NUMBER 102</p>
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**STATE OF MAINE
DEPARTMENT OF TRANSPORTATION**

Acadia Gateway Center
Trenton

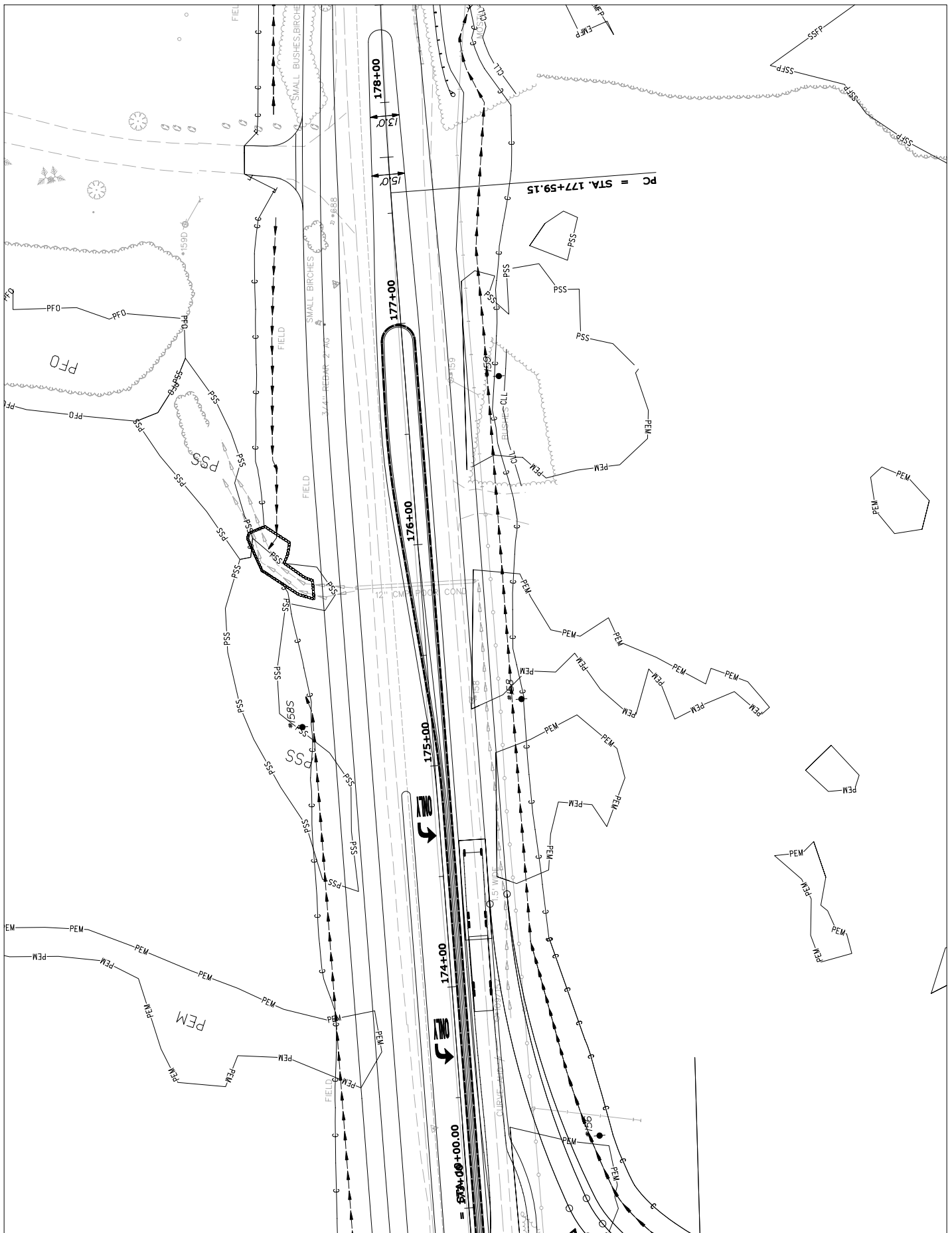
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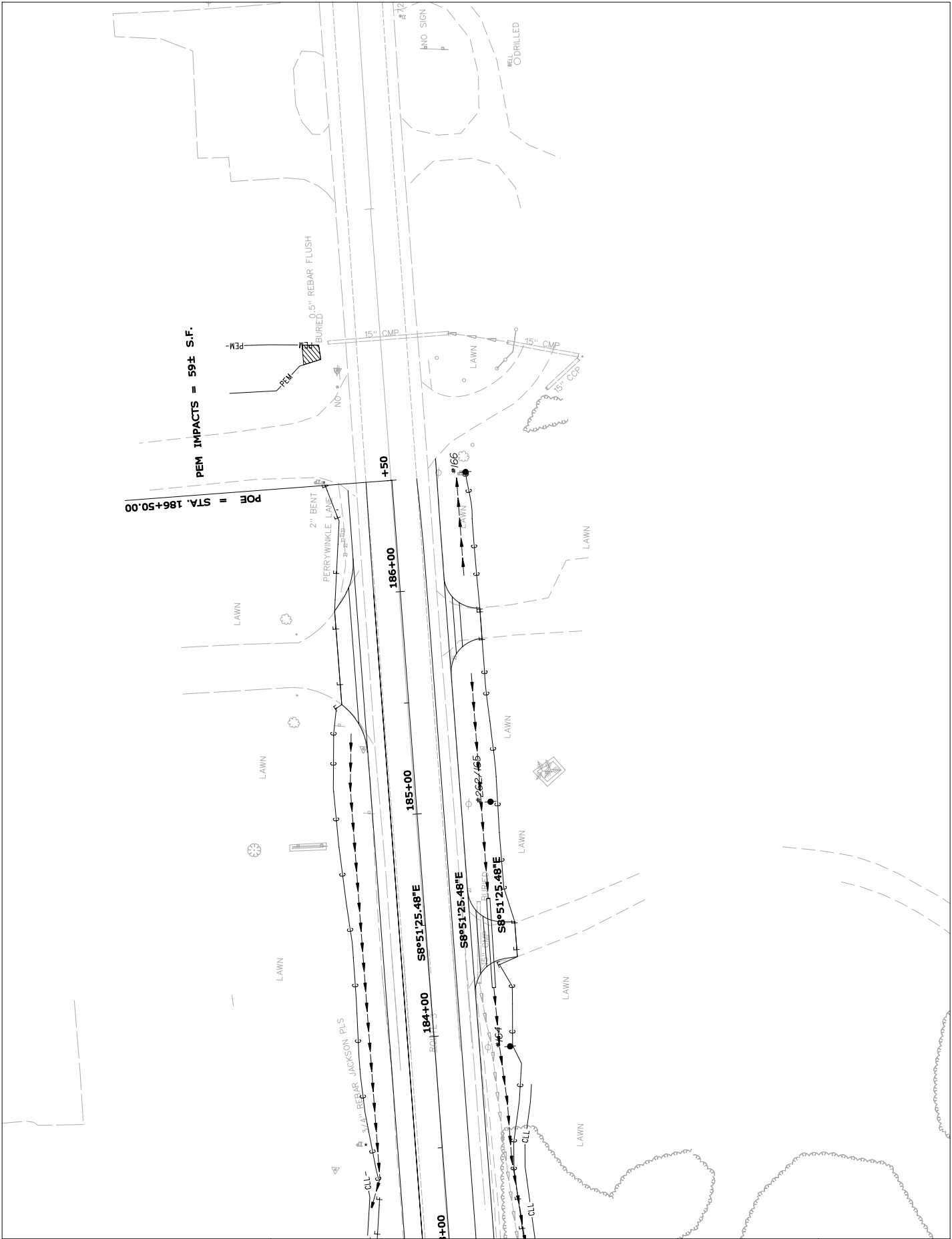
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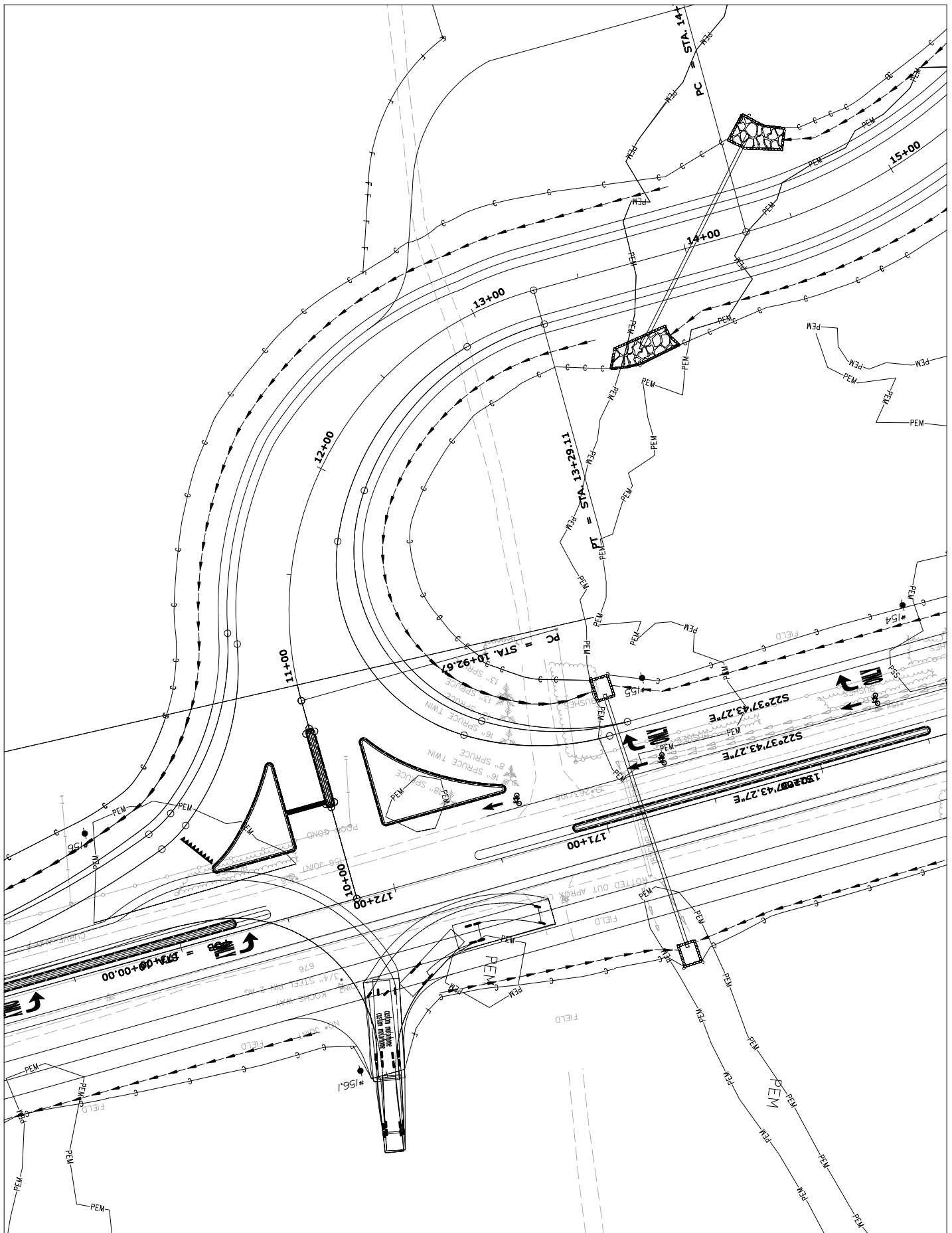
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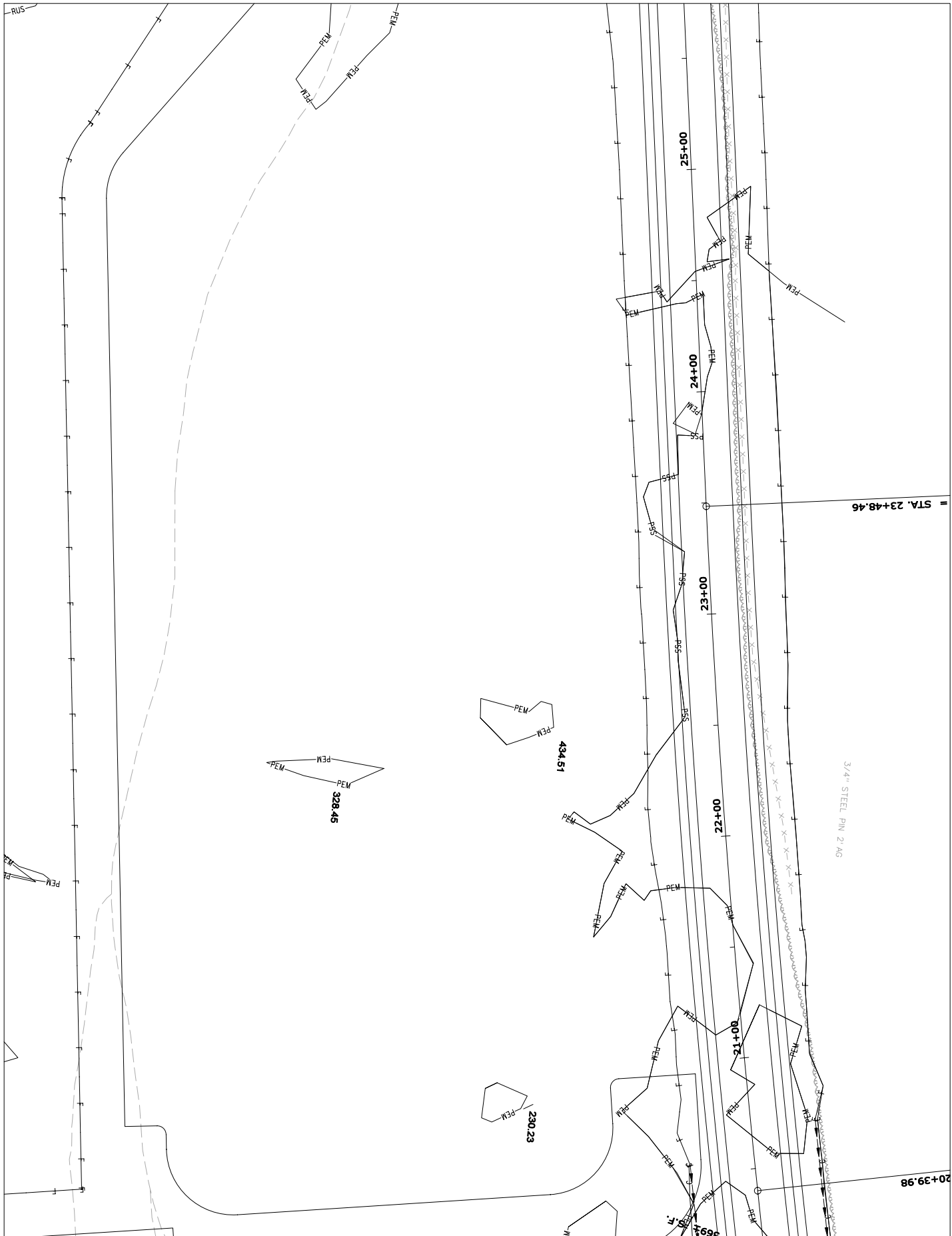




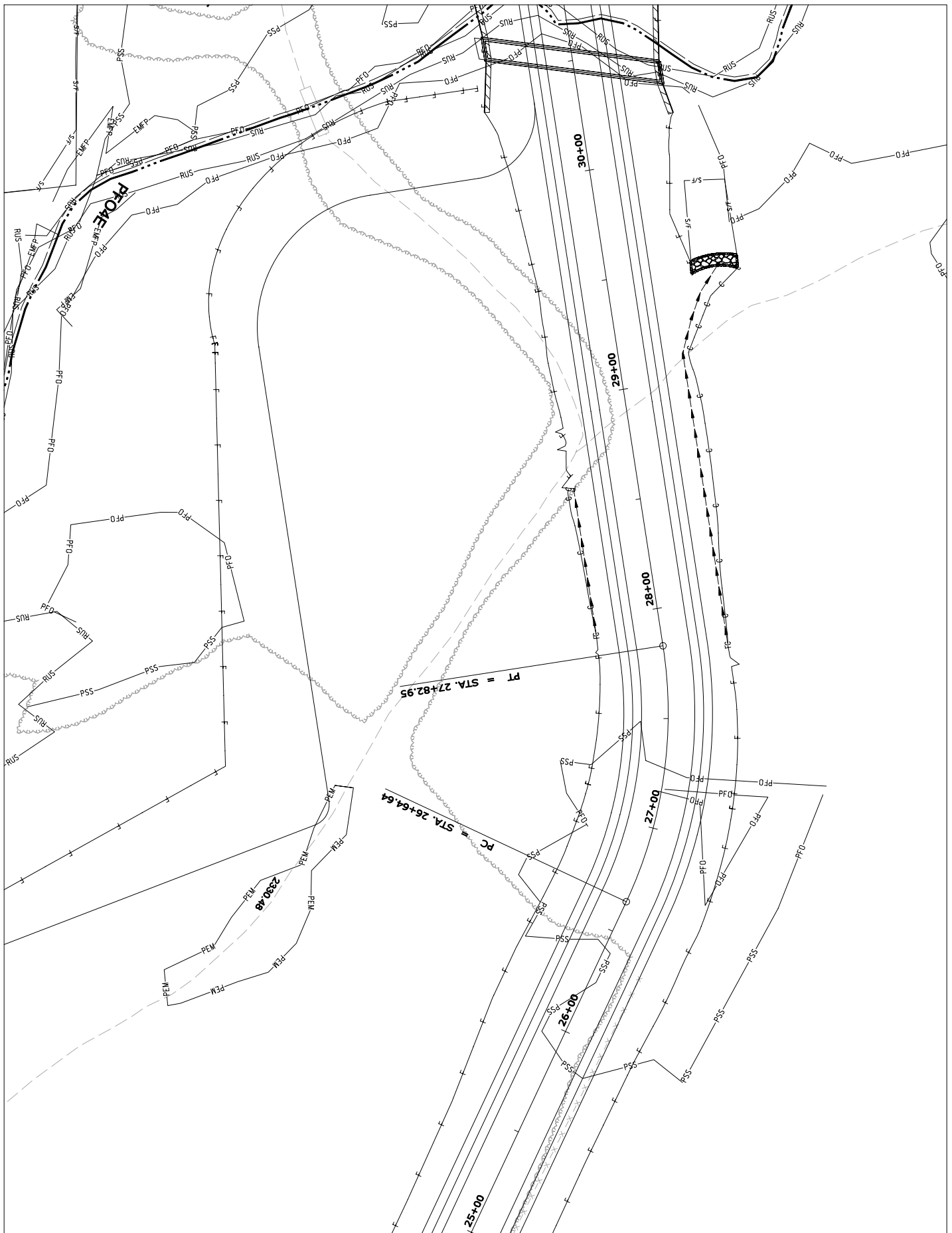
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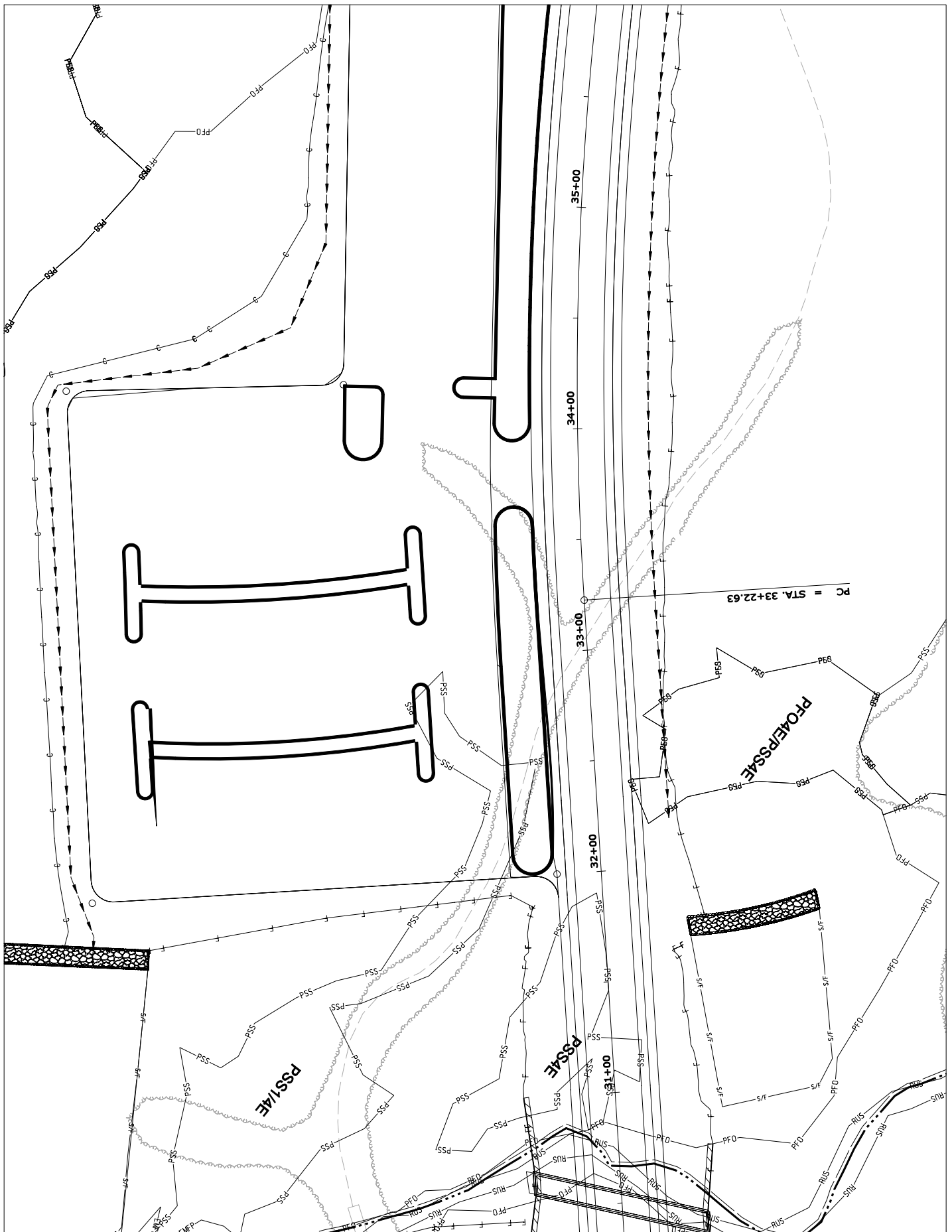
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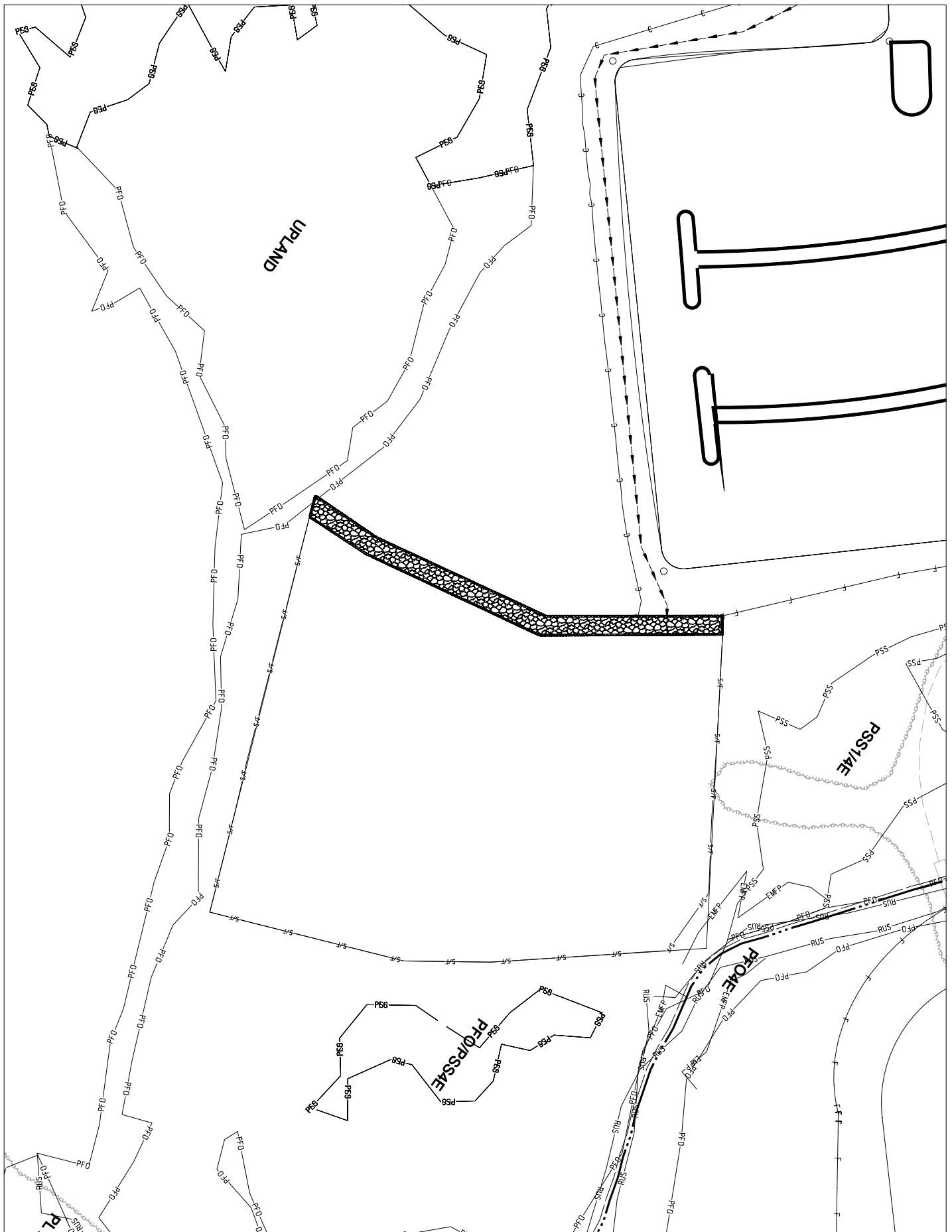


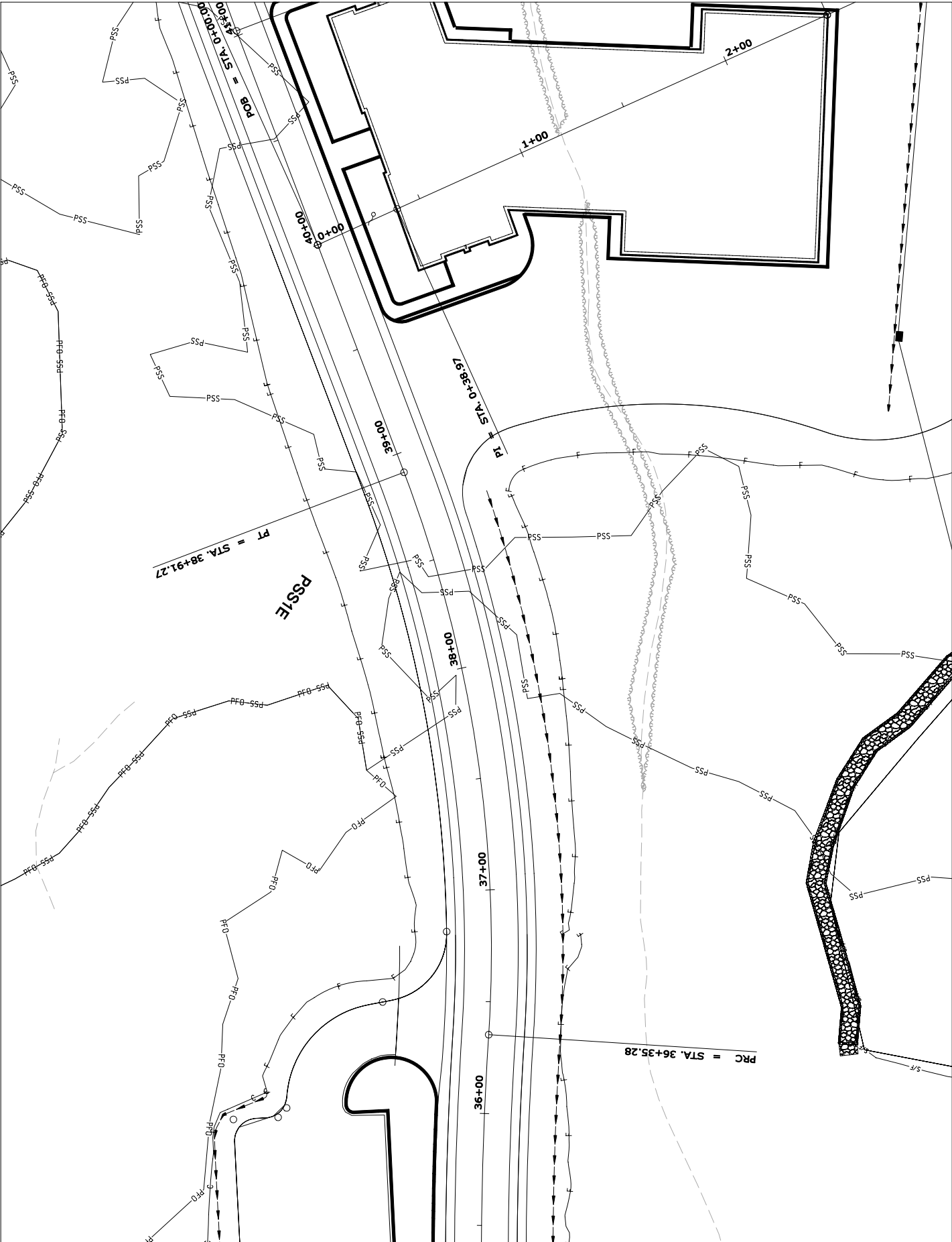
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<p>STATE OF MAINE DEPARTMENT OF TRANSPORTATION</p>	<p>Acadia Gateway Center Trenton</p>	<p>SHEET NUMBER 110</p>
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**STATE OF MAINE
DEPARTMENT OF TRANSPORTATION**

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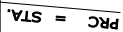
Acadia Gateway Center
Trenton

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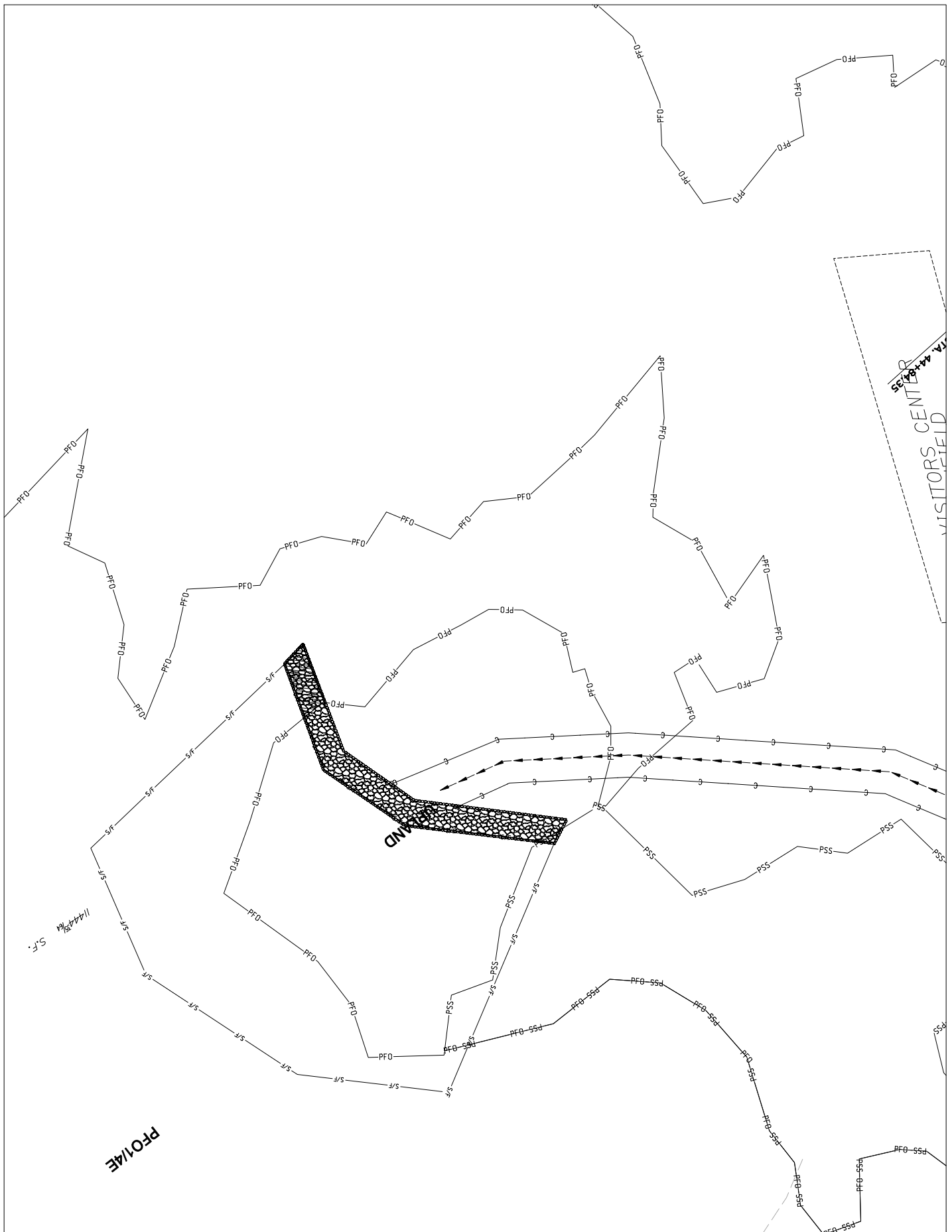


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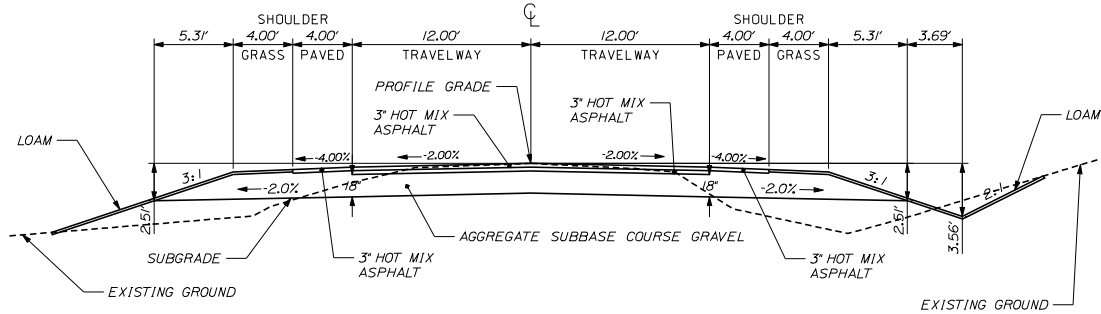
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STATE OF MAINE DEPARTMENT OF TRANSPORTATION	Acadia Gateway Center Trenton	SHEET NUMBER 117
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ACADIA GATEWAY CENTER
6 IN HOT MIX ASPHALT PAVEMENT
FULL DEPTH GRAVEL - NORMAL SECTION
STATION 10+00 TO STATION 44+50

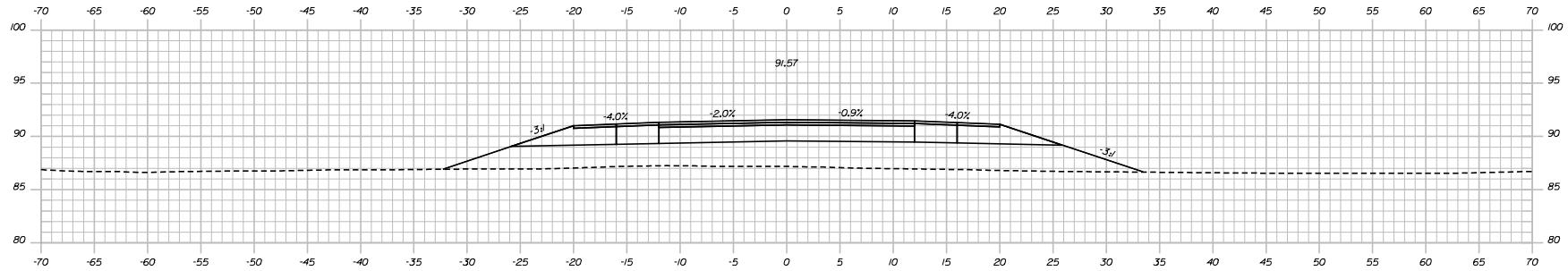


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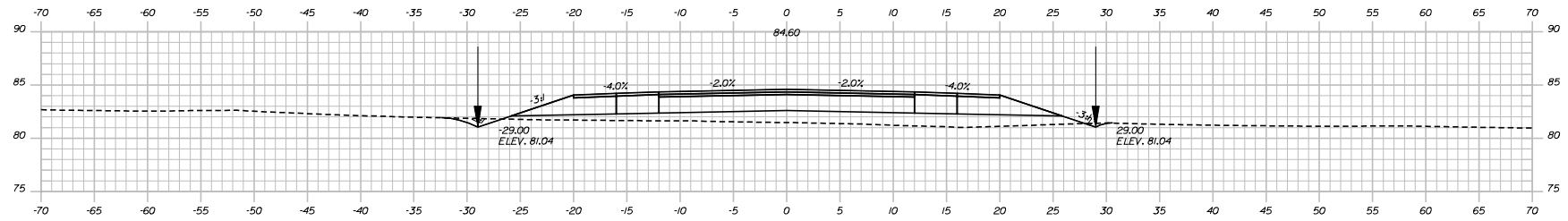
1. THE PAVEMENT, BASE AND SUBBASE DEPTHS AS SHOWN ON THE PLANS ARE INTENDED TO BE NOMINAL.
2. WHEN SUPERELEVATION EXCEEDS THE SLOPE OF THE LOW SIDE, SHOULDER, THE LOW SIDE SHOULDER SHALL HAVE THE SAME SLOPE AS THE TRAVELWAY.
3. CROWNS FOR BOTH NORMAL AND SUPERELEVATION SECTIONS FOR ALL COURSES OF SUBBASE AND PAVEMENT SHALL BE STRAIGHT.
4. THE GRAVEL QUANTITY CALCULATION IS BASED ON A 2" LOAM OR DIRTY BORROW DEPTH. THE ACTUAL DEPTH MAY VARY. SEE THE GENERAL NOTES.
5. THE ALGEBRAIC DIFFERENCE BETWEEN THE SHOULDER AND TRAVELWAY CROSS SLOPES "ROLLOVER" SHALL NOT EXCEED 6%.
6. THE STATIONING SHOWN UNDER EACH TYPICAL IS APPROXIMATE.

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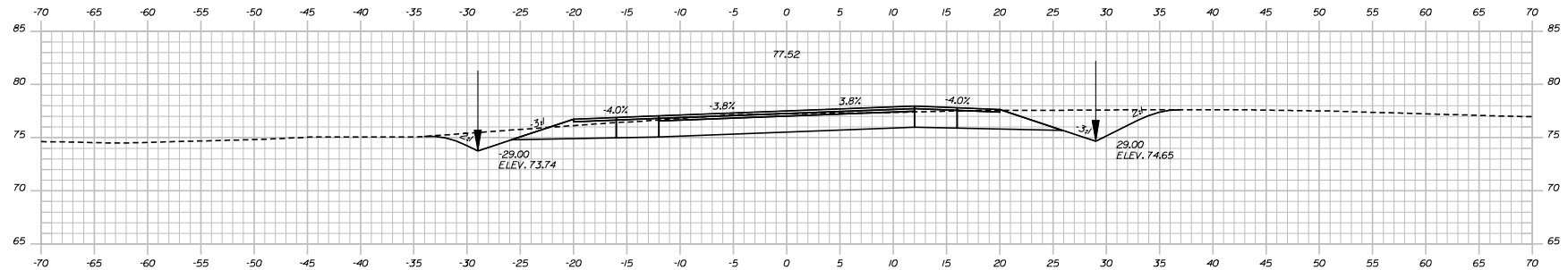
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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
13332.09
PIN 13332.09
HIGHWAY PLANS

SIGNATURE
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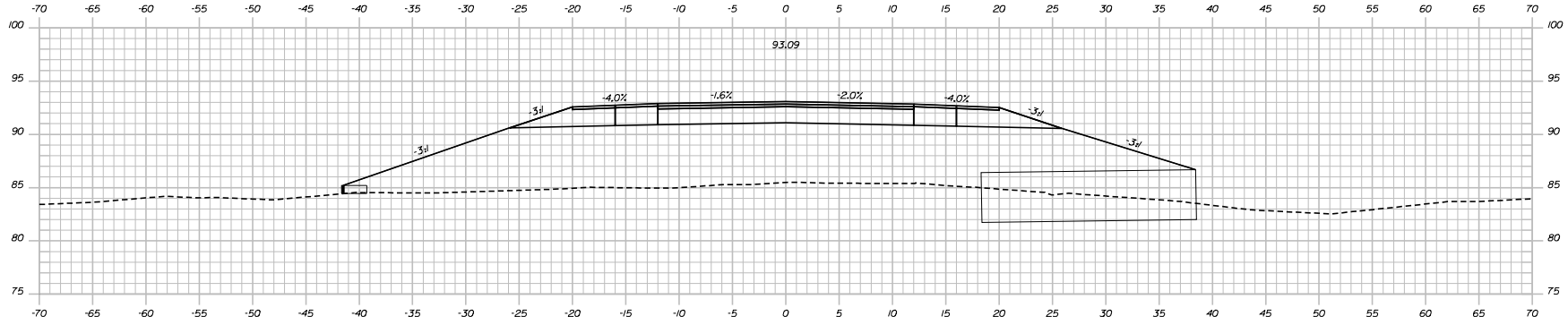
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BUS MAINTENANCE FACILITY
CROSS SECTIONS

SHEET NUMBER
2
OF 12

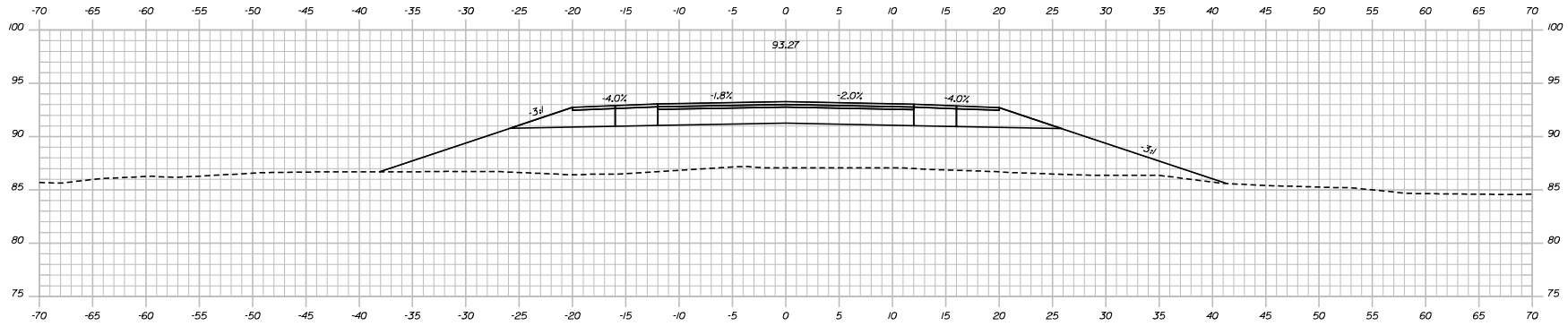
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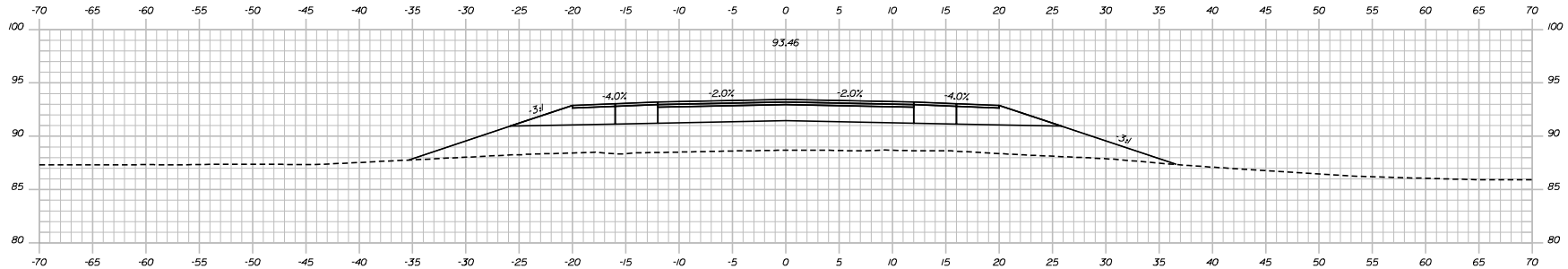
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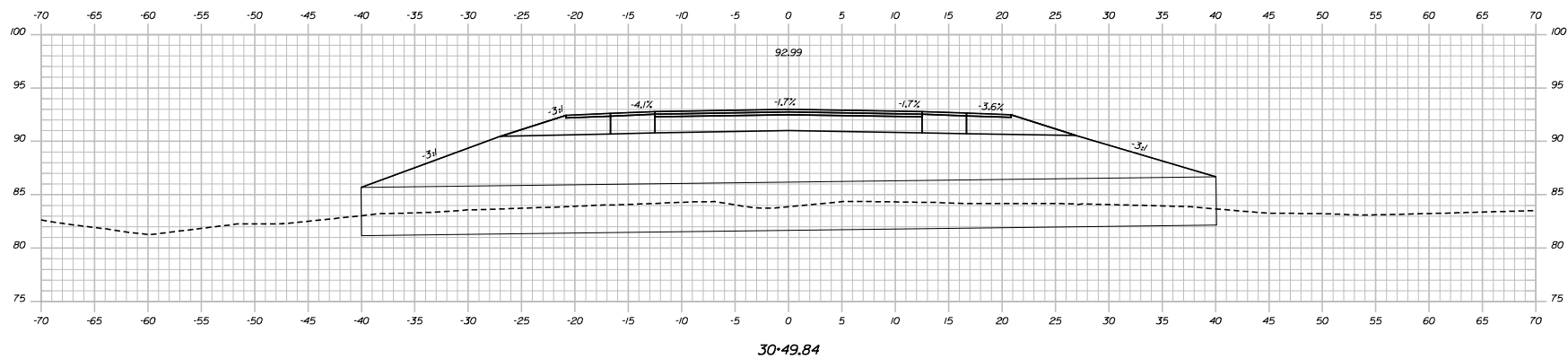
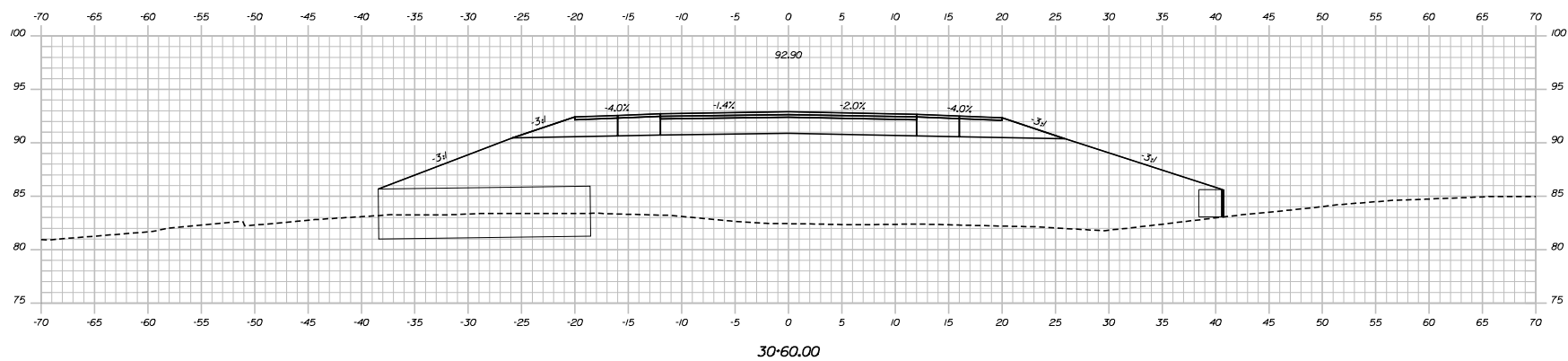
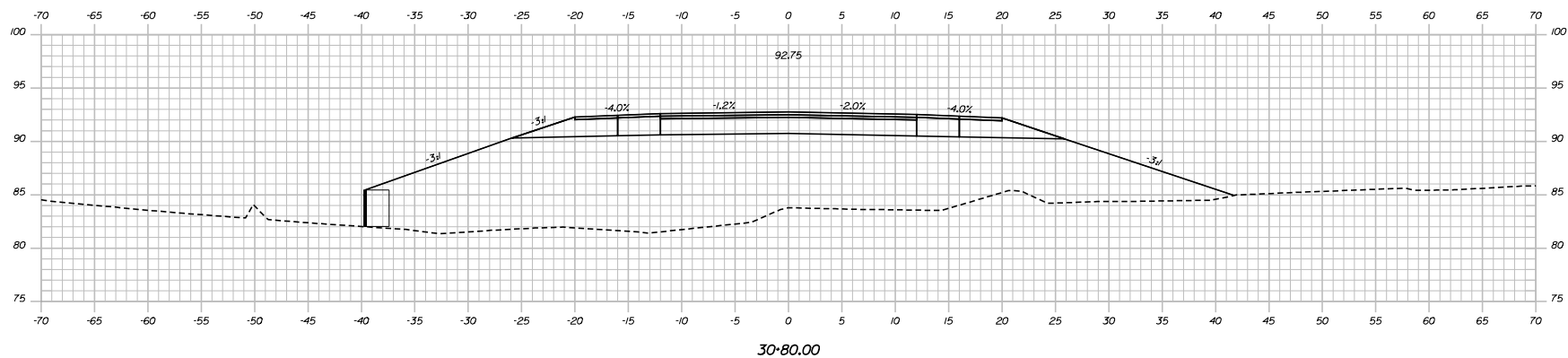
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PIN	13332.09
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BUS MAINTENANCE FACILITY	
CROSS SECTIONS	

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OF 12	

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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
13332.09
PIN
13332.09
HIGHWAY PLANS

DATE	BY	REVISION
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	J. COFFIN	CHECKED/REVIEWED
	J. COFFIN	DESIGN OF TALLS
	J. COFFIN	REVISIONS 1
	J. COFFIN	REVISIONS 2
	J. COFFIN	REVISIONS 3
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	J. COFFIN	REVISIONS 5

ACADIA GATEWAY FACILITY
BUS MAINTENANCE FACILITY
CROSS SECTIONS

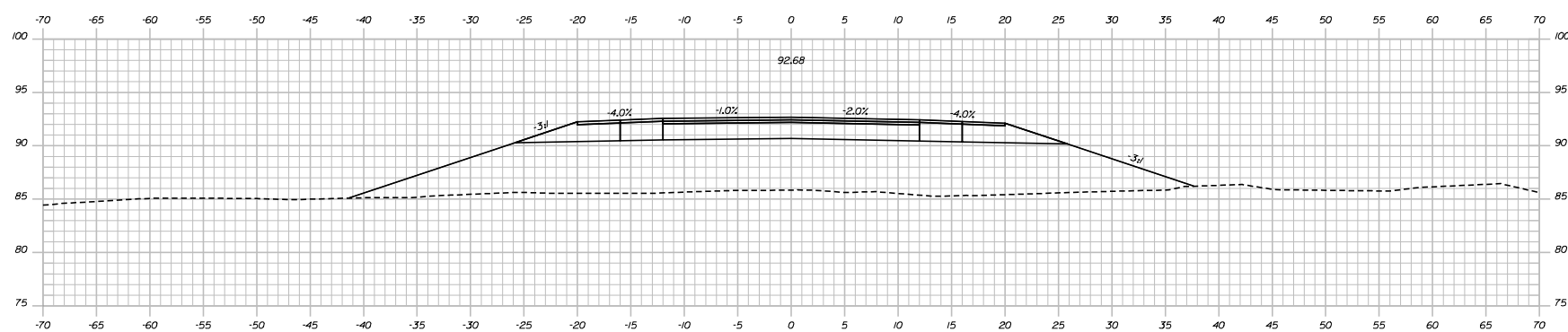
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OF 12

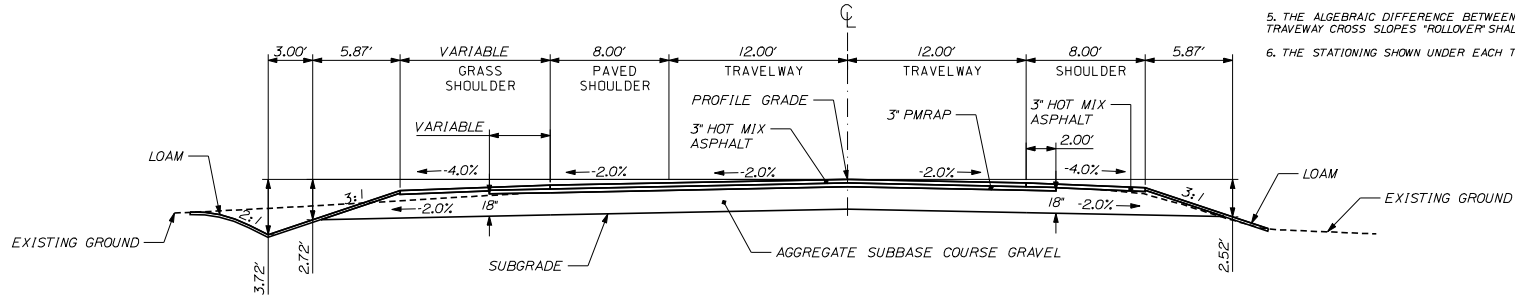
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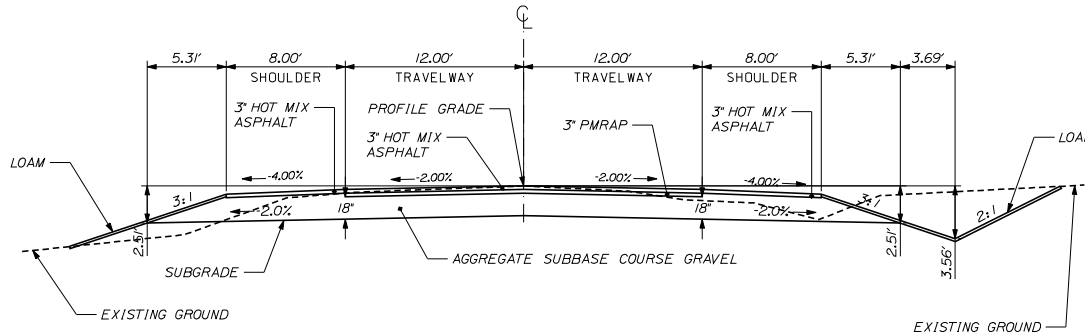
**ROUTE 3
6 IN HOT MIX ASPHALT PAVEMENT
FULL DEPTH GRAVEL - NORMAL SECTION
STATION 155+50 TO STATION 164+50**



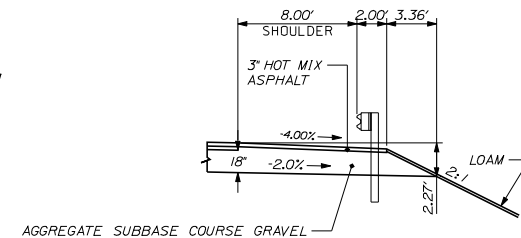
NOTE:

1. THE PAVEMENT, BASE AND SUBBASE DEPTHS AS SHOWN ON THE PLANS ARE INTENDED TO BE NOMINAL.
2. WHEN SUPERELEVATION EXCEEDS THE SLOPE OF THE LOW SIDE SHOULDER, THE LOW SIDE SHOULDER SHALL HAVE THE SAME SLOPE AS THE TRAVELWAY.
3. CROWNS FOR BOTH NORMAL AND SUPERELEVATION SECTIONS FOR ALL COURSES OF SUBBASE AND PAVEMENT SHALL BE STRAIGHT.
4. THE GRAVEL QUANTITY CALCULATION IS BASED ON A 2" LOAM OR DIRTY BORROW DEPTH. THE ACTUAL DEPTH MAY VARY. SEE THE GENERAL NOTES.
5. THE ALGEBRAIC DIFFERENCE BETWEEN THE SHOULDER AND TRAVELWAY CROSS SLOPES "ROLLOVER" SHALL NOT EXCEED 6%.
6. THE STATIONING SHOWN UNDER EACH TYPICAL IS APPROXIMATE.

**ROUTE 3
6 IN HOT MIX ASPHALT PAVEMENT
FULL DEPTH GRAVEL - NORMAL SECTION
STATION 153+00 TO 155+50
STATION 178+50 TO 187+00**



**ROUTE 3
GUARDRAIL SECTION -
STATION 178+50 TO 182+50 RIGHT
STATION 179+50 TO 182+00 LEFT**



STATE OF MAINE	DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER	13332.09
PIN	13332.09
HIGHWAY PLANS	

DESIGNER	DATE
CHECKED	BY
DESIGNED	DATE
REVISIONS	DATE
REVISIONS	DATE
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TRENTON	TYPICAL SECTIONS
ROUTE 3	

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OF 12

NOT TO SCALE

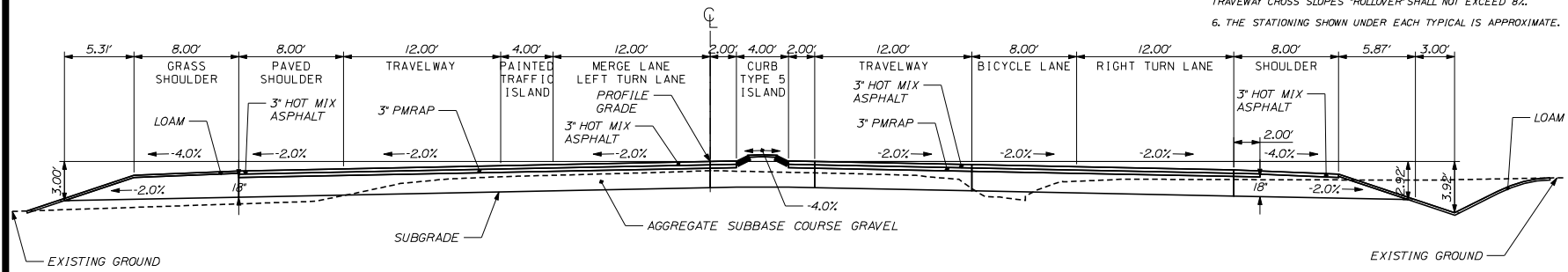
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Division: HIGHWAY

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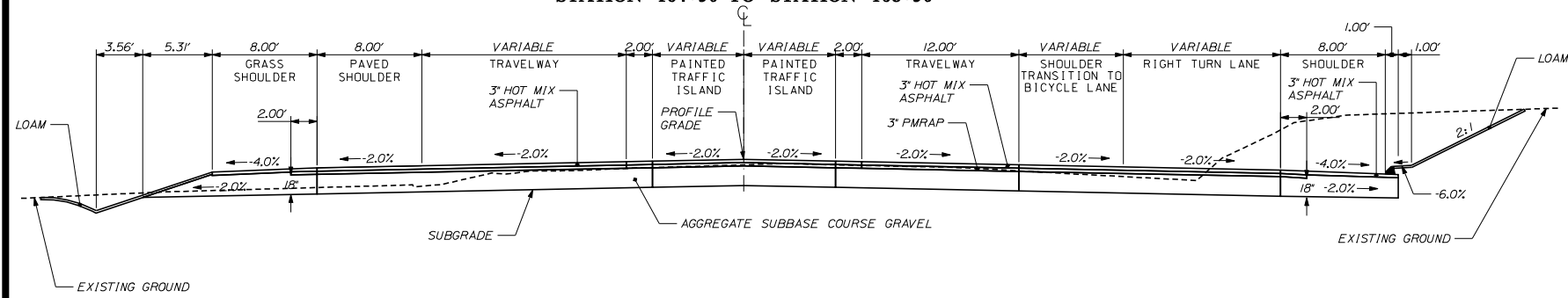
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6 IN HOT MIX ASPHALT PAVEMENT
FULL DEPTH GRAVEL - NORMAL SECTION
CURBED ISLAND, PAINTED TRAFFIC ISLAND,
BICYCLE LANE AND TURN LANES
STATION 168+50 TO 171+15
STATION 172+57 TO 175+00



NOTE:

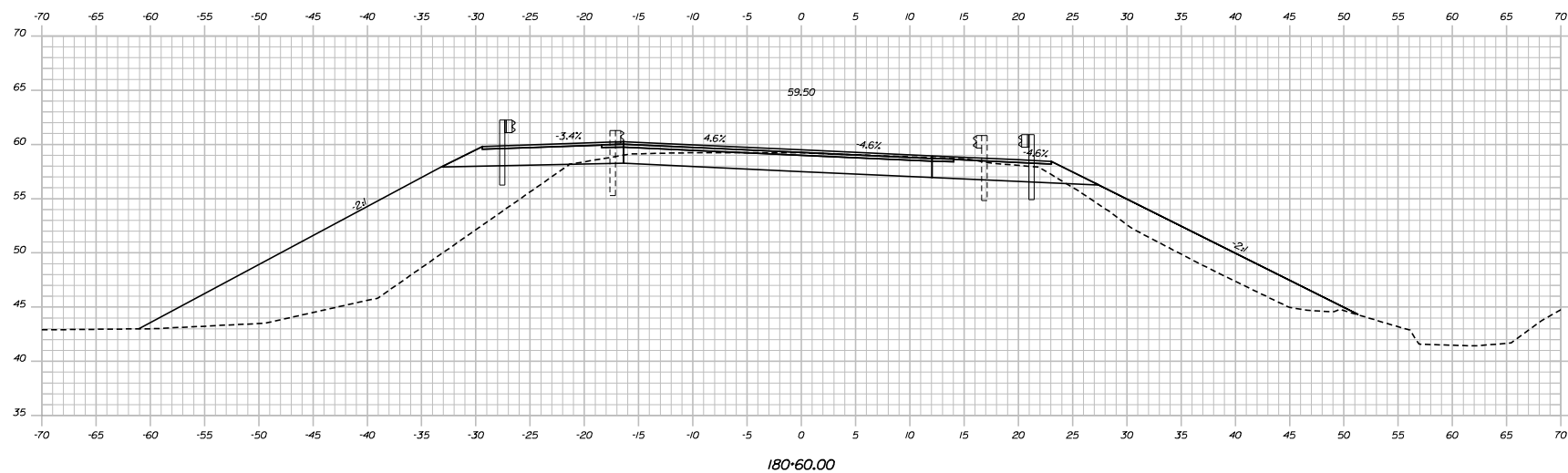
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2. WHEN SUPERELEVATION EXCEEDS THE SLOPE OF THE LOW SIDE, SHOULDER, THE LOW SIDE SHOULDER SHALL HAVE THE SAME SLOPE AS THE TRAVELWAY.
3. CROWNS FOR BOTH NORMAL AND SUPERELEVATION SECTIONS FOR ALL COURSES OF SUBBASE AND PAVEMENT SHALL BE STRAIGHT.
4. THE GRAVEL QUANTITY CALCULATION IS BASED ON A 2" LOAM OR DIRTY BORROW DEPTH. THE ACTUAL DEPTH MAY VARY. SEE THE GENERAL NOTES.
5. THE ALGEBRAIC DIFFERENCE BETWEEN THE SHOULDER AND TRAVELWAY CROSS SLOPES "ROLLOVER" SHALL NOT EXCEED 8%.
6. THE STATIONING SHOWN UNDER EACH TYPICAL IS APPROXIMATE.

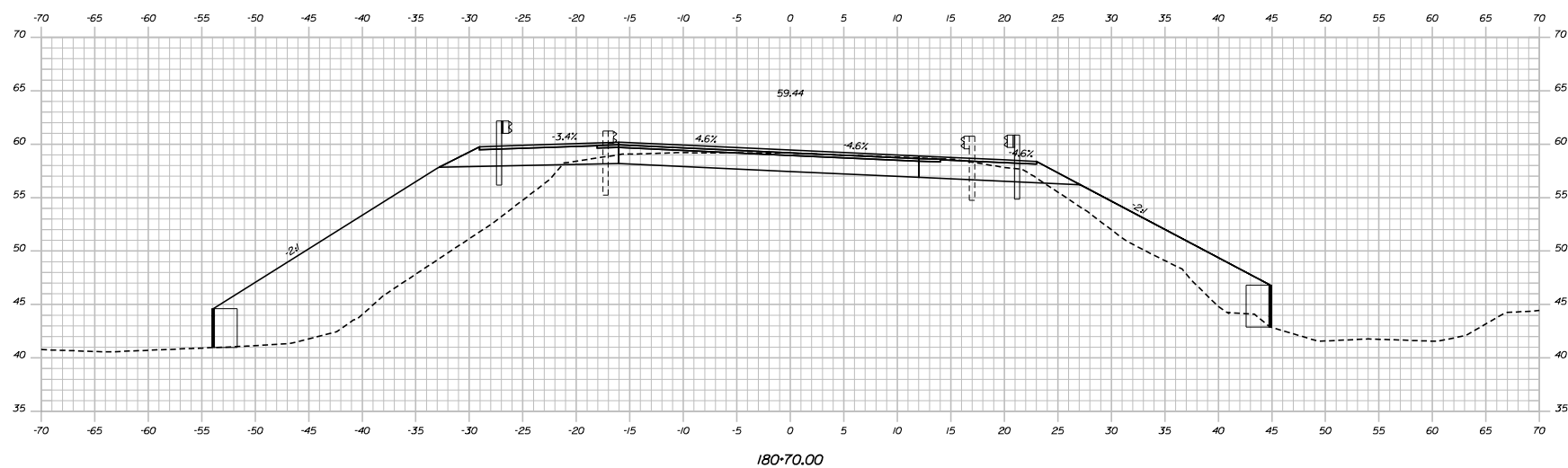
ROUTE 3
6 IN HOT MIX ASPHALT PAVEMENT
FULL DEPTH GRAVEL - NORMAL SECTION
PAINTED TRAFFIC ISLAND, BICYCLE LANE AND TURN LANES
STATION 164+50 TO STATION 168+50



CURB TYPE 3
STATION 166+85 TO 167+45 AND
STATION 167+60 TO 168+00

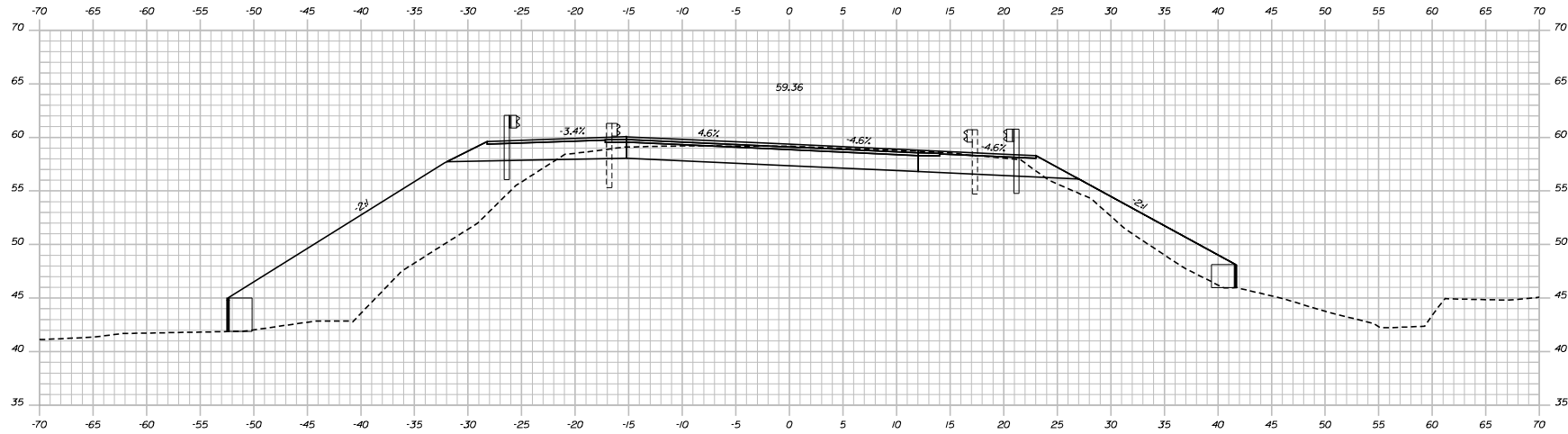
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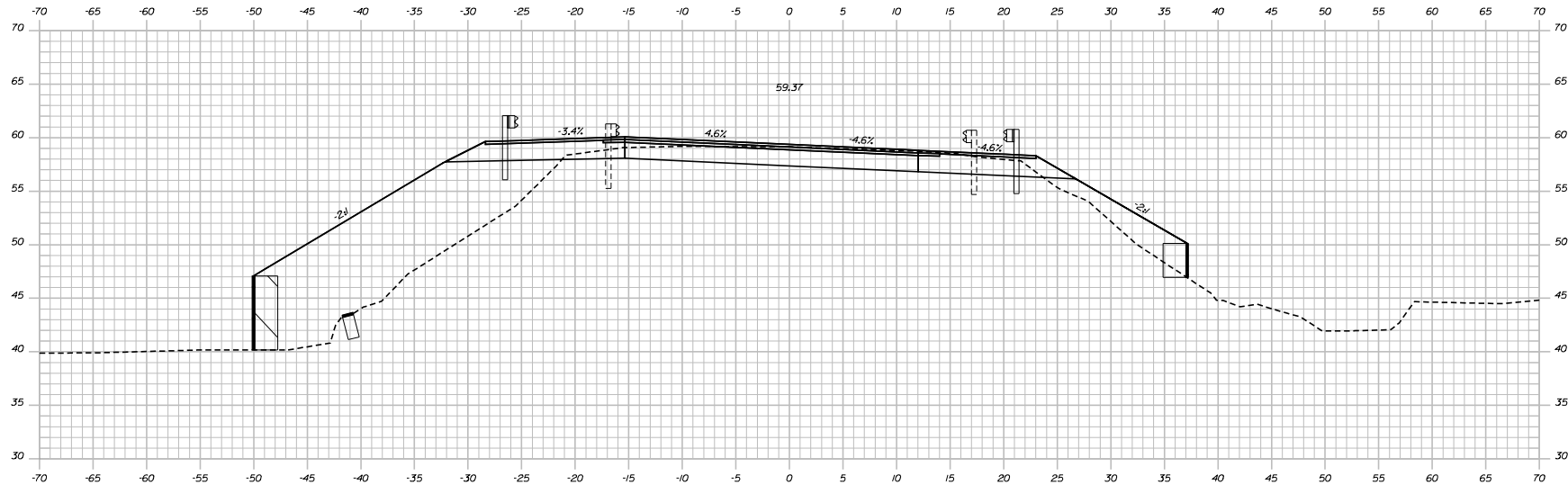




Sta. 180+80.00 to Sta. 180+85.00



180+95.00



180+90.00

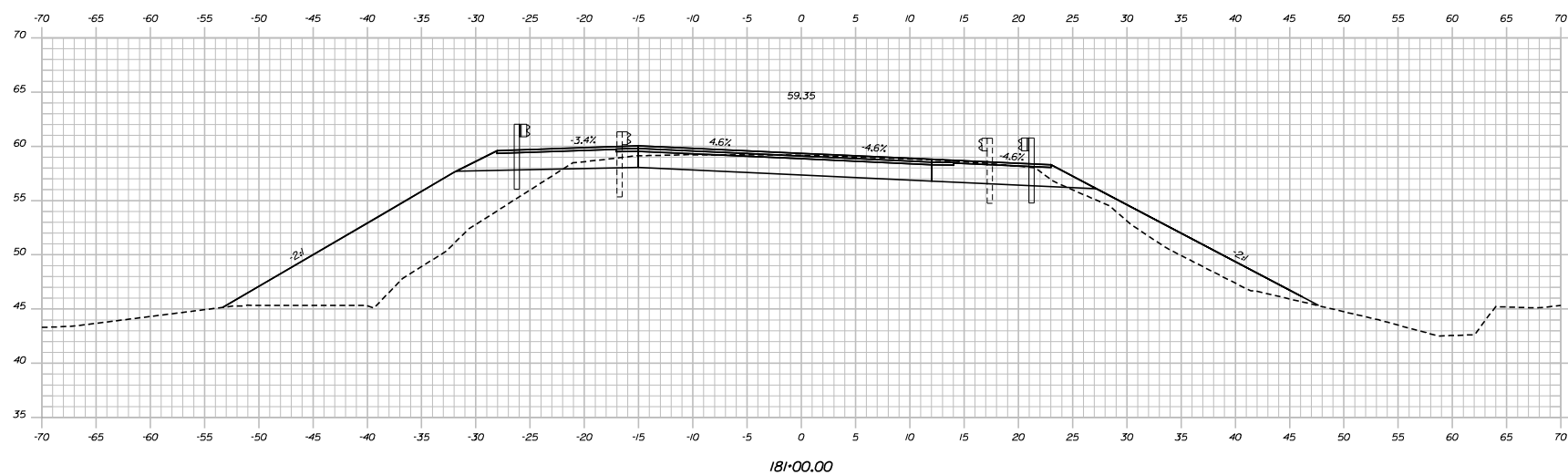


EXHIBIT 7

CONSTRUCTION SCHEDULE

Phase I - Bus Maintenance Facility

Final design complete – winter 2008/2009

Construction begin – spring 2009

Construction complete – summer 2010

Phase II - Inter-modal Facility and National Park Service Welcome Center

Final design complete – summer 2010

Construction begin – fall 2010

Construction complete – fall 2011

Phase III – National Park Service Expanded Welcome Center, Theater and ancillary facilities

Final design complete – TBD

Construction begin – TBD

Construction complete - TBD

EXHIBIT 8

MaineDOT's Best Management Practices for Erosion and Sedimentation Control will be implemented and maintained through permanent site stabilization. Permanent erosion control measures are shown on the plans in Exhibit 5. Temporary measures are designed in an Erosion and Sedimentation Control Plan written by the contractor, who is awarded the project via a competitive bid process following permit approval. MaineDOT, under Special Provision 656, requires the contractor to write and submit the Erosion Control Plan to the MaineDOT Surface Water Quality Unit for approval prior to construction. The following is the Special Provision for this Project Contract.

Special Provision to 656 to follow

SPECIAL PROVISION
SECTION 656
Temporary Soil Erosion and Water Pollution Control

The following is added to Section 656 regarding Project Specific Information and Requirements. All references to the Maine Department of Transportation Best Management Practices for Erosion and Sedimentation Control (a.k.a. Best Management Practices manual or BMP Manual) are a reference to the latest revision of said manual. The latest version is dated "February 2008" and is available at;

<http://www.maine.gov/mdot/environmental-office-homepage/surface-water-resources.php>

Procedures specified shall be according to the BMP Manual unless stated otherwise.

Project Specific Information and Requirements

The following information and requirements apply specifically to this Project. The temporary soil erosion and water pollution control measures associated with this work shall be addressed in the Soil Erosion and Water Pollution Control Plan (SEWPCP.)

1. Newly disturbed earth shall be mulched by the end of each workday. Mulch shall be maintained on a daily basis.
2. The SEWPCP shall describe the location and method of temporary erosion and sediment control for existing and proposed catch basins, outlet areas and culvert inlets and outlets.
3. Dust control items other than those under Standard Specification 637 and Special Provision 637, if applicable, shall be included in the plan.
4. Permanent slope stabilization measures shall be applied within one week of the last soil disturbance. Temporary slope stabilization is required on a daily basis.
5. Permanent seeding shall be done in accordance with *Special Provision, Section 618, Seeding* unless the Contract states otherwise.
6. Culvert inlet and outlet protection shall be installed within 48 hours of culvert installation, or prior to a storm event, whichever is sooner.
7. After November 1 the Contractor shall use winter stabilization methods, such as Erosion Control Mix as specified in Special Provision § 617. If required, spring procedures for permanent stabilization shall also be described in the plan. Use of this product for over-winter temporary erosion control will be incidental to the contract and be paid for as part of Pay Item 656.75.
8. All disturbed ditches/slopes shall be stabilized by the end of each workday. Stabilization shall be maintained on a daily basis.
9. Erosion control blanket shall be installed in the bottoms of all ditches except where a stone lining is planned. Seed shall be applied prior to the placement of the blanket.

SPECIAL PROVISION
SECTION 656
Temporary Soil Erosion and Water Pollution Control

10. If check dams are used, they shall be constructed of stone in accordance with BMP Manual, Section III.E.1. *Hay Bale Temporary Check Dams* **are not allowed**. Delete all reference to them.

11. Stream flow shall be maintained at all times.

12. A cofferdam sedimentation basin is required if cofferdams are used. The basin shall be located in an upland area where the water can settle and seep into the ground or be released slowly to the resource in a manner that will not cause erosion. The location of such a cofferdam sedimentation basin shall be addressed in the SEWPCP.



Acadia Gateway Center
Trenton
16123.00

Exhibit 9
Notice of Intent to File

PUBLIC NOTICE:
NOTICE OF INTENT TO FILE

Please take notice that (Name, Address and Phone of Applicant are):

Maine Department of Transportation

State House 16

Augusta, Maine 04333

207-624-3100

is intending to file a Natural Resources Protection Act permit application with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. §§ 480-A through 480-Z on or about February 6, 2009.

The application is for:

Construction of the Acadia Gateway Center in Trenton, Maine. The proposed Acadia Gateway Center would serve as a welcome Center, public transportation center and bus maintenance facility.

at the following location:

The proposed Acadia Gateway Center would be located on Route 3 in Trenton, approximately two miles north of the Hancock County-Bar Harbor Airport, adjacent to Crippens Brook.

A request for a public hearing or a request that the Board of Environmental 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.

For Federally licensed, permitted, or funded activities in the Coastal Zone, review of this application shall also constitute the State's consistency review in accordance with the Maine Coastal Program pursuant to Section 307 of the federal Coastal Zone Management Act, 16 U.S.C. §1456. (Delete if not applicable.)

The application will be filed for public inspection at the Department of Environmental Protection's office in *Bangor* during normal working hours. A copy of the application may also be seen at the municipal office in Trenton, Maine.

Written public comments may be sent to the Department of Environmental Protection, Bureau of Land and Water Quality, 17 State House Station, Augusta, Maine 04333-0017.

ALTERNATIVES ANALYSIS

Introduction

Using the project purpose and need for the project as a guide, a two-phase alternatives analysis was conducted to determine the best site location for the proposed Acadia Gateway Center. The first phase was more regionally focused and intended to identify the most practical town in which to site the proposed facility. The second phase targeted identifying the most practical site that would be the focus of further environmental evaluation and design efforts.

Project Regional Location Analysis (Phase I)

Three locations in Hancock County, Maine were considered for locating the new intermodal/welcome center: Ellsworth, Mount Desert Island, and Trenton.

Ellsworth

Although no specific sites were identified, Ellsworth was considered as an area where an intermodal facility could have been constructed. However, due to a number of constraints, it was determined that it was not feasible or prudent to construct this intermodal facility in Ellsworth.

First, the cost of running the Island Explorer buses from Acadia National Park to Ellsworth was considerably higher than the cost of running the buses from Acadia National Park to Trenton. Due to the longer distance, the buses would require more gas and there would be additional wear and tear on the engines and components, which would shorten their operational life span. Additional buses would also need to be purchased to meet the proposed Island Explorer bus schedule and visitor capacity to Acadia National Park because buses would spend a larger portion of their time in transit rather than moving visitors and commuters. Cost estimates prepared indicate that citing the intermodal facility in Ellsworth would result in an additional cost of approximately \$188,500 per year when compared to citing the facility in Trenton. Due to this increase in cost, locating the intermodal facility in Ellsworth does not present a practicable alternative.

Second, due to the additional distance to and traffic congestion on Route 3 in Ellsworth, passenger time on the Island Explorer would increase. Island Explorer buses departing from Ellsworth and going to Acadia National Park would result in a ride that was 15 to 20 minutes longer than if the buses had departed from Trenton. Due to this increase in travel time, it was estimated that ridership on the Island Explorer service would be significantly less for service operating from Ellsworth. The lost ridership would not meet the overall purpose of the project.

Third, due to the fact that this project was a partnership between MaineDOT and Acadia National Park, it was important for the project site to have a setting that was similar to Acadia National Park. The setting of the facility in an area that has a visual link to Acadia National Park is vital to meet the purpose and need of establishing a visitor center because ensuring that this is a “park-like” facility is an important part of the overall success of attracting visitors to the facility and thereby improving ridership. The intent is that this facility serve as a destination point and provide a first glimpse into the natural elements the Park has to offer. It was therefore necessary for the site to be large enough to provide a natural setting and offer views of Cadillac Mountain. There was no land available in Ellsworth that met these criteria. In summary, sites in Ellsworth were dismissed because they were not practicable and did not best meet the project’s purpose and need.

Mount Desert Island

Sites on Mount Desert Island were very limited in number and size and were deemed too close to the Acadia National Park to make a significant enough contribution in reducing traffic congestion on and around Route 3 and Mount Desert Island. One potential site was identified, which was known as the McQuinn property on Ireson Hill. Subsequent conversations with the land owner indicated he was unwilling to sell the property. Therefore, the land was unavailable. Additional property research indicated that land values on the island were more expensive than those in Trenton. Furthermore, the potential to capture Island Explorer riders is highest when having a facility that is located prior to Thomson Island Bridge and prior to the intersection of Route 3 and 102. Once visitors to Acadia National Park arrive on Mount Desert Island, they are less likely to leave their vehicles in favor of using a transit service. Therefore, locating the intermodal facility on Mount Desert Island would not meet the purpose and need as well as locating the facility off island. In summary, sites in Mount Desert Island were dismissed because they were not practicable, available and did not best meet the project's purpose and need.

Trenton

Given the Town of Trenton's proximity to Acadia National Park, ease of access to Route 3, views of Cadillac Mountain, available parcels, and ability to capture potential transit riders, it was determined that the Town of Trenton would provide the best location for the proposed intermodal facility and would best meet the project needs. The locations of the sites are shown in at the end of this section.

Project Site Location Analysis (Phase II)

Phase II focused on evaluating potential sites within the Town of Trenton. A review of aerial photography, interviews with Town and other officials, and consultation with National Park Service (NPS) and other project stakeholders occurred to develop a preliminary list of potential sites to locate the facility. Eight candidate sites in Trenton were evaluated for consideration. These included:

1. Campground
2. Nacoochee/Smith Gall (Crippens Brook)
3. Stanley
4. Golf Course
5. Drive-In
6. Days Inn
7. Hinkley Industrial Park; and
8. Petegrow

Initial screening criteria developed to evaluate the sites included:

•**Size and configuration.** The parcel must be able to accommodate the full build out program needs for the combined facility. This includes the intermodal facility, the National Park Service visitor center, and bus maintenance facility. As a project partner, the National Park Service felt that the chosen site must provide the feeling of arrival to Acadia National Park to accommodate construction of a visitor center. Sense of arrival meant that there would be views of Mount Desert Island (MDI) to the south and that the land would contain natural features that could accommodate a trail system. To accommodate all components of the proposed project and to meet the project purpose, it as determined that a minimum parcel size of 80 acres would be required.

For sites that remained after the above screening criteria were applied, the following criteria were used to further refine analysis for identification of the preferred site.

- Site acquisition costs.** The capital costs to acquire development rights for the site.
- Parcel availability.** Whether the owner was interested in selling the site.
- Wetland impacts.** The presence of National Wetland Inventory (NWI) wetlands, wetlands of special significance, coastal wetlands, and hydric soils on the site, the location of these resources on the parcel, function and quality of the resources, and the ability to avoid impacts on these resources in any given site.
- Threatened and endangered species.** Proximity to identified locations of federal and state listed threatened/endangered species may make some sites undevelopable.
- Historic and Archeological impacts.** Historic or archeological resources may hinder the ability to optimally develop a site.
- Floodplain impacts.** The presence of a floodplain would indicate wetlands and possible vernal pools and also could present a flood hazard for the project.
- Visual connection to Acadia National Park.** The site should have a visual connection to Acadia National Park to provide the visitors with a sense of arrival to the park and its natural features. Although this factor was important in the site selection process it did not preclude selection of a site that resulted in a less environmentally damaging impact.

Site 1: Campground

This site was dismissed because it did not meet the initial screening criteria and therefore did not meet the project purpose and need. The site was only 53.42 acres and would have limited potential for the layout of the project facilities. As previously discussed, a minimum of 80 acres was deemed necessary to accommodate the project and all its components. In addition to the above, the owner of the parcel said she was not interested in selling the land. The only way to acquire the parcel would be by taking through eminent domain. The National Park Service, a partner in this project, has a policy against taking land by eminent domain. This site did not meet the basic purpose and was not available and was therefore dismissed from further consideration.

Site 2: Crippens Brook

The site was available for purchase at a reasonable cost within project budgets. Although there are wetlands on the site, NWI and hydric soils data indicated that there were very few wetlands on the portion of the site that borders Route 3, which is where the project would be located. The wetlands that are located near the front of the parcel that bordered Route 3 are on previously disturbed farmland and were therefore of a lower quality than wetlands located in an undisturbed area. No threatened or endangered species were known to occur on the site. In addition, there were not historical or archeological resource constraints on the parcel. The site provided the feeling of arrival to Acadia National Park with views to Mount Desert Island and also with natural features on the site that provided the feeling of arrival to Acadia National Park.

Site 3: Stanley

This site was dismissed due to the location of wetlands on the parcels. Hydric soils and NWI wetlands are all located in the eastern portion of the parcel in the area that borders Route 3. Therefore, it would not be possible to avoid impacting these wetlands as part of project development because they would need to be crossed by roads to access the facilities. According to Beginning with Habitat data (November 2005) published by Maine Department of Inland

Fisheries and Wildlife, these wetlands are considered Inland Wading Bird and Waterfowl Habitat (IWWH) and so are considered to be “Significant Wildlife Habitat” under NRPA. These wetlands are important for breeding, migration/staging, and wintering habitats for inland waterfowl or breeding, feeding, loafing, migration, or roosting habitats for inland wading birds. In addition to the filling that would be required of IWWH, noise from vehicles and visitors would disrupt the important breeding, migration/staging, and roosting habitats for waterfowl and wading birds. This site was dismissed as being more environmentally damaging.

Site 4: Golf Course

This site was dismissed due to potential wetland impacts and because there are archeological resources on the parcel. Hydric soils and NWI wetlands are located in the western portion of the parcel, which is in the area that borders Route 3. Therefore, it would not be possible to avoid impacting these wetlands as part of project development. Wetlands of special significance are located next to Jordan Cove and these too could have been impacted by project development. In addition to the above, approximately 40 acres on the site, which are adjacent to the Jordan River, are in the 100-year floodplain. The coastal wetlands associated with Site 4 have been classified as Coastal Wading Bird and Waterfowl Habitat (CWWH) by Maine Department of Inland Fisheries and Wildlife and so are classified as “Significant Wildlife Habitat”. The November 2005 data depicts all coastal wetlands of the parcel along the Jordan River as CWWH. CWWH provides breeding, migration/staging, or wintering areas for coastal waterfowl or breeding, feeding, loafing, migrating, roosting areas for coastal wading birds (e.g., aquatic beds, eelgrass, emergent wetlands, mudflats, seaweed communities, and reefs). The increased anthropogenic influences on the site would likely have an impact on these CWWHs. Maine Department of Inland Fisheries and Wildlife has documented that there is a bald eagle (*Haliaeetus leucocephalus*) nest within one quarter of a mile of the parcel boundary (Nest Number BE458A). While the location of this nest is on the southern boundary of the property, the area within one quarter mile of the nest is also the largest contiguous area that does not contain wetlands. Site 4 also contains a mapped prehistoric archaeological resource and contains four potential historic archeological sites. Areas within 100 meters of the Jordan River shoreline are also considered sensitive for prehistoric archeology. For these reasons, this site was dismissed as being more environmentally damaging.

Site 5: Drive In

This site was initially a combination of five parcels of land; 4 parcels bordering Route 3 and 1 parcel bordering the Jordan River. Subsequent to identifying the Drive-In as a potential site for the intermodal facility, the land owner subdivided the parcel of land adjacent to the Jordan River to sell them as residential water front lots. This subdivision significantly increased the cost of land for the parcels bordering the river. The combined parcels were only 56.57 acres and would have limited potential for the layout of the project facilities. As previously discussed, a minimum of 80 acres was deemed necessary to accommodate the project and all its components. Stakeholders considered purchasing additional land adjacent to the existing parcels; however, all adjacent land was waterfront property and the price of land was prohibitively expensive.

In addition, the coastal wetlands associated with Site 5 have been classified as CWWH by Maine Department of Inland Fisheries and Wildlife. The November 2005 data depicts all coastal wetlands of the parcel along the Jordan River as CWWH. CWWH provides breeding, migration/staging, or wintering areas for coastal waterfowl or breeding, feeding, loafing, migrating, roosting areas for coastal wading birds (e.g., aquatic beds, eelgrass, emergent wetlands, mudflats, seaweed communities, and reefs). The increased anthropogenic influences

on the site would likely have impact on these CWWHs. Maine Department of Inland Fisheries and Wildlife has documented that there is a bald eagle (*Haliaeetus leucocephalus*) nest within one quarter of a mile of the parcel boundary (Nest Number BE458A). The one quarter mile nest buffer encompasses approximately 75 percent of the parcel. This site was dismissed because it did not meet the initial screening criteria of meeting the 80 acre requirement and therefore did not meet the project purpose and need. Purchasing additional land was considered but due to the cost was not practicable. Development of the site would also result in impacts that were more environmentally damaging.

Site 6: Days Inn

This site did not meet the initial screening criteria. The site was only 53.42 acres and would have limited potential for the layout of the project facilities. As previously discussed, a minimum of 80 acres was deemed necessary to accommodate the project and all its components. MaineDOT contacted the owner of the land to inquire whether the owner would sell the property and then could purchase some of the surrounding parcels of land. However, subsequent discussions revealed that the owner would not sell the property. The only way to acquire the parcel would be by taking through eminent domain. The National Park Service, a partner in this project, has a policy against taking land by eminent domain. In addition, the coastal wetlands associated with Site 6 have been classified as CWWH by Maine Department of Inland Fisheries and Wildlife. The November 2005 data depicts all coastal wetlands of the parcel along the Jordan River as CWWH. CWWH provides breeding, migration/staging, or wintering areas for coastal waterfowl or breeding, feeding, loafing, migrating, roosting areas for coastal wading birds (e.g., aquatic beds, eelgrass, emergent wetlands, mudflats, seaweed communities, and reefs). The increased anthropogenic influences on the site would likely have impact on these CWWHs. Because this site did not meet the basic purpose and need, was not available and development of the site would result in impacts that would be more environmentally damaging, it was dismissed from further consideration.

Site 7: Hinkley Industrial Park

This site was dismissed because it did not have direct access to Route 3. In fact, there are no roads that provide access to this parcel, which is land locked and located west of Route 3. This site would require the construction of a new road that is approximately 8,290 feet long to access the existing parcel. This new road would require MaineDOT to acquire right of way access for the road from two properties that surround Site 7 and this new road would also impact wetlands. Due to the logistics and costs involved in light of the overall project purpose, this site was not considered practicable and was considered more environmentally damaging.

Site 8: Petegrow

This site was combination of five parcels of land near the Thompson Island Bridge. This site was dismissed because it did not meet the initial screening criteria and therefore did not meet the project purpose and need. The site was only 53.39 acres and would have limited potential for the layout of the project facilities. As previously discussed, a minimum of 80 acres was deemed necessary to accommodate the project and all its components. Stakeholders considered purchasing additional land adjacent to the existing parcels, however adjacent land was waterfront property and the price of land was prohibitively expensive. In addition, the coastal wetlands associated with Site 8 have been classified as CWWH by Maine Department of Inland Fisheries and Wildlife. The November 2005 data depicts all coastal wetlands of the parcel along the Jordan River as CWWH. CWWH provides breeding, migration/staging, or wintering areas for

coastal waterfowl or breeding, feeding, loafing, migrating, roosting areas for coastal wading birds (e.g., aquatic beds, eelgrass, emergent wetlands, mudflats, seaweed communities, and reefs). The increased anthropogenic influences on the site would likely have impact on these CWWHs.

Site 8 did not meet the basic purpose and need and development of the site would have been more environmentally damaging and was dismissed from further consideration. Purchasing additional land to meet the 80 acre minimum requirement was not practicable due to the high cost of waterfront property.

A summary of the results of the Phase II screening analysis is provided below.

PHASE II SCREENING CRITERIA MATRIX				
	Site 2 Crippens Brook	Site 3 Stanley	Site 4 Golf Course	Site 7 Hinkley Industrial Park
Project Purpose and Need				
Size of parcel (acres)	369	155	254	146
Sense of arrival to ANP	Yes	Yes	Yes	Yes
Natural features and visibility of mountains	Yes	Yes	Yes	Yes
Access to Route 3	Yes	Yes	Yes	No
Practicability				
Site Acquisition Costs	\$850,000	\$356,965	\$1,118,000	\$93,800
Environmental Concerns				
NWI (acres)	92	9.42	32	1.26
Wetlands of Special Significance on site?	No	No	Yes	No
Hydric Soils (acres)	40.79	6.87	48.48	4.16
Hydrography (acres)	0	7.0	10	0
Impacts to wetlands avoidable?	Yes	No	No	No
Threatened and Endangered Species on or adjacent to site?	No	No	Yes	No
Significant Wildlife Habitat	No	Yes	Yes	No
Farmland Soils (acres)	69.5	102.5	174.7	0.7
Floodplains (acres)	0	0	40.77	0
Historic and Cultural resources	No	No	Yes	Yes

Conclusion for the Off Site Alternatives Analysis

Of the eight sites evaluated in Phase II, the Crippens Brook site best met the purpose and need, evaluation criteria and project needs. Among other benefits, this site:

- had adequate size to accommodate the facility program;
- was not too distant to negatively impact schedule and ultimately ridership of the Island Explorer Bus system;
- had limited wetlands in the area adjacent to Route 3 where the facility would need to be located;
- would not impact rare or endangered species, cultural resources, floodplains, or coastal resources;
- could result in the further preservation of a large area of sensitive natural areas such as the heath, beaver impoundments and other resources that would contribute to a “park like setting”;
- could provide the necessary “park-like setting” with views of Cadillac Mountain and Mount Desert Island;
- was available for purchase; and
- provided direct access to Route 3.

See Environmental Assessment (EA) for:

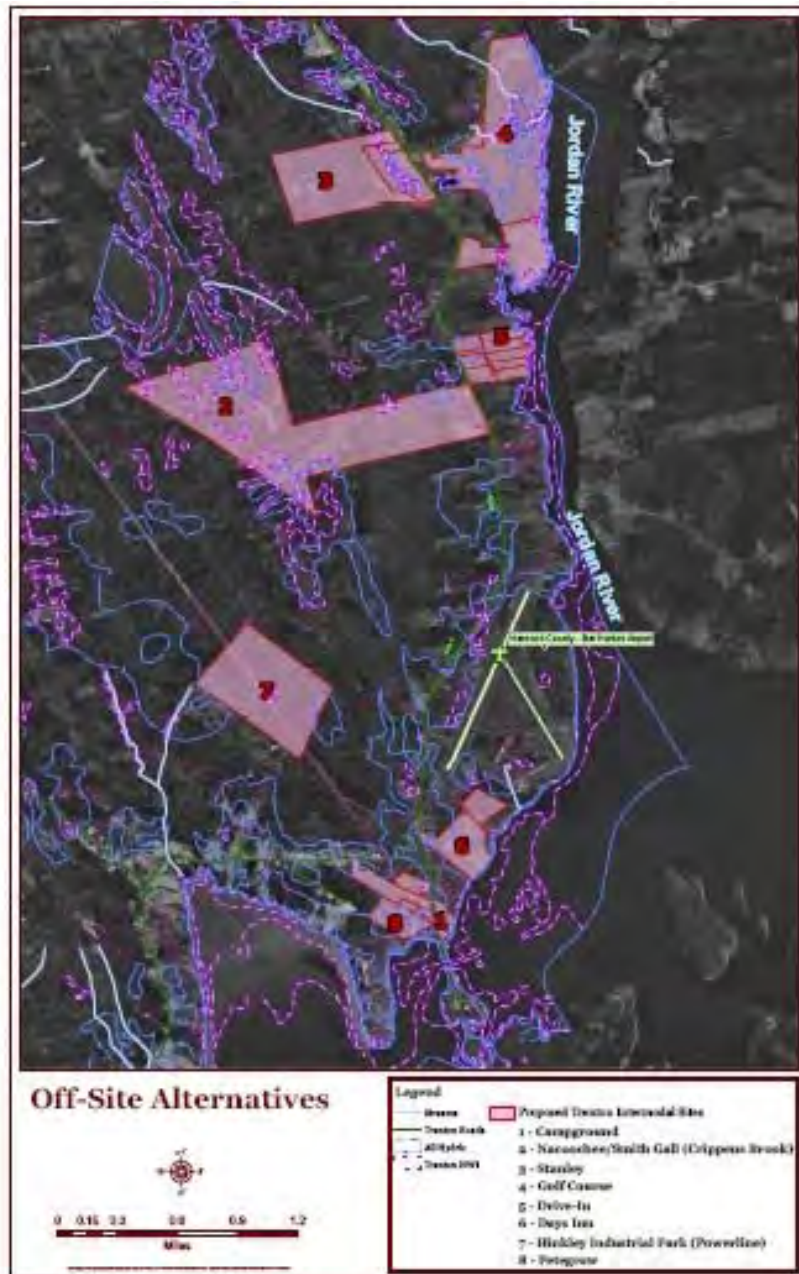
Alternatives Considered - Chapter 2, pages 2-1 through 2-27

Summary of Alternatives Analysis – Appendix E, pages E-1 through E-16

Alternatives Evaluation Matrix – Appendix F, pages 1 through 4

See Preliminary Design Report (PDR) for:

EA Alternatives Considered – Section 1.1.3, pages 2 through 12



AVOIDANCE & MINIMIZATION

Route 3

- Slopes along Route 3 near Crippens Brook were steepened from 2:1 to 1.5:1 to minimize wetland and stream impacts.
- Headwall and wingwalls were added to the design of the existing box culvert extension, resulting in less stream impacts.

Access Road

- Access road was threaded through parcel to minimize impacts to wetlands.
- Slopes along access road were steepened to minimize wetland impacts.
- Proposed crossing of Crippens Brook has been reduced from a 150' arch to a 80' arch by use of a headwall.

Facilities

- Located in upland areas as much as possible
- Retaining walls were used at the bus maintenance facility to minimize wetland impacts.

STREAM INFORMATION

Crippens Brook is a Riverine Unconsolidated Bottom system that flows southeasterly through the project area into the Jordan River. This stream averages approximately 8 to 15 feet wide with a bedrock, boulder, cobble, and gravel substrate. Water depths averaged over 18 inches during field surveys in October and November 2005. However, due to the large rainfall amounts that occurred in the Fall of 2005, water levels in Crippens Brook are typically shallower than observations indicate. A small tributary flows into Crippens Brook near the northern boundary of the project area with an additional tributary flowing into the stream west of southern field. This tributary is approximately 4 to 6 feet wide with a sand-cobble-rock substrate. Stream gauge data from the United States Geological Survey are not available for Crippens Brook.

The stream crossing over Crippens Brook will be designed in accordance with the MaineDOT Waterway and Wildlife Crossing Policy and Design Guide: For Aquatic Organism, Wildlife Habitat, and Hydrologic Connectivity, 3rd Ed. 2008. The proposed structure crossing the Gateway Center road at station 30+50 will consist of one - 8 foot structural steel plate pipe arch that will have a natural, open bottom. The pipe will span over the stream for minimal disturbance and allow space for wildlife passage along the edges of the stream. The proposed structure will be aligned with the existing thread of the stream. An open bottom arch with a minimum width of 1.2 times the bank full stream width will be constructed. The natural stream substrate will be reproduced within the structure with a defined bank and a minimum of two feet of floodplain on either side to provide passage for aquatic organisms, small mammals and reptiles. The proposed structure length will be minimized using headwalls and wingwalls to minimize resource impacts as well as encourage aquatic organism passage.

The existing open bottom box culvert that carries Crippens Brook under Route 3 (Sta. 180+80) will be extended on the upstream side by 5' and the downstream end will be extended 15' to accommodate the Route 3 widening.

EXHIBIT 13

WETLAND DESCRIPTIONS AND FUNCTIONAL ASSESSMENT

A wetland functions and values assessment was completed for the major wetland systems present on the project site using *The Highway Methodology Workbook Supplement: Wetland Function and Value, a Descriptive Approach* (USACOE 1999). The purpose of this evaluation is to provide a rating of the relative value of each wetland system that can be used to assess the severity of proposed wetland impacts. This method bases function and value determinations on the presence or absence of specific criteria for each of the 13 wetland functions and values. The criteria are assessed through direct field observation during on-site wetland determinations and during office review of existing resource maps and databases. Table 3.2-4 summarizes the functions and values provided by the wetlands.

In general, wetlands within the project area provide functions and values of sediment and nutrient retention, stabilization, and wildlife habitat. Additional functions and values, including production export, floodwater alteration, and groundwater recharge/discharge are limited throughout wetlands within the project area. Wetlands throughout the project area may also offer a range of educational opportunities for visitors.

The PSS and PFO wetlands adjacent to Crippens Brook and its tributaries primarily provide retention and stabilization of sediments and nutrients. By retaining sediments and nutrients present in surface water runoff, these wetlands limit the flow of these contaminants into the waters of Crippens Brook. In addition, these wetlands are effective for stabilizing the banks of Crippens Brook from erosion. Secondary function and values of these wetlands adjacent to Crippens Brook include floodflow alteration and wildlife habitat. These wetlands can retain water from heavy precipitation events for extended periods of time, which in turn may reduce floodwater damage within the watershed. These wetlands also provide habitat for numerous species of foraging wildlife such as mink and raccoon (*Procyon lotor*), as well as breeding songbirds such as alder flycatchers (*Empidonax alnorum*). Several plant species such as wild raisin (*Viburnum nudum*) and winterberry (*Ilex verticillata*) provide nutritional value for many foraging wildlife species. Limited fish habitat exists within Crippens Brook.

The PFO and PSS wetlands located in the project area away from Crippens Brook function primarily as valuable wildlife habitat. Numerous species of birds, including neotropical migratory bird species such as Canada warbler (*Wilsonia canadensis*), northern parula (*Parula americana*), and black-and-white warbler (*Mniotilta varia*) are present throughout. These wetlands also provide habitat for large mammals such as moose (*Alces alces*) and white-tailed deer (*Odocoileus virginianus*). Section 3.2.4 further discusses the abundance of wildlife within the forested areas. Secondary functions and values of these wetlands include sediment and nutrient retention from surface water runoff, production of food sources, and recreational opportunities, such as hunting. The presence of surface water hydrology, such as a constricted outlet and lack of an inlet, suggest that minor amounts of groundwater are discharged from these wetlands.

The large beaver impoundment along Crippens Brook provides excellent wildlife habitat. Numerous species of waterfowl, including hooded merganser (*Lophodytes cucullatus*), black duck (*Anas rubripes*), and wood duck (*Aix sponsa*), as well as osprey (*Pandion haliaetus*) were observed utilizing this open waterbody for foraging and breeding. This waterbody provides limited functions and values of fish habitat and floodflow alteration.

The wet meadow wetlands within the open field in the eastern portion of the project area have limited functions and values. At best, these wetlands provide limited retention of sediments and nutrients from surface water runoff. Wildlife habitat is limited to areas with sufficient water depths to support breeding amphibians such as spotted salamander (*Ambystoma maculata*) and wood frog (*Rana sylvatica*).

Wetland Functions and Values for Wetlands at Proposed Intermodal Facility Site

Function/Value	Wet Meadow (PEM)	Stream-Associated (PUB, PEM, PFO, PSS)	Forested (PFO)	Scrub-Shrub (PSS)	Comments
Groundwater Recharge/Discharge	-	-	+	+	The lack of an inlet in the wetlands away from Crippens Brook suggests groundwater discharge within these wetlands.
Floodwater Alteration	-	+	-	-	Stream-associated wetlands aid in the retention of water from major precipitation events.
Fish and Shellfish Habitat	-	+	-	-	Fish habitat is limited in Crippens Brook.
Sediment/Toxicant Retention	+	P	+	+	These wetlands retain sediments present in surface water runoff.
Nutrient Removal	-	+	-	-	Stream-associated wetlands provide some function of trapping and processing nutrients from surface water runoff.
Production Export	-	+	+	+	The wetlands contain flowering plants and dense vegetation which are consumed by numerous species of wildlife.
Sediment/Shoreline Stabilization	-	P	-	-	The wetlands adjacent to Crippens Brook help to stabilize the stream banks and reduce erosion.
Wildlife Habitat	+ /	P	P	P	Wetland systems provide habitat for a variety of breeding and foraging wildlife species.
Recreation	-	+	+	+	Recreation in wetlands is limited to hunting.
Education/Scientific Value	-	+	+	+	The beaver impoundment, vernal pool, and heath bog area may provide wildlife viewing opportunities for visitors.
Uniqueness/Heritage	-	-	-	-	The wet meadows are historically a part of the farm, but are not unique.
Visual Quality/Aesthetics	-	+	-	-	The stream and beaver impoundment provide viewing opportunities for visitors.
Endangered Species Habitat	-	-	-	-	No rare or endangered species are known or expected to occur in the wetlands.

P = principal function/value + = function/value occurs in the wetland - = function/value does not occur in the wetland +/- = limited function/value in wetland

Station	PEM	PSS	PSS (WSS)	PFO	PFO (WSS)	EMFP (WSS)	SSFP (WSS)	RUS (WSS)
164+00 - 164+40 RT		213						
164+75 - 165+25 RT		245						
166+00 - 167+25 LT		2291						
167+75 - 169+50 RT		4968						
170+25 - 171+00 RT	2148							
170+75 LT	693							
171+50 - 171+80 LT	573							
171+60 - 171+90 RT	468							
172+40 - 173+40 RT	2991							
173+50 - 174+00 LT	557							
174+50 - 175+00 RT	1011							
174+50 - 175+00 LT		1005						
175+25 - 176+00 RT	1062							
175+75 - 176+00 LT		494						
176+25 - 177+25 RT	1185							
179+25 RT						22		
180+00 - 180+75 RT							217	
180+00 - 180+50 LT				593				
180+50 - 180+75 LT					415			
180+75 RT								56
180+75 LT								188
180+95 - 181+10 LT					69			
181+00 RT			50					
187+05 - 187+20 LT	59							
SUBTOTAL	10747	9216	50	593	484	22	217	244
ACCESS ROAD								
Station								
13+75 - 25+00 LT/RT	70966							
13+50 - 13+75 LT		281						
13+75 - 14+25 LT	1110							
17+50 - 18+25 LT	882							
18+75 - 19+75 LT	3395							
19+00 LT	79							
20+25 LT	369							
21+00 LT	230							
22+25 LT	324							
22+50 LT	431							
25+25 - 26+50 LT	2328							
25+80 - 27+25 LT/RT		8043						
28+00 - 28+50 LT				232				
30+60 LT/RT					1943			
30+60 Lt/RT								621
30+75 RT				88				
31+00 LT			470					
31+00 - 31+90 LT/RT		2905						
31+75 - 33+00 LT		1941						
32+10 - 32+60 RT				319				
36+00 - 37+50 RT				9031				
36+50 - 37+50 RT		11296						
37+50 RT		823						
37+60 - 39+95 LT/RT		4890						
40+40 - 41+30 LT/RT		2622						
41+00 - 43+00 LT				11133				
41+75 LT		19						
42+00 LT				385				
43+00 LT				311				
44+84 RT				215				
TOTALS	90861	42036	520	22307	2427	22	217	865

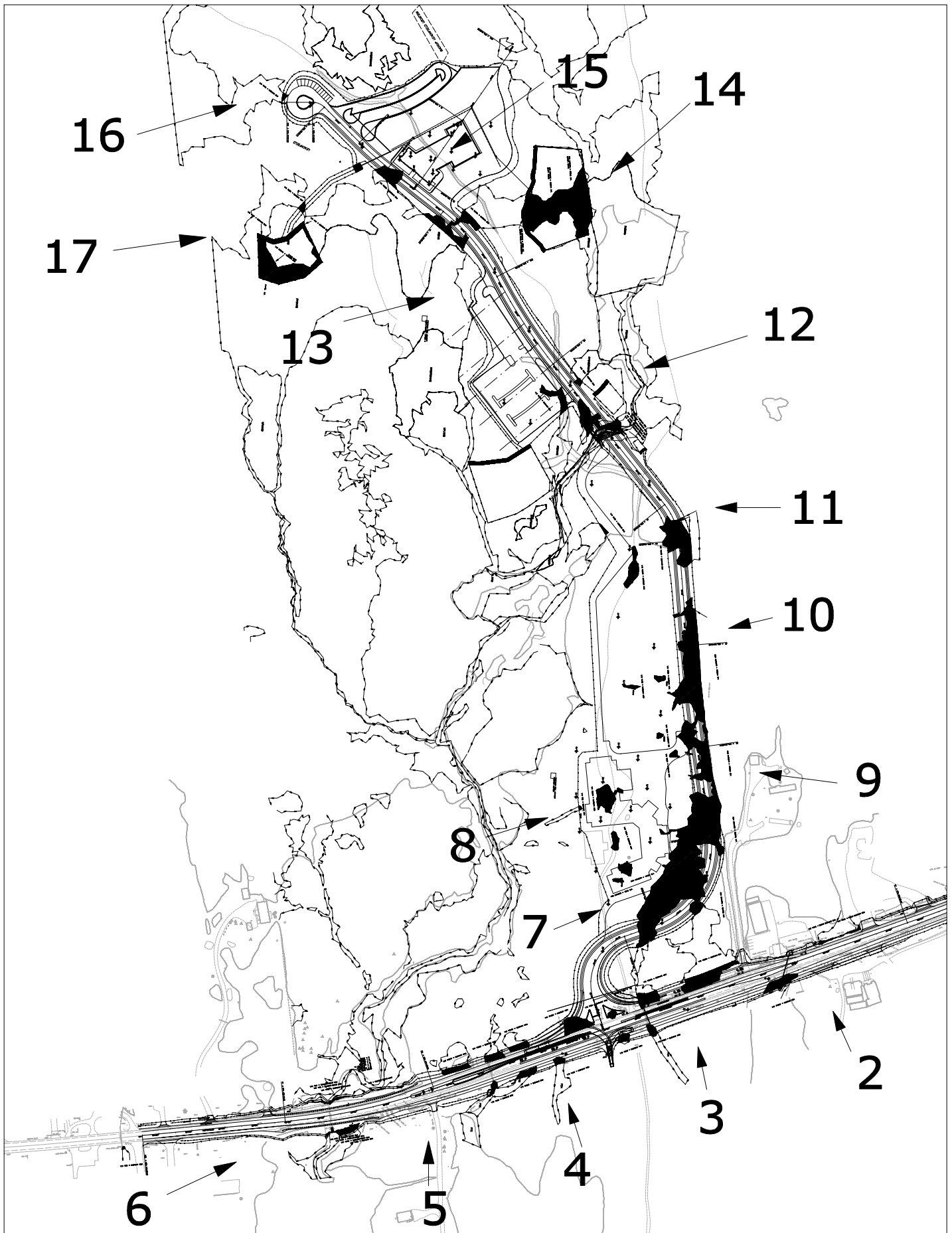
EXHIBIT 14

Acadia Gateway Center - Trenton 16123.00 ACOE Wetland Impacts (s.f.)1-16-09

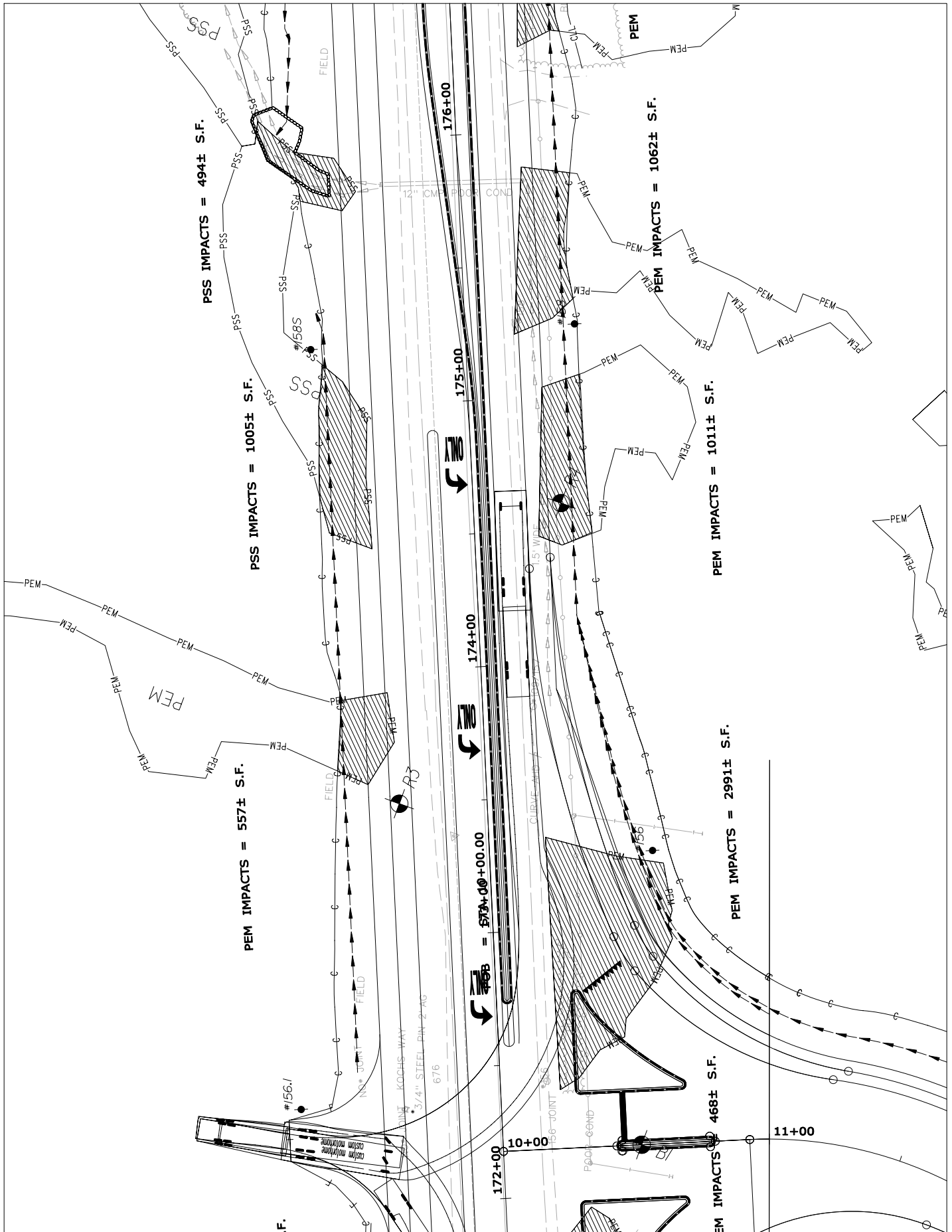
Route 3

Station	PEM	PSS	PSS (WSS)	PFO	PFO (WSS)	EMFP (WSS)	SSFP (WSS)	RUS (WSS)
164+00 - 164+40 RT		213						
164+75 - 165+25 RT		245						
166+00 - 167+25 LT		2291						
167+75 - 169+50 RT		4968						
170+25 - 171+00 RT	2148							
170+75 LT	693							
171+50 - 171+80 LT	573							
171+60 - 171+90 RT	468							
172+40 - 173+40 RT	2991							
173+50 - 174+00 LT	557							
174+50 - 175+00 RT	1011							
174+50 - 175+00 LT		1005						
175+25 - 176+00 RT	1062							
175+75 - 176+00 LT		494						
176+25 - 177+25 RT	1185							
179+25 RT						22		
180+00 - 180+75 RT							217	
180+00 - 180+50 LT				593				
180+50 - 180+75 LT					415			
180+75 RT								56
180+75 LT								188
180+95 - 181+10 LT					69			
181+00 RT			50					
187+05 - 187+20 LT	59							
SUBTOTAL	10747	9216	50	593	484	22	217	244
ACCESS ROAD								
Station								
13+75 - 25+00 LT/RT	70966							
13+50 - 13+75 LT		281						
13+75 - 14+25 LT	1110							
17+50 - 18+25 LT	882							
18+75 - 19+75 LT	3395							
19+00 LT	79							
20+25 LT	369							
21+00 LT	230							
22+25 LT	324							
22+50 LT	431							
25+25 - 26+50 LT	2328							
25+80 - 27+25 LT/RT		8043						
28+00 - 28+50 LT				232				
30+60 LT/RT					1943			
30+60 Lt/RT								621
30+75 RT				88				
31+00 LT			470					
31+00 - 31+90 LT/RT		2905						
31+75 - 33+00 LT		1941						
32+10 - 32+60 RT				319				
37+50 RT		823						
37+60 - 39+95 LT/RT		4890						
40+40 - 41+30 LT/RT		2622						
41+75 LT		19						
42+00 LT				385				
43+00 LT				311				
44+85 RT				215				
TOTALS	90861	30740	520	2143	2427	22	217	865

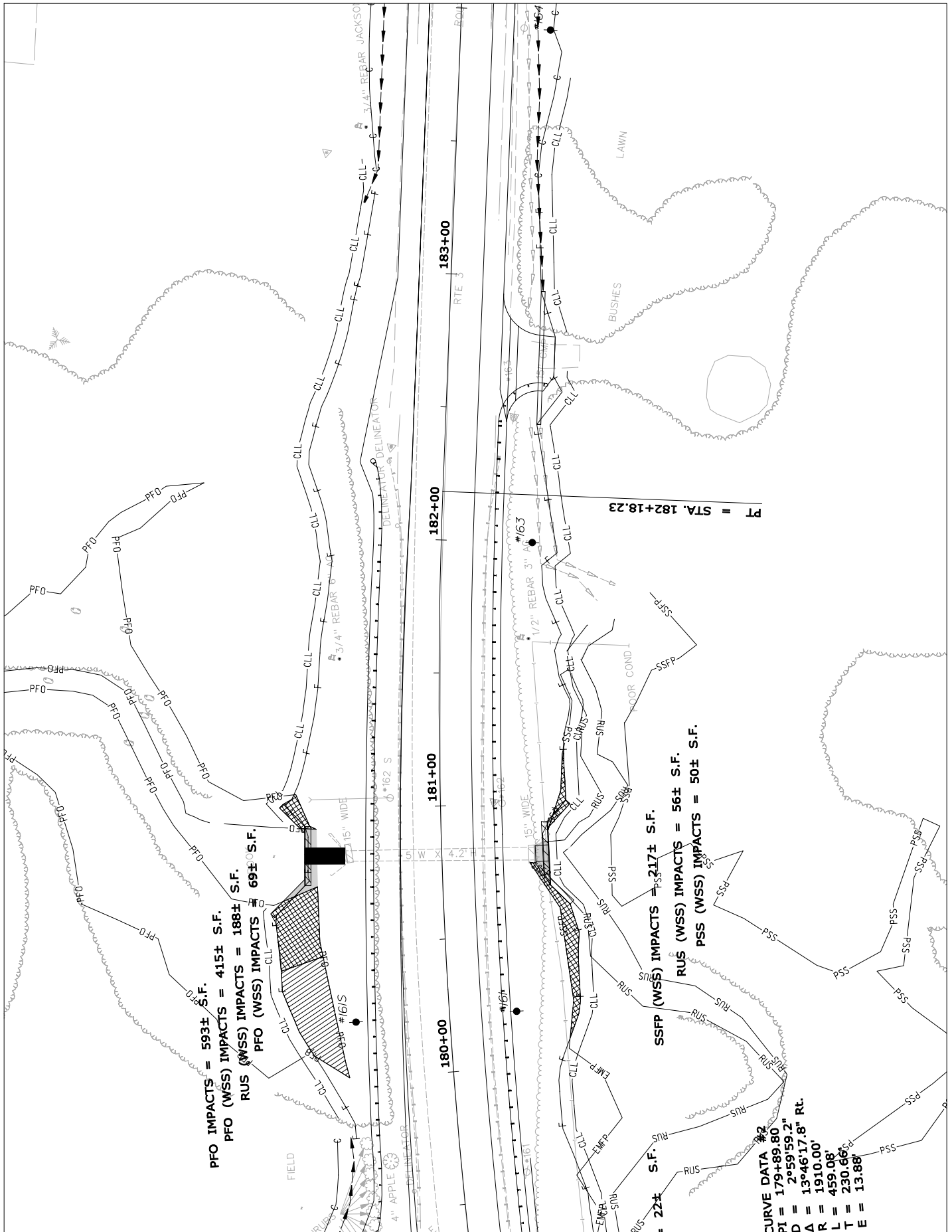
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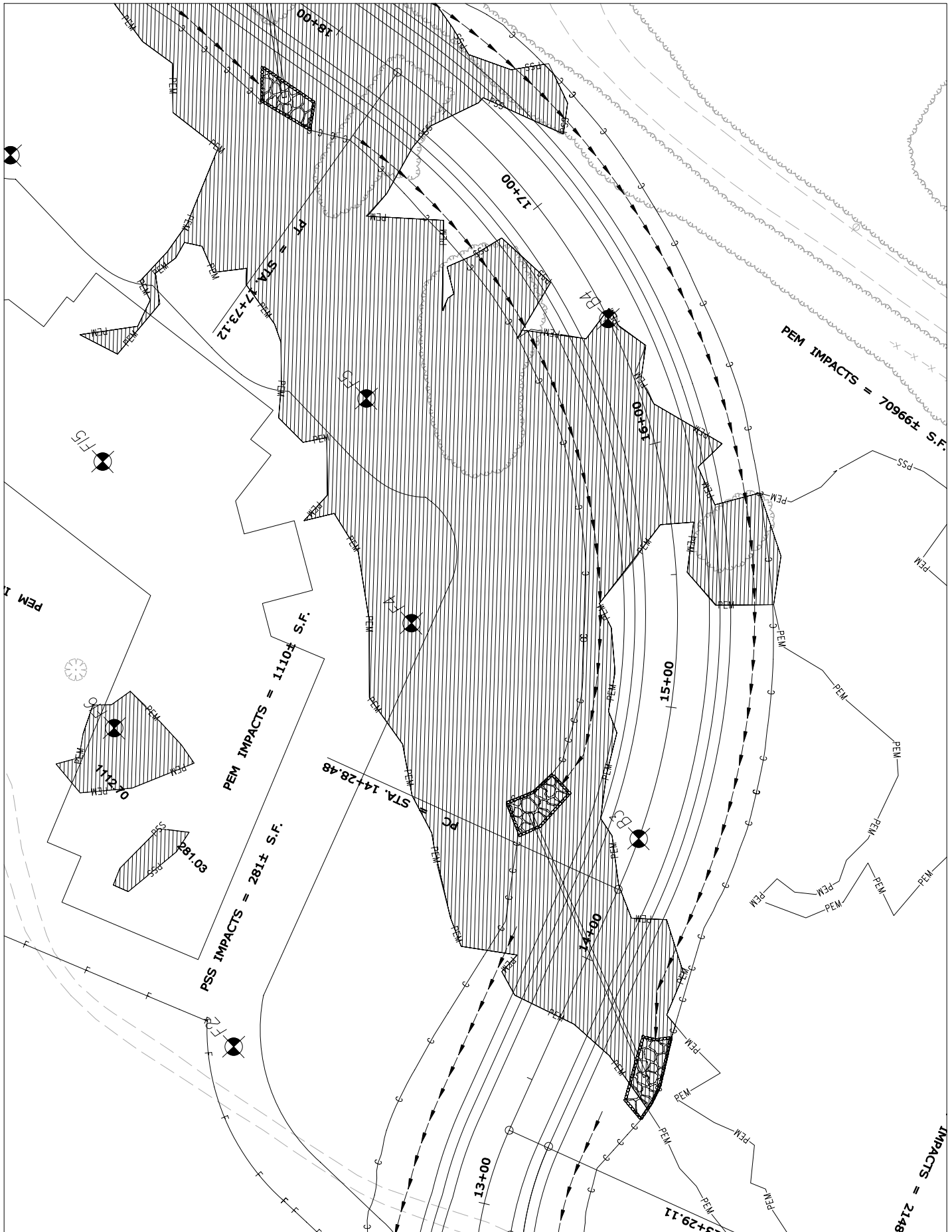
STATE OF MAINE DEPARTMENT OF TRANSPORTATION	Acadia Gateway Center Trenton	SHEET NUMBER 1
16123.00	INDEX SHEET	OF_



<p>STATE OF MAINE DEPARTMENT OF TRANSPORTATION</p>	<p>Acadia Gateway Center Trenton</p>	<p>SHEET NUMBER 4</p>
<p>16123.00</p>	<p>RESOURCE IMPACTS</p>	<p>OF_</p>



<p>STATE OF MAINE DEPARTMENT OF TRANSPORTATION</p>	<p>Acadia Gateway Center Trenton</p>	<p>SHEET NUMBER</p> <p>6</p>
<p>16123.00</p>	<p>RESOURCE IMPACTS</p>	<p>OF _</p>



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

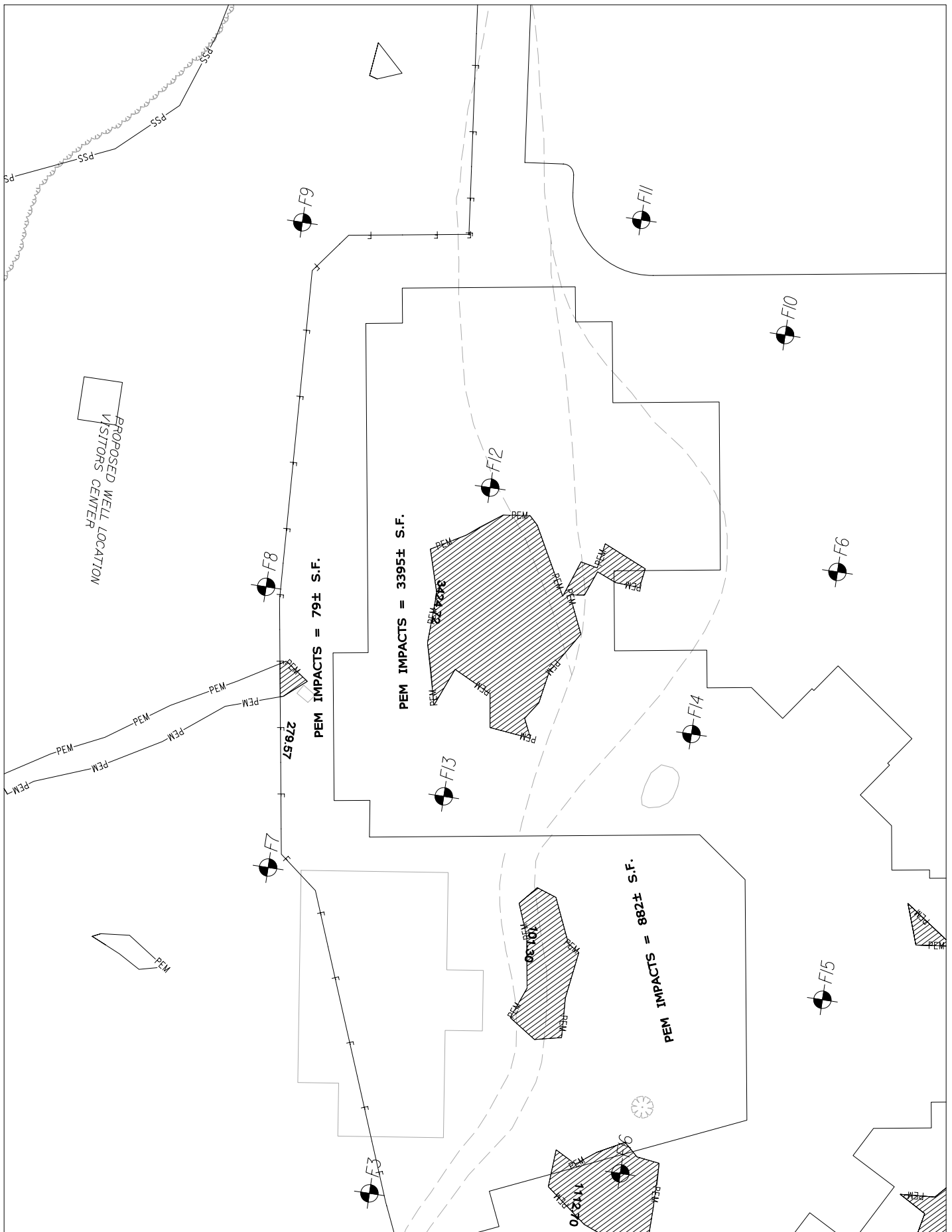
Acadia Gateway Center
Trenton

SHEET NUMBER

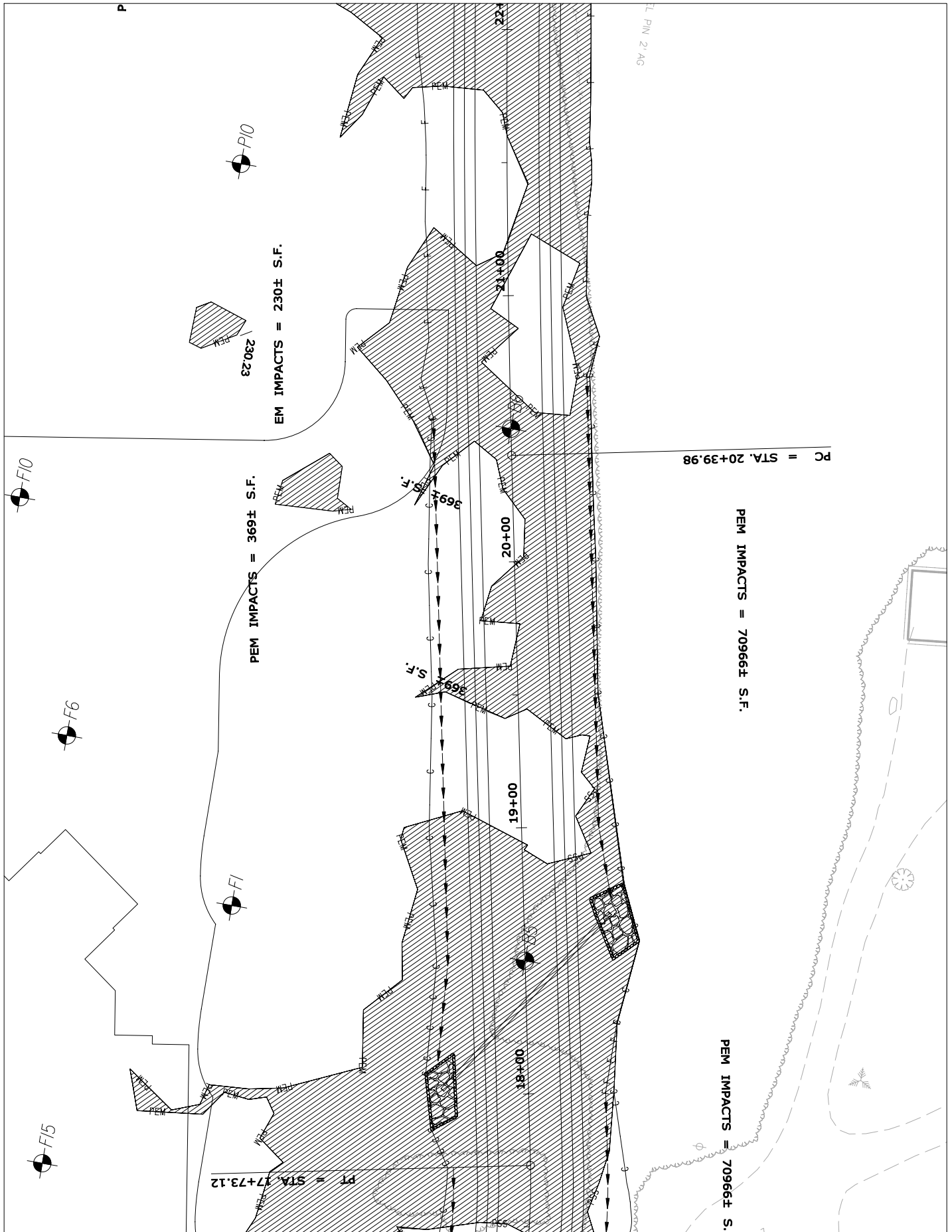
16123.00

RESOURCE IMPACTS

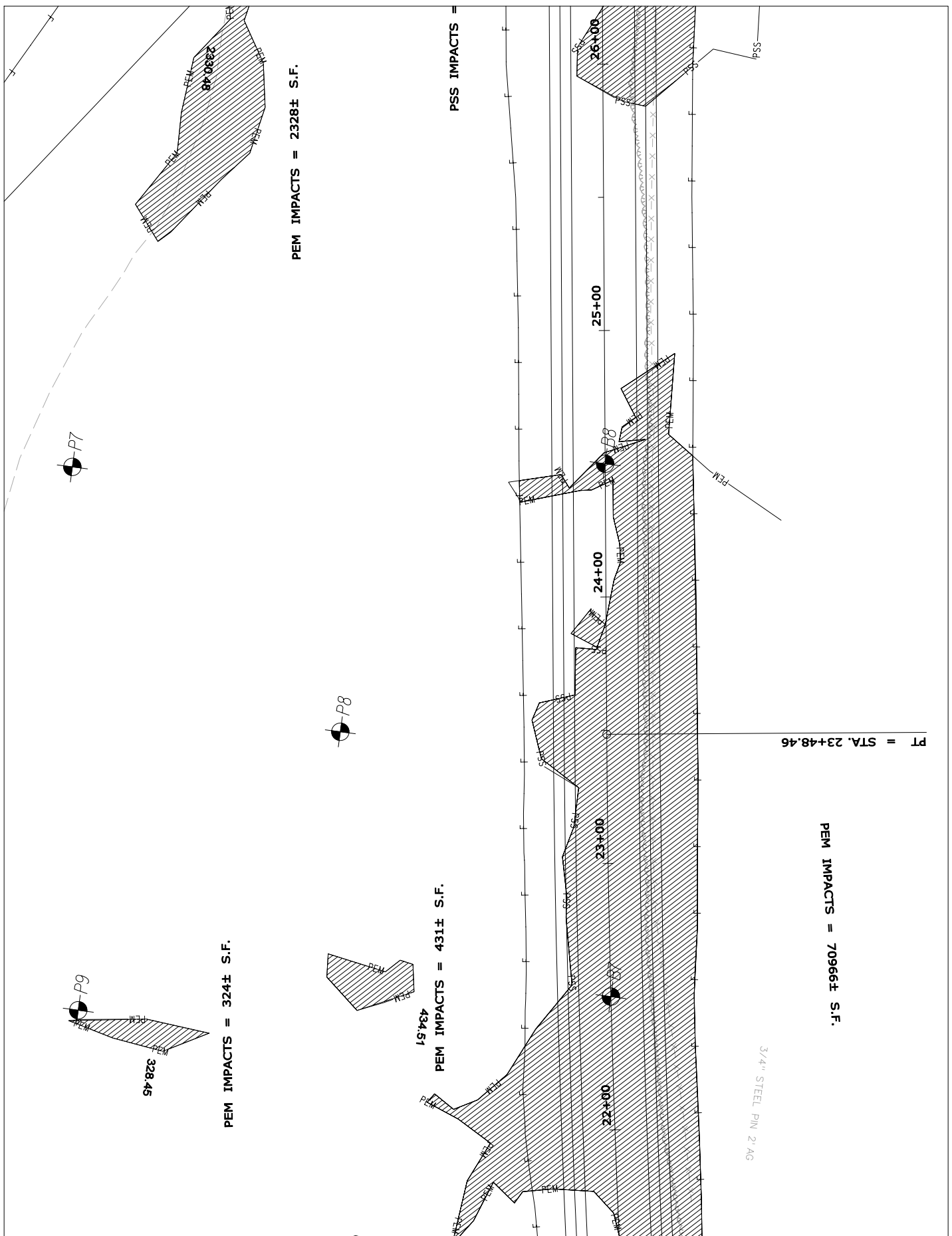
OF_



<p>STATE OF MAINE DEPARTMENT OF TRANSPORTATION</p>	<p>Acadia Gateway Center Trenton</p>	<p>SHEET NUMBER</p> <p>8</p>
<p>16123.00</p>	<p>RESOURCE IMPACTS</p>	<p>OF _</p>



<p>STATE OF MAINE DEPARTMENT OF TRANSPORTATION</p>	<p>Acadia Gateway Center Trenton</p>	<p>SHEET NUMBER 9</p>
<p>16123.00</p>	<p>RESOURCE IMPACTS</p>	<p>OF_</p>



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

16123.00

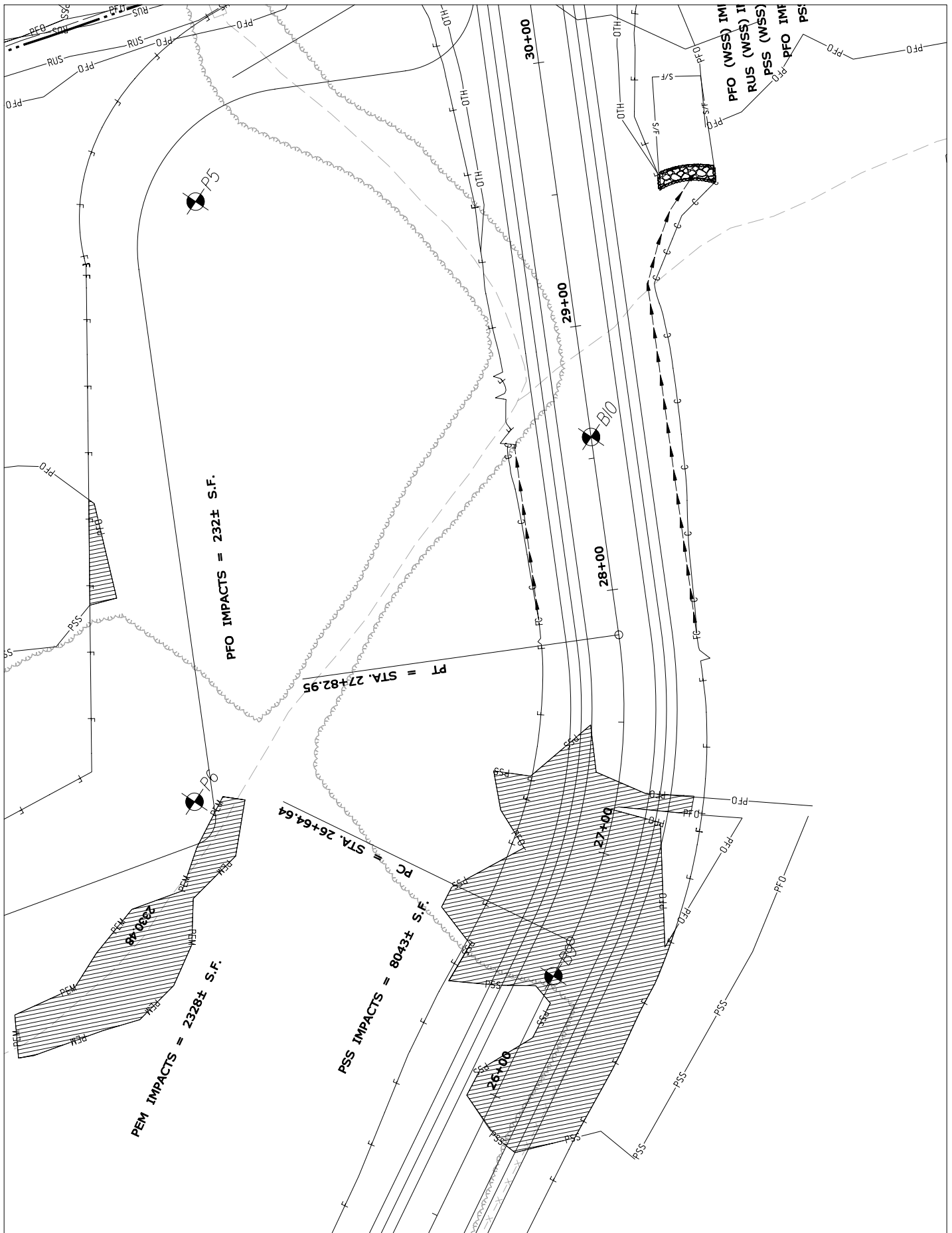
Acadia Gateway Center
Trenton

RESOURCE IMPACTS

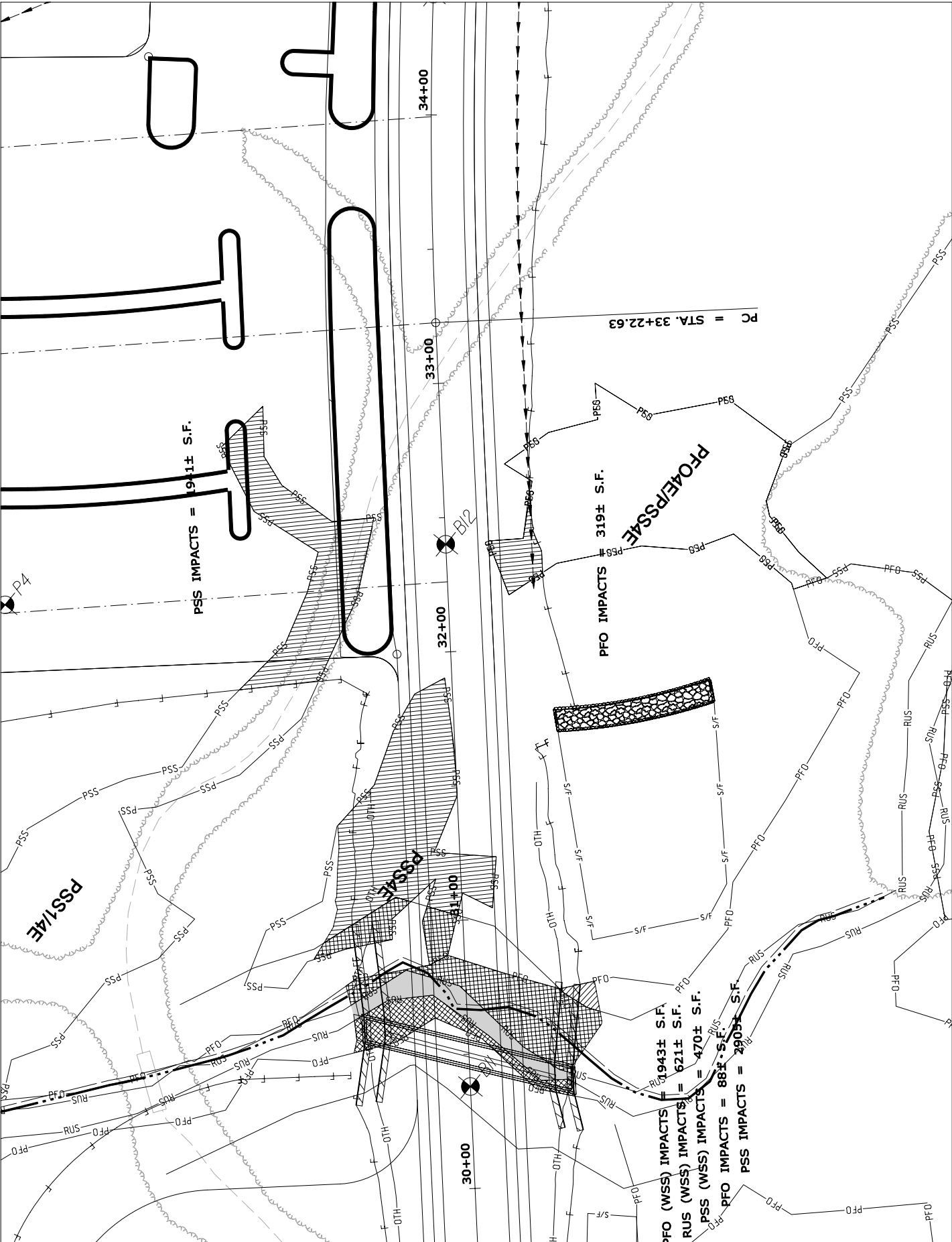
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OF_



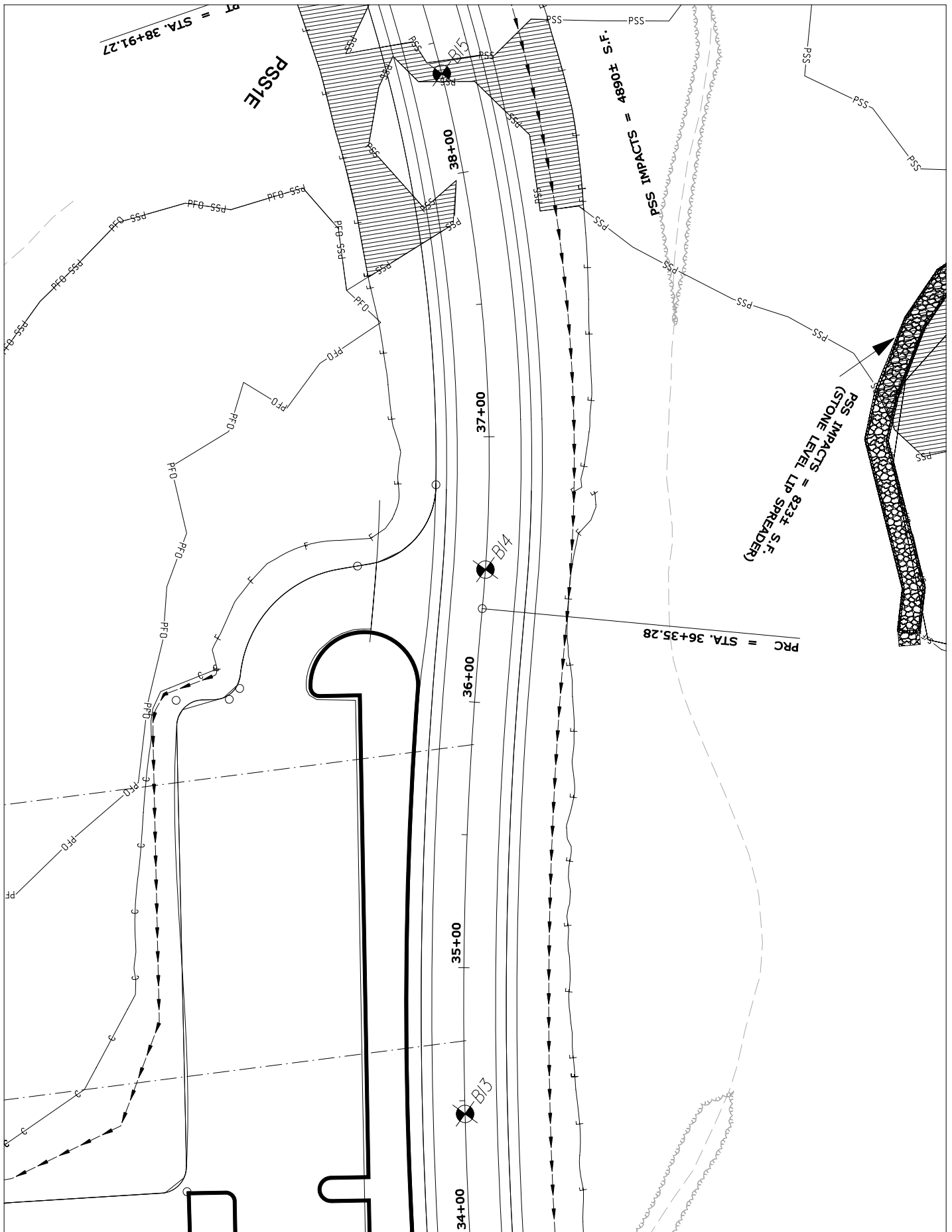
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<p>16123.00</p>	<p>RESOURCE IMPACTS</p>	<p>OF_</p>



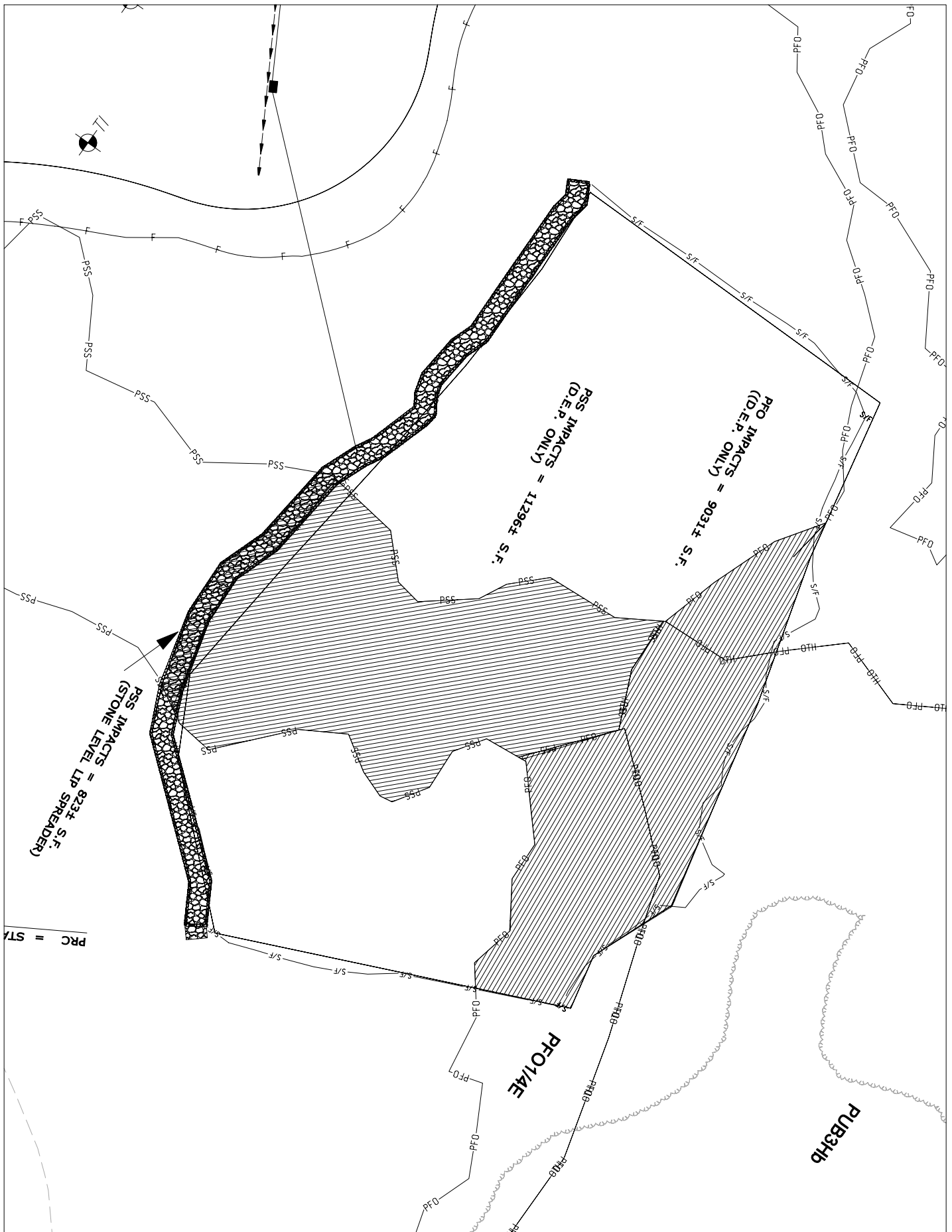
16123.00

RESOURCE IMPACTS

OF_

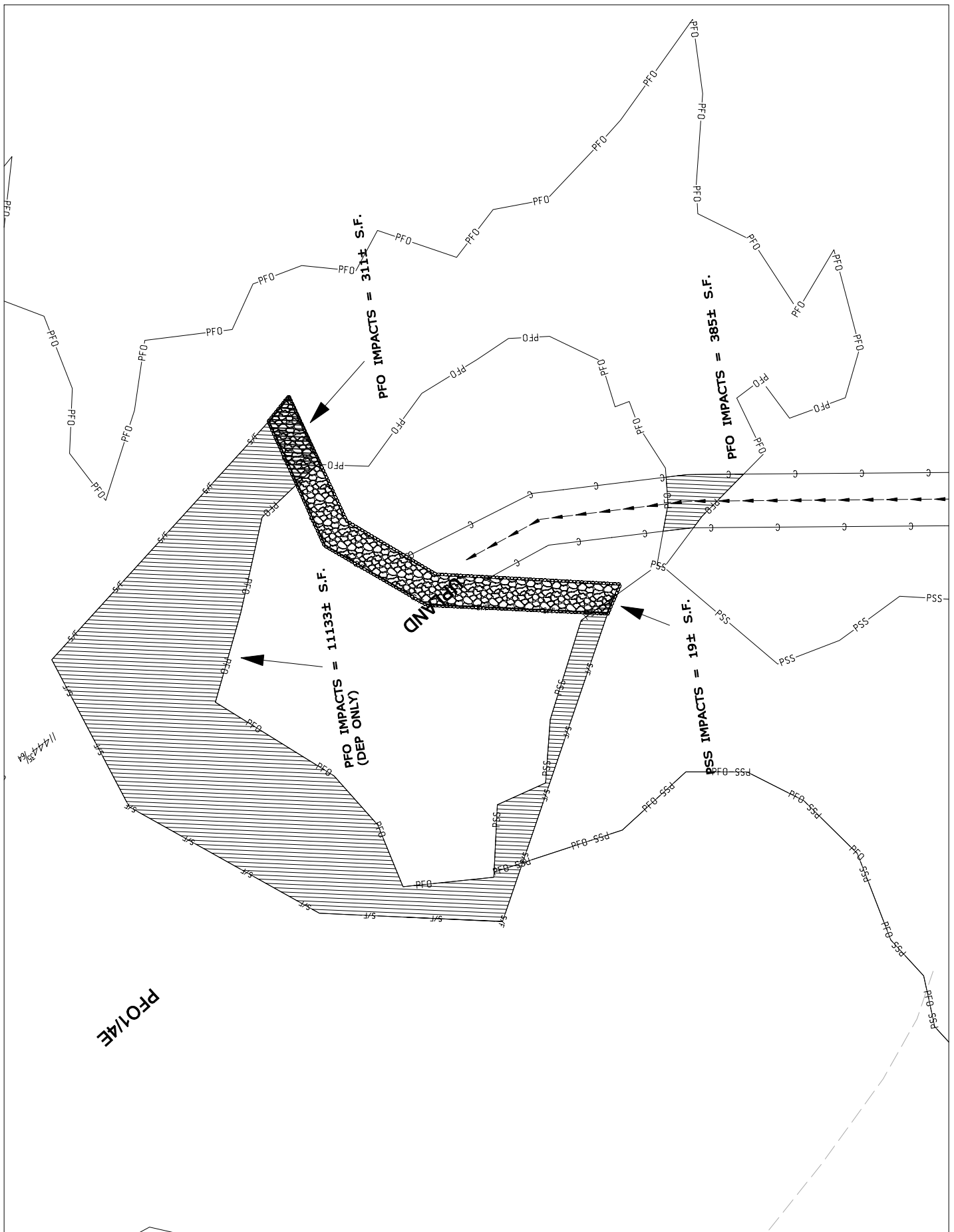


<p>STATE OF MAINE DEPARTMENT OF TRANSPORTATION</p>	<p>Acadia Gateway Center Trenton</p>	<p>SHEET NUMBER 13</p>
<p>16123.00</p>	<p>RESOURCE IMPACTS</p>	<p>OF_</p>



STATE OF MAINE DEPARTMENT OF TRANSPORTATION	Acadia Gateway Center Trenton	SHEET NUMBER 14
16123.00	RESOURCE IMPACTS	OF_

RESOURCE IMPACTS



<p>STATE OF MAINE DEPARTMENT OF TRANSPORTATION</p>	<p>Acadia Gateway Center Trenton</p>	<p>SHEET NUMBER 17</p>
<p>16123.00</p>	<p>RESOURCE IMPACTS</p>	<p>OF_</p>

Property Owner Name And Address List

Page : 1

Date : 09/29/2008

NO PROPERTY OWNERS : 20

PIN : 013332.09

TOWN : Trenton

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
LAURIE ROMER LAWRENCE J. ROMER 593 BAR HARBOR RD TRENTON, ME 04605	Yes	1	27		9	16

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
LAURIE ROMER LAWRENCE J. ROMER 593 BAR HARBOR RD TRENTON, ME 04605	Yes	2	27		3	17

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
EDWIN O. BUSSEY 846 CLEARY ROAD WEST PALM BEACH, FL 33413	Yes	3	28		3-3	14

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
ROBERT DAVIS (ET AL) SEAWALL ROAD SOUTHWEST HBR, ME 04679	Yes	3	28		3-3	14

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
VERNON A. JOHNSON 403 MINTURN ROAD SWANS ISLAND, ME 04685	Yes	3	28		3-3	14

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
SANDRA J. SAUNDERS 617-2 BAR HARBOR RD TRENTON, ME 04605	Yes	4	27		1	1

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
JILL C. WARREN PETER MAYO P.O. BOX 1101 ELLSWORTH, ME 04605	Yes	5	28 28		3-1 3-2	3

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
ELLEN W. MCELVAIN WILLIAM H. MCELVAIN 852 BAR HARBOR RD TRENTON, ME 04605	Yes	7	23		3	4

PIN : 013332.09

TOWN : Trenton

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
STATE OF MAINE SHS #76 AUGUSTA, ME 04333	Yes	8	24		10	

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
NACOOCHEE CORP. C/O JOHN SMITHGALL 4470 CHAMBLEE DUNWOOD SUITE 290 ATLANTA, GA 30338	Yes	9	24		11-1	5

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
NOYES DEVELOPMENT, LLC 688 BAR HARBOR ROAD TRENTON, ME 04605	Yes	10	24		11-2	6

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
COMMERCIAL COASTAL MAINE, LLC 511 BAR HARBOR ROAD TRENTON, ME 04605	Yes	11	24		11-1A	7

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
ARTHUR A. DOLE 53 RIVERFIELD ROAD TRENTON, ME 04605	Yes	12	24		12	8

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
JAMES A. DAY 72 NEEDLES EYE ROAD LAMOINE, ME 04605	Yes	13	24		9	9

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
RENE L. BECKER 386 PARTRIDGE COVE ROAD LAMOINE, ME 04605	Yes	13	24		9	9

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
OLSON BIERMAN PROPERTIES, INC. 58 HEATHER LANE HANCOCK, ME 04640	Yes	14	24		13	10

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
LEWIS & JOANN ROMER LEWIS & JOANN ROMER 24 ROMERS LANE TRENTON, ME 04605	Yes		27		1-1	2

PIN : 013332.09

TOWN : Trenton

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
GARY W. STANLEY KATHLEEN STANLEY 298 SHONE ROAD LAMOINE, ME 04605	Yes		24		14	11

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
BETSY MEISTER PETER LAZAS 727 BAR HARBOR ROAD TRENTON, ME 04605	Yes		24		8	12

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
MARY FOREST VICTOR FOREST 726 BAR HARBOR ROAD TRENTON, ME 04605	Yes		24		15	13

PROPERTY OWNER	POR REQUIRED	PARCEL #	TAX MAP	BLOCK	LOT	POR #
FINLAY MATHESON TRUST 3898 SHIPPING AVE MIAMI, FL 33146	Yes		27		2	15

MaineDOT Individual Project Commenting Form

STREAM CROSSING AND WILDLIFE REVIEW PROPOSED BY THE MAINE DEPARTMENT OF TRANSPORTATION

This form provides project-specific information. In accordance with DEP Chapter 305, Permit by Rule, Section 11, and ACOE Programmatic General Permit, constitutes a request for State and Federal fish and wildlife agency comments on that activity. To assure consideration of any comments, respond within two weeks of this request. Attached you will find a Site Location Map and if available, "Preliminary Site Inventory Form for MaineDOT Passage Policy Compliance"

For MaineDOT Use Only

MaineDOT Project Development:

☐ Bridge Project ☐ Highway Project ☒ Traffic/Multi-Modal Project ☐ Maintenance Project

Project Name: Acadia Gateway Center

PIN or Location: 13332.09 Trenton -Route 3

Project Description: Construction of bus facilities, visitor center. This will require extensions to the existing box culvert under Route 3 as well as a new crossing (open bottom pipe arch) a few hundred feet upstream for the access road

Project need: New transportation facility

Stream(s) and/or Water body Names: Crippens Brook

This project/activity consists of a:

Early Fact Finding, Project Being Developed ☐ *If this is checked, MaineDOT has not formally kicked this project off. The intent of this consultation is to identify issues early and address them during the design phase of this project. Please skip down to your section.*

New Structure ☒ Replacement in-kind ☐ Replacement with expansion ☐ Slip-line ☐

If a replacement, the existing structure is a: Culvert/Pipe ☐ Box ☐ Open Bottom Arch ☐ Bridge Span ☐

Proposed Structure: Culvert/Pipe ☐ Box ☐ Open Bottom Arch ☒ Bridge Span ☐

Detour across resource required: Yes ☐ No ☒

Alternate designs considered: No build ☒ Culvert/Pipe ☐ Bridge Span ☐ Box ☐ Open Bottom Arch ☐

Alternate not selected due to: N/A

In-water work will be performed: During Standard In-Water Window (July 15 – Sept 30) ☐

☐ Other

☐ Require ability to drive and remove piles outside the prescribed work window.

☒ Require ability to work in the dry outside prescribed work window (when streambed is dry).

☐ Require to work outside standard in-water work window because: N/A

*Construction specification includes: N/A

N/A

MaineDOT Best Management Practices for Erosion and Sedimentation Control are required construction specifications for all projects.

Additional Project Specific Information:

MaineDOT Contact Information: Josh Nichols (joshua.nichols@maine.gov)
Maine Department of Transportation, Environmental Office
State House Station #16 Augusta, ME 04333

MaineDOT Individual Project Commenting Form
STREAM CROSSING AND WILDLIFE REVIEW
PROPOSED BY THE MAINE DEPARTMENT OF TRANSPORTATION

For Review Agency Use Only

Agency completing review: MDIF&W ☐ USFWS ☐ DMR ☐ ASC ☒ NMFS ☐

Section A:

Early Fact Finding Information: (Please outline species of concern, when in-water work is preferred and other information that may provide useful in the consideration of this project.)

Species of Concern: None

Preferred In-Water Work Window:

Other information that may be useful:

Section B:

Would you like MaineDOT to coordinate an on-site meeting? Yes ☐ No ☒

Given that this project will be designed in accordance with MaineDOT's "Waterway and Wildlife Crossing Policy and Design Guide" MaineDOT may complete the design of this project based on any specific recommendations below and proceed to construction: Yes ☒ *Proceed to Section C* No ☐ *Please complete the remainder of this section.*

Additional information requested:

Plan & details ("Peter paper")	<input type="checkbox"/>
Cross sectional plans	<input type="checkbox"/>
Alternative analysis	<input type="checkbox"/>
Construction methods	<input type="checkbox"/>
Other	<input type="checkbox"/> Describe:

Special conditions/comments:

No concerns

Section C:

Is this an Essential Habitat for Atlantic Salmon? YES ☐ NO ☒

Other Species? _____ YES ☐ NO ☐

Federal Agencies Only

Will this project require Formal or Informal Section 7 Consultation? NO ☐ Informal ☐ Formal ☐

For what species? _____

Representative Norm Dube

Date: 7/8/2008

Please forward your comments electronically or in hard copy to the contact for this project. Thank you.

MaineDOT Individual Project Commenting Form

STREAM CROSSING AND WILDLIFE REVIEW PROPOSED BY THE MAINE DEPARTMENT OF TRANSPORTATION

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Proposed Structure: Culvert/Pipe ☐ Box ☐ Open Bottom Arch ☒ Bridge Span ☐

Detour across resource required: Yes ☐ No ☒

Alternate designs considered: No build ☒ Culvert/Pipe ☐ Bridge Span ☐ Box ☐ Open Bottom Arch ☐

Alternate not selected due to: N/A

In-water work will be performed: During Standard In-Water Window (July 15 – Sept 30) ☐

☐ Other

☐ Require ability to drive and remove piles outside the prescribed work window.

☒ Require ability to work in the dry outside prescribed work window (when streambed is dry).

☐ Require to work outside standard in-water work window because: N/A

*Construction specification includes: N/A

N/A

MaineDOT Best Management Practices for Erosion and Sedimentation Control are required construction specifications for all projects.

Additional Project Specific Information:

MaineDOT Contact Information: Josh Nichols (joshua.nichols@maine.gov)
Maine Department of Transportation, Environmental Office
State House Station #16 Augusta, ME 04333

MaineDOT Individual Project Commenting Form
STREAM CROSSING AND WILDLIFE REVIEW
PROPOSED BY THE MAINE DEPARTMENT OF TRANSPORTATION

For Review Agency Use Only

Agency completing review: MDIF&W ☐ USFWS ☐ DMR ☒ ASC ☐ NMFS ☐

Section A:

Early Fact Finding Information: (Please outline species of concern, when in-water work is preferred and other information that may provide useful in the consideration of this project.)

Species of Concern:

Preferred In-Water Work Window:

Other information that may be useful:

Section B:

Would you like MaineDOT to coordinate an on-site meeting? Yes ☐ No ☒

Given that this project will be designed in accordance with MaineDOT's "Waterway and Wildlife Crossing Policy and Design Guide" MaineDOT may complete the design of this project based on any specific recommendations below and proceed to construction: Yes ☐ *Proceed to Section C* No ☐ *Please complete the remainder of this section.*

Additional information requested:

Plan & details ("Peter paper")	<input type="checkbox"/>
Cross sectional plans	<input type="checkbox"/>
Alternative analysis	<input type="checkbox"/>
Construction methods	<input type="checkbox"/>
Other	<input type="checkbox"/> Describe:

Special conditions/comments:

Passage for smelt and eels should be provided.

Section C:

Is this an Essential Habitat for Atlantic Salmon? YES ☐ NO ☐

Other Species? smelt and eels YES ☒ NO ☐

Federal Agencies Only

Will this project require Formal or Informal Section 7 Consultation? NO ☐ Informal ☐ Formal ☐

For what species? _____

Representative Brian Swan

Date: 1/6/2009

Please forward your comments electronically or in hard copy to the contact for this project. Thank you.

MaineDOT Individual Project Commenting Form

STREAM CROSSING AND WILDLIFE REVIEW PROPOSED BY THE MAINE DEPARTMENT OF TRANSPORTATION

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New Structure ☒ Replacement in-kind ☐ Replacement with expansion ☐ Slip-line ☐

If a replacement, the existing structure is a: Culvert/Pipe ☐ Box ☐ Open Bottom Arch ☐ Bridge Span ☐

Proposed Structure: Culvert/Pipe ☐ Box ☐ Open Bottom Arch ☒ Bridge Span ☐

Detour across resource required: Yes ☐ No ☒

Alternate designs considered: No build ☒ Culvert/Pipe ☐ Bridge Span ☐ Box ☐ Open Bottom Arch ☐

Alternate not selected due to: N/A

In-water work will be performed: During Standard In-Water Window (July 15 – Sept 30) ☐

☐ Other

☐ Require ability to drive and remove piles outside the prescribed work window.

☒ Require ability to work in the dry outside prescribed work window (when streambed is dry).

☐ Require to work outside standard in-water work window because: N/A

*Construction specification includes: N/A

N/A

MaineDOT Best Management Practices for Erosion and Sedimentation Control are required construction specifications for all projects.

Additional Project Specific Information:

MaineDOT Contact Information: Josh Nichols (joshua.nichols@maine.gov)
Maine Department of Transportation, Environmental Office
State House Station #16 Augusta, ME 04333

MaineDOT Individual Project Commenting Form
STREAM CROSSING AND WILDLIFE REVIEW
PROPOSED BY THE MAINE DEPARTMENT OF TRANSPORTATION

For Review Agency Use Only

Agency completing review: MDIF&W ☒ USFWS ☐ DMR ☐ ASC ☐ NMFS ☐

Section A:

Early Fact Finding Information: (Please outline species of concern, when in-water work is preferred and other information that may provide useful in the consideration of this project.)

Species of Concern: none

Preferred In-Water Work Window: anytime

Other information that may be useful: No brook trout taken in 2 electrofishing sampling trips. Captured only eels.

Section B:

Would you like MaineDOT to coordinate an on-site meeting? Yes ☒ No ☐

Given that this project will be designed in accordance with MaineDOT's "Waterway and Wildlife Crossing Policy and Design Guide" MaineDOT may complete the design of this project based on any specific recommendations below and proceed to construction: Yes ☒ *Proceed to Section C* No ☐ *Please complete the remainder of this section.*

Additional information requested:

Plan & details ("Peter paper")	<input type="checkbox"/>
Cross sectional plans	<input type="checkbox"/>
Alternative analysis	<input type="checkbox"/>
Construction methods	<input type="checkbox"/>
Other	<input type="checkbox"/> Describe:

Special conditions/comments:

Section C:

Is this an Essential Habitat for Atlantic Salmon? YES ☐ NO ☒

Other Species? _____ YES ☐ NO ☒

Federal Agencies Only

Will this project require Formal or Informal Section 7 Consultation? NO ☐ Informal ☐ Formal ☐

For what species? _____

Representative Rick Jordan, Inland Fisheries

Date: 9/24/2008

Please forward your comments electronically or in hard copy to the contact for this project. Thank you.



MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

JOHN ELIAS BALDACCI
GOVERNOR

EARLE G. SHETTLEWORTH, JR.
DIRECTOR

April 19, 2006

Gino J.M. Giumarro
Woodlot Alternatives, Inc.
30 Park Drive
Topsham, ME 04086

Project: MHPC #1184-05 - proposed intermodal transportation facility
Town: Trenton, ME

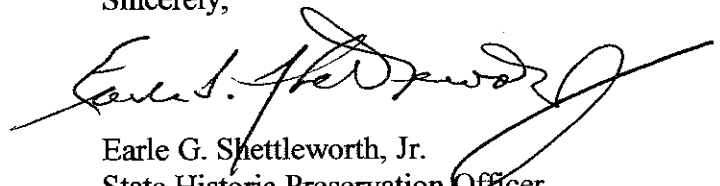
Dear Mr. Giumarro:

In response to your recent request, I have reviewed the information received March 24, 2006 to continue consultation on the above referenced parcel in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended.

Based on the information provided, I have concluded that there are no historic properties [architectural or archaeological] within the subject parcel. No part of the parcel is sensitive for significant prehistoric or historic archaeological sites, and there are no structures on or adjacent to the parcel that are eligible for nomination to the National Register of Historic Places. The proposed undertaking will have no effect upon historic properties.

Please contact Mike Johnson of my staff if we can be of further assistance in this matter.

Sincerely,



Earle G. Shettleworth, Jr.
State Historic Preservation Officer

MAINE DEPARTMENT OF TRANSPORTATION

Acadia Gateway Center Project, Trenton

(PIN 16123.00)



WETLAND MITIGATION PLAN

January 2009

Prepared By

MAINE DEPARTMENT OF TRANSPORTATION
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Wetland Mitigation Plan**ACADIA GATEWAY CENTER PROJECT, TRENTON****(PIN 16123.00)****Table of Contents**

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A. General Information

This Wetland Mitigation Plan describes the compensatory mitigation proposed by the Maine Department of Transportation (MaineDOT) for impacts to aquatic resources associated with the proposed construction of a welcome center, public transportation center, and bus maintenance facility collectively known as the Acadia Gateway Center (hereafter Gateway) project, in Trenton, Hancock County (MaineDOT PIN 16123.00). The proposed project was identified as the Preferred Alternative in an Environmental Assessment (EA), dated September 1, 2006, prepared by the MaineDOT and the Federal Transit Administration in cooperation with the National Park Service, Friends of Acadia, Downeast Transportation, Inc., and other partners. The purpose of the Gateway project is to reduce traffic congestion on the Route 3 corridor and in Acadia National Park by attracting visitors and commuters to the Island Explorer Transit System and other transportation alternatives.

This Plan is part of the supporting documentation for the Maine Department of Environmental Protection (DEP) Site Location of Development (38 M.S.R.A § 481-490) and the Natural Resources Protection Act (NRPA) (38 M.S.R.A §§ 480 A et. seq.) permit applications for the Gateway project. The Plan was prepared in accordance with the requirements of the DEP NRPA Chapter 310, Wetland and Waterbodies Protection Rules, and the Compensatory Mitigation for Losses of Aquatic Resources, Final Rule (33 CFR Parts 325 and 332), as administered by the U.S. Army Corps of Engineers (Corps) under Section 404 of the Clean Water Act.

The Gateway project is located on the west side of Route 3, approximately 2.9 miles north of the bridge to Mt. Desert Island (Figure 1). The proposed Gateway facility occupies the eastern and middle portions of a 152-acre site with frontage along Route 3. A dairy farm operated in this area within the past 30 years. The Friends of Acadia (FOA) exercised an option to purchase a 369-acre parcel (the so-called Crippens Brook property) in October 2007 and then subsequently sold the 152-acre area at the front of the property to MaineDOT in December 2007 as the site for the Gateway project.

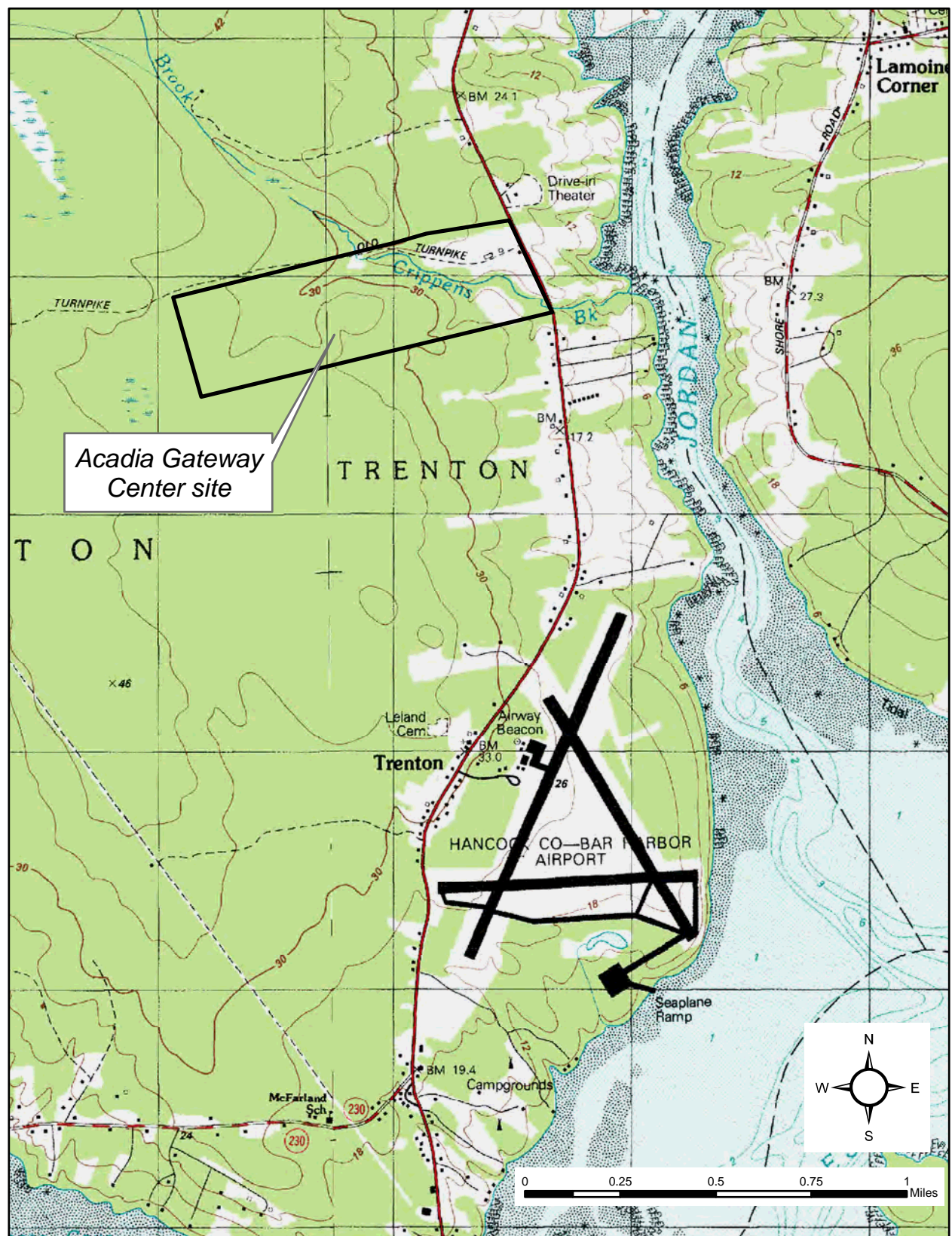


FIGURE 1. Location map of Acadia Gateway Center project site, Trenton (MaineDOT PIN 16123.00)

The Gateway site drains east to the Jordan River and Frenchman Bay via Crippens Brook and an intermittent drainage swale that pass under Route 3 in separate culverts. The site is located in the Jordan River (Frenchman Bay) watershed of the Coastal Drainages of Washington and Hancock Counties hydrologic unit (HUC 01050002).

Compensatory mitigation for the Gateway project will consist of payment of a compensation fee to the Maine DEP In-Lieu Fee (ILF) program combined with on-site preservation. The Gateway site straddles the boundary of the Penobscot Bay Coast Subsection and the Maine Eastern Coastal Subsection biophysical regions of Maine (MNAP, 2008). The on-site preservation area is located at the back of the Gateway site adjacent to a 217-acre area retained by FOA (Figure 2). The approximate center of the preservation area is located at Latitude 44.466900°, Longitude -68.380200°.

B. Summary of Wetland and Stream Impacts

In accordance with Maine DEP guidelines, the Corps Highway Methodology, and the 1990 Memorandum of Agreement between the Corps and the U.S. Environmental Protection Agency, the proposed design includes measures to avoid impacts to wetland functions and values where practicable and minimize impacts where unavoidable. Summaries of the build alternatives that were evaluated during conceptual design to minimize environmental effects are included in the EA in Appendix E: Summary of Alternatives Analysis and Appendix F: Alternatives Evaluation Matrix. The specific avoidance and minimization measures incorporated into the final design of the Gateway project are described in Exhibit 11 of the NRPA application.

After avoidance and minimization measures were applied, the proposed project is expected to impact approximately 3.66 acres of freshwater wetlands and streams. Table 1 summarizes the wetland impacts and the associated functions and values by general location within the project limits. Approximately 2.93 acres of impact are due to fill placement for construction of the Gateway facility and improvements to Route 3. An additional 0.72± acres of wetlands that fall within the limits of the stormwater filter strips (i.e. DEP vegetated buffers), but that will not be filled, are considered DEP-only impacts.

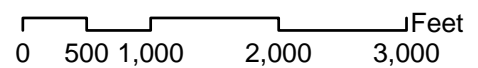
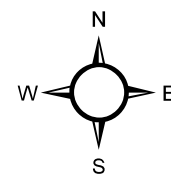
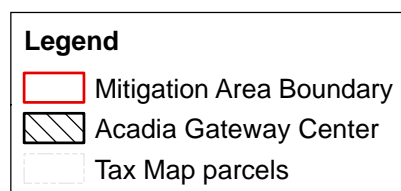
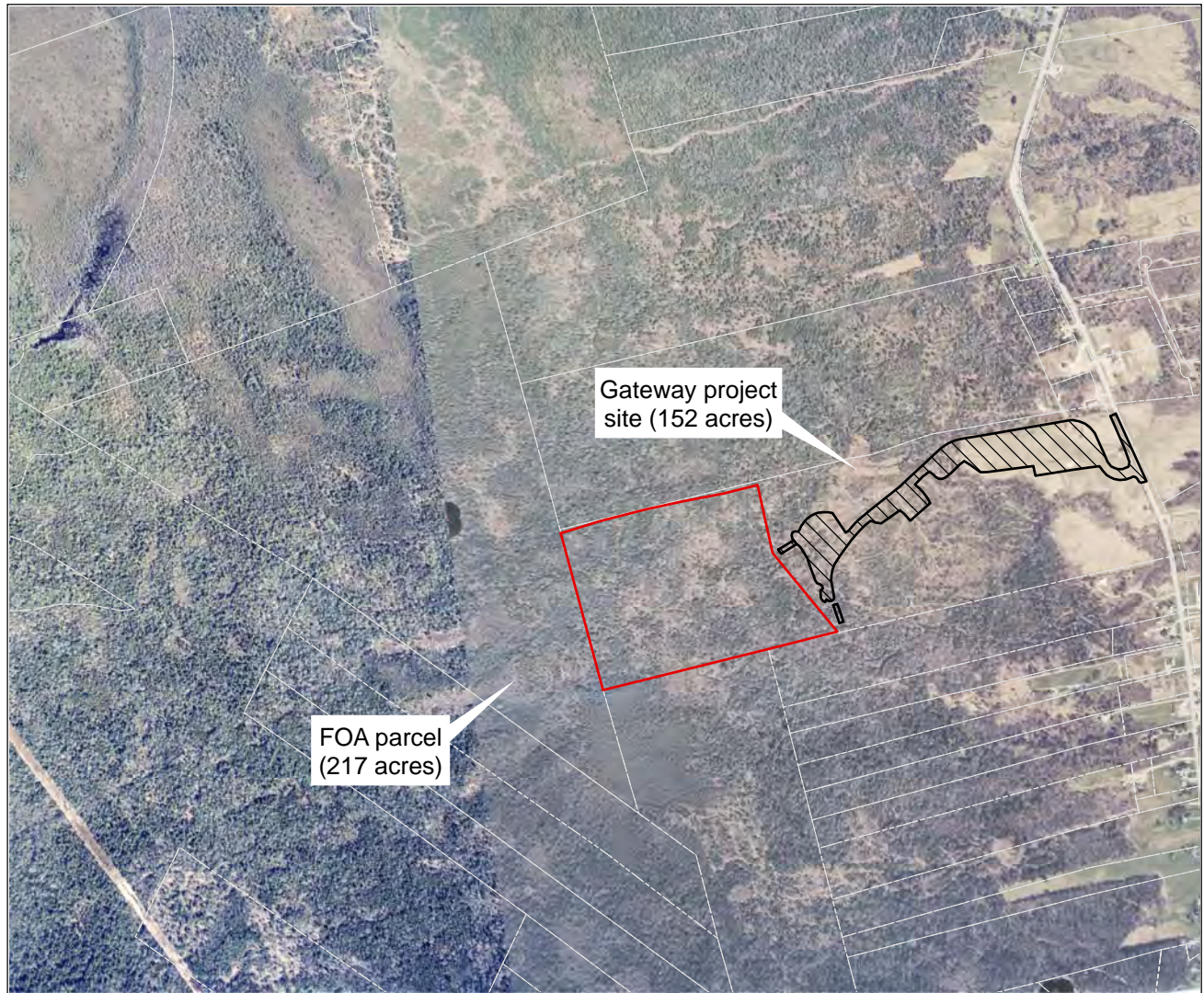
Table 1. Wetland Impact Area and Functions and Values Summary							
	Area	Area	Wetland	DEP	Principal	Function/Value	
Wetland Impact Location	(sq. ft.)	(acres) ¹	Type ²	WSS?	Functions ³	Occurs ³	Comments
Route 3	10,747	0.25	PEM	no	-	S/TR, WH limited	adjacent to Route 3
	9,216	0.21	PSS	no	-	S/TR, WH limited	adjacent to Route 3
	593	0.01	PFO	no	-	S/TR, WH limited	adjacent to Route 3
Route 3 and Gateway Facility	22	0.00	PEM	yes	S/TR, S/S, WH	FFA, FSH, NR, PE, REC, E/SV, VQ/A	stream associated; adjacent to Crippens Brook
	737	0.02	PSS	yes	S/TR, S/S, WH	FFA, FSH, NR, PE, REC, E/SV, VQ/A	stream associated; adjacent to Crippens Brook
	2,427	0.06	PFO	yes	S/TR, S/S, WH	FFA, FSH, NR, PE, REC, E/SV, VQ/A	stream associated; adjacent to Crippens Brook
	865	0.02	RUB	yes	-	FSH limited	Crippens Brook stream bottom
Gateway Facility	80,114	1.84	PEM	no	-	WH limited	wet meadow wetlands with limited functions
	21,524	0.49	PSS	no	WH	GWR/D, PE, REC, E/SV	interior wetlands
	1,550	0.04	PFO	no	WH	GWR/D, PE, REC, E/SV	interior wetlands
Corps Impact Total:	127,795	2.93					
Water Quality Filter Areas	31,460	0.72	PSS/PFO	no	WH	GWR/D, PE, REC, E/SV	flow area of filter strip, no fill; DEP-only impacts
DEP Impact Total:	159,255	3.66					
Footnotes:							
1 acreage figures are calculated directly from square foot (sq. ft.) estimates and may not appear to add up due to rounding							
2 Per Cowardin Wetland Types:							
PEM - includes wet meadow and palustrine emergent seasonally-flooded saturated wetlands (PEM1E)							
PSS - includes palustrine scrub shrub broad-leaf deciduous and needle-leaf evergreen seasonally flooded-saturated wetlands (PSS1E, PSS4E)							
PFO - includes palustrine forested broad-leaf deciduous and needle-leaf evergreen seasonally flooded-saturated wetlands (PFO1E, PFO4E)							
RUB - riverine unconsolidated stream bottom; designates stream channels							
3 Per Section 3.2.2.4 Wetlands in the Acadia Gateway Project EA and MaineDOT field review							
Function and Value abbreviations:							
GWR/D = Groundwater Recharge/Discharge							
FFA = Floodflow Alteration							
FSH = Fish and Shellfish Habitat							
S/TR = Sediment & Toxicant Retention							
NR= Nutrient Removal							
PE = Production Export							
S/S = Shoreline/Sediment Stabilization							
WH = Wildlife Habitat							
REC = Recreation							
E/SV = Education/Scientific Value							
U/H = Uniqueness/Heritage							
VQ/A = Visual Quality/Aesthetics							
ESH = Endangered Species Habitat							

The location and characteristics of wetlands and aquatic resources within the Crippens Brook parcel and the Gateway site are described in Section 3.2.2.4 Wetlands of the EA and in Exhibit 13 of the NRPA application. The wetland impact areas are shown on the Gateway project impact plans in Exhibit 5 and are listed by centerline station in Exhibit 14 of the NRPA application. The functions and values of wetlands within the Gateway site are described in Section 3.2.2.4 of the EA, and a copy of the functional assessment is included in Exhibit 13 of the NRPA application. The following sections summarize the characteristics of the wetlands and streams within the Gateway site and the functions and values assessment.

1. Description of Existing Wetlands and Streams

The National Wetlands Inventory (NWI) maps were used to identify existing wetlands within the Crippens Brook property during the development of the EA. In addition, wetlands and other aquatic resources within the potential area of disturbance in the middle and easterly portions of the Gateway project site and along the section of Route 3 proposed for upgrade were delineated and classified by consulting biologists from Woodlot Alternatives and MaineDOT staff biologists during the 2005, 2006, and 2007 field seasons. The delineation confirmed the presence of NWI-mapped wetlands and located additional wetlands not identified on the NWI maps.

The easterly portion of the Gateway site contains a mixture of wet meadow wetlands (classified as palustrine emergent wetlands – PEM) in topographic depressions in the open fields, and palustrine scrub shrub (PSS) wetlands in areas adjacent to Crippens Brook and in pockets along swales and adjacent to PEM wetlands. Wetlands in the open fields have been previously disturbed by past agricultural activities on the parcel including grazing by livestock and mowing. Vegetation within the PEM wetlands include soft rush (*Juncus effusus*), giant bentgrass (*Agrostis gigantea*), flat-topped white aster (*Doellingeria umbellata*), creeping buttercup (*Ranunculus repens*), flat-topped goldenrod (*Euthamia graminifolia*), giant goldenrod (*Solidago gigantea*), reed canarygrass (*Phalaris arundinacea*), quackgrass (*Elymus repens*), and timothy grass (*Phleum pratense*).



Note: MaineDOT aerial photos dated 5/04/02

Figure 2. Proposed On-site Preservation Area, Acadia Gateway Center Project, Trenton
(MaineDOT PIN 16123.00)

The PSS wetlands are dominated by speckled alder (*Alnus incana* ssp. *rugosa*), common winterberry (*Ilex verticillata*), and red maple (*Acer rubrum*) and balsam fir (*Abies balsamea*) saplings, with steeple bush (*Spiraea tomentosa*), Canada bluejoint (*Calamagrostis canadensis*), meadowsweet (*Spiraea alba* var. *latifolia*), sensitive fern (*Onoclea sensibilis*), bristly blackberry (*Rubus hispidus*) and flat-topped aster in the herbaceous layer.

The majority of wetlands in the western portion of the Gateway site are palustrine forested wetlands (PFO) with some pockets of PSS wetlands also present. The dominant woody vegetation in the PFO wetlands is red maple, balsam fir, northern white cedar (*Thuja occidentalis*), and yellow birch (*Betula allegheniensis*) in the overstory, with speckled alder and red maple, balsam fir and green ash (*Fraxinus pennsylvanica*) saplings in the shrub stratum. The underlying herbaceous layer includes cinnamon fern (*Osmunda cinnamomea*), sheep laurel (*Kalmia angustifolia*), bunchberry (*Cornus canadensis*), and sphagnum moss (*Sphagnum* spp).

Streams within the site include Crippens Brook (classified as a Riverine Unconsolidated Bottom system – RUB) and an unnamed tributary which flows from the west into a beaver impoundment near the northern boundary of the parcel before reaching Crippens Brook. The brook varies from 8 to 15 feet in width on average and has a sand, gravel, and cobble bottom. Several beaver impoundments occur along the brook, inundating adjacent upland and wetland areas. A second unnamed tributary flows from offsite areas to the south and joins the brook near the upstream end of the existing culvert under Route 3.

2. Functions and Values Assessment

During the preparation of the EA, the functions and values of wetlands and streams within the Gateway site and along Route 3 were assessed by consulting biologists from Woodlot Alternatives and reviewed by MaineDOT staff using the descriptive approach developed for the Corps Highway Methodology. Following is a summary of the principal and secondary functions and values of the affected wetlands and streams.

- **Sediment/Toxicant Retention** – The PSS, PFO and PEM wet meadow wetlands in the eastern portion of the parcel and along Route 3 may provide limited retention of

sediments and nutrients in stormwater runoff from the roadway or adjacent developed areas limiting sedimentation in the brook and maintaining water quality.

- **Sediment/Shoreline Stabilization** – The PSS and PFO wetlands adjacent to Crippens Brook and other unnamed streams contain dense vegetation and function primarily to stabilize the stream banks and reduce erosion.
- **Wildlife Habitat** – The PFO, PSS and PEM wetlands along Crippens Brook its tributaries and in the interior portions of the site, and the large beaver impoundment function primarily as valuable breeding and foraging habitat for a variety of mammals including moose (*Alces alces*), white-tailed deer (*Odocoileus virginianus*), beaver (*Castor canadensis*) and raccoon (*Procyon lotor*), songbirds such as northern parula warbler (*Parula americana*), black-and-white warbler (*Mniotilta varia*), alder flycatcher (*Empidonax alnorum*), common yellow throat (*Geothlypis trichas*), song sparrow (*Melospiza melodia*), and white-throated sparrow (*Zonotrichia leucophrys*), and waterfowl including black duck (*Anas rubripes*) and hooded merganser (*Lophodytes cucullatus*). Limited wildlife habitat may occur within the PEM wet meadow wetlands within open fields in the eastern portion of the parcel.
- **Groundwater Recharge/Discharge** – The PFO and PSS wetlands in the interior that lack an inlet and have a constricted outlet suggest that the groundwater discharge function may occur in these wetlands.
- **Floodflow Alteration** – The PSS and PFO wetlands along Crippens Brook can retain water from large storms which in turn may provide the secondary function and value of reducing damage from floodwaters.
- **Fish and Shellfish Habitat** – Crippens Brooks provides limited fish habitat for species such as creek chub (*Semotilus atromaculatus*). However, there is no record of significant fish resources, such as brook trout (*Salvelinus fontinalis*), in the brook. The large beaver impoundment may also provide limited fish habitat.
- **Nutrient Retention** – The PFO and PSS wetlands along Crippens Brook near Route 3 provide the secondary function of trapping and processing nutrients from surface water runoff.
- **Production Export** – The PFO and PSS wetlands in the interior contain vegetation that produces potential food sources for foraging species of wildlife.

- **Recreation** – The PFO and PSS wetlands in the interior provide recreational opportunities such as hiking and hunting as a secondary value.
- **Education/Scientific Value** – The beaver impoundments along Crippens Brook may provide wildlife viewing opportunities for visitors.
- **Visual Quality/Aesthetics** – Crippens Brook and the beaver impoundments may provide scenic viewing opportunities for visitors.

C. Compensatory Mitigation Requirements

State and federal regulations require compensatory mitigation (i.e. compensation) to offset unavoidable adverse impacts to wetland functions from development projects with a function of equal or greater value. A goal of compensation is to achieve no net loss of wetland functions and values. MaineDOT confirmed that compensation for the direct impacts to wetlands and streams within the proposed construction limits of the project was required during numerous consultations with representatives of the state and federal resource and regulatory agencies at MaineDOT-sponsored project screening meetings and at a Site Law pre-application meeting with DEP staff in July 2008.

Maine DEP requires that compensation for lost wetland functions be provided at specific ratios depending on the characteristics of the wetland to be altered and the type of compensation proposed. NRPA Chap. 310 requires a 2:1 ratio (compensation:impacts) for DEP Wetlands of Special Significance (WSS), such as stream-associated wetlands, and a 1:1 ratio for other wetlands when wetland restoration, enhancement, creation is used to provide compensation. If preservation of wetlands and adjacent upland buffers is used to provide compensation, a minimum 8:1 ratio is required. The Maine DEP in-lieu fee (ILF) program requires payment of a compensation fee at a 2:1 ratio for DEP WSS and a 1:1 ratio for all other wetlands.

In December 2007, the New England District of the Corps issued guidance that includes minimum compensation ratios for providing compensatory aquatic resource mitigation required by the Corps (Addendum to New England District Compensatory Mitigation Guidance: Compensation for Aquatic Resource Functions, December 18, 2007). The compensation ratios vary with the complexity of the wetland system impacted, the

likelihood of mitigation success, the degree to which functions are replaced, and account for temporal losses. In general, the ratios vary from 2:1 for restoration and creation of specific wetland types up to 15:1 for preservation of wetlands and associated upland buffers. The guidance document allows the Corps to require resource-specific and project-specific ratios as deemed appropriate given the characteristics of the impacted wetlands and the available compensation options.

D. Proposed Compensation

MaineDOT proposes to compensate for the 3.66 acres of wetland impacts associated with the construction of the Gateway project by paying a compensation fee to the DEP ILF program combined with the preservation of an area within the Gateway site. MaineDOT will pay the compensation fee in accordance with the provisions of the Maine DEP ILF Wetland Mitigation Program and the requirements of NRPA Chapter 310. The on-site preservation is comprised of a mix of wetlands, streams and uplands within an approximately 54 acre area in the westerly portion of the Gateway site. The following sections briefly describe the process used to identify and select suitable compensatory mitigation options, and the proposed compensation for the Gateway project.

1. Mitigation Options

A detailed description of the process used to identify and review compensatory mitigation options suitable to offset the adverse impacts to wetlands anticipated from the Gateway project is provided in Appendix A. Following is a brief summary of the site search conducted by MaineDOT.

Potential compensation options for the Gateway project identified in the EA and by MaineDOT were discussed with representatives of the state and federal resource and regulatory agencies at MaineDOT Interagency Meetings in February and November 2007, and at a follow-up site visit in July 2007. As a result of changes in regulatory guidance and wetland impact estimates that occurred during the development of preliminary design plans for the Gateway project a number of additional compensation options were reviewed and given consideration at an interagency meeting in November 2008.

Through discussions held with the agencies at the interagency meetings and in follow-up emails and phone calls, MaineDOT received preliminary concurrence that the combined use of ILF with on-site preservation was the preferred approach to meet the compensation requirements for the Gateway project. This approach was preferred because of its relevance to the project impacts and the limited availability of on-site restoration or enhancement options with sufficient ecological benefit to compensate for the impacts. Whereas preservation by itself was determined not to provide full compensation for impacts to all wetland functions, it was agreed that a combined approach would meet the functional replacement requirements of DEP and the Corps and would meet or exceed current compensation ratios.

2. ILF Payment

MaineDOT proposes to compensate for a portion of the wetland impacts through payment of a compensation fee of \$77,283.36 to the DEP ILF program. The compensation provided by the use of ILF and the total ILF payment are summarized in Table 2.

Table 2. Summary of Proposed Wetland Compensation for Acadia Gateway Center Project, PIN 16123.00				
Compensation Type	Location	Approx. Area/Ratio	ILF Fee¹	ILF Payment
In-Lieu Fee (ILF) payment	n/a	20,556 sq. ft @ 1:1 3,186 sq. ft. @ 2:1	\$2.87 per sq. ft.	\$77,283.36
Permittee-Responsible:				
Wetland Preservation	on-site	11 acres	-	-
Stream Preservation	on-site	2500 feet	-	-
Upland Preservation	on-site	43 acres	-	-
Total Preservation Area =		54 acres		
Footnotes:				
¹ ILF Fee for Hancock County per Maine DEP ILF Program Guidelines, dated June 2008				

The use of ILF is intended to compensate for the impacts to the Sediment/Toxicant Retention function expected from the project. The on-site preservation area is not able to provide this function because it is up-gradient from the proposed facility and has stable soils. Under this approach, the ILF payment was agreed to cover 1) the 20,556 sq. ft. of impacts to PEM, PSS, and PFO wetlands along Route 3 where no principal functions

were identified but the Sediment/Toxicant Retention function was determined to occur, and 2) the 3,186 sq. ft of impacts to PEM, PSS, and PFO wetlands along Crippens Brook determined to be DEP WSS and where Sediment/Toxicant Retention was identified as a principal function.

The current table of DEP ILF rates, dated June 2008, specifies a total fee of \$2.87 per square foot of compensation at the required ratio for projects in Hancock County. The fee is based on the estimated cost to restore or create resource area with functions and values similar to those impacted by the proposed project and the average land acquisition costs in the county where the project is located.

The fee paid by MaineDOT will be pooled with other ILF funds collected by the DEP and used for the purpose of restoring, enhancing, creating or preserving other resource functions or values that are environmentally equal or preferable to the functions and values of the impacted resources and associated uplands, as determined by the DEP (38 M.R.S.A. subsection 480-Z). The final scope and timing of the ILF project funded by the compensation fee for the Gateway project will be determined by representatives from the resource and regulatory agencies charged with overseeing the implementation of the ILF program. Project selection will depend on the total available funds and the restoration and preservation priorities identified within the Penobscot Bay Coast Subsection and the Maine Eastern Coastal Subsection biophysical regions of the state. Payment of the fee by MaineDOT will partially satisfy the DEP and Corps mitigation requirements for the Gateway project.

MaineDOT will pay the compensation fee in accordance with the provisions of the DEP ILF program and NRPA, Title 38 M.R.S.A, subsect. 480-Z, Compensation, under a process outlined in an October 2007 request to DEP regarding ILF payments for MaineDOT projects which was approved by DEP in November 2007. Following is a summary of the payment process and the estimated payment schedule:

- MaineDOT will notify the DEP ILF program manager when the Gateway project has been advertised for construction and request that DEP invoice MaineDOT for the amount of the compensation fee. The invoice form will be similar to what DEP

currently uses to invoice MaineDOT for permit application fees. The invoice should be directed to the attention of Mark Lickus, Mitigation Project Manager, MaineDOT Environmental Office.

- Once MaineDOT awards a construction contract for the project, MaineDOT will authorize payment of the compensation fee to DEP via an interagency journal voucher. MaineDOT will pay the compensation fee no later than the construction start date of the project.
- Upon payment of the compensation fee, MaineDOT will request that the DEP ILF Program Manager notify the Corps Project Manager that the fee has been paid in order to satisfy any ILF fee reporting requirements included in the Special Conditions of the Corps permit.
- The MaineDOT Mitigation Project Manager will be responsible for ensuring that the payment is made in accordance with the this process and the actual project schedule.

The anticipated schedule for the Gateway project is for the project to be advertised for construction in April 2009 and for construction to start in June 2009. This schedule is subject to change depending on the timing of agency approvals, the schedule of other MaineDOT projects in the current workplan, seasonal traffic considerations, and is contingent on available funding. MaineDOT will notify DEP and the Corps of any changes in the Gateway project schedule that will result in a significant change to the estimated payment date of the compensation fee.

3. On-site Preservation

The on-site component of the compensation will consist of the preservation of approximately 54 acres of wetlands, streams and uplands within the westerly portion of the Gateway project site (see Table 2). The Gateway preservation area is located behind the proposed bus maintenance facility and is bordered on the north by the right-of-way of an unimproved woods road known locally as the Turnpike Road, to the west by the 217-acre FOA-owned parcel, and to the south by private property (Figure 3).

The preservation component is intended to compensate for the impacts to the remaining affected principal and secondary wetland functions and values not covered by the ILF

compensation fee payment. The preservation provides compensation for the impacts to 1) the principal Wildlife Habitat and Shoreline/Sediment Stabilization functions identified in the 57,720 sq. ft. of PSS, and PFO wetlands along Route 3 and within the footprint of the Gateway facility (this includes the 31,460 sq. ft. of DEP-only impacts associated with the stormwater filter strips), 2) a number of secondary functions and values (see Table 1) that occur within the 100,670 sq. ft. of PEM wet meadow, PSS, and PFO wetlands along Route 3 and within the footprint of the Gateway facility, and 3) the limited Fish and Shellfish Habitat function associated with the 865 sq. ft. of PUB and 120 linear feet of stream impacts to Crippens Brook.

The following information about the existing conditions within the preservation area is based on information provided in the Gateway project EA, a Forest Management Plan (FMP) prepared for the former owners of the Crippens Brook Property in 2001, a review of existing GIS map layers and low-altitude color aerial photography taken by MaineDOT in May of 2002 and 2008, and site reconnaissance in 2006, 2007 and 2008 by MaineDOT staff. Photos of the area are included in Appendix B.

3.1 Soils

A number of soil types mapped by the NRCS Soil Survey are present within the preservation area. Dixfield-Colonel-Tunbridge Complex soils derived from glacial till predominate on the upland ridges with low relief. These coarse-textured soils are somewhat poorly to well drained and in some locations support a shallow to moderately deep perched water table. Lyman-Tunbridge-Schoodic Complex soils are coarse-textured, well-drained soils formed on glacial till uplands. Scantic-Lamoine-Dixfield Complex soils include poorly drained Scantic (hydric) and somewhat poorly drained Lamoine soils that formed in glaciomarine sediments in lowland areas. Wonsqueak-Bucksport-Sebago Soils consist of finer-textured, very poorly drained and hydric soils in lowland areas.

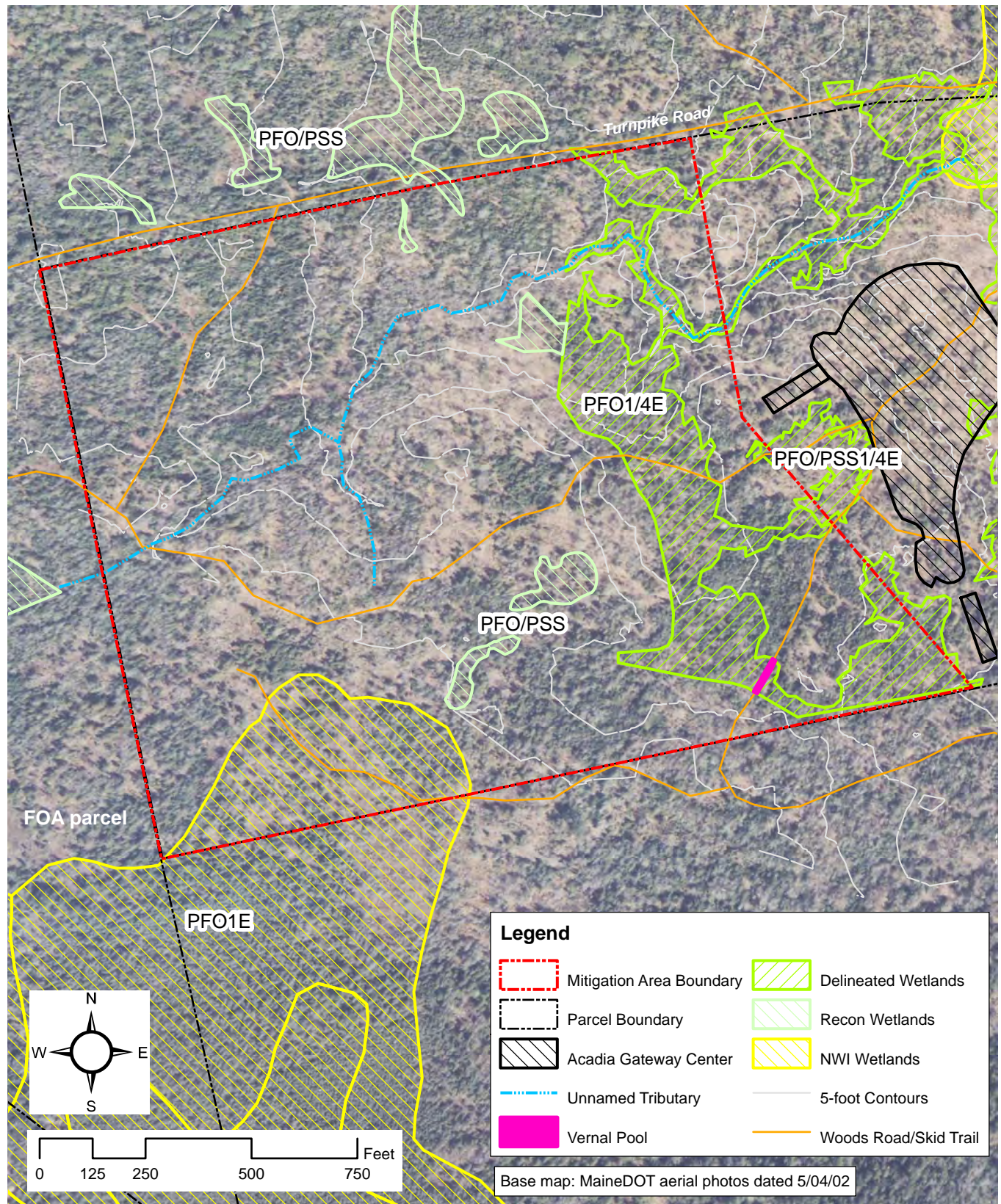


Figure 3. Proposed On-site Preservation Area, Acadia Gateway Center Project, Trenton (MaineDOT PIN 16123.00)

3.2 Streams

The preservation area includes approximately 2,500 feet of an unnamed tributary to Crippens Brook (see Figure 3). The tributary receives drainage from wetlands and uplands within the preservation area and from off-site areas to the west and southwest. The tributary discharges into a large beaver impoundment upstream of the confluence with Crippens Brook. The water in the stream is tea-colored, and the lower reach appeared to be perennial at the time of the site visits, whereas the upper sections may flow intermittently.

The stream channel ranges from approximately 2 to 5 feet in width and has a sand and cobble substrate. The banks are generally stable and well vegetated with a mixture of grasses, trees and shrubs. The riparian zone along the stream is comprised of a mix of forested upland slopes and pockets of floodplain PEM, PSS and PFO wetland.

3.3 Wetlands

The preservation area contains approximately 11 acres of a mix of predominantly PFO and PSS wetland covertypes (see Figure 3). The PFO wetlands in the easterly third of the area were delineated during the preparation of the EA. Typical dominant tree species within these wetlands are red maple, balsam fir, yellow birch, and northern white cedar.

The NWI mapping shows a portion of a large PFO and PSS wetland complex extending into the preservation area from the southwest. Field reconnaissance confirmed the presence of a mixed PFO/PSS wetland that appeared to correspond with the NWI coverage and which was dominated by tamarack (*Larix laricina*), black spruce (*Picea mariana*) and ericaceous shrubs such as sheep laurel (*Kalmia latifolia*). Drainage from this area was flowing easterly in the direction of one of the branches of the unnamed tributary at the time of the survey. Several small pools containing wood frog masses were noted in depressions along old skidder trails near this area and along the Turnpike Road.

Pockets of mixed PFO/PSS wetland not shown on the NWI maps and outside the limits of the area delineated for the EA were noted during site visits. These wetlands occur in depressions or on gentle slopes adjacent to and within the interior of the preservation area

and many contain pit and mound microtopography. A number of these are associated with drainage swales or seepage areas flowing toward the stream. Representative tree and understory species in these areas include red maple, balsam fir, speckled alder, rhodora (*Rhododendron canadense*), highbush blueberry (*Vaccinium corymbosum*), winterberry, meadowsweet (*Spiraea latifolia*), sensitive fern, and sphagnum moss.

3.4 Uplands

Approximately 43 acres of predominantly forested uplands make up the remainder of the preservation area. Some areas are regenerating from selective timber harvesting activities in the past. The dominant forest community type is classified as Spruce-Northern Hardwood. The dominant tree species are red maple, balsam fir, aspen (*Populus tremuloides*), red spruce (*Picea rubens*), and paper birch (*Betula papyrifera*) with lesser amounts of northern white cedar, yellow birch, and white pine (*Pinus strobus*). The understory is comprised of shrub species including speckled alder, winterberry and red maple and balsam fir saplings, and herbaceous plants including a variety of ferns, grasses, and sphagnum moss. Skidder trails with hydrophytic plant species occur throughout the area.

3.5 Wildlife

The preservation area provides cover and foraging areas for a variety of wildlife species considered typical for this region of Maine including moose, white-tailed deer, migratory songbirds and waterfowl. The area is adjacent to large tract of unfragmented forest to the west and northwest that contains a diversity of forest cover types that provide excellent wildlife habitat.

A vernal pool found to contain a significant number of amphibian egg masses is located in the southeasterly corner of the preservation area (see Figure 3). The pool lies within an old woods road and is surrounded on both sides by PFO wetland. The margins of the pool support dense wetland vegetation, but the substrate was largely unvegetated at the time of the surveys (see Appendix B).

The pool was observed to contain 57 wood frog (*Rana sylvatica*) egg masses in May 2006, 64 spotted salamander (*Ambystoma maculatum*) egg masses in May 2007, and 63 spotted salamander egg masses in May 2008. However, despite abundant evidence of use by breeding amphibians the long-term productivity of the pool is unknown. For example, only shallow pockets of standing water remained in the pool upon inspection in July 2008 suggesting that the hydroperiod of the pool may not favor survival of larval amphibians every year.

3.6 Signs of Damage or Disturbance

The current condition of the preservation area is relatively undisturbed despite evidence of past agricultural and timber harvesting activities within the Crippens Brook property. Many areas that were selectively harvested in the past now support dense balsam fir regeneration in the understory.

A check of the available regulatory data and a site review by MaineDOT staff prior to the acquisition of the property by MaineDOT found no evidence of the past disposal of hazardous substances or petroleum products on the property.

Signs of recent off-road vehicle (ORV) use of the Turnpike Road and along some of the former skidder trails within the site were noted during site visits. Disturbance to soils and vegetation from vehicles was limited to these areas, and did not appear to be significant.

MaineDOT will implement limited measures, such as posting signs, to discourage unauthorized vehicular access to the preservation area, particularly the vernal pool. If significant disturbance to soils or to wildlife habitat from unauthorized off-road vehicle use occurs, other measures, such as posting additional signs or installing boulders or other physical barriers, will be implemented as necessary. Public access for traditional, low impact recreational use will not be restricted unless warranted to protect the conservation values of the site.

3.7 Surrounding Land Use and Proximity to Other Protected Lands

Land use surrounding the project site is a mixture of tree growth and residential land use. Commercial land use occurs along Route 3 to the north and south of the easterly portion of the Gateway site. A large unfragmented habitat block (approximately 6,000 acres) lies to the west and northwest of the Gateway site.

The westerly boundary of the preservation area abuts a 217-acre triangular-shaped parcel acquired as part of the Crippens Brook property by the FOA in December 2007 (see Figure 2). FOA currently intends for the area to remain undeveloped and may consider placing a conservation easement on the property that allows for traditional uses of the property, including recreational trails¹.

3.8 Zoning

The preservation area lies almost entirely within the Rural Development (RD) Zoning District of the town of Trenton. The Permitted uses in the RD zone include individual private campsites within the shoreland zone, single family dwellings, duplexes, agricultural activities excluding the raising of livestock on a commercial basis, cemeteries, municipal facilities, public utility or communication facilities, forest management activities including timber harvesting, and other conditional uses such as commercial establishments with less than 50,000 sq. ft. of floor space, and earth moving activities involving over 10 cubic yards.

The FMP prepared in 2001 noted that the property was most recently harvested in the early 1990's. The FMP identified some stands of merchantable timber (primarily white pine and red spruce) within the upland portions of the property. The FMP recommended selective harvesting of balsam fir, red maple, aspen and mature red spruce in patches over time to create conditions conducive to red spruce and white pine regeneration.

3.9 Compensation Credit

The approximately 54 acres of wetland and associated upland buffer proposed for preservation substantially exceeds the minimum 8:1 ratio prescribed by DEP rules, and

¹ E-mail from S. Clement, FOA, to M. Lickus, MaineDOT, 10/7/2008.

slightly exceeds the 15:1 ratio in the Corps guidance. Preservation of this area will protect approximately 11 acres of wetland wildlife habitat, and 43 acres of surrounding forested uplands on which many wetland species depend. For example, approximately 75% (4.4 acres) of the area within a 250-foot radius of the vernal pool (defined by DEP as critical terrestrial habitat) lies within the Gateway site boundary and is included within the limits of the proposed preservation area (Figure 4). The remaining buffer area extends off-site onto an adjacent undeveloped parcel. Also, approximately 85% (36.5 acres) of the upland is estimated to be within a distance of 250 feet of the tributary to Crippens Brook, within 100 feet of a wetland, or within a radius of 750 feet from the vernal pool (see Figure 4). A distance of 750 feet from a significant vernal pool is recommended as an optimal buffer for maintaining viable amphibian populations in DEP rules (NRPA Significant Wildlife Habitat Chapter 335, Section 9).

The wetlands proposed for preservation are generally of higher quality than most of the wetlands affected by the Gateway project. The wet meadow PEM and PSS wetlands in the eastern portion of the Gateway site and along Route 3 have been disturbed by previous land uses and provide limited functions and values compared with the higher value PFO and PSS wetlands in the preservation area. The 2,500 feet of stream channel contained within the preservation area greatly exceeds the 120 feet of impacted stream length. Following is a summary of the functions and values provided by wetlands and streams within the portion of the Gateway site to be set aside for preservation.

- **Sediment/Shoreline Stabilization** – The PFO and PSS wetlands and riparian corridor adjacent to the unnamed tributary to Crippens Brook contain dense vegetation that functions to stabilize the stream banks and reduce the potential for erosion.
- **Wildlife Habitat** – The PFO and PSS wetlands along the tributary and in the interior portions of the site and the surrounding forested uplands function primarily as valuable breeding and foraging habitat for a variety of mammals, songbirds, and amphibians.
- **Groundwater Recharge/Discharge** – A number of PFO and PSS wetlands where groundwater discharge may occur are present within the area.

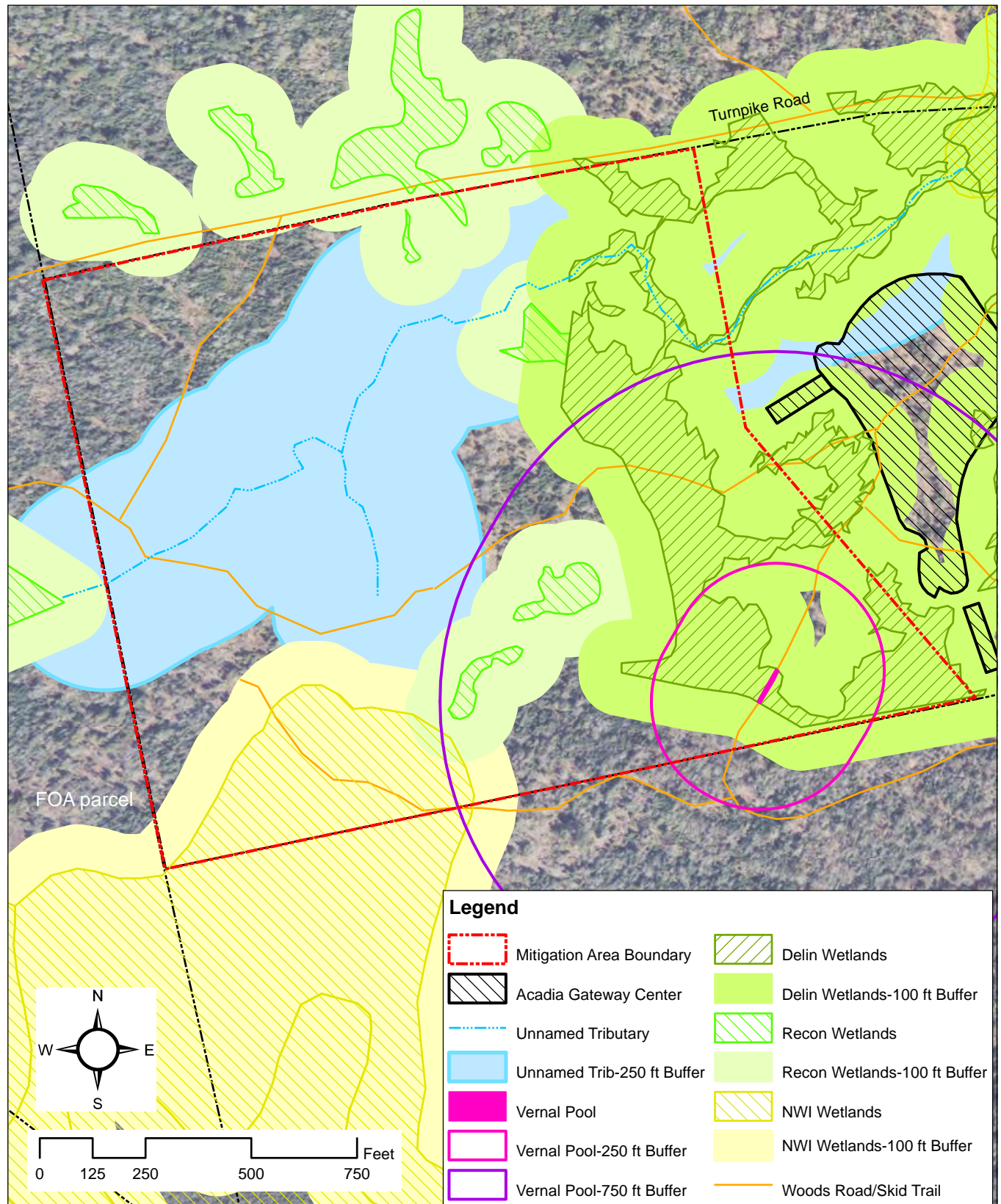


Figure 4. Upland Buffers within Preservation Area, Acadia Gateway Center Project, Trenton (MaineDOT PIN 16123.00)

- **Floodflow Alteration** – The PFO and PSS wetlands upgradient from and in floodplain areas along the tributary may detain water during storms potentially reducing flooding impacts downstream.
- **Fish and Shellfish Habitat** – The tributary stream provides habitat for fish and aquatic organisms similar to that present in Crippens Brook.
- **Nutrient Retention** – The PFO and PSS wetlands may provide the secondary function of trapping and processing nutrients from surface water runoff.
- **Production Export** – The PFO and PSS wetlands contain vegetation that produces potential food sources for wildlife.
- **Recreation** – The PFO and PSS wetlands and the surrounding uplands may provide recreational opportunities such as hiking and hunting.
- **Education/Scientific Value** – The PFO and PSS wetlands, the tributary stream, and the surrounding uplands may provide wildlife viewing opportunities for visitors.
- **Visual Quality/Aesthetics** – The PFO and PSS wetlands, the tributary stream, and the surrounding uplands may provide scenic viewing opportunities for visitors.

Preserving this area will protect the existing functions and values from future development and protect and buffer wetlands and tributary streams within the watershed of Crippens Brook from future degradation. Potential threats to wetlands and streams in this area from uses allowed under current zoning include residential and commercial development, timber harvesting, and off-road vehicle use. Evidence of recent timber harvesting activity on land within the RD Zoning District north of the FOA parcel is visible on Figure 2.

3.10 Clearance Letters

As documented in the EA, correspondence with the Maine Natural Areas Program (MNAP) and the Maine Department of Inland Fisheries and Wildlife (IFW) indicated that there are no records of state-listed threatened or endangered species, or other protected species including plant or wildlife species listed as Special Concern, from within the project area. Correspondence with IFW indicated that significant wildlife habitats, such as deer wintering areas, have not been documented within the project area.

Correspondence with the FWS indicated that there are no records of federally-listed threatened or endangered species within the project area.

During the preparation of the EA, the Gateway project site was screened by the Maine Historic Preservation Commission (MHPC) for the presence of cultural resources. As documented in the EA, MHPC confirmed that there are no known historic structures, archaeological properties, or traditional cultural resources within the project area.

The Gateway project site is approximately 5,000 feet north of the Hancock County airport in Trenton (see Figure 1). In accordance with Federal Aviation Administration Advisory Circular 150/5200-33, dated 5/1/97, the on-site preservation area does not include any proposed land use practices, such as the creation of artificial marshes, which have the potential to attract wildlife that could be hazardous to airport operations.

E. Preservation

MaineDOT acquired the 152 acre parcel that contains the proposed preservation area from the FOA in December 2007. In accordance with DEP and Corps requirements, MaineDOT will place restrictive covenants over the 54 acre preservation area to protect the conservation values of the area in perpetuity. A draft Declaration of Covenants and Restrictions document typically used by MaineDOT that names DEP as Third-Party Enforcer is provided in Appendix C. The draft covenants limit future management activities to those primarily intended to benefit wildlife species, including the right to manage vegetation for the purpose of enhancing wildlife habitat values. The area may also be managed to provide for passive recreational opportunities, including the maintenance of existing trails and the construction of new trails in uplands, subject to DEP approval. The draft covenants may be revised pending coordination with qualified agencies or organizations interested in assuming responsibility for long-term management and stewardship of the area. Significant changes to the draft document will be submitted to the DEP and the Corps for approval prior to signature.

MaineDOT will prepare a right-of-way map showing the limits of the preservation area prior to placing restrictive covenants on the area. The map will depict the boundaries of

the area to be protected and will provide the basis for a description of the protected area included in the covenants document. The existing right-of-way of the Turnpike Road that runs along the northerly boundary of the Gateway site and which provides potential access to land retained by the FOA will remain outside the limits of the preservation area and thus will not be subject to restrictions.

MaineDOT will submit the final version of the declaration to DEP for signature within 120 days of permit issuance. Given the current project schedule and available staff resources MaineDOT anticipates that the document will be recorded no later than December 31, 2009. A copy of the recorded document will be forwarded to the DEP and the Corps within 30 days of receipt from the Hancock County Registry of Deeds. MaineDOT will notify DEP and the Corps of any changes in the project schedule or other constraints that will delay the recording of the covenants document.

F. Long-term Stewardship

MaineDOT will explore opportunities to transfer ownership or control of the 54 acre preservation area to a state natural resources agency, the town of Trenton, or a local conservation organization for long-term management and stewardship. MaineDOT will confer with FOA regarding their plans for the parcel they retained to identify potential opportunities for cooperation and mutual benefit. Any transfer will be subject to the restrictions placed on the parcel that prohibit future development and limit future use.

G. References

Maine Department of Transportation. September 1, 2006. Acadia Gateway Center Environmental Assessment, prepared in association with the Federal Transit Administration as Lead Agency and the National Park Service as a Cooperating Agency.

Maine Natural Areas Program (MNAP), 2008. Ecoregions of Maine: USFS Bailey Ecoregional Provinces, Sections, and Subsections. Augusta, ME

Benjamin, Michael. January 22, 2001. Forest Management Plan of the Nacoochee Lot, Trenton, Maine.

Appendix A

Mitigation Site Search Summary

Summary of Identification and Evaluation of Compensatory Mitigation Alternatives for the Acadia Gateway Center Project, Trenton, Maine

January 2009

The identification of potential compensatory mitigation opportunities for the Gateway project began during the preparation of the Acadia Gateway Center Environmental Assessment (EA) in 2006. The EA identified a number of conceptual mitigation alternatives based on a preliminary wetland impact estimate of 2.16 acres. The alternatives included restoration and enhancement of previously degraded wetlands located within open field areas and previously harvested areas of the Crippens Brook property, and the preservation of mixed wetland and upland habitat associated with the Big Heath wetland complex located to the west of the site on land retained by the Friends of Acadia (FOA). Conceptual mitigation options and an update on the status of the Gateway project EA was presented to representatives of the state and federal resource and regulatory agencies present at the February 2007 MaineDOT Interagency Meeting.

In May and June of 2007, MaineDOT visited the restoration, enhancement, and preservation areas identified in the EA to evaluate their potential to provide compensation for the anticipated impacts. In July 2007, MaineDOT met on-site with representatives from the DEP, Corps, and U.S. Fish and Wildlife Service (FWS) to review potential options to enhance wetland functions in a number of existing wet meadow wetlands within the open fields at the front of the parcel, and to discuss the available preservation options. Based on the field review, the agencies agreed that one potential enhancement area in an old field adjacent to Crippens Brook was the only area that warranted further consideration. The agencies asked MaineDOT to refine the conceptual enhancement plan for this area, and obtain additional information about the potential preservation areas.

At a follow-up meeting in November 2007, MaineDOT provided additional information about the available on-site enhancement and preservation options to the agencies (see attached handouts). Before making a determination as to preferred mitigation, the agencies requested that MaineDOT check for potential off-site restoration areas in the

town of Trenton because of the large amount of preservation proposed and the limited amount of wetland enhancement available on-site. Following the meeting, MaineDOT contacted the Town of Trenton, the Hancock Regional Planning agency, and the Frenchman Bay Conservancy for suggestions on potential off-site mitigation areas in the vicinity of the Crippens Brook site. No suitable off-site compensation areas were identified within Trenton as a result of these inquiries.

During the course of the site search process, changes in state and federal mitigation rules allowed the use of an additional mitigation option. In August 2007, the DEP In-lieu Fee (ILF) wetland mitigation program became available as an alternative to project-specific mitigation projects implemented by the permittee. In April 2008, the Corps and EPA issued a new rule that clarified federal compensatory mitigation requirements, including the use of mitigation banks and in-lieu fee programs (Corps 33 CFR Parts 325 and 332, EPA 40 CFR part 230, Compensatory Mitigation for Losses of Aquatic Resources; Final Rule, April 10, 2008).

During the preparation of preliminary design plans in July 2008, the estimated wetland impacts resulting from the project increased to approximately 4 acres. The increase was largely because of the addition of turning lanes to Route 3 at the entrance to the Gateway facility, changes to the slope limits along the access road and culvert designs, and unanticipated impacts resulting from the stormwater runoff filter strip areas required by DEP.

In response to these changes, MaineDOT developed and presented a revised list of compensation options to the agencies at the November 2008 Interagency Meeting. The list included on-site preservation, use of the DEP ILF program, and three culvert sites on Mount Desert Island suggested by staff from Maine IF&W and Acadia National Park where barriers to fish passage were thought to exist (see attached handouts).

Through discussions with agency representatives following the meeting, the combined use of ILF with on-site preservation was determined to be the preferred approach to meet the compensation requirements for the Gateway project. This approach was preferred

because of its relevance to the project impacts and the limited availability of on-site restoration or enhancement options with sufficient ecological benefit to compensate for the impacts. Whereas the preservation by itself could not provide full compensation for impacts to all wetland functions, the combined approach was determined to meet the functional replacement requirements of DEP and the Corps in an acceptable manner. This approach meets or exceeds both the state and federal required compensation ratios.

MAINE DEPARTMENT OF TRANSPORTATION

MITIGATION SITE SEARCH SUMMARY

ACADIA GATEWAY CENTER PROJECT (PIN 13332.09)

Trenton, Maine

November 13, 2007

This report provides a summary of the potential on-site compensatory mitigation sites identified by MaineDOT for the Acadia Gateway Center (AGC) transportation project. In October 2006, MaineDOT initiated a search for potential mitigation sites in anticipation of approximately 2.16 acres of impact to freshwater wetlands located on the so-called Crippens Brook site in Trenton. As reported in the Environmental Assessment (EA) – Acadia Gateway Project, dated September 1, 2006, approximately 1.64 ac of the impacts are to wet meadow wetlands in topographic depressions in the existing open fields in the eastern portion of the project area. Much of the vegetation within this area has been previously disturbed as a result of agricultural activities, such as grazing, and mowing. Approximately 0.52 acres of impact are to shrub and forested wetlands including wetlands along Crippens Brook some of which are considered Maine DEP Wetlands of Special Significance.

The search effort for this project focused on areas within the 358± acre parcel to be acquired by the Friends of Acadia for the project that had potential to compensate for the proposed impacts. Potential areas were identified and reviewed using MEGIS natural resource coverages, MaineDOT aerial photographs, and by field inspection. MaineDOT staff initiated a review of the site beginning in the spring of 2007 in anticipation of wetland impacts of approximately 2.16 acres. Final design of the project is ongoing and a final impact estimate has not yet been developed, but as of the date of this report it is estimated that the wetland impacts will be approximately the same as the estimate in the EA. DEP requires a 2:1 compensation ratio for Wetlands of Special Significance under a restoration, enhancement, or creation approach; and 8:1 for preservation. Recently proposed guidelines by the Corps require a minimum 3:1 ratio for enhancement, and a 15:1 ratio for preservation. The mitigation options presented in this summary report assume that approximately 2.5 acres of compensation credit will be needed to meet existing DEP mitigation requirements.

A number of existing wet meadow wetlands within the open fields at the front of the parcel with the potential for enhancement were reviewed in the field with staff from the DEP, the Corps and the FWS in July, 2007. Since that time, additional information has been obtained and concepts have been developed for the options determined by MaineDOT to have the greatest potential to mitigate for the project impacts.

The locations of the potential mitigation areas will be shown on a map of the project site that will be displayed at the interagency meeting. A concept drawing of one enhancement area that appears to offer the best opportunity to enhance existing wetlands at the site is shown on the following pages and a summary of each site is presented below.

Name: Enhancement Area A

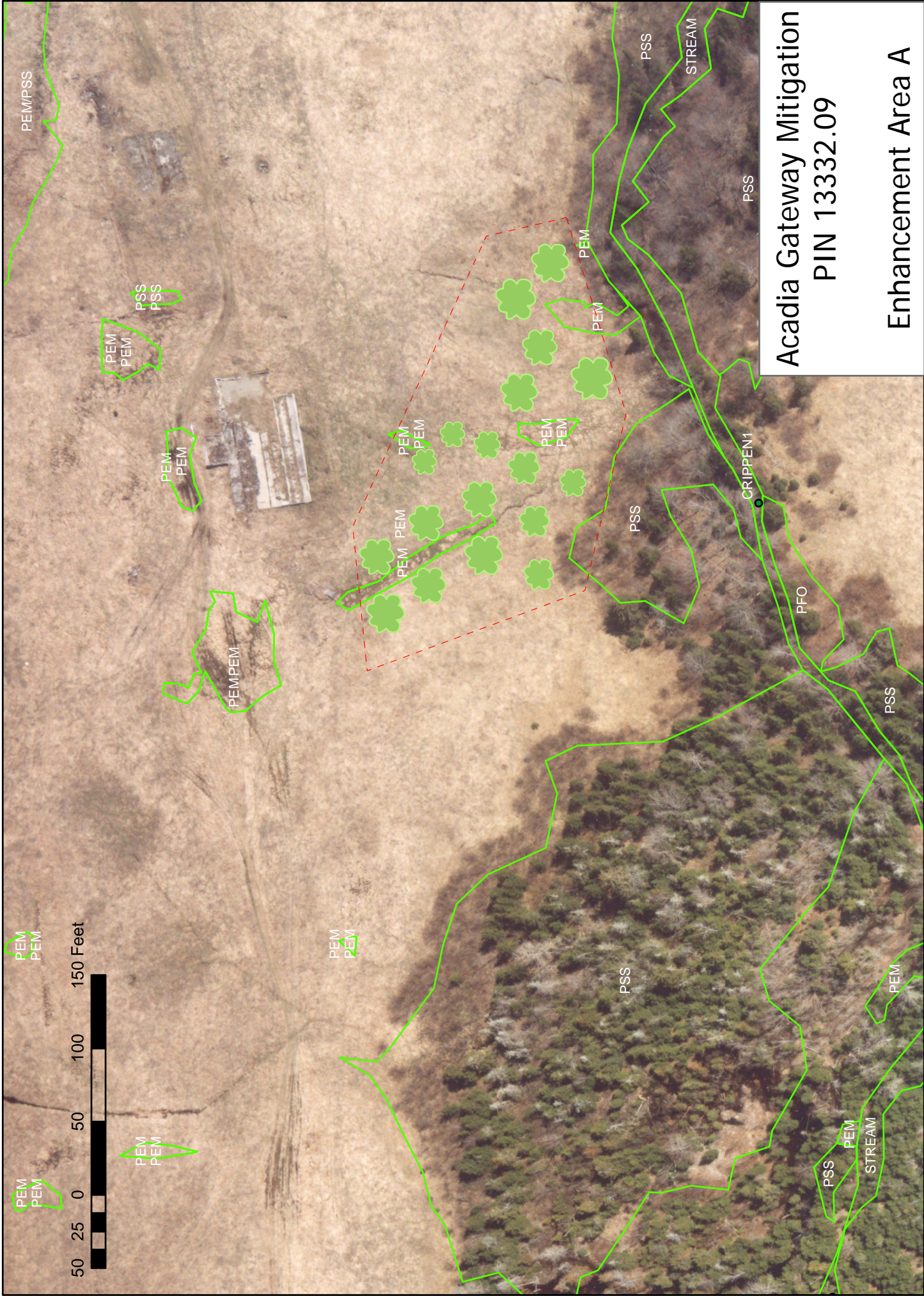
Location: between the former dairy barn foundation and Crippens Brook

Existing Conditions: The area is located on a slope between the top of the terrace where the proposed facility will be located, and the floodplain of the brook. It is comprised of a mixture of mowed field, and approximately $0.1 \pm$ acres of wet meadow wetland and drainage swales. Herbaceous wetland vegetation within the wetter areas includes soft rush (*Juncus effusus*), giant bentgrass (*Agrostis gigantea*), creeping buttercup (*Ranunculus repens*), and reed canary grass (*Phalaris arundinacea*). Soils in this area are generally poorly drained, and the shrub buffer between this area and Crippens Brook is generally thinner than the adjacent areas. The area currently receives drainage from wetlands within the open fields.

Mitigation Type and Area: Enhancement $0.35 \pm$ ac.

Mitigation Potential: The function of the existing wetlands could be enhanced by planting shrubs and trees along the margins and in between the wetlands to enlarge the streamside buffer in this area. Limited regrading of the area to form shallow depressions with wetland microtopography is also possible. Sources of hydrology for the wetlands would include direct precipitation, surface runoff from the existing fields and proposed development, and potentially some groundwater seepage. The northerly side of the area would abut the Phase II limit of work and would not be able to meet the 100 foot buffer requirement in the Corps guidelines.

Anticipated Functions: sediment/toxicant retention, nutrient removal/transformation, wildlife habitat.



Acadia Gateway Mitigation
PIN 13332.09
Enhancement Area A



Photo 1. Enhancement Area A – view toward Crippens Brook from top of linear drainage swale/wetland, June 2005.



Photo 2. Enhancement Area A – view of lower portion of area and edge of existing alder shrub buffer. Crippen's Brook is to the right of the photo, December 2005.

Name: MaineDOT parcel preservation

Location: portions of 152± acre parcel to be acquired by MaineDOT from the Friends of Acadia

Existing Conditions: This area is predominantly forested and many areas are regenerating from timber harvesting activities in the past. The forest type in this area is comprised of a mix of Spruce-Northern Hardwood forest and Spruce-Fir-Broom Moss forest. The dominant species in this area include balsam fir (*Abies balsamea*), red spruce (*Picea rubens*), red maple, (*Acer rubrum*), northern white cedar (*Thuja occidentalis*) and yellow birch (*Betula alleghaniensis*). The understory is comprised of shrub species including specked alder (*Alnus incana* ssp. *rugosa*), winterberry (*Ilex verticillata*) and red maple, and balsam fir saplings, and herbaceous plants including a variety of ferns, grasses, and sphagnum moss. Wetlands in the most westerly portion of this area have not been field delineated, and the NWI mapping shows one patch of forested wetland extending into this area from the southwest. Field delineations have shown that the NWI mapping has significantly underestimated the occurrence of wetland in other parts of the parcel and field reconnaissance suggests that there is likely to be more wetland in this area also. Zoning in this area includes Resource Protection in the southwesterly corner, and Rural Development in the remainder.

Mitigation Type and Area: Preservation, 30± acres (assumes a 15:1 ratio)

Mitigation Potential: Preservation would permanently protect the wildlife habitat values of this area from future development. The uplands provide a buffer which will permanently protect this portion of the watershed of Crippens Brook. Potential development threats in this area include unrestricted off-road vehicle use, intensive forestry and harvesting, and residential and commercial development.

Anticipated Functions: groundwater discharge, sediment/toxicant retention, production export, floodflow alteration, wildlife habitat.

Name: Friends of Acadia parcel preservation

Location: northerly portion of 216± acre area to be acquired by Friends of Acadia

Existing Conditions: This area is mostly forested with some areas regenerating from previous timber harvesting activities. The forest type in this area is comprised of a mix of Spruce-Northern Hardwood forest and Spruce-Fir forest. The dominant species in this area include balsam fir, red spruce, red maple, and northern white cedar. The understory is comprised of shrub species including red maple and balsam fir saplings, specked alder and meadowsweet (*Spiraea latifolia*), sheep laurel (*Kalmia angustifolia*) and several species ferns, grasses, and sphagnum moss. This area also includes a portion of a larger off-site wetland complex known as “Big Heath” a complex of acidic scrub-shrub wetland, and mixed black spruce (*Picea mariana*) and larch (*Larix laricina*) forested wetland. Shrubs such as sheep laurel, dwarf huckleberry (*Gaylussacia dumosa*), rhodora (*Rhododendron canadense*), and highbush blueberry (*Vaccinium corymbosum*) occur in the understory of the black spruce and larch community type within this area. The ground is covered with a dense mat of sphagnum moss. Zoning in this area is predominantly Resource Protection, with some Rural Development along the easterly edge.

Mitigation Type and Area: Preservation, 30± acres (assumes a 15:1 ratio)

Mitigation Potential: Acquisition and preservation of this parcel would permanently protect the significant habitat and conservation values of this area. It would provide high-quality habitat for migratory birds that inhabit both wetland and forested habitats. The uplands provide a buffer which will permanently protect the watershed of this portion of the Big Heath. Potential development threats in this area include unrestricted off-road vehicle use, and intensive timber harvesting.

Anticipated Functions: groundwater discharge, floodflow alteration, wildlife habitat.

Potential Mitigation Options:

After reviewing the potential options and considering factors such as compensation type, location, functional benefits, and cost a short-list of three potential mitigation options was developed as shown in Table 1. MaineDOT recommends Options 1 or 2 as the preferred mitigation for the Acadia Gateway Center project. Given the location and characteristics of the affected wetlands, this package will provide meaningful and cost-effective mitigation to off-set the functional impacts.

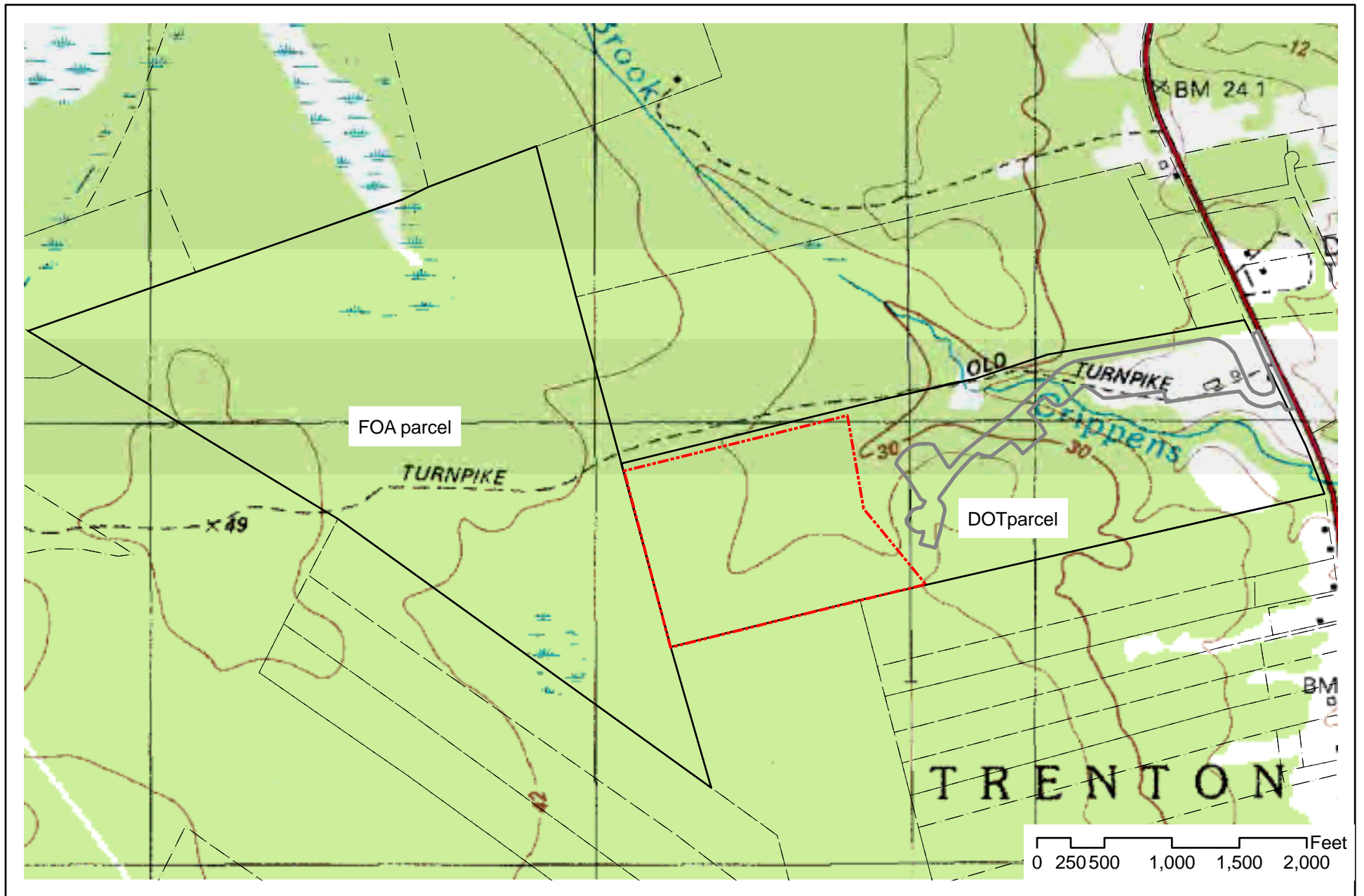
Table 1. Potential Mitigation Packages for the Acadia Gateway Project (PIN 13332.09)

Option	Name	Compensation Type/Area (ac)	Comments
1	Enhancement Area A MaineDOT parcel Preservation Area	E / 0.25± P / 30±	On-site Enhancement of existing low-function wetlands and on-site preservation of wetland and upland habitat within DOT parcel
2	MaineDOT parcel Preservation Area	P / 32±	On-site Preservation of wetland and upland habitat within DOT parcel
3	Friends of Acadia parcel Preservation Area	P / 32±	On-site Preservation of wetland and upland habitat adjacent to an existing heath within the FOA-owned parcel

This information is provided as a basis for agency review and discussion. Questions regarding mitigation for the proposed Acadia Gateway project should be directed to Mark Lickus, MaineDOT Environmental Office, 624-3102 or via email at mark.lickus@maine.gov.

MaineDOT Interagency Meeting handouts - November 17, 2008

Table 2. Potential Mitigation Options for the Acadia Gateway Center Project (PIN 16123.00)						
Option	Name	Description	Compensation Type/Ratio/Credit	Estimated Additional Cost	Comment	Practicable?
1	MaineDEP ILF program - pay compensation fee	pay ILF compensation fee for all impacts	3 ac @ 1:1 0.2 ac @ 2:1	\$425,000 (ILF)	economically not practicable given available project funds	No - cost
2	On-site Preservation (DOT parcel)	place restrictive covenants over ±48 ac at rear of DOT parcel (if necessary pay ILF to cover impacts over 3.2 ac)	P ±48 ac @ DEP 8:1 = 6 ac @ Corps 15:1 = 3.2 ac	\$10,000 TBD (ILF)	option would permanently protect ±48 acres of forested upland and wetland, shrub heath, 2500 feet of tributary streams and one vernal pool; potential to enhance vernal pool area; use ILF to cover impacts over 3.2 ac	Yes - preferred
3	Off-site Preservation (FOA parcel)	place conservation easement or restrictive covenants over part of area currently owned by FOA	P ±48 ac @ DEP 8:1 = 6 ac @ Corps 15:1 = 3.2 ac	\$40,000	option would permanently protect part of ±217 acres of forested upland and wetland bordering Big Heath; limited development potential; FOA intends to place area in conservation.	Yes -
4A	Rt 233 (Heath Brook) culvert replacement	remove barrier to fish passage along Rt 233 in Bar Harbor	R connection of 0.5 miles of stream	\$100,000	could be combined with Option 2 if impacts warrant; replace middle culvert at Heath Brook (Rt 233); would allow fish passage from upper Heath Brook to Richardson Brook; would also alleviate chronic flooding/ditch erosion problem	Yes - if total impacts exceed 4 ac
4B	Rt 3 (Asticou Gardens) culvert rehabilitation	remove barrier to fish passage along Rt 3 in Northeast Harbor	R connection to 0.8 ac pond and stream	\$80,000	could be combined with Option 2 if impacts warrant; slipline/install weirs at Asticou Gardens (Rt 3); would open up 0.8 ac of open water habitat and additional stream habitat	Yes - if total impacts exceed 3.8 ac
4C	Seal Cove Road (Marshal Brook) culvert replacement	reduce chronic flooding along town road in Southwest Harbor; restore fish habitat	R connection within ±20 ac wetland complex	\$250,000?	option requires raising road and replacing 2 culverts along Seal Cove Road; would improve connection within 20 ac of wetland and improve fish habitat; upgrading town road would require wetland fill; more suitable as town project	No - cost and scope
Notes:						
ILF compensation fee is approx. \$125,000 per acre for Hancock County						



Legend





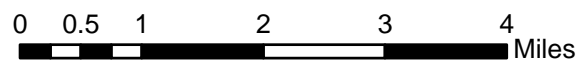
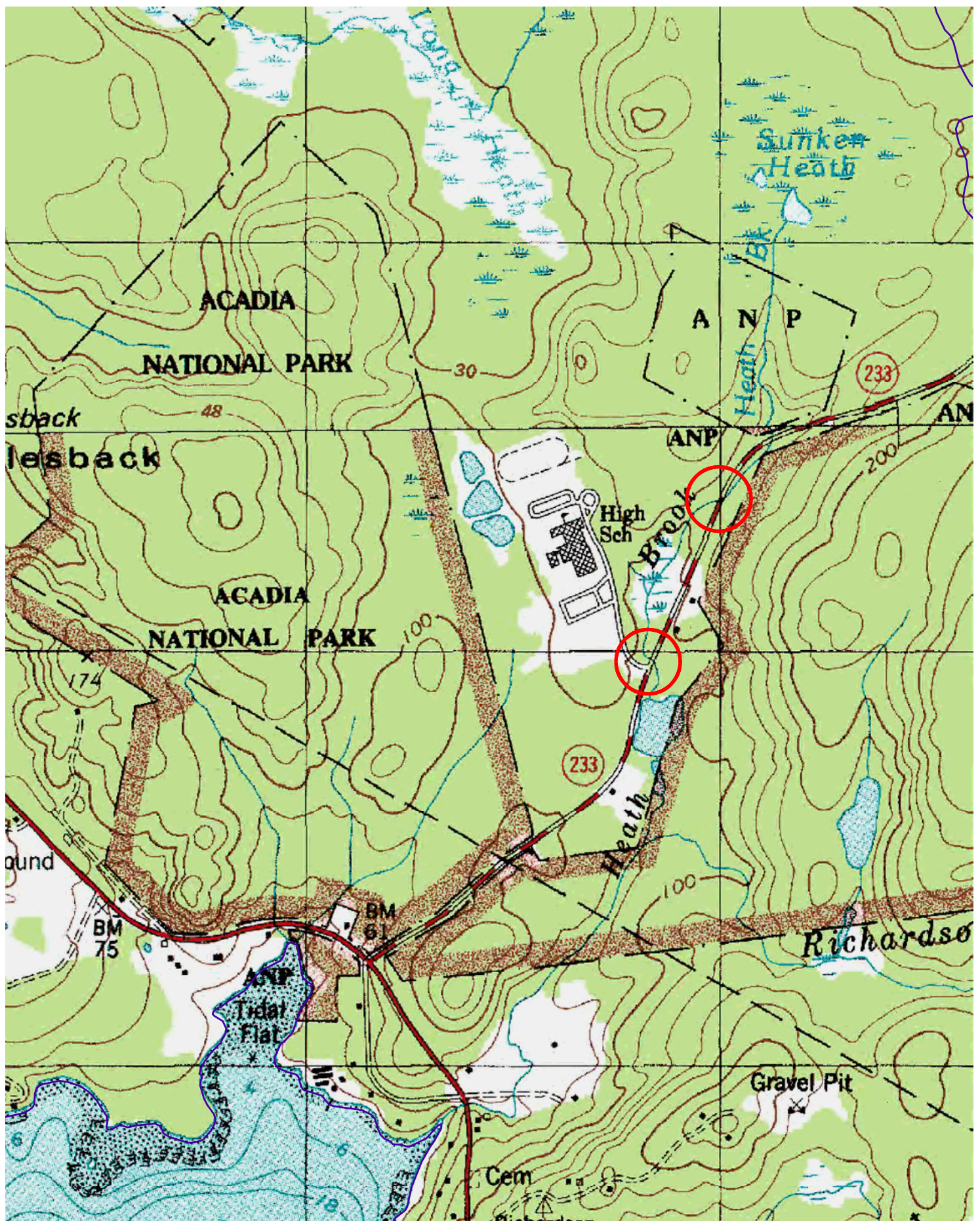
- | | |
|---|--|
|  Acadia Gateway Center |  Proposed Mitigation Area |
|  FOA_DOT_boundary |  Parcel boundary |

Figure 1. Site Map
Acadia Gateway Center Project, Trenton
MaineDOT PIN 16123.00

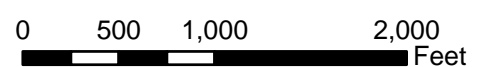


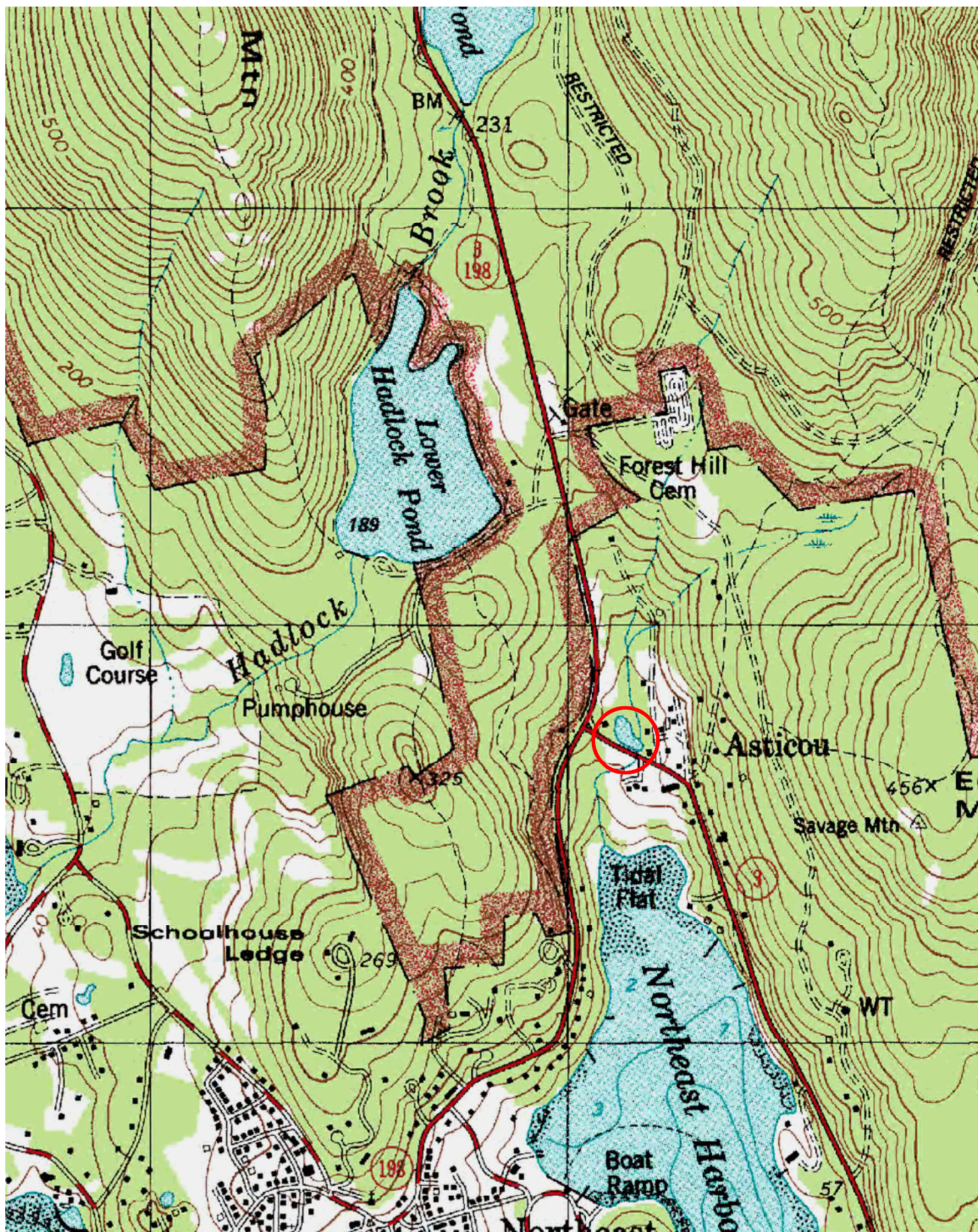
Location Map - Mitigation Options 4A, 4B, and 4C,
Mount Desert Island



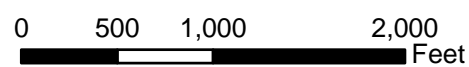


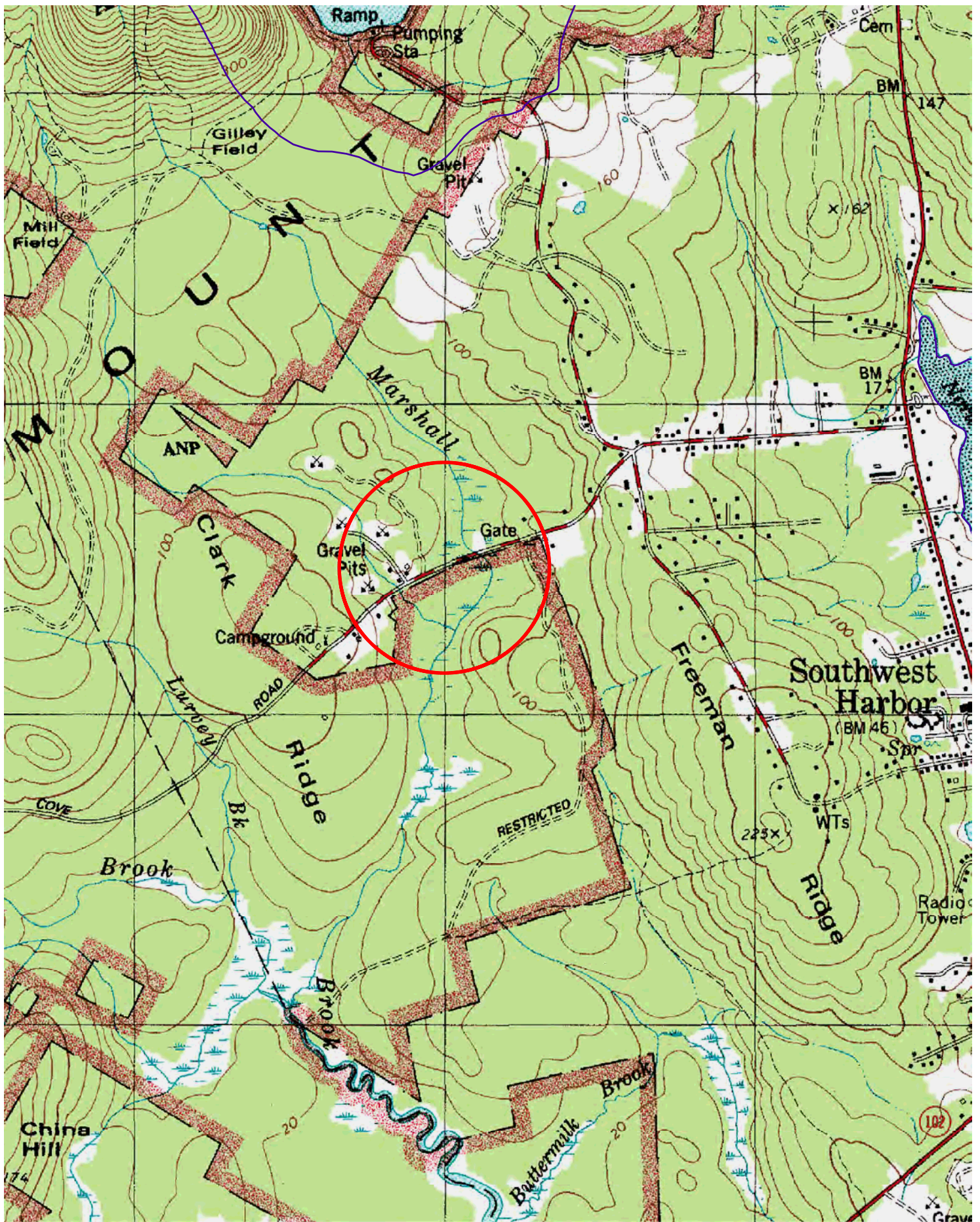
Option 4A - Rt 233 (Heath Brook), Bar Harbor





Options 4B - Rt 3 (Asticou Gardens), Northeast Harbor





Option 4C - Seal Cove Road (Marshall Brook), Southwest Harbor

0 500 1,000 2,000 Feet

Appendix B

Preservation Area Photographs



Photo 1. View to west of mixed forested/scrub shrub wetland complex in southwesterly corner of preservation area – May 5, 2008.



Photo 2. Small pool formed along old skidder trail in southwesterly portion of preservation area – May 5, 2008.



Photo 3. Typical upland coniferous-forest along old skidder trail in northwesterly part of area – May 5, 2008.



Photo 4. Evidence of past logging activity and forest regeneration in preservation area – May 5, 2008.



Photo 5. Woodpecker holes near base of balsam fir in preservation area – May 5, 2008.



Photo 6. View along lower section of unnamed tributary to Crippens Brook and adjacent forested riparian zone, 5-5-08.



Photo 7. View of floodplain along portion of lower section of unnamed tributary to Crippens Brook, 5-5-08.



Photo 8. View of swale flowing through mixed forested/scrub shrub wetland complex along northerly limit of preservation area – May 5, 2008.



Photo 9. View of typical forested wetland area with pit and mound microtopography within interior of preservation area – May 5, 2008.

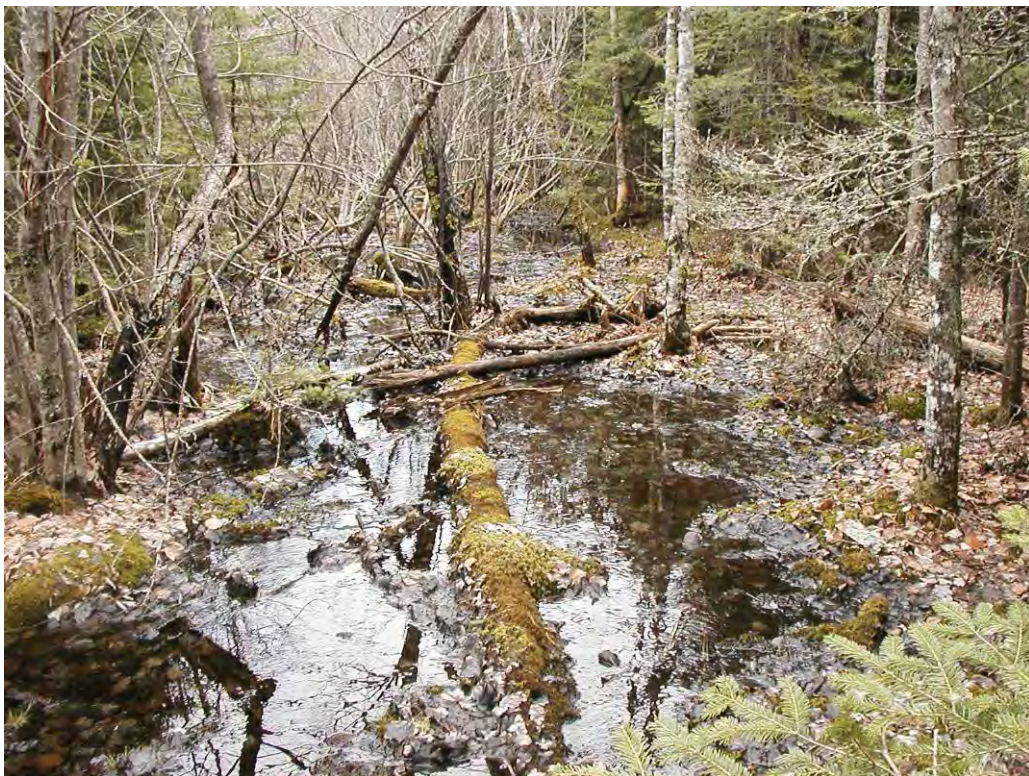


Photo 10. View of typical mixed forested/scrub shrub wetland area within interior of preservation area – May 5, 2008.



Photo 11. View to the north of large vernal pool identified along woods road in southeasterly part of preservation area – May 21, 2007.



Photo 12. View to the south of the same vernal pool one year later – May 5, 2008.



Photo 13. Amphibian egg masses attached to vegetation and branches on bottom of vernal pool – May 5, 2008.



Photo 14. Close up view of typical spotted salamander egg masses attached to vegetation in vernal pool – May 5, 2008.



Photo 15. Wood frog adult found in leaf litter on the forest floor within upland area in westerly portion of Gateway site – May 21, 2007.



Photo 16. View of large beaver impoundment located at the confluence of unnamed tributary and Crippens Brook to the east of the area and north of the Gateway facility – May 5, 2008.

Appendix C

Draft Declaration of Covenants and Restrictions Document

**DECLARATION OF COVENANTS AND RESTRICTIONS
AFFECTING PROPERTY OF THE STATE OF MAINE, by and through its
DEPARTMENT OF TRANSPORTATION, located at the ACADIA GATEWAY
CENTER SITE, TRENTON, HANCOCK COUNTY, STATE OF MAINE**

THIS DECLARATION is made this _____ day of _____, 2009, by the **STATE OF MAINE**, by and through its Department of Transportation, having an address of 16 State House Station, Augusta, ME 04333-0016, (hereafter “Department”);

WHEREAS, the Department holds title to certain real property situated in Trenton, Maine, as depicted on the attached **Exhibit A**, being entitled INSERT TITLE, Acadia Gateway Center Site, Trenton, Hancock County, Maine, Federal Aid Project No. NH-XXX(XXX)X, (PIN 16123.00), Sheet 1 of 1, dated INSERT DATE, 2009, on file in its office at Augusta, D.O.T. File No. XX-XXX, and acquired by the Department through a Warranty Deed recorded on December 28, 2007 in Book 4913, Pages 232-234 in the Hancock County Registry of Deeds (the “Premises”); and

WHEREAS a portion of said Premises shall provide compensatory mitigation for the environmental effects of the Department's transportation project known as the Acadia Gateway Project (PIN 16123.00) (the “Project”). This portion is more particularly described in **Exhibit B**, attached hereto and made a part hereof; and

WHEREAS, wetlands and uplands on the Premises shall be preserved pursuant to (1) Section 404 of the Clean Water Act (33 U.S.C. section 1344) and accompanying regulations; (2) a permit issued by the Army Corps of Engineers (INSERT NUMBER); (3) State of Maine, Department of Environmental Protection (“DEP”) Chapter 310, Wetland Protection Rules, of the Natural Resources Protection Act (38 M.R.S.A. Sections 480-A to 480-Z) and accompanying regulations; and (4) a permit issued by the DEP (INSERT NUMBER) (the Premises described in Exhibit B, as preserved, hereafter referred to as the “Protected Property”); and

WHEREAS, the Department and the DEP, recognizing the functions and values of the Protected Property, have the common purpose of placing the within covenants and restrictions over the Protected Property to benefit, protect and conserve the functions and values of the Protected Property, conserve and protect the indigenous plant and animal populations, and prevent the use or development of the Protected Property for any purpose or in any manner that would conflict with its condition, for the benefit of Hancock County and the people of the State of Maine; and

WHEREAS, the Protected Property shall have significant educational, aesthetic, and ecological functions and values (the “Conservation Values”); and

WHEREAS, preservation of the Protected Property is consistent with federal, state, and local governmental conservation policy; and

WHEREAS, the Department intends to convey to the DEP the right to preserve and protect the Conservation Values of the Protected Property by enforcing the covenants and restrictions set forth herein; and

WHEREAS, the DEP has the purpose of preserving and conserving the Protected Property for educational, aesthetic, and ecological values, and assuring that the Protected Property is maintained in its preserved state; and

WHEREAS, the DEP agrees, by executing this Declaration of Covenants and Restrictions, to enforce the covenants and restrictions herein, to honor the intentions of the Department stated herein, and to preserve and protect in perpetuity the Conservation Values of the Protected Property for the public benefit;

NOW THEREFORE, in consideration of the above, the Department does hereby covenant and agree that the Protected Property is and shall be held, and if conveyed shall be subject to, the restrictions, covenants, conditions, servitudes and easements set forth in the various clauses of this Declaration, which shall inure to the benefit of and be binding upon the Department, its successors and assigns, and shall perpetually run with the Protected Property as described herein.

1. PURPOSE: It is the purpose of this Declaration to assure that the Protected Property: (1) will be retained forever in its preserved status; and (2) will not be used in a way that will significantly impair or impede the Conservation Values of the Protected Property.

2. RIGHTS OF DEP: To accomplish the purposes of this Declaration, the DEP (hereafter "DEP/Enforcer") shall have the following enforcement rights:

- a. The right to preserve and protect the Conservation Values of the Protected Property;
- b. The right to enter and inspect the Protected Property over other lands, easements, or rights-of-way of the Department (if any) at any reasonable time and in any reasonable manner provided that the time and manner of such entry does not unreasonably interfere with the uses of the Protected Property permitted hereunder or the quiet enjoyment of other lands of the Department (if any), and to enforce by proceedings at law or in equity the covenants hereinafter set forth, including the right to require restoration of the Protected Property to its condition prior to any breach hereof; and,
- c. The right to prevent any activity on or use of the Protected Property that is inconsistent with the purpose of this Declaration and to require the restoration of such areas or features of the Protected Property that may be damaged by any inconsistent activity or use.

3. RIGHTS OF DEPARTMENT AND USE OF THE PROPERTY: The Protected Property shall be used only for limited educational, conservation, and traditional, low-impact outdoor recreational purposes by the general public provided that any such use is consistent

with the purposes of this Declaration. Under this Declaration the Department reserves the following rights:

- a. The right to enter and inspect the property and to undertake management and maintenance of the Protected Property, and to carry out additional compensatory mitigation efforts, if any, as may be required by the permits described on Page 1 of this Declaration, and by applicable laws and regulations in effect on the date of this Declaration or permitted in the future.
- b. The right to manage vegetation on the Protected Property, subject to prior approval of the DEP/Enforcer, to:
 - i. control and prevent the spread of fire and disease,
 - ii. clear vegetation that is damaged or destroyed by the forces of nature;
 - iii. control invasive species using manual, chemical or biological methods, in accordance with all state and federal requirements; and
 - iv. maintain and improve important wildlife habitat values of the Protected Property;
- c. Notwithstanding the foregoing, the Department reserves the right, consistent with this Declaration, to manage vegetation by cutting, pruning and planting as necessary to the exercise of the reserved rights in Section d below, and the maintenance rights under Sections e and g below, including the limited clearing and removal of vegetation for safety purposes, without the requirement of obtaining prior approval of the DEP/Enforcer, however, the actual activities and outcomes will determine compliance with this Declaration;
- d. The right to permit limited excavation of the surface of the Protected Property for ecological, educational, or scientific research conducted under the current generally accepted professional standards, and without adverse impact to the Conservation Values protected by this Declaration, subject to prior approval of the Maine Historic Preservation Commission ("MHPC") with regard to excavation location;
- e. The right to maintain existing trails or footpaths, and establish and maintain additional unpaved trails or footpaths to provide the opportunity for low impact, outdoor recreation on the Protected Property, provided that such trails or footpaths are located and designed in a manner to prevent soil erosion and damage to fragile plant communities, wetlands, riparian areas and wildlife habitat, subject to prior approval of the DEP/Enforcer with regard to path location, materials, construction and maintenance methods;
- f. The right to allow the general public pedestrian access to and use of the property for traditional low-impact outdoor recreation in a manner that protects the Conservation Values of the Protected Property;

- g. The right, subject to prior approval from the DEP/Enforcer, to construct and maintain minor structures, such as: small, unlit informational and interpretive signs; boundary signs and markers; barriers to prevent unauthorized access and to protect fragile features and areas under management or study; trail improvements, such as steps, foot bridges and water bars; and rustic benches and blinds. The purpose of such structures shall be to enhance opportunities for nature observation and study, or for low-impact, outdoor recreation, provided that all such structures must be designed and located to blend with the natural surroundings and complement the natural and scenic values of the Protected Property;
- h. The right to sell, give, or otherwise convey the Protected Property, provided such conveyance is subject to the terms of this Declaration and the condition that the Protected Property must remain in its current configuration, and shall not be divided, subdivided, or otherwise conveyed in lots or parcels, and the terms, conditions, covenants, restrictions and purposes imposed herein shall be binding upon the Department only so long as the Department shall own the Protected Property. Notwithstanding the foregoing, the Department shall have the right to transfer any portion of the Protected Property to a state agency, town or qualified conservation organization. In the event that the Protected Property shall be sold or transferred, said terms, conditions, covenants, restrictions and purposes imposed herein shall be binding upon all other successors to the Department in interest, and shall continue as a servitude running with the Protected Property in perpetuity. Nothing herein shall be construed to entitle any governmental agency to enforce the terms of this Declaration against the Department for any changes to the Protected Property due to causes beyond the Department's control, such as changes caused by fire, flood, storm, industrial accident, earth movement, or the unauthorized wrongful acts of a third party, or for any prudent action taken by the Department under emergency conditions to prevent, abate, or mitigate significant injury to the Protected Property resulting from such causes.

4. PROHIBITED USES OF THE PROPERTY: Any activity on or use of the Protected Property inconsistent with the purposes of this Declaration is prohibited, including, but not limited to, the following uses:

- a. Residential, commercial, or industrial development, quarrying, mining, agriculture, farming or ranching;
- b. Raising of any structures, temporary or permanent, except as allowed under Section 3 above.
- c. Filling, paving, dumping, excavation or other alteration to the surface of the Protected Property other than that caused by the forces of nature, except as allowed under Section 3 above.

DRAFT *Declaration of Covenants and Restrictions*

Acadia Gateway Site, Trenton

January 26, 2009

- d. The placement, storage or dumping of refuse, trash, debris, waste materials, vehicle bodies or parts, pollutants or other fill materials within the Protected Property, except as allowed under Section 3 above.
- e. Ditching, draining, manipulation or alteration of natural watercourses or water bodies, or water withdrawals from within the Protected Property, except as allowed under Section 3 above.
- f. Activities that result in significant rutting or compaction of the surface, trampling or destruction of vegetation, erosion, or siltation into surface waters of the Protected Property, including the use of all-terrain vehicles and other motorized recreational vehicles, except in emergencies and when necessary to the exercise of the Department's and the DEP/Enforcer's rights under the terms of the Declaration.
- g. The cutting, mowing, destruction or removal of standing timber, plants, shrubs or other vegetation, except as allowed under Section 3 above.

5. SUCCESSORS: Except as otherwise indicated herein, the covenants, terms, conditions, and restrictions of this Declaration shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors, agents, contractors and assigns and shall continue as a servitude running in perpetuity with the Protected Property.

6. TERMINATION OF RIGHTS AND OBLIGATIONS: A party's rights and obligations under this Declaration terminate upon transfer of the party's interest in the Protected Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

7. NOTICES: Any notice, demand, request, consent, approval or any other communication regarding the Protected Property shall be in writing and shall be sent via certified mail addressed as follows:

To the Department:	Maine Department of Transportation Environmental Office 16 State House Station Augusta, ME 04333-0016
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To the DEP/Enforcer:	Maine Department of Environmental Protection Bureau Director - Bureau of Land and Water Quality 17 State House Station Augusta, ME 04333-0017
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8. RECORDATION: The Department shall record this instrument in a timely fashion in the official records of Hancock County, Maine.

9. CONTROLLING LAW: The interpretation and performance of this Declaration shall be governed by the laws of the State of Maine. This Declaration shall be liberally construed to effect the purposes as set forth in Section 1, above.

10. SEVERABILITY: If any provision of this Declaration or the application thereof is found to be invalid, the remainder of the provisions of the Declaration, or the application of such provisions to persons or circumstances other than those as to which it is found to be invalid, shall not be affected thereby.

11. AMENDMENTS: The Department, its successors and assigns reserve the right to propose and implement amendments to this Declaration. Any amendments or changes to this Declaration shall be documented by written agreement signed by all parties to this Declaration, their successors or assigns. Any such agreement shall be recorded in the Registry of Deeds of name County, and shall specifically cross reference this Declaration.

12. ACCEPTANCE BY DEP/ENFORCER: The DEP/Enforcer joins in this Declaration for the limited purpose of accepting the rights and duties applicable to the DEP/Enforcer, as set forth in this instrument.

IN WITNESS WHEREOF the Department, and the DEP/Enforcer have executed and sealed this document the day and year first above written.

**STATE OF MAINE
DEPARTMENT OF
TRANSPORTATION**

Witness

By: _____
David A. Cole, Commissioner

STATE OF MAINE
COUNTY OF KENNEBEC

Dated: _____, 2009

Then personally appeared the above named David A. Cole, Commissioner of the Maine Department of Transportation, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the Maine Department of Transportation.

Before me,

Attorney/Notary Public
Print Name:
My Commission Expires:

THIRD PARTY ENFORCER:

**STATE OF MAINE
DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

Witness

By:_____
David P. Littell, Commissioner

EXHIBIT A

(insert copy of right-of-way map/boundary survey here)

EXHIBIT B

All land and rights in land within the following described boundaries hereby represent the Protected Property as referenced in the attached Declaration of Covenants and Restrictions:

(insert description here)

Appendix D

Cross-Reference Table for Corps Mitigation Plan Checklist

**Cross-Reference Table Between Mitigation Plan and New England District, U.S.
Army Corps of Engineers, *Mitigation Plan Checklist*, 1/12/2007**

Check-list Item	Description	Relevant Section	Page Number
A. General Information			
1.	One complete package		
2.a	Locus map	Figure 1	2
2.b	Aerial photo	Figure 2	6
2.c	Lat/Long	A	3
2.d	HUC	A	3
B. Impact Area(s)			
1.	Wetland acreage	B, Table 1	3, 4
2.	Wetland classes	B.1.1, Table 1	4, 5, 7
3.	Streams	B.1.1, Table 1	4, 7
4.	Wetland and stream functions and values	B.2	7, 8, 9
5.	Type and purpose of work	A, B	1, 3
6.	Watershed plans	n/a	
C. Mitigation Area(s)			
1.a	Mitigation alternatives	D.1	10, Appendix A
1.b	Existing wildlife use	D.3.5	17, 18
1.c	Existing soil	D.3.1	14
1.d	Existing vegetation	D.3.3, D.3.4	16, 17
1.e	Surrounding land use	D.3.7	19
1.f	USFWS Clearance Letter	D.3.10	23
1.g	SHPO Clearance Letter	D.3.10	23
2. a	Wetland acreages and mitigation types at each site	Table 2	11
2.b	Wetland classes at each site	D.3.3	16, 17
2.c	Functions and values proposed at each site	D.2, D.3, D.3.9	11, 12, 13, 14, 20, 22
2.d	Stream mitigation	D.3.2	16

2.e	References site(s)	n/a	
2.f	Design constraints	n/a	
2.g	Construction oversight	n/a	
2.h	Project construction timing	n/a	
2.i	Responsible parties	A	1
2.j	Financial assurances	D.2	11, 12, 13
2.k	FAA issues	D.3.10	23
D. Hydrology		n/a	
E. Grading Plan		n/a	
F. Topsoil		n/a	
G. Planting Plan		n/a	
H. Coarse Woody Debris and Other Features		n/a	
I. Erosion Controls		n/a	
J. Invasive and Noxious Species		n/a	
K. Off-Road Vehicle Use			
1.	Usage in vicinity	D.3.6	18
2.	Control plan	D.3.6	18
L. Preservation			
1.	Adequate buffers	D.3.9, Figure 4	20, 21
2.	Internal wetlands protected	B.3	3
3.	Preservation language	E	23, 24
4.	Preservation site plans	Figure 3	15
5.	Legal instrument(s)	E	23, 24; Appendix C
6.	Acceptance by receiving agency	E	24
M. Monitoring Plan		n/a	
N. Assessment Plan		n/a	
O. Contingency		n/a	
P. Long-term Stewardship		F	24
Q. Other Comments		n/a	

**APPENDIX B: MDEP VISUAL EVALUATION
FIELD SURVEY CHECKLIST**
(Natural Resources Protection Act, 38 M.R.S.A. §§ 480 A - Z)

Name of applicant **MaineDOT** Phone: **624-3000**
 Application Type: **NRPA Individual**
 Activity Type: (brief activity description) **Construction of the Acadia Gateway Center**
 Activity Location: Town: **Trenton** County: **Hancock**
 GIS Coordinates, if known: **68°21'50.43" W 44°28'12.89"N**
 Date of Survey: **1/27/09** Observer: Josh Nichols Phone: 592-3107

**Distance Between the Proposed
Visibility**

Activity and Resource (in Miles)

- | | 0-1/4 | 1/4-1 | 1+ |
|--|-------------------------------------|-------|--|
| 1. Would the activity be visible from: | | | |
| A. A National Natural Landmark or other outstanding natural feature? | | | <input checked="" type="checkbox"/> |
| B. A State or National Wildlife Refuge, Sanctuary, or Preserve or a State Game Refuge? | | | <input checked="" type="checkbox"/> |
| C. A state or federal trail? | | | <input checked="" type="checkbox"/> |
| D. A public site or structure listed on the National Register of Historic Places? | | | <input checked="" type="checkbox"/> |
| E. A National or State Park? | | | <input checked="" type="checkbox"/> |
| F. 1) A municipal park or public open space? | | | <input checked="" type="checkbox"/> |
| 2) A publicly owned land visited, in part, for the use, observation, enjoyment and appreciation of natural or man-made visual qualities? | | | <input checked="" type="checkbox"/> |
| 3) A public resource, such as the Atlantic Ocean, a great pond or a navigable river? | <input checked="" type="checkbox"/> | | |
| 2. What is the closest estimated distance to a similar activity? | | | <input checked="" type="checkbox"/> |
| 3. What is the closest distance to a public facility intended for a similar use? | | | <input checked="" type="checkbox"/> |
| 4. Is the visibility of the activity seasonal?
(i.e., screened by summer foliage, but visible during other seasons) | | Yes | No <input checked="" type="checkbox"/> |
| 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? | | Yes | No <input checked="" type="checkbox"/> |

APPENDIX C: APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

SUPPLEMENTAL INFORMATION FOR DREDGING ACTIVITIES IN A COASTAL WETLAND, GREAT POND, RIVER, STREAM OR BROOK

(Discard this part if dredging is not proposed as part of your activity.)

The DEP and the Corps strongly recommend that applicants schedule a pre-application meeting prior to submitting an application for dredging.

Volume to be dredged:	Less than 100 cu. Yds. cu. yds.		
Sq. ft. to be dredged:	Less than 300 s.f. sq. ft.		
Max. depth of dredging below existing grade:	1 foot below streambed		
Type of material (example: sand, silt, clay, gravel. etc.) to be Dredged:			
Describe what erosion and sediment control measures will be used during the dredging operation. (attach separate sheet if necessary):	Standard MaineDOT BMP's		
Describe how and where the dredge spoils will be dewatered (attach separate sheet if necessary): Show dewatering location and erosion control measures on activity drawings.	Not anticipating a dewatering phase.		
What equipment will be used for the dredge?	Standard excavator		
Disposal Location: (Check one)	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Upland disposal: <input checked="" type="checkbox"/> On site <input type="checkbox"/> Landfill <input type="checkbox"/> Other _____ </div> <div style="width: 45%;"> Ocean disposal: Federal Disposal Site <input type="checkbox"/> Arundel <input type="checkbox"/> Portland <input type="checkbox"/> Rockland <input type="checkbox"/> Other _____ </div> </div>		