

MAINE TURNPIKE AUTHORITY

MAINE TURNPIKE

CONTRACT DOCUMENTS

CONTRACT 2020.09

EMERGENCY VEHICLE RAMPS
FOREST AVENUE OVERPASS
MILE 50.0

CULVERT AND DRAINAGE REPAIRS
MILE 53.7

NOTICE TO CONTRACTORS

PROPOSAL

CONTRACT AGREEMENT

CONTRACT BOND

FINAL LIEN AND CLAIM WAIVER AND AFFIDAVIT

SPECIFICATIONS

MAINE TURNPIKE AUTHORITY

SPECIFICATIONS

The Specifications are divided into two parts:
Part I, Supplemental Specifications and Part II, Special
Provisions.

The Maine Turnpike Supplemental Specifications are additions
and alterations to the 2014 Maine Department of
Transportation Standard Specifications. See Subsection 100.1.

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MAINE TURNPIKE AUTHORITY

NOTICE TO CONTRACTORS

Sealed Proposals will be received by the Maine Turnpike Authority for:

CONTRACT 2020.09

EMERGENCY VEHICLE RAMPS

FOREST AVENUE OVERPASS

MILE 50.0

CULVERT AND DRAINAGE REPAIRS

MILE 53.7

at the office of the Maine Turnpike Authority, 2360 Congress Street, Portland, ME, until 11:00 a.m., prevailing time as determined by the Authority on June 18th, 2020 at which time and place the Proposals will be publicly opened and read. Bids will be accepted from Contractors **prequalified** by the Maine Department of Transportation for Highway Construction Projects. All other bids may be rejected. This Project includes a wage determination developed by the State of Maine Department of Labor.

Hand delivered bids will only be accepted between 10:30 AM and 11:00 AM on Thursday June 18th, 2020. Bids shall be deposited in a box marked 2020.09 Forest Avenue EVR Bids located directly outside the front door of the MTA headquarters building at 2360 Congress Street, Portland, ME 04102. Due to the current virus the MTA offices are closed to the public, therefore the bid opening will not be open to the public, however contractor's wishing to listen to the bid opening shall call 1-877-568-4106, access code 909-720-189.

The work consists of constructing two Emergency Vehicle Ramps from Forest Avenue to the Maine Turnpike in the City of Portland, Maine and Culvert and Drainage Repairs in the Town of Falmouth. The work includes excavation, roadway gravels and pavement, guardrail, drainage improvements, maintenance of traffic and all other work incidental thereto in accordance with the Plans and Specifications.

The half size Plans and Contract Documents will be available for purchase only upon advance request to Nate Carll (ncarll@maineturnpike.com) for the price of Seventy-Five (\$75.00) Dollars for each set, which payment will not be returned. Checks shall be made payable to: Maine Turnpike Authority. The Plans and Contract Documents may also be downloaded from a link on our website at <http://www.maineturnpike.com/project-and-planning/Construction-Contracts.aspx>.

For general information regarding Bidding and Contracting procedures, contact Nate Carll, Purchasing Manager, at (207)482-8115. For information regarding Schedule of Items, plan holders list and bid results, visit our website at <http://www.maineturnpike.com/project-and-planning/Construction-Contracts.aspx>. For Project specific information, fax all questions to Nate Carll, Purchasing Manager, at (207) 871-7739 or email ncarll@maineturnpike.com. Responses will

not be prepared for questions received by telephone. Bidders shall not contact any other Authority staff or Consultants for clarification of Contract provisions, and the Authority will not be responsible for any interpretations so obtained.

All work shall be governed by the Specifications entitled "State of Maine, Department of Transportation, Standard Specifications, Revision of November 2014", "Standard Details, Revision of November 2014" and "Best Management Practices for Erosion and Sediment Control", latest issue. Copies and recent updates to these publications can be downloaded at: <http://www.maine.gov/mdot/contractors/publications/> .

Proposals must be accompanied by an original bid bond, certified or cashier's check payable to the Maine Turnpike Authority in an amount not less than Five (5%) Percent of the Total Amount in the Proposal, but not less than \$500.00. The Bidder to whom a Contract is awarded will be required to furnish a Surety Corporation Bond, satisfactory to the Authority, on the standard Contract Bond form of the Authority, for a sum not less than the Total Amount of the Proposal.

Proposals must be made upon the Proposal Forms furnished by the Authority separately with the Contract Documents, and must be enclosed in the sealed special addressed envelope provided therefore bearing the name and address of the Bidder, the name of the Contract, and the date and time of Proposal opening on the outside.

There will be no pre-bid conference and all questions must be submitted by June 10th, 2020 at 12:00 pm.

The Authority reserves the unqualified right to reject any or all Proposals and to accept that Proposal which in its sole judgment will under all circumstances serve its best interest.

MAINE TURNPIKE AUTHORITY

Nate Carll
Purchasing Manager
Maine Turnpike Authority

Portland, Maine

Maine Turnpike Authority

MAINE TURNPIKE

PROPOSAL

CONTRACT 2020.09

EMERGENCY VEHICLE RAMPS

FOREST AVENUE OVERPASS

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CULVERT AND DRAINAGE REPAIRS

MILE 53.7

MAINE TURNPIKE AUTHORITY

PROPOSAL

CONTRACT 2020.09

EMERGENCY VEHICLE RAMPS

FOREST AVENUE OVERPASS

MILE 50.0

CULVERT AND DRAINAGE REPAIRS

MILE 53.7

TO MAINE TURNPIKE AUTHORITY:

The work consists of construction two Emergency Vehicle Ramps from Forest Avenue to the Maine Turnpike in the City of Portland, Maine. The work includes excavation, roadway gravels and pavement, guardrail, maintenance of traffic and all other work incidental thereto in accordance with the Plans and Specifications.

This Work will be done under a Contract known as Contract 2020.09 according to the Plans and Specifications which are on file in the office of the Maine Turnpike Authority, 2360 Congress Street, Portland, Maine.

On the acceptance of this Proposal for said Work, the undersigned will give the required bond with good security conditioned for the faithful performance of said Work, according to said Plans and Specifications, and the doing of all other work required by said Specifications for the consideration herein named and with the further condition that the Maine Turnpike Authority shall be saved harmless from any and all damages that might accrue to any person, persons or property by reason of the carrying out of said Work, or any part thereof, or by reason of negligence of the undersigned, or any person or persons under his employment and engaged in said Work.

The undersigned hereby declares that he/she has carefully examined the Plans, Specifications and other Contract Documents, and that he/she will contract to carry out and complete the said Work as specified and delineated at the price per unit of measure for each scheduled item of Work stated in the Schedule of Prices as follows:

It is understood that the TOTAL AMOUNT stated by the undersigned in the following Schedule of Prices is based on approximate quantities and will be used solely for the comparison of bids, and that the quantities stated in the Schedule of Prices for the various items are estimates only and may be increased or decreased all as provided in the Specifications.

**SCHEDULE OF BID PRICES
CONTRACT NO. 2020.09**

**EMERGENCY VEHICLE RAMPS
FOREST AVENUE OVERPASS
MILE 50.0**

**CULVERT AND DRAINAGE REPAIRS
MILE 53.7**

Item No	Item Description	Units	Approx. Quantities	Unit Prices in Numbers		Bid Amount in Numbers	
				Dollars	Cents	Dollars	Cents
201.11	Clearing	Acre	0.75				
203.20	Common Excavation	Cubic Yard	2000				
203.24	Common Borrow	Cubic Yard	14200				
203.25	Granular Borrow	Cubic Yard	1590				
304.10	Aggregate Subbase Course - Gravel	Cubic Yard	1410				
304.14	Aggregate Base Course - Type A	Cubic Yard	360				
403.207	Hot Mix Asphalt - 19.0 MM Nom. Max. Size (Base)	Ton	390				
403.208	Hot Mix Asphalt - 12.5 MM Nom. Max. Size (Surface)	Ton	240				
409.15	Bituminous Tack Coat RS-1 or RS1h- Applied	Gallon	115				
419.30	Sawcut Cutting Bituminous Pavement	Linear Foot	1190				
603.155	12" RCP Class III	Linear Foot	40				

CARRIED FORWARD:

Item No	Item Description	Units	Approx. Quantities	Unit Prices in Numbers		Bid Amount in Numbers	
				Dollars	Cents	Dollars	Cents
BROUGHT FORWARD:							
603.159	12" Culvert Pipe OPT III	Linear Foot	20				
603.179	18" Culvert Pipe OPT III	Linear Foot	88				
606.199	24" Culvert Pipe OPT III	Linear Foot	168				
603.280	Concrete Collar	Linear Foot	3				
606.1301	31" W-Beam Guardrail, Mid-Way Splice	Linear Foot	1588				
606.1304	31" W-Beam Guardrail, Mid-Way Splice - Over 15' Radius	Linear Foot	463				
606.1351	Terminal End - Anchored End	Each	12				
606.353	Reflectorized Flexible Guardrail Marker	Each	11				
606.3561	Delineator Post - Remove and Stack	Each	5				
606.369	Guardrail Remove and Stack	Linear Foot	1025				
606.61	Remove and Reset Timber Guardrail	Linear Foot	80				
607.17	Chain Link Fence - 6 foot	Linear Foot	160				

CARRIED FORWARD:

Item No	Item Description	Units	Approx. Quantities	Unit Prices in Numbers		Bid Amount in Numbers	
				Dollars	Cents	Dollars	Cents
BROUGHT FORWARD:							
607.2325	Pipe Entry Gate	Each	2				
607.32	Bracing assembly Type I - Metal Posts	Each	8				
607.33	Bracing assembly Type II - Metal Posts	Each	4				
610.08	Plain Riprap	Cubic Yard	177				
610.18	Stone Ditch Protection	Cubic Yard	100				
610.181	Temporary Stone Check Dam	Cubic Yard	8				
613.319	Erosion Control Blanket	Square Yard	4910				
615.07	Loam	Cubic Yard	660				
618.14	Seeding Method Number 2	Unit	51				
619.1201	Mulch - Plan Quantity	Unit	51				
620.58	Erosion Control Geotextile	Square Yard	681				
629.05	Hand Labor, Straight Time	Hour	30				

CARRIED FORWARD:

Item No	Item Description	Units	Approx. Quantities	Unit Prices in Numbers		Bid Amount in Numbers	
				Dollars	Cents	Dollars	Cents
BROUGHT FORWARD:							
631.12	All Purpose Excavator (Including Operator)	Hour	30				
631.171	Truck - Small (Including Operator)	Hour	30				
631.32	Culvert Cleaner (Including Operator)	Hour	10				
631.36	Foreman	Hour	15				
645.271	Regulatory, Warning, Confirmation and Route Marker Assembly Sign, Type 1	Square Foot	67				
652.39	Work Zone Traffic Control	Lump Sum	1				
652.45	Truck Mounted Attenuator	Cal. Day	10				
656.50	Baled Hay, In Place	Each	35				
656.632	30" Temporary Silt Fence	Linear Foot	2170				
659.10	Mobilization	Lump Sum	1				

TOTAL:

Acknowledgment is hereby made of the following Addenda received since issuance of the Plans and Specifications: _____

Accompanying this Proposal is an original bid bond, cashiers or certified check on _____ Bank, for _____, payable to the Maine Turnpike Authority. In case this Proposal shall be accepted by the Maine Turnpike Authority and the undersigned should fail to execute a Contract with, and furnish the security required by the Maine Turnpike Authority as set forth in the Specifications, within the time fixed therein, an amount of money equal to Five (5%) Percent of the Total Amount of the Proposal for the Contract awarded to the undersigned, but not less than \$500.00, obtained out of the original bid bond, cashier's or certified check, shall become the property of the Maine Turnpike Authority; otherwise the check will be returned to the undersigned.

The performance of said Work under this Contract will be completed during the time specified in Subsection 107.1.

It is agreed that time is of the essence of this Contract and that I (we) will, in the event of my (our) failure to complete the Work within the time limit named above, pay to Maine Turnpike Authority liquidated damages in the amount or amounts stated in the Specifications.

The undersigned is an Individual/Partnership/Corporation under the laws of the State of _____, having principal office at _____, thereunto duly authorized.

_____ (SEAL)

_____ (SEAL)

*Affix Corporate Seal
or Power of Attorney
Where Applicable*

_____ (SEAL)

By: _____

Its: _____

Information below to be typed or printed where applicable:

INDIVIDUAL:

(Name)	(Address)
--------	-----------

PARTNERSHIP - Name and Address of General Partners:

(Name)	(Address)
--------	-----------

(Name)	(Address)
--------	-----------

(Name)	(Address)
--------	-----------

(Name)	(Address)
--------	-----------

INCORPORATED COMPANY:

(President)	(Address)
-------------	-----------

(Vice-President)	(Address)
------------------	-----------

(Secretary)	(Address)
-------------	-----------

(Treasurer)	(Address)
-------------	-----------

MAINE TURNPIKE AUTHORITY
MAINE TURNPIKE
YORK TO AUGUSTA
CONTRACT AGREEMENT

This Agreement made and entered into between the Maine Turnpike Authority, and sometimes termed the “Authority”, and _____

_____ herein termed the “Contractor”:

WITNESSETH: That the Authority and the Contractor, in consideration of the premises and of the mutual covenants, considerations and agreements herein contained, agree as follows:

FIRST: The parties hereto mutually agree that the documents attached hereto and herein incorporated and made a part hereof collectively evidencing and constituting the entire Contract to the same extent as if herein written in full, are the Notice to Contractors, the Accepted Proposal, the Specifications, the Plans, this Agreement, the Contract Bond and all Addenda to the Contract Documents duly issued and herewith enumerated:

_____ SECOND: The Contractor for and in consideration of certain payments to be made as hereafter specified, hereby covenants and agrees to perform and execute all of the provisions of this Contract and of all documents and parts attached hereto and made a part thereof, and at his own cost and expense to furnish and perform everything necessary and required to construct and complete, ready for its intended purpose, in accordance with the Contract and such instructions as the Engineer may give, acceptable to the Authority, in the times provided, all of the Work covered and included under Contract No. _____ covering _____ as herein described.

THIRD: In consideration of the performance by the Contractor of his covenants and agreements as herein set forth, the Authority hereby covenants and agrees to pay the Contractor according to the Schedule of Prices set forth in the Proposal with additions and deductions as elsewhere herein provided in the times and in the manner stated in the Specifications. This Agreement shall insure to the benefit of, and shall be binding upon the parties hereto, and upon their respective successors and assigns; but neither party hereto shall assign or transfer his interest herein in whole or in part without the consent of the other, except as herein provided.

IN WITNESS WHEREOF the parties to this Agreement have executed the same in quintuplicate.

AUTHORITY -

MAINE TURNPIKE AUTHORITY

By: _____

Title: CHAIRMAN

Date of Signature: _____

ATTEST:

Secretary

CONTRACTOR -

CONTRACTOR

By: _____

Title: _____

Date of Signature: _____

WITNESS:

CONTRACT BOND

KNOW ALL MEN BY THESE PRESENTS that _____
of _____ in the County of _____ and State of _____
as Principal, and _____ a Corporation duly organized under the
laws of the State of _____ and having a usual place of business in _____

As Surety, are held and firmly bound unto the Maine Turnpike Authority in the sum of _____ Dollars (\$_____.____),
to be paid to said Maine Turnpike Authority, or its successors, for which payment, well and truly
to be made, we bind ourselves, our heirs, executors, successors and assigns jointly and severally
by these presents.

The condition of this obligation is such that the Principal, designated as Contractor in the
foregoing Contract No. _____ shall faithfully perform the Contract on his part and
satisfy all claims and demands incurred for the same and shall pay all bills for labor, material,
equipment and all other items contracted for, or used by him, in connection with the Work
contemplated by said Contract, and shall fully reimburse the Obligee for all outlay and expense
which the Obligee may incur in making good any default of said Principal, then this Obligation
shall be null and void; otherwise it shall remain in full force and effect.

Signed and sealed this _____ day of _____, A.D., 201____

Witnesses:

CONTRACTOR

_____ (SEAL)

SURETY

_____ (SEAL)

(Surety must attach copy of Power of Attorney showing authority of Office or Agent to execute bonds)

FINAL LIEN AND CLAIM WAIVER AND AFFIDAVIT

Upon receipt of the sum of _____, which sum represents the total amount paid, including the current payment for work done and materials supplied for Project No. _____, in _____, Maine, under the undersigned's Contract with the Maine Turnpike Authority.

The undersigned, on oath, states that the Final Payment of _____ is the final payment for all work, labor, materials, services and miscellaneous (all of which are hereinafter referred to as "Work Items") supplied to the said Project through _____ and that no additional sum is claimed by the undersigned respecting said Project.

The undersigned, on oath, states that all persons and firms who supplied Work Items to the undersigned in connection with said Project have been fully paid by the undersigned for such Work Items or that such payment will be fully effected immediately upon receipt of this payment.

In consideration of the payment herewith made, the undersigned does fully and finally release and hold harmless the Maine Turnpike Authority, and its Surety, if any, from any and all claims, liens or right to claim or lien, arising out of this Project under any applicable bond, law or statute.

It is understood that this Affidavit is submitted to assure the Owner and others that all liens and claims relating to the Work Items furnished by the undersigned are paid.

(Contractor)

By: _____

Title: _____

State of MAINE
County of _____

I, _____, hereby certify on behalf of _____
(Company Officer) *(Company Name)*
its _____, being first duly sworn and stated that the foregoing representations are
(Title)
are true and correct upon his own knowledge and that the foregoing is his free act and deed in said capacity
and the free act and deed of the above-named

(Company Name)

The above-named, _____, personally appeared before me this ____ day of _____ and swears that this is his free act and deed.

(SEAL)

Notary Public
My Commission Expires: _____

MAINE TURNPIKE AUTHORITY

SPECIFICATIONS

PART I – SUPPLEMENTAL SPECIFICATIONS

(Rev. November 10, 2016)

The Supplemental Specifications are available on the Maine Turnpike Authority Website at
<http://www.maineturnpike.com/Projects-Planning/Construction-Contracts.aspx>

MAINE TURNPIKE AUTHORITY

SPECIFICATIONS

PART II – SPECIAL PROVISIONS

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MAINE TURNPIKE AUTHORITY

SPECIFICATIONS

PART II - SPECIAL PROVISIONS

All work shall be governed by the Maine Department of Transportation Standard Specifications, Revision of November 2014, except for that work which applies to sections of the Maine Department of Transportation Standard Specifications which are amended by the Maine Turnpike Supplemental Specifications and the following modifications, additions and deletions.

General Description of Work

The work consists of construction two Emergency Vehicle Ramps from Forest Avenue to the Maine Turnpike in the City of Portland Maine. The work includes excavation, roadway gravels and pavement, guardrail, maintenance of traffic and all other work incidental thereto in accordance with the Plans and Specifications.

Plans

The drawings included in these Contract Documents, and referred to as the Plans, show the general character of the work to be done under this Contract. They bear the general title "Maine Turnpike – Contract 2020.09 – Emergency Vehicle Ramps – Forest Avenue Overpass Mile 50.0". The right is reserved by the Resident to make such minor corrections or alterations in the Plans as he deems necessary without change in the unit prices on the Schedule of Prices of the Proposal.

101.2 Definition

Holidays

The following is added after Memorial Day in the Supplemental Specifications:

Independence Day 2020
(Fourth of July)

12:01 p.m. preceding Thursday to
6:00 a.m. the following Wednesday.

103.4 Notice of Award

The following sentence is added:

The Maine Turnpike Authority Board is scheduled to consider the Contract Award on June 25, 2020.

104.3.8 Wage Rates and Labor Laws

Section 104.3.8 Wage Rates and Labor Laws has been amended as follows:

The fair minimum hourly rates determined by the State of Maine Department of Labor for this Contract are as follows:

THIS DOCUMENT MUST BE CLEARLY POSTED AT ALL CONSTRUCTION SITES FUNDED IN PART WITH STATE FUNDS

**State of Maine
Department of Labor
Bureau of Labor Standards
Augusta, Maine 04333-0045
Telephone (207) 623-7906**

Wage Determination - In accordance with 26 MRS §1301 et. seq., this is a determination by the Bureau of Labor Standards, of the fair minimum wage rate to be paid to laborers and workers employed on the below titled project.

**2020 Fair Minimum Wage Rates
Highway & Earth Cumberland County**

<u>Occupation Title</u>	<u>Minimum Wage</u>	<u>Minimum Benefit</u>	<u>Total</u>	<u>Occupation Title</u>	<u>Minimum Wage</u>	<u>Minimum Benefit</u>	<u>Total</u>
Asphalt Raker	\$16.00	\$0.00	\$16.00	Laborers (Helpers & Tenders)	\$16.00	\$0.79	\$16.79
Backhoe Loader Operator	\$22.72	\$4.21	\$26.93	Laborer - Skilled	\$18.75	\$1.15	\$19.90
Boom Truck (Truck Crane) Operator	\$25.00	\$4.94	\$29.94	Loader Operator - Front-End	\$20.00	\$3.00	\$23.00
Bulldozer Operator	\$27.25	\$6.14	\$33.39	Mechanic- Maintenance	\$23.00	\$3.09	\$26.09
Carpenter	\$22.46	\$2.19	\$24.65	Millwright	\$29.82	\$7.73	\$37.55
Cement Mason/Finisher	\$16.00	\$4.04	\$20.04	Painter	\$18.00	\$0.45	\$18.45
Crane Operator =>15 Tons)	\$30.00	\$7.76	\$37.76	Paver Operator	\$20.75	\$0.00	\$20.75
Crusher Plant Operator	\$20.50	\$5.33	\$25.83	Pipelayer	\$25.00	\$1.40	\$26.40
Driller - Rock	\$12.00	\$8.82	\$20.82	Plumber (Licensed)	\$26.00	\$4.50	\$30.50
Electrician - Licensed	\$28.00	\$6.27	\$34.27	Reclaimer Operator	\$22.91	\$13.25	\$36.16
Electrician Helper/Cable Puller	\$18.00	\$1.84	\$19.84	Roller Operator - Earth	\$16.00	\$0.24	\$16.24
Elevator Constructor/Installer	\$20.00	\$1.78	\$21.78	Roller Operator - Pavement	\$18.50	\$1.48	\$19.98
Excavator Operator	\$23.39	\$3.11	\$26.50	Screed/Wheelman	\$18.43	\$1.24	\$19.67
Fence Setter	\$18.00	\$1.30	\$19.30	Stone Mason	\$20.00	\$0.42	\$20.42
Flagger	\$14.50	\$0.00	\$14.50	Truck Driver - Light	\$16.00	\$0.44	\$16.44
Grader/Scraper Operator	\$20.00	\$0.65	\$20.65	Truck Driver - Medium	\$19.00	\$1.84	\$20.84
Highway Worker/Guardrail Installer	\$18.25	\$1.66	\$19.91	Truck Driver - Heavy	\$18.00	\$1.40	\$19.40
Hot Top Plant Operator	\$22.91	\$13.25	\$36.16	Truck Driver - Tractor Trailer	\$19.50	\$2.55	\$22.05
Ironworker - Reinforcing	\$29.23	\$7.18	\$36.41	Truck Driver - Mixer (Cement)	\$17.25	\$2.26	\$19.51
Ironworker - Structural	\$26.01	\$22.27	\$48.28				

The Laborer classifications include a wide range of work duties. Therefore, if any specific occupation to be employed on this project is not listed in this determination, call the Bureau of Labor Standards at the above number for further clarification.


Welders are classified in the trade to which the welding is incidental.

Apprentices – The minimum wage rate for registered apprentices are those set forth in the standards and policies of the Maine State Apprenticeship and Training Council for approved apprenticeship programs.

Title 26 §1310 requires that a clearly legible statement of all fair minimum wage and benefits rates to be paid the several classes of laborers, workers and mechanics employed on the construction on the public work must be kept posted in a prominent and easily accessible place at the site by each contractor and subcontractor subject to sections 1304 to 1313.

Appeal – Any person affected by the determination of these rates may appeal to the Commissioner of Labor by filing a written notice with the Commissioner stating the specific grounds of the objection within ten (10) days from the filing of these rates.

A true copy

Attest: 
Scott R. Cotnoir
Wage & Hour Director
Bureau of Labor Standards

Expiration Date: 12-31-2020

104.4.6 Utility Coordination

This Subsection is amended by the addition of the following:

These Special Provisions outline the arrangements which have been established by the Authority for coordination of the work to be accomplished by the utilities. The scope and schedule of utility relocation work is noted herein. The Contractor shall plan and conduct his work accordingly.

General

Utility working days are Monday through Friday, conditions permitting. Times are estimated on the basis of a single crew for each utility. Any times and dates mentioned are estimates only and are dependent upon favorable weather, working conditions, and freedom from emergencies. The Contractor shall have no claim against the Authority if they are exceeded.

The Contractor shall plan and conduct his operations in accordance with the following utility schedule.

There are existing aerial utilities that cross the proposed northbound emergency vehicle ramp adjacent to Riverside Industrial Parkway. These utilities will be raised to provide 18 feet of vertical clearance from the proposed emergency vehicle ramp grade. Central Maine Power will extend the existing poles on either side of the proposed emergency vehicle ramp. After the two poles have been extended, Central Maine Power, Charter Communications, FirstLight, Crown Castle Fiber, and Consolidated Communications will raise their lines. This work is anticipated to be completed prior to August 1st, 2020.

The Contractor shall coordinate their work with the aerial utility's relocation, as necessary. The utility owners will be responsible for obtaining any necessary work permits to complete the utility relocation work.

The Contractor must comply with all OSHA regulations pertaining to work adjacent to utility wires. The Contractor shall plan and conduct his work accordingly.

The following utilities are located within the Project limits. The Contractor shall ascertain the location of the existing utilities and any other necessary information by direct inquiry at the office of the following utility owners:

AERIAL UTILITIES

ELECTRIC:

Central Maine Power
162 Cando Road
Portland, ME 04103
ATTN: Jason Ward (207) 242-5398
jason.ward@cmpco.com

CABLE TELEVISION:

Charter Communications
118 Johnson Road
Portland, ME 04102
ATTN: Mark Pelletier (207) 253-2324
mark.pelletier@charter.com

COMMUNICATION:

Consolidated Communications
5 Davis Farm Road
Portland, ME 04103
ATTN: Marty Pease (207) 535-4208
martin.pease@consolidated.com

COMMUNICATION:

Crown Castle Fiber
80 Central Street
Boxborough, ME 01719
ATTN: Chris Stevens (978) 881-4543
christopher.stevens@crowncastle.com

COMMUNICATION:

FirstLight
491 Lisbon Street
Lewiston, ME 04240
ATTN: Mike Ellingwood (207) 333-3471
mellingwood@firstlight.net

UNDERGROUND UTILITIES

WATER:

Portland Water District
225 Douglass Street
Portland, ME 04102
(207) 774-5961

SEWER:

City of Portland
55 Portland Street
Portland, ME 04101
(207) 874-8468

NATURAL GAS:

Unitil Maine Gas Operations
376 Riverside Industrial Parkway
Portland, ME 04103
866-933-3821

No utility impacts are assumed as part of the project other than the aerial utilities noted above. If any additional utility impacts are required, the Contractor shall coordinate all work with the applicable utilities.

104.4.7 Cooperation With Other Contractors

This Subsection is amended by the addition of the following:

Adjacent contracts currently scheduled for the 2020 construction season include:

MTA Contract 2019.10 – Warren Ave Bridge Replacement, MM 49.0

MTA Contract 2020.03 – Portland Area Widening & Safety Improvements MM 43.0 to 46.4

MTA Contract 2021.08 – Portland Area Widening & Safety Improvements MM 46.4 to 49.0

105.8.2 Permit Requirements

The Project is being constructed under the Maine Department of Environmental Protection (DEP). Natural Resources Protection Act Permit by Rule regulations Section 11 - State Transpiration Facilities, updated June 8, 2012. A copy of the Section 11 – State Transportation Facilities Permit by Rule Regulations are attached in **Appendix A**. The Contractor must abide by all of the conditions of the permit.

The permits for the culvert and drainage repair work at MM 53.7 are pending and are expected to be received by August 1st, 2020.

No tree cutting shall occur between June 1 and July 31.

The Project is being permitted under Section 404 of the Clean Water Act, through the US Army Corps of Engineers Programmatic General Permit, Category 2. The Project is subject to the

General Conditions of the Category 2 Authorization dated October 13, 2015 through October 13, 2020. A copy of the General Permit is attached in **Appendix B**.

A Notice of Intent (NOI), accompanied by a preliminary Limit of Disturbance (LOD) plan was submitted by the Authority to the DEP for coverage under the Maine Construction General Permit (MCGP). Compliance with the erosion and sedimentation control requirements outlined in this Contract is required by the Contractor.

The Contractor shall prepare a LOD plan illustrating the Contractor's proposed limit of earthwork disturbance. The LOD plan shall show all construction access locations, field office locations, material and temporary waste storage locations, as well as include the Contract limits of earthwork disturbance. All applicable erosion and sedimentation control devices needed shall be detailed on the Contractor's LOD plan and are not limited to those devices shown on the Contract LOD plan. **This Plan shall be submitted for review and approval, to the Resident within 14 days of Contract award.** Payment for creating, revising, and completing this plan shall be incidental to Item 659.10, Mobilization

At any time during the Contract, if the Limit of Disturbance needs to be adjusted to accommodate construction activities, the Contractor shall resubmit the LOD plan (including any additional erosion and sedimentation control measures needed) to the Resident for review and approval prior to any additional disturbance taking place:

- If the cumulative area of disturbance exceeds the estimated LOD noted above, by less than one acre, the Resident shall have a minimum of five (5) working days to approve the revised LOD plan.
- If the cumulative area of disturbance exceeds the estimated LOD noted above, by over one acre, the Resident shall first approve of the plan and then possibly resubmit the NOI for MaineDEP approval. The approval may take a minimum of 21 working days.

Compliance with the erosion and sedimentation control requirements outlined in this Contract is required by the Contractor.

The Contractor shall comply with the conditions outlined in the Army Corps State of Maine General Permit, Maine Department of Environmental Protection NRPA Permit by Rule (as applicable), and the Maine Pollutant Discharge Elimination System General Permit for stormwater discharge associated with construction activity. The Contractor shall indemnify and hold harmless the Maine Turnpike Authority or its agents, representatives and employees against any and all claims, liabilities or fines arising from or based on the violation of the above noted permits.

This Project is also subject to the requirements of the Maine Pollutant Discharge and Elimination System (MPDES) General Permit for the Discharge of Stormwater from MTA's Municipal Separate Storm Sewer Systems (MS4), because it is located within an Urbanized Area (UA) as defined by the 2000 census by the U.S. Bureau of the Census. MS4 compliance requires all Contractors to be properly trained in Erosion and Sedimentation Control (ESC) measures (as per Special Provision Subsections 105.8.1 and 656.07) and implement measures to reduce pollutants in stormwater runoff from construction activities.

107.1 Contract Time and Contract Completion Date

This Subsection is amended by the addition of the following:

All work shall be completed on or before June 30, 2021.

107.4.6 Prosecution of Work

The following activities must be completed as specified:

- No work shall take place before August 1st, 2020.
- All culvert and drainage repair work at MM 53.7 shall be completed by October 15th, 2020. Supplemental Liquidated damages on a calendar day basis in accordance with Subsection 107.8 shall be assessed for each calendar day that the culvert and drainage repair work at MM 53.7 is not complete after October 15th, 2020.
- If the Emergency Vehicle Ramps are started in 2020, then base pavement, mainline shoulder pavement, and guardrail shall be completed by November 15th, 2020. If the Emergency Vehicle Ramps are started in 2020, Supplemental Liquidated damages on a calendar day basis in accordance with Subsection 107.8 shall be assessed for each calendar day that the base pavement, mainline shoulder pavement, or guardrail is not complete after November 15th, 2020.
- No temporary concrete barrier shall be placed along mainline from November 15th, 2020 to April 1st, 2021.

The Contractor shall submit to the Authority a construction schedule which shall document that the Contractor has the necessary labor and equipment to work immediately and continuously at the project site once the bridge is closed. The intent of this specification is to minimize the amount of time mainline traffic impacts, while providing the Contractor sufficient time to complete the work in a diligent manner and open the Emergency Vehicle Ramp as prescribed by the project's Substantial Completion date.

SPECIAL PROVISION

SECTION 203

EXCAVATION AND EMBANKMENT

203.01 Description

The following paragraph is added:

This work shall consist of cutting, removing and disposing of the full depth of existing bituminous concrete pavement in shoulder areas within the limits of work as shown on the Plans or as approved by the Resident. The pavement shall be sawcut to the full depth of pavement at the limits of the excavation to provide a clean, vertical cut surface.

203.04 General

The following sentence is added to the end of the third paragraph.

There are no approved waste storage areas or waste areas within the Project limits unless shown on the Plans. Unsuitable materials shall be disposed of off-site in accordance with Subsection 203.06.

All excavations shall be accomplished in accordance with the applicable OSHA Standards. The Resident reserves the right to request the Contractor to prepare an excavation plan. This plan shall include, but not necessarily be limited to, the limit and depth of excavation, side slope, shoring, trench box and utility support.

203.10 Embankment Construction - General

The thirteenth and fourteenth paragraphs are deleted and replaced with the following:

All portions of the embankment shall be compacted in accordance with the designated embankment compaction requirements specified for the Project.

The existing slopes should be benched as shown on the drawings prior to placing additional fill. Embankment fill should be placed in lifts which extend laterally beyond the limits of the design side slopes such that the specified degree of compaction is achieved within the limits of the completed embankment. The slopes should then be trimmed back to design dimensions.

203.16 Winter Construction of Embankments

The word “core” is deleted from the first and second sentences in the first paragraph.

203.18 Method of Measurement

The following paragraphs are added:

There will be no additional payment for the required excavation plan, and costs shall be incidental to the Excavation items.

SPECIAL PROVISIONSECTION 401HOT MIX ASPHALT PAVEMENT

Section 401 of the Maine Turnpike Authority 2016 Supplemental Specifications is modified as follows:

401.01 Description

The following paragraph is added:

A Quality Control Plan (QCP) is required.

401.02 Materials

Section 401.02 is deleted in its entirety and replaced with the following:

Aggregates for HMA Pavements Coarse Aggregate and fine aggregate for HMA pavements shall be graded such that when combined in the proper proportions, including filler if required, the resultant blend will meet the composition of mixture for the type of pavement specified. Materials shall meet the requirements specified in Section 700 – Materials:

Asphalt Cement	702.01
Aggregates for HMA Pavement	703.07
RAP for HMA Pavement	703.08
HMA Mixture Composition	703.09

Mainline Surface HMA Coarse aggregate: The material retained on the No. 4 sieve, shall consist of angular fragments obtained from crushed quarry stone and be free of dirt or other objectionable materials. Coarse aggregate shall have a Micro-Deval value of 15.0 percent or less as determined by AASHTO T 327. The crushed stone shall have a maximum of 1.5% material finer than the No. 200 mesh when tested in accordance with AASHTO T-11. Flat and elongated particles shall not exceed a maximum of 8% at a 5:1 ratio in accordance with ASTM D-4791. Coarse aggregate angularity shall be a minimum of 95/90 in accordance with AASHTO T-335.

Mainline Surface HMA Fine aggregate: The material passing the No. 4 sieve, shall be crushed manufactured sand free from dirt, clay balls, or other objectionable material. Natural sand may be incorporated into the mix at a rate no greater than 10 percent by weight of total aggregate. The unconfined void content of the fine aggregate blend shall be a 45 minimum value when tested in accordance with AASHTO T-304, method A. AASHTO T-176 sand equivalent value shall be 45 minimum.

Asphalt Low Modulus Joint Sealer: Asphalt Low Modulus Joint Sealer shall be a modified asphalt and rubber compound designed for sealing and improving the strength and performance of the base asphalt cement and shall conform to ASTM D6690 Type IV and the following specifications:

Cone Penetration	90-150
Flow @ 60°C [140°F]	3.0mm [1/8 in] max
Bond, non-immersed	Three 12.7mm [1/2 in] specimens pass 3 cycles @ 200% extension @ -29°C [-20°F]
Resilience, %	60 min
Asphalt Compatibility, ASTM D5329	pass*

* There shall be no failure in adhesion, formation of any oily exudate at the interface between the sealant and asphaltic concrete or other deleterious effects on the asphaltic concrete or sealant when tested at 60°C [140°F].

The contractor shall provide the Resident or authorized representative with a copy of the material manufacturer's recommendations pertaining to heating, application, and reheating prior to the beginning of operations or the changing of materials.

Section 401.03 Composition of Mixtures

Section 401.03 is deleted in its entirety and replaced with the following:

HMA pavement mixtures for base, intermediate, shim and local road bridge projects shall be a currently approved MDOT design unless otherwise noted. A maximum of 20% RAP may be used. VMA shall meet the requirements listed in Table 1.

HMA pavement mixtures for Mainline surface paving projects shall conform to the following requirements:

The Contractor shall compose the Hot Mix Asphalt Pavement with aggregate, Performance Graded Asphalt Binder (PGAB), and mineral filler if required. HMA shall be designed and tested according to AASHTO R35 and the volumetric criteria in Table 1. The Contractor shall size, uniformly grade, and combine the aggregate fractions in proportions that provide a mixture meeting the grading requirements of the Job Mix Formula (JMF). The Contractor may use a maximum of 15 percent reclaimed asphalt pavement (RAP) in any mainline surface course.

The Contractor shall submit a job mix formula (JMF) developed for each specified mixture at least 30 days prior to placement.

The JMF shall establish a single percentage of aggregate passing each sieve size within the limits shown in Subsection 703.09. The mixture shall be designed and produced, including all production tolerances, to comply with the allowable control points for the particular type of mixture as outlined in Subsection 703.09. The JMF shall state the original source, gradation, and percentage to be used of each portion of the aggregate and mineral filler if required. It shall also state the proposed PGAB content, the name and location of the refiner, the supplier, the source of PGAB submitted for approval, the type of PGAB modification if applicable, and the location of the terminal if applicable.

In addition, the Contractor shall provide the following information with the proposed JMF:

- Properly completed JMF indicating all mix properties (Gmm, VMA, VFB, etc.).
- Stockpile Gradation Summary.
- Test reports for individual aggregate consensus properties
- Design Aggregate Structure Consensus Property Summary.
- Design Aggregate Structure Trial Blend Gradation Plots (0.45 power chart).
- Trial Blend Test Results for at least three different aggregate blends.
- Selected design aggregate blend.
- Test results for the selected design aggregate blend at a minimum of three binder contents.
- Test results for final selected blend compacted to N_{max} .
- Specific Gravity for the PGAB to be used.
- Recommended mixing and compaction temperatures from the PGAB supplier.
- Data Sheets (SDS) For PGAB.
- Asphalt Content vs. Air Voids trial blend curve.
- Test report for Contractor's Verification sample.
- Summary of RAP test results (if used), including count, average and standard deviation of binder content and gradation.

At the time of JMF submittal, the Contractor shall identify and make available the stockpiles of all proposed aggregates at the plant site. There must be a minimum of 150 ton for coarse aggregate stockpiles, 75 ton for fine aggregate stockpiles before the JMF may be submitted. The Authority shall obtain samples for laboratory testing. The Contractor shall also make available to the Authority the PGAB proposed for use in the mix in enough quantity to test the properties of the asphalt and to produce samples for testing of the mixture. Before the start of paving, the Contractor and the Authority's representative shall test a production sample in the Contractor's laboratory for evaluation. If the Authority finds the mixture acceptable, an approved JMF will be forwarded to the Contractor. The Authority will then notify the Contractor that paving may commence. The first day's production shall be monitored, and the approval may be withdrawn if the mixture exhibits undesirable characteristics such as checking, shoving or displacement. The Contractor shall be allowed to submit aim changes within 24 hours of receipt of the first Acceptance test result for an individual JMF. Adjustments will be allowed of up to 2% on the percent passing the 2.36 mm sieve through the 0.075 mm and 3% on the percent passing the 4.75 mm or larger sieves. Adjustments will be allowed on the %PGAB of up to 0.2 percent. Adjustments will be allowed on GMM of up to 0.010.

Approved mix designs from the previous calendar year may be carried over, however no aim changes will be granted for a carryover mix design and the initial design must not be older than the previous paving season.

The Contractor shall submit a new JMF for approval each time a change in material source or materials properties is proposed. The same approval process shall be followed. The cold feed percentage of any aggregate except natural sand may be adjusted up to 10 percentage points from the amount listed on the JMF, however no aggregate listed on the JMF shall be eliminated. Natural sand may be adjusted up to 5 percent from the amount listed on the JMF but shall not exceed 10% by weight of total aggregates. The cold feed percentage for RAP may be reduced up to five percentage points from the amount listed on the JMF and shall not exceed the percentage of RAP approved in the JMF or for the specific application.

TABLE 1
VOLUMETRIC DESIGN CRITERIA

Design ESAL's (Millions)	Required Density (Percent of G _{mm})			Voids in the Mineral Aggregate (VMA)(Minimum Percent)				Voids Filled with Binder (VFB) (Minimum %)	Fines/Eff. Binder Ratio
				Nominal Maximum Aggregate Size (mm)					
	N _{initial}	N _{design}	N _{max}	19	12.5	9.5	4.75		
10 to <30	≤89.0	96.0	≤98.0	13.5	14.5	15.5	15.5	65-80	0.6-1.2

As part of the JMF submittal, there are Hamburg Wheel Tracker requirements, the Contractor shall provide the Authority the test results in accordance with AASHTO T324. The results shall be generated by a third-party independent testing laboratory as approved by the Authority. The test results for each individual specimen as well as the average shall meet the requirements of Table 1A

TABLE 1A
HAMBURG WHEEL TRACKER REQUIREMENTS

Specified PG Binder Grade	Test Temperature (°C)	Maximum Rut Depth (mm)	Minimum Number of Passes	Minimum Allowable SIP*
64-28	45	12.5	20,000	15,000
64E-28	45	8.0	20,000	15,000
70E-34	45	6.3	20,000	15,000

Section 401.031 Warm Mix Technology

Add the following to the end of the first paragraph:

Weather and seasonal limitations as outlined in section 401.06 may be reduced by a maximum 5°F with the use of WMA except for HMA being placed over bridge deck membrane.

Section 401.04 Temperature Requirements

No vehicular loads shall be permitted on newly completed pavement until adequate stability has been attained and the material has cooled sufficiently to prevent distortion or loss of fines. The newly paved area may be opened to traffic after the internal temperature of the pavement has cooled to 120° F. The Resident will test the internal temperature of the pavement and shall be the sole judge as to the opening to traffic. The period of time before opening to traffic may be extended at the discretion of the Resident. The lane closure may not be removed until the internal temperature has cooled to 120° F.

Section 401.06 Weather and Seasonal Limitations

The first paragraph shall be deleted and replaced with:

The Contractor may place Hot Mix Asphalt Pavement for use other than a traveled way wearing course, provided that the air temperature as determined by an approved thermometer (placed in the shade at the paving location) is 40°F or higher and the area to be paved is not frozen. The Contractor may place Hot Mix Asphalt Pavement as traveled way wearing course, provided the air temperature determined as above is 50°F or higher. For the purposes of this Section, the traveled way includes truck lanes, ramps, approach roads and auxiliary lanes. The atmospheric temperature for all courses on bridge decks shall be 50°F or higher.

Section 401.08 Hauling Equipment Trucks for Hauling HMA

Add the following paragraph:

The undercarriage of haul units actively hauling HMA to the site shall be relatively free of dust / mud agglomerations. Haul units found to be contaminating the paving surface shall be removed from the site and cleaned prior to returning.

Section 401.09 Pavers

Add the following to the end of the fourth paragraph:

The forward operating speed of the paver shall be limited based on the course being placed. A shim or leveling course shall have a maximum speed of 50 feet per minute (fpm). Any base, intermediate, or surface course shall have a maximum paver speed of 40 fpm. The limited speed is not to be calculated on an average basis over time but shall be the actual limitation at any moment during the paving operation.

Section 401.091 Material Transfer Vehicle (MTV)

The first paragraph shall be deleted and replaced with:

When required by Special Provision Section 403, the paver shall be supplied mixture by a material transfer vehicle (Roadtec SB2500 or approved equal) capable of receiving and storing bituminous mixture from haul trucks, remixing, and delivering the mix to the paver hopper in a

consistently uniform manner.

The fourth paragraph shall be deleted and replaced with:

The MTV shall be designed so that the mix receives additional mixing action.

Section 401.111 Layout

The contractor shall layout the site prior to any pavement course or final striping. Layout shall be achieved by physical measurements obtained every 50’ along the length to be paved or striped. The contractor shall transfer the measurements to the pavement surface every 50’ and apply a paint mark at each location. The marks shall then be connected by a smoothed string line and subsequent paint marks applied along the string at no greater than 10’ intervals. The Resident will inspect the layout line before associated activities may begin.

Section 401.164 Density

In paragraph three delete the first sentence, which requires rubberized joint sealer.

Section 401.165 Longitudinal Joint Density

The first paragraph shall be deleted and replaced with:

When noted in Special Provision Section 403, the Authority will measure the pavement density of longitudinal joints between adjoining mainline travel lanes in both the unconfined and confined condition as determined by the days paving operation.

In paragraph four delete the first sentence, which requires rubberized joint sealer.

The eighth paragraph shall be deleted and replaced with:

The minimum density of the completed pavement shall be 92.0 percent of the theoretical maximum density obtained. Two consecutive failing tests shall result in production shut down. Prior to resuming paving operations, the contractor quality control unit shall satisfy the Authority that the paving operation will produce joint densities in compliance with the Specifications.

The eleventh paragraph and associated table shall be deleted and replaced with:

Payment reduction will be applied to each subplot that has a density lower than 92.0% as outlined below.

PERCENT COMPACTION	PERCENT PAY
92.0 or greater	100
91.9 to 90.0	95
89.9 to 88.5	90
88.4 or less	80

Section 401.17 Joints

The fourth paragraph shall be deleted and replaced with:

When required by Special Provision Section 403, Mainline Longitudinal joints shall be constructed as notched-wedge joint and constructed in a manner that will best ensure joint integrity.

Section 401.18 Quality Control

The following shall be added to section c. Quality Control Technician(s) QCT:

The QCT shall be on site during paving operations performing quality control activities. QCT's shall not act as equipment operators, trainers or laborers.

Section 401.191 Inspection/Testing

In paragraph nine delete and replace Item #8 with:

8. Secure High-Speed Internet Access

401.21 Method of Measurement

The second paragraph shall be deleted and replaced with:

A reduction in payment will occur when the voids, asphalt content, and density are other than the limits specified below for 100 percent payment. The payment reduction for voids and PGAB content and density will be based upon each subplot (500 tons) of production as specified in Subsections 401.162, 401.163, 401.164, and 401.165. The Contractor may request one retest for each failing subplot for core density only. The original core density and the recut core density shall be averaged together to determine payment for the subplot. No retest will be allowed for voids or asphalt content. The Contractor shall pay \$250.00 for each additional core tested. Pavement restoration will not be measured separately for payment but shall be incidental to the respective pay item.

SPECIAL PROVISIONSECTION 403HOT MIX ASPHALT PAVEMENT

Course	HMA Grading	Item Number	Total Thickness	No. of Layers	Complimentary Notes
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Emergency Vehicle Ramps

Wearing	12.5mm	403.208	1.5"	1	C,I
Base	19.0mm	403.207	2.5"	1	C,I

COMPLEMENTARY NOTES

- A. The required PGAB for this mixture shall be **64E-28**.
- B. RAP may not be used.
- C. The Maine DOT will conduct the job mix verification. The aggregate qualities shall meet the design traffic level of 3 to <10 million ESALS for mix placed under this contract. Minimum and Maximum PGAB content limits from 401.21 shall not apply.
- D. The MTA will conduct the job mix verification. The aggregate qualities shall meet the design traffic level of 10 to <30 million ESALS for mix placed under this contract. The design verification, Quality Control, and Acceptance tests for this mix will be performed at **75 gyrations**. (N design)
- E. A material transfer vehicle (MTV) shall be used for the placement of Hot Mix Asphalt wearing surface on all roadways including acceleration and deceleration lanes and all ramps.
- F. Joints shall be constructed as the “notched wedge” type in accordance with Subsection 401.17.
- G. Joint density will be measured in accordance with Subsection 401.165.
- H. PGAB shall conform to the provisions of 403.02 – Polymer Modified PGAB for HMA
- I. The contractor shall furnish a quality control technician equipped with an approved densometer to ensure density requirements are met.
- J. Hydrated Lime shall be incorporated into the mixture.
- K. The antistrip additive Zycotherm manufactured by Zydex Industries shall be incorporated into the PGAB at a rate of 0.1%.

SPECIAL PROVISIONSECTION 409BITUMINOUS TACK COAT409.01 Description

This Subsection is deleted and replaced with the following:

This work consists of furnishing and applying one uniform application of Emulsified Asphalt RS-1 or RS-1h conforming to the specifications of AASHTO M-140. The application rate shall be 0.04 gal/yd²

This work consists of furnishing and applying one uniform application of UltraTack (NTSS-1HM) by Blackledge or an approved equal as indicated in this specification and as per manufacturers' recommendation. The application rate shall be 0.06 gal/yd²

409.05 Equipment

Add "or as determined by the Resident", after the words "gal/yd²]" in the fourth line of the second paragraph of this Subsection.

409.06 Preparation of Surface

The following paragraph is added:

All existing pavement and shoulder areas on which bituminous concrete mixtures are to be placed shall receive a tack coat. The surface area where the tack coat is to be applied shall be dry and cleaned of all dirt, sand, and loose material. Cleaning shall be accomplished by use of revolving brooms or mechanical sweepers. Undesirable material not removed by the above means shall be cleaned by hand sweeping or scraping, or a combination of both. Small areas otherwise inaccessible may be swept with hand brooms. The tack coat shall be applied only when the existing surface is dry.

409.08 Method of Measurement

The following paragraphs are added:

Measurement will be based on delivery slips made out in duplicate by the Contractor and signed by the Resident, or his representative, at the point of delivery. One of these slips shall be retained by the Resident and one by the Contractor. Delivery slips shall be furnished by the Contractor and shall provide space for identifying the vehicle and driver, for stating the volume of material carried, the source of the material, the date, and the Resident or his representative's signature.

Material included in the delivery slips and not used or rejected shall be deducted from the amount being measured for payment. Each day's delivery slips shall be reconciled by the Contractor and the Resident within 24-hours.

Cleaning of the surface area where tack coat is to be applied shall be incidental to Item 409.152, Bituminous Tack Coat - Applied.

409.09 Basis of Payment

The following pay items are added:

<u>Pay Item</u>		<u>Pay Unit</u>
409.15	Bituminous Tack Coat RS-1 or RS1h– Applied	Gallon
409.152	Bituminous Tack Coat NTSS-1HM Trackless– Applied	Gallon

SPECIAL PROVISION

SECTION 419

SAWING AND SEALING JOINTS IN BITUMINOUS PAVEMENT

(Sawing Bituminous Pavement)

419.01 Description

This work consists of sawing bituminous concrete pavement as shown on the Plans, as specified herein or as approved by the Resident.

419.02 General

The bituminous concrete pavement to be sawed shall be accurately marked before cutting. The marking shall be in accordance with the locations as shown on the Plans or as approved by the Resident. Cutting shall be with an approved power driven saw with an abrasive blade.

Unless otherwise noted or directed, the sawcut shall be vertical, a minimum of 3/8 inch wide, and extend to the depth as shown on the Plans.

Residue or debris from the sawing operation shall be removed immediately and legally disposed of by the Contractor.

419.03 Method of Measurement

Sawing Bituminous Pavement will be measured by the linear foot of pavement actually cut and accepted. No additional payment will be made for variations in the pavement thickness.

419.04 Basis of Payment

Sawing Bituminous Pavement will be paid for at the Contract unit price per linear foot which shall be full compensation for all materials, tools, equipment labor, and all incidentals necessary for the completion of the work to the satisfaction of the Resident. The disposal of sawcut residue shall be incidental to this item.

Payment will be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
419.30 Sawing Bituminous Pavement	Linear Foot

SPECIAL PROVISIONSECTION 526CONCRETE BARRIER

(Temporary Concrete Barrier Type I)

526.01 Description

The following paragraphs are added:

The work also includes supplying connecting pins and furnishing and mounting retro-reflective delineators, per Subsection 526.02 and 526.03.

526.02 Materials

The following paragraphs are added:

- f. Delineators shall be bi-directional with a minimum effective reflective area of eight square inches as approved by the Resident. The reflectors shall be methyl methacrylate and the housing of acrylonitrile butadiene styrene. Color shall be in accordance with the MUTCD.
- g. Temporary traffic barrier shall be one of the barriers included under FHWA's Roadside Hardware Policy and Guidance for crashworthy longitudinal barriers, at the Contractor's discretion, unless otherwise specified. The type of temporary traffic barrier shall be provided to the Resident Engineer prior to use. All temporary traffic barrier and corresponding connections shall meet, unless otherwise specified in the Plans, Test Level 3 (TL-3) criteria as defined in NCHRP Report 350 or the AASHTO Manual for Assessing Safety Hardware (MASH) based on date of manufacture; all temporary concrete barrier manufactured after 12/31/19 shall meet MASH requirements. The appropriate resource shall be determined as described in the MASH publication. The Contractor shall supply the FHWA approval letter, manufacturer approved shop drawings and connection and anchorage details (if applicable), date of manufacture, and catalogue cuts for each barrier type to the resident engineer for approval. The manufacturer's shop drawings shall specify the maximum deflection distance the product is approved for. The Contractor's shop drawing submittal shall specify the available distance between the back or non-roadway side of the barrier to the closest fixed object or edge of open excavation being protected for each location of differing available deflection distance.

526.03 Construction Requirements

The following paragraphs are added:

Concrete barrier placed at roadway low points shall be shimmed on 1" by 2" by 2' long wood planks to allow drainage to pass under the barrier. In addition, the Resident may direct the Contractor to shim the concrete barrier at other locations to provide for proper roadway drainage.

All labor, material, and equipment necessary to shim the barrier will not be measured separately for payment, but shall be incidental to the Concrete Barrier.

The removal of concrete barrier from adjacent to the travel lane may be conducted without a lane closure if it is accomplished in accordance with the following requirements:

- Barrier is removed from the trailing end and the workmen and equipment involved in the operation are always behind the barrier. No workmen or equipment shall enter the travel lane.
- Barrier shall be dragged away from the travel lane to at least a 30-degree angle by the use of a cable.
- Barrier shall be lifted no more than six inches while within 10 feet of the travel lane.

Retro-Reflective Delineators shall be mounted as follows:

- One on top of each barrier.
- One on the traffic side of every barrier used in a taper.
- One on the traffic side of every other barrier at regularly spaced intervals and locations.
- Delineators shall be installed on both sides of the barrier if barrier is used to separate opposing traffic.
- Delineators shall be physically adhered so as to withstand the force of throw from a snow plow.
- If more than 25% of delineators in any 50 foot section of barrier fall off for any reason, the Contractor will be responsible for reinstalling all the delineators in that run at that their own cost.
- Contractor is required to submit the installation method for review and approval to the Resident.

526.04 Method of Measurement

Delete this section and add the following:

Concrete Barrier will not be measured for payment but will be considered incidental to Item 652.39 Work Zone Traffic Control.

SPECIAL PROVISION

SECTION 527

ENERGY ABSORBING
UNIT

(Work Zone Crash Cushion)

527.01 Description

The first paragraph is deleted in its entirety and replaced with the following:

The Contractor shall furnish and install work zone crash cushions where shown on the Plans, as specified herein, in Special Provision 652, or as approved by the Resident. Work zone crash cushions are required at each exposed end of temporary concrete barrier or guardrail.

The exposed end of the concrete barrier within 30 feet of the mainline travel lane shall be protected at all times. Barrier shall not be reset until after the work zone crash cushion(s) has been set to protect the exposed end of the barrier.

527.02 Materials

The following paragraph is added:

Only work zone crash cushions meeting the AASHTO Manual for Assessing Safety Hardware (MASH) TL-3 crash test requirements may be used on the turnpike and local roadways with posted speeds of 45 MPH or greater. Work zone crash cushions meeting the MASH TL-2 crash test requirements may be used on local roadways with posted speeds of 40 MPH or less. The Contractor shall provide the Resident with documentation of the proposed work zone crash cushion's MASH Crash Test Results prior to installation at the jobsite.

527.03 Construction Requirements

The following is added to the end of the first paragraph:

The design speeds for work zone crash cushions shall be 45 mph for local road and 70 mph for turnpike roadways unless otherwise noted on the Plans.

527.04 Method of Measurement

Delete this section and add the following:

Work Zone Crash Cushions will not be measured for payment but will be considered incidental to Item 652.39 Work Zone Traffic Control.

SPECIAL PROVISION

SECTION 603

PIPE CULVERTS AND STORM DRAINS

(Reinforced Concrete Pipe)
(Concrete Collar)
(Corrugated Polyethylene Pipe)

603.01 Description

The following paragraphs are added:

This work shall also consist of furnishing and installing Class III or Class V reinforced concrete pipe at the locations as shown on the Plans or as approved by the Resident.

This work also consists of furnishing and installing a concrete collar to join existing concrete pipe to the proposed concrete or Corrugated High Density Polyethylene (HDPE) pipe in accordance with the details as shown on the Plans. The Contractor shall note that the concrete pipe ends may be of different sizes and may not fit snugly together.

This work shall also consist of furnishing and installing various sizes of corrugated HDPE pipe, including a dual wall adaptor fitting by Hancor or an approved equal as shown on the plans. No other pipe types within the Option III alternatives will be accepted.

603.02 Materials

All Corrugated High Density Polyethylene (HDPE) pipe for storm water and drainage systems shall meet the requirements of Subsection 706.06.

603.11 Method of Measurement

The following paragraph is added:

The Concrete Collar shall be measured by each unit installed, complete in place and accepted. This shall be full compensation for furnishing labor and materials to construct a Concrete Collar to connect the existing and proposed pipe ends in a working like manner.

Dual Wall Adapter Fitting shall be included for payment as three additional linear feet of the largest pipe involved.

603.12 Basis of Payment

Concrete Collars will be paid for at the Contract unit price each regardless of the size of the existing and proposed pipes.

Corrugated HDPE pipe will be paid for under the appropriate sized Culvert Pipe Option III pay items

Payment will be made under:

<u>Pay Item</u>		<u>Pay Unit</u>
603.155	12 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.165	15 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.1653	15 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.175	18 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.1753	18 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.195	24 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.1953	24 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.205	30 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2053	30 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.215	36 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2153	36 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.225	42 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2253	42 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.235	48 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2353	48 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.245	54 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2453	54 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.255	60 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2553	60 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.265	66 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2653	66 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.275	72 inch Reinforced Concrete Pipe - Class III	Linear Foot
603.2753	72 inch Reinforced Concrete Pipe - Class V	Linear Foot
603.155	12 Inch Reinforced Concrete Pipe – Class III	Linear Foot
603.28	Concrete Collar	Each

SPECIAL PROVISION

SECTION 606

GUARDRAIL

(31" W-Beam Guardrail – Mid-way Splice (8' Steel Posts, 8" Offset Blocks, Single Faced))

606.01 Description

The section is amended by the addition of the following:

This work shall consist of furnishing and installing guardrail components the required locations in accordance with the Specifications and in reasonably close conformity with the lines and grades shown on the Plans. The types of guardrail are designated as follows:

31" W-Beam Guardrail – Mid-way Splice (8' Steel Posts, 8" Offset Blocks)

606.02 Materials

The section is amended by the addition of the following:

Steel posts shall be 8 feet long as specified in the plans.

The guardrail elements shall be per the Components' List found on Sheet No. 2 of 2 of draft Drawing SGR47 – 31" W-Beam Guardrail with Standard 8" Offset Block in the Task Force 13 Report noted above and/or as noted in the Contract Documents unless noted otherwise.

606.04 Rails

The section is amended by the addition of the following:

Height of top of rail shall be 31" measured from final grade. Height transition from 31" W-Beam, mid-spliced guardrail to existing guardrail shall occur over a 25' length.

606.08 Method of Measurement

The section is amended by the addition of the following:

31" W-Beam Guardrail – Mid-way Splice (8' Steel Posts, 8" Offset Blocks) will be paid for at the contract unit price per linear foot of rail satisfactorily installed and accepted.

606.09 Basis of Payment

The section is amended by the addition of the following:

The accepted quantity of 31" W-Beam Guardrail – Mid-way Splice (8' Steel Posts, 8" Offset Blocks) will be paid for at the contract unit price per linear foot of rail and shall be full compensation for furnishing all labor, equipment and materials necessary to complete the work.

Payment will be made under:

Pay Item		Pay Unit
606.1301	31" W-Beam Guardrail – Mid-Way Splice (8' Steel Posts, 8" Offset Blocks, Single Faced)	Linear Foot
606.1303	31" W-Beam Guardrail – Mid-Way Splice (8' Steel Posts, 8" Offset Blocks, 15' Radius and Less)	Linear Foot
606.1304	31" W-Beam Guardrail – Mid-Way Splice (8' Steel Posts, 8" Offset Blocks, Over 15' Radius)	Linear Foot

SPECIAL PROVISIONSECTION 606GUARDRAIL

(Terminal End - Anchored End – 31” W-Beam Guardrail)

606.01 Description

The section is amended by the addition of the following:

This work shall consist of furnishing and installing Terminal End – Anchored End – 31” W-Beam Guardrail end treatment in accordance with these Specifications, the AASHTO-AGCARBTA Joint Committee Task Force 13 Report: A Guide to Standardized Highway Barrier Hardware, Drawing SEW31 in AASHTO Manual for Assessing Safety Hardware (MASH) approval letter B-256; and in reasonably close conformity with the lines and grades as shown on the Plans or as approved by the Resident.

606.02 Materials

The following sentences are added:

The guardrail elements shall be per the Components’ List found on Sheet No. 2 & 3 of 3 of Drawing SEW31 – Trailing-end Anchorage System in the Task Force 13 Report noted above and/or as noted in the Contract Documents. The component RWM14a shall be modified to a length of 9’-4½” measured from the center of the Midway Splice to the center of the last guardrail post.

606.042 Terminal End - Anchored End

The following sentences are added:

Installation of the Terminal End – Anchored End - 31” W-Beam Guardrail end treatment shall be in strict accordance with these plans and specifications, the AASHTO-AGC-ARBTA Joint Committee Task Force 13 Report and the Details on Sheet No. 1 of 3 of Drawing SEW31 – Trailing-End Anchorage System.

606.08 Method of Measurement

The second paragraph is amended by the addition of: “, Terminal End - Anchored End – 31” W-Beam Guardrail,” after the words “Terminal section,”.

606.09 Basis of Payment

The first paragraph is amended by the addition of: “, Terminal End - Anchored End – 31” Beam Guardrail,” after the words “Terminal section,”.

The second paragraph is amended by the addition of: “, Terminal End - Anchored End – 31” W-Beam Guardrail, and” after the words “NCHRP 350 end treatments”.

Payment will be made under:

Pay Item		Pay Unit
606.1351	Terminal End - Anchored End – 31” W-Beam Guardrail	Each

SPECIAL PROVISION

SECTION 606

GUARDRAIL

(Terminal End - Anchored End)
(Terminal End - Anchored End, Thrie Beam)

606.01 Description

The following sentence is added:

This work shall consist of furnishing and installing Terminal End – Anchored End, and Terminal End, Anchored End – Thrie Beam end treatments in accordance with these Specifications, the AASHTO-AGC-ARBTA Joint Committee Task Force 13 Report: A Guide to Standardized Highway Barrier Hardware, dated May 1995; and in reasonably close conformity with the lines and grades as shown on the Plans or as approved by the Resident.

606.02 Materials

The following sentences are added:

The guardrail elements shall be per the Components' List found on Sheet No. 2 of 2 of Drawing SEW02a – Trailing End Terminal – Foundation Tube Option in the Task Force 13 Report noted above and/or as noted in the Contract Documents.

The following Subsection is added:

606.042 Terminal End - Anchored End

Installation of the Terminal End – Anchored End shall be in strict accordance with the AASHTO-AGC-ARBTA Joint Committee Task Force 13 Report and the Details on Sheet No. 1 of 2 of Drawing SEW02a – Trailing End Terminal – Foundation Tube Option.

Height of installation of Terminal End – Anchored End units shall be 27.5-inches to the top of rail, transitioning to the standard height of 30-inches over a 25-foot length of Type 3d rail located immediately after the last post of the Anchored End unit.

Height of installation of Terminal End – Anchored End, Thrie Beam units shall be 32.0-inches to the top of rail, transitioning to the standard height of 30-inches over a 25-foot length of Type 3d rail located immediately after the last post of the Thrie Beam Anchored End unit.

The reveal on the soil tube for the Anchored End units shall not exceed 3.5-inches. If site grading is required to achieve the required rail height and soil tube reveal height, then such work will be incidental to the installation of the Anchored End units

606.08 Method of Measurement

The second paragraph is amended by the addition of: "Terminal End - Anchored End," after the words "NCHRP 350 end treatments,".

606.09 Basis of Payment

The second paragraph is amended by the addition of: "Terminal End - Anchored End," after the words "NCHRP 350 end treatments,".

Payment will be made under:

<u>Pay Item</u>		<u>Pay Unit</u>
606.278	Terminal End - Anchored End	Each
606.279	Terminal End - Anchored End, Thrie Beam	Each

SPECIAL PROVISIONSECTION 606GUARDRAIL

(Reflectorized Beam Guardrail Delineator)

606.01 Description

The following paragraphs are added:

Reflectorized beam guardrail delineators shall be installed on existing guardrail to remain in place, guardrail noted to be removed, modified and reset (single and/or double rail) or new guardrail, at the locations noted on Maintenance of Traffic plans or as approved by the Resident. The delineators shall be installed prior to traffic being shifted closer to the identified guardrail run. The color for the reflective sheeting shall be silver (white) when installed on the outside shoulder and yellow when installed on the inside shoulder.

Reflectorized beam guardrail delineators shall be mounted as follows:

1. Delineators on guardrail adjacent to a shifted detour should be spaced every other guardrail post and located at the bolt in the valley of the guardrail beam.
2. On existing steel bridge rail, the delineators shall be mechanically attached towards the top, every 10 feet, and bottom, every 20 feet. Delineators shall also be mechanically attached in a similar pattern to concrete endposts that are 10 feet or longer.
3. If more than 25% of delineators in any 50 feet of guardrail, bridge rail, or endposts fall off for any reason, the Contractor will be responsible for reinstalling all delineators in that run at that their own cost.
4. In no instance shall delineators be installed on guardrail which deviates substantially from the alignment (horizontal or vertical) of the roadway or which is located more than eight feet from the edge of pavement.
5. On Tangents, mount delineators every 62.5-feet or every 10th post.
6. On Curves, mount delineators every 31.25-feet or every 5th post.

Exceptions and/or modifications will only be made with the approval of the Resident.

Contractor is required to submit installation method for review and approval to the Resident.

606.02 Materials

The fourth paragraph is deleted and replaced with the following:

The reflectorized beam guardrail delineators shall be fabricated from galvanized steel.

Reflective sheeting shall meet the requirements of Subsection 719.01, Reflective Sheeting – minimum ASTM Type XI; 3M™ Diamond Grade™ DG³ Reflective Sheeting Series 4000 or approved equal.

606.08 Method of Measurement

The following paragraph is added:

Reflectorized Beam Guardrail Delineators will be measured by each unit of the kind specified and installed. Maintenance and replacement of delineators will not be measured separately for payment unless otherwise approved by the Resident.

606.09 Basis of Payment

The second and third sentences in the first paragraph are deleted and replaced with the following:

Reflectorized Beam Guardrail Delineators will be paid for at the Contract unit price each when installed on existing guardrail, complete in place, which price shall be full payment for furnishing and installing all components and for all incidentals necessary to complete the installation. Reflectorized Beam Guardrail Delineators will not be paid for on new guardrail.

Payment will be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
606.352 Reflectorized Beam Guardrail Delineator	Each

SPECIAL PROVISIONSECTION 606GUARDRAIL

(Delineator Post – Remove and Reset)

(Delineator Post - Remove and Stack)

606.01 Description

The following paragraphs are added:

This work shall also consist of furnishing and installing new delineator posts and/or removing and resetting and/or removing and stacking existing delineator posts within the Contract limits. The existing reflectorized delineator panels shall be removed and replaced with new reflectorized delineator panels as required by the Resident.

Existing and new delineator posts shall be located as follows, with the indicated panel:

Outside Shoulder:

- One at guardrail trailing ends (green delineator).
- Two at guardrail approach ends (one red delineator on first post and one red delineator on angle points.)

Median:

- One at guardrail trailing ends (green delineator, facing traffic).
- Two at guardrail approach ends (one red delineator on first post of CAT units, green on guard rail side, red on median opening side; and one red (both sides) delineator at angle point.)
- One at all other median guardrail angle points (red on both sides)

Other Locations:

- One at culvert outlets (green delineator).
- Twenty per mile evenly spaced at the edge of outside shoulder (white delineator).
- One at electrical junction boxes not associated with another item (red delineator).
- One at communication only junction boxes not associates with another item(orange delineator).

Delineator posts that do not exist in the locations described above, shall be supplied and installed by the Contractor. The installation of the delineator post shall include the demountable reflectorized delineator panel.

White edge delineators shall not be installed on any portion of the widened shoulder for Guardrail 350 Flared Terminal installations, and shall not be installed behind the Guardrail 350 Flared Terminal rail segments.

606.02 Materials

The following paragraphs are added:

Non-guardrail Delineator Posts shall conform to Subsection 606.02 paragraph 3.

The seventh through ninth sentences of the fourth paragraph are deleted and replaced with the following:

Reflectorized flexible guardrail markers shall be a minimum of 2-inches in diameter, a maximum of 36" in length, ovalized at the top of the post to allow application of 3 inch by 9 inch high intensity reflective sheeting, and shall be capable of recovering from repeated impacts. The flexible guardrail delineator markers shall be grey and capped at the top with a flexible rubber cap; Safe-Hit Flexible Guardrail Delineator or approved equal. Reflective material shall meet the requirements of ASTM Type IX Diamond Grade VIP (Visual Impact Performance).

The demountable reflectorized delineator panels shall meet the material requirements of Subsection 719.06. The delineator panel shall be rectangles measuring 9" x 3".

606.03 Posts

The following paragraphs are added:

The top of delineator posts shall be installed 4' - 6" (54")) above edge of pavement elevation. Delineators shall be installed four feet from edge of pavement except those delineating end treatments, culverts and electrical items.

Mile marker posts shall be mounted on breakaway supports. The bottom of the sign shall be 5' - 0" (60") above the pavement at the solid white line and shall be offset five feet from the edge of pavement.

A mock-up of the guardrail delineator posts shall be submitted to the Resident for approval prior to installation.

Any materials damaged by the Contractor's operations shall be replaced at no additional cost to the Authority.

Top of the delineator panel shall be flush with the top of post.

606.08 Method of Measurement

The following paragraphs are added:

Delineator Posts shall be measured by each unit satisfactorily installed. Delineator Post-Removed and Reset will be measured by each unit satisfactorily removed and reset. Delineator Posts Removed and Stacked will be measured by each unit satisfactorily removed and stacked.

Mile Marker post shall be measured for payment as Delineator Post. The breakaway supports shall be incidental to the Underdrain Delineator Post pay item.

606.09 Basis of Payment

The following sentences are added:

The accepted quantity of Delineator Posts will be paid for under the Underdrain Delineator Post item, at the Contract unit price per each which price shall be full compensation for the post and specified delineator or mile marker panel, complete in place.

The accepted quantity of Delineator Post - Removed and Reset will be paid for at the Contract unit price each, which price shall be full compensation for removing and resetting the delineator panel or mile marker panel and post and all incidentals necessary to complete the work.

The accepted quantity of Delineator Posts Removed and Stacked will be paid for at the Contract unit price each, which price shall be full compensation for removing and stacking delineator panel or mile marker panel and posts and all incidentals necessary to complete the work.

Payment will be made under:

<u>Pay Item</u>		<u>Pay Unit</u>
606.3561	Delineator Post - Remove and Reset	Each
606.3562	Delineator Post - Remove and Stack	Each

SPECIAL PROVISION

SECTION 606

GUARDRAIL

- (Guardrail – Remove, Modify and Reset, Single Rail)
- (Guardrail – Remove, Modify and Reset, Double Rail)
- (Guardrail - Remove and Stack)
- (Guardrail Adjust – Single Rail)
- (Guardrail Adjust – Double Rail)

606.01 Description

The following paragraphs are added:

This work shall also consist of adjusting the height of the existing single and double rail guardrail in locations where the existing height of rail is not 30 inches. The guardrail shall be adjusted to a height of 30 inches. Existing single and double rail shall also be adjusted for lean.

The guardrail adjustment shall take place at all necessary locations; approximate locations are listed in the schedule of guardrail limits both median and outside shoulder. Exact locations for adjustment shall be determined by the Resident. If, during the course of the work, the contractor finds additional rail to be adjusted, then he shall notify the Resident, and the Resident determine if the rail is to be adjusted.

This work shall also consist of removing, stockpiling and stacking of existing single and double guardrail elements, component parts and hardware suitable for replacement as approved by the Resident. At the completion of the Contract, any unused guardrail elements, posts, component parts and hardware suitable for reuse shall remain the property of the Authority. Any guardrail elements, posts, component parts and hardware unsuitable for reuse shall become property of the Contractor.

Stockpiled materials, suitable for reuse, shall be utilized on Remove, Modify and Reset items prior to new materials being paid for.

This work shall consist of removing, disposing of existing guardrail elements, component parts and hardware, as directed by the Resident. All materials shall become the property of the Contractor and shall be removed from the site at the completion of the Project. The Contractor shall provide the Resident with an affidavit stating the final location of all disposed material and that the material was disposed of in accordance with the Maine Department of Environmental Protection Solid Waste Regulations.

606.02 Materials

The following paragraph is added at the end of the subsection:

New non-wood offset blocks conforming to NCHRP 350 Test Level 3 shall be installed on all guardrail being reset. The existing steel offset brackets and backup plates shall become the property of the contractor.

The following Subsection is added:

606.021 General

All existing guardrail to be raised or lowered shall be completed prior to new guardrail or end treatments being attached.

606.036 Adjusting Existing Guardrail

Any materials or galvanizing damaged by the Contractor's operations shall be replaced or touched-up at no additional cost to the Authority.

Guardrail posts shall be raised to a minimum of five inches above final elevation prior to driving post to final elevation; this applies to both raising and lowering rail.

Any given length of guardrail to be adjusted shall be done in such a way that top of rail elevations do not vary drastically between each section of guardrail. Rail height tolerance shall be 30 inches, plus 0 inches, minus 1/2 inch. The 30 inches shall be measured from the edge of pavement to the top of rail beam when within 2 feet of the edge of pavement.

Rail shall be adjusted for lean where needed. All posts shall be plumb after adjusting for lean.

When the rail tapers from one bound to the other the rail shall be adjusted to the correct height on the farthest ends and shall be adjusted towards the center of the median to create a smooth line.

Earth around each adjusted or reset post shall be raked and compacted with a minimum 8 pound hand tamper or an approved device. Holes created due to adjusting or resetting a post shall be filled with a similar surrounding material and compacted.

606.08 Method of Measurement

The following paragraphs are added:

Adjusting of both single and double rail guardrail shall be measured by the linear foot of Guardrail adjusted and accepted.

Raking and compacting the earth around each reset post with a minimum 8 pound hand tamper or an approved device, and infilling and compacting holes created due to resetting posts with a similar surrounding material will not be paid separately, but shall be incidental to the Guardrail - Remove, Modify and Reset Pay or Guardrail - Adjust pay items.

Guardrail Remove and Stack will be measured on a linear foot basis of guardrail satisfactorily removed and stockpiled whether single rail or double rail. Single and double twisted end sections will be measured for payment on a linear foot basis as 25 feet of guardrail removed.

Guardrail removed and not reset or stacked shall be incidental to Contract Items and include all removal, disposal, equipment and labor necessary to satisfactorily complete the work.

Steel posts to replace damaged posts shall come from the stockpile of guardrail components to be disposed of, from this Contract and will not be measured separately for payment. If, in the opinion of the Resident, there are no suitable steel posts in the stockpile then steel posts will be measured for payment.

W-beam rail elements to replace damaged rail elements shall come from the stockpile of guardrail from the Remove and Stack or the guardrail to be disposed of from this Contract and will not be measured separately for payment. If, in the opinion of the Resident, there are no suitable W-beam rail elements in the stockpile then the W-beam rail elements will be measured for payment.

606.09 Basis of Payment

The following paragraphs are added:

Adjusting of single and double rail guardrail will be paid for at the Contract unit price per linear foot and shall be full compensation for furnishing all labor, equipment and materials necessary to complete the work. Guardrail Adjust will not be measured for payment until all compaction has been completed.

The accepted quantity of guardrail removal will be paid for at the Contract unit price bid, which price shall be full compensation for removing, transporting and stacking all guardrail elements, component parts and hardware, equipment, labor and all incidentals necessary to complete the work. No additional payment will be made for double rail.

Payment will be made under:

<u>Pay Item</u>		<u>Pay Unit</u>
606.3605	Guardrail – Remove, Modify, and Reset Single Rail	Linear Foot
606.3606	Guardrail – Remove, Modify, and Reset Double Rail	Linear Foot
606.369	Guardrail - Remove and Stack	Linear Foot
606.3621	Guardrail Adjust, Single Rail	Linear Foot
606.3622	Guardrail Adjust, Double Rail	Linear Foot

SPECIAL PROVISION

SECTION 606

GUARDRAIL

(Remove and Reset Timber Guardrail)

606.01 Description

The following paragraphs are added:

This work shall consist of removing the existing designated timber guardrail and resetting in a new location shown on the plans or directed. This work shall also consist of disposing of timber guardrail not reused and replacing damaged or broken materials.

606.02 Materials

The following paragraphs are added:

Where new materials are required, materials shall conform to Voluntary Product Standards PS 20-15 and be certified according to applicable standard grading and dressing rules and shall bear the official grade and/or trademark of the association under whose rules it is produced.

- A. Wood: Post and beams shall be the same size and species of the existing timber guardrail or as approved by the Resident. All wood shall be new, solid, sound and surface dry with a maximum moisture content of 19 percent. All wood shall be clearly marked with the official grading information.
- B. Fasteners: Carriage bolts shall be hot dipped galvanized steel or stainless steel and shall conform to the requirements of ANSI-B18.5 for round head, square neck bolts and to ASTM- A307. Washers shall be plain steel and shall conform to the requirements of ANSI-B18.22.1. Nuts shall be hex nuts conforming to the requirements of ANSI-B18.22.2.
- C. Treatment: All wood shall be .40 lbs per cubic foot pressure treated with Alkaline Copper Quaternary (ACQ).

606.09 Basis of Payment

Payment will be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
606.615 Remove and Reset Timber Guardrail	LF

SPECIAL PROVISION

SECTION 607

FENCES

(Pipe Entry Gate)
(Remove and Reset Pipe Entry Gate)

607.01 Description

The following paragraphs is added:

This work shall also consist of installing a pipe entry gate in reasonably close conformity with the lines and grades as shown on the Plans or as approved by the Resident.

This work shall also include removing existing pipe entry gate and resetting pipe entry gate in reasonably close conformity with the lines and grades as shown on the Plan or as approved by the Resident.

The installation shall include the assembly and erection of all parts and materials complete at the locations as shown on the Plans or as approved by the Resident.

607.02 Materials

The following sentences are added:

The pipe entry gate width is designated on the Plans.

Pipe entry gate and associated hardware shall be made of aluminum as specified in ASTM B 429/ B 429M.

607.06 Method of Measurement

Pipe Entry Gate and Remove and Reset Pipe Entry Gate will be measured by each unit of the kind specified and installed.

607.07 Basis of Payment

Pipe Entry Gate will be paid for at the Contract price each, complete in place, which payment shall be compensation for furnishing and installing all necessary hardware, excavation and concrete.

Remove and Reset Pipe Entry Gate will be paid for at the Contract price each, complete in place, which payment shall be compensation for complete disassembly, moving, stacking, furnishing and installing all necessary hardware, including broken, missing, or damaged components, excavation and concrete.

Gate connection to proposed fence will not be measured separately for payment, but shall

be incidental to the gate work.

Payment will be made under:

<u>Pay Item</u>		<u>Pay Unit</u>
607.2325	Pipe Entry Gate	Each
607.2326	Remove and Reset Pipe Entry Gate	Each

SPECIAL PROVISION

SECTION 610

STONE FILL, RIPRAP, STONE BLANKET AND STONE DITCH PROTECTION

(Temporary Stone Check Dams)

610.01 Description

Paragraph (g) is added as follows:

(g) Stone Check Dams – Machine placed stone, including the placement, removal and storage of the stone used for temporary stone check dams.

610.032.e. Stone Check Dams

The following paragraph is added:

Stone check dams shall be constructed in accordance with the details as shown on the Plans, detailed in the MaineDOT's latest Best Management Practices, or as approved by the Resident. The stone shall be placed in one operation without special handling or handwork except to create a low point along the top gradient above the ditch flow lines.

The following Subsection is added:

610.033 Removing Stone

The stone for temporary stone check dams shall be removed after vegetation has been established in the ditches as approved by the Resident.

Any damage to the slopes and ditches caused by the removal of the stone check dams shall be repaired by the Contractor at his own expense.

The area directly under the temporary stone check dams shall be loamed, seeded and mulched immediately after the removal of the stone check dams. The loam, seed and mulch will be measured for payment under the appropriate pay items.

Stone used for temporary stone check dams shall be removed and stored and shall become the property of the Contractor at the completion of the Project.

The following Subsection is added:

610.034 Maintenance

Stone check dams shall be maintained by the Contractor. Sediment deposits behind check dams shall be removed when the depth of sediment reaches 50 percent of the check dam height.

610.05 Method of Measurement

The following paragraphs are added:

Stone for Temporary Stone Check Dams will be measured by the cubic yard complete in place. The removal and storage of the stone will not be measured separately for payment, but shall be incidental to the Temporary Stone Check Dam item. This shall include the transporting and unloading of the stone. If this stone is reused on the Project, it will be measured separately for payment under the appropriate pay item.

The removal and disposal of sediment from behind the Temporary Stone Check Dams will not be measured separately for payment, but shall be incidental to the Temporary Stone Check Dam pay item.

610.06 Basis of Payment

The following sentences are added:

The accepted quantities of stone for Temporary Stone Check Dams will be paid for at the Contract unit price per cubic yard.

Payment will be made under:

<u>Pay Item</u>		<u>Pay Unit</u>
610.181	Temporary Stone Check Dam	Cubic Yard

SPECIAL PROVISION

SECTION 613

EROSION CONTROL BLANKET

613.01 Description

This work shall also include seeding, mulching and watering the median swale and/or longitudinal flow line to the limits and width as shown on the Plans or as directed by the Resident.

613.02 Materials

The following sentences are added:

Seeding shall meet the requirements of Section 618, Seeding, Method Number 2.

Mulch shall meet the requirements of Section 619.

The following Subsection is added:

613.041 Maintenance and Acceptance

See Section 618.10 for maintenance and acceptance of seeding.

613.042 Mulch

All mulch shall be placed after the area has been seeded and prior to the installation of the Erosion Control Blanket.

613.09 Basis of Payment

The following "and mulch" is added after the words "initial seeding" in the second sentence.

SPECIAL PROVISION

SECTION 619

MULCH

(Mulch – Plan Quantity)
(Temporary Mulch)

619.01 Description

The first paragraph is modified by the addition of the following:

“as a temporary or permanent erosion control measure” after the word “mulch”.

Add the following sentence at the end of the first paragraph:

Refer to Section 656 Temporary Soil and Water Pollution Control, for more information on Temporary Mulch.

619.03 General

The first paragraph is deleted and replaced with the following:

Cellulose fiber mulch shall not be used within 200 feet of a wetland or stream. The limits shall be 200 feet up station and down station of the wetland or streams as well as the slopes adjacent to the stream. The application of hay or straw mulch with an approved binder shall be used at these locations to prevent erosion.

The use of cellulose fiber mulch will only be allowed at other areas with the approval of the Resident. The Contractor may be required to demonstrate that the material may be applied in a manner that will prevent erosion and will aid in the establishment of permanent vegetation. The Resident reserves the right to require the use of hay or straw mulch at all locations if he determines that the cellulose mulch is ineffective. Cellulose fiber mulch is not acceptable for winter stabilization.

619.06 Method of Measurement

The following sentence is added:

Temporary Mulch will be paid for by the lump sum.

619.07 Basis of Payment

Temporary Mulch will be paid for at the Contract price per lump sum which shall be full compensation for furnishing and spreading the Temporary Mulch as many times as necessary as determined by the Contractor’s operations and staging. The price shall also include the additional mulch netting and snow removal necessary during the winter months.

Payment will be made under:

Pay Item

619.1201 Mulch – Plan Quantity
619.1202 Temporary Mulch

Pay Unit

Unit
Lump Sum

SPECIAL PROVISIONSECTION 652MAINTENANCE OF TRAFFIC(Work Zone Traffic Control)

This Specification modifies the Section 652 Supplemental Specification to define new pay items for all maintenance of traffic work associated with the Contract.

652.1 Description

The following paragraphs are added:

Work zone traffic control shall include all equipment, submittals, installation, operations, relocations, replacements and removals to maintain the continuous and effective maintenance of traffic through and detouring around all work zones.

652.7 Method of Measurement

Delete the whole section and replace with the following:

Work Zone Traffic Control will be measured as a lump sum as indicated in the plans and specifications, for all authorized and installed traffic control devices for which traffic shall be maintained in accordance with the approved traffic control plans.

Signs (supplied by the contractor, static and automated), signals, lighting devices, pavement markings, rumble strips, barriers and barricades, channelizing devices, hand signaling devices, portable light towers, flashing and steady burn warning lights and beacons, flashing arrow panels, truck-mounted equipment and trailers (except truck-mounted attenuators and automated trailer mounted speed limit signs, as defined for payment in special provision 652), traffic officers, flaggers and traffic coordinators will not be measured regardless of when or how often used or relocated on the project but shall be incidental to the Work Zone Traffic Control item. No additional payment will be made for devices that require replacement due to poor condition or inadequate retroreflectivity.

The installation and removal of existing and temporary pavement markings, regardless of material, will not be measured but shall be incidental to the Work Zone Traffic Control item. No additional payment will be made for refreshing temporary paint pavement markings due to inadequate retroreflectivity or for re-installation of temporary tape pavement markings due to poor adhesion.

652.8 Basis of Payment

Delete the whole section and replace with the following:

The Lump Sum for Work Zone Traffic Control will be payable in installments as follows: 25% of the Lump Sum once the Contractor's Traffic Control Plan is approved; 70%

of the Lump Sum paid as work progresses, proportional to the overall completion percentage of the Contract; and the remaining 5% paid upon Final Acceptance.

Failure by the contractor to reinstall cones, barrels, signs, covered/uncovered signs and similar traffic control devices within an hour of them being displaced, moved, knocked over, uncovered, etc. will result in a \$150 fine per traffic control device if the issue is not resolved within one (1) hour of notification by the Resident. An additional \$150 will be assessed for each additional hour that the device has not been corrected. If the traffic control device is critical to the maintenance of traffic creating an actual or potential safety issue with traffic and is not corrected immediately then it will result in a violation letter as described below.

Failure by the contractor to follow the Contracts 652 Supplemental Specifications, Special Provisions and Standard Specification and/or the Manual on Uniform Traffic Control Devices (MUTCD) and/or the Contractor's own Traffic Control Plan, or failure to correct a violation, will result in a violation letter and result in a reduction in payment as shown in the schedule below. The Resident or any other representative of the Authority reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Authority shall not be held responsible for any delay in the work due to any suspension under this item. Any reduction in payment under this Special Provision will be in addition to forfeiting payment of maintenance of traffic control devices for that day.

<u>Amount of Penalty Damages per Violation</u>		
<u>1st</u>	<u>2nd</u>	<u>3rd & Subsequent</u>
\$500	\$1,000	\$2,500

652.8.1 Maintenance of Traffic Control Devices

Delete the whole section and replace with the following:

Work Zone Traffic Control will be paid at the lump sum price as indicated in the plans and specifications. Such payment will be full compensation for the development and submission of the traffic control plans for approval and for the installation, operations, maintenance, relocation, replacement, and removal of all traffic control devices for the project, including signs, signals, temporary signal systems, lighting devices, pavement markings, rumble strips, barriers and barricades, channelizing devices, hand signaling devices, portable light towers, flashing and steady burn warning lights and beacons, flashing arrow panels, truck-mounted equipment and trailers (except truck-mounted attenuators and automated trailer mounted speed limit signs, as defined for payment in special provision 652), traffic officers (except State Police as authorized by the Resident), flaggers and traffic coordinators. The lump sum price shall also include full compensation for all daily operations and maintenance of the approved traffic control plan and for all labor, tools, materials, equipment, incidentals, transportation, and labor required to implement the approved traffic control plans.

652.8.2 Other Items

Delete the whole section and replace with the following:

There shall be no payment made under any 652 pay items after the expiration of the adjusted total contract time.

Payment will be made under:

<u>Pay Item</u>		<u>Pay Unit</u>
652.39	Work Zone Traffic Control	Lump Sum

SPECIAL PROVISIONSECTION 652MAINTENANCE OF TRAFFIC

(Specific Project Maintenance of Traffic
Requirements)

This Special Provision contains additional requirements beyond those in the 2016 MTA Supplemental Specifications for the specific project maintenance of traffic requirements.

The following minimum traffic requirements shall be maintained. These requirements may be adjusted based on the traffic volume when authorized by the Authority.

All maintenance of traffic control devices shall meet current MUTCD guidelines and NCHRP 350 guidelines, and MASH guidelines if the date of manufacture was after 2019.

Hannaford Roadway Traffic Control Requirements

Two 11-foot lanes of traffic shall be maintained along the Hannaford Entrance roadway in accordance with the details shown on the Plans. Short durations of alternating two-way traffic in a single lane will be permitted with proper maintenance of traffic signage and flaggers. A minimum of one 14-foot travel lane shall be maintained at all times. The Contractor shall notify the Resident two days prior to any lane closure. The Resident will notify the City of Portland and Hannaford management. At the end of each work day, the throat of the ramp shall be lined with cones at the edge of existing pavement until the permanent signs are installed. Construction truck traffic shall not use the Hannaford driveway on Fridays, weekends or Holidays. There shall be a restriction that no more than two trucks per hour may access the jobsite via the Hannaford Driveway. All construction traffic using the Hannaford Driveway shall use the Forest Avenue intersection. Construction traffic shall not use the Hannaford Driveway to access Riverside Street and construction traffic shall not enter the Hannaford Driveway from Riverside Street.

During the paving work on the ramps, the Contractor is permitted to maintain one 12-foot lane of alternating traffic using flaggers on the road listed above. Paving work includes pavement milling and resurfacing.

Riverside Industrial Parkway Traffic Control Requirements

Two 11-foot lanes of traffic shall be maintained along Riverside Industrial Parkway in accordance with the details shown on the Plans. Short durations of alternating two-way traffic in a single lane will be permitted with proper maintenance of traffic signage and flaggers. A minimum of one 12-foot travel lane shall be maintained at all times. The Contractor shall notify the Resident two days prior to any lane closure. The Resident will notify the City of Portland. At the end of each work day, the throat of the ramp shall be lined with cones at the edge of existing pavement until the permanent signs are installed.

During the paving work on the ramps, the Contractor is permitted to maintain one 12-foot lane of alternating traffic using flaggers on the roads listed above. Paving work includes pavement milling and resurfacing.

See tables below for specific limitations on local maintenance of traffic operations.

Maine Turnpike Traffic Control Requirements

The maintenance of traffic control plans include shoulder closures and single lane closures for the work that will occur on, over, or adjacent to the Maine Turnpike roadway.

The following Maintenance of Traffic Limitation Tables provide limitations for activities along the Turnpike mainline. Travel lanes may not be impeded by traffic control devices until the time frames specified for each activity.

Temporary concrete barrier is prohibited along the Turnpike mainline from November 15th through April 1st.

The traffic control for the culvert work at MM 53.7 will be provided by the Authority. The Contractor shall provide an expected schedule for shoulder closure and lane closure needs two weeks prior to starting work. The Contractor shall notify the Resident for all changes to the shoulder closure and lane closure needs at least 48 hours in advance.

Loading/unloading trucks shall not be closer than six feet from an open travel lane when being loaded or unloaded within the work zone.

MAINTENANCE OF TRAFFIC LIMITATION TABLE: TURNPIKE MAINLINE - APPROVED SHOULDER CLOSURES AND LANE CLOSURES

EMERGENCY VEHICLE RAMPS TERMINATING AT FOREST AVENUE (HANNFORD ENTRANCE) / RIVERSIDE INDUSTRIAL PARKWAY (MM 50.0)

Mainline Northbound & Southbound August 1, 2020 to November 14, 2020 April 2, 2021 to June 30, 2021				
		Temporary Turnpike Shoulder Closures	Long-Term Turnpike Shoulder Closures with Barrier	Turnpike Single Lane Closures
Time of Day:	Anytime		Allowed	
Days of Week:	Sunday p.m. through Friday a.m.			
Time of Day:	8:00 p.m. to 6:00 a.m. next day	Allowed	Allowed	Allowed

Mainline Northbound & Southbound November 15, 2020 to April 1, 2021				
		Temporary Turnpike Shoulder Closures	Long-Term Turnpike Shoulder Closures with Barrier	Turnpike Single Lane Closures
Days of Week:	Sunday p.m. through Friday a.m.			
Time of Day:	7:00 p.m. to 6:00 a.m. next day	Allowed		Allowed

Riverside Industrial Parkway June 1, 2020 to June 30, 2021		
		Flagging/ Single Lane Closures
Time of Day:	Anytime	Allowed

Hannaford Entrance June 1, 2020 to June 30, 2021		
		Flagging/ Single Lane Closures
Days of Week:	Monday through Thursday	
Time of Day:	Anytime	Allowed

MAINLINE CULVERT WORK (MM 53.7)

Mainline Northbound August 1, 2020 to October 15, 2020			
		Temporary Turnpike Shoulder Closures	Turnpike Single Lane Closures
Time of Day:	Anytime		
Days of Week:	Sunday p.m. through Thursday p.m.		
Time of Day:	8:00 p.m. to 2:30 p.m. next day	Allowed	Allowed
Days of Week:	Thursday p.m through Friday p.m.		
Time of Day:	8:00 p.m. to 12:01 p.m. next day	Allowed	Allowed

Mainline Southbound August 1, 2020 to October 15, 2020			
		Temporary Turnpike Shoulder Closures	Turnpike Single Lane Closures
Time of Day:	Anytime		
Days of Week:	Sunday p.m. through Monday a.m.		
Time of Day:	8:00 p.m. to 6:00 a.m. next day	Allowed	Allowed
Days of Week:	Monday a.m. through Friday a.m.		
Time of Day:	9:00 a.m. to 6:00 a.m. next day	Allowed	Allowed

NOTE 1: Turnpike Lane Closures shall be removed if construction is not ongoing. Unattended lane closures are not allowed.

NOTE 2: Construction vehicles are prohibited from merging with mainline traffic after noon on Fridays between August 1, 2020 and September 11, 2020 and during June 2021 unless the merge occurs at an interchange.

NOTE 3: Construction and personal vehicles are prohibited from merging with mainline traffic all weekdays from 6:30 a.m. to 9:00 a.m. and from 3:30 p.m. to 6:00 p.m.

NOTE 4: There shall be no lane closures permitted along the Turnpike over the following dates:

- September 3-8, 2020
- October 9-12, 2020
- November 25-30, 2020
- December 23, 2020 – January 4, 2021
- February school vacation week 2021 (TBD)
- April school vacation week 2021 (TBD)
- May 28-June 1, 2021

SPECIAL PROVISION

SECTION 652

MAINTENANCE OF TRAFFIC

(Flaggers)

Section 652 of the Maine Turnpike Authority 2016 Supplemental Specifications is modified as follows:

652.2.4 Other Devices

Paragraph five is deleted and replaced with the following:

STOP/SLOW paddles shall be the primary and preferred hand-signaling device. Flags shall be limited to emergencies. The paddle shall have an octagonal shape and be at least 18 inches wide with letters at least 6 inches high and should be fabricated from light semi-rigid material. STOP/SLOW paddles shall have internal flashing LEDs and be Visual-Alert LED STOP/SLOW Paddles or approved equivalent.

652.4 Flaggers

The last sentence in the first paragraph is deleted and replaced with the following:

Only flashing SLOW/STOP paddles shall be used and the flagger station shall be illuminated to assure visibility in accordance with 652.6.2.

Add:

Flaggers shall not stop traffic on Turnpike mainline or interchange ramps. Only State Police are allowed to stop traffic on mainline or interchange ramps.

652.7 Method of Measurement

Add:

Flaggers will not be measured for payment but will be considered incidental to Item 652.39 Work Zone Traffic Control.

SPECIAL PROVISIONSECTION 652MAINTENANCE OF TRAFFIC

(Truck Mounted Attenuator)

Section 652 of the Maine Turnpike Authority 2016 Supplemental Specifications is modified as follows:

652.1 Description

The following paragraph is added:

When a pay item for a Truck Mounted Attenuator (TMA) is included in the contract at least one TMA will be required on the project and its use will be required. The truck mounted attenuator should be utilized in lane closures and other construction operations where workers are exposed to traffic and not protected by other positive means. The Contractor shall manage the utilization and operation of the TMA and if at least one is not used as described above then it will be considered a Traffic Control Plan violation and result in a reduction of payment as outlined in Section 652.

652.2.1 Truck Mounted Attenuator

This section is deleted in its entirety and replaced with the following:

The truck mounted attenuator system shall conform to the following requirements:

- Truck and attached attenuator shall conform to the NCHRP Report 350, Test Level 3 criteria, or MASH Test Level 3 criteria if manufactured after 2019.
- A mounted revolving amber light or amber strobe light with 360-degree visibility.
- An arrow light bar fixed to the vehicle.
- The attenuator shall be mounted to a vehicle with a minimum weight of 10,000 lbs.

652.3.7 Operations

This section is deleted in its entirety and replaced with the following:

The Contractor shall manage the operation of the truck mounted attenuator. The truck mounted attenuator should be utilized in lane closures and other construction operations where workers are exposed to traffic and not protected by positive means. The operation of the vehicle shall be in accordance with the Manual of Uniform Traffic Control Devices and the manufacturer's recommendation.

Installation: The chart below identifies the distance from the work zone or hazard where the TMA shall be deployed. If the work zone is within a marked lane closure, the

barrier truck distances shall apply and if the work is mobile, then shadow truck distances shall apply. The TMA shall not be located in the buffer zone. When used as a barrier, the barrier truck shall be parked in low gear with brakes applied and the front wheels turned away from the work zone and the adjacent traffic lane. For placement details, reference the Manual of Uniform Traffic Control Devices (MUTCD).

Weight of Truck	Barrier Truck Distance from Work Zone of Hazard	Shadow Truck Distance from Work Vehicle or Work Zone
10,000 lbs	250 ft	300 ft
15,000 lbs	200 ft	250 ft
>24,000 lbs	150 ft	200 ft

652.7 Method of Measurement

The last paragraph is deleted and replaced with:

Truck mounted attenuator shall be measured for payment by the calendar day for each calendar day that a unit is used on a travel lane or shoulder on the project, as approved by the Resident.

652.8.2 Basis of Payment

The last two paragraphs are deleted and replaced with:

The Truck Mounted Attenuator(s) will be paid for at the Contract unit price per calendar day for each TMA used. This price shall include all costs associated with the use of the vehicle. Payment shall include operator, fuel, truck, maintenance, flashing lights, arrow board and all other incidentals necessary to operate the vehicle.

Payment will be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
652.45 Truck Mounted Attenuator	Calendar Day

SPECIAL PROVISION

SECTION 719

SIGNING MATERIAL

Section 719.01 Reflective Sheeting

This Subsection is deleted in its entirety and replaced with the following:

Retroreflective sheeting for signs shall meet at a minimum the requirements for ASTM 4956 – Type XI (Prismatic) manufactured by 3M Company, for all signs.

Reflective sheeting, used in sign construction, shall have been manufactured within the six months immediately prior to the fabrication of each sign. Upon delivery at the job site of each shipment of signs, a letter of certification shall be provided that the reflective sheeting conforms to the requirements.

For Type 1 Guide Signs, all reflective sheeting shall be color matched on each sign unit.

All warning signs shall be fluorescent yellow except for Ramp Advisory Speed signs which shall be yellow.

All Construction Series signs that use orange backgrounds shall be fluorescent orange.

All Pedestrian Signs shall be fluorescent yellow-green.

EZ-PASS Purple shall conform to the FHWA Purple color box.

719.02 Demountable High Intensity Reflectorized Letters, Numerals, Symbols, and Borders

This Subsection, including the title, is deleted in its entirety and replaced with the following:

719.02 Direct Applied Reflectorized Letters, Numerals, Symbols, and Borders

Direct applied letters, numerals, symbols and borders shall consist of cut out sheeting that shall meet at a minimum the requirements for ASTM 4956 – Type XI (Prismatic) sheeting. The sheeting material used for the direct applied legend shall be the same type as used for the background.

APPENDIX A

Section 11 – State Transportation Facilities Permit by Rule Regulations

D. Definitions. The following terms, as used in this chapter, have the following meanings, unless the context indicates otherwise:

- (1) **Cross-sectional area.** The cross-sectional area of a stream channel is determined by multiplying the stream channel width by the average stream channel depth. The stream channel width is the straight line distance from the normal high water line on one side of the channel to the normal high water line on the opposite side of the channel. The average stream channel depth is the average of the vertical distances from a straight line between the normal high water marks of the stream channel to the bottom of the channel.
- (2) **Crossing.** Any activity extending from one side to the opposite side of a protected natural resource, or to an island or upland within a protected natural resource whether under, through or over that resource. Such activities include, but are not limited to roads, fords, bridges, culverts, utility lines, water lines, sewer lines and cables, and the clearing and removal of vegetation necessary to install and maintain these crossings.
- (3) **Fill.** a. (verb) To put into or upon, supply to, or allow to enter a water body or wetland any earth, rock, gravel, sand, silt, clay, peat, or debris; b. (noun) Material, other than structures, placed in or adjacent to a water body or wetland.
- (4) **Ford.** A permanent crossing of a stream utilizing an area of existing, non-erodible substrate of the stream, such as ledge or cobble, or by placing non-erodible material such as stone or geotextile on the stream bottom.
- (5) **Perennial watercourse.** A river, stream or brook depicted as a solid line on the most recent edition of a United States Geological Survey 7.5 minute series topographic map, or if not available, a 15 minute series topographic map.
- (6) **Riprap.** Heavy, irregularly-shaped rocks that are fit into place, without mortar, on a slope. Square or rectangular rocks with flat faces, such as quarry stone or manufactured blocks, do not qualify as “irregularly-shaped”.
- (7) **Used for navigation.** Those rivers, streams or brooks used by motorized watercraft.

11. State transportation facilities

A. Applicability

- (1) This section applies to the maintenance, repair, reconstruction, rehabilitation, replacement or minor construction of a State Transportation Facility carried out by, or under the authority of, the Maine Department of Transportation (MaineDOT) or the Maine Turnpike Authority, including any testing or preconstruction engineering, and associated technical support services.
- (2) This section does not apply to an activity within a coastal sand dune system.

NOTE: The construction of a transportation facility other than roads and associated facilities may be subject to the Storm Water Management Law, 38 M.R.S.A. Section 420-D.

B. Standards

- (1) Photographs of the area to be altered by the activity must be taken before work on the site begins. The photographs must be kept on file and be made available at the request of the DEP.
- (2) The activity must be reviewed by the Department of Inland Fisheries and Wildlife and the Department of Marine Resources, as applicable. The applicant must coordinate with the reviewing agencies and incorporate any recommendations from those agencies into the performance of the activity.
- (3) All construction activities undertaken must be detailed in a site-specific Soil Erosion and Water Pollution Control Plan and conducted in accordance with MaineDOT's Best Management Practices for Erosion and Sediment Control, dated January 2000, and Standard Specifications, dated December 2002.
- (4) Alignment changes may not exceed a distance of 200 feet between the old and new center lines in any natural resource.
- (5) The activity may not alter more than 300 feet of shoreline (both shores added together) within a mile stretch of any river, stream or brook, including any bridge width or length of culvert.
- (6) The activity may not alter more than 150 feet of shoreline (both shores added together) within a mile stretch of any outstanding river segment identified in 38 M.R.S.A. 480-P, including any bridge width or length of culvert.
- (7) The activity must minimize wetland intrusion. The activity is exempt from the provisions of Chapter 310, the Wetland and Waterbodies Protection Rules, if the activity alters less than 15,000 square feet of natural resources per mile of roadway (centerline measurement) provided that the following impacts are not exceeded within the 15,000 square foot area:
 - (a) 1,000 square feet of coastal wetland consisting of salt tolerant vegetation or shellfish habitat; or
 - (b) 5,000 square feet of coastal wetland not containing salt tolerant vegetation or shellfish habitat; or
 - (c) 1,000 square feet of a great pond.

All other activities must be performed in compliance with all sections of Chapter 310, the Wetland Protection Rules, except 310.2(C), 5(A), 9(A), 9(B) and 9(C).

- (8) The activity may not permanently block any fish passage in any watercourse containing fish. The applicant must coordinate with the reviewing agencies listed in paragraph 2 above to improve fish passage and incorporate any recommendations from those agencies into the performance of the activity.

NOTE: For guidance on meeting the design objectives for fish passage, including peak flow, maximum velocity, mining depth and gradient, see the MaineDOT Waterbody and Wildlife Crossing Policy and Design Guide (July 2008), developed in conjunction with state and federal resource and regulatory agencies.

- (9) Rocks may not be removed from below the normal high water line of any coastal wetland, freshwater wetland, great pond, river, stream or brook except to the minimum extent necessary for completion of work within the limits of construction.
- (10) If work is performed in a river, stream or brook that is less than three feet deep at the time and location of the activity, the applicant must isolate the work area from the resource and divert stream flows around the work area, maintaining downstream flows while work is in progress.
- (11) Wheeled or tracked equipment may not operate in the water. Equipment operating on the shore may reach into the water with a bucket or similar extension. Equipment may cross streams on rock, gravel or ledge bottom. If avoiding the operation of wheeled or tracked equipment in the water is not possible, the applicant must explain the need to operate in the water. Approval from the DEP to operate in the water must be in writing, and any recommendations from the DEP must be incorporated into the performance of the activity.
- (12) All wheeled or tracked equipment that must travel or work in a vegetated wetland area must travel and work on mats or platforms.
- (13) Any debris or excavated material must be stockpiled either outside the wetland or on mats or platforms. Erosion and sediment control best management practices must be used, where necessary, to prevent sedimentation. Any debris generated during the activity must be prevented from washing downstream and must be removed from the wetland or water body. Disposal of debris must be in conformance with the Maine Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S.A. Section 1301 *et seq.*
- (14) Work below the normal high water line of a great pond, river, stream or brook must be done at low water except for emergency work or work agreed to by the resource agencies listed in paragraph 2 above.
- (15) Perimeter controls must be installed before the work starts. Disturbance of natural resources beyond the construction limits shown on the plans is not allowed under this rule.

NOTE: Guidance on the location of construction limits can be obtained from the on site Construction Manager.

- (16) The use of untreated lumber is preferred. Lumber pressure treated with chromated copper arsenate (CCA) may be used only if necessary and only if use is allowed under federal law and not prohibited from sale under 38 M.R.S.A. 1682, and provided it is cured on dry land in a manner that exposes all surfaces to the air for a period of at least 21 days prior to construction. Wood treated with creosote or pentachlorophenol may not be used where it will contact water.

- (17) A temporary road for equipment access must be constructed of crushed stone, blasted ledge, or similar materials that will not cause sedimentation or restrict fish passage. Such roads must be completely removed at the completion of the activity. In addition, any such temporary roads which are in rivers, streams or brooks, must allow for a passage of stormwater flows associated with a 10-year storm.
- (18) Non-native species may not be planted in restored areas.
- (19) Disposal of debris must be in conformance with Maine Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S.A. Sections 1301 *et seq.*
- (20) Disturbance of vegetation must be avoided, if possible. Where vegetation is disturbed outside of the area covered by any road or structure construction, it must be reestablished immediately upon completion of the activity and must be maintained.
- (21) A vegetated area at least 25 feet wide must be established and maintained between any new stormwater outfall structure and the high water line of any open water body. A velocity reducing structure must be constructed at the outlet of the stormwater outfall that will create sheet flow of stormwater, and prevent erosion of soil within the vegetated buffer. If the 25 foot vegetated buffer is not practicable, the applicant must explain the reason for a lesser setback in writing. Approval from the DEP must be in writing and any recommendations must be incorporated into the activity.

C. Definitions. The following terms, as used in this chapter, have the following meanings, unless the context indicates otherwise:

- (1) **Diversion.** The rerouting of a river, stream or brook around a construction site and then back to the downstream channel.
- (2) **Fill.** a. (verb) To put into or upon, supply to, or allow to enter a water body or wetland any earth, rock, gravel, sand, silt, clay, peat, or debris; b. (noun) Material, other than structures, placed in or immediately adjacent to a wetland or water body.
- (3) **Floodplain wetlands.** Freshwater wetlands that are inundated with flood water during a 100-year flood event based on flood insurance maps produced by the Federal Emergency Agency or other site specific information.
- (4) **Riprap.** Heavy, irregularly shaped rocks that are fit into place, without mortar, on a slope as defined in the MaineDOT Standard Specifications, dated December 2002.

12. Restoration of natural areas

A. Applicability

- (1) This section applies to the restoration of an altered portion of a coastal wetland, freshwater wetland, great pond, river, stream or brook to its pre-existing natural condition through the removal of fill, structures or debris which is located in, on over, or adjacent to the natural resource.

APPENDIX B

ACOE Category 2 Permit and General Permit Standards and Conditions



REPLY TO ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

MAINE GENERAL PERMIT (GP)
AUTHORIZATION LETTER AND SCREENING SUMMARY

SEAN DONAHUE
MAINE TURNPIKE AUTHORITY
2360 CONGRESS STREET
PORTLAND, MAINE 04102

CORPS PERMIT # NAE-2019-03093
CORPS GP ID# 20-053
STATE ID# PBR

DESCRIPTION OF WORK:

Fill approximately 17,111 s.f. of freshwater wetland at Portland, Maine in order to construct emergency vehicle ramps to the Maine Turnpike northbound and southbound lanes from Riverside Industrial Parkway and Forest Avenue respectively. This work is shown on the attached plans entitled "Forest Avenue, Emergency Vehicle Ramps, Portland, Maine" in one sheet dated "August 13, 2019" and "FOREST AVE./RIVERSIDE IND. PKWY., EMERGENCY VEHICLE RAMPS" in nine sheets dated "10/2019".

LAT/LONG COORDINATES : 43.701925° N -70.318135° W USGS QUAD: PORTLAND EAST, ME

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. Your work is therefore authorized by the U.S. Army Corps of Engineers under the Federal Permit, the Maine General Permit (GP). http://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/ME/Maine_General_Permit_2015.pdf

You must perform the activity authorized herein in compliance with all the terms and conditions of the GP [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed GP carefully, including the GP conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the GP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 38 of the GP (page 16) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the GP on October 13, 2020. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 13, 2021.

This authorization presumes the work shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to the undersigned.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.

II. STATE ACTIONS: PENDING [X], ISSUED [], DENIED [] DATE _____

APPLICATION TYPE: PBR: X, TIER 1: _____, TIER 2: _____, TIER 3: _____, LURC: _____, DMR LEASE: _____, NA: _____

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 1/30/20 LEVEL OF REVIEW: CATEGORY 1: _____ CATEGORY 2: X

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10 _____, 404 X, 10/404 _____, 103 _____

EXCLUSIONS: The exclusionary criteria identified in the general permit do not apply to this project.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA_NO _____, USF&WS_NO _____, NMFS_NO _____

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Augusta, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0

Jay L. Clement
JAY L. CLEMENT
SENIOR PROJECT MANAGER
MAINE PROJECT OFFICE

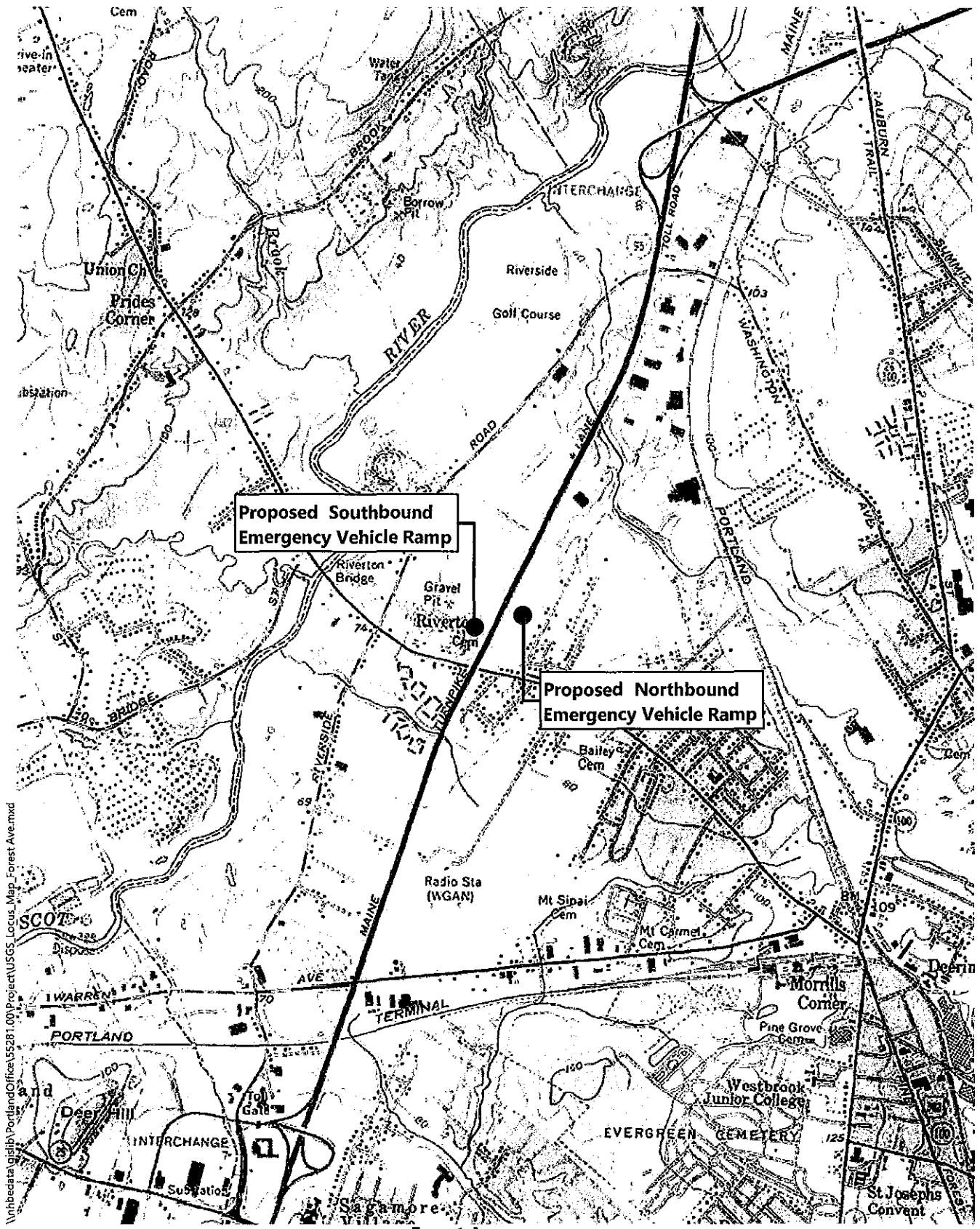
For Frank J. Del Giudice 2/28/20
FRANK J. DEL GIUDICE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION



**US Army Corps
of Engineers®**
New England District

**PLEASE NOTE THE FOLLOWING CONDITIONS FOR
DEPARTMENT OF THE ARMY
GENERAL PERMIT
NO. NAE-2019-03093**

1. This authorization requires you to 1) notify us before beginning work so we may inspect the project, and 2) submit a Compliance Certification Form. You must complete and return the enclosed Work Start Notification Form(s) to this office at least two weeks before the anticipated starting date. You must complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work and any required mitigation (but not mitigation monitoring, which requires separate submittals).
2. The permittee shall assure that a copy of this permit is at the work site whenever work is being performed and that all personnel performing work at the site of the work authorized by this permit are fully aware of the terms and conditions of the permit. This permit, including its drawings and any appendices and other attachments, shall be made a part of any and all contracts and sub-contracts for work which affects areas of Corps of Engineers' jurisdiction at the site of the work authorized by this permit. This shall be done by including the entire permit in the specifications for the work. If the permit is issued after construction specifications but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. The term "entire permit" includes permit amendments. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions of the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps of Engineers jurisdiction.
3. The permittee and his contractor(s) shall minimize the potential for effects to salmon and both sturgeon species by conducting all construction activities for the project in accordance with the Maine DOT - approved Soil Erosion and Water Pollution Control Plan. Instream turbidity will be visually monitored and all erosion controls will be inspected daily to ensure that the measures taken are adequate. If inspection shows that the erosion controls are ineffective, immediate action will be taken to repair, replace, or reinforce controls as necessary.
4. All exposed soils resulting from the construction will be promptly seeded and mulched in order to achieve vegetative stabilization.
5. All areas of temporary fill shall be restored to their original contour and character upon completion of the work.
6. Tree clearing shall not occur between June 1 and July 31 of any year in order to minimize potential impacts to federally listed northern long-eared bats.



\\nhbdata\giglib\Portland\Office\55281.00\project\USGS Locus Map_Forest Ave.mxd



**Forest Avenue
Emergency Vehicle Ramps** | Portland, Maine

Legend

- Proposed Emergency Vehicle Ramp Location

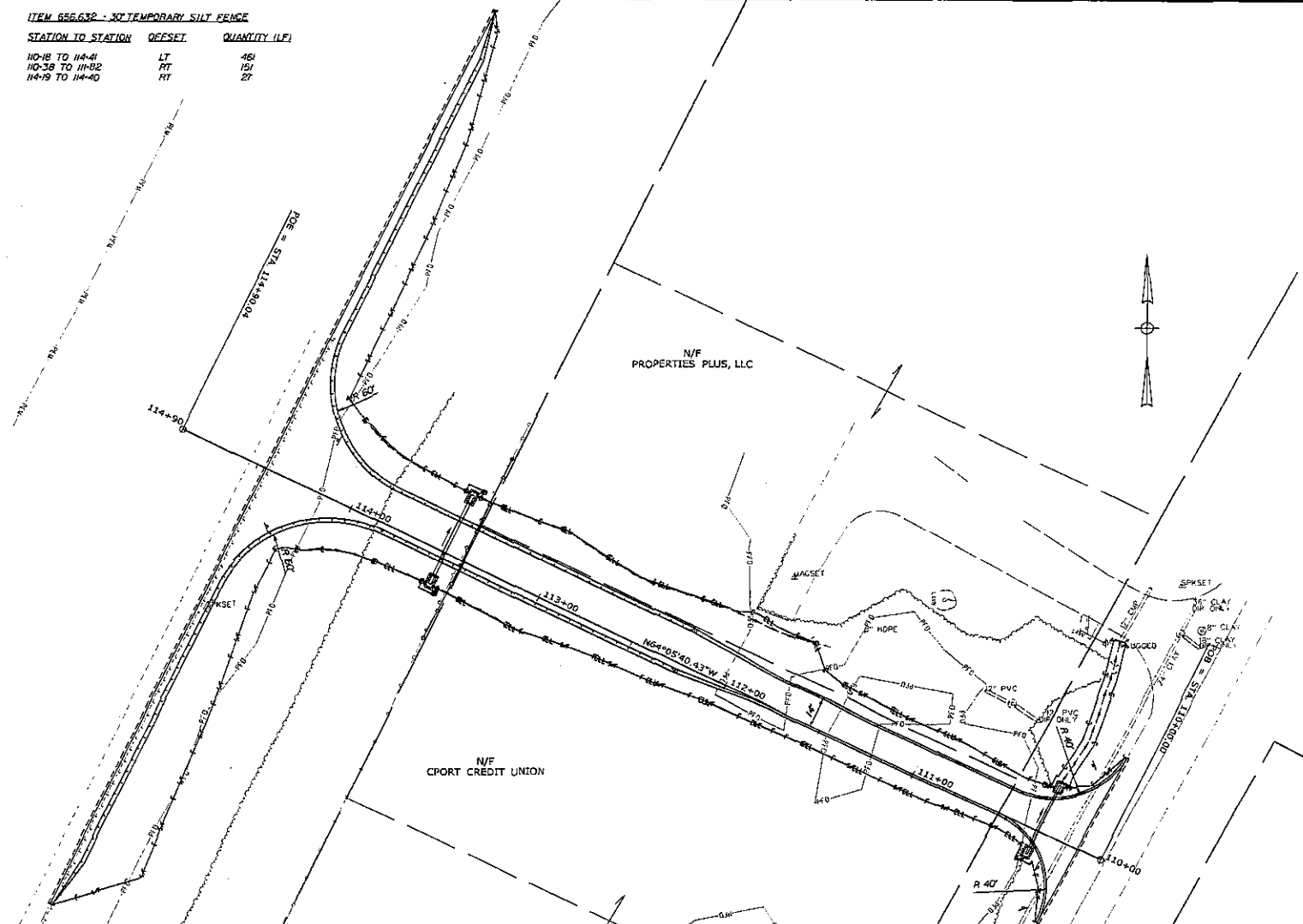
Locus Map

Source: VHB, ESRI

Date: 12/18/2019

Filename: \\010 Highway - Forest_Ave_M&E.dwg

ITEM 603.155 - 12" RCP OPTION III			ITEM 656.632 - 30' TEMPORARY SILT FENCE		
LOCATION	QUANTITY (LF)		STATION TO STATION	OFFSET	QUANTITY (LF)
110+33.65 LT/RT	36		110+18 TO 114-41	LT	481
ITEM 603.179 - 18" CULVERT PIPE OPTION III HOPE ONLY			110+38 TO 111+52	RT	151
113+50 LT/RT	59		114+19 TO 114-40	RT	27
ITEM 606.242 - GUARDRAIL TYPE 3D - OVER 15' RADIUS					
STATION TO STATION	OFFSET	RADIUS	QUANTITY (LF)		
114+10.50 TO 114+43.65	RT	50'	62.5		
ITEM 606.278 - TERMINAL END - ANCHORED END					
STATION	OFFSET	QUANTITY (EA)			
113+98.00 TO 114+10.50	RT	1			
114+43.65	LT	1			
ITEM 606.353 - REFLECTORIZED FLEXIBLE GUARDRAIL MARKER					
STATION	OFFSET	QUANTITY (EA)			
113+98.00	RT	2			
114+43.65	LT	1			
ITEM 606.363 - GUARDRAIL REMOVE AND DISPOSE					
STATION	QUANTITY (LF)				
114-45	150				
ITEM 607.11 - CHAIN LINK FENCE - 6 FOOT					
STATION	OFFSET	QUANTITY (LF)			
113-40	LT	40			
113-40	RT	40			
ITEM 607.2325 - PIPE ENTRY GATE					
STATION	QUANTITY (EA)				
113-40	1				
ITEM 610.08 - PLAIN BICRAP					
STATION	OFFSET	QUANTITY (CY)			
110+33.65	LT	2.0			
110+33.65	RT	2.0			
113+50	LT	3.0			
113+50	RT	3.0			
ITEM 613.319 - EROSION CONTROL BLANKET					
STATION TO STATION	OFFSET	QUANTITY (SQ)			
110+31 TO 110+35	RT	47.7			
111+85 TO 113+10	RT	22.1			
113+00 TO 114+00	LT	4.7			
ITEM 620.58 - EROSION CONTROL GEOTEXTILE					
STATION	OFFSET	QUANTITY (SQ)			
110+33.65	LT	3.0			
110+33.65	RT	3.0			
113+50	LT	3.5			
113+50	RT	3.5			



Scale: 25 0 25 50
1" = 25'-0"

No.	Revision	By	Date

Designed by:

CONSULTANT PROJECT MANAGER: T. Bryant					
By	Date	By	Date		
Designed	AGC 10/2019	Checked	ECF 10/2019		
Drawn	RDL 10/2019	In Charge of	AG 10/2019		

VANASSE HANGEN BRUSTLIN, INC.
500 Southborough Dr.
Suite 105B
South Portland, ME 04106
TEL (207) 889-3150
FAX (207) 253-5596

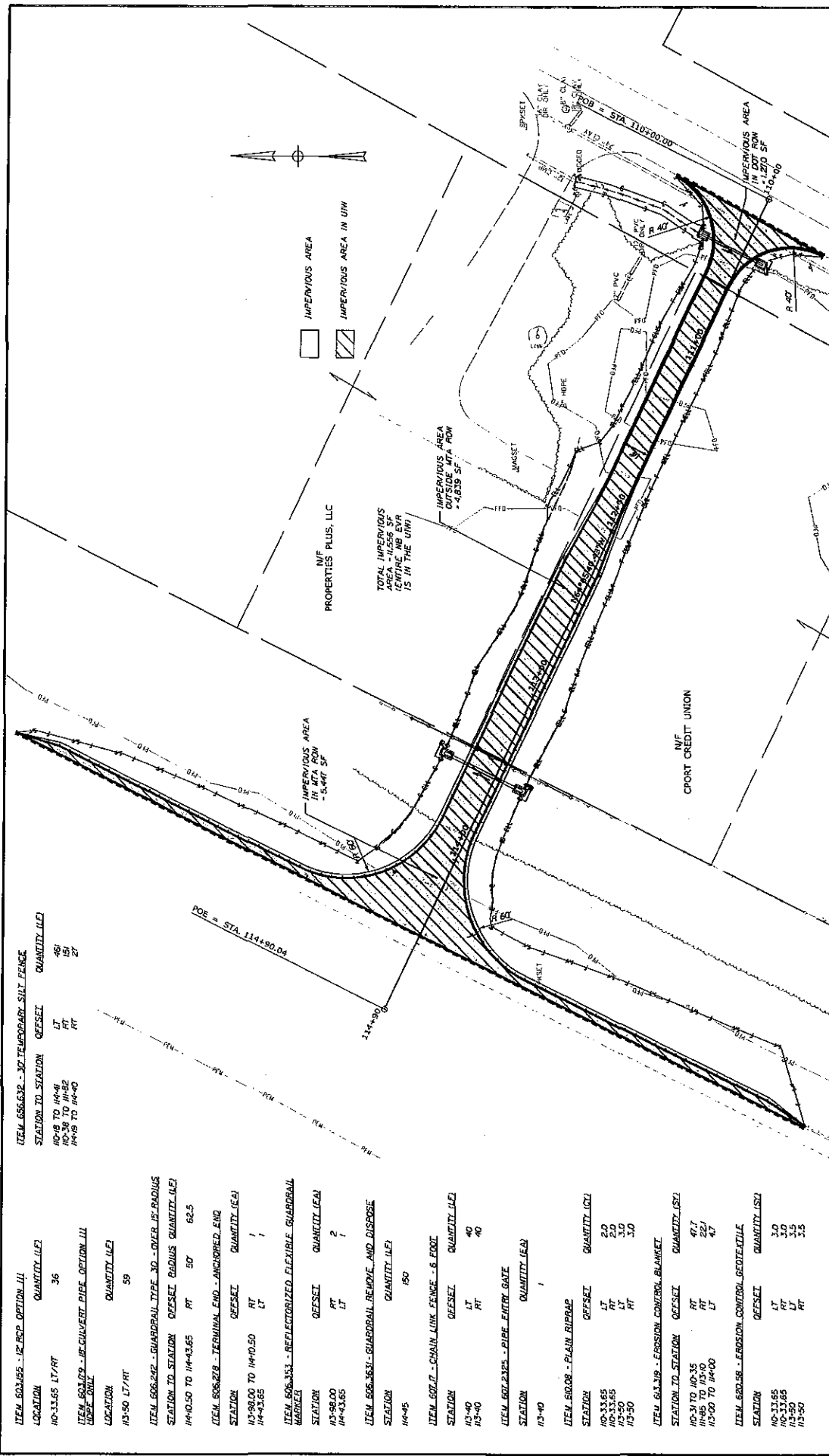
THE GOLD STAR MEMORIAL HIGHWAY

MTA PROJECT MANAGER: Ralph Norwood, IV

FOREST AVE./RIVERSIDE IND. PKWY.
EMERGENCY VEHICLE RAMPS
GENERAL PLANS (1 OF 2)
NORTHBOUND

VHB: 55281.00
CONTRACT: 2019.08

SHEET NUMBER: 10
10 OF 28



ITEM 602.955 - 12" RCP OPTION III

LOCATION	QUANTITY (LF)
110-33.65 LT/RT	36

ITEM 602.109 - 12" CURVEPIPE OPTION III

LOCATION	QUANTITY (LF)
113-50 LT/RT	59

ITEM 606.242 - GUARDRAIL TYPE 30 - OVER 15' RADIUS

STATION TO STATION	OFFSET	QUANTITY (LF)
114+00.50 TO 114+43.65	RT	50
	LT	62.5

ITEM 606.218 - TERMINAL END - ANCHORED END

STATION	OFFSET	QUANTITY (EA)
113+98.00 TO 114+00.50	RT	1
114+33.65	LT	1

ITEM 606.353 - REFLECTORIZED FLEXIBLE GUARDRAIL MARKER

STATION	OFFSET	QUANTITY (EA)
113+98.00	RT	2
114+43.65	LT	1

ITEM 606.361 - GUARDRAIL REMOVE AND DISPOSE

STATION	QUANTITY (LF)
114+45	150

ITEM 607.0 - CHAIN LINK FENCE - 6 FOOT

STATION	OFFSET	QUANTITY (LF)
113+40	LT	40
113+40	RT	40

ITEM 607.2425 - PIPE ENTRY GATE

STATION	QUANTITY (EA)
113+40	1

ITEM 608.08 - PLAIN RIPRAP

STATION	OFFSET	QUANTITY (CU)
110-33.65	LT	2.0
110-33.65	RT	2.0
113-50	LT	3.0
113-50	RT	3.0

ITEM 63.318 - EROSION CONTROL BLANKET

STATION TO STATION	OFFSET	QUANTITY (SQ)
110-31 TO 110-35	RT	47.7
110-35 TO 114+00	RT	221
113-50 TO 114+00	LT	46

ITEM 600.58 - EROSION CONTROL GEOTEXTILE

STATION	OFFSET	QUANTITY (SQ)
110-33.65	LT	3.0
110-33.65	RT	3.0
113-50	LT	3.5
113-50	RT	3.5

THE GOLD STAR
MEMORIAL HIGHWAY

VANASSE HANGEN BRUSTLIN, INC.
500 Southborough Dr.
Suite 105B
South Portland, ME 04106
TEL (207) 889-5150
FAX (207) 255-5596

FOREST AVE./RIVERSIDE IND. PKWY.
EMERGENCY VEHICLE RAMPS
GENERAL PLANS (1 OF 2)
NORTHBOUND

SHEET NUMBER: 10 OF 28
VHB: 55261.00
CONTRACT: 2019.08

Scale: 25' = 1" (Horizontal), 50' = 1" (Vertical)

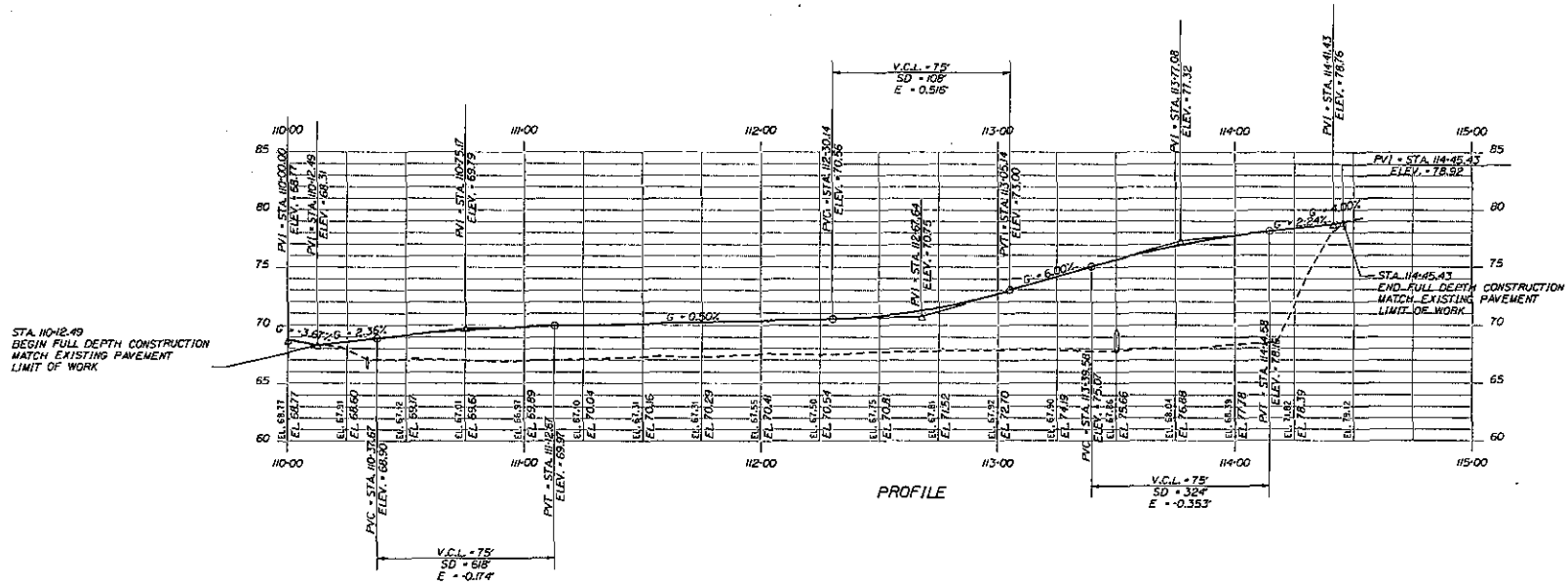
Designed by: [Signature]

Checked by: [Signature]

ECI: 10/2019

In Charge of: AG 10/2019

Date: 10/18/2019



Filename: \\02_Profile_Forest_Ave_NB.dgn

Scale: HORIZ. 25 0 25 50
 VERT. 5 0 5 10

No.	Revision	By	Date

Designed by:

CONSULTANT PROJECT MANAGER: T. Bryant

By	Date	By	Date
Designed	ADC 10/2019	Checked	ECT 10/2019
Drawn	RDL 10/2019	In Charge of	AG 10/2019

VANASSE HANGEN BRUSTLIN, INC.
 500 Southborough Dr.
 Suite 105B
 South Portland, ME 04106
 TEL (207) 889-3150
 FAX (207) 253-5596

THE GOLD STAR MEMORIAL HIGHWAY

MTA PROJECT MANAGER: Ralph Norwood, IV

FOREST AVE./RIVERSIDE IND. PKWY.
 EMERGENCY VEHICLE RAMPS
 PROFILES (1 OF 2)
 NORTHBOUND

VHB: 55261.00 SHEET NUMBER: 12
 CONTRACT: 2019.08 12 OF 28

Date: 12/18/2019
 Filename: \\011\Highway\Forest_Ave_SB - AGC.dwg

**ITEM 603.09 - RECONVERT PIPE OPTION III
HDFE ONLY**

LOCATION	QUANTITY (LF)
100-50 LT TO 101-00 RT	80
104-20.30	80

ITEM 606.1301 - 31"W-BEAM GUARDRAIL MID-WAY SPLICE

STATION TO STATION	OFFSET	QUANTITY (LF)
100-51.00 TO 103-42.50	LT	300.0
100-56.50 TO 103-42.50	RT	275.0
103-71.50 TO 103-56.50	LT	25.0
103-71.50 TO 103-56.50	RT	25.0

**ITEM 606.1304 - 31"W-BEAM GUARDRAIL MID-WAY SPLICE
OVER 10' RADIUS**

STATION TO STATION	OFFSET	RADIUS	QUANTITY (LF)
100-38.50 TO 100-51.00	LT	50'	12.5
100-24.00 TO 100-55.50	RT	40'	37.5
103-56.50 TO 104-69.30	LT	70'	100.0
103-56.50 TO 104-69.30	RT	70'	100.0

ITEM 606.1391 - TERMINAL END - ANCHORED END

STATION	OFFSET	QUANTITY (EA)
100-20.00 TO 100-24.00	RT	1
100-26.00 TO 100-38.50	LT	1
103-42.50 TO 103-55.00	LT	1
103-42.50 TO 103-55.00	RT	1
103-59.00 TO 103-71.50	LT	1
103-59.00 TO 103-71.50	RT	1

**ITEM 606.353 - REFLECTORIZED FLEXIBLE GUARDRAIL
MARKER**

STATION	OFFSET	QUANTITY (EA)
100-20.00	RT	2
100-26.00	LT	2
104-69.30	RT	1
104-69.30	LT	2

ITEM 606.3634 - GUARDRAIL REMOVE AND DISPOSE

STATION	OFFSET	QUANTITY (LF)
104-69	LT/RT	137.5

**ITEM 606.615 - REMOVE OR REMOVE AND RESET
TIMBER GUARDRAIL**

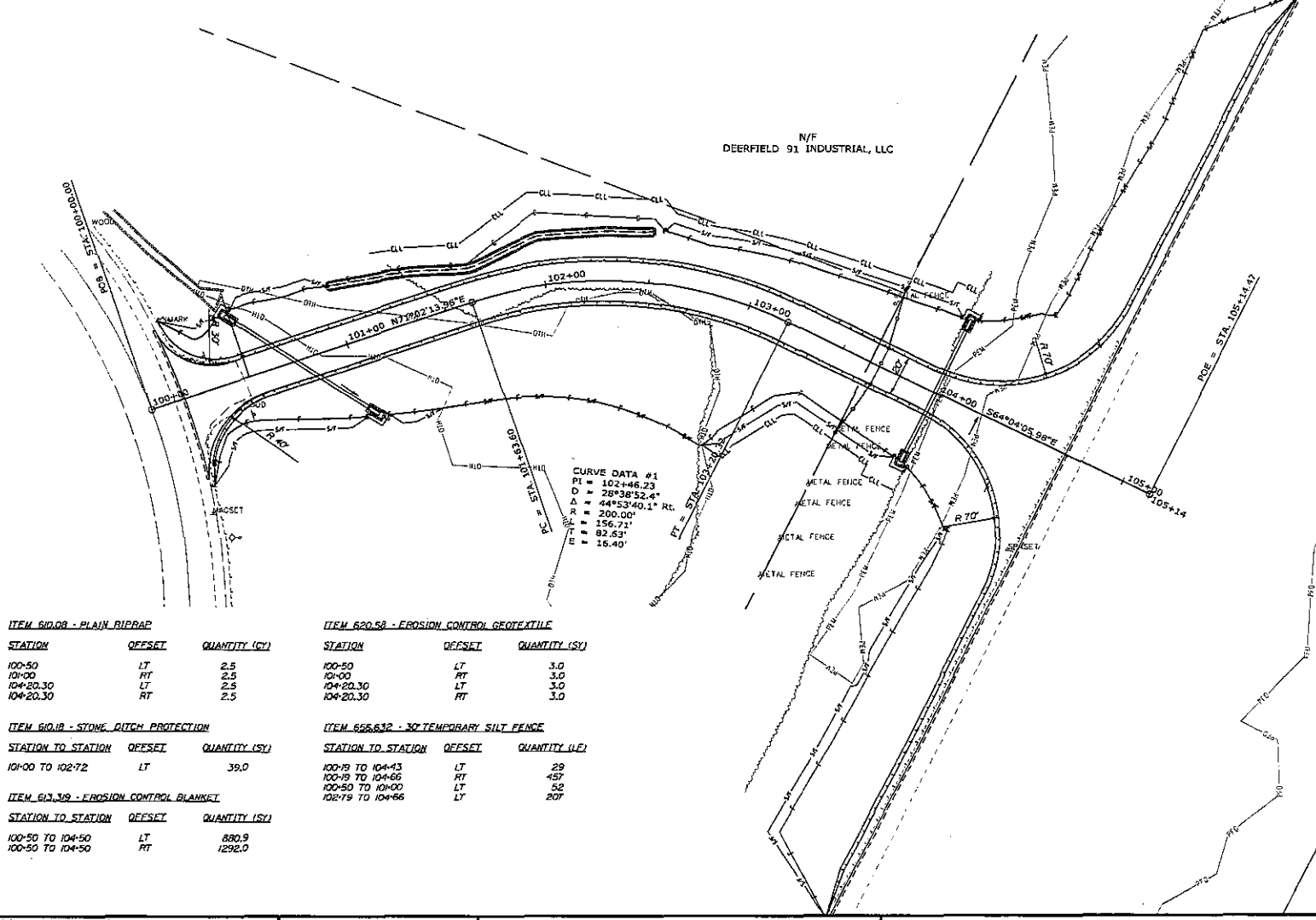
STATION TO STATION	OFFSET	QUANTITY (LF)
100-19 TO 100-40	LT	30.0
100-19 TO 100-42	RT	50.0

ITEM 607.07 - CHAIN LINK FENCE - 6 FOOT

STATION	OFFSET	QUANTITY (LF)
103-57 TO 103-64	LT	30
103-57 TO 103-64	RT	30

ITEM 607.2325 - PIPE ENTRY GATE

STATION	QUANTITY (EA)
103-57	1



ITEM 610.08 - PLAIN RIPRAP

STATION	OFFSET	QUANTITY (CY)
100-50	LT	2.5
101-00	RT	2.5
104-20.30	LT	2.5
104-20.30	RT	2.5

ITEM 610.18 - STONE DITCH PROTECTION

STATION TO STATION	OFFSET	QUANTITY (SY)
101-00 TO 102-72	LT	39.0

ITEM 613.39 - EROSION CONTROL BLANKET

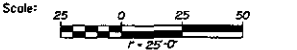
STATION TO STATION	OFFSET	QUANTITY (SY)
100-50 TO 104-50	LT	880.9
100-50 TO 104-50	RT	1292.0

ITEM 620.58 - EROSION CONTROL GEOTEXTILE

STATION	OFFSET	QUANTITY (SY)
100-50	LT	3.0
101-00	RT	3.0
104-20.30	LT	3.0
104-20.30	RT	3.0

ITEM 655.632 - 30" TEMPORARY SILT FENCE

STATION TO STATION	OFFSET	QUANTITY (LF)
100-19 TO 104-43	LT	29
100-19 TO 104-66	RT	457
100-50 TO 101-00	LT	52
102-19 TO 104-66	LT	207



Designed by:



VANASSE HANGEN BRUSTLIN, INC.
 500 Southborough Dr.
 Suite 105B
 South Portland, ME 04106
 TEL (207) 889-3150
 FAX (207) 253-5596



**THE GOLD STAR
MEMORIAL HIGHWAY**

**FOREST AVE./RIVERSIDE IND. PKWY.
EMERGENCY VEHICLE RAMPS
GENERAL PLANS (2 OF 2)
SOUTHBOUND**

CONSULTANT PROJECT MANAGER: T. Bryson			
By	Date	By	Date
Designed	AGC 10/2019	Checked	ECF 10/2019
Drawn	RDL 10/2019	In Charge of	AG 10/2019

MTA PROJECT MANAGER: Ralph Norwood, IV

VHB: 55281.00
 CONTRACT: 2019.08

SHEET NUMBER: 11
 11 OF 28

Date: 12/18/2019

Filename: ...011-Highway_Emerge_S3 - AGC.dwg

**ITEM 603.03 - 18" CULVERT PIPE OPTION III
OVER CULVERT**

LOCATION	QUANTITY (LF)
100-50 LT TO 101-00 RT	80
104-20.30	80

ITEM 606.101 - 3' W-BEAM GUARDRAIL MID-WAY SPLICE

STATION TO STATION	OFFSET	QUANTITY (LF)
100-51.00 TO 103-42.50	LT	300.0
100-56.50 TO 103-42.50	RT	275.0
103-71.50 TO 103-96.50	LT	25.0
103-71.50 TO 103-96.50	RT	25.0

**ITEM 606.104 - 3' W-BEAM GUARDRAIL MID-WAY SPLICE
OVER 12' RADIUS**

STATION TO STATION	OFFSET	RADIUS	QUANTITY (LF)
100-39.50 TO 100-51.00	LT	50'	12.5
100-24.00 TO 100-56.50	RT	40'	37.5
103-96.50 TO 104-69.30	LT	70'	100.0
103-96.50 TO 104-69.30	RT	70'	100.0

ITEM 606.131 - TERMINAL END - ANCHORED END

STATION	OFFSET	QUANTITY (EA)
100-20.00 TO 100-24.00	RT	1
100-26.00 TO 100-38.50	LT	1
103-42.50 TO 103-65.00	LT	1
103-42.50 TO 103-55.00	RT	1
103-59.00 TO 103-71.50	LT	1
103-59.00 TO 103-71.50	RT	1

**ITEM 606.353 - REFLECTORIZED FLEXIBLE GUARDRAIL
MARKER**

STATION	OFFSET	QUANTITY (EA)
100-20.00	RT	2
100-26.00	LT	2
104-69.30	RT	1
104-69.30	LT	2

ITEM 606.362 - GUARDRAIL REMOVE AND DISPOSE

STATION	OFFSET	QUANTITY (LF)
104-69	LT/RT	137.5

**ITEM 606.615 - REMOVE OR REMOVE AND RESET
TIMBER GUARDRAIL**

STATION TO STATION	OFFSET	QUANTITY (LF)
100-19 TO 100-40	LT	30.0
100-19 TO 100-42	RT	50.0

ITEM 607.17 - CHAIN LINK FENCE - 5 FOOT

STATION	OFFSET	QUANTITY (LF)
103-57 TO 103-64	LT	30
103-57 TO 103-64	RT	30

ITEM 607.2325 - PIPE ENTRY GATE

STATION	QUANTITY (EA)
103-57	1

ITEM 610.09 - PLAIN RIPRAP

STATION	OFFSET	QUANTITY (CY)
100-50	LT	2.5
101-00	RT	2.5
104-20.30	LT	2.5
104-20.30	RT	2.5

ITEM 610.18 - STONE DITCH PROTECTION

STATION TO STATION	OFFSET	QUANTITY (SQ)
101-00 TO 102-72	LT	39.0

ITEM 613.319 - EROSION CONTROL BLANKET

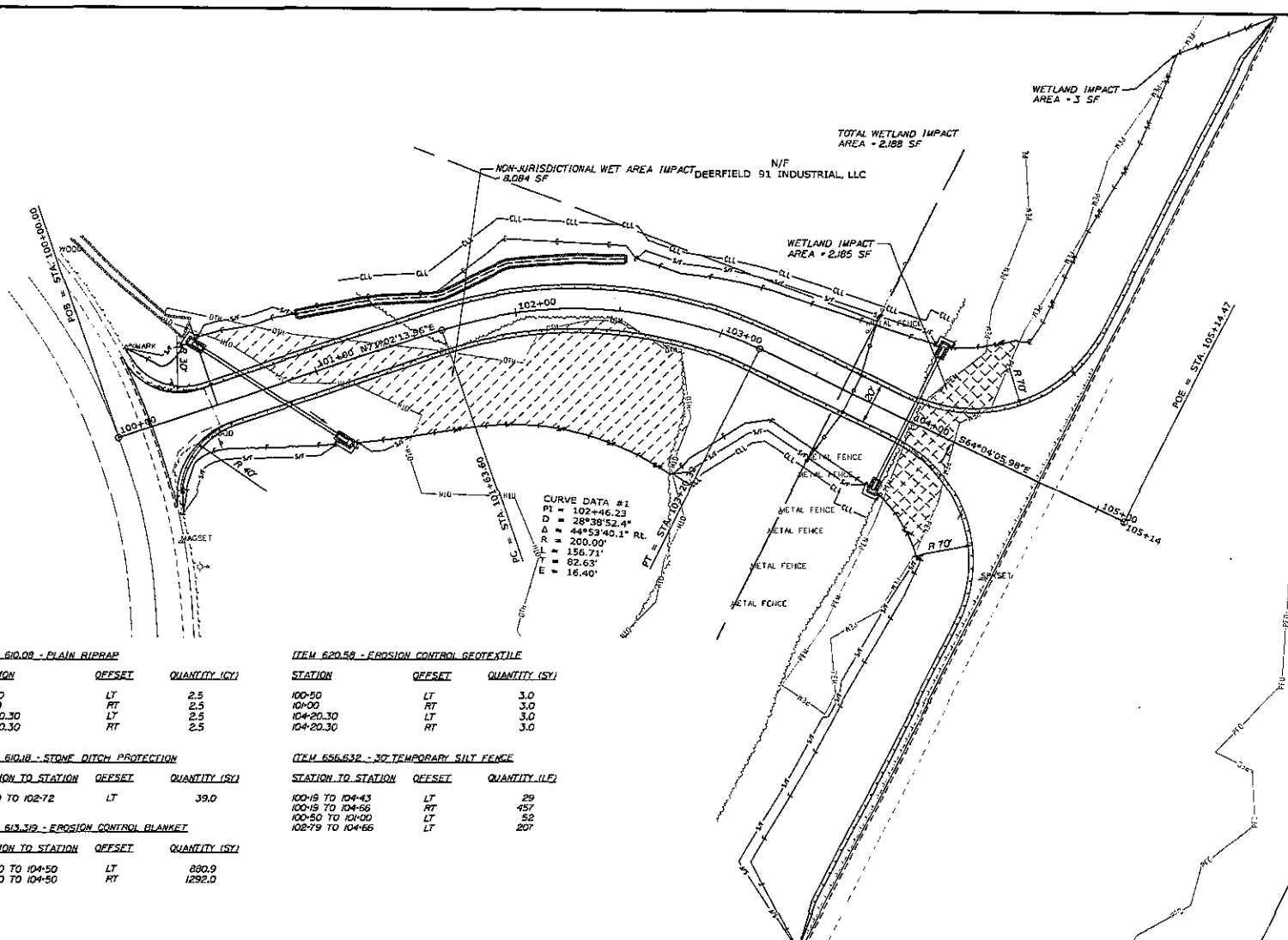
STATION TO STATION	OFFSET	QUANTITY (SQ)
100-50 TO 104-50	LT	880.9
100-50 TO 104-50	RT	1292.0

ITEM 620.59 - EROSION CONTROL GEOTEXTILE

STATION	OFFSET	QUANTITY (SQ)
100-50	LT	3.0
101-00	RT	3.0
104-20.30	LT	3.0
104-20.30	RT	3.0

ITEM 656.632 - 30' TEMPORARY SILT FENCE

STATION TO STATION	OFFSET	QUANTITY (LF)
100-19 TO 104-43	LT	29
100-19 TO 104-66	RT	49
100-50 TO 101-00	LT	52
102-79 TO 104-66	LT	207



Scale: 25 0 25 50
1" = 25'-0"

No.	Revision	By	Date

Designed by:

CONSULTANT PROJECT MANAGER: T. Bryant

By	Date	Checked	By	Date	
AGC	10/2019		ECF	10/2019	
Drawn	RDI	10/2019	In Charge of	AG	10/2019

VANASSE HANGEN BRUSTLIN, INC.
500 Southborough Dr.
Suite 1058
South Portland, ME 04106
TEL (207) 889-3150
FAX (207) 253-5596

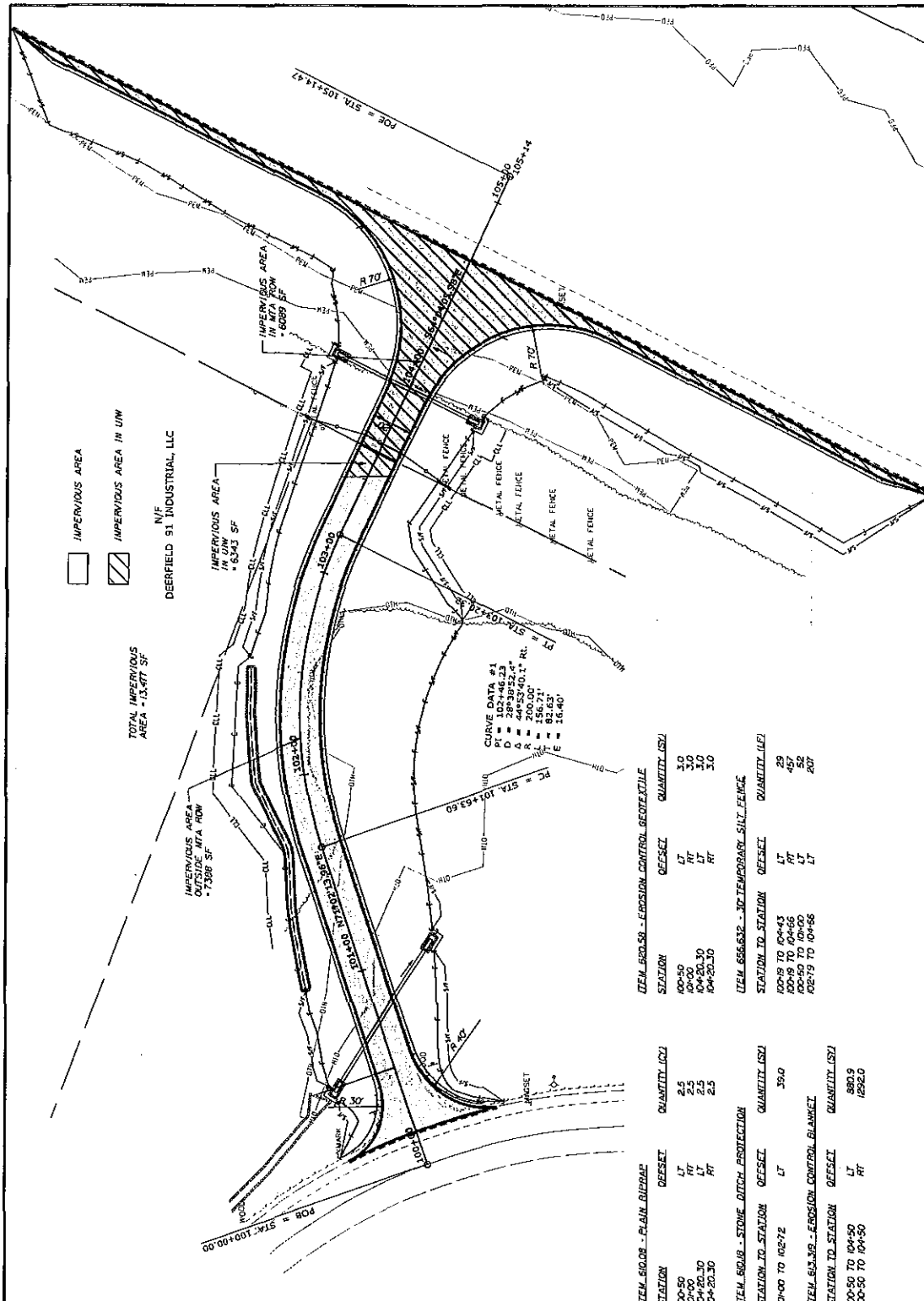
**THE GOLD STAR
MEMORIAL HIGHWAY**

MTA PROJECT MANAGER: Ralph Norwood, IV

FOREST AVE./RIVERSIDE IND. PKWY.
EMERGENCY VEHICLE RAMPS
GENERAL PLANS (2 OF 2)
SOUTHBOUND

VHB: 56281.00
CONTRACT: 2019.08

SHEET NUMBER: 11
11 OF 28



ITEM 601.02 - 18" CONCRETE PIPE OPTION III
HERE ONLY

LOCATION	QUANTITY (LF)
100+00 TO 101+00 RT	80
104+20 TO 104+30	80

ITEM 601.03 - 12" W/BEAM GUARDRAIL MIDWAY SPALICE
QUANTITY (LF)

STATION TO STATION	QTYSET	QUANTITY (LF)
100+00 TO 103+42.50	LT	3000
100+55.50 TO 103+42.50	RT	2750
103+71.50 TO 103+96.50	LT	250
103+71.50 TO 103+96.50	RT	250

ITEM 601.04 - 12" W/BEAM GUARDRAIL MIDWAY SPALICE
QUANTITY (LF)

STATION TO STATION	QTYSET	QUANTITY (LF)
100+39.50 TO 100+51.00	LT	50
100+54.00 TO 100+55.50	RT	37.5
103+42.50 TO 104+69.30	LT	70
103+42.50 TO 104+69.30	RT	70

ITEM 601.05 - TERMINAL END - ANCHORED END
QUANTITY (EA)

STATION	QTYSET	QUANTITY (EA)
100+20.00 TO 100+24.00	RT	1
100+90.00	RT	2
103+42.50 TO 103+55.00	LT	1
103+42.50 TO 103+55.00	RT	1
103+69.30 TO 103+71.50	LT	2
103+69.30 TO 103+71.50	RT	2

ITEM 601.06 - REFLECTORIZED FLEXIBLE GUARDRAIL
QUANTITY (LF)

STATION	QTYSET	QUANTITY (LF)
100+20.00 TO 100+24.00	RT	4
100+90.00	RT	8
103+42.50 TO 103+55.00	LT	2
103+42.50 TO 103+55.00	RT	2
103+69.30 TO 103+71.50	LT	4
103+69.30 TO 103+71.50	RT	4

ITEM 601.07 - GUARDRAIL REMOVE AND DISPOSE
QUANTITY (EA)

STATION	QTYSET	QUANTITY (EA)
104+69	LT/RT	137.5

ITEM 601.08 - REMOVE OR REMOVE AND DISPOSE
TURNER GUARDRAIL
QUANTITY (EA)

STATION	QTYSET	QUANTITY (EA)
100+19 TO 100+40	LT	30.0
100+19 TO 100+40	RT	50.0

ITEM 601.09 - CHAIN LINK FENCE - 6' FOOT
QUANTITY (LF)

STATION	QTYSET	QUANTITY (LF)
103+57 TO 103+64	LT	30
103+57 TO 103+64	RT	30

ITEM 601.23.05 - PIPE ENTRY GATE
QUANTITY (EA)

STATION	QTYSET	QUANTITY (EA)
103+57	LT	1

ITEM 602.58 - EROSION CONTROL SECTEXTILE
QUANTITY (SF)

STATION	QTYSET	QUANTITY (SF)
100+50	LT	3.0
100+50	RT	3.0
104+20 TO 104+30	RT	3.0

ITEM 606.532 - 30" TEMPORARY SILT FENCE
QUANTITY (LF)

STATION TO STATION	QTYSET	QUANTITY (LF)
100+19 TO 104+43	LT	29
100+19 TO 104+66	RT	457
100+50 TO 100+60	LT	52
10279 TO 104+66	LT	207

ITEM 501.08 - PLAIN RIDGEP
QUANTITY (CY)

STATION	QTYSET	QUANTITY (CY)
100+50	LT	2.5
100+50	RT	2.5
104+20 TO 104+30	RT	2.5

ITEM 501.8 - STONE DITCH PROTECTION
QUANTITY (CY)

STATION TO STATION	QTYSET	QUANTITY (CY)
100+00 TO 102+72	LT	39.0

ITEM 615.38 - EROSION CONTROL BLANKET
QUANTITY (SF)

STATION TO STATION	QTYSET	QUANTITY (SF)
100+50 TO 104+50	LT	889.9
100+50 TO 104+50	RT	1292.0

CURVE DATA #1
 D = 200.00'
 R = 200.00'
 E = 32.53'
 L = 16.40'

IMPERVIOUS AREA
 IMPERVIOUS AREA IN U/W
 DEERFIELD 91 INDUSTRIAL, LLC
 N/F
 IMPERVIOUS AREA
 IN U/W FROM
 1,6089 SF
 IMPERVIOUS AREA
 IN U/W FROM
 6,343 SF
 IMPERVIOUS AREA
 OUTSIDE MTA ROW
 7,388 SF
 TOTAL IMPERVIOUS
 AREA = 15,477 SF

FOREST AVE./RIVERSIDE IND. PKWY.
 EMERGENCY VEHICLE RAMPS
 GENERAL PLANS (2 OF 2)
 SOUTHBOUND

THE GOLD STAR
 MEMORIAL HIGHWAY

MAINE
 TURNPIKE

VANASSE HANGEN BRUSTLIN, INC.
 500 Southborough Dr.
 Suite 1039B
 South Portland, ME 04106
 TEL (207) 889-3160
 FAX (207) 253-5956

MTA PROJECT MANAGER: Ralph Norwood, IV

VHB: 55281.00
 CONTRACT: 2019.08

SHEET NUMBER:
 11 OF 28

Designed by:

Scale: 1" = 25'-0"

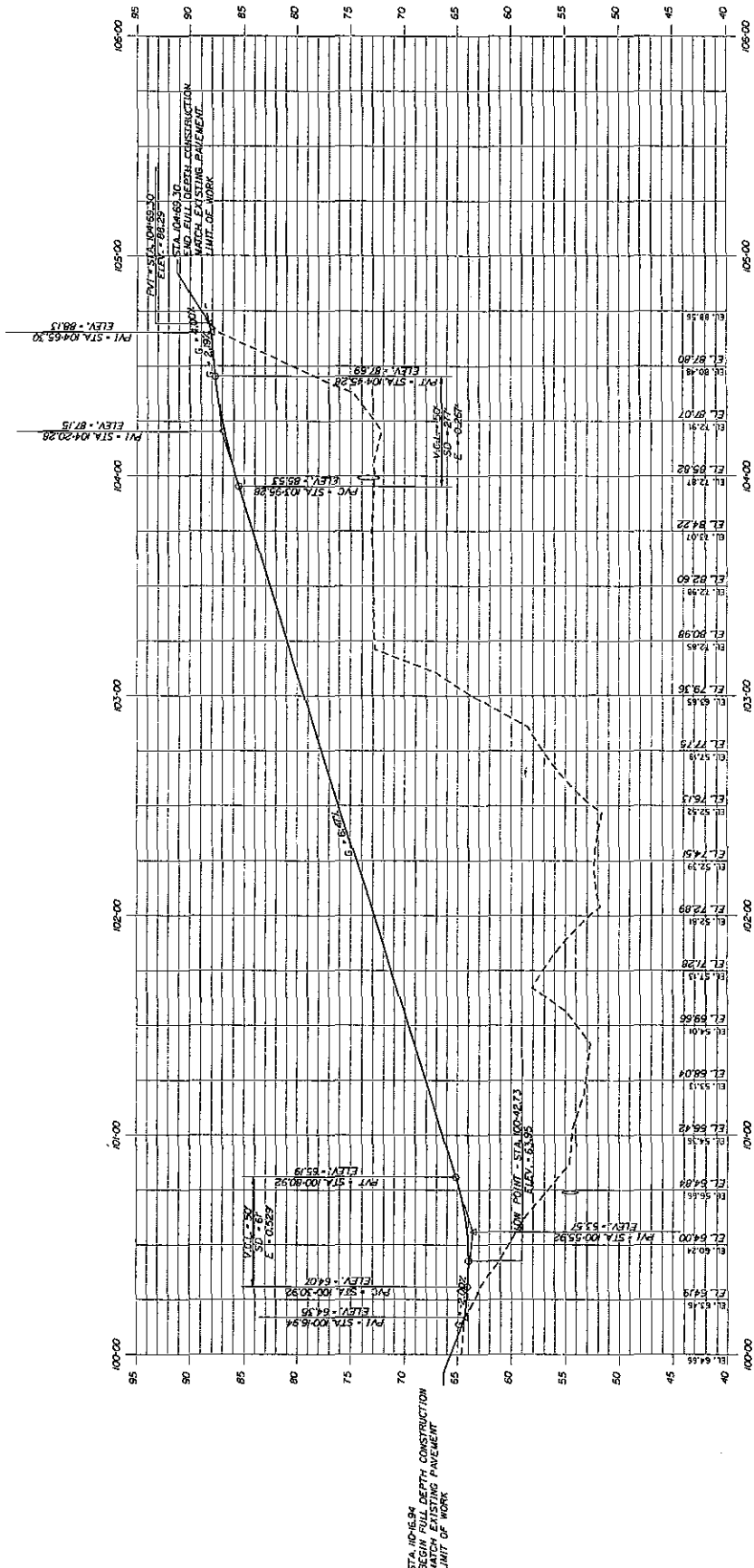
0 25 50
 Feet

Revised

No.	Date	By	Role

CONSULTANT PROJECT MANAGER: T. Byrnes	DATE	BY	DATE
Designed	10/20/19	ECF	10/20/19
Drawn	10/20/19	In Charge of AC	10/20/19

hvb



PROFILE

Scale: HORIZ. 25' = 1" VERT. 5' = 1"

No.	Revision	By	Date
1			
2			
3			
4			
5			

Designed by:

By	Date	Checked	Date
ACG	10/2019	FCF	10/2019
FCF	10/2019	ILB	08/2019
ILB	08/2019	AG	10/2019

CONSULTANT PROJECT MANAGER: T. Bryant

VANASSE HANGEN BRUSTLIN, INC.
 500 Southborough Dr.
 South Portland, ME 04106
 TEL (207) 889-3100
 FAX (207) 253-5596



THE GOLD STAR
 MEMORIAL HIGHWAY

FOREST AVE./RIVERSIDE IND. PKWY.
 EMERGENCY VEHICLE RAMPS
 PROFILES (2 OF 2)
 SOUTHBOUND

VHB: 55281.00 SHEET NUMBER: 13
 CONTRACT: 2019.08 13 OF 28

MTA PROJECT MANAGER: Edith Hernandez, IV



**US Army Corps
of Engineers**®
New England District

WORK-START NOTIFICATION FORM
(Minimum Notice: Two weeks before work begins)

EMAIL TO: jay.l.clement@usace.army.mil

or

MAIL TO:

Jay Clement
US Army Corps of Engineers
Maine Project Office
442 Civic Center Drive
Augusta, Maine 04330

Corps of Engineers Permit No. NAE-2019-03093 was issued to the Maine Turnpike Authority. This work is located in freshwater wetlands off Forest Avenue at Portland, Maine and authorized the permittee to fill approximately 17.111 s.f. of freshwater wetland in order to construct emergency vehicle ramps to the Maine Turnpike northbound and southbound lanes from Riverside Industrial Parkway and Forest Avenue respectively.

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

PLEASE PRINT OR TYPE

Name of Person/Firm: _____

Business Address: _____

Phone & email: () _____ () _____

Proposed Work Dates: **Start:** _____ **Finish:** _____

Permittee/Agent Signature: _____ **Date:** _____

Printed Name: _____ **Title:** _____

Date Permit Issued: _____ **Date Permit Expires:** _____

FOR USE BY THE CORPS OF ENGINEERS

PM: Clement **Submittals Required:** No

Inspection Recommendation: Inspect as convenient



**US Army Corps
of Engineers**®
New England District

(Minimum Notice: Permittee must sign and return notification
within one month of the completion of work.)

COMPLIANCE CERTIFICATION FORM

Permit Number: NAE-2019-03093

Project Manager Clement

Name of Permittee: Maine Turnpike Authority

Permit Issuance Date: _____

Please sign this certification and return it to the following address upon completion of the activity and any mitigation required by the permit. You must submit this after the mitigation is complete, but not the mitigation monitoring, which requires separate submittals.

 * MAIL TO: U.S. Army Corps of Engineers, New England District *
 * Permits and Enforcement Branch C *
 * Regulatory Division *
 * 696 Virginia Road *
 * Concord, Massachusetts 01742-2751 *

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the above referenced permit, and any required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date

Printed Name

Date of Work Completion

() _____
Telephone Number

() _____
Telephone Number

**DEPARTMENT OF THE ARMY
GENERAL PERMIT FOR
THE STATE OF MAINE**

The New England District of the U.S. Army Corps of Engineers (Corps) hereby issues a General Permit (GP) for activities subject to Corps jurisdiction in waters of the U.S. within the boundaries of the State of Maine. This GP is issued in accordance with Corps regulations at 33 CFR 320 - 332 [see 33 CFR 325.2(e)(2)]. This GP authorizes activity-specific categories of work that are similar in nature and cause no more than minimal individual and cumulative adverse environmental impacts. Refer to Page 2 for the list of activities and Appendix A for activity specific conditions of eligibility in inland and tidal waters.

I. GENERAL CRITERIA

1. In order for activities to qualify for this GP, they must meet the GP's terms and eligibility criteria (Pages 1-4), General Conditions (GC) (Pages 5 - 20), and Appendix A - Definition of Categories.
2. Under this GP, projects may qualify for the following:
 - Category 1: Category 1 Self -Verification Notification Form is required (SVNF – see Appendix B).
 - Category 2: Application to and written approval from the Corps is required (Pre-Construction Notification (PCN)). No work may proceed until written approval from the Corps is received.

If your project is ineligible for Category 1, it may qualify for Category 2 or an Individual Permit and you must submit an application (see Page 3). The thresholds for activities eligible for Categories 1 and 2 are defined in Appendix A. This GP does not affect the Corps Individual Permit review process or activities exempt from Corps regulation.

3. Prospective permittees need to read:
 - a. Section II to determine if the activity requires Corps authorization.
 - b. Sections III and IV to determine if the activity may be eligible for authorization under this GP, specifically whether it is eligible for Self-Verification (SV) or whether Pre-Construction Notification (PCN) is required.
4. Permittees must ensure compliance with all applicable General Conditions in Section IV. The Corps will consider unauthorized any activity requiring Corps authorization if that activity is under construction or completed and does not comply with all of the terms and conditions.
5. Project proponents are encouraged to contact the Corps with questions at any time. Pre-application meetings (see 33 CFR 325.1(b)), whether arranged by the Corps or requested by permit applicants, are encouraged to facilitate the review of projects. Pre-application meetings and/or site visits can help streamline the permit process by alerting the applicant to potentially time-consuming concerns that are likely to arise during the evaluation of their project (e.g., avoidance, minimization and compensatory mitigation requirements, historic properties, endangered species, essential fish habitat, and dredging contaminated sediments).

II. CORPS JURISDICTION/ACTIVITIES COVERED

1. Permits are required from the Corps of Engineers for the following work:

a. The construction of any structure in, over or under any navigable water of the United States (U.S.)¹, the excavating or dredging from or depositing of material in such waters, or the accomplishment of any other work affecting the course, location, condition, or capacity of such waters. The Corps regulates these activities under Section 10 of the Rivers and Harbors Act of 1899. See 33 CFR 322;

b. The discharge of dredged or fill material and certain discharges associated with excavation into waters of the U.S. (e.g. sidecasting). The Corps regulates these activities under Section 404 of the Clean Water Act (CWA). See 33 CFR 323; and

c. The transportation of dredged material for the purpose of disposal in the ocean. The Corps regulates these activities under Section 103 of the Marine Protection, Research and Sanctuaries Act. See 33 CFR 324.

2. Related laws:

33 CFR 320.3 includes a list of related laws, including: Section 401 of the CWA, Section 402 of the CWA, Section 307(c) of the Coastal Zone Management (CZM) Act of 1972, The National Historic Preservation Act of 1966, the Endangered Species Act, the Fish and Wildlife Act of 1956, the Marine Mammal Protection Act of 1972, Magnuson-Stevens Act, and Section 7(a) of the Wild and Scenic Rivers Act.

3. An activity listed below may be authorized by this GP only if that activity and the permittee satisfy all of the GP's terms and conditions. Any activity not specifically listed below may still be eligible for the GP; applicants are advised to contact the Corps for a specific eligibility determination. Category 1 and Category 2 eligibility criteria for each activity in both Inland and Tidal waters can be found in Appendix A.

1. Repair, Replacement, Expansion, and Maintenance of Authorized Structures and Fills
2. Moorings
3. Structures, Floats and Lifts
4. Aids to Navigation, and Temporary Recreational Structures
5. Dredging, Disposal of Dredged Material, Beach Nourishment, and Rock Removal and Relocation
6. Discharges of Dredged or Fill Material Incidental to the Construction of Bridges
7. Bank and Shoreline Stabilization
8. Residential, Commercial, Industrial, and Institutional Developments, and Recreational Facilities
9. Utility Line Activities
10. Linear Transportation Projects
11. Mining Activities
12. Boat Ramps and Marine Railways
13. Land and Water-Based Renewable Energy Generation Facilities and Hydropower Projects
14. Reshaping Existing Drainage Ditches and Mosquito Management
15. Oil Spill and Hazardous Material Cleanup
16. Cleanup of Hazardous and Toxic Waste
17. Scientific Measurement Devices
18. Survey Activities
19. Agricultural Activities
20. Fish and Wildlife Harvesting, Enhancement, and Attraction Devices
21. Habitat Restoration, Establishment and Enhancement Activities
22. Previously Authorized Activities
23. Stream & Wetland Crossings
24. Aquaculture

Note: Multiple activities may be authorized in the same GP, e.g. a recreational pier (#3) with an associated mooring (#2) or a windpower facility (#13) with an associated transmission line (#9).

¹ Defined in Appendix F, Definitions and at 33 CFR 328.

III. PROCEDURES

1. State Approvals. Applicants are responsible for applying for and obtaining any of the required state or local approvals. Federal and state jurisdictions may differ in some instances. State permits may be required for specific projects regardless of the general permit category.

In order for authorizations under this GP to be valid, when any of the following state approvals or statutorily-required reviews is also required, the approvals must be obtained prior to the commencement of work in Corps jurisdiction.

- Maine Department of Environmental Protection (DEP): Natural Resources Protection Act (NRPA) permit, including permit-by-rule (PBR) and general permit authorizations; Site Location of Development Act permit; Maine Waterway Development and Conservation Act permit; and Maine Hazardous Waste, Septage, and Solid Waste Management Act license.
- Maine Department of Conservation, Agriculture & Forestry: Land Use Planning Commission (LUPC) permit.
- Maine Department of Marine Resources: Aquaculture Leases.
- Maine Department of Conservation, Bureau of Parks and Lands, Submerged Lands: Submerged Lands Lease.

NOTE: This GP may also be used to authorize projects that are not regulated by the State of Maine (e.g., certain seasonal floats or moorings).

2. How to Obtain/Apply for Authorization.

a. Category 1 (Self-Verification): Self-Verification Notification Form (SVNF) required. The SVNF is required for all SV eligible work in Maine unless otherwise stated in Appendix A. Activities that are eligible for SV are authorized under this GP and may commence without written verification from the Corps provided the prospective permittee has:

i. Confirmed that the activity will meet the terms and conditions of Category 1. Consultation with the Corps and/or other relevant federal and state agencies may be necessary to ensure compliance with the applicable general conditions (GCs) and related federal laws such as the National Historic Preservation Act (see GC 6), the Endangered Species Act (GC 8) and the Wild and Scenic Rivers Act (GC 9). Prospective permittees are encouraged to contact the Corps with SV eligibility questions. Activities not meeting the SV criteria must submit a PCN to the Corps.

ii. Submitted the SVNF (see GC 27 and Appendix B) to the Corps. **NOTE: A copy of a state permit application form may be an acceptable surrogate for the SVNF. Whichever form chosen needs to include a location map, plans, and an Official Species List for federally listed threatened or endangered species (Reference Appendix D).**

b. Category 2 (Pre-Construction Notification (PCN)): Application to and written verification from the Corps is required before work can proceed. For activities that do not qualify for SV or where otherwise required by the terms of the GP, the permittee must submit a PCN and obtain a written permit before starting work in Corps jurisdiction.

i. The Corps will coordinate review of all activities requiring PCN with federal and state agencies and federally recognized tribes, as appropriate. To be eligible and subsequently authorized, an activity must result in no more than minimal individual and cumulative effects on the aquatic environment as determined by the Corps in accordance with the criteria listed within this GP. This may require project modifications involving avoidance, minimization, or compensatory mitigation for unavoidable impacts to ensure that the net adverse effects of a project are no more than minimal.

ii. The Corps will attempt to issue a written eligibility determination within the state's review period. Regardless, work eligible for Category 2 may not proceed before Corps written approval is received.

c. All applicants for Category 2 projects must:

- i. Apply directly to the Corps using the state application form or the Corps application form (ENG Form 4345²), and apply directly to the state (DEP, LUPC, BPL or DMR) as applicable using the appropriate state form, if the work is regulated by the Corps and the state; or
- ii. Apply directly to the Corps using the Corps application form (ENG Form 4345²) if the work is regulated by the Corps but not the state (DEP, LUPC, BPL or DMR).
- iii. Provide application information (see “Information Typically Required” in Appendix C) to help ensure the application is complete and to speed project review.
- iv. Obtain an Official Species List of federally threatened or endangered species in the project area (GC 8).
- v. Submit a copy of their application materials to the Maine Historic Preservation Commission (MHPC) *and* all five Indian tribes listed at Appendix E, at the same time, or before, they apply to the Corps, to be reviewed for the presence of historic, archaeological or tribal resources in the permit area that the proposed work may affect. Submittals to the Corps shall include information to indicate that this has been done (a copy of the applicant’s cover letter to MHPC and tribes or a copy of the MHPC and tribal response letters is acceptable).

d. Work that is not regulated by the State of Maine, but is subject to Corps jurisdiction, may still be eligible for authorization under this GP.

e. **Emergency Situations:** 33 CFR 325.2(e)4 states that an “emergency” is a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures.” Emergency work is subject to the same terms and conditions of this GP as non-emergency work, and similarly, must qualify for authorization under the GP; otherwise an IP is required. The Corps will work with all applicable agencies to expedite verification according to established procedures in emergency situations.

3. Individual Permits. Projects that are not authorized by this GP require an Individual Permit (IP) (33 CFR 325.5) and proponents must submit an application directly to the Corps. This GP does not affect the Corps IP review process or activities exempt from Corps regulation. For general information and application form, see the Corps website or contact the Corps (see Appendix E). The Corps encourages applicants to apply concurrently for a Corps IP and applicable state permits.

The Corps retains discretionary authority on a case-by-case basis to elevate a GP eligible project to an IP based on concerns for the aquatic environment or for any other factor of the public interest [33 CFR 320.4(a)]. Whenever the Corps notifies an applicant that an IP is required, no work in Corps jurisdiction may be conducted until the Corps issues the required authorization in writing indicating that work may proceed.

4. Enforcement/Non-Compliance. Work performed without the required Corps of Engineers permits is subject to administrative, civil, and criminal penalties. The Corps will evaluate unauthorized activities for enforcement action under 33 CFR 326.

The Corps will consider unauthorized any activity requiring Corps authorization if that activity is under construction or completed and does not comply with all of the terms and conditions of a GP or an IP. The Corps may elect to suspend enforcement proceedings if the permittee modifies his project to comply with a GP.

After considering whether a violation was knowing or intentional, and other indications of the need for a penalty, the Corps can elect to terminate an enforcement proceeding with an after-the- fact authorization under a GP, if all terms and conditions of the GP have been satisfied, either before or after the activity has been accomplished.

² Located at www.nae.usace.army.mil/missions/regulatory under “Forms & Publications.”
Section III

IV. GENERAL CONDITIONS

To qualify for GP authorization, the prospective permittee must comply with the following general conditions, as applicable.

1. Other Permits
2. Federal Jurisdictional Boundaries
3. Minimal Direct, Secondary, and Cumulative Impacts
4. Mitigation (Avoidance, Minimization, and Compensatory Mitigation)
5. Single and Complete Projects
6. Historic Properties
7. Corps Projects and Property
8. Federal Threatened and Endangered Species
9. Wild and Scenic Rivers
10. Navigation
11. Federal Liability
12. Utility Line Installation and Removal
13. Heavy Equipment in Wetlands or Mudflats
14. Temporary Fill
15. Restoration of Special Aquatic Sites (including wetland areas).
16. Soil Erosion, Sediment and Turbidity Controls
17. Time of Year Windows/Restrictions.
18. Aquatic Life Movements & Management of Water Flows
19. Water Quality and Coastal Zone Management
20. Floodplains and Floodways
21. Storage of Seasonal Structures
22. Spawning, Breeding, and Migratory Areas
23. Vernal Pools
24. Invasive and Other Unacceptable Species
25. Programmatic Agreements
26. Permit On-Site
27. Self-Verification Notification Form (SVNF)
28. Inspections
29. Maintenance
30. Property Rights
31. Transfer of GP Verifications
32. Modification, Suspension, and Revocation
33. Special Conditions
34. False or Incomplete Information
35. Abandonment
36. Enforcement Cases
37. Duration of Authorization
38. Previously Authorized Activities
39. Discretionary Authority
40. St. John/St. Croix Rivers.
41. National Lands
42. Essential Fish Habitat (EFH)
43. Work Site Restoration
44. Bank Stabilization
45. Stream Work & Crossings and Wetland Crossings

1. Other Permits. Permittees must obtain other federal, state, or local authorizations required by law. Applicants are responsible for applying for and obtaining all required state or local approvals. This includes, but is not limited to, the project proponent obtaining a Flood Hazard Development Permit issued by the town, if necessary. Inquiries may be directed to the municipality or to the Maine Floodplain Management Coordinator at (207) 287-8063. See <http://www.maine.gov/dacf/flood/>

2. Federal Jurisdictional Boundaries

a. Applicability of this GP shall be evaluated with reference to federal jurisdictional boundaries. Applicants are responsible for ensuring that the boundaries used satisfy the federal criteria defined at 33 CFR 328 “Waters of the U.S.” and 33 CFR 329 “Navigable Waters of the U.S.”

NOTE: Waters of the U.S. include the subcategories “navigable waters of the U.S.” and “wetlands.”

b. For Category 1 projects, proponents are not required to delineate the waters of the U.S. that they plan to impact, but must approximate the square footage of impacts in order to determine the review category (1 or 2 or Individual Permit). For projects filling <15,000 square feet (SF) of waters of the U.S. that do not qualify for Category 1 (e.g., vernal pool, secondary or endangered species impacts, etc.) and therefore require an application to the Corps (PCN), and for those filling ≥15,000 SF, applicants shall delineate all waters of the U.S. that will be filled (direct impacts) in accordance with the Corps of Engineers Wetlands Delineation Manual and the most recent regional supplement (see Appendix C). In addition, applicants shall approximately identify all waters of the U.S. on the property and *known* waters adjacent to the property in order for the Corps to evaluate secondary impacts. The waters of the U.S. shall be clearly shown on the project plans submitted with the application. This includes all waters of the U.S. in areas under DEP or LUPC jurisdiction regardless of whether they’re shown on LUPC zoning maps.

c. On a case-by-case basis, the Corps may modify/refine the above delineation and identification requirements for waters of the U.S. See www.nae.usace.army.mil/missions/regulatory >> Jurisdictional Limits and Wetlands for more information on delineating jurisdictional areas.

3. Minimal Direct, Secondary, and Cumulative Effects³

a. Projects authorized by this GP shall have no more than minimal direct, secondary and cumulative adverse environmental impacts. Category 2 applicants should provide information on secondary and cumulative impacts as stated in Appendix C. Compensatory mitigation may be required to offset unavoidable impacts (see GC 4) and to ensure that they are no more than minimal. Compensatory mitigation requirements will be determined on a case-by-case basis.

b. Secondary impacts to waterway and/or wetland areas, (e.g., areas drained, flooded, cleared, excavated or fragmented) shall be added to the total fill area when determining whether the project qualifies for Category 1 or 2. Direct, secondary and cumulative impacts are defined at Appendix A, Endnote 2 and Appendix F.

c. Site clearing, grading and construction activities in the upland habitat surrounding vernal pools (“Vernal Pool Management Areas”) are secondary impacts. See GC 23 for avoidance and minimization requirements and recommendations.

d. Bank stabilization activities in tidal waters are provided at Appendix A, Page 30. Direct impacts in tidal waters from contiguous bank stabilization projects in excess of 200 linear feet (Applicant or Applicant + Abutters combined) must undergo Category 2 review.

4. Mitigation (Avoidance, Minimization, and Compensatory Mitigation)

a. Discharges of dredged or fill material into waters of the U.S., including wetlands, shall be avoided and minimized to the maximum extent practicable through consideration of alternatives. The Corps may require compensatory mitigation of unavoidable direct and secondary impacts associated with Category 2 projects on a case-by-case basis.

b. Applicants proposing work in jurisdictional waters should consider riparian/forested buffers for stormwater management and low impact development (LID) best management practices (BMPs) to reduce

³ Direct, secondary and cumulative effects are defined at Appendix F, Definitions and Acronyms.
Section IV

impervious cover and manage stormwater to minimize secondary impacts to aquatic resources to the maximum extent practicable.⁴

c. Compensatory mitigation⁵ for effects to waters of the U.S., including direct, secondary and temporal⁶, may be required for permanent impacts that exceed the SV area limits, and may be required for temporary impacts that exceed the SV area limits, to offset unavoidable impacts which remain after all appropriate and practicable avoidance and minimization has been achieved and to ensure that the adverse effects to the aquatic environment are no more than minimal. Proactive restoration projects or temporary impact work with no lasting secondary effects may generally be excluded from this requirement. Refer to Appendix G.

5. Single and Complete Projects⁷

a. This GP shall not be used to piecemeal work and shall be applied to single and complete projects. When determining the review category in Appendix A (Category 1 or 2) for a single and complete project, proponents must include any permanent historic fill placed since October 1995 that is associated with that project and all currently proposed temporary and permanent impact areas.

b. A single and complete project must have independent utility⁷.

c. Unless the Corps determines the activity has independent utility:

i. This GP shall not be used for any activity that is part of an overall project for which an Individual Permit is required.

ii. All components of a single project and/or all planned phases of a multi-phased project (e.g., subdivisions should include all work such as roads, utilities, and lot development) shall be treated together as constituting one single and complete project.

d. For linear projects, such as power lines or pipelines with multiple crossings, the single and complete project is all crossings of a single water of the U.S. (i.e., single waterbody) at a specific location. For linear projects crossing a single waterbody several times at separate and distant locations, each crossing is considered a single and complete project. However, individual channels in a braided stream or river, or individual arms of a large, irregularly-shaped wetland or lake, etc., are not separate waterbodies and crossings of such features cannot be considered separately. If any crossing requires a Category 2 activity, then the entire linear project shall be reviewed as one project under Category 2.

6. Historic Properties

a. No undertaking shall cause effects (defined at 33 CFR 325 Appendix C and 36 CFR 800) on properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places⁸, including previously unknown historic properties within the permit area, unless the Corps or another Federal action agency has satisfied the consultation requirements of Section 106 of the National Historic Preservation Act (NHPA). The State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO) and the National Register of Historic Places can assist with locating information on: i) previously identified historic properties; and ii) areas with potential for the presence of historic resources, which may require identification and evaluation by qualified historic preservation and/or archaeological consultants in consultation with the Corps and the SHPO and/or THPO(s).

⁴ See: www.nae.usace.army.mil/missions/regulatory >> State General Permit >> Permit Resources >> Mitigation for this additional information: a) "Wetland BMP Manual - Techniques for Avoidance & Minimization," b) riparian/forested buffer BMPs, and c) LID BMPs. LID BMPs include, but are not limited to: replacing curbs and gutters with swales; using an open space design for subdivisions; using permeable, pervious or porous pavements; constructing bio-retention systems; and/or, adding a green roof or rain garden.

⁵ Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR 332. See also the New England District Compensatory Mitigation Guidance at www.nae.usace.army.mil/regulatory >> Mitigation.

⁶ Temporal loss: The time lag between the loss of aquatic resource functions caused by the permitted impacts and the replacement of aquatic resource functions at the compensatory mitigation site(s) (33 CFR 332.2).

⁷ Single and Complete Project and Independent Utility are defined in Appendix F - Definitions.

⁸ The majority of historic properties are not listed on the National Register of Historic Places and may require identification and evaluation by qualified historic preservation and/or archaeological consultants in consultation with the Corps and the SHPO and/or THPO(s).

b. For activities eligible for SV, proponents must ensure and document that the activity will not cause effects as stated in 6(a). Proponents must submit a PCN if the authorized activity may cause effects as stated in 6(a) as soon as possible to ensure that the Corps is aware of any potential effects of the permitted activity on any historic property to ensure all Section 106 requirements are met.

c. All PCNs shall: i) show notification to the SHPO and applicable THPO(s)⁹ for their identification of historic properties, ii) state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties, and iii) include any available documentation from the SHPO or THPO(s) indicating that there are or are not historic properties affected. Starting consultation early in project planning can save proponents time and money.

d. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

7. Corps Projects and Property

a. In addition to any authorization under this GP, proponents must contact the Corps Real Estate Division at (978) 318-8585 for work occurring on or potentially affecting Corps properties and/or Corps-controlled easements to initiate reviews and determine what real estate instruments are necessary to perform work. Permittees may not commence work on Corps properties and/or Corps-controlled easements until they have received any required Corps real estate documents evidencing site-specific permission to work.

b. Any proposed temporary or permanent alteration, or modification or use, including occupation, of a federal project (including but not limited to a levee, dike, floodwall, channel, anchorage, breakwater, seawall, bulkhead, jetty, wharf, pier or other work built but not necessarily owned by the United States), which would obstruct or impair the usefulness of the federal project in any manner, and/or would involve changes to the authorized federal project's scope, purpose, and/or functioning that go beyond minor modifications required for normal operations and maintenance, is not eligible for SV and requires review and approval by the Corps pursuant to 33 USC 408. Where Section 408 is applicable, a decision on a Department of the Army general permit application will not be rendered prior to the decision on a Section 408 request.

c. Any structure or work within any Corps Federal Navigation Project (FNP) or its buffer zone¹⁰, shall be subject to removal at the owner's expense prior to any future Corps dredging or the performance of periodic hydrographic surveys. See GC 10 for more requirements related to FNPs.

8. Federal Threatened and Endangered Species

a. No activity is authorized which: i) is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species; ii) "may affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed; or iii) violates the ESA.

b. **All applicants must request an Official Species List from the US Fish & Wildlife Service and must include the list in the Corps permit application. To request an Official Species List, refer to the instructions in Appendix D.**

c. **For federally listed species in tidal waters, applicants should contact the National Marine Fisheries Service at: <http://www.greateratlantic.fisheries.noaa.gov/protected/section7/>**

⁹ Appendix E, 3(a)&(b). Historic Resources, provides contact information and each tribe's "area of concern."

¹⁰ See Appendix H for a list of FNPs. The buffer zone is equal to three times the authorized depth of the FNP.
Section IV

d. A PCN is required if a threatened or endangered species, a species proposed for listing as threatened or endangered, or designated or proposed critical habitat (all hereinafter referred to as “listed species or habitat”), as identified under the ESA, is present in the action area¹¹.

e. Federal agencies should follow their own procedures for complying with the requirements of the ESA but should coordinate that consultation with the Corps as well.

9. Wild and Scenic Rivers.¹² Any activity that occurs in the designated main stem of, within 0.25 mile up or downstream of the designated main stem of, or in tributaries within .25 miles of the designated main stem of a National Wild and Scenic River, or in “bordering and contiguous wetlands” (see Appendix A, Endnote 1) that are adjacent to the designated main stem of a National Wild and Scenic River, or that has the potential to alter flows within a river within the National Wild and Scenic River System, is not eligible for Category 1 regardless of size of the impacts. This condition applies to both designated Wild and Scenic Rivers and rivers officially designated by Congress as study rivers for possible inclusion while such rivers are in an official study status. National Wild and Scenic Rivers System segments for Maine as of October 2015 include: Allagash River beginning at Telos Dam continuing to Allagash checkpoint at Eliza Hole Rapids, approximately 3 miles upstream of the confluence with the St. John River (length = 92 miles); and 11.25 miles of the York River, in the State of Maine, from its headwaters at York Pond to the mouth of the river at York Harbor, plus its tributaries (currently under study).

10. Navigation

a. Any structure or work that extends closer to the horizontal limits of any Corps Federal Navigation Project (see Appendix H) than a distance of three times the project’s authorized depth shall be subject to removal at the owner’s expense prior to any future Corps dredging or the performance of periodic hydrographic surveys. This is applicable to Category 1 and 2. Reference Appendix A, Page 28 (Moorings) and Page 29 (Structures, Floats & Lifts).

b. There shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein, and no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized herein.

c. The permittee understands and agrees that if future U.S. operations require the removal, relocation, or other alteration of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the U.S. No claim shall be made against the U.S. on account of any such removal or alteration.

d. A PCN is required for all work in, over or under an FNP or its buffer zone unless otherwise indicated in Appendix A. (Reference Appendix A, Endnote 13, Page 36)

11. Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following: (a) damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes; (b) damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the U.S. in the public interest; (c) damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit; (d) design or construction deficiencies associated with the permitted work; (e) damage claims associated with any future modification, suspension, or revocation of this permit.

12. Utility Line Installation and Removal

a. Subsurface utility lines shall remain subsurface. If it is necessary to discharge dredged or filled material not previously authorized in order to keep such utility lines buried or restore them to their original subsurface condition, a PCN and written verification from the Corps may be required (e.g., in the case of side

¹¹ The “Endangered Species Consultation Handbook – Procedures for Conducting Consultation and Conference Activities Under Section 7 of the ESA,” defines action area as “all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action. [50 CFR 402.02].”

¹² Additional information can be found at: <http://www.rivers.gov>.

casting into wetlands from utility trenches). Certain repair, replacement or maintenance activities may be eligible for Category 1 – refer to Appendix A.

b. Subsurface utility lines must be installed at a sufficient depth to avoid damage from anchors, dredging, etc., and to prevent exposure from erosion and stream adjustment. In accordance with Corps New England District Regulation NEDER 1110-1-9 (www.nae.usace.army.mil/missions/regulatory >> [Useful Links and Documents](#)), as an absolute minimum, the bottom cover associated with the initial installation of utility lines under navigable waters and navigation channels shall be 48 inches in soil or 24 inches in rock excavation in competent rock unless specified in a written determination. These minimum bottom cover requirements for pipelines and cables shall be measured from the maximum depth of dredging to the top of the utility. The maximum depth of dredging, in waterways having existing FNPs, is generally considered to be the authorized project depth plus any allowance for advanced maintenance and the allowable overdepth for dredging tolerances. In waterways that do not have existing FNPs, this depth should be taken as two feet below the existing bottom or maximum depth of proposed dredging, as applicable.

c. Aerial utility lines that cross navigable waters must meet minimum clearances. See 33CFR322.5(i).

d. For horizontal directional drilling work, returns of drilling fluids to the surface (i.e., frac-outs) are not authorized and require restoration to the maximum extent practicable in accordance with the terms and conditions of this GP. The permittee and its contractor shall have onsite and shall implement the procedures detailed in a frac-out contingency plan for monitoring drilling operations and for the immediate containment, control and recovery/removal of drilling fluids released into the environment should a discharge of material occur during drilling operations.

e. Within the context of any new installations, any abandoned or inactive utility lines should be removed and faulty lines (e.g., leaking hazardous substances, petroleum products, etc.) should be removed or repaired to the extent practicable. A PCN and written verification from the Corps is required if they are to remain in place, e.g., to protect sensitive areas or ensure safety.

f. No work shall drain a water of the U.S. by providing a conduit for water on or below the surface. Trench plugs installed along pipelines may be effective.

13. Heavy Equipment in Wetlands or Mudflats. Operating heavy equipment other than fixed equipment (drill rigs, fixed cranes, etc.) within wetlands shall be minimized, and such equipment shall not be stored, maintained or repaired in wetlands, to the maximum extent practicable. Where construction requires heavy equipment operation in wetlands, the equipment shall either have low ground pressure (typically <3 psi), or it shall be placed on swamp/construction/timber mats (herein referred to as “construction mats” and defined at Appendix A, Endnote 4) that are adequate to support the equipment in such a way as to minimize disturbance of wetland soil and vegetation. Construction mats are to be placed in the wetland from the upland or from equipment positioned on swamp mats if working within a wetland. Dragging construction mats into position is prohibited. Other support structures that are capable of safely supporting equipment may be used with written Corps authorization (Category 2 authorization or Individual Permit). Similarly, the permittee may request written authorization from the Corps to waive use of mats during frozen, dry or other conditions. An adequate supply of spill containment equipment shall be maintained on site. Construction mats should be managed in accordance with the Construction Mat BMPs at www.nae.usace.army.mil/missions/regulatory >> State General Permits >> Permit Resources.

14. Temporary Fill. Temporary fill that qualifies for Category 1 (e.g., <15,000 SF of combined temporary and permanent fill associated with the single and complete project) or is authorized in writing under Category 2, shall adhere to the following:

a. All temporary fill and disturbed soils shall be stabilized to prevent its eroding into waters of the U.S. where it is not authorized. Work shall include phased or staged development to ensure only areas under active development are exposed and to allow for stabilization practices as soon as practicable, typically within three calendar days after disturbance. Accelerated stabilization (the providing of temporary or permanent cover by the end of the work day to prevent erosion) shall be employed as necessary. Temporary fill must be placed in a manner that will prevent it from being eroded by expected high flows.

b. Unconfined temporary fill authorized for discharge into waters of the U.S. (e.g., temporary stream crossings) shall consist of material that minimizes impacts to water quality (e.g. washed stone, stone, etc.).

c. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Place materials in a location and manner that does not adversely impact surface or subsurface water flow into or out of the wetland. Temporary fill authorized for discharge into wetlands shall be placed on geotextile fabric or other appropriate material laid on the pre-construction wetland grade where practicable to minimize impacts and to facilitate restoration to the original grade. Construction mats are excluded from this requirement.

d. Temporary fill, construction mats and corduroy roads shall be entirely removed as soon as they are no longer needed to construct the authorized work. Temporary fill shall be placed in its original location or disposed of at an upland site and suitably contained to prevent its subsequent erosion into waters of the U.S. To qualify for Category I, temporary fill placed during the: i.) growing season must be removed before the beginning of the next growing season; and ii.) non-growing season may remain throughout the following growing season, but must be removed before the beginning of the next growing season.

e. Temporary fill, construction mats and corduroy roads are considered temporary only if they are removed as soon as they are no longer needed to construct the authorized work.

f. Construction debris and/or deteriorated materials shall not be located in waters of the U.S.

15. Restoration of Special Aquatic Sites (Including Wetland Areas)

a. Temporary fills must be removed in their entirety and the affected areas restored to their pre-construction condition, function and elevation. Restoration shall typically commence no later than the completion of construction.

b. For excavated areas, “restored to pre-construction condition, function and elevation” means careful removal of existing soil and vegetation, separate topsoil and subsoil stockpiling, soil protection, and replacement back to the original location such that the original soil layering and vegetation schemes are approximately the same, unless otherwise authorized. Plan for natural settling that will occur (the initial post-restoration elevation of the backfilled areas should be above the desired final grade as topsoil may settle by 33% to 50%), minimize compaction, and ensure that topsoil is void of gravel and subsoil. A minimum of 4 inches of topsoil should be at the surface after the soil has settled. Wetland areas temporarily disturbed shall be stabilized (e.g., seeded or planted). Seed mixes and vegetation shall include only plant species native to New England and shall not include any species listed as “Invasive and Other Unacceptable Plant Species” in the “New England District Compensatory Mitigation Guidance” (see GC 24 and refer to Appendix G). This list may be updated periodically.

c. Limit compaction to the minimum needed to promote a successful seedbed; avoid a ‘fluffy’ seedbed, which is susceptible to erosion until the plants get established, and a compacted topsoil layer, which is counter-productive and will lead to greater erosion susceptibility down the road. Test soils for compaction. A soil probe, auger, or shovel should be able to retrieve samples of post-restoration profile. Equipment refusal shall be considered a failure of restoration, in which case the soil should be restored through deep-ripping and/or de-compaction, or other appropriate methods, and wetland hydrology must be maintained. See the BMPs at www.nae.usace.army.mil/missions/regulatory >> State General Permits >> Permit Resources >> Restoration.

d. In areas of authorized temporary disturbance, cut woody vegetation (trees, shrubs, etc.) shall be cut at or above ground level and not uprooted in order to prevent disruption to the wetland soil structure and to allow stump sprouts to revegetate the work area, unless otherwise authorized.

e. Trenches shall be constructed or backfilled so that the trench does not drain waters of the U.S. (e.g., materials or methods that create a French drain effect).

16. Soil Erosion, Sediment and Turbidity Controls

a. Adequate sedimentation and erosion control management measures, practices and devices, such as phased construction, installation of sediment control barriers (i.e. silt fence, vegetated filter strips, geotextile silt fences, erosion control mixes, hay bales or other devices) downhill of all exposed areas, retention of existing vegetated buffers, application of temporary mulching during construction, and permanent seeding and stabilization shall be installed and properly maintained to reduce erosion and retain sediment on-site during and after construction. They shall be capable of preventing erosion; of collecting sediment, suspended and floating materials; and of filtering fine sediment.

- b. Temporary sediment control barriers shall be removed upon completion of work, but not until all disturbed areas are permanently stabilized. The sediment collected by these sediment barriers shall be removed and placed at an upland location and stabilized to prevent its later erosion into a waterway or wetland.
- c. All exposed soil and other fills shall be permanently stabilized at the earliest practicable date .

17. Time of Year Work Windows/Restrictions. For activities where work is authorized in streams and tidal waters that causes turbidity or sediment re-suspension or other construction related disturbances, work must be conducted during the following TOY work windows (not during the TOY restrictions) unless otherwise authorized by the Corps under Category 2 review:

	<u>TOY Restriction</u> (no work)	<u>TOY Work Window</u> (work allowed)
Non-tidal waters	Oct. 01 through Jul. 14	Jul. 15 through Sep. 30
Tidal waters	Apr. 10 through Nov. 07	Nov. 08 through Apr. 09

Alternate windows authorized under Category 2 may include species specific windows recommended by the Maine Dept. of Marine Resources and/or Maine Dept. of Inland Fisheries & Wildlife.

18. Aquatic Life Movements & Management of Water Flows

- a. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity’s primary purpose is to impound water. Unless otherwise stated, activities impounding water in a stream require a PCN to ensure impacts to aquatic life species are avoided and minimized. All permanent and temporary crossings of waterbodies (e.g., streams, wetlands) shall be:
 - i. Suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species; and
 - ii. Properly aligned and constructed to prevent bank erosion or streambed scour both adjacent to and inside the culvert. Permanent and temporary crossings of wetlands shall be suitably culverted, spanned or bridged in such a manner as to preserve hydraulic and ecological connectivity between the wetlands on either side of the road.
- b. To avoid adverse impacts on aquatic organisms, the low flow channel/thalweg shall remain unobstructed during periods of low flow, except when it is necessary to perform the authorized work.
- c. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the preconstruction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

19. Water Quality and Coastal Zone Management

- a. Applicants must satisfy any conditions imposed by the state and EPA, where applicable, in their CWA § 401 Water Quality Certifications (WQC) for this GP, or in any Individual § 401 WQC. See Appendix E for state-specific contact information and to determine if any action is required to obtain a 401 WQC. The Corps may require additional water quality management measures to ensure that the authorized activity does not cause or contribute to a violation of water quality standards. All projects authorized by this GP shall be designed, constructed and operated to minimize or eliminate the discharge of pollutants.
- b. Applicants must satisfy any additional conditions imposed by the state in their Coastal Zone Management (CZM) Act consistency concurrences for this GP, or in any Individual CZM consistency concurrences. The Corps may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

20. Floodplains and Floodways

- a. Appropriate measures must be taken to minimize flooding to the maximum extent practicable.
- b. Activities within 100-Year Floodplains must comply with applicable Federal Emergency Management Agency (FEMA)-approved state and/or local floodplain management permitting requirements. Proponents may need to coordinate with FEMA and apply for a formal change to the flood insurance study products or forward a set of project plans and relevant technical documentation in a digital format to the Risk

Analysis Branch Chief, Mitigation Division, FEMA, Region 1, 99 High Street, Boston, Massachusetts 02110. Applicants should provide a copy of any documentation to the Corps along with the PCN.

c. Proponents may have to obtain a Flood Hazard Development Permit issued by the town. Inquiries may be directed to the municipality or to the Maine Floodplain Management Coordinator at (207) 287-8063. See <http://www.maine.gov/dacf/flood/>

21. Storage of Seasonal Structures. Seasonal or recreational structures such as pier sections, floats, aquaculture structures, etc. that are removed from the waterway for a portion of the year (often referred to as seasonal structures) shall be stored in an upland location landward of mean high water (MHW) or ordinary high water (OHW) and not in wetlands, tidal wetlands, their substrate or on mudflats. These seasonal structures may be stored on the fixed, pile-supported portion of the structure that is waterward of MHW or OHW. Seasonal storage of structures in navigable waters, e.g., in a protected cove on a mooring, requires Corps approval and local harbormaster approval.

22. Spawning, Breeding, and Migratory Areas

a. Jurisdictional activities and impacts such as excavations, discharges of dredged or fill material, and/or suspended sediment producing activities in jurisdictional waters that provide value as fish migratory areas, fish and shellfish spawning or nursery areas, or amphibian and migratory bird breeding areas, during spawning or breeding seasons shall be avoided and minimized to the maximum extent practicable.

b. Jurisdictional activities in waters of the United States that provide value as breeding areas for migratory birds must be avoided to the maximum extent practicable. The permittee is responsible for obtaining any “take” permits required under the USFWS’s regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The permittee should contact the appropriate local office of the USFWS to determine if such “take” permits are required for a particular activity (See Appendix E).

23. Vernal Pools

a. Only vernal pools that meet the current definition of waters of the U.S. are regulated by the Corps.

b. Direct and indirect adverse effects to all vernal pools (VPs), including their envelopes and critical terrestrial habitats (VP Management Areas¹³), shall be avoided and minimized to the maximum extent practicable. Site clearing, grading, and construction activities associated with a regulated activity in the VP Management Area may cause these adverse effects to the VP.

c. The State of Maine has specific protections for vernal pools.¹⁴

d. When any regulated activities occur within 750 feet of a vernal pool, the following management practices must be followed for all work within any VP Management Area (750’ of a VP’s edge) *in order to qualify for Category 1*:

- i. No disturbance within the VP Depression or VP Envelope (area within 100 feet of the VP Depression’s edge)¹⁵;
- ii. Maintain a minimum of 75% of the Critical Terrestrial Habitat (area within 100-750 feet of the VP Depression’s edge) as unfragmented forest with at least a partly-closed canopy of overstory trees to provide shade, deep litter and woody debris;
- iii. Maintain or restore forest corridors connecting wetlands and significant vernal pools;
- iv. Minimize forest floor disturbance; and
- v. Maintain native understory vegetation and downed woody debris.

¹³ The Corps VP Management Area, which includes the VP and a 750’ radius from the VP’s edge, is defined at Appendix A, Endnote 5.

¹⁴ Appendix G, 10(a)-(d) provides links to the state’s Significant Wildlife Habitat regulations and references that provide impact minimization measures to reference when designing projects.

¹⁵ The no disturbance requirement in the VP envelope [see (b)(i)(1)], and (b)(i)(2), do not apply to temporary impacts associated with construction mats in previously disturbed areas of existing utility project (e.g., transmission lines, gas pipelines) or linear transportation project (e.g., roads, highways, railways, trails, airport runways and taxiways) right-of-ways provided there is a Vegetation Management Plan that avoids, minimizes and mitigates impacts to aquatic resources.

vi. Cape Cod style-curbings or no curbing options shall be used on new roads to facilitate amphibian passage. (Reference Appendix G)

e. A PCN is required for any regulated activity within 750' of a vernal pool when all work within the VP Management Area does not comply with the Category 1 requirements in (d) above. Information on directional buffers in accordance with the VP Directional Buffer Guidance document may be provided in order to demonstrate minimal impact and avoid compensation requirements (Reference Appendix G). Conservation of the un-impacted area within the VP Management Area will often be required.

f. GC 2 requires applicants to delineate or approximately identify on the project plans all waters of the U.S., which contain vernal pools.

g. GC 23(b-d) do not apply to projects that are within a municipality and meet the provisions of a Corps-approved VP Special Area Management Plan (VP SAMP) and are otherwise eligible for self-verification.

24. Invasive and Other Unacceptable Species¹⁶

a. The introduction or spread of invasive or other unacceptable plant or animal species on the project site or areas adjacent to the project site caused by the site work shall be avoided to the maximum extent practicable. For example, construction mats and equipment shall be thoroughly cleaned and free of vegetation and soil before and after use. The introduction or spread of invasive plant or animal species on the project site caused by the site work shall be controlled.

b. No cultivars, invasive or other unacceptable plant species may be used for any mitigation, bioengineering, vegetative bank stabilization or any other work authorized by this GP. However, non-native species and cultivars may be used when it is appropriate and specified in a written verification, such as using *Secale cereale* (Annual Rye) to quickly stabilize a site. All PCNs should explain the reason for using non-native species or cultivars.

25. Programmatic Consultations or Agreements. The Corps requirements to comply with Section 106 of the NHPA, Section 7 of the Endangered Species Act or Essential Fish Habitat conservation under the Magnuson-Stevens Act may be satisfied by a Programmatic Agreement with the Corps, New England District or another federal action agency. Any Corps, New England District Programmatic Agreements will be available on our website.

26. Permit On Site. The permittee shall ensure that a copy of this GP and any accompanying authorization letter with attached plans are at the site of the work authorized by this GP whenever work is being performed and that all construction personnel performing work which may affect waters of the U.S. are aware of its terms and conditions. The entire permit authorization shall be made a part of any and all contracts and subcontracts for work that affects areas of Corps jurisdiction at the site of the work authorized by this GP. This shall be achieved by including the entire permit authorization in the specifications for work. The term "entire permit authorization" means this entire GP and the authorization letter (including its drawings, plans, appendices and other attachments) and also includes permit modifications. If the authorization letter is issued after the construction specifications, but before receipt of bids or quotes, the entire permit authorization shall be included as an addendum to the specifications. If the authorization letter is issued after receipt of bids or quotes, the entire permit authorization shall be included in the contract or subcontract. Although the permittee may assign various aspects of the work to different contractors or subcontractors, all contractors and subcontractors shall be obligated by contract to comply with all environmental protection provisions contained within the entire GP authorization, and no contract or subcontract shall require or allow unauthorized work in areas of Corps jurisdiction.

¹⁶ For the purposes of this GP, plant species that are considered invasive and unacceptable are provided in Appendix G "Invasive and other Unacceptable Plant Species" of our document "Compensatory Mitigation Guidance" at www.nae.usace.army.mil/missions/regulatory >> Mitigation. Chapter 4(e) Planting is also particularly relevant. The June 2009 "Corps of Engineers Invasive Species Policy" provides policy, goals and objectives and is located at www.nae.usace.army.mil/missions/regulatory >> Invasive Species. Additional information can be found at: www.eddmaps.org/ipane.

27. Self-Verification Notification Form (SVNF). Permittees must complete and submit the SVNF provided at Appendix B to the Corps for work authorized by this GP unless otherwise noted in Appendix A. **NOTE: A copy of a state permit application form may be an acceptable surrogate for the SVNF provided either form used also include plans and an Official Species List of federally listed threatened or endangered species.**

28. Inspections. The permittee shall allow the Corps to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of this GP and any written verification. The Corps may also require post-construction engineering drawings for completed work, post-dredging survey drawings for any dredging work, or other post-construction reports. To facilitate these inspections, the permittee shall complete and return to the Corps the following forms:

- For Category 1/Self-Verification: The SVNF (see Appendix B).
- For Category 2/PCN: The a) Work-Start Notification Form and b) Compliance Certification Form, when either is provided with the authorization letter.

29. Maintenance

a. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable general conditions and activity-specific conditions to a written verification.

b. The requirement in (a) above does not include maintenance of dredging projects. Each maintenance dredging event exceeding the self-verification limits requires a new PCN unless an unexpired, written PCN or other Corps authorization specifies that the permittee may “dredge and maintain” an area for a particular time period. Self-verification or PCN maintenance dredging includes only those areas and depths previously authorized and actually dredged. Maintenance dredging with ocean or open water disposal will always require a PCN and at least Category 2 review.

c. Some maintenance activities may not be subject to regulation under Section 404 in accordance with 33 CFR 323.4(a)(2). Refer to Appendix A, Endnote 7.

30. Property Rights. This GP does not convey any property rights, either in real estate or material, or any exclusive privileges, nor does it authorize any injury to property or invasion of rights or any infringement of federal, state, or local laws or regulations.

31. Transfer of GP Verifications. When the structures or work authorized by this GP are still in existence at the time the property is transferred, the terms and conditions of this GP, including any special conditions, will continue to be binding on the entity or individual who received the GP authorizations, as well as the new owner(s) of the property. If the permittee sells the property associated with a GP verification, the permittee may transfer the GP verification to the new owner by submitting a letter to the Corps (see Appendix E for address) to validate the transfer. A copy of the GP verification must be attached to the letter, and *the letter must contain the new owner’s contact information and the following statement and signature:*

“When the structures or work authorized by this GP are still in existence at the time the property is transferred, the terms and conditions of this GP, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this GP and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

(Transferee)

(Date)

32. Modification, Suspension, and Revocation. Any work authorized under this GP by self-verification or PCN may be either modified, suspended, or revoked, in whole or in part, pursuant to the policies and procedures of 33 CFR 325.7. Any such action shall not be the basis for any claim for damages against the U.S.

33. Special Conditions. The Corps may independently, or at the request of the federal resource agencies, impose other special conditions on a project authorized pursuant to this GP that are determined necessary to minimize adverse navigational and/or environmental effects or based on any other factor of the public interest. Failure to comply with all terms and conditions of the authorization, including special conditions, constitutes a permit violation and may subject the permittee to criminal, civil or administrative penalties and/or an ordered restoration.

34. False or Incomplete Information. If the Corps makes a determination regarding the eligibility of a project under this GP and subsequently discovers that it has relied on false, incomplete or inaccurate information provided by the permittee, the Corps may determine that the GP authorization is not valid; modify, suspend or revoke the authorization; and the U.S. Government may institute legal proceedings.

35. Abandonment. If the permittee decides to abandon the activity authorized under this GP, unless such abandonment is merely the transfer of property to a third party, he/she may be required to restore the area to the satisfaction of the Corps.

36. Enforcement cases. This GP does not apply to any existing or proposed activity in Corps jurisdiction associated with an ongoing Corps or EPA enforcement action, until such time as the enforcement action is resolved or the Corps or EPA, as appropriate, determines that the activity may proceed independently without compromising the enforcement action.

37. Duration of Authorization. This GP expires on October 12, 2020. Activities authorized under this GP that have commenced (i.e., are under construction) or are under contract to commence before this GP expires will have until October 12, 2021 to complete the activity under the terms and conditions of the current GP.

38. Previously Authorized Activities.

a. Projects that have received authorization (Category 1 or 2) from the Corps and that were completed under the previous PGPs, nationwide permits, regional general permits or letters of permission, shall remain authorized.

b. Activities authorized pursuant to 33 CFR Part 330.3 (“Activities occurring before certain dates”) are not affected by this GP.

c. Any work not commenced nor completed that was authorized in a written letter from the Corps under the GP in effect between October 12, 2010 and October 12, 2015 remains authorized subject to the terms and general conditions of this GP along with any special conditions in the authorizing written letter. Exception – if previously authorized work is not commenced and a new federally listed threatened or endangered species could be affected, the Corps must consult with the Service(s) prior to re-authorizing the work under this GP. Requests for re-authorization must include an updated Official Species list. To request an Official Species List, refer to the instructions in Appendix D.

39. Discretionary Authority. Notwithstanding compliance with the terms and conditions of this permit, the Corps retains discretionary authority to require Category 2 or Individual Permit review based on concerns for the aquatic environment or for any other factor of the public interest [33 CFR 320.4(a)]. This authority is invoked on a case-by-case basis whenever the Corps determines that the potential consequences of the proposal warrant a higher level of review based on the concerns stated above. This authority may be invoked for projects that may contribute to cumulative environmental impacts that are more than minimal or if there is a special resource or concern associated with a particular project that is not already covered by the remaining conditions of the GP and that warrants greater review. Whenever the Corps notifies an applicant that an Individual Permit may be required, the project is not authorized under this GP and no work may be conducted until an Individual Permit is obtained or until the Corps notifies the applicant that further review has demonstrated that the work may proceed under this GP.

40. St. John/St. Croix Rivers. Work within the Saint John and Saint Croix River basins that requires approval of the International Joint Commission is not eligible for Category 1 and a PCN to the Corps is required if any temporary or permanent use, obstruction or diversion of international boundary waters could affect the natural

flow or levels of waters on the Canadian side of the line; or if any construction or maintenance of remedial works, protective works, dams, or other obstructions in waters downstream from boundary waters could raise the natural level of water on the Canadian side of the boundary.

41. National Lands. Activities that impinge upon the value of any National Wildlife Refuge, National Forest, National Marine Sanctuary, National Park or any other area administered by the National Park Service, U.S. Fish and Wildlife Service (USFWS) or U.S. Forest Service are not eligible for Category 1 and require a PCN.

42. Essential Fish Habitat (EFH). Any work in the following rivers and streams, including all tributaries to the extent that they are currently or were historically accessible for salmon migration, shall not be authorized under Category 1 of the GP and must be screened for potential impacts to EFH (see Appendix G for more information).

Androscoggin River	Aroostook River	Boyden River	Dennys River
Ducktrap River	East Machias River	Hobart Stream	Kennebec River
Machias River	Narraguagus River	Orland River	Passagassawaukeag River
Patten Stream	Penobscot River	Pleasant River	Presumpscot River
Saco River	Sheepscot River	St. Croix River	Tunk Stream
			Union River

The above does not apply to the following activities which may qualify for Category 1 work:

- Exploratory drilling and borings for bridges.
- Moorings (see Appendix A, Page 28 for Category 1 thresholds and requirements)
- Structures, floats & lifts (see Appendix A, Page 29 for Category 1 thresholds and requirements)
- Other activities specified in a programmatic agreement with NMFS.

43. Work Site Restoration

a. Wetland areas where permanent disturbance is not authorized shall be restored to their original condition and elevation, which under no circumstances shall be higher than the pre-construction elevation. Original condition means careful protection and/or removal of existing soil and vegetation, and replacement back to the original location such that the original soil layering and vegetation schemes are approximately the same, unless otherwise authorized.

b. Upon completion of construction, all disturbed wetland areas (the disturbance of these areas must be authorized) shall be properly stabilized. Any seed mix shall contain only plant species native to New England and shall not contain any species listed in the “Invasive and Other Unacceptable Plant Species” Appendix in the “New England District Compensatory Mitigation Guidance” (see GC 24 and refer to Appendix G). This list may be updated periodically.

c. In areas of authorized temporary disturbance, if trees are cut they shall be cut at ground level and not uprooted in order to prevent disruption to the wetland soil structure and to allow stump sprouts to revegetate the work area, unless otherwise authorized.

44. Bank Stabilization

a. Projects involving construction or reconstruction/maintenance of bank stabilization structures within Corps jurisdiction shall be designed to minimize environmental effects, effects to neighboring properties, scour, etc. to the maximum extent practicable.

b. Project proponents must design and construct bank stabilization projects using this sequential minimization process: avoidance of aquatic resource impacts, diversion of overland flow, vegetative stabilization, stone-sloped surfaces, and walls/bulkheads. Vertical walls/bulkheads shall only be used in situations where reflected wave energy can be tolerated.

c. Inland Water bank stabilization activities necessary for erosion prevention must meet all of the following criteria: i) No material is placed in excess of the minimum needed for erosion protection; ii) The activity is no more than 500 feet in total length along the bank(s); iii) The activity will not exceed an average of one cubic yard per running foot placed along the bank below the plane of the ordinary high water mark; iv) Structures angled steeper than 1H:1V and any material other than angular or sub-angular stone or fiber roll revetments require at least a Category 2 review; v) The activity does not involve discharges of dredged or fill

material into special aquatic sites; vi) No material is of the type, or is placed in any location, or in any manner, to impair surface water flow into or out of any water of the U.S.; vii) No material is placed in a manner that will be eroded by normal or expected high flows (properly anchored trees and treetops may be used in low energy areas); and viii) The activity is not a stream channelization activity.

d. Bank stabilization activities in tidal waters are provided at Appendix A, Page 30 & 31. Direct impacts in tidal waters from contiguous bank stabilization projects in excess of 200 linear feet (Applicant or Applicant + Abutters combined) must undergo Category 2 review.

45. Stream Work and Crossings & Wetland Crossings

Notes:

a. For *Stream Work and Crossings* below, conditions (a) and (b) apply to Inland Waters and Wetlands (see Appendix A, Page 1 for definition) and Navigable Waters (see Appendix A, Page 27 for definition). Conditions (c)-(I) below only apply to Inland Waters and Wetlands that are streams. All new and replacement crossings in Navigable Waters require an application to the Corps and at least a Category 2 review.

b. In-stream work in a watershed occupied by listed Atlantic salmon, Atlantic sturgeon, or shortnose sturgeon [see GC 8(b)] and some stream work such as crossings on EFH waters (see GC 42) is not eligible for Category 1.

c. “High-Quality Stream Segments” are shown at www.maine.gov/dep/gis/datamaps and may be useful in evaluating impacts to fisheries. GIS shape files are under “Other Google Earth Interactive Maps” and PDFs by county are under “DEP GIS Maps.” See Appendix E for more state contact information.

Conditions for Stream Work and Crossings:

a. All permanent crossings of rivers, streams, brooks, etc. (hereon referred to as “streams”) shall be suitably culverted, bridged, or otherwise designed to i) withstand and to prevent the restriction of high flows to qualify for Category 1, and ii) not obstruct the movement of or not substantially disrupt the necessary life-cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, beyond the actual duration of construction unless the activity’s primary purpose is to impound water to qualify for Category 1 or 2. (*NOTE: Areas of fill and/or cofferdams must be included in total waterway/wetlands impacts to determine applicability of this GP.*)

b. Any work that temporarily or permanently impacts upstream or downstream flood conditions, or permanently impacts wetlands in excess of Category 1 thresholds, must be reviewed at least under Category 2. See the documents referenced in Appendix G, 8(c) and (d) for guidance.

c. New Stream Crossings. For new stream crossings to qualify for Category 1:

i. Must ensure compliance with GC 45(a) and GC 45(b) above.

ii. Shall be designed and constructed in accordance with the Corps General Stream Crossing

Standards provided on Page 19 and the stream simulation document listed at Appendix G, 8(a).

d. Replacement Stream Crossings. For replacement stream crossings to qualify for Category 1:

i. Must ensure compliance with GC 45(a) and GC 45(b) above.

ii. Shall be designed and constructed in accordance with the Corps General Stream Crossing

Standards provided on Page 19 and the stream simulation document listed at Appendix G, 8(a).

e. Culvert Extensions. Culvert extensions on culverts that do not meet the Corps General Stream Crossing Standards do not qualify for Category 1 and require an application to the Corps and at least Category 2 review.

f. Temporary Stream Crossings.

Note: The General Stream Crossing Standards don’t apply to temporary stream crossings.

i. Temporary stream crossings or cofferdams shall be used for equipment access across streams [see Appendix G, 8(e)]. Note: Areas of fill and/or cofferdams must be included in total waterway/wetlands impacts to determine the review category in Appendix A.

ii. Temporary stream crossings shall be removed within 180 days to qualify for Category 1.

iii. Temporary stream crossings that are not spans¹⁷ (typically culverts) must be designed in accordance with 1-6 below to qualify for Category 1. Category 2 applications should include information demonstrating 2-6 below:

1. Installed and removed during the low flow period specified in GC 45(l) below.
2. Placed on geotextile fabric or other material where practicable to ensure restoration to the original grade. Soil may not be used to construct or stabilize these structures and rock must be large enough to allow for easy removal without disrupting the streambed.
3. Designed and maintained to withstand and pass high flows. Water height should be no higher than the top of the culvert's inlet. A minimum culvert diameter of two feet is required to pass debris. Culverts must be aligned to prevent bank erosion or streambed scour.
4. Equipped with energy dissipating devices installed downstream if necessary to prevent scour.
5. Designed and maintained to prevent soil from entering the waterbody.
6. Removed upon the completion of work. Impacts to the streambed or banks requires restoration to their original condition using stream simulation methods¹⁸.

g. Slip Lining. Work using slip lining (retrofitting an existing culvert by inserting a smaller diameter pipe), invert lining, or resulting in decreased diameter, does not qualify for Category 1, either as new work or maintenance activities.

h. Work in Flowing Waters. To qualify for Category 1, no unconfined fill [see GC 14(b)] or excavation in flowing waters is allowed. To accomplish this:

i. Bank stabilization work below ordinary high water (OHW) shall utilize erosion controls such as inflatable cofferdams, jersey barrier, silt screen, turbidity curtain, etc. where practicable to prevent sediment input to the stream and to minimize turbidity and sedimentation impacts for sensitive life stages. Bank stabilization above OHW must utilize erosion controls.

ii. Management techniques such as temporary flume pipes, culverts, cofferdams, etc. must be used to maintain normal flows within the stream boundary's confines, or water diversions may be used immediately up and downstream of the work footprint (see Appendix A, Endnote 6) or work must be performed in the dry under no flow conditions, or under very low flow conditions following the practices in GC 45(a).

i. Minimization. In order to make the Category 2 review process more efficient and result in a faster decision, new and replacement stream crossings should be designed using the least intrusive and environmentally damaging method following this sequential minimization process: 1) spans with no stream impacts, 2) spans with stream impacts, and 3) embedded culverts with stream simulation or low-slope design.

j. Maintenance Requirements. The permittee shall maintain the work authorized herein in good condition and in conformance with the terms and general conditions of this permit to facilitate aquatic life passage as stated in GC 45(a). Culverts that develop "hanging" inlets or outlets, result in bed washout, or a stream that doesn't match the characteristics of the substrate in the natural stream channel such as mobility, slope, stability confinement will require maintenance or repair to comply with this GC. This does not apply to GC 45(f) above.

k. Maintenance and Replacement Information. An existing stream crossing must be authorized and in compliance with all conditions of its authorization(s) to qualify for maintenance not subject to regulation. See Appendix A, Endnote 7. A non-serviceable crossing is not eligible for maintenance and is therefore considered as a replacement crossing [see GC 45(d)].

l. Work Window. For projects that otherwise meet the terms of Category 1, in-stream construction work shall be conducted during the low flow period July 15 – September 30 in any year. Projects that are not to be conducted during that time period are ineligible for Category 1 and shall be screened pursuant to Category 2, regardless of the waterway and wetland fill and/or impact area.

Corps General Stream Crossing Standards (required for Category 1; recommended for Category 2):

- a. Culverts must be embedded:

¹⁷ For the purposes of this GP, spans are bridges, three-sided box culverts, open-bottom culverts or arches that span the stream with footings landward of bankfull width.

¹⁸ Design and construction shall be in accordance with the stream simulation document listed at Appendix G, 8(a).

- ≥ 2 feet for box culverts and other culverts with smooth internal walls,
- ≥ 1 foot for corrugated pipe arches
- ≥ 1 foot and at least 25 percent for corrugated round pipe culverts

b. **For new crossings**, spans¹⁷ are required to avoid or cause minimal disruption to the streambed and to meet the requirements of General Condition 45(a) and 45(b). Footings and abutments must be landward of 1.2 times bankfull width. To the greatest extent practicable, work in the stream shall be minimized, and design and construction shall allow the streambed's natural structure and integrity to remain intact. Any fill or excavation of the streambed below bankfull width other than footings, support pilings, or work specified in 45(h)ii requires Category 2 review and, unless demonstrated otherwise, stream simulation¹⁸ to establish substrate and banks in the span structure and work area as specified in (d) and (e) below.

c. **For replacement crossings**, spans¹⁷ are required to meet the requirements of General Condition 45(a) and 45(b). Footings and abutments shall be landward of 1.2 times bankfull width. Unless demonstrated otherwise, stream simulation¹⁸ is required to establish substrate and banks in the span structure and work area as specified in (d) and (e) below.

d. Crossings must have a natural bottom substrate within the structure matching the characteristics of the substrate in the natural stream channel and the banks (mobility, slope, stability, confinement, grain and rock size) at the time of construction and over time as the structure has had the opportunity to pass significant flood events. To allow terrestrial passage for wildlife and prevent undermining the footings, crossings shall have a bank on both sides of the stream matching the horizontal profile of the existing stream and banks¹⁸. Note: Installation of substrate material within smaller culverts may not be safe or practicable. In these cases, it may be necessary to allow for natural deposition and bed development unless alternative methods are identified.

e. Crossings must be designed and constructed¹⁸ with appropriate bed forms and streambed characteristics so that water depths and velocities are comparable to those found in the natural channel at a variety of flows. In order to provide appropriate water depths and velocities at a variety of flows and especially low flows, it is usually necessary to reconstruct the streambed or preserve the natural channel within the structure. Otherwise, the width of the structure needed to accommodate higher flows will create conditions that are too shallow at low flows. The grain and rock size, and arrangement of streambed materials within the structure should be in accordance with (d) above. Flows could go subsurface within the structure if only large material is used without smaller material filling the voids.

Conditions for Wetland Crossings:

a. All temporary and permanent crossings of wetlands shall be suitably culverted, bridged, or otherwise designed to: i) Withstand and prevent the restriction of high flows, ii) Not obstruct the movement of or not substantially disrupt the necessary life-cycle movements of those species of aquatic life indigenous to the wetland, including those species that normally migrate through the area, beyond the actual duration of construction unless the activity's primary purpose is to impound water. See Appendix E for the Maine DEP's crossing standards.

b. To qualify for Category 1, new and replacement wetland crossings that are permanent shall be culverted, spanned or bridged in such a manner as to preserve hydraulic and ecological connectivity, at its present level, between the wetlands on either side of the road. To meet this requirement, we recommend that culverts, spans or bridges be placed at least every 50 feet with an opening at least 2 feet high and 3 feet wide at ground level where practicable. Closed bottom culverts shall be embedded at least 6 inches with a natural bottom.

c. In the case of non-compliance, the permittee shall take necessary measures to correct wetland damage due to lack of hydraulic and ecological connectivity.

d. Any work that results in flooding, results in impacts to wetlands on either side of the wetland crossing in excess of Category 1 thresholds, or impacts wetland drainage from the upgradient side of the wetland crossing does not qualify for Category 1.



Robert J. Desista
Deputy Chief, Regulatory Division
For DISTRICT ENGINEER

DATE

10/13/15

APPENDIX A: DEFINITION OF CATEGORIES

<p>A. INLAND WATERS AND WETLANDS</p>	<p>Inland Waters and Wetlands: Waters that are regulated under Section 404 of the Clean Water Act, including rivers, streams, lakes, ponds and wetlands, and <i>excluding Section 10 Navigable Waters of the U.S. (tidal and freshwater)</i>. The jurisdictional limits are the ordinary high water (OHW) mark in the absence of adjacent wetlands, beyond the OHW mark to the limit of adjacent wetlands when adjacent wetlands are present, and the wetland limit when only wetlands are present. For the purposes of this GP and designated activities, fill placed in the area between the mean high water (MHW) and the high tide line (HTL), and in the bordering and contiguous wetlands¹ to tidal waters are reviewed in the Navigable Waters section. (See B. Navigable Waters on page 27 below.)</p> <p>Projects not meeting Category 1 require an application for review as a Category 2 or Individual Permit project.</p> <p>All Category 1 and 2 projects must comply with all of this GP's applicable terms (Pages 1 – 4) and General Conditions (Pages 5–20).</p>
<p>ACTIVITY</p>	<p>CATEGORY 1 Self-Verification Eligible (SVNF Required)</p>
<p>1. Repair, Replacement, and Expansion of Maintenance of Authorized Structures and Fills</p>	<p>Repair or maintenance of existing, currently serviceable, authorized fills with no expansion or change in use:</p> <ul style="list-style-type: none"> • Conditions of the original authorization apply. • Minor deviations in fill design allowed.⁷ • The repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events is authorized, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. • No effect on federally listed endangered or threatened species or critical habitat.
<p>2. Moorings</p>	<p>NA – moorings in non-navigable inland waters are not subject to Corps jurisdiction.</p> <p>Note: Moorings placed in freshwater navigable waters are reviewed in the Navigable Waters section. (See B. Navigable Waters on Page 28 below.)</p>
<p>3. Structures, Floats & Lifts</p>	<p>For solid fill or crib supported structures on inland waters, <15,000 square feet (SF) of waterway and/or wetland fill, associated secondary impacts², and temporary fills.</p> <ul style="list-style-type: none"> • No effect on federally listed endangered or threatened species or critical habitat. • Note: Temporary or permanent structures placed in freshwater navigable waters are reviewed in the Navigable Waters section. (See B. Navigable Waters on page 29 below.)
<p>4. Aids to Navigation and Temporary Recreational Structures</p>	<p>NA - this activity in non-navigable inland waters is not subject to Corps jurisdiction.</p> <p>Note: Aids to Navigation and other structures placed in freshwater navigable waters are reviewed in the Navigable Waters section. (See B. Navigable Waters on page 30 below.)</p>
	<p>CATEGORY 2 (PCN Required)</p> <p>Replacement of non-serviceable fills, or repair/maintenance of serviceable fill, with expansion <3 acres, or with a change in use.</p>

<p>5. Dredging, Disposal of Dredged Material, Beach Nourishment, and Rock Removal and Relocation</p>	<p>1. For regulated discharges associated with excavation, and disposal <15,000 SF inland waterway and/or wetland impacts. 2. The activity does not occur in navigable waters of the U.S. 3. Stream channelization, relocation or loss of streambed including impoundments or discharge of tailings into streams does not occur. 4. No effect on federally listed endangered or threatened species or critical habitat.</p>	<p>1. Work not eligible for Category 1 2. ≥15,000 SF to <3 acres of inland waters.</p>
<p>6. Discharges of Dredged or Fill Material Incidental to the Construction of Bridges</p>	<p>NA - For discharges incidental to the construction of bridges in inland waters of the U.S. refer to Activity 23 (Stream and Wetland Crossings) and GC 45. Note: Discharges of Dredged or Fill Material Incidental to the Construction of Bridges in freshwater navigable waters are reviewed in the Navigable Waters section. (See B. Navigable Waters on page 30 below.)</p>	<p>NA</p>
<p>7. Bank and Shoreline Stabilization</p>	<p>Inland bank stabilization <500 FT long and ≤1 CY of fill per linear foot below OHW, provided:</p> <ul style="list-style-type: none"> • ≤1 cubic yard of fill per linear foot placed along the bank waterward of ordinary high water. • Work complies with the GCs (GC 44 in particular), including: <ul style="list-style-type: none"> ○ No structures angled steeper than 1H:1V allowed. Only rough-faced stone or fiber roll revetments allowed. ○ No in-stream work involving fill or excavation in flowing waters (see GC 45(h)). • In-water work limited to Jul 15 – Sep 30. • No work in vernal pools⁵ or SAS³. • No effect on federally listed endangered or threatened species or critical habitat. 	<p>Work not eligible for Category 1</p>
<p>8. Residential, Commercial, and Industrial Institutional Developments, and Recreational Facilities</p>	<p>1. <15,000 SF of inland waterway and/or wetland fill and associated secondary impacts² (e.g., areas drained, flooded, fragmented, mechanically cleared or excavated). Fill area includes all temporary and permanent fill, and regulated discharges associated with excavation. Construction mats are considered as fill. [See GC 14] <u>Provided:</u></p> <ul style="list-style-type: none"> • Historic fill + proposed impact area <15,000 SF complies with GC 5, Single and Complete Projects. • No work in special aquatic sites (SAS)⁴ other than wetlands. • No effect on federally listed endangered or threatened species or critical habitat. <p>2. For work in Vernal Pool (VP) Management Areas (includes VPs)²:</p>	<p>1. Work not eligible for Category 1. 2. ≥15,000 SF to <3 acres of inland waterway and/or wetland fill and associated secondary impacts (e.g., areas drained, flooded, fragmented, or excavated). Fill area includes all temporary and permanent fill (including mats), and regulated discharges associated with excavation. 3. <i>Mechanical clearing without grubbing or other soil disturbance > 3 acres as a secondary impact may still be eligible for Category 2 at the discretion of the Corps.</i></p> <p>See GC 2 and Appendix C for wetland delineation</p>

	<ul style="list-style-type: none"> • See GC 23 and Appendix C for VP delineation requirements. • See GC 23 to determine if work qualifies for Category 1 or 2. • See Appendix G for VP documents providing mitigation guidance. 	requirements.
<p>9. Utility Line Activities</p>	<ol style="list-style-type: none"> 1. <15,000 SF of inland waterway and/or wetland fill, associated secondary impacts², and temporary fills. 2. The activity does not occur in, over, or under navigable waters of the U.S. 3. Intake structures that are dry hydrants used exclusively for firefighting activities with no stream impoundments. 4. There is no permanent change in pre-construction contours in waters of the U.S. 5. Material resulting from trench excavation is temporarily side cast into waters of the U.S. for ≤3 months and is placed in such a manner that it is not dispersed by currents or other forces. 6. The utility line is placed within and does not run a) parallel to, or b) along a streambed. 7. Stream channelization, relocation or loss of streambed including impoundments does not occur. 8. No effect on federally listed endangered or threatened species or critical habitat. 9. There is no discharge in SAS other than non-tidal wetlands. 10. Construction mats⁴ of any area necessary to conduct activities that were previously authorized, authorized under Category 1, or not subject to regulation (see Endnote 7). Authorized construction mats must be in place for <3 months, removed immediately upon work completion, and the wetlands must be restored (see GC 43). 11. Stream crossings must comply with GC 17. 	<ol style="list-style-type: none"> 1. Work not eligible for Category 1 2. ≥15,000 SF to <3 acres of inland waterway and/or wetland fill and associated secondary impacts (e.g., areas drained, flooded, fragmented, or excavated). Fill area includes all temporary and permanent fill (including mats), and regulated discharges associated with excavation. 3. <i>Mechanical clearing without grubbing or other soil disturbance >3 acres as a secondary impact may still be eligible for Category 2 at the discretion of the Corps.</i>
<p>10. Linear Transportation Projects (not including stream crossings)</p> <p>For stream crossings, refer to Activity 23</p>	<ol style="list-style-type: none"> 1. <15,000 SF of inland waterway and/or wetland fill associated secondary impacts (e.g., areas drained, flooded, fragmented, mechanically cleared or excavated). Fill area includes all temporary and permanent fill, and regulated discharges associated with excavation. Construction mats are considered fill. (See GC 14.) Provided: <ul style="list-style-type: none"> • Historic fill + proposed impact area <15,000 SF and complies with GC 5 single and complete projects. • No work in special aquatic sites (SAS) other than wetlands. 2. Construction mats⁴ of any area necessary to conduct activities that were previously authorized, authorized under Category 1, or not subject to regulation (see Endnote 7). Authorized construction mats must be in place for <3 months, removed immediately upon work completion, and the wetlands must be restored (see GC 43). 3. No effect on federally listed endangered or threatened species or critical habitat. 	<ol style="list-style-type: none"> 1. ≥15,000 SF to <3 acres of inland waterway and/or wetland fill and associated secondary impacts (e.g., areas drained, flooded, fragmented, or excavated). Fill area includes all temporary and permanent fill (including mats), and regulated discharges associated with excavation. 2. <i>Mechanical clearing without grubbing or other soil disturbance >3 acres as a secondary impact may still be eligible for Category 2 at the discretion of the Corps.</i>

<p>11. Mining Activities</p>	<p>1. <15,000 SF of inland waterway and/or wetland fill, associated secondary impacts, and temporary impacts. 2. The activity does not occur in navigable waters of the U.S. 3. Stream channelization, relocation or loss of streambed including impoundments or discharge of tailings into streams does not occur. 4. No effect on federally listed endangered or threatened species or critical habitat.</p>	<p>1. Work not eligible for Category 1. 2. ≥15,000 SF to <3 acres of inland waterway and/or wetland fill and associated secondary impacts (e.g., areas drained, flooded, fragmented, or excavated). Fill area includes all temporary and permanent fill (including mats), and regulated discharges associated with excavation.</p>
<p>12. Boat Ramps</p>	<p>1. <15,000 SF of inland waterway and/or wetland fill, associated secondary impacts, and temporary impacts. 2. No effect on federally listed endangered or threatened species or critical habitat.</p>	<p>1. Work not eligible for Category 1 2. >15,000 SF and < 3 acres of impact.</p>
<p>13. Land and Water-Based Renewable Energy Generation Facilities and Hydropower Projects</p>	<p><i>For land-based facilities:</i> 1. <15,000 SF of inland waterway and/or wetland fill, associated secondary impacts, and temporary impacts. 2. Stream channelization, relocation or loss of streambed including impoundments does not occur. 3. No effect on federally listed endangered or threatened species or critical habitat.</p> <p><i>For water-based facilities and hydropower projects:</i> No new facilities are eligible.</p>	<p><i>For land-based activities:</i> 1. Work not eligible for Category 1. 2. >15,000 SF and < 3 acres impact. 3. <i>Mechanical clearing without grubbing or other soil disturbance > 3 acres as a secondary impact may still be eligible for Category 2 at the discretion of the Corps.</i></p> <p><i>For water-based facilities and hydropower projects:</i> > 3 acres of impact will require an IP.</p>
<p>14. Reshaping Existing Drainage Ditches & Mosquito Management</p>	<p>Not Applicable</p>	<p>Not Applicable</p>
<p>15. Oil Spill and Hazardous Material Cleanup</p>	<p>Jurisdictional activities required for the containment and cleanup of oil and hazardous substances that are subject to the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR 300) provided that the work is done in accordance with the Spill Control and Countermeasure Plan required by 40 CFR 112.3 or any existing state contingency plan and provided that the Regional Response Team (if one exists in the area) concurs with the proposed containment and cleanup action. SAS³ must typically be restored in place at the same elevation. <i>Note: SV/NF or a surrogate state reporting form may be submitted after the fact.</i></p>	<p>Work not eligible for Category 1</p>

<p>16. Cleanup of Hazardous and toxic waste</p>	<p>Specific jurisdictional activities to effect the containment, stabilization, or removal of hazardous or toxic waste materials, including court ordered remedial action plans or related settlements, which are performed, ordered or sponsored by a government agency with established legal or regulatory authority. SAS should be restored in place at the same elevation.</p> <ul style="list-style-type: none"> • <15,000 SF of inland waterway and/or wetland fill, associated secondary impacts, and temporary impacts. • No stream channelization, relocation or loss of streambed occurs. • The project does not involve establishing new disposal sites or expanding existing sites used for the disposal of hazardous or toxic waste. • No effect on federally listed endangered or threatened species or critical habitat. 	<p>Work not eligible for Category 1</p>
<p>17. Scientific Measurements Devices</p>	<ol style="list-style-type: none"> 1. Scientific measurement devices whose purpose is to measure and record scientific data, such as staff gages, water recording devices, water quality testing and improvement devices, and similar structures. This excludes any biological sampling devices. Structures may not restrict or concentrate movement of aquatic organisms. 2. No effect on federally listed endangered or threatened species or critical habitat. 	<p>Work not eligible for Category 1</p>
<p>18. Survey Activities</p>	<ol style="list-style-type: none"> 1. Jurisdictional survey activities, such as core sampling, seismic exploratory operations, plugging of seismic shot holes and other exploratory-type bore holes, exploratory trenching, soil surveys, sampling, and historic resources surveys (but not recovery). Exploratory trenches must be restored in accordance with GC 43. The construction of temporary pads is authorized provided the discharge doesn't exceed 25 CY. This doesn't authorize permanent structures or the drilling and the discharge of excavated material from test wells for oil and gas exploration (the plugging of such wells is authorized). 2. No effect on federally listed endangered or threatened species or critical habitat. 	<p>Work not eligible for Category 1</p>
<p>19. Agricultural Activities</p>	<ol style="list-style-type: none"> 1. For those activities subject to Corps jurisdiction¹⁶, <15,000 SF of inland waterway and/or wetland fill, associated secondary impacts, and temporary impacts. 2. No stream channelization, relocation, loss of streambed, or farm ponds in streams. 3. No effect on federally listed endangered or threatened species or critical habitat. 	<ol style="list-style-type: none"> 1. ≥15,000 SF to <3 acres of inland waterway and/or wetland fill and associated secondary impacts (e.g., areas drained, flooded, fragmented, or excavated). Fill area includes all temporary and permanent fill (including mats), and regulated discharges associated with excavation. 2. > 3 acres of impact will require an IP.

<p>20. Fish and Wildlife Harvesting, Enhancement and Attraction Devices and Activities</p>	<p>NA - this activity in non-navigable inland waters, if not involving a discharge of dredged or fill material, is not subject to Corps jurisdiction. Note: Related structures placed in freshwater navigable waters (e.g. the upper Penobscot or Kennebec Rivers) are reviewed in the Navigable Waters section. (See B. Navigable Waters on Page 33 below.)</p>	<p>Not Applicable</p>
<p>21. Habitat Restoration, Establishment and Enhancement Activities</p>	<p>1. <15,000 SF of inland waterway and/or wetland fill, associated secondary impacts, and temporary impacts. 2. The activity is supported in writing by a local, state, or non-Corps Federal environmental agency. Water impoundments require PCN. 3. No conversion of i) a stream to wetland or vice versa, wetland to a pond or uplands, and ii) one wetland type to another. 4. No dam removal. 5. No effect on federally listed endangered or threatened species or critical habitat.</p>	<p>1. Work not eligible for Category 1 2. Aquatic habitat restoration, establishment, and enhancement of wetlands and riparian areas and the restoration and enhancement of streams and other open waters with impacts of any area \geq15,000 SF, provided those activities result in net increase in overall aquatic resource functions and services.⁸</p>
<p>22. Previously Authorized Activities</p>	<p>Any work not commenced nor completed that was authorized in a written letter from the Corps under the GP in effect between October 12, 2010 and October 12, 2015. The terms and general conditions of this GP apply along with any special conditions in the written authorization.</p>	<p>Work not eligible for Category 1</p>
<p>23. Stream & Wetland Crossings</p>	<p>1. River, stream and brook work and crossings: <ul style="list-style-type: none"> • Must comply with GC 45 in particular, including: <ul style="list-style-type: none"> o No slip lining [see GC 45 (g)]. o No in-stream work involving fill or excavation in flowing waters [see GC 45(h)]. o In-stream work limited to Jul 15 – Sep 30 [see GC 45 (l)]. • No work in riffles and pools³. • No stream relocations. • No dams or dikes⁶. • No effect on federally listed endangered or threatened species or critical habitat. • <15,000 SF of inland waterway and/or wetland fill, associated secondary impacts, and temporary impacts. </p> <p>2. Wetland crossings must comply with the particularly relevant GC 45.</p>	<p>Work not eligible for Category 1</p>
<p>24. Aquaculture (freshwater)</p>	<p>For land based installations, <15,000 SF of inland waterway and/or wetland fill, associated secondary impacts, and temporary impacts. <ul style="list-style-type: none"> • In-stream/in-water work limited to Jul 15 – Sep 30. • No effect on federally listed endangered or threatened species or critical habitat. <p>Note: Related structures placed in freshwater navigable waters are reviewed in the Navigable Waters section. (See B. Navigable Waters, below.)</p> </p>	<p>Work not eligible for Category 1</p>

<p>B. NAVIGABLE WATERS</p>	<p>Navigable Waters of the United States: Waters that are subject to the ebb and flow of the tide and/or the tidal and non-tidal portions of the Federally designated navigable waters (the Penobscot River, Kennebec River, and Lake Umbagog) (Section 10 Rivers and Harbors Act of 1899). The jurisdictional limits are the mean high water (MHW) line in tidal waters and the ordinary high water (OHW) mark in non-tidal portions of the federally designated navigable rivers. For the purposes of this GP, fill placed in the area between the mean high water (MHW) and the high tide line (HTL), and in the bordering and contiguous wetlands¹ to tidal waters are also reviewed in this Navigable Waters section.</p>
<p>Projects not meeting Category 1 require an application for review as a Category 2 or Individual Permit project. All Category 1 and 2 projects must comply with all of this GP's applicable terms (Pages 1 - 4) and General Conditions (Pages 5 - 20).</p>	
<p>ACTIVITY</p>	<p>CATEGORY 2 (PCN Required)</p>
<p>1. Repair, Replacement, and Expansion, and Maintenance of Authorized (or grandfathered) Structures and Fills</p>	<p>CATEGORY 1 Self-Verification Eligible (SVNF Required)</p> <p>1. Repair, replacement in-kind, or maintenance⁷ of existing, currently serviceable⁷, authorized structures or fills:</p> <ul style="list-style-type: none"> • All work is to be conducted in-the-dry, during low water. • Conditions of the original authorization apply. • No substantial expansion or change in use. • No new fill in SAS³. • Must be rebuilt in same footprint, however minor deviations in structure design allowed⁷. • The repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events is authorized, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. <p>CATEGORY 2 (PCN Required)</p> <ol style="list-style-type: none"> 1. Replacement of non-serviceable structures and fills or repair/maintenance of serviceable structures or fills, with fill, replacement or expansion <1 acre, or with a change in use. 2. <1 acre temporary or permanent fill, excavation and/or secondary impacts. Fill area includes all temporary and permanent waterway fills, provided: <ul style="list-style-type: none"> • Temporary or permanent fill in eelgrass¹⁴ <1000 SF. • Permanent fill in SAS (excluding eelgrass¹⁴) <4300 SF. 3. Standard Pile Driving Conditions. Work involving piles shall adhere to one of the four methods below: <ul style="list-style-type: none"> • Piles installed in-the-dry during low water or in-water between Nov. 8th - Apr. 9th, or • Must be drilled and pinned to ledge, or • Vibratory hammers used to install any size and quantity of wood, concrete or steel piles, or • Impact hammers limited to one hammer and <50 piles installed/day with the following: wood piles of any size, concrete piles ≤18-inches diameter, steel piles <12-inches diameter if the hammer is ≤3000 lbs and a wood cushion is used between the hammer and steel pile, and <p>For the methods above:</p> <ul style="list-style-type: none"> • In-water noise levels shall not exceed > 187dB cSEL re 1µPa or 206dB peak re 1µPa at a distance >10m from the pile being installed, and <ul style="list-style-type: none"> ○ In-water noise levels >150dB peak re 1µPa shall not exceed 12 consecutive hours on any given day and a 12 hour recovery period (i.e., in-water noise below 150dB peak re 1µPa) must be provided between work days. • Existing derelict, degraded or abandoned piles in the project area that are affected by project activities should be removed and properly disposed of in an upland location landward of MHW or OHW and not in wetlands, tidal wetlands, their substrate or mudflats.

<p>2. Moorings</p>	<p>1. Private, non-commercial, non-rental, single-boat moorings, provided:</p> <ul style="list-style-type: none"> • Authorized by the local harbormaster/town. • Not associated with any boating facility.¹¹ • Boat or mooring not located in a Federal Navigation Project or buffer zone¹² other than in a Federal Anchorage¹². Moorings in a Federal Anchorage not associated with a boating facility¹¹ and are not for rent. • No interference with navigation. • No new moorings located in SAS³. Prior to installation of moorings, a site-specific eelgrass survey should be conducted to document that eelgrass is not present. • When existing, authorized moorings in SAS³ are going to be replaced, they should be replaced with low impact mooring technology that prevents mooring chains from resting or dragging on the bottom substrate at all tides and helical anchors, or equivalent SAS protection systems where practicable. <p>2. Minor relocation of previously authorized moorings, provided:</p> <ul style="list-style-type: none"> • Authorized by the local harbormaster/town. • Not located in SAS³ • No interference with navigation. • Cannot be relocated into a Federal Navigation Project¹² other than a Federal Anchorage¹² <p>Note: <i>Cat 1 eligible moorings do not require SVNF.</i></p>	<p>1. Moorings associated with an existing boating facility¹¹. An eelgrass¹⁴ survey may be required.</p> <p>2. Moorings that don't meet the terms in Category 1 and don't require an Individual Permit. This includes private moorings with no harbormaster or means of local approval.</p> <p>3. Moorings located such that they, and/or vessels docked or moored at them, are within the buffer zone of the horizontal limits¹³ of a Federal Channel¹². (See Appendix H.) The buffer zone is equal to 3 times the authorized depth of that channel.</p> <p>4. An IP is required for moorings within the horizontal limits¹¹, or with moored vessels that extend, into the horizontal limits of a Federal Navigation Project¹², except those in Federal Anchorages¹².</p> <p><i>For 1-4 above, siting of new individual moorings in SAS³, including eelgrass¹⁴, should be avoided to the maximum extent practicable. If SAS³ cannot be avoided, plans should show elastic mooring systems that prevent mooring chains from resting or dragging on the bottom substrate at all tides and helical anchors, or equivalent SAS protection systems, where practicable. For moorings that appear to impact SAS, the Corps may require an eelgrass survey.</i></p>
<p>3. Structures, Floats and Lifts</p>	<p>1. Reconfiguration of existing authorized structures shall occur in-the-dry during low water.</p> <p>2. Minor relocation of previously authorized floats or moored floats/lobster cars, provided:</p> <ul style="list-style-type: none"> • Authorized by the local harbormaster/town. • Not located in SAS³. • No interference with navigation. • Cannot be relocated into a Federal Navigation Project¹² other than a Federal Anchorage¹². 	<p>1. New structures or floats, including floatways/skidways, built to access waterway (seasonal and permanent). Includes both pile supported and crib supported structures.</p> <p>2. Expansions to existing boating facilities¹¹</p> <p><u>For 1 & 2 above, compliance with the following design standards is not required but recommended:</u></p> <ul style="list-style-type: none"> • <i>Pile-supported structures <400 SF, with attached floats totaling <200 SF.</i> • <i>Bottom anchored floats <200 SF.</i> • <i>Structures are <4' wide and have at least a 1:1 height:width ratio¹¹.</i> • <i>Floats supported a minimum of 18" above the substrate during all</i>

tides.

- Structures & floats not located within 25' of any eelgrass⁸.
- Moored vessels not positioned over SAS³.
- The Corps may require a letter of no objection from the abutter if structure is to be within 25 feet of the property line.
- No structure extends across >25% of the waterway width at mean low water.
- Not located within the buffer zone of the horizontal limits¹³ of a Corps Federal Navigation Project (FNP) (App. F). The buffer zone is equal to three times the authorized depth of that FNP.

3. An Individual Permit is required for structures or floats, including floatways/skidways, located such that they and/or vessels docked or moored at them are within the horizontal limits¹³ of a Corps Federal Navigation Project¹² (see App. H).

4. An Individual Permit is required for structures & floats associated with a new or previously unauthorized boating facility¹¹.

5. Standard Pile Driving Conditions. Work involving piles shall adhere to one of the four methods below:

- Piles installed in-the-dry during low water or in-water between Nov. 8th - Apr. 9th, or
- Must be drilled and pinned to ledge, or
- Vibratory hammers used to install any size and quantity of wood, concrete or steel piles, or
- Impact hammers limited to one hammer and <50 piles installed/day with the following: wood piles of any size, concrete piles ≤18-inches diameter, steel piles <12-inches diameter if the hammer is ≤3000 lbs and a wood cushion is used between the hammer and steel pile, and
- For the methods above:
 - In-water noise levels shall not exceed >187dB cSEL re 1μPa or 206dB peak re 1μPa at a distance >10m from the pile being installed, and
 - In-water noise levels >150dB peak re 1μPa shall not exceed 12 consecutive hours on any given day and a 12 hour recovery period (i.e., in-water noise below 150dB peak re 1μPa) must be provided between work days.
- Existing derelict, degraded or abandoned piles in the project area that are affected by project activities should be removed and properly disposed of in an upland location landward of MHW or OHW and not in wetlands, tidal wetlands, their substrate or mudflats.

<p>4. Aids to Navigation and Temporary Recreational Structures</p>	<p>1. Temporary buoys, markers, floats, etc. for recreational use during specific events, provided they are removed within 30 days after use is discontinued.</p> <p>2. The placement of aids to navigation and regulatory markers which are approved by and installed in accordance with the requirements of the U.S. Coast Guard. (See 33 CFR 66, Chapter I, subchapter C).”</p> <p><i>Note: Cat I eligible aids to navigation and regulatory markers do not require SVNF.</i></p>	<p>Work not eligible for Category 1</p>
<p>5. Dredging, Disposal of Dredged Material, Beach Nourishment, and Rock Removal and Relocation</p>	<p>1. Maintenance dredging¹⁰ for navigational purposes <1,000 CY with upland disposal. Includes return water from upland contained disposal area, provided:</p> <ul style="list-style-type: none"> • Proper siltation controls are used. • Dredging & disposal operation limited to Nov. 8 – Apr. 9. • No impact to SAS³. • No dredging in intertidal areas. • No dredging within 100’ of shellfish beds. • No dredging in areas designated as Critical Habitat for Atlantic salmon [see GC 8(b) & (c)]. • For dredging in tidal waters outside of Atlantic salmon critical habitat, applicants must contact NMFS (see GC 8) to ensure no impacts to listed species such as shortnose sturgeon, Atlantic surgeon, and listed sturgeon critical habitat. <p>• Project proponents must contact the USFWS for work on coastal beaches to ensure no impacts to piping plovers, roseate terns, rufa red knot, or their habitat [see GC 8(c)].</p> <ul style="list-style-type: none"> • No underwater blasting. <p>2. Maintenance dredging is not eligible for Category 1 if conducted in tidal portions of the Penobscot river upstream of a line extending from Turner Point in Castine to Moose Point (formerly Squaw Point) on Cape Jellison in Stockton Springs or in tidal portions of the Kennebec or Androscoggin Rivers upstream of a line extending from Doubling Point in Arrowsic to Hospital Point in West Bath.</p>	<p>1. Maintenance dredging¹⁰ ≥1,000 CY, new dredging <25,000 CY, or projects not meeting Category 1. Includes return water from upland contained disposal areas. Disposal includes:</p> <ul style="list-style-type: none"> • Upland. • Beach nourishment (above mean high water) of any area provided the dredging’s primary purpose is navigation or the sand is from an upland source. • Open water & confined aquatic disposal, if Corps finds the material suitable. <p>2. Beach nourishment associated with dredging when the primary purpose is not navigation requires at least a Category 2 review.</p> <p>3. Maintenance or new dredging¹⁰ and/or disposal in or affecting a SAS³ requires an Individual Permit.</p>

<p>6. Discharges of Dredged or Fill Material Incidental to the Construction of Bridges</p>	<p>1. Discharges of dredged or fill material incidental to the construction of bridges across navigable waters of the U.S., including cofferdams, abutments, foundation seals, piers, and temporary construction and access fills provided the U.S. Coast Guard authorizes such discharges as part of the bridge permit or appropriate approval.</p> <p>2. Causeways and approach fills are not included in this category and require Category 2 or Individual Permit authorization.</p>	<p><1 acre temporary or permanent fill, excavation and/or secondary impacts (e.g., areas drained, flooded, fragmented or mechanically cleared). Fill area includes all temporary and permanent waterway fills, provided:</p> <ul style="list-style-type: none"> • Temporary or permanent fill in eelgrass¹⁴ <1000 SF. • Permanent fill in SAS (excluding eelgrass¹⁴) <4300 SF.
<p>7. Bank and Shoreline Stabilization</p>	<p>1. Bank stabilization projects <200 linear feet provided:</p> <ul style="list-style-type: none"> • ≤1 cubic yard of fill per linear foot placed along the bank waterward of high tide line. No fill or equipment will occur in SAS³. • Work conducted in the intertidal zone must be conducted in-the-dry during low water. • No structures angled steeper than 1H:1V and only rough-faced stone or fiber roll revetments allowed. • No driving of piles or sheeting. <p>2. Bank stabilization projects in excess of 200 linear feet (Applicant or Applicant + Abutters combined) must undergo Category 2 review.</p>	<p>1. Work not eligible for Category 1.</p> <p>2. <1 acre temporary or permanent fill, excavation and/or secondary impacts (e.g., areas drained, flooded, fragmented or mechanically cleared). Fill area includes all temporary and permanent waterway fills, provided:</p> <ul style="list-style-type: none"> • Temporary or permanent fill in eelgrass¹⁴ <1000 SF. • Permanent fill in SAS (excluding eelgrass¹⁴) <4300 SF.
<p>8. Residential, Commercial, and Industrial Institutional Developments, and Recreational Facilities</p>	<p>Not Eligible</p>	<p>1. <1 acre temporary or permanent fill, excavation and/or secondary impacts (e.g., areas drained, flooded, fragmented or mechanically cleared). Fill area includes all temporary and permanent waterway fills, provided:</p> <ul style="list-style-type: none"> • Temporary or permanent fill in eelgrass¹⁴ <1000 SF. • Permanent fill in SAS (excluding eelgrass¹⁴) <4300 SF. <p>2. Conversions of previously authorized pile supported buildings over navigable waters to residences, offices, or other non-water dependent uses require at least a Category 2 review.</p> <p>3. Floating house boats or businesses on floats require Category 2 review.</p>
<p>9. Utility Line Activities</p>	<p>1. Repair or maintenance of existing, currently serviceable, authorized utilities with no expansion or change in use:</p> <ul style="list-style-type: none"> • Conditions of the original authorization apply. • Trenching or filling is confined to the existing footprint. • In water work conducted between Nov 8 and Apr 9. • No new impact to SAS. <p>2. Particularly relevant is GC12.</p> <p>3. <u>New work in, over, or under</u> navigable waters requires a PCN and Category 2 review.</p> <p>4. Except for aerial utility lines, work is not eligible for Category 1 if conducted in tidal portions of the Penobscot River upstream of a line extending from Turner Point in Castine to Moose Point (formerly</p>	<p>1. New or replacement installations or work not otherwise eligible for Category 1.</p> <p>2. <1 acre temporary or permanent fill, excavation and/or secondary impacts (e.g., areas drained, flooded, fragmented or mechanically cleared). Fill area includes all temporary and permanent waterway fills, provided:</p> <ul style="list-style-type: none"> • Temporary or permanent fill in eelgrass¹⁴ <1000 SF. • Permanent fill in SAS (excluding eelgrass¹⁴) <4300 SF. <p>3. Particularly relevant is GC12</p>

	Squaw Point) on Cape Jellison in Stockton Springs or in tidal	
10. Linear Transportation Projects (Not Including Stream Crossings)	Not eligible	<1 acre temporary or permanent fill, excavation and/or secondary impacts (e.g., areas drained, flooded, fragmented or mechanically cleared). Fill area includes all temporary and permanent waterway fills, provided: <ul style="list-style-type: none"> • Temporary or permanent fill in eelgrass¹⁴ <1000 SF. • Permanent fill in SAS (excluding eelgrass¹⁴) <4300 SF.
11. Mining Activities	Not Eligible	Not Eligible
12. Boat Ramps and Marine Railways	<ol style="list-style-type: none"> 1. No new impact to SAS 2. Marine railway and boat ramp work not eligible for maintenance⁷ (i.e. not currently serviceable⁷) may be replaced "in-kind" with minor deviations⁷ provided: <ul style="list-style-type: none"> • Work is in the intertidal zone. • No fill expansion below high tide line. • Work conducted in-the-dry during low water. 3. No new boat ramps or marine railways. 	<ol style="list-style-type: none"> 1. Work not eligible for Category 1 2. <1 acre temporary or permanent fill, excavation and/or secondary impacts (e.g., areas drained, flooded, fragmented or mechanically cleared). Fill area includes all temporary and permanent waterway fills, provided: <ul style="list-style-type: none"> • Temporary or permanent fill in eelgrass¹⁴ <1000 SF. • Permanent fill in SAS (excluding eelgrass¹⁴) <4300 SF.
13. Land and Water-Based Renewable Energy Generation Facilities and Hydropower Projects	Not Eligible	<ol style="list-style-type: none"> 1. <1 acre temporary or permanent fill, excavation and/or secondary impacts (e.g., areas drained, flooded, fragmented or mechanically cleared). Fill area includes all temporary and permanent waterway fills, provided: <ul style="list-style-type: none"> • Temporary or permanent fill in eelgrass¹⁴ <1000 SF. • Permanent fill in SAS (excluding eelgrass¹⁴) <4300 SF. 2. No new impoundments.
14. Reshaping Existing Drainage Ditches and Mosquito Management	<ol style="list-style-type: none"> 1. ≤500 linear feet of drainage ditch will be modified. The reshaping of the ditch cannot increase drainage capacity beyond the original as-built capacity nor can it expand the area drained by the ditch as originally constructed (i.e., the capacity of the ditch must be the same as originally constructed and it cannot drain additional wetlands or other waters of the U.S.). 2. No new ditches or relocation of drainage ditches constructed in waters of the U.S.; the location of the centerline of the reshaped drainage ditch must be approximately the same as the location of the centerline of the original drainage ditch. 3. No effect on federally listed endangered or threatened species or critical habitat 	<ol style="list-style-type: none"> 1. Work not eligible for Category 1 2. <1 acre temporary or permanent fill, excavation and/or secondary impacts (e.g., areas drained, flooded, fragmented or mechanically cleared). Fill area includes all temporary and permanent waterway fills, provided: <ul style="list-style-type: none"> • Temporary or permanent fill in eelgrass¹⁴ <1000 SF. • Permanent fill in SAS (excluding eelgrass¹⁴) <4300 SF.

<p>15. Oil Spill and Hazardous Material Cleanup</p>	<p>Jurisdictional activities required for the containment and cleanup of oil and hazardous substances that are subject to the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR 300) provided that the work is done in accordance with the Spill Control and Countermeasure Plan required by 40 CFR 112.3 and any existing state contingency plan and provided that the Regional Response Team (if one exists in the area) concurs with the proposed containment and cleanup action. SAS³ must typically be restored in place at the same elevation. <i>Note: SVN/F or a surrogate state reporting form may be submitted after the fact. No SVN/F is required for Category 1 eligible containment booms.</i></p>	<p>Work not eligible for Category 1</p>
<p>16. Cleanup of Hazardous and Toxic Waste</p>	<p>Not eligible - except for booms placed for hazardous and toxic waste containment and absorption and prevention which are eligible for SV. <i>Note: No SVN/F is required for Category 1 eligible containment booms.</i></p>	<p>Specific jurisdictional activities with impacts of any area required to affect the containment, stabilization, or removal of hazardous or toxic waste materials that are performed, ordered, or sponsored by a government agency with established legal or regulatory authority. Wetlands and other SAS must typically be restored in place at the same elevation to qualify.</p>
<p>17. Scientific Measurement Devices</p>	<p>Scientific measurement devices whose purpose is to measure and record scientific data, such as staff gages, water recording devices, water quality testing and improvement devices, and similar structures. Structures may not restrict or concentrate movement of aquatic organisms; no activity results in a hazard to navigation; and no activity requiring underwater blasting.</p>	<p>1. Work not eligible for Category 1 2. <1 acre temporary or permanent fill, excavation and/or secondary impacts (e.g., areas drained, flooded, fragmented or mechanically cleared). Fill area includes all temporary and permanent waterway fills, provided: <ul style="list-style-type: none"> • Temporary or permanent fill in eelgrass¹⁴ <1000 SF. • Permanent fill in SAS (excluding eelgrass¹⁴) <4300 SF. </p>
<p>18. Survey Activities</p>	<p>Jurisdictional survey activities such as exploratory drilling, surveying and sampling activities, excluding any biological sampling devices. Does not include any activity requiring underwater blasting, seismic exploratory operations, or oil and gas exploration and fill for roads or construction pads. No activity may result in a hazard to navigation.</p>	<p>1. Work not eligible for Category 1 2. <1 acre temporary or permanent fill, excavation and/or secondary impacts (e.g., areas drained, flooded, fragmented or mechanically cleared). Fill area includes all temporary and permanent waterway fills, provided: <ul style="list-style-type: none"> • Temporary or permanent fill in eelgrass¹⁴ <1000 SF. • Permanent fill in SAS (excluding eelgrass¹⁴) <4300 SF. </p>
<p>19. Agricultural Activities</p>	<p>Not Eligible</p>	<p>Not Eligible</p>

<p>20. Fish & Wildlife Harvesting, Enhancement and Attraction Devices and Activities (Not Aquaculture)</p>	<p>Fish and wildlife harvesting, enhancement, and attraction devices and activities such as pound nets, crab traps, crab dredging, eel pots, lobster traps, and clam and oyster digging, and small fish attraction devices such as open water fish concentrators (sea kites, etc.). This does not authorize artificial reefs or impoundments and semi-impoundments of waters of the U.S. for the culture or holding of motile species such as lobster, or the use of covered oyster trays or clam racks. No activity that may result in a hazard to navigation. <i>Note: A SV/NF is not required for these Category 1 eligible devices and activities.</i></p>	<p>1. Work not eligible for Category 1. 2. Impoundments or semi-impoundments of waters of the U.S. for the culture or holding of motile species such as lobster and new fish weirs with an impounded area \leq 1/2 acre. For Aquaculture operations, refer to Activity 24.</p>
<p>21. Habitat Restoration, Establishment and Enhancement Activities</p>	<p>1. Cultch placement in tidal waters is eligible for SV provided there are no salt marsh or vegetated shallow impacts. 2. SAS planting and transplanting \leq 100 SF in tidal waters; 3. No artificial or living reefs. 4. The activity is authorized in writing by a local, state, or non-Corps federal environmental agency. Water impoundments require PCN. 5. No conversion of i) a stream to wetland or vice versa, wetland to a pond or uplands, and ii) one wetland type to another. 6. No dam removal. 7. Shellfish habitat enhancement such as brushing the flats is eligible for Category 1, but not the use of netting which requires Category 2 review.</p>	<p>1. Work not eligible for Category 1. 2. Aquatic habitat restoration, establishment and enhancement provided those activities are proactive and result in net increases in aquatic resource functions and services.⁸</p>
<p>22. Previously Authorized Activities</p>	<p>Any work not commenced nor completed that was authorized in a written letter from the Corps under the GP in effect between October 12, 2010 and October 12, 2015. The terms and general conditions of this GP apply along with any special conditions in the written authorization.</p>	
<p>23. Stream & Wetland Crossings</p>	<p>Not Eligible</p>	<p>All temporary or permanent crossings of tidal navigable waters or adjacent tidal wetlands not eligible as maintenance require a PCN. GC 45 applies</p>
<p>24. Aquaculture</p>	<p>Not Eligible</p>	<p>Shellfish & finfish aquaculture (with the exception of Atlantic salmon and any other salmonid, or other federally listed endangered or threatened species), or other aquaculture facilities with no more than minimal individual and cumulative impacts to environmental resources or navigation. This is inclusive but not limited to cages, nets, bags, racks, long lines, fences, posts, poles, predator screening, etc. Aquaculture guidelines are provided at: www.maine.gov/dmr/aquaculture/index.htm.</p>

Endnotes/Definitions

¹**Bordering and Contiguous Wetlands:** A bordering wetland is immediately next to its adjacent waterbody and may lie at, or below, the ordinary high water mark (mean high water in navigable waters) of that waterbody and is directly influenced by its hydrologic regime. Contiguous wetlands extend landward from their adjacent waterbody to a point where a natural or manmade discontinuity exists. Contiguous wetlands include bordering wetlands as well as wetlands that are situated immediately above the ordinary high water mark and above the normal hydrologic influence of their adjacent waterbody. Note, with respect to the federally designated navigable rivers, the wetlands bordering and contiguous to the tidally influenced portions of those rivers are reviewed under “II. Navigable Waters.”

² **Direct, Secondary, and Cumulative Impacts/Effects:**

Direct Impacts: The immediate loss of aquatic ecosystem within the footprint of the fill.

Secondary Impacts: These are effects on an aquatic ecosystem that are associated with a discharge of dredged or fill materials, but do not result from the actual placement of the dredged or fill material. Information about secondary effects on aquatic ecosystems shall be considered prior to the time final section 404 action is taken by permitting authorities. Some examples of secondary effects on an aquatic ecosystem are a) fluctuating water levels in all impoundment and downstream associated with the operation of a dam, b) septic tank leaching and surface runoff from residential or commercial developments on fill, and c) leachate and runoff from a sanitary landfill located in waters of the U.S. Put another way, secondary effects are those impacts outside the footprint of the fill that arise from and are associated with the discharge of dredged or fill material, including the operation of an activity or facility associated with the discharge. Examples may include habitat fragmentation; interruption of travel corridors for wildlife (for example, for amphibians that migrate to and from seasonal or vernal pools used as breeding habitat); hydrologic regime changes; and impacts from operation and maintenance activities for constructed facilities; such as noise/lighting, storm water runoff, and road kill of wetland dependent wildlife. Using the directions contained in the guidelines, we consider the circumstances of a proposed discharge and the project of which it is a part to evaluate the scope, extent, severity, and permanence of direct, secondary, and cumulative adverse effects upon the aquatic ecosystem.

Cumulative Impacts: The extent of past, present, and foreseeable developments in the area may be an important consideration in evaluating the significance of a particular project's impacts. Although the impacts associated with a particular discharge may be minor, the cumulative effect of numerous similar discharges can result in a large impact. Cumulative impacts should be estimated only to the extent that they are reasonable and practical.

³**Special Aquatic Sites:** Includes wetlands and saltmarsh, mudflats, riffles and pools, and vegetated shallows (predominantly comprised of eelgrass in Maine).

⁴**Construction Mats:** Constructions, swamp and timber mats (herein referred to as “construction mats”) are generic terms used to describe structures that distribute equipment weight to prevent wetland damage while facilitating passage and providing work platforms for workers and equipment. They are comprised of sheets or mats made from a variety of materials in various sizes. A timber mat consists of large timbers bolted or cabled together. Corduroy roads, which are not considered to be construction mats, are cut trees and/or saplings with the crowns and branches removed, and the trunks lined up next to one another. Corduroy roads are typically installed as permanent structures. Like construction mats, they are considered as fill whether they're installed temporarily or permanently.

⁵**Vernal Pools:** A vernal pool, also referred to as a seasonal forest pool, is a temporary to semi-permanent body of water occurring in a shallow depression that typically fills during the spring or fall and may dry during the summer. Vernal pools have no permanent inlet or outlet and no viable populations of predatory fish. A vernal pool may provide the primary breeding habitat for wood frogs (*Rana sylvatica*), spotted salamanders (*Ambystoma maculatum*), blue-spotted salamanders (*Ambystoma laterale*), and fairy shrimp (*Eubranchipus* sp.), as well as valuable habitat for other plants and wildlife, including several rare, threatened, and endangered species. A vernal pool intentionally created for the purposes of compensatory mitigation is included in this definition. For the purposes of this GP, the presence of any of the following species in any life stage in any abundance level/quantity would designate the waterbody as a vernal pool: fairy shrimp, blue spotted salamanders, spotted salamanders or wood frogs. The Corps may determine during a Category 2 review that a waterbody should not be regulated as a VP based on available evidence. For the purposes of this GP, the VP Management Areas are the: Vernal Pool Depression (includes the vernal pool depression up to the spring or fall high water mark, and includes any vegetation growing within the depression), Vernal Pool Envelope (area within 100 FT of the VP Depression's edge) and Critical Terrestrial Habitat (area within 100-750 FT of the Vernal Pool Depression's edge). [*Note: Critical Terrestrial Habitat is defined as 100 -750 FT on page 243 of the document “Science and Conservation of Vernal Pools in Northeastern North America,” Calhoun and deMaynadier, 2008, which is referenced in Appendix G, page 3, Paragraph 10(b).

⁶ **Water Diversions:** Water diversions are activities such as bypass pumping or water withdrawals. Temporary flume pipes, culverts or cofferdams where normal flows are maintained within the stream boundary's confines aren't water diversions. "Normal flows" are defined as no change in flow from pre-project conditions.

⁷ **Maintenance: a)** The repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3 – "Activities occurring before certain dates," provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification.

- Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, or current construction codes or safety standards that are necessary to make repair, rehabilitation, or replacement are authorized.
- Currently serviceable means useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.
- No seaward expansion for bulkheads or any other fill activity is considered Category 1 maintenance.
- Only structures or fills that were previously authorized and are in compliance with the Category 1 or 2 thresholds in Appendix A.

b) The state's maintenance provisions may differ from the Corps and may require reporting and written authorization from the state.

c) Contact the Corps to determine whether stream crossing replacements require a written application to the Corps for at least a Category 2 review.

d) Exempted Maintenance. In accordance with 33 CFR 323.4(a)(2), any discharge of dredged or fill material that may result from any of the following activities is not prohibited by or otherwise subject to regulation under Section 404 of the CWA: "Maintenance, including emergency reconstruction of recently damaged parts, of currently serviceable structures such as dikes, dams, levees, groins, riprap, breakwaters, causeways, bridge abutments or approaches, and transportation structures. Maintenance does not include any modification that changes the character, scope, or size of the original fill design."

⁸ **Aquatic Habitat Restoration, Establishment and Enhancement:** The Corps will decide if a project qualifies and must determine in consultation with federal and state agencies that the net effects are beneficial. The Corps may refer to Nationwide Permit 27 published in the 3/12/07 Federal Register. Activities authorized here may include, but are not limited to: the removal of accumulated sediments; the installation, removal, and maintenance of small water control structures, dikes, and berms; the installation of current deflectors; the enhancement, restoration, or establishment of riffle and pool stream structure; the placement of in-stream habitat structures; modifications of the stream bed and/or banks to restore or establish stream meanders; the backfilling of artificial channels and drainage ditches; the removal of existing drainage structures; the construction of small nesting islands in inland waters; the construction of open water areas; the construction of native shellfish species habitat over unvegetated bottom for the purpose of habitat protection or restoration in tidal waters; shellfish seeding; activities needed to reestablish vegetation, including plowing or discing for seed bed preparation and the planting of appropriate wetland species; mechanized land clearing to remove non-native invasive, exotic, or nuisance vegetation; and other related activities. Only native plant species should be planted at the site.

⁹ **Brushing the Flats:** The placement of tree boughs, wooden lath structure, or small-mesh fencing on mudflats to enhance recruitment of soft-shell clams (*Mya arenaria*).

¹⁰ **Maintenance Dredging:** This includes only those areas and depths previously authorized by the Corps and dredged. The Corps may require proof of authorization. Maintenance dredging typically refers to the routine removal of sediment to maintain the design depths of serviceable navigation channels, harbors, basins, marinas, boat launches, and port facilities. Maintenance dredging is conducted for navigational purposes and does not include any expansion of the previously dredged area or depth. The Corps may review a maintenance dredging activity as new dredging if sufficient time has elapsed to allow for the colonization of SAS, shellfish, etc.

¹¹ **Boating Facilities:** Facilities that provide for a fee, rent, or sell mooring space, such as marinas, yacht clubs, boat clubs, boat yards, town facilities, dockminiums, etc.

¹² **Federal Navigation Projects (FNPs):** FNPs are comprised of Federal Channels and Federal Anchorages. See Appendix F for their location and contact the Corps for more information. "Horizontal Limits" is the outer edge of an FNP. "Buffer Zone" is equal to three times the authorized depth of that channel.

¹³ **Horizontal Limits:** The outer edge of a Federal Navigation Project (FNP). See Appendix F and contact the Corps for information on FNP's.

¹⁴ **Eelgrass (*Zostera marina*):** A type of rooted aquatic vegetation that exists in intertidal and shallow subtidal areas known as vegetated shallows. See www.nero.noaa.gov/hcd/ for eelgrass survey guidance. Note: Eelgrass surveys should be conducted between May and October unless otherwise directed.

¹⁵ **Structures:** The height of structures shall at all points be equal to or exceed the width of the deck. For the purpose of this definition, height shall be measured from the marsh substrate to the bottom of the longitudinal support beam.

¹⁶ **Agricultural Activities:** The Clean Water Act exempts certain discharges associated with normal farming, ranching, and forestry activities such as plowing, cultivating, minor drainage, and harvesting for the production of food, fiber, and forest products, or upland soil and water conservation practices (Section 404(f)(1)(A)). Applicants are strongly advised to contact the Corps for a determination of whether their activity is exempt or requires a permit.



Appendix B: Self-Verification Notification Form
(for all tidal and non-tidal projects in Maine subject to Corps jurisdiction)

**US Army Corps
of Engineers**®
New England District

At least two weeks before work commences, complete **all** fields (write "none" if applicable) below or use the fillable form at www.nae.usace.army.mil/missions/regulatory.aspx. Send this form, a location map, any project plans, and an Official Species List (See GC 8) to the address noted below; fax to (207) 623-8206; or email to jay.l.clement@usace.army.mil. The two-week lead time is not required for emergency situations (see page 4 for definition). Please call (207) 623-8367 with questions.

Maine Project Office
U.S. Army Corps of Engineers
New England District
675 Western Avenue #3
Manchester, Maine 04351

State Permit Number: _____
Date of State Permit: _____
State Project Manager: _____

Permittee: _____
Address, City, State & Zip: _____
Phone(s) and Email: _____

Contractor: _____
Address, City, State & Zip: _____
Phone(s) and Email: _____

Consultant/Engineer/Designer: _____
Address, City, State & Zip: _____
Phone(s) and Email: _____

Wetland/Vernal Pool Consultant: _____
Address, City, State & Zip: _____
Phone(s) and Email: _____

Project Location/Description: _____
Address, City, State & Zip: _____
Latitude/Longitude Coordinates: _____ Tax Map/Lot: _____
Waterway Name: _____
Work Description: _____

Provide any prior Corps permit numbers: _____
Proposed Work Dates: Start: _____ Finish: _____

Area of wetland impact: _____ SF (leave blank if work involves structures & no fill in Navigable Waters)
Area of waterway impact: _____ SF (leave blank if work involves structures & no fill in Navigable Waters)
Area of compensatory mitigation provided: _____ SF

Work will be done under the following Appendix A categories (circle all that apply):
I. Inland Waters and wetlands: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24
II. Navigable Waters: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24
Your name/signature below, as permittee, indicates that you accept and agree to comply with the terms, eligibility criteria, and general conditions of Category I of the Maine General Permit.

Permittee Printed Name: _____
Permittee Signature: _____ Date: _____



**US Army Corps
of Engineers** ®
New England District

Appendix C: Content of Pre-Construction Notification

In addition to the following required information, the applicant must provide additional information as the Corps deems essential to make a public interest determination including, where applicable, a determination of compliance with the Section 404(b)(1) guidelines or ocean dumping criteria. Such additional information may include environmental data and information on alternate methods and sites as may be necessary for the preparation of the required environmental documentation. For a more comprehensive checklist, go to www.nae.usace.army.mil/missions/regulatory >> Forms >> Application and Plan Guideline Checklist. Please check with the Corps for project-specific requirements.

Information required for all projects:

- Corps application form ([ENG Form 4345](#)) or appropriate state application form (see Appendix E). Forms may need to be supplemented to include the information noted below.
- Proof of notification to the SHPO and the appropriate THPOs (see Appendix E).
- Official Species List for any federally listed endangered or threatened species (Instructions at Appendix D)
- Drawings, sketches, or plans (detailed engineering plans and specifications are not required) that are legible, reproducible (color is encouraged, but features must be distinguishable in black and white), no larger than 11"x17", with bar scale. Wetland area impact sheets should have the highest resolution possible to show work within Corps jurisdiction (do not just reduce project overview or cut large-scale plan into quadrant sheets). Provide locus map and a plan overview of the entire property with a key index to the individual impact sheets. A locus map on a section of color USGS topographic map is encouraged. Digital submissions are encouraged.
- Include:
 - All direct, secondary, permanent and temporary effects the project would cause, including the anticipated amount of impacts to waters of the U.S. expected to result from the activity, in acres, linear feet, or other appropriate unit of measure.
 - Any historic permanent fill associated with each single and complete project.
 - Cross-section views of all wetland and waterway fill areas and wetland replication areas.
 - Delineation of all wetlands, other special aquatic sites (vegetated shallows, saltmarsh, mudflats, riffles and pools, coral reefs, and sanctuaries and refuges), and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Use Federal delineation methods and include Corps wetland delineation data sheets (see GC 2).
 - MLW and MHW elevations in tidal waters. Show the HTL elevations when fill is involved. Show OHW elevation in lakes and non-tidal streams.
 - Existing and proposed conditions.
 - For vegetated shallow and eelgrass survey guidance, see www.nae.usace.army.mil/missions/regulatory >> Jurisdictional Limits and Wetlands >> Submerged Aquatic Vegetation Survey Guidance for the New England Region.
 - Show all known VPs on the project site. See GC 23 for vernal pool identification requirements.
- Volume, type, and source of fill material to be discharged into waters and wetlands, including the area(s) (in square feet or acres) of fill in wetlands, below OHW in inland waters and below the HTL in coastal waters.

- An Official Species List of federally “listed species or critical habitat” present in the action area (see GC 8).
- A restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions (see GC 43).

Information that may be required:

- Photographs of wetland/waterway to be impacted. Photos at low tide are preferred for work in tidal waters.
- For drawings, sketches, or plans:
 - The vertical datum for all coastal projects must be in U.S. survey feet and referenced to MLLW and current tidal epochs, with a reference chart showing conversion factor to NAVD88; do not use local datum. See www.nae.usace.army.mil/missions/regulatory >> Forms and Publications >>Vertical Datum - FEMA (Jul 2007);
 - The horizontal state plane coordinates shall be in U.S. survey feet and based on the appropriate state plane coordinate system.
- For the construction of a filled area or pile or float-supported platform, the use of, and specific structures to be erected on, the fill or platform.
- For the discharge of dredged or fill material into waters of the U.S. or the transportation of dredged material for the purpose of disposing of it in ocean waters, the source of the material; the purpose of the discharge, a description of the type, composition and quantity of the material; the method of transportation and disposal of the material; and the location of the disposal site.
- For the discharge of dredged or fill material into waters of the U.S., include a statement describing how impacts to waters of the U.S. are to be avoided and minimized. Include either a statement describing how impacts to waters of the U.S. are to be compensated for or a statement explaining why compensatory mitigation should not be required for the proposed impacts.
- Purpose and need for the proposed activity;
- Limits and coordinates of any Federal Navigation Project in the vicinity of the project area.
- Limits and coordinates of any proposed mooring field, reconfiguration zone or aquaculture activity. Provide coordinates for all corners;
- Schedule of construction/activity;
- Names and addresses of adjoining property owners;
- Location and dimensions of adjacent structures;
- List of authorizations required by other Federal, interstate, state, or local agencies for the work, including all approvals received or denials already made.
- Identification and description of potential impacts to Essential Fish Habitat (defined at VI. Definitions and Acronyms).
- Identification of potential discharges of pollutants to waters, including potential impacts to impaired waters, in the project area (see GC 19).
- Invasive Species Control Plan (see GC 24). For sample control plans, see www.nae.usace.army.mil/missions/regulatory >> Invasive Species.
- Wildlife Action Plan (WAP) maps. Contact Maine Inland Fisheries & Wildlife (Appendix E) or on line at http://www.maine.gov/ifw/wildlife/conservation/action_plan.html

Information for dredging projects that may be required:

- Sediment testing, including physical (e.g., grain-size analysis), chemical and biological testing. For projects proposing open water disposal, applicants are encouraged to contact the Corps as early as possible regarding sampling and testing protocols. Sampling and testing of sediments without such contact should not occur and if done, would be at the applicant’s risk.
- The area in square feet and volume of material to be dredged below mean high water.

- Existing and proposed water depths.
- Type of dredging equipment to be used.
- Nature of material (e.g., silty sand).
- Any existing sediment grain size and bulk sediment chemistry data for the proposed or any nearby projects.
- Information on the location and nature of municipal or industrial discharges and occurrence of any contaminant spills in or near the project area.
- Shellfish survey.
- Location of the disposal site (include locus sheet).
- Identification and description of any potential impacts to Essential Fish Habitat.
- Delineation of submerged aquatic vegetation (e.g., eelgrass beds).

Information for aquaculture projects that may be required:

- Maine Aquaculture guidelines and joint Corps/Maine DMR applications may be found at: www.maine.gov/dmr/aquaculture/index.htm.
- In addition to the information required above, applications must also include:
 - Whether canopy predator nets are being used.

Appendix D: Instruction for USFWS IPaC Project Builder/Official Species List

NOTE: These instructions are subject to change by the USFWS. Users should check this GP's Corps webpage for the latest instructions or click [here](#).

In your internet browser go to <http://ecos.fws.gov/ipac/>

1. Click on get started.
2. Click on enter project location.
3. Search or zoom to your project location. (You can enter an address and then zoom in with your mouse).
4. Define your area. (Select the polygon tool and click around the boundary of your project.) or (Use the draw a line tool for linear projects)

Note: You can change/select the map from Streets to Satellite or Topo in the lower left corner of the map.

5. Click finished drawing then click confirm and select continue.
6. On the next page under Tasks (lower left), select Request an official species list. The pane will open. Select "request official species list" again.
7. A new page will open. Fill in the project information blanks with the project name, brief description, project type, lead agency, and contact information. Be sure to check the box to verify this is a legitimate project. Click on Submit Official Species List Request.
8. You will be sent an e-mail with instructions to complete the request by clicking on the link provided.
9. The site will open Official Species List Request Completed. Under the Maine Ecological Services Field Office address you will see "Official Species List Document". Click on that link and your document will open. Save and or print a copy and **include the entire report with your application.**

Note, you will receive a second e-mail with the same information. You can save the link in the event you need to return to the IPaC site for an updated list.

If a period of time has passed since your initial "Official Species List" identifier number was generated, you may choose to generate an "UPDATED SPECIES LIST". To do this, return to the IPaC homepage at <http://ecos.fws.gov/ipac> site. In the middle of the page, click the purple "Need an updated species list" link.

On the request an "Updated Official Species List" page, complete the information in the boxes provided. You will need the project specific official consultation code generated and stated on the original official list as well as the email address entered with the original submission.

Click "Request Updated Species List". Print, or save.

Appendix E: Contacts and Tribal Areas of Interest

1. Federal

U.S. Army Corps of Engineers
Maine Project Office
675 Western Avenue #3
Manchester, ME 04351
(207) 623-8367 (phone); (207) 623-8206 (fax)

Federal Emergency Management Agency
99 High St.
Boston, MA 02110
(877) 336-2734 (phone)
(Flood Plain Management)

U.S. Environmental Protection Agency
5 Post Office Square
Suite 100 (OEP05-2)
Boston, MA 02109-3912
(617) 918-1589 (phone)

National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930
(978) 281-9102 (phone); (978) 281-9301 (fax)
(Federal endangered species & EFH)

U.S. Fish and Wildlife Service
Maine Field Office
17 Godfrey Drive, Suite 2
Orono, ME 04473
(207) 866-3344 (phone); (207) 866-3351 (fax)
(Federal endangered species)

National Park Service
North Atlantic Region
15 State Street
Boston, MA 02109
(617) 223-5203 (phone)
(Wild and Scenic Rivers)

National Marine Fisheries Service
Maine Field Office
17 Godfrey Drive Suite 1
Orono, ME 04473
(207) 866-7379 (phone); (207) 866-7342 (fax)
(Federal endangered species)

Commander (dpb)
First Coast Guard District
One South Street - Battery Bldg
New York, NY 10004-1466
(212) 668-7021 (phone); (212) 668-7967 (fax)
(bridge permits)

2. State of Maine

a. Department of Environmental Protection (*State permits & Water Quality Certifications*)

Division of Land Resource Regulation
Bureau of Land and Water Quality
17 State House Station
Augusta, Maine 04333
(207) 287-7688 (phone)

Eastern Maine Regional Office
106 Hogan Road
Bangor, Maine 04401
(207) 941-4570 (phone)

Southern Maine Regional Office
312 Canco Road
Portland, Maine 04103
(201) 822-6300 (phone)

Northern Maine Regional Office
1235 Central Drive - Skyway Park
Presque Isle, Maine 04769
(207) 764-0477 (phone)

b. Department of Agriculture, Conservation and Forestry

i. Maine Land Use Planning Commission (LUPC) (*State permits & Water Quality Certifications in the unorganized areas of the State*)

Augusta Office
22 State House Station
Augusta, Maine 04333-0022
(207) 287-2631 (phone); (207) 287-7439 (fax)

Downeast Regional Office
106 Hogan Rd, Suite 8
Dorothea Dix Complex
Bangor, Maine 04401
(207) 941-4052 (phone); (207) 941-4222 (fax)

Greenville Regional Office
43 Lakeview Drive
P.O. Box 1107
Greenville, Maine 04441
(207) 695-2466 (phone); (207) 695-2380 (fax)

Ashland Regional Office
45 Radar Road
Ashland, ME 04732-3600
(207) 435-7963 (phone); (207) 435-7184 (fax)

Rangeley Regional Office
133 Fyfe Road
PO Box 307
West Farmington, ME 04992
(207) 670-7493 (phone); (207) 287-7439 (fax)

East Millinocket Regional Office
191 Main Street
East Millinocket, ME 04430
(207) 746-2244 (phone); (207) 746-2243 (fax)

ii. Maine Coastal Program

Department of Agriculture, Conservation and Forestry
Bureau of Resource Information and Land Use Planning
17 Elkins Lane {physical address}
State House Station 93
Augusta, Maine 04333-0038
(207) 287-2801 (phone); (207) 287-2353 (fax)
(*CZM consistency determinations*)

iii. Division of Parks and Public Lands

22 State House Station
Augusta, Maine 04333
(207) 287-3061 (phone); (207) 287-6170 (fax)
(*submerged lands leases*)

c. Department of Marine Resources

P.O. Box 8
West Boothbay Harbor, Maine 04575
(207) 633-9500 (phone); (207) 624-6024 (fax)
(*aquaculture leases*)

3. Historic Properties

a. State Historic Preservation Officer (SHPO)

Mr. Kirk F. Mohny, Director

Maine Historic Preservation Commission (MHPC)
65 State House Station
Augusta, Maine 04333-0065
(207) 287-2132 (phone); (207) 287-2335 (fax)
Area of concern: The entire State of Maine

b. Tribal Historic Preservation Officers (THPOs)

Note: The area of concern for each tribe is the entire State of Maine

THPO & Environmental Planner
Houlton Band of Maliseet Indians
88 Bell Road
Littleton, Maine 04730
(207) 532-4273, x215 (phone)
(207) 532-6883 (fax)
envplanner@maliseets.com
ogsl@maliseets.com

THPO
Aroostook Band of Micmacs
7 Northern Road
Presque Isle, Maine 04769
(207) 764-1972 (phone); (207) 764-7667 (fax)
jpictou@micmac-nsn.gov

THPO
Passamaquoddy Tribe of Indians
Pleasant Point Reservation
P.O. Box 343
Perry, Maine 04667
(207) 853-2600 (phone); (207) 853-6039 (fax)
soctomah@gmail.com

THPO
Penobscot Nation
Cultural and Historic Preservation Dept.
12 Wabanaki Way
Indian Island, Maine 04468
(207) 817-7471 (phone)
chris.sockalexis@penobscotnation.org

THPO
Passamaquoddy Tribe of Indians
Indian Township Reservation
P.O. Box 301
Princeton, Maine 04668
(207) 796-2301 (phone)
(207) 796-5256 (fax); soctomah@gmail.com

4. Organizational Websites (Note – Subject to Change):

U.S. Army Corps of Engineers, N.E. District	www.nae.usace.army.mil/missions/regulatory.aspx
U.S. Army Corps of Engineers, Headquarters	See above link>>Useful Links>>Federal Agency Links
U.S. Environmental Protection Agency	www.epa.gov/owow/wetlands
National Marine Fisheries Service	www.nmfs.noaa.gov
U.S. Fish and Wildlife Service	www.fws.gov/mainefieldoffice
National Park Service	www.nps.gov/rivers/index.html
Maine Department of Environmental Protection	www.maine.gov/dep
Maine Department of Agriculture, Conservation and Forestry	www.maine.gov/acf/index.shtml
Maine Land Use Planning Commission	www.maine.gov/doc/lupc/commission/offices.shtml
Maine Department of Marine Resources	www.maine.gov/dmr/index.htm
State of Maine - Aquaculture Guidelines	www.maine.gov/dmr/aquaculture/index.htm

Appendix F: Definitions

Definitions

Attendant Features: Occurring with or as a result of; accompanying.

Biodegradable: A material that decomposes into elements found in nature within a reasonably short period of time and will not leave a residue of plastic or a petroleum derivative in the environment after degradation. Examples of biodegradable materials include jute, sisal, cotton, straw, burlap, coconut husk fiber (coir) or excelsior. In contrast, degradable plastics break down into plastic fragments that remain in the environment after degradation.

Boating facilities: These provide, rent or sell mooring space, such as marinas, yacht clubs, boat yards, dockminiums, town facilities, land/home owners, etc. Not classified as boating facilities are piers shared between two abutting properties or town mooring fields that charge an equitable user fee based on the actual costs incurred.

Brushing the Flats: The placement of tree boughs, wooden lath structure, or small-mesh fencing on mudflats, or any bottom disturbance (e.g., discing, plowing, raking, etc.), to enhance recruitment of shellfish.

Buffer Zone: The buffer zone of an FNP is equal to three times the authorized depth of the FNP.

Construction mats: Constructions, swamp and timber mats (herein referred to as “construction mats”) are generic terms used to describe structures that distribute equipment weight to prevent wetland damage while facilitating passage and providing work platforms for workers and equipment. They are comprised of sheets or mats made from a variety of materials in various sizes. A timber mat consists of large timbers bolted or cabled together. Corduroy roads, which are not considered to be construction mats, are cut trees and/or saplings with the crowns and branches removed, and the trunks lined up next to one another. Corduroy roads are typically installed as permanent structures. Like construction mats, they are considered as fill whether they are installed temporarily or permanently.

Cumulative effects: See “Direct, secondary, and cumulative effects.”

Direct, secondary, and cumulative effects:

Direct Effects: The loss of aquatic ecosystem within the footprint of the discharge of dredged or fill material. Direct effects are caused by the action and occur at the same time and place.

Secondary Effects: These are effects on an aquatic ecosystem that are associated with a discharge of dredged or fill materials, but do not result from the actual placement of the dredged or fill material. Information about secondary effects on aquatic ecosystems shall be considered prior to the time final Section 404 action is taken by permitting authorities. Some examples of secondary effects on an aquatic ecosystem are a) aquatic areas drained, flooded, fragmented, or mechanically cleared, b) fluctuating water levels in all impoundment and downstream associated with the operation of a dam, c) septic tank leaching and surface runoff from residential or commercial developments on fill, and d) leachate and runoff from a sanitary landfill located in waters of the U.S. See 40 CFR 230.11(h).

Cumulative Effects: The changes in an aquatic ecosystem that are attributable to the collective effect of a number of individual 1) discharges of dredged or fill material, or 2) structures. Although the impact of a particular discharge may constitute a minor change in itself, the cumulative effect of numerous such piecemeal changes can result in a major impairment of the water resources and interfere with the productivity and water quality of existing aquatic ecosystems. See 40 CFR 230(g).

Dredging:

Maintenance Dredging: Includes areas and depths previously authorized by the Corps and dredged. The Corps may require proof of authorization. Maintenance dredging typically refers to the routine removal of accumulated sediment from channel beds to maintain the design depths of navigation channels, harbors, marinas, boat launches and port facilities. Routine maintenance dredging is conducted regularly for navigational purposes (typically at least once every ten years) and does not include any expansion of the previously dredged area or depth. The Corps may review a maintenance dredging activity as new dredging if sufficient time has elapsed to allow for the colonization of SAS,

shellfish, etc. The main characteristics of maintenance dredging projects are variable quantities of material; soft, uncompacted soil; contaminant content possible; thin layers of material; occurring in navigation channels and harbors; repetitive activity

New Dredging: Dredging of an area or to a depth that has never been authorized by the Corps or dredged.

Dredged material & discharge of dredged material: These are defined at 323.2(c) and (d). The term dredged material means material that is excavated or dredged from waters of the U.S.

Essential Fish Habitat (EFH): This is broadly defined to include those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.

Fill material & discharge of fill material: These are defined at 323.2(e) and (f). The term fill material is defined as material placed in waters of the U.S. where the material has the effect of either replacing any portion of a water of the U.S. with dry land or changing the bottom elevation of any portion of a water of the U.S.

Federal anchorages, Federal channels and Federal turning basin: Refer to Appendix H for those in Maine

Federal navigation projects (FNPs): These areas are maintained by the Corps; authorized, constructed and maintained on the premise that they will be accessible and available to all on equal terms; and are comprised of Federal Anchorages, Federal Channels and Federal Turning Basins. The buffer zone is equal to three times the authorized depth of a FNP. More information on the following FNPs is provided at www.nae.usace.army.mil/missions/navigation.aspx >> Navigation Projects.

Flume: An open artificial water channel, in the form of a gravity chute, that leads water from a diversion dam or weir completely aside a natural flow. A flume can be used to measure the rate of flow.

Frac out: During normal drilling operations, drilling fluid travels up the borehole into a pit. When the borehole becomes obstructed or the pressure becomes too great inside the borehole, the ground fractures and fluid escapes to the surface.

Independent utility: A test to determine what constitutes a single and complete non-linear project in the Corps regulatory program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

Individual Permit: A Department of the Army authorization that is issued following a case-by-case evaluation of a specific structure or work in accordance with the procedures of 33 CFR 322, or a specific project involving the proposed discharge(s) in accordance with the procedures of 33 CFR 323, and in accordance with the procedures of 33 CFR 325 and a determination that the proposed discharge is in the public interest pursuant to 33 CFR 320.

Maintenance: Regulations on maintenance are provided at 33 CFR 323.4. The following definitions are applicable:

Minor deviations: Deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, or current construction codes or safety standards, which are necessary to make repair, rehabilitation, or replacement are permitted, provided the adverse environmental effects resulting from such repair, rehabilitation, or replacement are minimal.

Currently serviceable: Useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.

Marina reconfiguration zone: A Corps-authorized area in which permittees may rearrange pile-supported structures and floats without additional authorizations. A reconfiguration zone does not grant exclusive privileges to an area or an increase in structure or float area.

Navigable waters of the U.S.: See Waters of the U.S. below.

Overall project: See "single and complete linear project" below.

Practicable: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

Permanent impacts: Permanent impacts means waters of the U.S. that are permanently affected by filling, flooding, excavation, or drainage because of the regulated activity. Permanent impacts include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. Temporary impacts include waters of the U.S. that are temporarily filled, flooded, excavated, drained or mechanically cleared because of the regulated activity.

Pre-construction notification (PCN): A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by this GP. The request may be a permit application, letter, or similar document that includes information about the proposed work and its anticipated environmental effects. Pre-construction notification may be required by the terms and conditions of these GPs. A PCN may be voluntarily submitted in cases where PCN is not required and the project proponent wants confirmation that the activity is authorized under this GP.

Secondary effects: See “Direct, secondary, and cumulative effects.”

Single and complete linear project: A linear project is a project constructed for the purpose of getting people, goods, or services from a point of origin to a terminal point, which often involves multiple crossings of one or more waterbodies at separate and distant locations. The term “single and complete project” is defined as that portion of the total linear project proposed or accomplished by one owner/developer or partnership or other association of owners/developers that includes all crossings of a single water of the U.S. (i.e., a single waterbody) at a specific location. For linear projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for the purposes of this GP. However, individual channels in a braided stream or river, or individual arms of a large, irregularly shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately.

The overall project, for purposes of this GP, includes all regulated activities that are reasonably related and necessary to accomplish the project purpose.

Single and complete non-linear project: For non-linear projects, the term “single and complete project” is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. For non-linear projects, the single and complete project must have independent utility (see definition).

Special aquatic sites: These include inland and saltmarsh wetlands, mud flats, vegetated shallows, sanctuaries and refuges, coral reefs, and riffle and pool complexes. These are defined at 40 CFR 230 Subpart E.

Stream channelization: The manipulation of a stream’s course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized stream remains a water of the United States.

Temporary impacts: See permanent impacts above.

Utility line: Any pipe or pipeline for the transportation of any gaseous, liquid, liquescent, or slurry substance, for any purpose, and any cable, line, or wire for the transmission for any purpose of electrical energy, telephone, and telegraph messages, and radio and television communication. The term ‘utility line’ does not include activities that drain a water of the U.S., such as drainage tile or French drains, but it does apply to pipes conveying drainage from another area.

Vegetated shallows: Permanently inundated areas that under normal circumstances support communities of rooted aquatic vegetation, such as eelgrass and widgeon grass (*Ruppia maritima*) in marine systems (doesn’t include salt marsh) as well as a number of freshwater species in rivers and lakes. Note: These areas are also commonly referred to as submerged aquatic vegetation (SAV).

Vernal pools (VPs): For the purposes of this GP, VPs are depressional wetland basins that typically go dry in most years and may contain inlets or outlets, typically of intermittent flow. Vernal pools range in both size and depth depending upon landscape position and parent material(s). Pools usually

support one or more of the following obligate indicator species: wood frog, spotted salamander, blue-spotted salamander, marbled salamander, Jefferson's salamander and fairy shrimp. However, they should preclude sustainable populations of predatory fish.

VP areas are:

- Depression (includes the VP depression up to the spring or fall high water mark, and includes any vegetation growing within the depression),
- Envelope (area within 100 feet of the VP depression's edge), and
- Critical terrestrial habitat (area within 100-750 feet of the VP depression's edge).

Note: See footnote to GC 23. The Corps may determine during the PCN review that a waterbody should not be designated as a VP based on available evidence.

Water diversions: Water diversions are activities such as bypass pumping (e.g., "dam and pump") or water withdrawals. Temporary flume pipes, culverts or cofferdams where normal flows are maintained within the stream boundary's confines aren't water diversions. "Normal flows" are defined as no change in flow from pre-project conditions.

Weir: A barrier across a river designed to alter the flow characteristics. In most cases, weirs take the form of a barrier, smaller than most conventional dams, across a river that causes water to pool behind the structure (not unlike a dam) and allows water to flow over the top. Weirs are commonly used to alter the flow regime of the river, prevent flooding, measure discharge and help render a river navigable.

Waters of the U.S. & Waters of the United States (U.S.): The term waters of the U.S. and all other terms relating to the geographic scope of jurisdiction are defined at 33 CFR 328. Also see Section 502(7) of the Federal CWA [33 USC 1352(7)]. Waters of the U.S. include jurisdictional wetlands. Not all waters and wetlands are jurisdictional. Contact the Corps with any questions regarding jurisdiction.

Navigable waters: Refer to 33 CFR 329. These waters include the following federally designated navigable waters in New England. This list represents only those waterbodies for which affirmative determinations have been made; absence from this list should not be taken as an indication that the waterbody is not navigable:

ME: All tidal waters; Kennebec River to Moosehead Lake; Penobscot River to the confluence of the East and West Branch at Medway, Maine; Lake Umbagog within the State of Maine.

Appendix G: Additional References

1. GC 2: Federal Jurisdictional Boundaries.

(a) Corps Wetlands Delineation Manual, regional supplements, and Corps Wetland Delineation Data Sheets: www.nae.usace.army.mil/missions/regulatory and then “Wetlands and Jurisdictional Limits.”

(b) The USFWS publishes the 1988 National List of Plant Species that Occur in Wetlands (www.nwi.fws.gov).

The Natural Resources Conservation Service (NRCS) publishes the current hydric soil definition, criteria and lists: <http://soils.usda.gov/use/hydric>. For the Field Indicators for Identifying Hydric Soils in N.E., see www.neiwpec.org/hydricsoils.asp.

2. GC 5: Single and Complete Project.

Single and complete project means the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. For example, if construction of a residential development affects several different areas of a headwater or isolated water, or several different headwaters or isolated waters, the cumulative total of all filled areas should be the basis for deciding whether or not the project will be covered by Category 1 or 2.

The *Independent utility* test is used to determine what constitutes a single and complete project in the Corps regulatory program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

3. GC 8: Threatened and Endangered Species.

(a) The following NMFS site must be referenced to ensure that listed species or critical habitat are not present in the action area [GC 8(b)] or to provide information on federally-listed species or habitat [GC 8(e)]: www.nero.noaa.gov/prot_res/esp/ListE&Tspec.pdf. Contact the USFWS for information to check for the presence of listed species (see Appendix D for contact information & procedures).

(b) The Endangered Species Act Consultation Handbook – Procedures for Conducting Section 7 Consultations and Conferences, defines action area as “all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action. [50 CFR 402.02].”

4. GC 42: Essential Fish Habitat.

As part of the GP screening process, the Corps may coordinate with NMFS in accordance with the 1996 amendments to the Magnuson-Stevens Fishery Conservation and Management Act to protect and conserve the habitat of marine, estuarine and anadromous finfish, mollusks, and crustaceans. This habitat is termed “Essential Fish Habitat (EFH)”, and is broadly defined to include “those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.” There are EFH waters throughout inland and coastal waters in Maine. For additional information, see the EFH regulations 50 CFR 600 at www.nero.noaa.gov/hcd including the “Guide for EFH Descriptions” at www.nero.noaa.gov/hcd/list.htm. Additional information on the location of EFH can be obtained from NMFS (see Appendix D for contact information).

5. GC 4: Avoidance, Minimization and Compensatory Mitigation.

(a) See www.nae.usace.army.mil/missions/regulatory and then “Mitigation” to view the April 10, 2008 “Final Compensatory Mitigation Rule” (33 CFR 332) and related documents. The Q&A document states: “In order to reduce risk and uncertainty and help ensure that the required compensation is provided, the rule establishes a preference hierarchy for mitigation options. The most preferred option

is mitigation bank credits, which are usually in place before the activity is permitted. In-lieu fee program credits are second in the preference hierarchy, because they may involve larger, more ecologically valuable compensatory mitigation projects as compared to permittee-responsible mitigation. Permittee-responsible mitigation is the third option, with three possible circumstances: (1) conducted under a watershed approach, (2) on-site and in kind, and (3) off-site/out-of-kind.

(b) Compensatory mitigation may take the form of wetland preservation, restoration, enhancement, creation, and/or in lieu fee (ILF) for inclusion into the Natural Resources Mitigation Fund for projects in DEP and LURC territories. Avoidance of wetland impacts will reduce the ILF dollar total for applicants. The ILF compensation program was established to provide applicants with a flexible compensation option over and above traditional permittee responsible compensation projects. See the Maine ILF Agreement at www.nae.usace.army.mil/missions/regulatory, “Mitigation” and then “Maine,” or www.maine.gov/dep/blwq/docstand/nrpa/ILF_and_NRCP/index.htm.

6. GCs 24, 15, and 43: Invasive Species.

(a) Information on what are considered “invasive species” is provided in our “Compensatory Mitigation Guidance” document at www.nae.usace.army.mil/missions/regulatory under “Mitigation.” The “Invasive Species” section has a reference to our “Invasive Species Control Plan (ISCP) Guidance” document, located at www.nae.usace.army.mil/missions/regulatory under “Invasive Species,” which provides information on preparing an ISCP.

(b) The June 2009 “Corps of Engineers Invasive Species Policy” is at www.nae.usace.army.mil/missions/regulatory under “Invasive Species” and provides policy, goals and objectives.

7. GC 44: Bank Stabilization.

This generally eliminates bodies of water where the reflected wave energy may interfere with or impact on harbors, marinas, or other developed shore areas. A revetment is sloped and is typically employed to absorb the direct impact of waves more effectively than a vertical seawall. It typically has a less adverse effect on the beach in front of it, abutting properties and wildlife. See the Corps Coastal Engineering Manual EM 1110-2-1100 at www.nae.usace.army.mil/missions/regulatory under “Useful Links and Documents” for design and construction guidance.

8. GC 45: Stream and Wetland Crossings.

(a) Projects should be designed and constructed to ensure long-term success using the most recent manual located at www.nae.usace.army.mil/missions/regulatory under “Stream and River Continuity,” currently “Stream Simulation: An Ecological Approach to Providing Passage for Aquatic Organisms at Road-Stream Crossings, by the U.S. Forest Service.” Section 5.3.3 is of particular importance. Sections 7.5.2.3 Construction Methods and 8.2.11 Stream-Simulation Bed Material Placement both show important steps in the project construction.

(b) For more information on High-Quality Stream Segments and their components see:

i. High-Quality Stream Segments are shown at www.maine.gov/dep/gis/datamaps.

ii. Class A Waters or Class AA Waters:

www.mainelegislature.org/legis/statutes/38/title38sec465.html, and

www.mainelegislature.org/legis/statutes/38/title38sec467.html.

iii. Outstanding river segments www.mainelegislature.org/legis/statutes/38/title38sec480-P.html.

(c) The Massachusetts Dam Removal and the Wetland Regulations offer guidance to evaluate the positive and negative impacts of culvert replacement, including the loss of upstream wetlands, which may be offset by the overall benefits of the river restoration. See

www.nae.usace.army.mil/missions/regulatory and then “Stream and River Continuity.”

(d) The ME DOT's document "Waterway and Wildlife Crossing Policy and Design Guide for Aquatic Organism, Wildlife Habitat, and Hydrologic Connectivity," 3rd Edition, July 2008, may be used as guidance to evaluate impacts to aquatic, wildlife and surface water resources when designing, constructing, repairing and maintaining stream crossings. Note: Adherence to this DOT document does not ensure compliance with this GP. Projects must comply with the requirements of this GP including GC 45 and the Corps General Stream Crossing Standards contained therein.

www.maine.gov/mdot/environmental-office-homepage/fishpassage/3rd%20edition%20-%20merged%20final%20version%207-01-08a1.pdf.

(e) GC 45(f): The Skidder Bridge Fact Sheet at www.nae.usace.army.mil/missions/regulatory under "Stream and River Continuity" may be a useful temporary span construction method.

9. GC 45: Wetland Crossings. The Maine DEP's crossing standards are at 06-096 DEP, Chapter 305: Permits by Rule, 9 & 10) Crossings (utility lines, pipes and cables).
www.maine.gov/dep/blwq/rules/NRPA/2009/305/305_effective_2009.pdf

10. GC 23: Protection of Vernal Pools.

(a) The state's Significant Wildlife Habitat rules (Chapter 335, Section 9(C) "Habitat management standards for significant vernal pool habitat") are located at

www.maine.gov/dep/blwq/docstand/nrpapage.htm#rule under "Rules."

(b) The following documents provide conservation recommendations:

i. Best Development Practices: Conserving pool-breeding amphibians in residential and commercial development in the northeastern U.S., Calhoun and Klemens, 2002. Chapter III, Management Goals and Recommendations, Pages 15 – 26, is particularly relevant. (Available for purchase at www.maineaudubon.org/resource/index.shtml and on Corps website*.)

ii. Science and Conservation of Vernal Pools in Northeastern North America, Calhoun and deMaynadier, 2008. Chapter 12, Conservation Recommendations section, Page 241, is particularly relevant. (Available for purchase via the internet. Chapter 12 is available on Corps website*.)

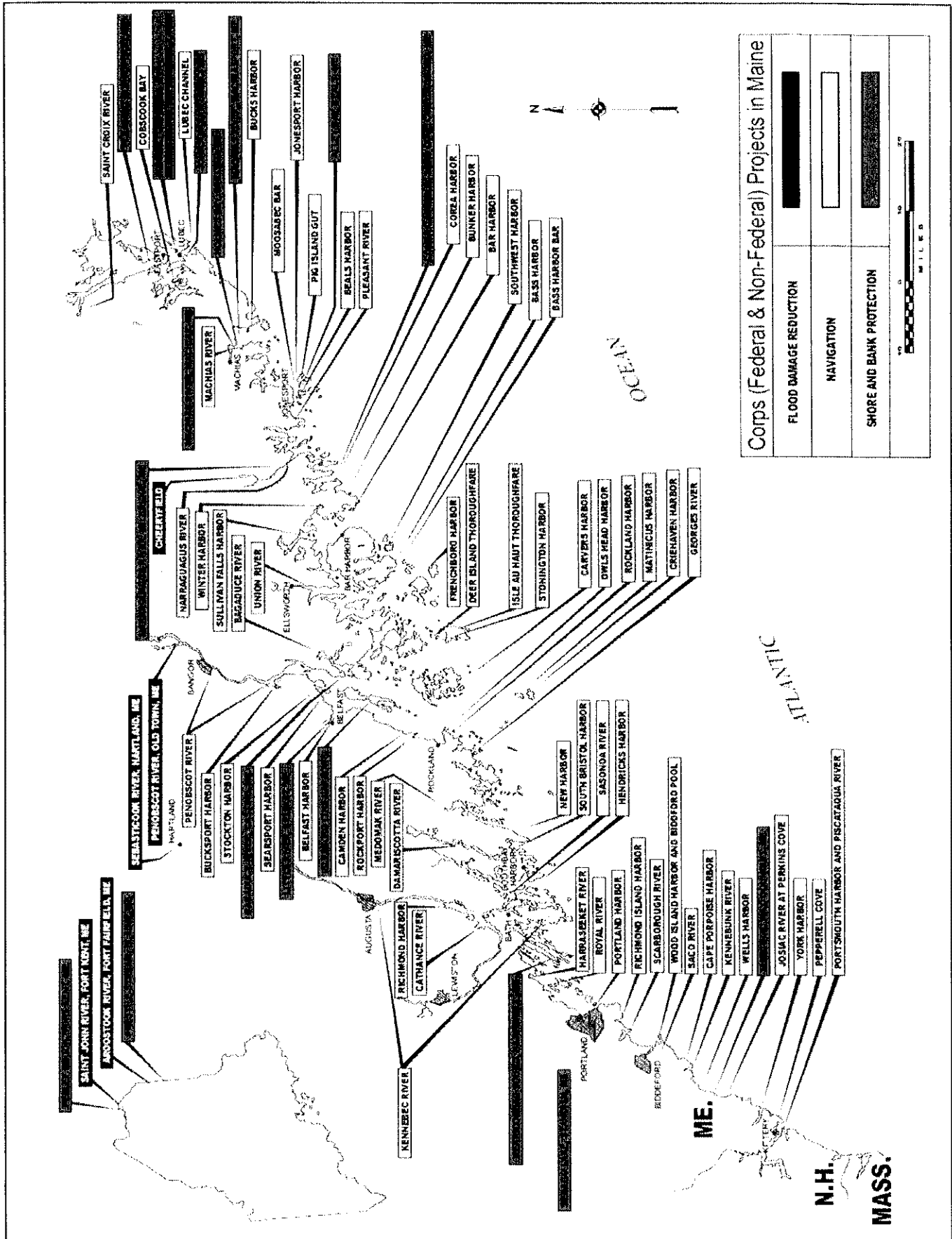
* www.nae.usace.army.mil/reg under "Vernal Pools."

(c) Cape Cod Curbing: For smaller roads and driveways, the most important design feature to consider is curbing. Granite curbs and some traditional curbing can act as a barrier to amphibian and hatchling turtle movements. Large numbers of salamanders have been intercepted in their migrations by curbs and catch basins. Use of Cape Cod curbs rather than traditional curbing may be one solution. Alternatively, where storm water management systems require more traditional curbing, it may be possible to design in escape ramps on either side of each catch basin. Cape Cod curbing is shown on Page 35 of the document cited in 10.b.i above. Bituminous material is not required; other materials such as granite are acceptable.

(d) The VP Directional Buffer Guidance document is located at www.nae.usace.army.mil/missions/regulatory under: 1) "State General Permits" and then "Maine," and 2) "Vernal Pools."

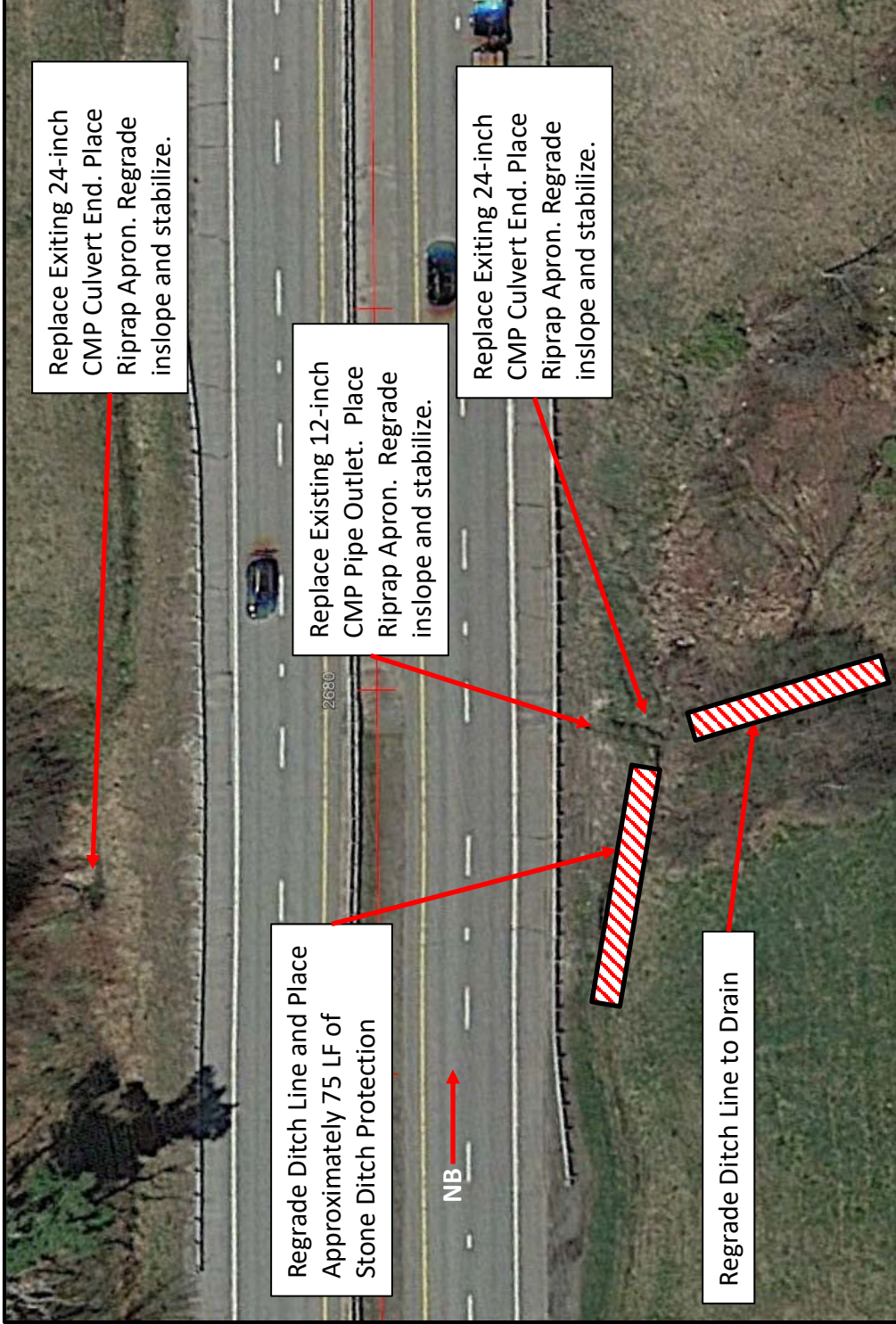
11. GC 29: Maintenance. River restoration projects that are designed to accommodate the natural dynamic tendencies of the fluvial system are maintained in accordance with the project's design objectives (Category 1) or the Corps authorization letter (Category 2). These projects are generally designed to support and implement channel assessment and management practices that recognize a stream's natural dynamic tendencies.

Appendix H: Federal Navigation Projects in Maine



APPENDIX C

Culvert and Drainage Repairs
MM 53.7



**MAINE TURNPIKE AUTHORITY
CULVERT AND DRAINAGE REPAIRS
STA 2680+00 MM 53.7**