Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 10/16/15

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

REPLY TO ATTENTION OF

MAINE GENERAL PERMIT (GP)
AUTHORIZATION LETTER AND SCREENING SUMMARY

Cianbro Corporation
101 Cianbro Square
Pittsfield, Maine 04967

CORPS PERMIT # NAE-2015-01087
CORPS PGP ID# 15-241
STATE ID# L- 19226-4D-B-N

DESCRIPTION OF WORK:
place fill in 270 SF (0.006 acres) of intertidal area in conjunction with widening the outer end of the existing ramp to 46' and installing approximately 340 linear feet of new sheet pile bulkhead and anchor wall around the face of the existing stone block and sheet pile landing at Ricker's Wharf in Fore River off Cassidty Point Drive Portland, Maine as shown on the attached plans entitled Ricker's Wharf proposed brick ramp sheet pile, Cianbro Corporation by Cianbro" in 1 sheet dated 4/3/15.
See Attached Conditions:

LAT/LONG COORDINATES : 43.64251 N 70.27491 W **USGS QUAD:** ME-Portland West

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 enclosed Federal Permit, the Maine General Permit (GP).** Accordingly, we do not plan to take any further action on this project.

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 41 of the GP (page 18) 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 12, 2015. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 12, 2016.

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 [ ], ISSUED[X], DENIED [ ] DATE: 6/8/15

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

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 6/18/15 LEVEL OF REVIEW: CATEGORY 1:___ CATEGORY 2: X

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10 X, 404___ 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 Manchester, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at http://per2.nwp.usace.army.mil/survey.html

Rodney A. Howe
RODNEY A. HOWE
SENIOR PROJECT MANAGER
MAINE PROJECT OFFICE

6-25-2015
FRANK J. DEL GIUDICE **DATE**
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION

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US Army Corps
of Engineers®
New England District

PLEASE NOTE THE FOLLOWING GENERAL CONDITIONS FOR DEPARTMENT OF THE ARMY GENERAL PERMIT NO. NAE-2015-01087

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. In order to minimize potential impacts to shortnose sturgeon and essential fish habitat, the permittee shall insure that pile driving operations conform to the Category 1 provisions of the Maine General Permit. Reference Appendix A, Page 7 (f) Structures and Floats, (i) Piles installed in the dry during low water or in the water utilizing vibratory hammers.

4. In order to minimize potential impacts to shortnose sturgeon and essential fish habitat, the permittee shall install a turbidity curtain around the perimeter of the work site during pile driving operations.

NAE-2015-01987

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ICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

ASE TYPE OR PRINT IN *BLACK INK ONLY*

of Applicant:	Cianbro, c/o Tom Ruksznis	5.Name of Agent:	Woodard & Curran, c/o Lauren Swett
2. Applicant's Mailing Address:	101 Cianbro Square Pittsfield, ME 04967	6. Agent's Mailing Address:	41 Hutchins Drive Portland, ME 04102
3. Applicant's Daytime Phone #:	(207)679-2522	7. Agent's Daytime Phone #:	(207)774-2112
4. Applicant's Email Address (Required from *either* applicant or agent):	trukszni@cianbrocom	8. Agent's Email Address:	lswett@woodardcurran.com

9. Location of Activity: (Nearest Road, Street, Rt.#)	Cassidy Point Drive	10. Town:	Portland	11. County:	Cumberland

12. Type of Resource: (Check all that apply)	☑ River, stream or brook ☐ Great Pond ☑ Coastal Wetland ☐ Freshwater Wetland ☑ Wetland Special Significance ☐ Significant Wildlife Habitat ☐ Fragile Mountain	13. Name of Resource:	Fore River
		14. Amount of Impact: (Sq.Ft.)	Fill: 270 SF Dredging/Veg Removal/Other: 0 SF

15. Type of Wetland: (Check all that apply)	☐ Forested ☐ Scrub Shrub ☐ Emergent ☐ Wet Meadow ☐ Peatland ☑ Open Water ☐ Other_____	FOR FRESHWATER WETLANDS *Tier 1*	*Tier 2*	*Tier 3*
		☐ 0 - 4,999 sq ft. ☐ 5,000-9,999 sq ft ☐ 10,000-14,999 sq ft	☐ 15,000 – 43,560 sq. ft.	☐ > 43,560 sq. ft. or ☐ smaller than 43,560 sq. ft., not eligible for Tier 1

16. Brief Activity Description:	**Installation of new sheet pile wall at an existing stone block and sheet pile seawall around the perimeter of an existing landing, with approximately 270 square feet of additional fill to widen the end of the landing.**
17. Size of Lot or Parcel & UTM Locations:	☐ _____square feet, or ☑ _2.17__acres UTM Northing: 4832933.62m UTM Easting: 397215.99m
18. Title, Right or Interest:	☑ own ☐ lease ☐ purchase option ☐ written agreement

19. Deed Reference Numbers:	Book#: Page:	20. Map and Lot Numbers:	Map #: Chart/ Block: 71/F	Lot #: 7	
21. DEP Staff Previously Contacted:	David Cherry	22. Part of a larger project:	☐ Yes ☑ No	After-the-Fact:	☐ Yes ☑No
23. Resubmission of Application?:	☐ Yes➔ ☑ No	If yes, previous application #		Previous project manager:	
24. Written Notice of Violation?:	☐ Yes ➔ ☑ No	If yes, name of DEP enforcement staff involved:		25. Previous Wetland Alteration:	☐ Yes ☐ No

26. Detailed Directions to the Project Site:	From the north, take exist 5A on I-295, follow the Fore River Parkway approximately 1 mile to Cassidy Point Drive. From the south, take exit 4 on I-295, continue on Veterans Memorial Bridge approximately 0.6 miles to Cassidy Point Drive.

27. TIER 1	TIER 2/3 AND INDIVIDUAL PERMITS	
☐ Title, right or interest documentation ☐ Topographic Map ☐ Narrative Project Description ☐ Plan or Drawing (8 1/2" x 11") ☐ Photos of Area ☐ Statement of Avoidance & Minimization ☐ Statement/Copy of cover letter to MHPC	☑ Title, right or interest documentation ☑ Topographic Map ☑ Copy of Public Notice/Public Information Meeting Documentation ☑ Wetlands Delineation Report (Attachment 1) that contains the Information listed under Site Conditions ☑ Alternatives Analysis (Attachment 2) including description of how wetland impacts were Avoided/Minimized	☑ Erosion Control/Construction Plan ☐ Functional Assessment (Attachment 3), if required ☐ Compensation Plan (Attachment 4), if required ☑ Appendix A and others, if required ☑ Statement/Copy of cover letter to MHPC ☐ Description of Previously Mined Peatland, if required

28. FEES Amount Enclosed:	$474

CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2

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ORTANT: IF THE SIGNATURE BELOW IS NOT THE APPLICANT'S SIGNATURE, ATTACH LETTER OF AGENT AUTHORIZATION SIGNED BY THE APPLICANT.

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

DEP SIGNATORY REQUIREMENT

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor a permit be issued.

CORPS SIGNATORY REQUIREMENT

USC Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry shall be fines not more than $10,000 or imprisoned not more than five years or both. I authorize the Corps to enter the property that is subject to this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein.

DEP SIGNATORY REQUIREMENT

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Further, I hereby authorize the DEP to send me an electronically signed decision on the license I am applying for with this application by emailing the decision to the address located on the front page of this application (see #4 for the applicant and #8 for the agent)."

Thomas G. Duly
SIGNATURE OF AGENT/APPLICANT

Date: 4-30-15

NOTE: Any changes in activity plans must be submitted to the DEP and the Corps in writing and must be approved by both agencies prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.

(pink)

CITY OF PORTLAND, MAINE
RESURGAM
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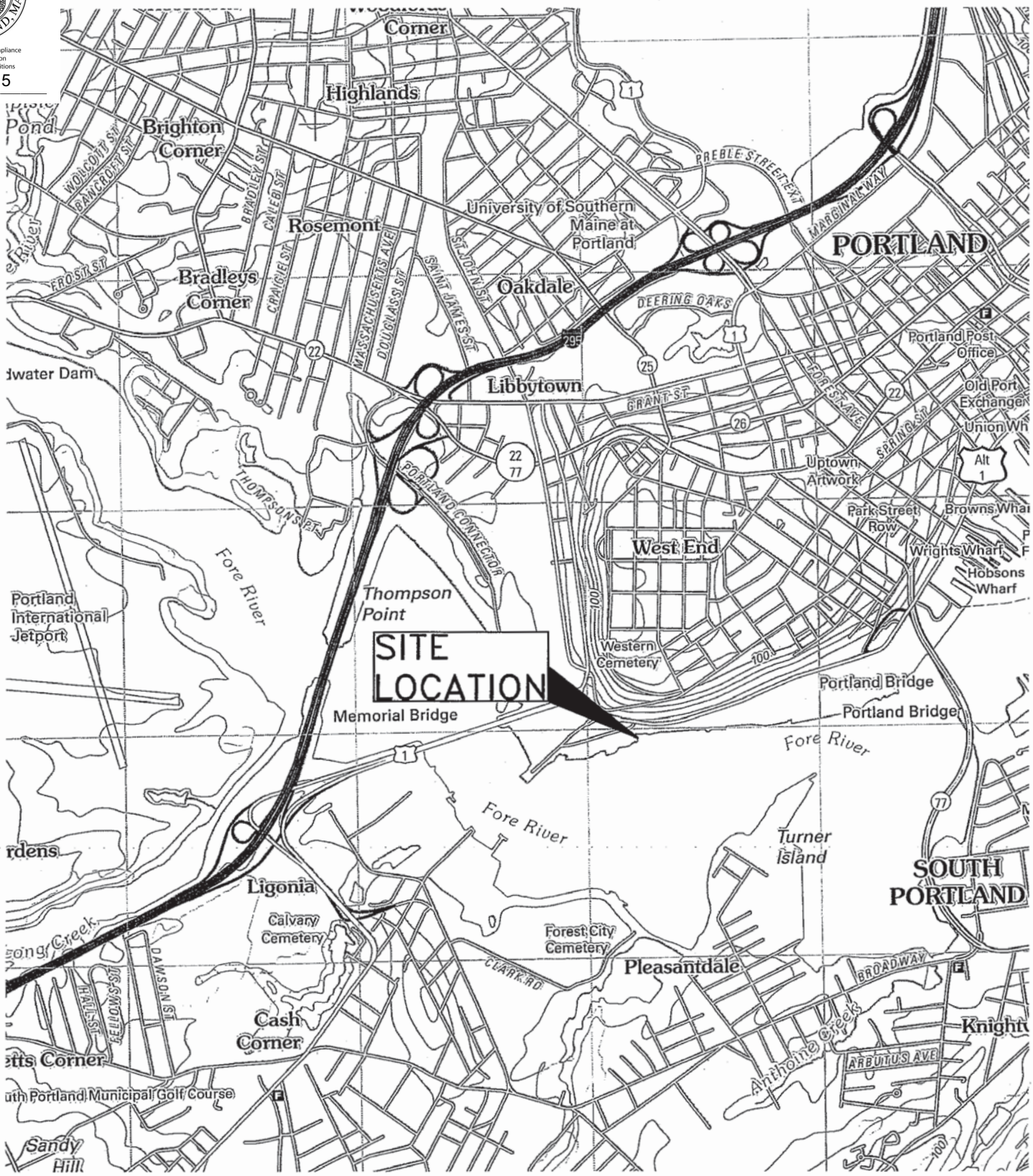

Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1 000-meter grid: Universal Transverse Mercator, Zone 19T
10 000-foot ticks: Maine Coordinate System of 1983 (west zone)

2000' 0 2000' 4000'

BAR SCALE
1" = 2000'
CHECK GRAPHIC SCALE BEFORE USING

WOODARD & CURRAN
41 Hutchins Drive
Portland, Maine 04102
800.426.4262 | www.woodardcurran.com
COMMITMENT & INTEGRITY DRIVE RESULTS

SITE LOCATION MAP		CIANBRO 60 CASSIDY POINT, PORTLAND, ME	JOB NO: 227597 DATE: MAY 2015 SCALE: 1"=200'
DESIGNED BY: N/A	CHECKED BY: LJS	RICKER'S WHARF	ATTCH. 3
DRAWN BY: BCM	227597 SITE LOCATION MA*.dwg		

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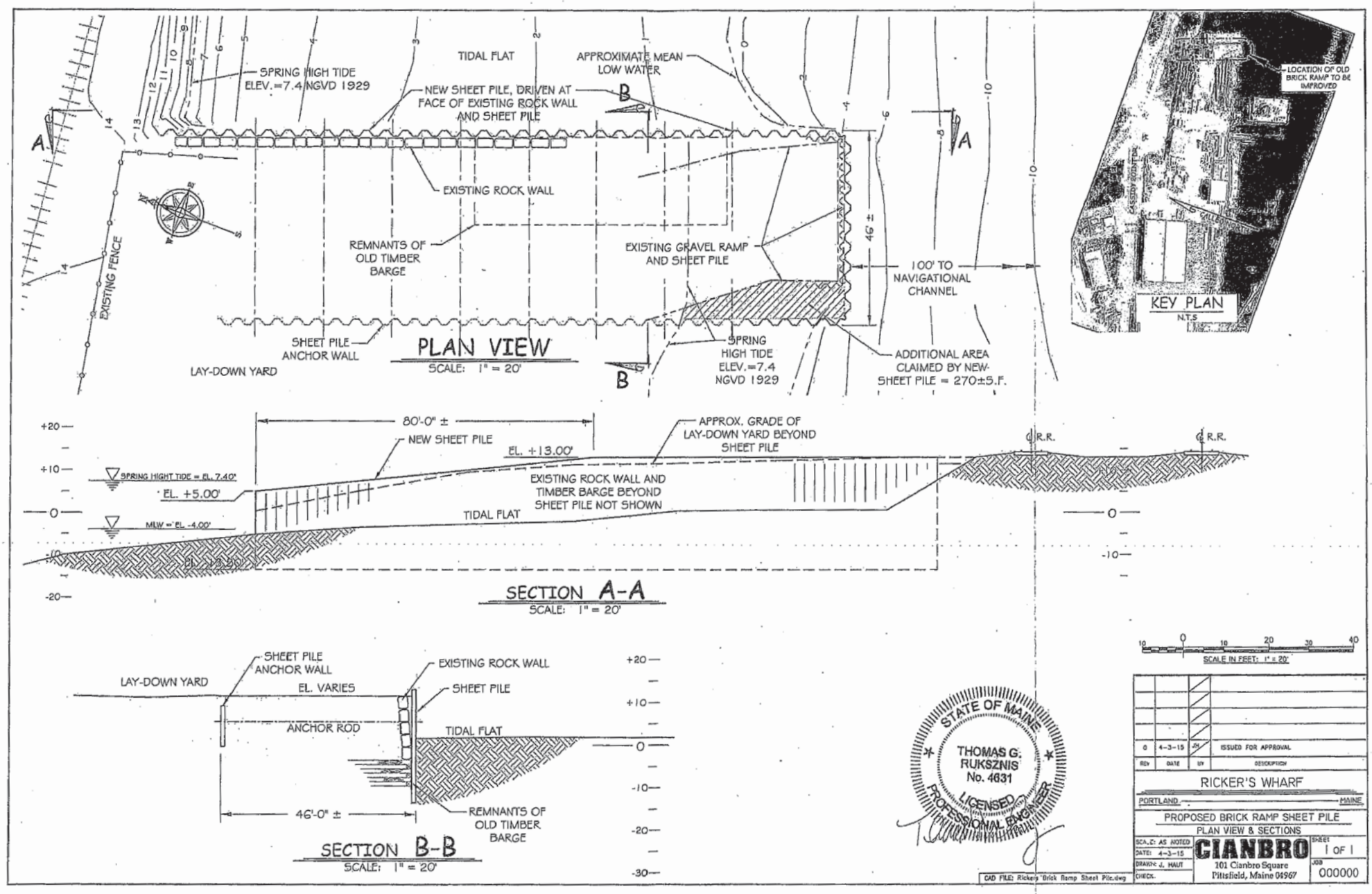

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(Minimum Notice: Permittee must sign and return notification within one month of the completion of work.)

U.S. Army Corps of Engineers®
New England District

COMPLIANCE CERTIFICATION FORM

Corps of Engineers Permit No: NAE-2015-01087

Name of Permittee: Cianbro Corporation

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 *
* Policy Analysis/Technical Support Branch, ATTN: PAS*
* 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***

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WORK-START NOTIFICATION FORM

(Minimum Notice: Two weeks before work begins)

****
* MAIL TO: U.S. Army Corps of Engineers, New England District *
* Policy Analysis/Technical Support Branch *
* Regulatory Division *
* 696 Virginia Road *
* Concord, Massachusetts 01742-2751 *
****

Corps of Engineers Permit No. NAE-2015-01087 was issued to Cianbro Corporation. The permit authorized the permittee to place fill in 270 SF (0.006 acres) of intertidal area in conjunction with widening the outer end of the existing ramp to 46' and installing approximately 340 linear feet of new sheet pile bulkhead and anchor wall around the face of the existing stone block and sheet pile landing at Ricker's Wharf in Fore River off Cassidty Point Drive Portland, Maine. 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: _____

_____

_____

_____

Telephone Numbers: ( ) _____ ( ) _____

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

Permittee's Signature: _____ **Date:** _____

Printed Name: _____ **Title:** _____

****

FOR USE BY THE CORPS OF ENGINEERS

PM: Howe **Submittals Required:** _____

Inspection Recommendation: _____

_____