



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

Big Black Dog, LLC
Attn: Robin Clark
P.O. Box 69
Peaks Island, Maine 04108

CORPS PERMIT # NAE-2014-00792
CORPS PGP ID# 14-152
STATE ID# L-

DESCRIPTION OF WORK:

Reconfigure the existing Big Black Dog, LLC marina floats by adding a 4' x 20' float to the #2 finger float and an 10' x 70' extension to the base float with six 4' x 36' pile secured finger floats at the North Pier. The work also includes adding an 10' x 20' bottom moored float extension to the south pier off 4 Welch Street Peaks Island, Maine as shown on the attached plan entitled "North Pier Big Black Dog LLC and South Pier Big Black Dog LLC dated Jan 2014."
See Attached Conditions:

LAT/LONG COORDINATES : 43.65607 N 70.20016 W USGS QUAD: ME-Portland East

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 [X], ISSUED[], DENIED [] DATE: _____

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

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 5/1/2014 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

Frank J. Del Giudice 5-28-2014
FRANK J. DEL GIUDICE DATE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION



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

**PLEASE NOTE THE FOLLOWING GENERAL CONDITIONS FOR
DEPARTMENT OF THE ARMY
GENERAL PERMIT
NO. NAE-2014-00792**

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. Please note the pile driving conditions in Appendix A (f) Structures and Floats Category 1 on page 7 of the attached Programmatic General Permit.
4. Please note Appendix A (f) Structures and Floats Category 2, 2. Expansions to existing boating facilities on page 7 of the attached Programmatic General Permit

APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

→ PLEASE TYPE OR PRINT IN BLACK INK ONLY

1. Name of Applicant: <u>Robin Clark - Big Back Bay LLC</u>		5. Name of Agent:	
2. Applicant's Mailing Address: <u>POB 69 Peaks Is ME 04108</u>		6. Agent's Mailing Address:	
3. Applicant's Daytime Phone #: <u>209-232-5496</u>		7. Agent's Daytime Phone #:	
4. Applicant's Email Address (Required from either applicant or agent): <u>r1peak@aol.com</u>		8. Agent's Email Address:	
9. Location of Activity: (Nearest Road, Street, RL#) <u>4 Welch St</u>		10. Town: <u>Peaks Island Portland</u>	11. County: <u>Cumberland</u>
12. Type of Resource: (Check all that apply)	<input type="checkbox"/> River, stream or brook <input type="checkbox"/> Great Pond <input checked="" type="checkbox"/> Coastal Wetland <input type="checkbox"/> Freshwater Wetland <input type="checkbox"/> Wetland Special Significance <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Fragile Mountain		13. Name of Resource: <u>Atlantic Ocean</u>
	14. Amount of Impact: (Sq.Ft.)		Fill: <u>le plings, le sp</u> Dredging/Veg Removal: <u>none</u> <u>floats lids sp</u>
15. Type of Wetland: (Check all that apply)	FOR FRESHWATER WETLANDS		
	<input type="checkbox"/> Forested <input type="checkbox"/> Scrub Shrub <input type="checkbox"/> Emergent <input type="checkbox"/> Wet Meadow <input type="checkbox"/> Peatland <input checked="" type="checkbox"/> Open Water <input type="checkbox"/> Other _____	Tier 1 <input type="checkbox"/> 0 - 4,999 sq ft. <input type="checkbox"/> 5,000-9,999 sq ft <input type="checkbox"/> 10,000-14,999 sq ft	Tier 2 <input type="checkbox"/> 15,000 - 43,560 sq. ft.
16. Brief Activity Description: <u>increase size of marina to accommodate additional boaters' tie up & lessen wind & water damage</u>			
17. Size of Lot or Parcel & UTM Locations:		<input type="checkbox"/> _____ square feet, or <input checked="" type="checkbox"/> <u>1.0098</u> acres UTM Northing: _____ UTM Easting: _____	
18. Title, Right or Interest: <input checked="" type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement			
19. Deed Reference Numbers: Book# <u>3064</u> Page: <u>155</u>		20. Map and Lot Numbers: Map # <u>84-Q</u> Lot # <u>3-5 to 8</u>	
21. DEP Staff Previously Contacted: <u>L-9216-4E-A-X</u> <u>PRR # 53938 PRR # 52391</u>		22. Part of a larger project: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
23. Resubmission of Application?: <input checked="" type="checkbox"/> No		24. Written Notice of Violation?: <input checked="" type="checkbox"/> No	
25. Previous Wetland Alteration: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		26. Detailed Directions to the Project Site: <u>West side of Peaks Island next to ferry landing & public dock</u>	
27. TIER 1		TIER 2/3 AND INDIVIDUAL PERMITS	
<input type="checkbox"/> Title, right or interest documentation <input type="checkbox"/> Topographic Map <input type="checkbox"/> Narrative Project Description <input type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input type="checkbox"/> Photos of Area <input type="checkbox"/> Statement of Avoidance & Minimization <input type="checkbox"/> Statement/Copy of cover letter to MHPC		<input checked="" type="checkbox"/> Title, right or interest documentation <input checked="" type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Copy of Public Notice/Public Information Meeting Documentation <input checked="" type="checkbox"/> Wetlands Delineation Report (Attachment 1) that contains the information listed under Site Conditions <input checked="" type="checkbox"/> Alternatives Analysis (Attachment 2) including description of how wetland impacts were Avoided/Minimized <input type="checkbox"/> Erosion Control/Construction Plan <u>NA</u> <input type="checkbox"/> Functional Assessment (Attachment 3), if required <u>NA</u> <input type="checkbox"/> Compensation Plan (Attachment 4), if required <u>NA</u> <input checked="" type="checkbox"/> Appendix A and others, if required <u>B, D</u> <input checked="" type="checkbox"/> Statement/Copy of cover letter to MHPC <input type="checkbox"/> Description of Previously Mined Peatland, if required <u>NA</u>	
28. FEES Amount Enclosed:			
CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2			

IMPORTANT: 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 fined not more than \$10,000 or imprisoned not more than five years or both. I authorize the Corps to enter the property that is 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)."

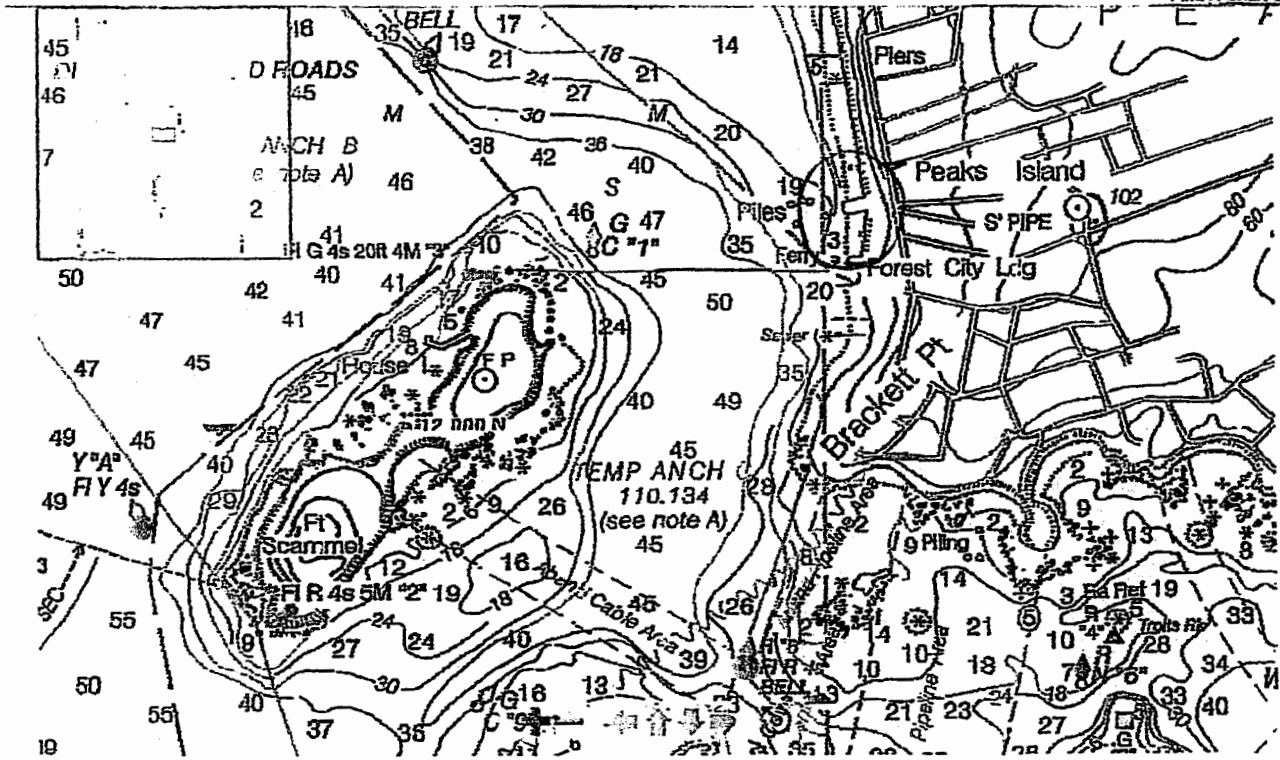
Robin Clark

SIGNATURE OF AGENT/APPLICANT

Date: 1-31-14

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)



- Click the +/- buttons and drag the slider tool (solid triangle) to zoom in and out.
- Click the arrow buttons to pan left/right and up/down.
- Drag the navigation box in the upper left hand corner to move around the chart image.

This chart display or derived product can be used as a planning or analysis tool and may not be used as a navigational aid.

NOTE: Use the official, full scale NOAA nautical chart for real navigation whenever possible. These are available from authorized NOAA nautical chart sales agents. Screen captures of the on-line viewable charts available here do NOT fulfill chart carriage requirements for regulated commercial vessels under Titles 33 and 46 of the Code of Federal Regulations.

Adobe Flash Player is required to view the chart image.
Powered by Zoomify.

45

PEAK'S ISLAND

46

CENTRAL AV.

5

4

2

3

WILLOW

4

EPPS

5

BRACKETT COR. AV.

6

WELCH

43

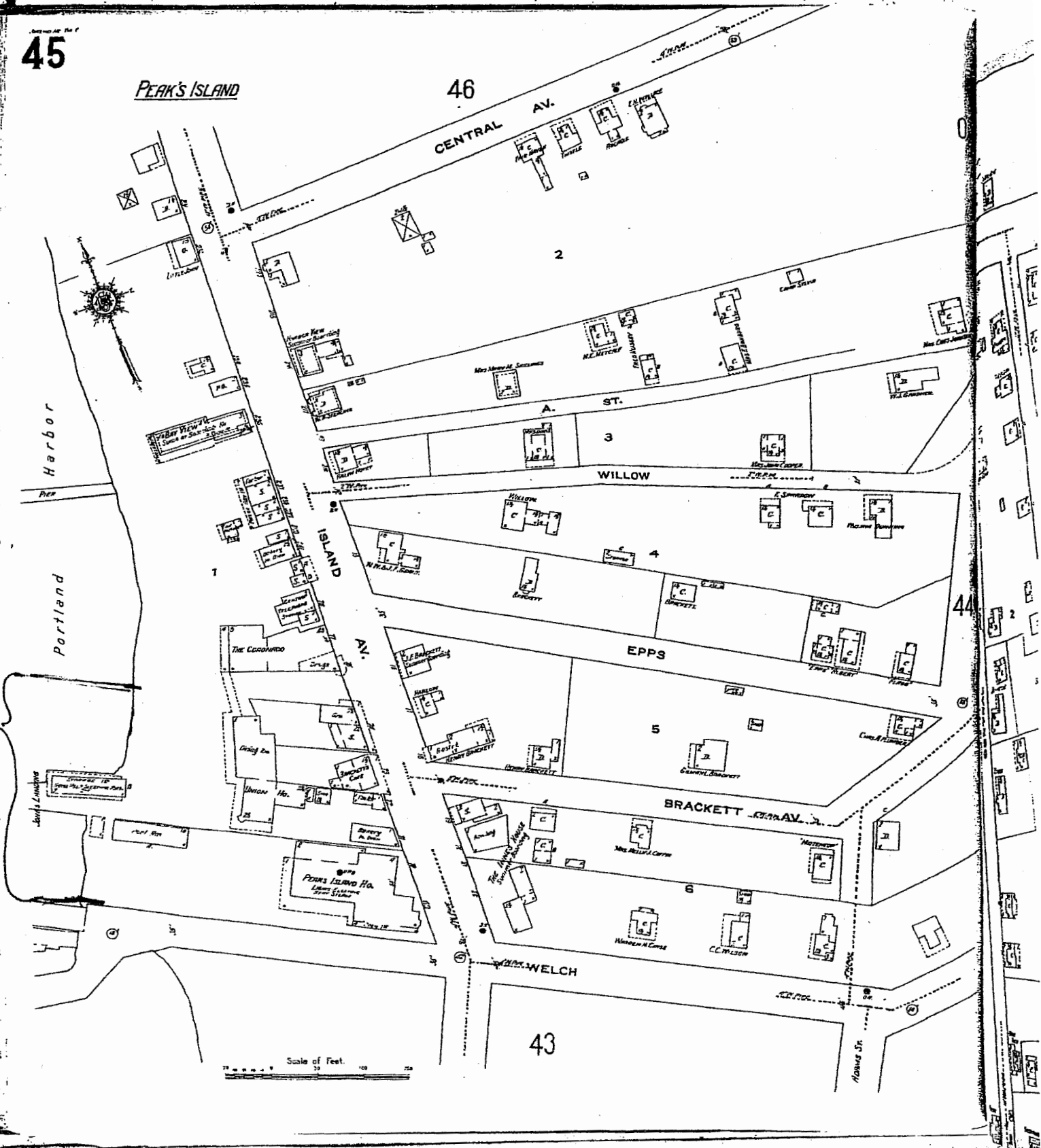
44

Harbor

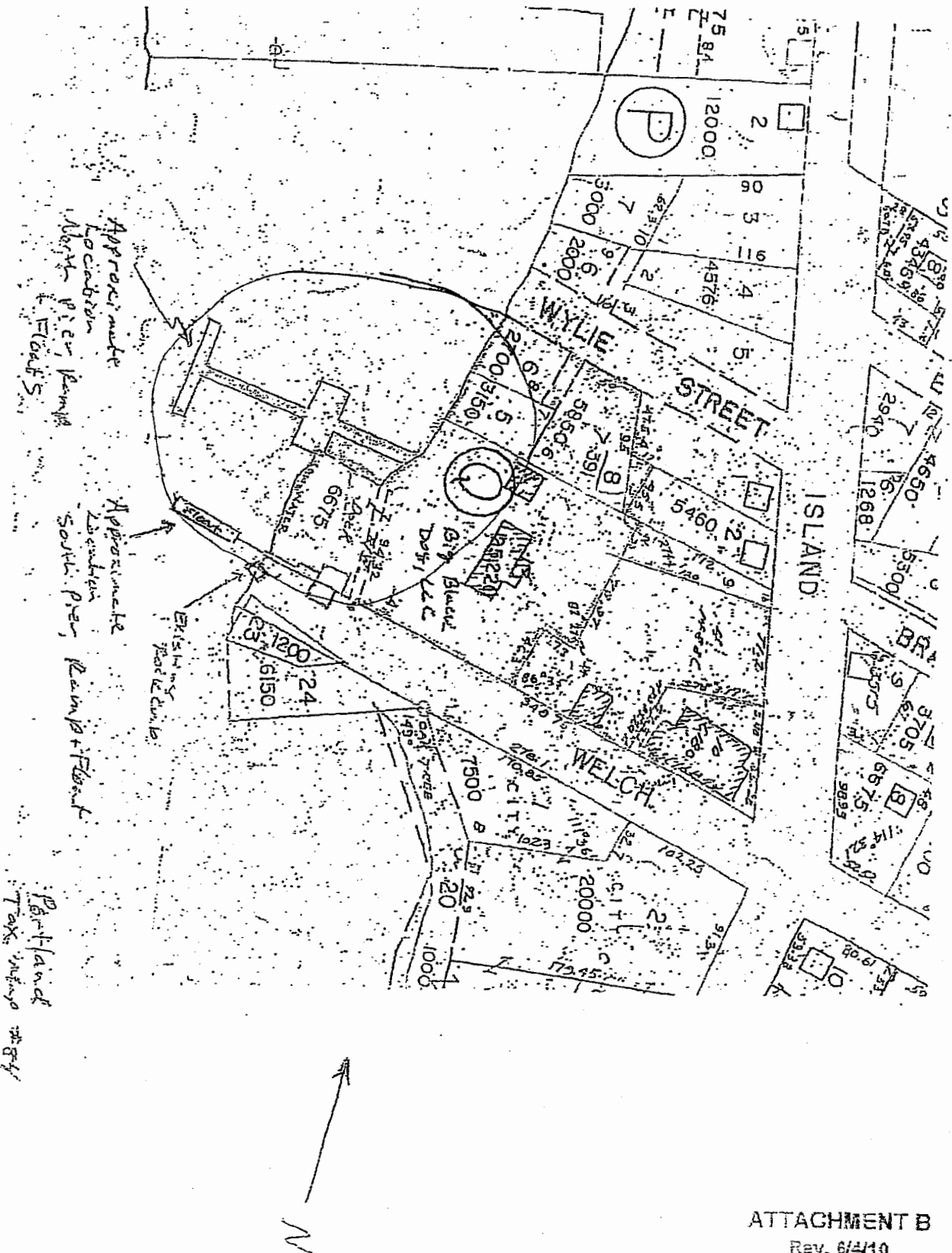
Portland

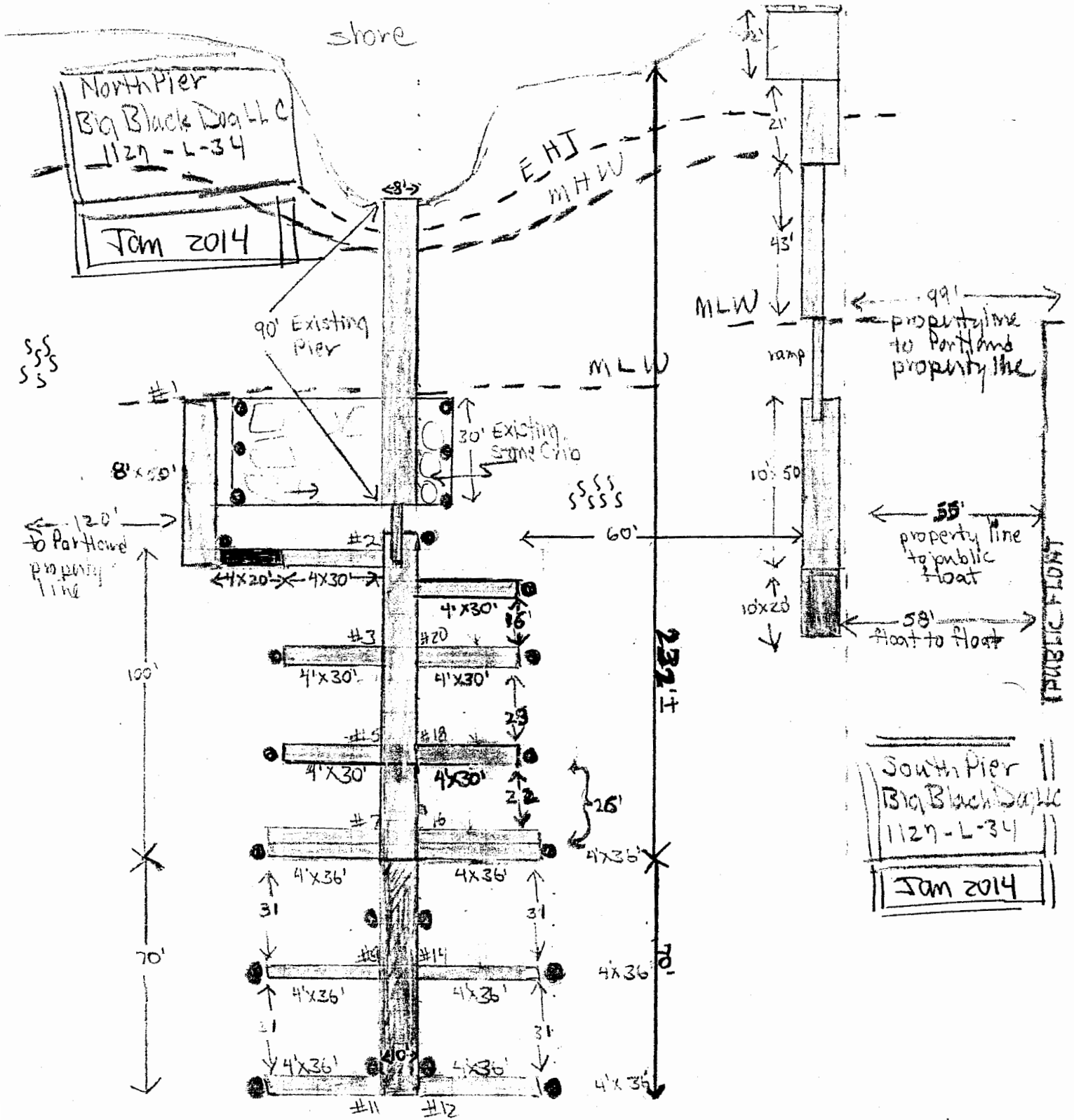


Scale of Feet. 0 25 50 75 100



Big Black Dogs, LLC
Peaks Island, Portland

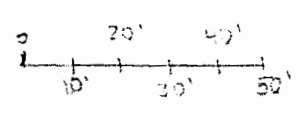




SSS
SSS
SSS

SSS eel grass

Existing
 6 new floats 4'x36'
 ● new pilings 6 new 2 moved
 North Pier addition 10'x70'
 South Pier addition 10'x20'





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

US Army Corps of Engineers®
New England District

COMPLIANCE CERTIFICATION FORM

Corps of Engineers Permit No: NAE-2014-00792

Name of Permittee: Big Black Dog, LLC.

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



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

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-2014-00792 was issued to Big Black Dog, LLC. The permit authorized the permittee to reconfigure the existing Big Black Dog, LLC marina floats by adding a 4' x 20' float to the #2 finger float and an 10' x 70' extension to the base float with six 4' x 36' pile secured finger floats at the North Pier. The work also includes adding a 10' x 20' bottom moored float extension to the south pier off 4 Welch Street Peaks Island, Maine. The removable pier and float will be secured to the tidal marsh/flat with helical anchors. 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: _____ **Submittals Required:** _____

Inspection Recommendation: _____
